



## UNSW Course Outline

# LAWS8168 The Australian Legal System in Comparative Perspective - 2024

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## General Course Information

**Course Code :** LAWS8168

**Year :** 2024

**Term :** Summer

**Teaching Period :** U1

**Is a multi-term course? :** No

**Faculty :** Faculty of Law and Justice

**Academic Unit :** School of Global and Public Law

**Delivery Mode :** In Person

**Delivery Format :** Standard

**Delivery Location :** Kensington

**Campus :** Sydney

**Study Level :** Postgraduate

**Units of Credit :** 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

This is a comparative legal course that provides incoming international exchange and study

abroad students with an opportunity to learn the history and foundational institutions and principles that underpin the Australian legal system. Students will also learn about current legal issues in Australia, and explore these in critical and comparative perspective. There is no assumed knowledge for this course and no pre-requisites. It is open only to international exchange and study abroad students - UNSW LLB, JD or LLM students are not eligible to enrol.

**Topics covered may include:**

Methodology of Comparative Law

Introduction to the Australian Legal System

Parliament and Democracy

Courts, Judicial Review and Access to Justice

The Executive

Federalism

Introduction to Criminal Law

Structure of Private Law

Introduction to Land Law

Case studies on contemporary legal issues in Australia

## **Course Aims**

This course provides incoming exchange and study abroad students with an opportunity to learn about the history and foundational institutions and principles that underpin the Australian legal system as well as current legal issues, and explore these in critical and comparative perspective.

# Course Learning Outcomes

Course Learning Outcomes
CLO1 : demonstrate understanding of basic history and institutional structure of the Australian legal system.
CLO2 : demonstrate understanding of key fundamental dimensions of Australian legal doctrine.
CLO3 : examine and engage in advanced comparative and critical analysis of the essential elements of and contemporary issues in the Australian legal system.
CLO4 : demonstrate high level skills of collaboration and oral communication by discussing and debating course concepts in a scholarly, reflective and respectful manner.
CLO5 : demonstrate high level skills in written communication and argument development.
CLO6 : demonstrate the ability to collaborate effectively as part of a team.
CLO7 : demonstrate the capacity to produce quality scholarly work in non-standard academic formats.

Course Learning Outcomes	Assessment Item
CLO1 : demonstrate understanding of basic history and institutional structure of the Australian legal system.	<ul style="list-style-type: none"><li>• Mid-Term Assessment</li><li>• Online quiz</li><li>• Comparative Group Project</li><li>• Class Participation</li></ul>
CLO2 : demonstrate understanding of key fundamental dimensions of Australian legal doctrine.	<ul style="list-style-type: none"><li>• Mid-Term Assessment</li><li>• Online quiz</li><li>• Comparative Group Project</li><li>• Class Participation</li></ul>
CLO3 : examine and engage in advanced comparative and critical analysis of the essential elements of and contemporary issues in the Australian legal system.	<ul style="list-style-type: none"><li>• Mid-Term Assessment</li><li>• Online quiz</li><li>• Comparative Group Project</li><li>• Class Participation</li></ul>
CLO4 : demonstrate high level skills of collaboration and oral communication by discussing and debating course concepts in a scholarly, reflective and respectful manner.	<ul style="list-style-type: none"><li>• Class Participation</li></ul>
CLO5 : demonstrate high level skills in written communication and argument development.	<ul style="list-style-type: none"><li>• Mid-Term Assessment</li><li>• Comparative Group Project</li></ul>
CLO6 : demonstrate the ability to collaborate effectively as part of a team.	<ul style="list-style-type: none"><li>• Comparative Group Project</li></ul>
CLO7 : demonstrate the capacity to produce quality scholarly work in non-standard academic formats.	<ul style="list-style-type: none"><li>• Comparative Group Project</li></ul>

# Learning and Teaching Technologies

Moodle - Learning Management System

## Assessments

### Assessment Structure

Assessment Item	Weight	Relevant Dates
Mid-Term Assessment Assessment Format: Individual	30%	
Online quiz Assessment Format: Individual	20%	
Comparative Group Project Assessment Format: Group	30%	
Class Participation Assessment Format: Individual	20%	

### Assessment Details

#### Mid-Term Assessment

##### Assessment Overview

The assignment will involve a written task of around 3000 words.

The specifics of assessment change each term the course is offered and can be found on the Moodle course page.

##### Course Learning Outcomes

- CLO1 : demonstrate understanding of basic history and institutional structure of the Australian legal system.
- CLO2 : demonstrate understanding of key fundamental dimensions of Australian legal doctrine.
- CLO3 : examine and engage in advanced comparative and critical analysis of the essential elements of and contemporary issues in the Australian legal system.
- CLO5 : demonstrate high level skills in written communication and argument development.

#### Online quiz

##### Assessment Overview

The specifics of assessment change each term the course is offered and can be found on the Moodle course page.

## Course Learning Outcomes

- CLO1 : demonstrate understanding of basic history and institutional structure of the Australian legal system.
- CLO2 : demonstrate understanding of key fundamental dimensions of Australian legal doctrine.
- CLO3 : examine and engage in advanced comparative and critical analysis of the essential elements of and contemporary issues in the Australian legal system.

## **Comparative Group Project**

### Assessment Overview

If a written format is selected, this will be about 3000 words. If a non-written format, e.g. a podcast or other multimedia, this will be around 15 minutes, or other by negotiation with teacher (depending on the media selected).

The specifics of assessment change each term the course is offered and can be found on the Moodle course page.

## Course Learning Outcomes

- CLO1 : demonstrate understanding of basic history and institutional structure of the Australian legal system.
- CLO2 : demonstrate understanding of key fundamental dimensions of Australian legal doctrine.
- CLO3 : examine and engage in advanced comparative and critical analysis of the essential elements of and contemporary issues in the Australian legal system.
- CLO5 : demonstrate high level skills in written communication and argument development.
- CLO6 : demonstrate the ability to collaborate effectively as part of a team.
- CLO7 : demonstrate the capacity to produce quality scholarly work in non-standard academic formats.

## **Class Participation**

### Assessment Overview

Assessment will be conducted based on frequency and quality of contributions to class discussion.

## Course Learning Outcomes

- CLO1 : demonstrate understanding of basic history and institutional structure of the Australian legal system.
- CLO2 : demonstrate understanding of key fundamental dimensions of Australian legal doctrine.
- CLO3 : examine and engage in advanced comparative and critical analysis of the essential elements of and contemporary issues in the Australian legal system.

- CLO4 : demonstrate high level skills of collaboration and oral communication by discussing and debating course concepts in a scholarly, reflective and respectful manner.

## General Assessment Information

### Grading Basis

Standard

## Course Schedule

### Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
	Mark Duffy					Yes	Yes

## Other Useful Information

### Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

## UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

## Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

## Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further

information, see Special Consideration on the UNSW [Current Students](#) page.

## Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

## Faculty-specific Information

### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

### Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors

will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.