UNSW Course Outline

PLTX1120 Administrative Law Practice - 2024

Published on the 13 May 2024

General Course Information

Course Code : PLTX1120
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

Administrative Law Practice focuses on government decision making.

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

Administrative 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 under freedom of information legislation, obtaining the review of administrative decisions, and representing a client before courts and administrative tribunals.

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

This course enables students to complete accredited practical legal training for admission to the New South Wales legal profession as specified in the "Optional" Practice Areas competencies (Administrative Law Practice) at Schedule 2 of the Uniform Admission Rules (See Clause 3, and Part 4 of Schedule 2).

The overarching competency requirements, elements, and performance criteria for **Administrative Law Practice** are as follows:

An entry-level lawyer who practises in administrative law should be able to: (a) obtain information for clients under freedom of information legislation and otherwise; (b) seek review of administrative decisions; and (c) represent parties before courts and administrative tribunals. *[Notes: This competency standard applies to both State and Federal administrative law and practice and to proceedings before both State and Federal courts and tribunals.]*

In the Performance Criteria for Elements 2 and 3, "preparation" includes drafting written submissions.

Elements

Performance Criteria / Course Learning Outcome

[incorporates explanatory notes]

[ADMIN1](#)

Obtaining information

identify whether "freedom of information" or "right to information" legislation applies to the situation

identify the specific legislation under which the information may be obtained

take the steps required under that legislation

identify and take any other practical steps required to obtain the information

ADMIN2

Obtaining review of administrative decisions

conclude correctly that the decision may be reviewed

identify and advise the client, or participate in or observe discussions with the client, about alternative means of obtaining a review

complete all preparation required by law, good practice and the circumstances of the matter

represent the client effectively at, or participate in or observe, any mediation, hearing or other review forum, where this is appropriate and permitted

identify all alternative means of obtaining redress and discuss them with the client

["preparation" includes drafting written submissions]

ADMIN3

Representing a client

complete all preparation required by law, good practice and the circumstances of the matter

represent the client effectively at, or participate in or observe, any mediation, hearing or other proceeding, where this is appropriate or permitted

["preparation" includes drafting written submissions]

Relationship to Other Courses

This is an elective course in the Graduate Diploma in Legal Professional Practice (GDLPP).

Students must be enrolled in the GDLPP to undetake 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 course will have a client-focused approach in administrative 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 course will have a client-focused approach in administrative 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, and well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)
CLO3 : Students successfully completing this course will have a client-focused approach in administrative 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, and well-structured and clearly expressed in ways appropriate for the intended purpose. (PLO1; PLO2; PLO3; PLO5)
CLO4 : Students successfully completing this course will have a client-focused approach in administrative 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 course will have a client-focused approach in administrative 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)	• Practiques • Client file: Written Advice and Drafting • Client file - Oral Submissions and accompanying written preparation and Reflection
CLO2 : Students successfully completing this course will have a client-focused approach in administrative 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, and well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)	• Practiques • Client file: Written Advice and Drafting • Client file - Oral Submissions and accompanying written preparation and Reflection
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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, webinars are generally repeated so students have a choice of times.

Additional Course Information

This course can also 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%	Start Date: 03/06/2024 12:00 AM Due Date: Week 3: 10 June - 16 June
Client file - Oral Submissions and accompanying written preparation and Reflection	40%	Start Date: 03/06/2024 12:00 AM Due Date: Week 5: 24 June - 30 June

Assessment Details
Practiques

<u>Assessment Overview</u>

Satisfactory completion of all practiques in accordance with the relevant practical legal training competency standards. Competencies ADMIN 1 - 3.

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. an NYC is not acceptable against any item).

<u>Course Learning Outcomes</u>

- CLO1 : Students successfully completing this course will have a client-focused approach in administrative 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 course will have a client-focused approach in administrative 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, and well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)
- CLO3 : Students successfully completing this course will have a client-focused approach in administrative 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, and well-structured and clearly expressed in ways appropriate for the intended purpose. (PLO1; PLO2; PLO3; PLO5)

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 assessment tasks are available and managed in accordance with the UNSW PLT Assessment Policy.

Client file: Written Advice and Drafting

Assessment Overview

This assessment item covers competencies ADMIN 1 & 2.

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.

Course Learning Outcomes

- CLO1 : Students successfully completing this course will have a client-focused approach in administrative 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 course will have a client-focused approach in administrative 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, and well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)
- CLO3 : Students successfully completing this course will have a client-focused approach in administrative 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, and well-structured and clearly expressed in ways appropriate for the intended purpose. (PLO1; PLO2; PLO3; PLO5)

<u>Assessment information</u>

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 assessment tasks are available and managed in accordance with the UNSW PLT Assessment Policy.

Client file - Oral Submissions and accompanying written preparation and Reflection

<u>Assessment Overview</u>

This assessment item covers competencies ADMIN 2 and 3.

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.

<u>Course Learning Outcomes</u>

- CLO1 : Students successfully completing this course will have a client-focused approach in administrative 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 course will have a client-focused approach in administrative 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, and well-structured and clearly expressed in ways appropriate to the intended recipient. (PLO1; PLO2; PLO3; PLO5)
- CLO3 : Students successfully completing this course will have a client-focused approach in administrative 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, and well-structured and clearly expressed in ways appropriate for the intended purpose. (PLO1; PLO2; PLO3; PLO5)

- CLO4 : Students successfully completing this course will have a client-focused approach in administrative 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)

<u>Assessment information</u>

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 assessment tasks are available and managed in accordance with the UNSW PLT Assessment 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.

<u>Grading Basis</u>

Competancy

<u>Requirements to pass course</u>

1. Demonstrated competency in all summative assessment tasks; and

2. Satisfactory completion of all formative assessment tasks; and

3. A student must achieve a competent grade on all assessment task/items to be considered competent in this course.

Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 27 May - 2 June	Other	This course starts in Week 2 of Term 2A and Summer. In the first two weeks, the focus will be on: • Obtaining Information • Review of Administrative Decisions Please review the detailed course timetable in the Moodle course site for webinar and assessment dates
Week 2 : 3 June - 9 June	Other	This course starts in Week 2 of Term 2A and Summer term. In the first two weeks, the focus will be on: • Obtaining Information • Review of Administrative Decisions Please review 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: • Obtaining Information • Review of Administrative Decisions Please review 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: • Formal avenues and grounds for merits review and judicial review • Next steps for a client • Understanding and explaining the reasons for a decision Please review 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: • Formal avenues and grounds for merits review and judicial review • Next steps for a client • Understanding and explaining the reasons for a decision Please review 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 provide students with a practical framework for approaching their work in practice and introduces them to the most relevant resources for currency, to support their ability to manage their 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
	Pamela Taylor-Barnett					No	Yes
	Vedna Jivan					No	No

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 Plagarism

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