



UNSW Course Outline

JURD7152 Introducing Law and Justice - 2024

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General Course Information

Course Code : JURD7152

Year : 2024

Term : Term 1

Teaching Period : T1

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Law, Society and Criminology

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 course introduces students to the history and operation of the contemporary Australian legal system, to the relationships between law and justice, and to the core legal skills necessary for successful study and practice. Common law reasoning and the elements of legal problem

solving are introduced via a case study based on intentional torts, and the interpretation and application of statutes are developed throughout the course. The course emphasises the historical origins and dynamic nature of the Australian legal system as a settler colonial system, developing in the context of a changing Australian society. Through a consideration of the relationships between the principal institutions of government under Australian Constitutions – parliaments, the executive and the courts – it introduces students to key values and constructs underpinning the Australian legal system, including the significance, and limits, of conceptions of the ‘rule of law’. The course explores the nature of the common law and common law reasoning, with a particular emphasis on the circumstances of the adoption of the common law in the Australian states, the common law’s role in facilitating dispossession, and the ongoing impact of colonisation for Indigenous people in Australia. It also explores the processes by which cases are decided by judges, introducing some theoretical frameworks that have been used to analyse law and legal decision making. The roles of judges, practising lawyers and other personnel in the court system are also considered, with an emphasis on the need for the development of professional identities and resilience, as well as the role of lawyers in promoting just outcomes.

All classes in Introducing Law and Justice are small, with a focus on interactive teaching.

All students enrolled in Introducing Law and Justice will also enroll in the co-requisite course, Legal Research and Writing, JURD7155, which introduces foundational legal writing and research skills, such as legal citation, location of primary and secondary materials and various forms of legal writing and argument, including a court report, case note and legal essay. Students will attend classes for Introducing Law and Justice as well as classes for Legal Research and Writing.

The topics covered in Introducing Law and Justice and Legal Research and Writing are linked, and the skills and knowledge taught in Legal Research and Writing are foundational to the skills and knowledge covered and assessed in Introducing Law and Justice.

Main Topics covered:

- The Australian Legal System in Action
- From Case Law to Common Law: Legal Reasoning, the Doctrine of Precedent and Legal Problem Solving
- Introduction to Statutory Interpretation
- The relationship between Law and Equity
- Common Law Theory and Judicial Independence
- Rule of Law, Colonial History, and the Separation of Powers
- The Reception of English Law

- The Impact of Dispossession on Indigenous People
- Social Change and Judicial Decision Making
- Reimagining Law and Justice
- Resilience and Developing a Professional Identity
- Introduction to Primary and Secondary Legal Research methods
- Introduction to research for legal problem solving and policy scenarios
- Legal Citation

Course Aims

The course aims to develop an understanding of the current structure and historical origins of the Australian legal system, encouraging students to see the legal system as a dynamic system in the context of Australian society. Through a consideration of the relationships between the principal institutions of government under Australian constitutions – parliaments, the executive and the courts – it introduces students to key values and constructs underpinning the Australian legal system, including the significance of the idea of the ‘rule of law’ and a consideration of what it means to ‘do justice’. Students will develop an understanding of the history and nature of the common law in Australia, including the circumstances of the adoption of the common law in the Australian states and how this has affected, in particular, Indigenous Australians. The course introduces students to the development of key classifications within common law systems, including the development of the separate Equity jurisdiction. Through a study of intentional torts, as well as other cases, students will become familiar with the processes by which cases are decided by judges and be introduced to some of the theoretical frameworks that have been used to analyse law and legal decision making. The roles of judges, lawyers and other personnel in the court system are considered, including a consideration of the need for the development of professional identities and resilience.

Course Learning Outcomes

Course Learning Outcomes
CLO1 : Demonstrate knowledge of the dynamic history and operation of the Australian legal system and its relationship to the broader context (PLOs 1)
CLO2 : Engage in critical analysis of the legal system in practice from a range of perspectives (PLOs 1, 9 & 11)
CLO3 : Identify key elements and engage in critical analysis of common law reasoning and the judgment of a case (PLOs 5)
CLO4 : Demonstrate effective legal research and written communication skills by articulating legal concepts and analysis clearly and persuasively and with appropriate citation (PLOs 6)
CLO5 : Apply knowledge of intentional torts to hypothetical fact scenarios (PLOs 1 & 5)
CLO6 : Navigate and apply statutory enactments and extrinsic aids in relation to hypothetical fact scenarios with reference to contemporary approaches to statutory interpretation (PLOs 4)
CLO7 : Engage in critical analysis of key historical and contemporary legal institutions, the role of personnel and principles of law and justice (PLOs 1, 2 & 8)
CLO8 : Demonstrate effective oral communication skills by scholarly, reflective and respectful discussion (PLOs 9 & 10).

Course Learning Outcomes	Assessment Item
CLO1 : Demonstrate knowledge of the dynamic history and operation of the Australian legal system and its relationship to the broader context (PLOs 1)	<ul style="list-style-type: none"> • Take-home examination • Final Examination • Class Participation • Extended Case Note
CLO2 : Engage in critical analysis of the legal system in practice from a range of perspectives (PLOs 1, 9 & 11)	<ul style="list-style-type: none"> • Take-home examination • Final Examination • Class Participation • Extended Case Note
CLO3 : Identify key elements and engage in critical analysis of common law reasoning and the judgment of a case (PLOs 5)	<ul style="list-style-type: none"> • Take-home examination • Class Participation • Extended Case Note
CLO4 : Demonstrate effective legal research and written communication skills by articulating legal concepts and analysis clearly and persuasively and with appropriate citation (PLOs 6)	<ul style="list-style-type: none"> • Final Examination • Take-home examination • Extended Case Note
CLO5 : Apply knowledge of intentional torts to hypothetical fact scenarios (PLOs 1 & 5)	<ul style="list-style-type: none"> • Class Participation • Take-home examination
CLO6 : Navigate and apply statutory enactments and extrinsic aids in relation to hypothetical fact scenarios with reference to contemporary approaches to statutory interpretation (PLOs 4)	<ul style="list-style-type: none"> • Class Participation • Take-home examination
CLO7 : Engage in critical analysis of key historical and contemporary legal institutions, the role of personnel and principles of law and justice (PLOs 1, 2 & 8)	<ul style="list-style-type: none"> • Final Examination • Extended Case Note • Class Participation • Take-home examination
CLO8 : Demonstrate effective oral communication skills by scholarly, reflective and respectful discussion (PLOs 9 & 10).	<ul style="list-style-type: none"> • Class Participation

Learning and Teaching Technologies

Moodle - Learning Management System

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Take-home examination Assessment Format: Individual	20%	
Final Examination Assessment Format: Individual	10%	
Class Participation Assessment Format: Individual	20%	
Extended Case Note Assessment Format: Individual	50%	

Assessment Details

Take-home examination

Assessment Overview

This assessment requires you to complete a take-home written examination in response to two problem questions.

Course Learning Outcomes

- CLO1 : Demonstrate knowledge of the dynamic history and operation of the Australian legal system and its relationship to the broader context (PLOs 1)
- CLO2 : Engage in critical analysis of the legal system in practice from a range of perspectives (PLOs 1, 9 & 11)
- CLO3 : Identify key elements and engage in critical analysis of common law reasoning and the judgment of a case (PLOs 5)
- CLO4 : Demonstrate effective legal research and written communication skills by articulating legal concepts and analysis clearly and persuasively and with appropriate citation (PLOs 6)
- CLO5 : Apply knowledge of intentional torts to hypothetical fact scenarios (PLOs 1 & 5)
- CLO6 : Navigate and apply statutory enactments and extrinsic aids in relation to hypothetical fact scenarios with reference to contemporary approaches to statutory interpretation (PLOs 4)
- CLO7 : Engage in critical analysis of key historical and contemporary legal institutions, the role of personnel and principles of law and justice (PLOs 1, 2 & 8)

Final Examination

Assessment Overview

This assessment requires you to complete a timed online exam

Course Learning Outcomes

- CLO1 : Demonstrate knowledge of the dynamic history and operation of the Australian legal system and its relationship to the broader context (PLOs 1)
- CLO2 : Engage in critical analysis of the legal system in practice from a range of perspectives (PLOs 1, 9 & 11)
- CLO4 : Demonstrate effective legal research and written communication skills by articulating legal concepts and analysis clearly and persuasively and with appropriate citation (PLOs 6)
- CLO7 : Engage in critical analysis of key historical and contemporary legal institutions, the role of personnel and principles of law and justice (PLOs 1, 2 & 8)

Class Participation

Assessment Overview

This assessment requires you to prepare for and actively engage in class-based and online activities.

Course Learning Outcomes

- CLO1 : Demonstrate knowledge of the dynamic history and operation of the Australian legal system and its relationship to the broader context (PLOs 1)
- CLO2 : Engage in critical analysis of the legal system in practice from a range of perspectives (PLOs 1, 9 & 11)
- CLO3 : Identify key elements and engage in critical analysis of common law reasoning and the judgment of a case (PLOs 5)
- CLO5 : Apply knowledge of intentional torts to hypothetical fact scenarios (PLOs 1 & 5)
- CLO6 : Navigate and apply statutory enactments and extrinsic aids in relation to hypothetical fact scenarios with reference to contemporary approaches to statutory interpretation (PLOs 4)
- CLO7 : Engage in critical analysis of key historical and contemporary legal institutions, the role of personnel and principles of law and justice (PLOs 1, 2 & 8)
- CLO8 : Demonstrate effective oral communication skills by scholarly, reflective and respectful discussion (PLOs 9 & 10).

Extended Case Note

Assessment Overview

This assessment requires you to prepare a written response to an assignment.

Course Learning Outcomes

- CLO1 : Demonstrate knowledge of the dynamic history and operation of the Australian legal system and its relationship to the broader context (PLOs 1)
- CLO2 : Engage in critical analysis of the legal system in practice from a range of perspectives (PLOs 1, 9 & 11)
- CLO3 : Identify key elements and engage in critical analysis of common law reasoning and the judgment of a case (PLOs 5)

- CLO4 : Demonstrate effective legal research and written communication skills by articulating legal concepts and analysis clearly and persuasively and with appropriate citation (PLOs 6)
- CLO7 : Engage in critical analysis of key historical and contemporary legal institutions, the role of personnel and principles of law and justice (PLOs 1, 2 & 8)

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
Convenor	Casey-Lee Hirst					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.