



## UNSW Course Outline

# LAWS3272 Australian Immigration Law and Practice - 2024

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## General Course Information

**Course Code :** LAWS3272

**Year :** 2024

**Term :** Term 1

**Teaching Period :** T1

**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 :** Undergraduate

**Units of Credit :** 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

This course teaches students about the operation of Australian immigration law. Emphasis is placed upon acquiring knowledge as to how immigration law works in practice through examining the structure and content of the *Migration Act 1958* and the *Migration Regulations*.

1994. This legislation is voluminous and critical to an understanding of Australian immigration law. This course teaches students how the Act and Regulations operate together to regulate entry and stay in Australia and then focuses upon some regulatory issues in detail.

The workings of the visa system and the different categories of entrants are outlined and general matters relevant to all visa classes (Schedules 3, 4 and 5 of the Migration Regulations) are considered, including health and character criteria. The visa process, family migration and refugee visas are a topic of interest.

The relationship between immigration and Australian citizenship is considered.

The relationship between immigration law and Government policy is considered, both in terms of policy considerations underpinning legislative developments and policy considerations operating throughout the administration of the law. The course seeks to critically evaluate immigration law from varied standpoints, including whether it is efficient in achieving policy goals, the extent to which it complies with human rights norms and the rule of law.

## Main Topics

- Immigration law/policy: its subject matter and evaluation
- Migration Act and Regulations
- Citizenship
- Visa cancellations
- Family Migration
- Character.

## Course Aims

- To develop your understanding of Australian immigration law as a complex and regularly changing body of rules
- To develop your statutory interpretation skills
- To develop your appreciation of the role of administrative law principles and rule of law concepts within the Australian legal system
- To explore the relationship between immigration law and personal and public morality
- To develop your understanding of the impact of immigration law upon Australian society and legal frameworks
- To encourage critical thinking about the goals and decision-making processes employed in the field of Australian immigration law
- To encourage critical evaluation as to the content of Australian immigration law.

# Course Learning Outcomes

Course Learning Outcomes
CLO1 : Understand the legal framework governing the regulation of immigration in Australia and the relationship between immigration and citizenship (PLOs 1, 4, 5)
CLO2 : Apply relevant immigration law, both statutory and judicial, to hypothetical fact scenarios (PLOs 1, 3, 4, 5, 6, 9)
CLO3 : Comprehend the historical and social context of Australia's current immigration laws and policies (PLOs 1, 2, 3)
CLO4 : Evaluate the operation of Australian immigration law in terms of its consistency, efficiency and ethics and adherence to rule of law principles (PLOs 1, 3, 4, 7, 11)
CLO5 : Deliberate immigration policy, including its impact upon the selection of migrants for Australia and the relationship between immigration law and policy (PLOs 1, 3, 4)
CLO6 : Understand immigration law as a branch of administrative law and analyse the applicable legal principles and frameworks operating within this area of law (PLOs 1, 3, 4, 5, 6)
CLO7 : Examine the impact of Australia's immigration laws with respect to our international relationships with inter-governmental organisations and other nation states, including consideration of Australia's adherence to international (PLOs 1, 3, 4)
CLO8 : Demonstrate effective oral communication skills in discussing, debating and applying course material and critical thinking in a scholarly, reflective and respectful manner (PLOs 1, 3, 4, 5, 7, 8, 9, 10, 11)

Course Learning Outcomes	Assessment Item
CLO1 : Understand the legal framework governing the regulation of immigration in Australia and the relationship between immigration and citizenship (PLOs 1, 4, 5)	<ul style="list-style-type: none"> <li>• Problem question</li> <li>• Take home exam</li> </ul>
CLO2 : Apply relevant immigration law, both statutory and judicial, to hypothetical fact scenarios (PLOs 1, 3, 4, 5, 6, 9)	<ul style="list-style-type: none"> <li>• Problem question</li> <li>• Take home exam</li> </ul>
CLO3 : Comprehend the historical and social context of Australia's current immigration laws and policies (PLOs 1, 2, 3)	<ul style="list-style-type: none"> <li>• Class Participation</li> </ul>
CLO4 : Evaluate the operation of Australian immigration law in terms of its consistency, efficiency and ethics and adherence to rule of law principles (PLOs 1, 3, 4, 7, 11)	<ul style="list-style-type: none"> <li>• Take home exam</li> </ul>
CLO5 : Deliberate immigration policy, including its impact upon the selection of migrants for Australia and the relationship between immigration law and policy (PLOs 1, 3, 4)	<ul style="list-style-type: none"> <li>• Class Participation</li> </ul>
CLO6 : Understand immigration law as a branch of administrative law and analyse the applicable legal principles and frameworks operating within this area of law (PLOs 1, 3, 4, 5, 6)	<ul style="list-style-type: none"> <li>• Problem question</li> <li>• Class Participation</li> </ul>
CLO7 : Examine the impact of Australia's immigration laws with respect to our international relationships with inter-governmental organisations and other nation states, including consideration of Australia's adherence to international (PLOs 1, 3, 4)	<ul style="list-style-type: none"> <li>• Class Participation</li> </ul>
CLO8 : Demonstrate effective oral communication skills in discussing, debating and applying course material and critical thinking in a scholarly, reflective and respectful manner (PLOs 1, 3, 4, 5, 7, 8, 9, 10, 11)	<ul style="list-style-type: none"> <li>• Class Participation</li> </ul>

## Learning and Teaching Technologies

Moodle - Learning Management System

## Learning and Teaching in this course

Please see Moodle.

## Assessments

### Assessment Structure

Assessment Item	Weight	Relevant Dates
Problem question	40%	
Class Participation	10%	
Take home exam	50%	

# **Assessment Details**

## **Problem question**

### **Assessment Overview**

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

### **Course Learning Outcomes**

- CLO1 : Understand the legal framework governing the regulation of immigration in Australia and the relationship between immigration and citizenship (PLOs 1, 4, 5)
- CLO2 : Apply relevant immigration law, both statutory and judicial, to hypothetical fact scenarios (PLOs 1, 3, 4, 5, 6, 9)
- CLO6 : Understand immigration law as a branch of administrative law and analyse the applicable legal principles and frameworks operating within this area of law (PLOs 1, 3, 4, 5, 6)

## **Class Participation**

### **Assessment Overview**

This will be assessed via group work.

### **Course Learning Outcomes**

- CLO3 : Comprehend the historical and social context of Australia's current immigration laws and policies (PLOs 1, 2, 3)
- CLO5 : Deliberate immigration policy, including its impact upon the selection of migrants for Australia and the relationship between immigration law and policy (PLOs 1, 3, 4)
- CLO6 : Understand immigration law as a branch of administrative law and analyse the applicable legal principles and frameworks operating within this area of law (PLOs 1, 3, 4, 5, 6)
- CLO7 : Examine the impact of Australia's immigration laws with respect to our international relationships with inter-governmental organisations and other nation states, including consideration of Australia's adherence to international (PLOs 1, 3, 4)
- CLO8 : Demonstrate effective oral communication skills in discussing, debating and applying course material and critical thinking in a scholarly, reflective and respectful manner (PLOs 1, 3, 4, 5, 7, 8, 9, 10, 11)

## **Take home exam**

### **Assessment Overview**

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

### **Course Learning Outcomes**

- CLO1 : Understand the legal framework governing the regulation of immigration in Australia and the relationship between immigration and citizenship (PLOs 1, 4, 5)

- CLO2 : Apply relevant immigration law, both statutory and judicial, to hypothetical fact scenarios (PLOs 1, 3, 4, 5, 6, 9)
- CLO4 : Evaluate the operation of Australian immigration law in terms of its consistency, efficiency and ethics and adherence to rule of law principles (PLOs 1, 3, 4, 7, 11)

## 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.

## Course Resources

### Prescribed Resources

No prescribed text. Please see Moodle for course guide.

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Chantal Bostock					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.