

LAWS 7006 AUSTRALIAN LEGAL SYSTEM AND COMMON LAW

Credit Points 10

Legacy Code 200981

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Description The Australian Legal System and Common Law introduces students, from non-common law jurisdictions, to the Australian legal system and the common law tradition. The unit aims to develop the understanding of how the Australian legal system has developed in its historical and cultural contexts, and its impact on Australia's First Peoples. It also covers the Australian laws in specific areas, such as contracts, torts, trusts and dispute resolution. This unit includes field trips to various Australian courts and legal institutions. Students are encouraged to undertake individual research to evaluate and compare legal institutions and laws in Australia and their home jurisdictions.

School Law

Discipline Law, Not Elsewhere Classified.

Student Contribution Band HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Postgraduate Coursework Level 7 subject

Restrictions

This subject is not available for self-enrolment. Admission to the subject is by invitation only to students of postgraduate programs of the School of Law who hold a Bachelor of Laws degree, or equivalent, from a non-common law jurisdiction.

Assumed Knowledge

Undergraduate law degree or equivalent from a non-common law jurisdiction.

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Evaluate the structure and key features of the Australian legal system including its impact on Aboriginal and Torres Strait Islanders People;
2. Examine the historical and cultural context of Australian law and its common law tradition;
3. Apply theoretical and practical knowledge of selected areas of Australian law to critically analyse and solve complex legal problems;
4. Undertake individual research to evaluate and compare Australian legal institutions and laws with those of the students' home jurisdictions.

Subject Content

The subject examines the Australian legal system at the general and theoretic level, and in relation to specific laws, such as torts, contracts, administrative law, equity and trust, dispute resolution and procedure.

The subject is also concerned with the tradition and characteristics of the common law and the development of the Australian legal system. Students will be encouraged to undertake individual research and to evaluate and compare legal institutions and laws from a variety of different sources and perspectives. The areas of law covered in the subject include:

- The Australian Constitution and legal system
- court system and lawyers in Australia
- statutory interpretation
- Contract Law
- Tort Law
- administrative Law
- equity and Trusts
- property Law
- Competition Law

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

| Item | Length | Percent | Threshold | Individual/Group Task |
|------------------|-------------|---------|-----------|-----------------------|
| Case Study | 1,500 words | 20 | N | Individual |
| Mid-Session Exam | 2 hours | 30 | N | Individual |
| Presentation | 10 minutes | 10 | N | Individual |
| Research Essay | 2,500 words | 40 | N | Individual |

Prescribed Texts

- Sanson, Michelle & Thalia Anthony, Connecting with Law, (Oxford U Press, 3rd ed. 2014)
- Latimer, Paul, Australian Business law (Oxford University Press Australia, 35th ed. 2016)

Teaching Periods