



LAWS8001

Foundations of Law

Session 1, Infrequent attendance, North Ryde 2020

Macquarie Law School

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General Information

Unit convenor and teaching staff

Convenor

Zara Bending

zara.bending@mq.edu.au

Contact via e-mail

6FW 607

Tues 9-10 (weeks 1-7, 9-13) or by appointment

Credit points

10

Prerequisites

Admission to GradCertLaw or JD

Corequisites

Co-badged status

Unit description

This unit is offered on a pass/fail basis. This unit enables students to attain well-developed cognitive and practical key legal skills (legal research, reasoning, and writing; applying precedent; statutory interpretation; and legal problem solving) and to acquire an advanced level of foundational legal knowledge (Australian legal institutions; legal theory; comparative legal systems; parliamentary process; role of the judiciary) necessary for further graduate study in law. This unit will challenge students to apply their skills and knowledge to examine a contemporary socio-legal issue through a collaborative group project. Students will also engage in reflective practice.

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:

ULO1: Apply principles of statutory interpretation and the doctrine of precedent to interpret and relate primary legal sources (case law and legislation) for the purpose of deriving legal rules and principles.

ULO2: Locate relevant primary and secondary sources through legal research using

online databases, library resources and internet sources, and apply research skills to legal analysis.

ULO3: Critically analyse contemporary legal problems in their broader social context.

ULO4: Identify, describe and relate sources of legal norms and foundational elements of the Australian legal system.

ULO5: Recognise, comprehend and apply conventions for legal writing and referencing

Assessment Tasks

Coronavirus (COVID-19) Update

Assessment details are no longer provided here as a result of changes due to the Coronavirus (COVID-19) pandemic.

Students should consult [iLearn](#) for revised unit information.

[Find out more about the Coronavirus \(COVID-19\) and potential impacts on staff and students](#)

General Assessment Information

Internal students should refer to the Assessment Task deadlines indicated in the 'Weekday Attendance' version of this unit guide.

Further instructions for each assessment task are available on the unit's iLearn page.

Students are also advised that:

1. All assessment tasks are due by 10:00 am on the dates indicated for each assessment task.
2. All assessment tasks are due by the first date as noted. The second 'Hurdle' due date corresponds to the deadline for supplementary work that may need to be completed in order to satisfy the learning outcomes associated with each assessment task.
3. All assessment tasks in this unit are 'hurdle requirements' and must be completed at a Satisfactory level (to the standard prescribed for each assessment task) in order to pass this unit.
4. In cases where students fail to complete one assessment task at a Satisfactory level (provided that they have made genuine attempts at both initial and supplementary work on that task), the Convenor may provide one further opportunity to reattempt the task or carry out supplementary work in order to achieve the required learning outcome(s). The Convenor will base this decision on a review of the student's work across the unit in consultation with the student's tutor(s) and/or marker(s).
5. The Faculty of Arts Late Submission Policy requires that: "Unless a Special

Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.” Please note that this rule applies to the due date of applicable assessment tasks in this unit; the rule does not apply to a subsequent deadline prescribed for an assessment task for the purpose of completing supplementary work or re-attempts of online quizzes in order to satisfy hurdle requirements.

6. This unit is ungraded and will not count towards a student's CGPA (Cumulative Grade Point Average). Students will be awarded 'Satisfactory' or 'Fail' at the end of the unit.
7. The timed online quiz in which students demonstrate their understanding of foundational aspects of Australian Law described under the 'Foundations of Law Quiz' assessment task consists of two parts. Part 1 involves a timed multiple choice style quiz that must be completed during the final week of the teaching period. Part 2 involves a verbal quiz conducted remotely (viva voce) that must be completed (at a time of the student's choice from a list of available dates) during the final week of the teaching period or first week of the examination period.

Delivery and Resources

Coronavirus (COVID-19) Update

Any references to on-campus delivery below may no longer be relevant due to COVID-19.

Please check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Tutorials and Lectures for internal students commence in **Week 1** of semester and conclude in **Week 12**. External students are required to attend two full-day intensive sessions on the North Ryde campus.

Students should consult the official Timetable for class times, dates and locations at: <http://timetables.mq.edu.au>

Online content for this unit can be accessed at <http://ilearn.mq.edu.au>

Required Textbook:

R. Creyke et al., *Laying Down the Law* (LexisNexis, 10th ed, 2017).

Additional required and recommended reading materials will be posted at the unit's iLearn page.

Computer and Internet access are **required** in order to successfully complete this unit. Basic

computer skills (e.g., internet browsing) and skills in word processing are also a requirement.

Unit Schedule

Coronavirus (COVID-19) Update

The unit schedule/topics and any references to on-campus delivery below may no longer be relevant due to COVID-19. Please consult [iLearn](#) for latest details, and check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

| Week # | Topics Covered |
|--------|--|
| 1 | Foundations of Australian Law; Legal Traditions; Classifications of Law |
| 2 | Australian Legal History and Constitution; Separation of Powers |
| 3 | Statutory Interpretation; The Legislature and Executive Branches of Government |
| 4 | Legal Research |
| 5 | Case Law and the Doctrine of Precedent; Equity and the common Law; The Judiciary |
| 6 | Case Law and Judicial Reasoning; Analysing Cases; Legal Writing |
| 7 | Legal Problem Solving |
| 8 | Constitutionalism and Democratic Institutions; Law Reform; Tribunals and Popular Justice |
| 9 | The Rule of Law; Australian Human Rights Law |
| 10 | Indigenous and Customary Law in Australia |
| 11 | Statutory Obligations and Discretion; International Law in Australia |
| 12 | Applying Skills to Solving Complex Legal Problems |

Further details on lecture topics and tutorial activities can be found on the unit's iLearn page.

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)

- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.)

Students seeking more policy resources can visit the [Student Policy Gateway](https://students.mq.edu.au/support/study/student-policy-gateway) (<https://students.mq.edu.au/support/study/student-policy-gateway>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central](http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) 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 or if you are a Global MBA student contact globalmba.support@mq.edu.au

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 help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

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

If you are a Global MBA student contact globalmba.support@mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

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

Changes from Previous Offering

The assessment design for this unit was revised to remove the Hypothetical Problem assignment. Instead, the Foundations of Law Quiz now consists of two Parts as set out under the General Assessment Information.