



## UNSW Course Outline

# PLTX1230 Consumer Law Practice - 2024

Published on the 13 May 2024

## General Course Information

Course Code : PLTX1230

Year : 2024

Term : Term 2

Teaching Period : T2A

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : Faculty of Law and Justice

Delivery Mode : Online

Delivery Format : Standard

Delivery Location : Distance Education

Campus : Sydney

Study Level : Postgraduate

Units of Credit : 3

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

Consumer Law Practice focuses on consumers' rights and guarantees.

The course covers the relevant skills, values and competencies for the optional practice area of

Consumer Law Practice as prescribed by the Legal Profession Admission Rules 2015, Schedule 2 (Practical legal training competencies for entry-level lawyers).

Course content includes obtaining information about a consumer protection complaint and identifying relevant legislation, drafting documents, initiating and responding to claims in accordance with rules and procedures, representing a client at a hearing, and taking action to implement outcomes.

This course is an elective course for the Graduate Diploma in Legal Professional Practice (GDLPP). Students must be enrolled in the GDLPP to enrol in this course and must have completed PLTX1020 Skills in Practice.

## Course Aims

### Consumer Law Practice

An entry-level lawyer who practises in consumer law should be able to: (a) advise clients on the procedures and remedies available in relation to consumer protection complaints and disputes; and (b) represent the client in any related negotiations or proceedings.

*[Note: This competency standard applies to the practice of consumer law under both State and Federal consumer protection legislation and codes.]*

### Competency Element

### Performance Criteria

### CON1

### Obtaining Information

\* Identify the consumer protection complaint or dispute as one to which consumer protection legislation applies.

\* Identify the relevant legislation and any applicable case law.

\* Identify any possible common law remedies.

*["consumer protection dispute" includes a dispute relating to competition and consumer legislation; misleading and deceptive conduct; motor car traders; domestic building contracts; consumer credit;*

*guarantees; residential tenancies.*

*"consumer protection legislation" includes State and Federal legislation and codes concerning: competition and consumer law; misleading and deceptive conduct; motor car traders; domestic building contracts; consumer credit; residential tenancies.*

*"court or tribunal" includes: Federal courts; State courts; statutory tribunals; industry complaint panels; industry ombudsmen]*

## CON2

### Drafting documents

Draft any documents required, in accordance with the client's instructions and the relevant legislation.

## CON3

### Initiating and responding to claims

- \* Identify the appropriate forum for initiating corresponding to a claim.
- \* Initiate a claim or take action to oppose a claim in accordance with the rules and procedures of the relevant court or tribunal, in a timely manner.
- \* Obtain all necessary evidence and draft all necessary documents in accordance with those rules.

## CON4

### Representing the client

- \* Identify all possible means of resolving the consumer protection complaint or dispute to the satisfaction of the client; and discuss them with the client, or
- \* Participate in or observe, such discussions.
- \* Complete all necessary preparation in accordance with the law, good practice and the circumstances of the matter.

\* Represent the client effectively at, or participate in or observe, any negotiation, mediation, hearing or other proceedings.

## CON5

Taking action to implement outcomes

\* Properly document any order or settlement properly and explain it to the client in a way which a reasonable client could understand.

\* Identify any procedures necessary to enforce the order or settlement and implemented them in a timely manner.

## Relationship to Other Courses

This course is an elective course in the Graduate Diploma in Legal Professional Practice (GDLPP). Students must be enrolled in the GDLPP to enrol in this course and must have completed PLTX1020 Skills in Practice and PLTX1040 Values in Practice. This course can also be taken on a non award basis (NAWD).

## Course Learning Outcomes

Course Learning Outcomes
CLO1 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when analysing a practical legal problem and identifying, assessing, and evaluating the relevant issues as to the law, facts, evidence, and matters requiring further investigation or legal research. (PLO1; PLO2; PLO3; PLO5)
CLO2 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when writing legal advice, and other written communications (including file notes and memoranda) that are legally and factually comprehensive and correct, well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)
CLO3 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when drafting (and reviewing) legal documents (including forms, precedents, pleadings, and submissions) that are legally and factually comprehensive and correct, persuasive, well-structured and clearly expressed in ways appropriate for the intended purpose. (PLO1; PLO2; PLO3; PLO5)
CLO4 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when making oral presentations in litigious and non-litigious contexts that are legally and factually comprehensive and correct, well-structured and clearly expressed in ways appropriate for the intended purpose, and is persuasive and engages the decision-maker. (PLO1; PLO2; PLO3; PLO4; PLO5)

Course Learning Outcomes	Assessment Item
CLO1 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when analysing a practical legal problem and identifying, assessing, and evaluating the relevant issues as to the law, facts, evidence, and matters requiring further investigation or legal research. (PLO1; PLO2; PLO3; PLO5)	<ul style="list-style-type: none"> <li>• Practiques</li> <li>• Client file: Written Advice and Drafting</li> <li>• Client file - Oral Submissions and accompanying written preparation and Reflection</li> </ul>
CLO2 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when writing legal advice, and other written communications (including file notes and memoranda) that are legally and factually comprehensive and correct, well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)	<ul style="list-style-type: none"> <li>• Practiques</li> <li>• Client file: Written Advice and Drafting</li> <li>• Client file - Oral Submissions and accompanying written preparation and Reflection</li> </ul>
CLO3 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when drafting (and reviewing) legal documents (including forms, precedents, pleadings, and submissions) that are legally and factually comprehensive and correct, persuasive, well-structured and clearly expressed in ways appropriate for the intended purpose. (PLO1; PLO2; PLO3; PLO5)	<ul style="list-style-type: none"> <li>• Practiques</li> <li>• Client file: Written Advice and Drafting</li> <li>• Client file - Oral Submissions and accompanying written preparation and Reflection</li> </ul>
CLO4 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when making oral presentations in litigious and non-litigious contexts that are legally and factually comprehensive and correct, well-structured and clearly expressed in ways appropriate for the intended purpose, and is persuasive and engages the decision-maker. (PLO1; PLO2; PLO3; PLO4; PLO5)	<ul style="list-style-type: none"> <li>• Client file - Oral Submissions and accompanying written preparation and Reflection</li> </ul>

## Learning and Teaching Technologies

Moodle - Learning Management System | Microsoft Teams | Vieple

## Learning and Teaching in this course

Our student-centred approach values participation and is discussion and practice-based, rather

than a transmission-based approach in which knowledge is unquestioned. Authentic scenarios are a central part of the learning process.

Students demonstrate learning progress in this course by engaging with practice-based real-life scenarios that require them to retrieve, comprehend, analyse, and utilise knowledge, skills, and values across the information, mental and physical procedures learning domains. The activities require students to engage in higher-level cognitive processes such as problem-solving, decision-making, investigation, and experimentation.

Students are assisted by content, materials, tools and interactions based on a practitioner mentoring model to learn processes and literacies appropriate for entry-level lawyers.

### **Online learning modules - practiques**

These unique and innovative online learning modules created for each competency utilise current learning technologies, enabling activities to be completed asynchronously on any digital device. The practiques introduce students to the resources and support available to develop their competency and confidence in the relevant practice area of law. The practiques also assist students to identify gaps in their knowledge with interactive problem scenarios based on a simulated client file and contemporaneous feedback. The completion of the required practiques and engagement with the resources and webinars significantly enhance quality of engagement of GDLPP students with their assessments.

### **Weekly webinars**

Online interaction is supported by weekly webinars with experienced practitioner mentors to clarify and support learning by reflecting on the areas of difficulty students experienced in the online learning modules. The webinars extend students' knowledge and support them in understanding how to approach their assessable client files. Examples of webinar content in the GDLPP include onsite/online guest presentations from the legal profession and relevant stakeholders and groups; and online webinars and workshops.

The GDLPP utilises the collaborative technology of Microsoft Teams for webinars and for all communications with students. To accommodate work, family commitments etc, webinars are generally repeated so students have a choice of times.

## **Additional Course Information**

This course may be taken on a non-award basis (NAWD).

# Assessments

## Assessment Structure

Assessment Item	Weight	Relevant Dates
Practiques	20%	Start Date: 03/06/2024 12:00 AM Due Date: Week 5: 24 June - 30 June
Client file: Written Advice and Drafting	40%	Due Date: Week 3: 10 June - 16 June
Client file - Oral Submissions and accompanying written preparation and Reflection	40%	Due Date: Week 5: 24 June - 30 June

## Assessment Details

### Practiques

#### Assessment Overview

Satisfactory completion of all practiques in accordance with the relevant practical legal training competency standards. Competencies CON 1 - 5.

Students can only receive a result of Not Yet Competent (CN) or Competent (CO) for this assessment. To receive a CO result, all practiques must be completed.

N.B. At least a competent level must be obtained on all assessment tasks in order to be considered competent for the course (i.e. CN – Not Yet Competent – is not acceptable against any item).

#### Course Learning Outcomes

- CL01 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when analysing a practical legal problem and identifying, assessing, and evaluating the relevant issues as to the law, facts, evidence, and matters requiring further investigation or legal research. (PLO1; PLO2; PLO3; PLO5)
- CL02 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when writing legal advice, and other written communications (including file notes and memoranda) that are legally and factually comprehensive and correct, well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)
- CL03 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when drafting (and reviewing) legal documents (including forms, precedents, pleadings, and submissions) that are legally and factually comprehensive and correct, persuasive, well-structured and clearly expressed in ways appropriate for the intended purpose. (PLO1; PLO2; PLO3; PLO5)

## **Assessment information**

The PLT program is uniquely structured to replicate the real-world pressures and demands of legal practice. It is also designed to develop crucial skills in work and time management. As part of your learning, you will be required to manage deadlines in a manner that mirrors professional legal settings, where time-sensitive work is the norm. This practical approach is premised on the National PLT Competency Standards for Entry Level Lawyers and is essential in preparing our students for the realities of legal practice. Given the practical, hands-on nature and the short duration of the courses (approximately a month in length with progressive weekly assessments), a professional approach to managing workload and deadlines is also applied to extensions of time for assessment tasks. Extensions for this assessment task are available and managed in accordance with the UNSW PLT Assessments Policy.

## **Client file: Written Advice and Drafting**

### **Assessment Overview**

This assessment item covers competencies CON 1, 2 & 3.

Students will receive a partner memo requesting them to draft:

- An advice to a client; and
- the appropriate accompanying documents.

Students may receive results of Not Yet Competent (CN), Competent (CO) or Competent with Merit (CM) as graded by mentor.

N.B. At least a competent level must be obtained on all assessment tasks in order to be considered competent for the course (i.e. CN – Not Yet Competent – is not acceptable against any item).

### **Course Learning Outcomes**

- CL01 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when analysing a practical legal problem and identifying, assessing, and evaluating the relevant issues as to the law, facts, evidence, and matters requiring further investigation or legal research. (PLO1; PLO2; PLO3; PLO5)
- CL02 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when writing legal advice, and other written communications (including file notes and memoranda) that are legally and factually comprehensive and correct, well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)
- CL03 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when drafting (and reviewing) legal



documents (including forms, precedents, pleadings, and submissions) that are legally and factually comprehensive and correct, persuasive, well-structured and clearly expressed in ways appropriate for the intended purpose. (PLO1; PLO2; PLO3; PLO5)

### **Assessment information**

The PLT program is uniquely structured to replicate the real-world pressures and demands of legal practice. It is also designed to develop crucial skills in work and time management. As part of your learning, you will be required to manage deadlines in a manner that mirrors professional legal settings, where time-sensitive work is the norm. This practical approach is premised on the National PLT Competency Standards for Entry Level Lawyers and is essential in preparing our students for the realities of legal practice. Given the practical, hands-on nature and the short duration of the courses (approximately a month in length with progressive weekly assessments, a professional approach to managing workload and deadlines is also applied to extensions of time for assessment tasks. Extensions for this assessment task are available and managed in accordance with the UNSW PLT Assessments Policy.

## **Client file - Oral Submissions and accompanying written preparation and Reflection**

### **Assessment Overview**

This assessment item covers competencies CON 3, 4 and 5.

Students will receive a partner memo requesting them to:

- Prepare for an oral submission in relation to the client file, including and accompanying written material required;
- Record or attend a web conference to make an oral submission; and
- Reflect on their oral submission for the Loop Project.

Students may receive results of Not Yet Competent (CN), Competent (CO) or Competent with Merit (CM) as graded by mentor.

N.B. At least a competent level must be obtained on all assessment tasks in order to be considered competent for the course (i.e. CN – Not Yet Competent – is not acceptable against any item).

### **Course Learning Outcomes**

- CLO1 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when analysing a practical legal problem and identifying, assessing, and evaluating the relevant issues as to the law, facts, evidence, and matters requiring further investigation or legal research. (PLO1; PLO2; PLO3; PLO5)

- CLO2 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when writing legal advice, and other written communications (including file notes and memoranda) that are legally and factually comprehensive and correct, well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)
- CLO3 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when drafting (and reviewing) legal documents (including forms, precedents, pleadings, and submissions) that are legally and factually comprehensive and correct, persuasive, well-structured and clearly expressed in ways appropriate for the intended purpose. (PLO1; PLO2; PLO3; PLO5)
- CLO4 : Students successfully completing this will have a client-focused approach in consumer law practice area contexts when making oral presentations in litigious and non-litigious contexts that are legally and factually comprehensive and correct, well-structured and clearly expressed in ways appropriate for the intended purpose, and is persuasive and engages the decision-maker. (PLO1; PLO2; PLO3; PLO4; PLO5)

### **Assessment information**

The PLT program is uniquely structured to replicate the real-world pressures and demands of legal practice. It is also designed to develop crucial skills in work and time management. As part of your learning, you will be required to manage deadlines in a manner that mirrors professional legal settings, where time-sensitive work is the norm. This practical approach is premised on the National PLT Competency Standards for Entry Level Lawyers and is essential in preparing our students for the realities of legal practice. Given the practical, hands-on nature and the short duration of the courses (approximately a month in length with progressive weekly assessments, a professional approach to managing workload and deadlines is also applied to extensions of time for assessment tasks. Extensions for this assessment task are available and managed in accordance with the UNSW PLT Assessments Policy.

## **General Assessment Information**

Task-based and performance-based outputs for formative and summative assessments are graded on a competency basis (competent/not yet competent/competent with merit).

After completion of the PLT coursework and as part of the workplace experience or practicum components, students collate and submit their reflective tasks from this course with a final guided reflection as their last assessment in the program.

### **Grading Basis**

Competency

### **Requirements to pass course**

1. Demonstrated competency in all summative assessment tasks; and

2. Satisfactory completion of all formative assessment tasks
3. Achievement of a competent grade on all assessment tasks/items to be considered competent in this course.

## Course Schedule

Teaching Week/Module	Activity Type	Content
Week 2 : 3 June - 9 June	Other	This course starts in Week 2 of Term 2A and Summer. In the first two weeks, the focus will be on: <ul style="list-style-type: none"> <li>• Having an overview of the Australian Consumer Law and applying it to a consumer's situation</li> <li>• Completing Practiques 1 &amp; 2</li> <li>• Preparing for the Assessment 2 letter of advice for the client</li> </ul> Please refer to the detailed course timetable in the Moodle course site for webinar and assessment dates.
Week 3 : 10 June - 16 June	Other	This course starts in week 2 of Term 2A and Summer term. In the first two weeks, the focus will be on: <ul style="list-style-type: none"> <li>• Having an overview of the Australian Consumer Law and applying it to a consumer's situation</li> <li>• Completing Practiques 1 &amp; 2</li> <li>• Preparing for the Assessment 2 letter of advice for the client</li> </ul> Please refer to the detailed course timetable in the Moodle course site for webinar and assessment dates.
Week 4 : 17 June - 23 June	Other	In the last two weeks of this course, the focus will be on: <ul style="list-style-type: none"> <li>• Having an overview of the Australian Consumer Law and applying it to Australian businesses</li> <li>• Writing your presentation notes for Assessment 3</li> <li>• Conducting your Assessment 3 oral presentation.</li> <li>• Writing your Loop reflection</li> </ul> Please refer to the detailed course timetable in the Moodle course site for webinar and assessment dates.
Week 5 : 24 June - 30 June	Other	In the last two weeks of this course, the focus will be on: <ul style="list-style-type: none"> <li>• Having an overview of the Australian Consumer Law and applying it to Australian businesses</li> <li>• Writing your presentation notes for Assessment 3</li> <li>• Conducting your Assessment 3 oral presentation.</li> <li>• Writing your Loop reflection</li> </ul> Please refer to the detailed course timetable in the Moodle course site for webinar and assessment dates.

## Attendance Requirements

Online attendance and participation in weekly webinars.

## General Schedule Information

This course is scheduled in Summer Term and T2A.

## Course Resources

### Prescribed Resources

Students are provided with resources developed by subject matter experts in each area and jurisdiction, including up-to-date practical text guides for each competency. These guides will

provide you with a practical framework for approaching your work in practice and introduces you to the most relevant resources for currency, to support your ability to manage your professional development. Resources for this course are provided through the learning management system, Moodle. Students also have access to all materials in the UNSW Library.

## Additional Costs

Resources and materials for this course are included in the course fees.

## Course Evaluation and Development

Opportunities to provide feedback are provided both informally through direct communication and formally through anonymous course and program level surveys. Feedback received is prioritised, analysed and implemented as part of the GDLPP's cycle of continuous improvement to enhance the student learning experience.

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
	Vedna Jivan					No	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**

Contact [Nucleus Student Hub](#) for all enquiries