



# LAWS8001

## Foundations of Law

Session 2, In person-scheduled-weekday, North Ryde 2024

*Macquarie Law School*

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#### **Disclaimer**

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## General Information

### Unit convenor and teaching staff

Convenor

Mareike Riedel

Contact via Via iLearn

17 Wally's Walk Room 220

By request

Tutor

Ekaterina Sofronova

Tutor

Ashley Mak

### 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 reasoning, case analysis and statutory interpretation) 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. 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:** Recognise, comprehend and apply conventions for legal writing and referencing

**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:** 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.

**ULO4:** Apply principles of reflective practice.

**ULO5:** Identify, describe and relate sources of legal norms and foundational elements of the Australian legal system.

## General Assessment Information

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

Students are advised that all assessments in this unit are 'hurdle' assessments, which means that each assessment task must be completed at a satisfactory level (to the standard prescribed for each assessment task) in order to pass this unit as follows:

- For the Core Skills Assessment and the Statutory Interpretation Task students must achieve a minimum of a Pass as per the grading rubric
- For Class Participation students must meet the minimum requirements as per the grading rubric.

The deadline for submission of supplementary work where students have failed to demonstrate learning outcomes to achieve a hurdle requirement will be two weeks from the return of written work (Core Skills Assessment and Statutory Interpretation Task) or as advised by the Convenor (Participation). The deadline for submission of supplementary work for the participation task will be communicated by the Convenor.

In cases where students fail to complete one assessment task at the 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).

### Late Assessment Submission Penalty

Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of '0' (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue.

This late penalty will apply to non-timed sensitive assessment (incl essays, reports, posters, portfolios, journals, recordings etc). Late submission of time sensitive tasks (such as tests/exams, performance assessments/presentations, scheduled practical assessments/labs etc) will

only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic. 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.

This unit is ungraded and will not count towards a student's LAWS WAM (Weighted Average Mark in LAWS units). Students will be awarded 'Satisfactory' or 'Fail' at the end of the unit.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Core Skills Assessment</a>	40%	Yes	9 September 2024 at 11:55pm
<a href="#">Statutory Interpretation task</a>	40%	Yes	5 November 2024 at 11:55pm
<a href="#">Class participation</a>	20%	Yes	Ongoing

### Core Skills Assessment

Assessment Type <sup>1</sup>: Case study/analysis

Indicative Time on Task <sup>2</sup>: 25 hours

Due: **9 September 2024 at 11:55pm**

Weighting: **40%**

**This is a hurdle assessment task (see [assessment policy](#) for more information on hurdle assessment tasks)**

Consists of a short assignment (max 2,500 words, excluding footnotes) submitted online in which students will analyse and interpret primary legal sources (case law and legislation) and relate these to foundational concepts.

On successful completion you will be able to:

- Recognise, comprehend and apply conventions for legal writing and referencing
- Locate relevant primary and secondary sources through legal research using online databases, library resources and internet sources, and apply research skills to legal analysis.
- 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.

## Statutory Interpretation task

Assessment Type <sup>1</sup>: Practice-based task

Indicative Time on Task <sup>2</sup>: 29 hours

Due: **5 November 2024 at 11:55pm**

Weighting: **40%**

**This is a hurdle assessment task (see [assessment policy](#) for more information on hurdle assessment tasks)**

Problem-based task to develop statutory interpretation skills

On successful completion you will be able to:

- Recognise, comprehend and apply conventions for legal writing and referencing
- Locate relevant primary and secondary sources through legal research using online databases, library resources and internet sources, and apply research skills to legal analysis.
- 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.

## Class participation

Assessment Type <sup>1</sup>: Participatory task

Indicative Time on Task <sup>2</sup>: 0 hours

Due: **Ongoing**

Weighting: **20%**

**This is a hurdle assessment task (see [assessment policy](#) for more information on hurdle assessment tasks)**

Tutorial participation in discussions, debates and/or presentations.

On successful completion you will be able to:

- 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.
- Apply principles of reflective practice.

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

<sup>1</sup> If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

<sup>2</sup> Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

## Delivery and Resources

Live lectures are recorded weekly and will be made available via the unit iLearn page at <http://ilearn.mq.edu.au>. Students are welcome to attend the live lectures on-campus.

Internal/on-campus students will have weekly 1-hour face-to-face tutorials. Students should consult the official Timetable for class times, dates and locations.

External/online students will have fortnightly tutorials conducted via Zoom. Zoom access details and the schedule will be provided on the unit's iLearn page. Students should consult the official Timetable for class times and dates.

All students will have access to lectures, learning activities and resources via the unit iLearn page to work through on a week-to-week basis.

### Required Textbook:

D. Hamer et al., *Laying Down the Law* (LexisNexis, 12th ed, 2023).

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

Topic #	Topics Covered
1	Introduction to Foundations of Australian Law
2	Sources of Law: Common Law, Equity, and Statute Law
3	Public Law I
4	Case Law and Case Analysis

5	Doctrine of Precedent
6	Legal Problem Solving
7	First Nations People and the Australian Legal System I
8	Statutory Interpretation I
9	Statutory Interpretation II
10	Statutory Interpretation III
11	Public Law II
12	First Nations People and the Australian Legal System II

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au). 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](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

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

To find other policies relating to Teaching and Learning, visit [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au) and use the [search tool](#).

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/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](mailto:ask.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

## Student Support

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

### The Writing Centre

[The Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the 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

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support](#) including information about finances, tenancy and legal issues
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes



## Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](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.

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Unit information based on version 2024.01R of the [Handbook](#)