



LAW 555

Remedies, Reparations and Resolution in Law

S1 Day 2015

Dept of Law

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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

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W3A 514

TBA

Credit points

3

Prerequisites

(48cp in LAW or LAWS units) including ((LAW203 and LAW315 and LAW317 and LAW459) or (LAWS217 and LAWS256 and LAWS259 and LAW315 and LAWS399))

Corequisites

LAW409 or LAW459 or LAW509

Co-badged status

Unit description

This unit aims to consolidate student's knowledge and skills and prepare them for life beyond the law school. The unit will examine some of the remedies available in equity, the common law and statute as well as public and international law. It will also examine different mechanisms for the resolution of disputes such as ADR and restorative justice programs. Justice theories will provide the framework for examining the concept of a legal 'remedy' and will assist students to explore the broader issue of how to achieve a just remedial system of law.

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:

Demonstrate a thorough understanding of legal principles relating to the principles upon which remedial action can be taken

Demonstrate an enquiring, critical, analytical and thoughtful approach to remedies and

their place in a range of areas of law

Formulate, present and evaluate a range of arguments, drawing on law, policy, theoretical and/or ethical considerations, about remedies and their effectiveness

Analyse hypothetical fact situations, identify legal and factual issues involving the law of remedies, apply relevant principles and consider policy/value judgments to solve legal problems

Demonstrate independent and sophisticated research, writing and referencing skills appropriate to a later year undergraduate

Take responsibility for their own learning; manage their time productively; demonstrate capacity to plan a task and work effectively towards its completion

General Assessment Information

PLEASE READ CAREFULLY

ATTENDANCE: Students must register in an available tutorial at the time of enrolment. Tutorial time will be spent preparing students to complete the three assignments and will involve working on hypothetical practice problems (in preparation for Assignments 1 & 2) and working on the research essay (in preparation for Assignment 3). It is in the interests of students to attend tutorials especially for students who need assistance understanding the requirements for each assignment. I only have limited time to provide assistance during my allocated consultation times. Once Assignments 1 & 2 are released to students I will not be in a position to answer any questions about them.

Assignment 1: Hypothetical Problem Solving based on Personal Injury Damages

Released to Students: Friday, 20 March 2015 9:00am on iLearn

Due Date: Monday, 23 March 2015 12:00pm via Turnitin

Mark: 20% of total

Word Length: 1000 words MAX (excluding footnotes). No Bibliography required.

Assignment 2: Hypothetical Problem Solving based on Remedies in Torts, Contracts, Equity, Restitution

Released to Students: Monday, 4 May 2015, 9:00am on iLearn

Due Date: Monday, 11 May 2015, 12:00pm via Turnitin

Mark: 40% of total

Word Length: 2000 words MAX (excluding footnotes). No Bibliography required.

Assignment 3: Research Essay on Topics in the areas of Alternative Dispute Resolution,

Public Law Remedies, Restorative Justice, or Reparations for Human Rights Abuses

Released to Students: Monday, 23 February 2015, 9:00am on iLearn

Due Date: Friday, 5 June, 12:00pm via Turnitin

Mark: 40% of total

Word Length: 2000 words MAX (excluding footnotes and bibliography). Footnotes and Bibliography required.

General Instructions for Assignments 1, 2 and 3. PLEASE READ CAREFULLY.

Refer to Policies and Procedures below.

The word lengths for all assignments will be strictly applied. Any assignment exceeding the word length will not be marked.

Referencing for all assignments must comply with the current version of the Australian Guide to Legal Citation. Assignments that do not comply will have marks deducted at the discretion of the marker.

All assignments must be typed in 12pt Times New Roman, double spaced with margins of not less than 2.5cm on both sides. Assignments that do not comply will have marks deducted at the discretion of the marker.

The Footnotes for all assignments should be in 10pt Times New Roman.

The Bibliography for Assignment 3 should be single spaced in 12pt Times New Roman with a single space in between each reference.

All assignments are to be submitted via Turnitin on the iLearn page on or before the due date.

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.

Marks will also be available on iLearn.

MARKING GUIDES AND RUBRICS FOR ALL ASSIGNMENTS

MARKING GUIDE ASSIGNMENTS 1 & 2: Hypothetical Problem Solving

General instructions for ALL hypotheticals

HIRAC: Apply the HIRAC rule: Heading; Issue, Rule, Application, Conclusion. Correct hypothetical technique requires you to identify the parties and the legal issues that arise between them, state the rule or principle of law which applies, identify the appropriate authorities, including competing authorities (cases, legislation ie primary sources only), determine which legal principles apply to your fact situation, consider policy considerations, and reach a reasoned

and well argued conclusion on the likely outcome of the actions. Your ability to correctly identify the legal issues, your reasoning process, and ability to clearly and concisely state and apply correct legal principles, are more important than the conclusion you arrive at, since hypothetical problems are generally deliberately drafted to allow different views to be argued. But you need to state a conclusion for each hypothetical problem.

Hypotheticals **MUST** always be organised under headings. These headings will usually be the names of the parties to each action, in italics, with the plaintiff first eg *Jones v Smith* etc, and you may find it useful to group related actions together under sub headings such as cause of action, type of remedy, or major issue. This is a matter of judgment depending on the individual hypothetical. Do not use Issue, Rule etc as your headings. Set out the law once, and apply it to the various actions. Where you have insufficient facts or the facts are left open on a particular point, you must make sensible assumptions drawn from the facts, state what they are, and advise accordingly. Where more than one assumption is open, you need to consider both. You must refer to relevant case law and legislation. Assume all facts occur in New South Wales in 2015.

Assessment Criteria	Exc.	Good	Sat.	Unsat.
Your work will be assessed according to the extent you:				
<ul style="list-style-type: none"> Identify the parties (knowledge) 				
<ul style="list-style-type: none"> Identify the legal issues (knowledge) 				
<ul style="list-style-type: none"> Identify the legal principles that could apply to the fact situation (knowledge) 				
<ul style="list-style-type: none"> Determine how the principles apply to the fact situation and state clearly why you think these principles are relevant to the fact situation (analysis) 				
<ul style="list-style-type: none"> Consider any policy considerations/value judgments that may be relevant to the outcome (advanced analysis) 				
<ul style="list-style-type: none"> Reach a reasoned conclusion (analysis) 				
<ul style="list-style-type: none"> Structure your answers coherently, write clearly and in sentences, use correct grammar/spelling and written expression (style) 				
<ul style="list-style-type: none"> Use AGLC Style Guide for footnotes 				

RUBRICS ASSIGNMENTS 1 AND 2: Hypothetical Problem Solving

Excellent

An excellent answer will be structured according to HIRAC and will apply that approach to each

cause of action arising from the fact scenario. To that end, an excellent answer will identify all the relevant parties who have action/s in the claim/s and will identify the parties against whom action/s can be brought. For each claim of a party, the answer will identify all the relevant legal issues arising from the fact scenario that could attract a remedy. For each claim, the answer will identify all the relevant legal principles that could apply in resolving the legal issues. For each claim, the answer will determine which of the principles identified would apply and will give clear reasons why those principles would apply to the fact situation. For each claim, the answer will identify the relevant policy considerations that could affect the remedial outcome. For each claim, the answer will clearly state what will be the probable outcome. Overall the answer will be coherently structured, written clearly using full sentences, correct grammar, spelling and written expression. Footnotes will be in the correct AGLC format and the answer will be within the stated word length.

Good

A good answer has made a good attempt at applying HIRAC, but not systematically with respect to all causes of actions arising from the fact scenario. To that end, a good answer will identify almost all the relevant parties who have action/s in the claim/s and will identify almost all of the parties against whom action/s can be brought. However, for each claim identified, the answer may not identify all the relevant legal issues arising from the fact scenario that could attract a legal remedy and may have misconceived some of these. For each claim identified, the answer may not have identified all the relevant legal principles that could apply in resolving the legal issues and may have misconceived some of these. For each claim identified, the answer may not clearly determine which of the principles identified would apply and may not give clear reasons why they would apply to the fact situation. The reasoning could be slightly misconceived. For each claim identified, the answer may not identify all of the relevant policy considerations that could affect the remedial outcome and may misconceive some of them. For each claim identified, the answer may not clearly state what will be the probable outcome. Overall the answer may not be as coherently structured as it could be, it may not be entirely written using full sentences, correct grammar, spelling and written expression. Footnotes may not be entirely in the correct AGLC format and the answer may not entirely be within the stated word length.

Satisfactory

A satisfactory answer has attempted to apply HIRAC, but not in a very systematic way with respect to the causes of actions arising from the fact scenario. To that end, a satisfactory answer will identify most of the relevant parties who have action/s in the claim/s and will identify most of the parties against whom action/s can be brought. However, for each claim identified, the answer may not identify many of the relevant legal issues arising from the fact scenario that could attract a legal remedy and may have misconceived many of these. For each claim identified, the answer may not have identified many of the relevant legal principles that could apply in resolving the legal issues and may have misconceived many of these. For each claim identified, the answer may not clearly determine which principles would apply and may not give clear reasons why they should apply in the fact situation. The reasoning could be misconceived and difficult to understand. For each claim identified, the answer may not identify many of the relevant policy considerations that could affect the remedial outcome and may misconceive many of them. For

each claim identified, the answer may not clearly state what will be the probable outcome. Overall the answer is not coherently structured, it is not written mainly using full sentences, correct grammar, spelling and written expression. Footnotes are not in the correct AGLC format and the answer is not within the stated word length.

Unsatisfactory

An unsatisfactory answer has made little attempt to apply HIRAC, and where it has the approach is not very systematic with respect to the causes of actions arising from the fact scenario. To that end, an unsatisfactory answer will identify only some of the relevant parties who have action/s in the claim/s and will identify only some of the parties against whom action/s can be brought. However, for each claim identified, the answer may only identify some of the relevant legal issues arising from the fact scenario that could attract a legal remedy and may have misconceived most of these. For each claim identified, the answer may only have identified some of the relevant legal principles that could apply in resolving the legal issues and may have misconceived most of these. For each claim identified, the answer may miss determining which principles would apply and/or does not give clear reasons why they should apply in the fact situation. The reasoning is very misconceived and very difficult to understand. For each claim identified, the answer fails to identify many of the relevant policy considerations that could affect the remedial outcome and may misconceive most of them. For each claim identified, the answer may not state what will be the probable outcome. Overall the answer is incoherently structured, it is not written using full sentences, correct grammar, spelling and written expression. Footnotes are not in the correct AGLC format and the answer is not within the stated word length.

MARKING GUIDE ASSIGNMENT 3: Research Essay

Assessment Criteria	Exc.	Good	Sat.	Unsat.
Your work will be assessed according to the extent of your:				
<ul style="list-style-type: none"> Knowledge of the area and understanding of the issues arising in your area of research. 				
<ul style="list-style-type: none"> Research. Students may use the unit materials but are expected to research beyond these materials. Students are expected to determine for themselves how many additional references they need to support the development of their argument. Students will not be assessed on how much research they have done, but on how well they have used the research materials to advance their argument. 				
<ul style="list-style-type: none"> Depth of analysis and enquiry. Students are expected to deepen their analysis by moving beyond descriptive analysis of their research materials and develop their own argument. 				
<ul style="list-style-type: none"> Argument. Ideas drawn from the research materials should be synthesized in a systematic and coherent structure. 				

<ul style="list-style-type: none"> • Coherent Structure. Systematic and coherent organisation of ideas in sentences/paragraphs/ sections. • Separate Introduction and Conclusion. • Use of headings is encouraged. 				
<ul style="list-style-type: none"> • Written Expression. Clear written expression, ideas structured in sentences, correct grammar/spelling 				
<ul style="list-style-type: none"> • Use of AGLC Style Guide for footnotes and bibliography 				

ASSIGNMENT 3: Rubrics for Essay

Excellent

An excellent essay is well-structured with an introduction setting out briefly what will be discussed in the paper (the issues to be discussed), including a summary of the basic argument and conclusion. The argument is developed in the main body of the essay and relates directly to the essay topic in response to the essay question. The argument is well-structured using headings. The student has understood, identified and discussed the main issues under each heading. The argument is coherent and demonstrates that the student has thought about and critically analysed the issues raised by the essay topic. The development of the argument synthesizes the student’s independent research and the student’s own views which can include references to the unit materials. The essay is written in language that is easy for the reader to understand and follow. The essay has a conclusion where the student summarises the argument in the essay, the main research findings, and considers possible areas for reform in the area. The student uses a consistent style in relation to footnotes and bibliography. The essay stays within the prescribed length.

Good

A good essay is structured using the same format described above: introduction; main body of the essay (separated by headings), conclusion, but a more loose approach to structure has been adopted (eg – no separate introduction or conclusion). The student has understood and identified many of the main issues relevant to the essay topic, however, the discussion of the issues and the development of the argument may not always be coherent or clear and sometimes there may be misunderstanding of the issues. The student may rely too much on the unit reading materials at the expense of expressing their own views or researching further into the topic. Conversely, the student may rely too much on their own views and not refer sufficiently to the work of others in order to develop a convincing argument. The student will demonstrate they have thought about the essay topic, but the student may pursue irrelevant issues. The student will have tried to answer the essay question, but written expression may sometimes get in the way of the reader fully understanding what the student is trying to say. The student uses a consistent style in relation to footnotes and bibliography. The essay stays within the prescribed length.

Satisfactory

A satisfactory essay is loosely structured (eg – no separate introduction or conclusion and no use of headings). The student has a basic understanding of the issues that the essay topic is raising and has identified some of the issues relevant to the essay topic, though not all of the content of the essay is relevant to the essay topic and some of the discussion of the issues is misconceived. The student has thought about the issues raised by the essay topic, but the approach may be too superficial and descriptive. Often the argument is based on mere assertion, rather than based on the unit reading materials or on independent research. The student will have thought about the essay topic and tried to answer the question, but the written expression is not coherent or clear, often making it difficult for the reader to follow the argument. The student approach to footnotes and bibliography is not consistent. The essay may not be within the prescribed length – is either too long or too short.

Unsatisfactory

An unsatisfactory essay demonstrates that the student has not understood the essay topic and much of the discussion in the paper is based on misconceived ideas. The student may have identified some of the main issues, but the discussion pursues too many irrelevant issues. The argument is mostly based on mere assertion. Very little references have been made to the work of other people. The student's written expression is poor and the argument difficult, if not impossible, to follow. The argument does not follow any coherent structure at all. The student has not adopted a consistent approach to footnotes, or has not included footnotes at all. There is no bibliography, or the bibliography is poorly set out.

Assessment Tasks

Name	Weighting	Due
Assignment 1	20%	23 March 2015, 12pm
Assignment 2	40%	11 May 2015, 12pm
Assignment 3	40%	5 June 2015, 12pm

Assignment 1

Due: **23 March 2015, 12pm**

Weighting: **20%**

Assignment 1: A hypothetical based on Personal Injury Damages.

On successful completion you will be able to:

- Demonstrate a thorough understanding of legal principles relating to the principles upon which remedial action can be taken

- Demonstrate an enquiring, critical, analytical and thoughtful approach to remedies and their place in a range of areas of law
- Formulate, present and evaluate a range of arguments, drawing on law, policy, theoretical and/or ethical considerations, about remedies and their effectiveness
- Analyse hypothetical fact situations, identify legal and factual issues involving the law of remedies, apply relevant principles and consider policy/value judgments to solve legal problems
- Demonstrate independent and sophisticated research, writing and referencing skills appropriate to a later year undergraduate
- Take responsibility for their own learning; manage their time productively; demonstrate capacity to plan a task and work effectively towards its completion

Assignment 2

Due: **11 May 2015, 12pm**

Weighting: **40%**

Assignment 2: a hypothetical based on Remedies in Torts, Contracts, Equity and Restitution.

On successful completion you will be able to:

- Demonstrate a thorough understanding of legal principles relating to the principles upon which remedial action can be taken
- Demonstrate an enquiring, critical, analytical and thoughtful approach to remedies and their place in a range of areas of law
- Formulate, present and evaluate a range of arguments, drawing on law, policy, theoretical and/or ethical considerations, about remedies and their effectiveness
- Analyse hypothetical fact situations, identify legal and factual issues involving the law of remedies, apply relevant principles and consider policy/value judgments to solve legal problems
- Demonstrate independent and sophisticated research, writing and referencing skills appropriate to a later year undergraduate
- Take responsibility for their own learning; manage their time productively; demonstrate capacity to plan a task and work effectively towards its completion

Assignment 3

Due: **5 June 2015, 12pm**

Weighting: **40%**

Assignment 3: a research essay based on Topics in the areas of Alternative Dispute Resolution, Public Law Remedies, Restorative Justice, or Reparations for Human Rights Abuses. The

emphasis is on analysis and critique.

On successful completion you will be able to:

- Demonstrate an enquiring, critical, analytical and thoughtful approach to remedies and their place in a range of areas of law
- Formulate, present and evaluate a range of arguments, drawing on law, policy, theoretical and/or ethical considerations, about remedies and their effectiveness
- Demonstrate independent and sophisticated research, writing and referencing skills appropriate to a later year undergraduate
- Take responsibility for their own learning; manage their time productively; demonstrate capacity to plan a task and work effectively towards its completion

Delivery and Resources

Lectures commence in Week 1; Tutorials also commence in Week 1. The times and locations for the lectures and tutorials can be found at <https://timetables.mq.edu.au/2015/>.

Students will be required to use a computer for the completion of assignments. Students will also need to be able to use the Internet to access the iLearn page for the unit. The iLearn page contains all the learning resources for the unit (recorded lectures in Echo360, required reading lists, assignment tasks, Turnitin for assignment submission) The iLearn page is available at ilearn.mq.edu.au.

Students will also be required to use a computer with Internet access to access the online readings, and interact with online research databases and web-based research tools for completion of the Research Essay.

Unit Schedule

LAW555 Remedies S1 2015 - Schedule			
This schedule is for Internal students.			
Week	Dates	Lecture	Tutorial
Week 1	23 Feb Assignment 3 released to all students	Introduction to the Unit	Introduction to the Unit
Week 2	2 March	Self Help in Tort; Damages for Personal Injury	Self Help in Tort; Damages for Personal Injury

Week 3	9 March	Damages for Personal Injury Cont'd	Damages for Personal Injury Cont'd
Week 4 Assignment 1 released to Internal students	16 March	General Principles of Compensation in Tort	General Principles of Compensation in Tort
Week 5 Assignment 1 due for Internal students	23 March	Contract/Equity 1	Contract/Equity 1
Week 6	30 March (2 April last day of classes)	Contract Equity 2	Contract/Equity 2
Break			
Week 7	20 April	Contract Equity 3	Contract/Equity 3
Week 8	27 April	Restitution	Restitution
Week 9 Assignment 2 released to all students	4 May	Alternative Dispute resolution	Alternative Dispute Resolution
Week 10 Assignment 2 due for all students	11 May	Public Law Remedies	Public Law Remedies
Week 11	18 May	Restorative Justice	Restorative Justice
Week 12	25 May	International Law and Reparations for Human Rights Violations	International Law and Reparations for Human Rights Violations
Week 13 Assignment 3 due for all students	1 June	NO LECTURE	

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

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

Disruption to Studies Policy 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/

Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit ask.mq.edu.au.

Macquarie Law School Assessment Policy

In the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero. Applications for a Disruption to Studies are made electronically via ask.mq.edu.au and should be accompanied by supporting documentation. Students should refer to the [Disruption to Studies policy](#) for complete details of the policy and a description of the supporting documentation required.

Word limits will be strictly applied and work above the word limit will not be marked.

All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.”

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) 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

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

Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

Learning outcomes

- Demonstrate an enquiring, critical, analytical and thoughtful approach to remedies and their place in a range of areas of law
- Formulate, present and evaluate a range of arguments, drawing on law, policy, theoretical and/or ethical considerations, about remedies and their effectiveness

Assessment task

- Assignment 3

Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

Learning outcomes

- Demonstrate independent and sophisticated research, writing and referencing skills

appropriate to a later year undergraduate

- Take responsibility for their own learning; manage their time productively; demonstrate capacity to plan a task and work effectively towards its completion

Assessment tasks

- Assignment 1
- Assignment 2
- Assignment 3

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

- Demonstrate independent and sophisticated research, writing and referencing skills appropriate to a later year undergraduate
- Take responsibility for their own learning; manage their time productively; demonstrate capacity to plan a task and work effectively towards its completion

Assessment tasks

- Assignment 1
- Assignment 2
- Assignment 3

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 outcome

- Demonstrate a thorough understanding of legal principles relating to the principles upon

which remedial action can be taken

Assessment tasks

- Assignment 1
- Assignment 2
- Assignment 3

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

- Demonstrate a thorough understanding of legal principles relating to the principles upon which remedial action can be taken
- Demonstrate an enquiring, critical, analytical and thoughtful approach to remedies and their place in a range of areas of law
- Formulate, present and evaluate a range of arguments, drawing on law, policy, theoretical and/or ethical considerations, about remedies and their effectiveness
- Analyse hypothetical fact situations, identify legal and factual issues involving the law of remedies, apply relevant principles and consider policy/value judgments to solve legal problems

Assessment tasks

- Assignment 1
- Assignment 2
- Assignment 3

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

- Formulate, present and evaluate a range of arguments, drawing on law, policy, theoretical and/or ethical considerations, about remedies and their effectiveness
- Analyse hypothetical fact situations, identify legal and factual issues involving the law of remedies, apply relevant principles and consider policy/value judgments to solve legal problems
- Take responsibility for their own learning; manage their time productively; demonstrate capacity to plan a task and work effectively towards its completion

Assessment tasks

- Assignment 1
- Assignment 2
- Assignment 3

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

- Formulate, present and evaluate a range of arguments, drawing on law, policy, theoretical and/or ethical considerations, about remedies and their effectiveness
- Demonstrate independent and sophisticated research, writing and referencing skills appropriate to a later year undergraduate

Assessment tasks

- Assignment 1
- Assignment 2
- Assignment 3

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 outcome

- Formulate, present and evaluate a range of arguments, drawing on law, policy, theoretical and/or ethical considerations, about remedies and their effectiveness

Assessment task

- Assignment 3

Changes from Previous Offering

The assessment scheme has been changed.

Changes since First Published

Date	Description
15/01/2015	There was an typing error in the section on Delivery and Resources