



# LAW 468

## Indigenous Peoples and the Law

S2 Day 2014

*Dept of Law*

### Contents

---

<u>General Information</u>	2
<u>Learning Outcomes</u>	2
<u>General Assessment Information</u>	4
<u>Assessment Tasks</u>	10
<u>Delivery and Resources</u>	13
<u>Unit Schedule</u>	13
<u>Policies and Procedures</u>	14
<u>Graduate Capabilities</u>	15
<u>Changes since First Published</u>	19

---

#### **Disclaimer**

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

## General Information

Unit convenor and teaching staff

Unit Convenor

Francesca Dominello

[francesca.dominello@mq.edu.au](mailto:francesca.dominello@mq.edu.au)

Contact via [francesca.dominello@mq.edu.au](mailto:francesca.dominello@mq.edu.au)

Thursday 2:00-3:00 in teaching weeks or by email for External Students

Credit points

3

Prerequisites

(6cp in LAW or LAWS units at 300 level) or (39cp including LAWS260) or (12cp in ABST units at 200 level)

Corequisites

Co-badged status

Unit description

The special place of Indigenous peoples in Australia gives rise to unique questions of law. Most fundamentally, there is the challenge of acknowledging the existence of more than one legal order in the one geographical space. Following this, there are the terms of coexistence of these legal orders. And finally, to the extent that Indigenous peoples are subject to the official State and Commonwealth legal systems, there is a question of how effectively these legal systems regulate issues particular to Indigenous peoples.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

Develop student knowledge of the history of Australian law and system of government and the place of Indigenous customary law within that system.

Develop student knowledge of important legal and political issues that have impacted on Indigenous Australians, linking the issues to past policies and laws.

Develop student knowledge of the operation of Australian law and structure of government in continuing to impact on Indigenous Australians.

Develop student critical capabilities to identify the strengths and weaknesses of the Australian legal and political system to further Indigenous peoples' aims and to evaluate the role of law reform in key areas affecting Indigenous Australians.

Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.

Develop student independent research skills in analysing the operation of the legal and political institutions of Australia as they impact on Indigenous Australians.

## General Assessment Information

**Task 1: Class Participation**

Students should register in one of the available seminar slots when they enrol in the unit. Additional readings and discussion questions for each seminar will be available on the iLearn page for the unit. Seminars will commence in Week 1.

Day Students are expected to attend a minimum of 80% of all seminars ie/ at least 10 seminars. In the event that students cannot attend a seminar they must comply with the "Disruptions to Studies" policy. In cases of where a student's circumstances have affected their participation and attendance in more than two seminars, the students should contact the unit convenor immediately and alternative arrangements may be made. In cases of unexplained absences the tutor may deduct marks for class participation at her discretion. Students with more than three unexplained absences will fail the unit as they would not be able to fulfill the requirements for completing the unit (NB –'unexplained absence' does not include seminars cancelled because of public holidays).

Students will be given an interim class participation mark during the mid-semester break worth 10%, and a final class participation at the end of semester also worth 10%.

**Assessment Criteria**

We appreciate that not all students possess the same degree of verbal confidence, and not all are equally articulate. In the same way, not all are equally good at written work, problem solving, essay writing, or any other form of assessment. The reason a variety of assessment strategies has been used in the unit is to cater to a range of different strengths, as well as to develop a range of desired skills. If you anticipate difficulties with class participation, talk to your tutor EARLY to discuss strategies to assist you. One of the reasons for assessing class participation is to encourage students to develop oral communication skills through practice, in an environment far less intimidating than the world of professional practice. What we are keen to see is real effort to develop and/or enhance existing oral skills. Asking questions is a very good way of learning, and frequently the student who asks the "dumb question" is voicing what others are also thinking, with the result that everybody is helped to clarify the material. Your tutor cannot identify and deal with misunderstandings unless you speak up. The point of seminars is to come sufficiently prepared to enable you, and others, to benefit from the class, and to go away having increased your understanding. Marks for class participation encourage active learning, regular reading, elucidation and clarification of difficulties, questioning and analysis of material, and enhance oral skills. Attendance at seminar classes is relevant to the mark you receive, but by itself will not attract marks. Please bear in mind that attendance without participation is comparable to handing in blank pages for a written assignment.

<b>Your work will be assessed according to the extent of your:</b>	<b>Excellent = HD-D</b>	<b>Good = Credit</b>	<b>Satisfactory = Pass</b>	<b>Unsatisfactory = Fail</b>
Preparation for class: Demonstrated by relevance of participation to general discussion	Has the capacity to notice important information in the readings and use it to build new arguments in class discussion	Uses information in the readings to enhance learning in the class discussion	Notices basic contextual issues and asks questions	Fails to identify important information in readings and their relevance to discussion in class
Understanding and expressing abstract and complex ideas orally	Can generalise from personal reflection on the readings and evaluate the efficacy of the ideas from a number of standpoints	Can synthesise a number of concepts or factors arising from the readings into a larger idea and construct own position.	Limited capacity to synthesise a number ideas from the readings into a larger argument	Responses remain anecdotal and not related to the readings

Assisting other class members by contributing to student learning	Elucidates complex ideas succinctly, building on the ideas expressed by others or distinguishing their own ideas	Some interaction with other students' views but can be limited to paraphrasing	Listens to other views but does not integrate in discussion	Does not manage to see another point of view
Expressing and countering arguments orally	Articulates a position supported by the readings, and is able to defend that position or is able to modify that position on the basis of alternative viewpoints on the readings; is able to effectively counter other student viewpoints basing their arguments on the readings	Expresses a position based on the readings, but may be unable to support or modify that position when challenged; attempts to counter other student viewpoints using the readings mainly	Can express a viewpoint that is not explicitly based on the readings and is unable to maintain or modify their own viewpoint; mainly uses personal opinion to counter other student viewpoints	Has difficulty formulating own opinion or relating to another's opinion
Listening attentively and showing respect to other students participating in class	Independent thinker, takes initiative in discussion as well as co-operating effectively with others	Relates professionally to colleagues. Makes sound contributions to the discussion	Attempts to relate to colleagues and engage in discussion	Does not make an effort to relate to colleagues and engage in discussion

**This is a more detailed guide on how Class Participation will be assessed:**

**Excellent**

Effective and frequent oral contribution, demonstrating evidence of reading and preparation, demonstrated enthusiasm to learn, not necessarily always knowing the right answers but seeking to develop understanding through questioning and trying out ideas. Thoughtful and insightful comment at times, going beyond the descriptive level. Contributions volunteered. Co-operative attitude in the group, takes an active role in discussions, and willingness to assist others in learning. Excellent attendance.

**Good**

Fairly frequent contribution, demonstrated enthusiasm to learn. Willingness to volunteer and have a go. Co-operative attitude in the group, takes an active role in discussions, and willingness to assist others in learning. Excellent attendance. Similar to above at a less exacting level.

**Satisfactory**

Moderate voluntary contribution, can usually respond when asked directly. Attends most of the time. Contribution mainly at the descriptive level but goes beyond on occasion. Makes some effort to participate in the group.

**At risk/Unsatisfactory**

Little to no contribution voluntarily, at times declines when asked directly. Insufficient participation for your tutor to be able to judge preparation, knowledge or understanding. Limited active role in group work.

**Task 2: Case Study on Native Title**

The Case Study will be due on Friday, 26 September 2014 at 5:00pm.

It will be worth 30% of the final mark.

Maximum word length for the Case Study is 2500 (excluding footnotes and bibliography).

Any Case Study exceeding the word length will have marks deducted at the discretion of the marker.

Footnotes and bibliography are required.

Referencing must comply with the current version of the *Australian Guide to Legal Citation*.

The Case Study must be typed in 12pt Times New Roman, double spaced with margins of not less than 2.5cm on both sides. Bibliography

should be single spaced in 12pt Times New Roman. Footnotes should be in 10pt Times New Roman.

The Case Study is to be submitted via Turnitin on the iLearn page on or before the due date. Marks will also be available on iLearn.

Late submissions will not be marked and in the absence of a successful claim of "Disruption to Studies" will be given a grade of zero. Applications for Disruption to Studies must be made before the due date.

**Assessment Criteria**

In this assignment students are expected to show that they have reflected upon the range of issues that the topic gives rise to. The purpose of this assignment is to develop your independent and critical thinking and writing skills and ability to develop an argument through analysis of primary and secondary sources. **Students may conduct research outside the unit materials, but it is not necessary to do so. Students will not be marked either up or down for extra research.** The materials you use should be relevant to the topic and should be used to help you develop and support your own argument.

<b>Your work will be assessed according to the extent of your:</b>	<b>Excellent = HD-D</b>	<b>Good = Credit</b>	<b>Satisfactory = Pass</b>	<b>Unsatisfactory = Fail</b>
Understanding of the law in this area	Thorough and accurate understanding of rules, concepts and processes of law. Uses this knowledge to abstract principles and applies them in novel situations. Uses concepts to build new knowledge and understanding. Recognises the limitations of current law and theories about them.	Thorough and accurate understanding of rules, concepts and processes of law and can analyse and apply them in new situations.	Knows basic concepts and rules and can use them to solve problems and extend to new areas	Knows a few rules and concepts.
Focused introduction	Uses the introduction to formulate a clear argument, identify parts of the argument, relevant issues and theories that will be addressed. Recognises the limitations of current thinking and the need for new ways of thinking.	Can formulate an argument, and identify relevant issues and theories to be addressed.	Basic introduction with all the formal elements but stops short of giving clear picture of the essay.	Formal introduction with not clear articulation of the argument or structure.
Coherent Structure and Written Expression – use of headings, systematic and coherent organization of ideas in paragraphs and sections	Meets all expectations and conventions. Distinctive personal style in the specific execution of the task. A unique but appropriate presentation of work.	Fulfils standard conventions with all expected attributes present. Some translation and interpretation of the conventions to suit personal style and the specific execution of the task.	Fulfils basic expectations regarding the formatting and presentation of work. E.g., titles name on work, introduction, conclusion. Spell checked & grammatically correct.	Lacks a coherent structure of argument, organization of ideas into different sections, fails to use spell checker, some sentences fail to use correct grammatical rules.

Depth of Analysis - Students may be able to deepen their analysis of the materials by critiquing developments in native title law that they will use to develop their argument	Uses principles to formulate a position or an argument about the literature. Can articulate the limited nature of their argument and can challenge the boundaries of disciplinary understanding.	Recognises competing explanations and can identify the relative merits and limitations of an argument. Can describe and defend their own view or position.	Mostly reports others' views without assessing them. Little interpretation or translation to a new problem or issue.	Descriptive account of the available literature without any or very little analysis.
Developed and Sustained Argument – synthesis of the ideas drawn from the unit materials in a systematic and coherent structure	Uses available ideas and theories accurately. Abstracts and applies them in novel situations. Uses concepts to build new knowledge and understanding. Recognises the limitations of current thinking	Shows a thorough and accurate understanding of concepts and processes. Has the capacity to analyse and apply them in new situations	Knows basic concepts and rules. Requires more effort in synthesizing own arguments.	Knows some of the ideas and rules. Does not extend own analysis or argument.
Consistent Conclusion – briefly sum up at the end main findings that may be drawn from the argument in your paper	Makes a major contribution to the essay by pulling together all strands of the argument. Makes a judicious use of the available space to reinforce the argument of the essay.	Makes a significant contribution to the structure of the essay. Can pull together various strands of the argument.	Competent summary of the main arguments with very little effort at reinforcing the argument.	Repetitious reiteration of points already discussed without any effort to reinforce the argument.
Use of AGLC Style Guide for footnotes and bibliography	References and citations, including the bibliography use accurate, consistent and appropriate styles. Good effort at adapting the approach to different disciplinary conventions when using non-law literature.	References and citations, including the bibliography are accurate, consistent and appropriate.	References and citations are basically accurate in style. Occasional lack of consistency; reasonable acknowledgment of the sources of information	Absence or inaccurate use of referencing and citation conventions

**Task 3: Research Essay**

The Research Essay will be due on Friday, 21 November 2014 at 5:00pm.

It will be worth 50% of the final mark.

Maximum word length for Research Essay is 3000 (excluding footnotes and bibliography).

Any Research Essay exceeding the word length will have marks deducted at the discretion of the marker.

Footnotes and bibliography are required.

Referencing must comply with the current version of the *Australian Guide to Legal Citation*.

The Research Essay must be typed in 12pt Times New Roman, double spaced with margins of not less than 2.5cm on both sides. Bibliography should be single spaced in 12pt Times New Roman. Footnotes should be in 10pt Times New Roman.

The Research Essay is to be submitted via Turnitin on the iLearn page on or before the due date. Marks will also be available on iLearn.

Late submissions will not be marked and in the absence of a successful claim of "Disruption to Studies" will be given a grade of zero. Applications for Disruption to Studies must be made before the due date.

**Assessment Criteria**

In this assignment students are expected to show that they have reflected upon the range of issues that the topic gives rise to, including their



own views on the topic and possible areas for reform in their chosen area for research. The purpose of this assignment is to develop your independent and critical thinking and writing skills and ability to develop an argument through analysis of primary and secondary sources. **Students are expected to conduct research outside the unit materials.** The materials you use should be relevant to the topic and should be used to help you develop and support your own argument.

<b>Your work will be assessed according to the extent of your:</b>	<b>Excellent = HD-D</b>	<b>Good = Credit</b>	<b>Satisfactory = Pass</b>	<b>Unsatisfactory = Fail</b>
Knowledge of the law and understanding of the issues arising in your area of research.	Thorough and accurate understanding of rules, concepts and processes of law. Uses this knowledge to abstract principles and applies them in novel situations. Uses concepts to build new knowledge and understanding. Recognises the limitations of current law and theories about them.	Thorough and accurate understanding of rules, concepts and processes of law and can analyse and apply them in new situations.	Knows basic concepts and rules and can use them to solve problems and extend to new areas	Knows a few rules and concepts. Does not use any theoretical understanding of the issues.
Introduction: uses to articulate an argument, explain structure of essay, enumerate issues that will be discussed to substantiate the argument	Uses the introduction to formulate a clear argument, identify parts of the argument, relevant issues and theories that will be addressed.  Recognises the limitations of current thinking and the need for new ways of thinking.	Can formulate an argument, and identify relevant issues and theories to be addressed.	Basic introduction that contains all the formal elements but stops short of giving a clear picture of the essay.	Formal introduction with not a clear articulation of the argument or structure of the essay.
Depth of analysis: the depth of analysis as demonstrated by moving beyond descriptive analysis of the research materials and development of one's own argument	Uses principles to formulate a position or an argument about the literature. Can articulate the limited nature of their argument and can challenge the boundaries of disciplinary understanding.	Recognises competing explanations and can identify the relative merits and limitations of an argument. Can describe and defend their own view or position.	Mostly reports others' views without assessing them. Little interpretation or translation to a new problem or issue.	Descriptive account of the available literature without any or very little analysis.
Argument: Ideas drawn from the research materials should be synthesized in a systematic and coherent structure	Uses available ideas and theories accurately. Abstracts and applies them in novel situations. Uses concepts to build new knowledge and understanding. Recognises the limitations of current thinking.	Shows a thorough and accurate understanding of concepts and processes. Has the capacity to analyse and apply them in new situations.	Knows basic concepts and rules. Requires more effort in synthesizing own arguments.	Knows some of the ideas and rules. Does not extend own analysis or argument

<p>Coherent Structure: Systematic and coherent organisation of ideas in sentences/ paragraphs/ sections; Separate Introduction and Conclusion; Use of sub-headings</p> <p>Written Expression: Clear written expression, ideas structured in sentences, correct grammar/spelling</p>	<p>Meets all expectations and conventions. Distinctive personal style in the specific execution of the task. A unique but appropriate presentation of work.</p>	<p>Fulfils standard conventions with all expected attributes present. Some translation and interpretation of the conventions to suit personal style and the specific execution of the task.</p>	<p>Fulfils basic expectations regarding the formatting and presentation of work. E.g., titles name on work, introduction, conclusion. Spell checked &amp; grammatically correct.</p>	<p>Lacks a coherent structure of argument, organization of ideas into different sections, fails to use spell checker, some sentences fail to use correct grammatical rules.</p>
<p>Use of AGLC Style Guide for footnotes and bibliography</p>	<p>References and citations, including the bibliography use accurate, consistent and appropriate styles. Good effort at adapting the approach to different disciplinary conventions when using non-law literature.</p>	<p>References and citations, including the bibliography are accurate, consistent and appropriate.</p>	<p>References and citations are basically accurate in style. Occasional lack of consistency; reasonable acknowledgment of the sources of information.</p>	<p>Absence or inaccurate use of referencing and citation conventions.</p>

## Assessment Tasks

Name	Weighting	Due
<u><a href="#">Class Participation</a></u>	20%	Ongoing
<u><a href="#">Case Study on Native Title</a></u>	30%	26 Sept, 5pm
<u><a href="#">Research Essay</a></u>	50%	21 Nov, 5pm

### Class Participation

Due: **Ongoing**

Weighting: **20%**

Class Participation: Preparation and understanding of prescribed materials. The ability to understand and respond in an oral communication context.

On successful completion you will be able to:

- Develop student knowledge of the history of Australian law and system of government

and the place of Indigenous customary law within that system.

- Develop student knowledge of important legal and political issues that have impacted on Indigenous Australians, linking the issues to past policies and laws.
- Develop student knowledge of the operation of Australian law and structure of government in continuing to impact on Indigenous Australians.
- Develop student critical capabilities to identify the strengths and weaknesses of the Australian legal and political system to further Indigenous peoples' aims and to evaluate the role of law reform in key areas affecting Indigenous Australians.
- Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.

## Case Study on Native Title

Due: **26 Sept, 5pm**

Weighting: **30%**

In *Western Australia v Brown* [2014] HCA 8 (12 March 2014) the High Court upheld a native title claim by the Ngarla People over land in the Pilbara region. Analyse this decision in light of the earlier decisions on native title discussed in the unit materials. In your answer, you must include an examination of:

1. what native title is;
2. the principle elements necessary for establishing native title under the *Native Title Act 1993* (Cth);
3. how native title may be extinguished, and
4. the outcome in *Brown* and the effects the decision in *Brown* could have on native title determinations in the future.

Do you think native title property interests have been given sufficient protection by the Australian legal system?

On successful completion you will be able to:

- Develop student knowledge of the history of Australian law and system of government and the place of Indigenous customary law within that system.
- Develop student knowledge of important legal and political issues that have impacted on Indigenous Australians, linking the issues to past policies and laws.
- Develop student knowledge of the operation of Australian law and structure of government in continuing to impact on Indigenous Australians.
- Develop student critical capabilities to identify the strengths and weaknesses of the Australian legal and political system to further Indigenous peoples' aims and to evaluate

the role of law reform in key areas affecting Indigenous Australians.

- Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.

## Research Essay

Due: **21 Nov, 5pm**

Weighting: **50%**

Students are to complete the Set Topic or Student Topic. In writing their essays on their chosen topic, students should reflect on why they have chosen that particular topic and what they have learned in the course of studying the unit in that topic area. In analysing the issues arising in their chosen topic area, students should consider how their study in the unit confirms prior knowledge of that area or has changed their understanding of it. Students should also consider potential areas for reform in their selected topic area

### 1. Set Topic

What is the future for effective Indigenous representation in the Australian political and legal system? Your answer **must** include a description of the Australian system and suggestions for effective representation. It should also include discussion of the strengths and weaknesses of your suggestions.

### 2. Student Topic

Research Topic of your choice: You may formulate your own research topic on an issue arising from the broad scope of the materials covered in the unit. You are welcome and encouraged to discuss your research question with the Unit Convener at any time, either in person, by e-mail (preferable), or over the phone. This is not a compulsory requirement.

On successful completion you will be able to:

- Develop student knowledge of the history of Australian law and system of government and the place of Indigenous customary law within that system.
- Develop student knowledge of important legal and political issues that have impacted on Indigenous Australians, linking the issues to past policies and laws.
- Develop student knowledge of the operation of Australian law and structure of government in continuing to impact on Indigenous Australians.
- Develop student critical capabilities to identify the strengths and weaknesses of the Australian legal and political system to further Indigenous peoples' aims and to evaluate the role of law reform in key areas affecting Indigenous Australians.
- Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.
- Develop student independent research skills in analysing the operation of the legal and political institutions of Australia as they impact on Indigenous Australians.

## Delivery and Resources

The unit will be delivered in a 'Seminar' format.

Students are required to attend 1 seminar per week (see Assessment Tasks: Class Participation for attendance requirements).

The seminars are scheduled on Thurs at 12:00-2:00 (X5B 132) and 3:00-5:00 (W6B 336).

There will be no regular Lecture recordings in the unit.

Students will be required to use a computer to access the iLearn page for the unit ([ilearn.mq.edu.au](http://ilearn.mq.edu.au)) and to interact with online research databases and web-based research tools.

The prescribed text for the unit is Heather McRae et al, *Indigenous Legal Issues: Commentary and Materials* (Lawbook Co, 2009, 4th Ed) available for purchase at the Macquarie University Co-op Bookshop.

Recommended text (but not compulsory for students to buy) is Larissa Behrendt et al, *Indigenous Legal Relations in Australia* (OUP, 2009).

All other information about the unit (additional reading, seminar discussion questions etc) will be available on the iLearn page for the unit.

## Unit Schedule

Week 1: History, Law and Government Policies (Thurs 7 Aug)

Week 2: Indigenous Customary Law (Thurs 14 Aug)

Week 3: Indigenous Governance (Thurs 21 Aug)

Week 4: The Indigenous Estate (Thurs 28 Aug)

Week 5: Land Rights Legislation (Thurs 4 Sept)

Week 6: Native Title: An Overview of its Development in Australia (Thurs 11 Sept)

Week 7: Native Title: Specific Features of Law and Process (Thurs 18 Sept)

Mid-Semester Break (20 Sept-6 Oct)

Case Study on Native Title (due Friday, 26 September 2014, 5:00pm)

Interim Class Participation Marks released.

Week 8: Indigenous Intellectual Property and Indigenous Cultural Heritage (Thurs 9 Oct)

Week 9: Racial Discrimination (Thurs 16 Oct)

Week 10: Criminal Justice Issues (Thurs 23 Oct)

Week 11: Child Welfare (Thurs 30 Oct)

Week 12: International Law (Thurs 6 Nov)

Week 13: Towards Reconciliation (Thurs 13 Nov)

Final class participation marks released.

Research Essay (due Friday, 21 November 2014, 5:00pm)

## **Policies and Procedures**

Macquarie University policies and procedures are accessible from [Policy Central](#). Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy [http://mq.edu.au/policy/docs/academic\\_honesty/policy.html](http://mq.edu.au/policy/docs/academic_honesty/policy.html)

Assessment Policy <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Grievance Management Policy [http://mq.edu.au/policy/docs/grievance\\_management/policy.html](http://mq.edu.au/policy/docs/grievance_management/policy.html)

Disruption to Studies Policy [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html) *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

## **Student Code of Conduct**

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/support/student\\_conduct/](https://students.mq.edu.au/support/student_conduct/)

## **Student Support**

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## **Learning Skills**

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

## **Student Services and Support**

Students with a disability are encouraged to contact the [Disability Service](#) who can provide

appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

## IT Help

For help with University computer systems and technology, visit <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). The policy applies to all who connect to the MQ network including students.

## Graduate Capabilities

### Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:

### Learning outcomes

- Develop student knowledge of the history of Australian law and system of government and the place of Indigenous customary law within that system.
- Develop student knowledge of important legal and political issues that have impacted on Indigenous Australians, linking the issues to past policies and laws.
- Develop student knowledge of the operation of Australian law and structure of government in continuing to impact on Indigenous Australians.
- Develop student critical capabilities to identify the strengths and weaknesses of the Australian legal and political system to further Indigenous peoples' aims and to evaluate the role of law reform in key areas affecting Indigenous Australians.
- Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.
- Develop student independent research skills in analysing the operation of the legal and political institutions of Australia as they impact on Indigenous Australians.

### Assessment tasks

- Class Participation
- Case Study on Native Title

- Research Essay

## Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

### Learning outcomes

- Develop student knowledge of the history of Australian law and system of government and the place of Indigenous customary law within that system.
- Develop student knowledge of important legal and political issues that have impacted on Indigenous Australians, linking the issues to past policies and laws.
- Develop student knowledge of the operation of Australian law and structure of government in continuing to impact on Indigenous Australians.
- Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.
- Develop student independent research skills in analysing the operation of the legal and political institutions of Australia as they impact on Indigenous Australians.

### Assessment tasks

- Class Participation
- Case Study on Native Title
- Research Essay

## Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

### Learning outcomes

- Develop student knowledge of the history of Australian law and system of government and the place of Indigenous customary law within that system.



- Develop student knowledge of important legal and political issues that have impacted on Indigenous Australians, linking the issues to past policies and laws.
- Develop student knowledge of the operation of Australian law and structure of government in continuing to impact on Indigenous Australians.
- Develop student critical capabilities to identify the strengths and weaknesses of the Australian legal and political system to further Indigenous peoples' aims and to evaluate the role of law reform in key areas affecting Indigenous Australians.
- Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.
- Develop student independent research skills in analysing the operation of the legal and political institutions of Australia as they impact on Indigenous Australians.

### **Assessment tasks**

- Class Participation
- Case Study on Native Title
- Research Essay

## **Problem Solving and Research Capability**

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

### **Learning outcomes**

- Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.
- Develop student independent research skills in analysing the operation of the legal and political institutions of Australia as they impact on Indigenous Australians.

### **Assessment tasks**

- Case Study on Native Title
- Research Essay

## **Effective Communication**

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess,

write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

### **Learning outcomes**

- Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.
- Develop student independent research skills in analysing the operation of the legal and political institutions of Australia as they impact on Indigenous Australians.

### **Assessment tasks**

- Class Participation
- Case Study on Native Title
- Research Essay

## **Engaged and Ethical Local and Global citizens**

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

### **Learning outcomes**

- Develop student knowledge of the history of Australian law and system of government and the place of Indigenous customary law within that system.
- Develop student knowledge of important legal and political issues that have impacted on Indigenous Australians, linking the issues to past policies and laws.
- Develop student knowledge of the operation of Australian law and structure of government in continuing to impact on Indigenous Australians.
- Develop student critical capabilities to identify the strengths and weaknesses of the Australian legal and political system to further Indigenous peoples' aims and to evaluate the role of law reform in key areas affecting Indigenous Australians.
- Develop student written and verbal communication skills in formulating arguments about the Australian legal and political system and their impact on Indigenous Australians.
- Develop student independent research skills in analysing the operation of the legal and political institutions of Australia as they impact on Indigenous Australians.

## Assessment tasks

- Class Participation
- Case Study on Native Title
- Research Essay

## Changes since First Published

Date	Description
24/06/2014	Changes to meet approver's comments.