



# LAW 462

## Crime, Policy and Governance

S2 External 2014

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Unit Convenor

Kate Gleeson

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Contact via [kate.gleeson@mq.edu.au](mailto:kate.gleeson@mq.edu.au)

W3A 622

2-3pm Mondays

Credit points

3

Prerequisites

(6cp in LAW or LAWS units at 300 level) or (39cp including LAWS260) or admission to GDipArts

Corequisites

Co-badged status

This unit is co-taught with LAWS250 and shares a common lecture and online resources. Students in LAW462 and LAWS250 attend separate tutorials. Students in LAW462 are required to carry out additional tasks in their assessments appropriate to the level of the unit and to demonstrate understanding of legal principles and apply legal skills.

Unit description

This unit will explore the dynamic area of public policy development in relation to crime. It will examine how governance frameworks (including legal and regulatory institutions) endeavour to regulate conduct by individuals and corporations, and how these frameworks aim to promote public interests and community welfare. Students will analyse the impact of various stakeholders in the criminal justice system on policy formulation, including in relation to corporate, environmental and moral crimes. They will be challenged to critically analyse real-world reform initiatives and to appreciate how criminological expertise and modern concepts in governance theory (such as reintegrative shaming, responsive regulation and restorative justice) are articulated in legal and policy-making forums. Students will also analyse how courts respond to criminological expertise, building on their understanding of core concepts of criminal justice.

## 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:

Describe and critique how legal institutions and governance frameworks endeavour to regulate the conduct of individuals and corporations in relation to activities that impact on community welfare and the public interest.

Explain the impact of stakeholders on policy development and conduct stakeholder analysis.

Analyze modern theories of governance (restorative justice, responsive regulation and reintegrative shaming) and their application to public policy development in relation to crime.

Critique current policy initiatives in relation to crime through the application of established theoretical frameworks.

Communicate policy critiques effectively in written and verbal form.

Conduct interdisciplinary research in criminology and/or political science in the course of developing problem-solving skills, and identify the role played by these disciplines in influencing legal processes and policy-making forums.

Analyze the impact of criminological expertise and political processes on the development of legal principles related to the administration of criminal justice.

## Assessment Tasks

Name	Weighting	Due
<u>Current Events</u>	20%	25 August 2014 9:00am
<u>Theory Exam</u>	30%	7 October 2014 9:00am
<u>Report</u>	50%	17 November 2014 9:00am

### Current Events

Due: **25 August 2014 9:00am**

Weighting: **20%**

Students will be required to identify, analyse and critique four recent (not more than three months prior to the commencement of this unit) current events related to crime, including regulation of human or corporate conduct, reported in the Australian media.

Students will also be required to carry out legal research in order to identify relevant case law and legislation related to their selected current event examples.

(word length: 1000-1200 words excluding bibliography)

On successful completion you will be able to:

- Explain the impact of stakeholders on policy development and conduct stakeholder analysis.
- Critique current policy initiatives in relation to crime through the application of established theoretical frameworks.
- Communicate policy critiques effectively in written and verbal form.
- Conduct interdisciplinary research in criminology and/or political science in the course of developing problem-solving skills, and identify the role played by these disciplines in influencing legal processes and policy-making forums.
- Analyze the impact of criminological expertise and political processes on the development of legal principles related to the administration of criminal justice.

## Theory Exam

Due: **7 October 2014 9:00am**

Weighting: **30%**

Students will be required to demonstrate their understanding of the theoretical principles canvassed in the unit and apply these to the current events selected in their first assessment task.

(word length: 1200-1500 words excluding bibliography)

On successful completion you will be able to:

- Describe and critique how legal institutions and governance frameworks endeavour to regulate the conduct of individuals and corporations in relation to activities that impact on community welfare and the public interest.
- Explain the impact of stakeholders on policy development and conduct stakeholder analysis.
- Analyze modern theories of governance (restorative justice, responsive regulation and reintegrative shaming) and their application to public policy development in relation to crime.
- Critique current policy initiatives in relation to crime through the application of established theoretical frameworks.
- Communicate policy critiques effectively in written and verbal form.
- Conduct interdisciplinary research in criminology and/or political science in the course of developing problem-solving skills, and identify the role played by these disciplines in

influencing legal processes and policy-making forums.

## Report

Due: **17 November 2014 9:00am**

Weighting: **50%**

Students will be required to submit a research paper on an assigned topic which consolidates their learning in the unit.

(word length: 3000-3500 words excluding bibliography)

On successful completion you will be able to:

- Describe and critique how legal institutions and governance frameworks endeavour to regulate the conduct of individuals and corporations in relation to activities that impact on community welfare and the public interest.
- Explain the impact of stakeholders on policy development and conduct stakeholder analysis.
- Analyze modern theories of governance (restorative justice, responsive regulation and reintegrative shaming) and their application to public policy development in relation to crime.
- Critique current policy initiatives in relation to crime through the application of established theoretical frameworks.
- Communicate policy critiques effectively in written and verbal form.
- Conduct interdisciplinary research in criminology and/or political science in the course of developing problem-solving skills, and identify the role played by these disciplines in influencing legal processes and policy-making forums.
- Analyze the impact of criminological expertise and political processes on the development of legal principles related to the administration of criminal justice.

## Delivery and Resources

Compulsory On-Campus Sessions for external students are held on 26 and 27 September 2014.

This unit requires students to attend or audit online (through Echo360) a weekly lecture and attend a weekly tutorial.

In addition, students are required to access the unit's iLearn page to review online content including assigned readings (available through e-reserve linked through iLearn) and pre-recorded lecture content (approx. 1 hour/week). **Before you attend the first lecture you should have logged on to iLearn and watched/listened to the assigned pre-recorded content (of approximately 1 hour).**

Student workload, in accordance with university guidelines, is 3 hours per credit point per week

(over a 15 week term), and can be estimated as follows:

22 hours - attendance of lectures and tutorials

55 hours - readings, review of online content and self-study

63 hours - assessment tasks

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135 hours total

Students will also be required to use a computer to interact with online research databases and web-based research tools. This unit's ilearn page will also contain additional lessons with multimedia content to facilitate learning.

## Unit Schedule

Week	Week Starts	Lectures	Tutorials	Assessment (see Ilearn for weekly readings)
1	4/8/14	<div>Introduction to Policy and the Public Interest</div>		
2	11/8/14	Neoliberalism, regulation and third wave governance	Policy and the Public Interest	
3	18/8/14	Neoliberalism, crime, risk and responsibility	Neoliberalism, regulation and Third Wave Governance	
4	25/8/14	Restorative justice and reintegrative shaming – the case of the Royal Commission into institutional responses to child abuse	Neoliberalism and crime	First assignment due Monday 25 August
5	1/9/14	Responsive regulation – the case of advertising	Royal Commission into institutional responses to child abuse	

6	8/9/14	Responsive Regulation – case of lead poisoning	Senate Inquiry into the sexualisation of children in the contemporary media environment	
7	15/9/14	Responsive Regulation – the case of live exports	Responsive regulation and lead poisoning	
	22/9/14	Mid Semester Break		
	29/9/14	Mid Semester Break		
8	6/10/14	<b>No Lecture (reading week)</b>	<b>No Tutorials</b>	Theory Exam due Tuesday 7 October
9	13/10/14	Regulation and the international community – the case of Sea Shepherd	Responsive regulation and Live exports	
10	20/10/14	Responsive regulation – the case of the sex industry	Whaling, Sea Shepherd and the ICJ	
11	27/10/14	The limits of responsive regulation - the Global Financial Crisis	Responsive regulation and sex work	
12	3/11/14	Regulating the regulators: Whistleblowers and the public interest	The Global Financial Crisis	
13	10/11/14	No Lecture	Whistleblowers	<b>NB Final Essay due Monday 17 November</b>

## 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/)

### **Macquarie Law School Assessment Policy**

In the absence of a successful application for special consideration following a “Disruption to Studies”, late assessments will not be marked and will receive a grade of 0.

Word limits will be strictly applied.

Referencing should comply with the Australian Guide to Legal Citation unless otherwise stated.

All assessments require submission through Turnitin (only)

## **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

### 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

- Describe and critique how legal institutions and governance frameworks endeavour to regulate the conduct of individuals and corporations in relation to activities that impact on community welfare and the public interest.
- Explain the impact of stakeholders on policy development and conduct stakeholder analysis.
- Analyze modern theories of governance (restorative justice, responsive regulation and reintegrative shaming) and their application to public policy development in relation to crime.
- Conduct interdisciplinary research in criminology and/or political science in the course of developing problem-solving skills, and identify the role played by these disciplines in influencing legal processes and policy-making forums.
- Analyze the impact of criminological expertise and political processes on the development of legal principles related to the administration of criminal justice.

## Assessment tasks

- Current Events
- Theory Exam
- Report

## 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

- Describe and critique how legal institutions and governance frameworks endeavour to regulate the conduct of individuals and corporations in relation to activities that impact on community welfare and the public interest.
- Explain the impact of stakeholders on policy development and conduct stakeholder analysis.
- Analyze modern theories of governance (restorative justice, responsive regulation and reintegrative shaming) and their application to public policy development in relation to crime.
- Critique current policy initiatives in relation to crime through the application of established theoretical frameworks.
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## Assessment tasks

- Current Events
- Theory Exam
- Report

## 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**

- Explain the impact of stakeholders on policy development and conduct stakeholder analysis.
- Conduct interdisciplinary research in criminology and/or political science in the course of developing problem-solving skills, and identify the role played by these disciplines in influencing legal processes and policy-making forums.
- Analyze the impact of criminological expertise and political processes on the development of legal principles related to the administration of criminal justice.

## **Assessment tasks**

- Current Events
- Theory Exam
- Report

## **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 outcome**

- Communicate policy critiques effectively in written and verbal form.

## **Assessment tasks**

- Theory Exam
- Report

## **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

- Analyze modern theories of governance (restorative justice, responsive regulation and reintegrative shaming) and their application to public policy development in relation to crime.
- Critique current policy initiatives in relation to crime through the application of established theoretical frameworks.
- Analyze the impact of criminological expertise and political processes on the development of legal principles related to the administration of criminal justice.

## Assessment tasks

- Current Events
- Theory Exam
- Report

## Changes since First Published

Date	Description
24/06/2014	Nil.
24/06/2014	Nil.
24/06/2014	Nil.