

LAW5 7061 LEGAL ANALYSIS AND CRITIQUE

Credit Points 10

Legacy Code 201050

Coordinator Catherine Renshaw ([https://directory.westernsydney.edu.au/search/name/Catherine Renshaw/](https://directory.westernsydney.edu.au/search/name/Catherine%20Renshaw/))

Description This unit introduces students to the processes of critical evaluation of arguments, legal communication and logical and critical problem solving involving statutory interpretation and precedent. Students will have the opportunity to explore how law is made, some of the institutional limitations on law and justice, and the impact of globalisation on law. It introduces theories about the nature and function of law in historical, political, social, economic, cultural, ethical and international contexts. The connection between race, gender, culture and law is examined within the context of the Australian legal tradition, legal history, and the impact of the Australian legal system on Aboriginal and Torres Strait Islander Peoples. Students will use logical and critical skills to develop solutions to problems involving statutory interpretation and the application of precedent; and articulate legal thought effectively and persuasively in written formats for lay and expert audiences.

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

Co-requisite(s) LAW5 7056 Fundamentals of Australian Law

Incompatible Subjects LAW5 1009 Legal Analysis and Critique

Restrictions

Students must be enrolled in a postgraduate program.

Learning Outcomes

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

1. Explore how law in Australia developed and the impact of these developments on Aboriginal and Torres Strait Islander Peoples;
2. Analyse theories about the nature and function of law in local and global contemporary contexts and from different perspectives;
3. Use logical and critical skills to develop solutions to problems involving statutory interpretation and the application of precedent;
4. Use legal research skills in relation to primary and secondary sources to support case analysis and statutory interpretation.

Subject Content

- The Australian legal tradition
- English legal history
- Doctrine of reception and repugnancy
- Australian constitutional independence
- The impact of The Australian legal system on Australian first peoples
- Critical evaluation of arguments
- The nature of function of Law

- legal formalism and The rule of Law
- gender, race, culture and The Law
- Law and globalisation
- Law in An economic context
- legal communication
- case analysis and statutory interpretation

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
Essay	1,000 words	35	N	Individual
Reflection	750 words	20	N	Individual
Essay	2,000 words	45	N	Individual

Prescribed Texts

- Robin Creyke et al, Laying Down the Law (LexisNexis Butterworths, 11th ed, 2020).
- Trischa Mann (ed), Australian Law Dictionary (Oxford University Press, 3rd ed, 2017).
- The Australian Guide to Legal Citation (Melbourne University Law Review Association Inc, 4th ed, 2018).

Teaching Periods

Spring

Parramatta - Victoria Rd

Day

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View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAW57061_22-SPR_PS_D#subjects)