2015 Student Handbook

School of Law

Sydney
## Table of Contents

Dean's Welcome.......................................................................................................................... 5  
Location and mailing address of the School of Law’s offices and contact details for staff......... 6  
Studying law at the University of Notre Dame Australia, School of Law, Sydney .................. 7  
Terminology.................................................................................................................................. 10  
Important information in your unit outline................................................................................... 10  
Who do I ask? ................................................................................................................................ 10  
University Rules, Codes and Policies which govern your academic progress.......................... 11  
Census dates and how to change units (this is very important) .................................................... 13  
Leave of absence ........................................................................................................................... 13  
Student ID card ............................................................................................................................. 13  
Student login ................................................................................................................................. 13  
Student academic information ....................................................................................................... 14  
The Jury’s In .................................................................................................................................... 14  
Mentoring Programmes .................................................................................................................. 14  
Timetable ....................................................................................................................................... 14  
Orientation tours of the library ....................................................................................................... 15  
T.E. F Hughes QC Moot Court ....................................................................................................... 15  
Student Law Society ...................................................................................................................... 15  
Different degrees to choose from ................................................................................................... 15  
Degree Plans .................................................................................................................................. 16  
Research Degrees .......................................................................................................................... 16  
How are grades and marks allocated at Notre Dame Law? ............................................................ 21  
Permanent Staff ............................................................................................................................ 22  
Sessional Staff ............................................................................................................................... 25  
Who has been appointed as an Adjunct ....................................................................................... 27  
What is the Law Advisory Board and Who sits on it? ................................................................... 28  
The Law Advisory Board ............................................................................................................... 28  
Notre Dame Law Units .................................................................................................................. 30  
Undergraduate Core / Compulsory Units ...................................................................................... 30  
Unit Descriptions: School of Law .................................................................................................. 32  
Undergraduate Units ....................................................................................................................... 32  
Compulsory Units in the Bachelor of Laws* ................................................................................ 32  
LW100 Legal Research and Writing ............................................................................................... 32  
LW102 Legal History ...................................................................................................................... 32
<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>LW1010</td>
<td>Legal Process and Statutory Interpretation</td>
<td>32</td>
</tr>
<tr>
<td>LW211</td>
<td>Principles of Contract Law A</td>
<td>33</td>
</tr>
<tr>
<td>LW212</td>
<td>Principles of Contract Law B</td>
<td>33</td>
</tr>
<tr>
<td>LW221/222</td>
<td>Principles of Torts A and Torts B</td>
<td>33</td>
</tr>
<tr>
<td>LW230</td>
<td>Contemporary Legal Issues</td>
<td>33</td>
</tr>
<tr>
<td>LW231</td>
<td>Principles of Equity</td>
<td>34</td>
</tr>
<tr>
<td>LW241</td>
<td>Property Law A</td>
<td>34</td>
</tr>
<tr>
<td>LW242/1</td>
<td>Property Law B</td>
<td>34</td>
</tr>
<tr>
<td>LW251</td>
<td>Criminal Law A-Procedure</td>
<td>34</td>
</tr>
<tr>
<td>LW252</td>
<td>Criminal Law B-Defences</td>
<td>34</td>
</tr>
<tr>
<td>LW321</td>
<td>Corporations and Partnerships</td>
<td>34</td>
</tr>
<tr>
<td>LW323</td>
<td>Evidence A</td>
<td>35</td>
</tr>
<tr>
<td>LW324</td>
<td>Evidence B</td>
<td>35</td>
</tr>
<tr>
<td>LW331</td>
<td>Administrative Law A</td>
<td>35</td>
</tr>
<tr>
<td>LW332</td>
<td>Administrative Law B</td>
<td>35</td>
</tr>
<tr>
<td>LW341</td>
<td>Constitutional Law A</td>
<td>35</td>
</tr>
<tr>
<td>LW342</td>
<td>Constitutional Law B</td>
<td>36</td>
</tr>
<tr>
<td>LW350</td>
<td>Legal Philosophy</td>
<td>36</td>
</tr>
<tr>
<td>LW360</td>
<td>Advocacy</td>
<td>36</td>
</tr>
<tr>
<td>LW405</td>
<td>Remedies</td>
<td>36</td>
</tr>
<tr>
<td>LW420</td>
<td>International and Comparative Law</td>
<td>36</td>
</tr>
<tr>
<td>LW462</td>
<td>Alternative Dispute Resolution*</td>
<td>37</td>
</tr>
<tr>
<td>LW463</td>
<td>Civil Procedure A</td>
<td>37</td>
</tr>
<tr>
<td>LW464-1</td>
<td>Civil Procedure B</td>
<td>37</td>
</tr>
<tr>
<td>LW471/1</td>
<td>Commercial Practice &amp; Ethics</td>
<td>38</td>
</tr>
<tr>
<td>Elective</td>
<td>Units: Law</td>
<td>39</td>
</tr>
<tr>
<td>LW300</td>
<td>Health Law</td>
<td>39</td>
</tr>
<tr>
<td>LW303</td>
<td>Trade Practices Law</td>
<td>39</td>
</tr>
<tr>
<td>LW304</td>
<td>Employee Relations Law</td>
<td>39</td>
</tr>
<tr>
<td>LW344</td>
<td>Law and Religion</td>
<td>42</td>
</tr>
<tr>
<td>LW352</td>
<td>Special Topics in Law I</td>
<td>43</td>
</tr>
<tr>
<td>LW380</td>
<td>Law Review</td>
<td>44</td>
</tr>
<tr>
<td>LW403</td>
<td>Private International Law</td>
<td>44</td>
</tr>
<tr>
<td>Masters</td>
<td>Level</td>
<td>45</td>
</tr>
<tr>
<td>LW5102</td>
<td>Legal History</td>
<td>45</td>
</tr>
<tr>
<td>LW5300</td>
<td>Health Law</td>
<td>45</td>
</tr>
</tbody>
</table>
LW5303 Trade Practices Law ................................................................. 45
LW5313 Succession ........................................................................ 45
LW5338 Mental Health Law ............................................................... 46
LW5339 Introduction to Canon Law .................................................. 46
LW5350 Legal Philosophy ................................................................ 46
LW5420 International and Comparative Law .................................... 46
LW5422/LW422 International Law Moot .......................................... 46
LW5344 Law and Religion - 25 credit points ................................. 46
ANNEXURE A - The Honour Code .................................................... 51
ANNEXURE B - Academic Integrity Policy ....................................... 53
Dean’s Welcome

Welcome to the Sydney Campus of The University of Notre Dame Australia and to the School of Law.

The School of Law is here to support you in achieving your full potential as a law student irrespective of your chosen career path. Whether you choose to study law with the aim of joining the legal profession and working in a large commercial firm or in a smaller or suburban practice, as a barrister and advocate or as in-house counsel or a lawyer in the government or church/not for profit sectors or you simply wish to develop your legal expertise to augment your performance in another career, the School of Law provides an unparalleled legal education for all our students.

The School of Law has a commitment to excellence and to developing graduates with a sound ethical grounding and real practical training. An essential requirement of any lawyer is the ability to consider and explain an argument. This is a skill which is difficult to foster in huge lecture theatres overflowing with students. At Notre Dame we seek to maintain smaller class sizes so that all students have an opportunity to contribute and to grow. For example, in 2013 and 2014 our average class size was 31.

All of our academic staff have practised law as judges, barristers, solicitors or as lawyers working for NGOs, churches or government in Australia or overseas. As an example, before commencing as the Dean of the School of Law in 2013, I worked for over 23 years at the large commercial law firm Allens, where I was a partner for more than 14 years. Our objective at the School of Law is to graduate students who not only know the law as an academic discipline but have the skills necessary to be great lawyers and well-rounded people. This is because we recognise that lawyers are an incredibly powerful group in Australian society – not only do lawyers argue cases as advocates and not only are they the judges who interpret the laws and the Constitution but they are also heavily over-represented in all State and Federal parliaments and on the boards of Australia’s largest corporations. Just knowing the law is not enough.

At Notre Dame we want to encourage all of our students to think and to think on some very difficult questions. As a Catholic University, we teach within the context of Catholic faith and values and have a commitment to the pastoral care of our students. Our undergraduate law degrees incorporate philosophy, ethics and theology, which is taught within the Catholic theological tradition. Whether you are joining us as a new student or returning to complete your degree I most wholeheartedly welcome you. If you are considering the School of Law on the Sydney Campus of Notre Dame and have any questions or require any further information about the University, the School of Law Sydney or the degrees we offer, we would be delighted to hear from you.

Professor Michael Quinlan
Dean
School of Law, Sydney
The University of Notre Dame Australia
Location and mailing address of the School of Law’s offices and contact details for staff

The offices for all Law staff are on the first floor in the Shepherd Street building (NDS15) on the corner of Shepherd and Rose Streets.

Mailing address: School of Law  
The University of Notre Dame Australia  
PO Box 944  
Broadway NSW 2007

Phone number: (02) 8204 4300  
Fax number: (02) 8204 4422  
Email: sydney.law@nd.edu.au  
Administration Office hours: Monday - Friday 8.30am – 5pm

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</table>

Sessional academic staff are not present on campus all year (and might only teach one semester per year). Many (but not all) are practising lawyers. Their preferred contact details at different times of the year can be obtained from School of Law Office.

All staff members are available to meet with students during their advertised consultation hours or at other times by appointment. If you do wish to meet with a staff member please phone or email them in advance to set a time to meet. Please call or email them from the School of Law reception if you are meeting them in their office at the School of Law so that they can collect you from reception.
Studying law at the University of Notre Dame Australia, School of Law, Sydney

Students studying at the University of Notre Dame Australia, School of Law in Sydney enjoy a range of unique benefits.

The University of Notre Dame, Australia School of Law, Sydney is different

The University of Notre Dame Australia, is a unique University in Australia and its School of Law is unique.

This is immediately obvious from the Objects of the University which are:

a. the provision of university education, within a context of Catholic faith and values; and

b. the provision of an excellent standard of -
   i. teaching, scholarship and research;
   ii. training for the professions; and
   iii. pastoral care for its students.

Notre Dame’s School of Law is designed around these Objects and offers a high quality, ethical and practical legal education. Our objective, at Notre Dame School of Law Sydney, is to graduate students who not only know the law as an academic discipline but have the skills necessary to be great lawyers and well-rounded, ethical people.

The course has a special focus on three areas:

i) The basic building blocks of the Law (The “Priestley 11”): these are the subjects which every student wishing to be admitted to the legal profession must study. They are Criminal Law, Torts, Contracts, Property, Equity, Administrative Law, Constitutional Law, Civil Procedure, Evidence, Company Law and Professional Conduct. These are the basic building blocks or threshold areas of law that all Australian lawyers need to know. At Notre Dame we give our students a more thorough understanding of these areas of study than at other universities because we spend more time on them;

ii) Practical learning: students study Advocacy, Alternative Dispute Resolution (ADR) and Commercial Practice and Ethics. The professional background of academic staff enables them to “bring the law to life”.

iii) Social justice, ethics and welfare: as a Catholic University we have a particular focus on social justice, ethics and welfare which is reflected in both our compulsory and our elective subjects. At Notre Dame Law all students study Contemporary Legal Issues or Aboriginal Peoples and Legal Philosophy and students can choose to study subjects like Human Rights Law, Family Law, Bioethics and the Law, Health Law, Mental Health Law, Canon Law, Law and Religion and Law and War; and

iii) Many of our academic staff worked with corporate and commercial law firms before joining us at Notre Dame. We offer a range of corporate and commercial law subjects to give students, like a number of our alumni, the opportunity to work at the “big end of town.” Our electives include subjects like Commercial Law, Tax, Insolvency, Mining & Petroleum Law and Trade Practices Law.

An essential requirement of any lawyer is the ability to consider and explain an argument. This is a skill which is difficult to foster in huge lecture theatres overflowing with students. At Notre Dame we seek to maintain smaller class sizes so that all students have an opportunity to contribute and to grow in confidence. Studies indicate that most people learn only 10% of what they read, only 20% of what they hear and only 30% of what
they see but that they learn 50% of what they see and hear and 70% of what they talk over with others. According to Biggs and Tang, “[a]rguably the most powerful enhancement to learning is feedback during learning.”

As students learn better if they actively participate and we want to encourage student activity and to maximise the opportunities for discussion and interchange of ideas and participation all of our classes are delivered by an experienced member of our academic staff in a 3 hour interactive style. We do not have a lecture and then a tutorial run by a different, younger or less experienced staff member. Notre Dame’s Law degrees provide students with a thorough knowledge of the law, coupled with the practical skills necessary for the work force, such as problem solving, letter writing, public speaking, advocacy, ADR and research skills. So that we can provide training for our profession, our academic staff have all practised (or are still practising) law as judges, barristers, solicitors or worked in government or for religious or charitable institutions in Australia or overseas (see below). About half of our current permanent academic staff have been partners in a law firm.

As a Catholic University, we teach within the context of Catholic faith and values and have a commitment to the pastoral care of our students. Our undergraduate law degrees incorporate philosophy, ethics and theology, taught within the Catholic theological tradition. At Notre Dame the academic staff actually care about students – we deliberately try to keep our classes smaller and our academic staff make themselves available to assist students with their academic development. Many students come to Notre Dame after finding the environment at larger universities unpleasant, over-powering or just unenjoyable.

Leading the nation in Student satisfaction

At Notre Dame our students are our top priority. The Survive Law Survey is based on the responses of students from 36 law schools and faculties across Australia. Law students ranked Notre Dame above average in every category surveyed in 2013. In particular Notre Dame was ranked:

- 1st in teaching of all Australian law schools;
- 1st in providing support for the well being of students out of the Sydney universities, 2nd out of the universities in NSW and 3rd across all Australian law schools;
- 1st in the level of career support available out of all law schools in Sydney, 2nd out of all law schools in NSW and 5th out of all law schools in the country;

and

- 2nd in students’ satisfaction with the overall study experience for law schools in Sydney, 3rd in that criteria in NSW and 4th in that average across all 36 law schools
- 2nd in the average overall satisfaction ratings for law schools with more than 50 responses in Sydney, 3rd in that average in NSW and 4th in that average across all 36 law schools.

Students participating in the Survive Law survey were asked this question: “What do you like best about your law school and why?” Their responses included:

- The atmosphere at Notre Dame is the best! Everyone is so happy and positive at Notre Dame. Everyone comes to class and there is a real sense of camaraderie between the students and our teachers.
- Small class sizes Excellent tutors/lecturers
- The small classes and the care given by lecturers.

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1 John Biggs and Catherine Tang, Teaching for Quality Learning at University (The Society for Research into Higher Education), (4th ed, 2011) Table 4.3 63. The Table is attributed to William Glasser and quoted in Association for Supervision & Curriculum Development Guide 1988;
2 ibid 64
3 ibid 62
4 ibid (at 76) for the benefits of learner activity and interactivity and (at 77) for the benefits of motivation and constructing a base of interconnected knowledge.
The approachability of staff, the small class sizes, the focus of the content to practical issues that come up in the profession and just the practicality of the delivery of information, the timing of lectures (they try and get all your subjects into a short range of days to facilitate work opportunities).

I like the small class sizes that stimulate a positive, learning experience.

More Notre Dame graduates find employment.

Findings from the 2015 edition of The Good Universities Guide, show that 90 per cent of graduates from our Schools of Law had full-time employment shortly after graduation. Along with the University of New South Wales this is the highest percentage of any Australian law school.

Applying to study in the School of Law

The University of Notre Dame is not part of the UAC system of enrolments. This is because the process of enrolment in the School involves a written application and an interview conducted by the Dean or the Associate Dean. The School is not bound by ATAR results and considers the whole person as part of the enrolment process. To study any of the law programmes as an undergraduate the School looks for an indicative ATAR of 90. Strong performances in English and in the humanities are particularly relevant and valuable indicators of likely academic ability in relation to the study of law. The School also offers a law degree for students who have already completed another degree.

For further information, please contact our Prospective Students Office on 02 8204 4404 or email sydney@nd.edu.au.

Sydney Campus Young Achievers Early Offer Program 2015

Notre Dame Young Achievers Early Offer Program gives prospective students the opportunity to join the Notre Dame community before completing the HSC or IB. The Program is designed for talented, capable and well rounded Year 12 students who standout for excellence, commitment and dedication. It is also open to those who have left Year 12 within the last five years.

There are four categories that applicants may apply through;

- Category One: Commitment to community and/or Church;
- Category Two: Commitment and excellence in cultural pursuits;
- Category Three: Commitment and excellence in sporting achievements; or
- Category Four: Academic excellence.

For further information, please contact our Prospective Students Office on 02 8204 4404 or email sydney@nd.edu.au.

Alternative Pathways into a law degree in the School of Law

The School offers a number of alternative pathways into its law degrees. Notre Dame will consider applicants who have:

- successfully completed a minimum of four units with a high credit average within a Bachelor’s Degree from Notre Dame or another Australian University. An original or certified copy of an academic transcript is required;
- successfully completed a minimum of four units with a high credit average within the Diploma of Law programme offered by the Legal Practitioners Admissions Board of New South Wales;
- successfully completed another undergraduate degree at Notre Dame or another Australian University; or
- successfully completed a TAFE or approved RTO Diploma in Business (Legal Studies) or Advanced Diploma of Conveyancing

For further information, please contact our Prospective Students Office on 02 8204 4404 or email sydney@nd.edu.au.
Advanced Standing

Students who have completed relevant study before being admitted into the School may apply for Advanced Standing. For example:

- applicants who have successfully completed units at a School or Faculty of Law within a Bachelor’s Degree or Juris Doctor degree from another Australian University or within the Diploma of Law programme offered by the Legal Practitioners Admissions Board of New South Wales may apply for Advanced Standing; and

- applicants who have completed units of study at Schools or faculties of Law at recognised universities overseas may also apply for advanced standing.

An original or certified copy of an academic transcript is required and criteria such as equivalency, length of unit is applied in assessing such applications. For further information, please contact our Prospective Students Office on 02 8204 4404 or email sydney@nd.edu.au.

Terminology

If you enrol with us you will be studying a course. You will hopefully graduate with a degree (e.g. Bachelor of Laws) or a double degree (e.g. Bachelor of Laws/Bachelor of Arts). Your course is taught by one or more of the following schools – the School of Law (SOL), the School of Arts and Sciences (SAS), the School of Business (SOB) and the School of Philosophy and Theology (SPT).

Each subject is called a unit (e.g. Principles of Contract Law A). For each unit you will be given (probably electronically) a Unit Outline. This sets out the most important details relating to the unit.

Important information in your unit outline

Your unit outline will include details of:

- the content covered by the unit;
- the time and place of each weekly seminar (in other schools your);
- the required (i.e. prescribed) and recommended textbooks (and the reading you must do each week). You should purchase required textbooks from the Co-Op Bookshop on the Broadway Campus. There is no need to purchase recommended textbooks;
- the Unit Reader (where applicable). This is a collection of materials required in some Units. Unit Readers must be purchased from KopyStop which is located at 3/55 Mountain Street, Broadway NSW 2007 (a short walk from the Law School).
- details of each assignment and exam, the time and date that assignments are due and the manner in which they need to be submitted; and
- the referencing style for assignments. It is essential for every Law unit that you have a copy of the third edition of the Australian Guide to Legal Citation (AGLC), published by the Melbourne University Law Review Association Inc. You can buy a copy from the Co-op bookshop or access an electronic copy at:

  http://mulr.law.unimelb.edu.au/go/aglc

Who do I ask?

Questions relating to a specific unit should be directed to your unit co-ordinator or teacher.

Questions about your Law degree should be directed to the Assistant Dean of the School of Law.

Questions about the core curriculum (also called the LOGOS programme) should be directed to the School of Philosophy and Theology.

Questions about your Arts or Business degree should be directed to the School of Arts and Sciences or the School of Business (as applicable).

Applications for an extension of time to complete an assignment should be made (prior to the due date) in writing to the Dean of the School which teaches the unit (or to any person to whom the Dean delegates this
function – i.e. the Assistant Dean of the School of Law). Application forms can be obtained from School of Law Reception or the University’s website.

Each Unit Outline also clearly sets out the Regulations that apply to extensions of time and warns students not to plagiarise. Please take those regulations seriously.

One of the Objects of the University is to provide training for the profession. A critical skill of members of the legal profession is the ability to complete tasks in a given time frame even if other work comes in. The School of Law treats deadlines and due dates seriously. On rare occasions students may be so ill that they cannot attend an assessment or an exam and sometimes unexpected and infrequent other events – car accidents, family tragedy etc-make it impossible to attend an exam or an assessment. On those very rare occasions it is only common courtesy to inform your lecturer before the exam or assessment that you will not be able to attend and will need to apply for a deferred exam or assessment. You will then need to apply for a deferred exam or assessment and supply original medical certificates or other evidence to support the application. Please do not treat deferring assessments or exams as a fait accompli.

It goes without saying that it would obviously be very unethical, a breach of the Code of Conduct and unfair to all of the students who do attend exams and assessments and complete assignments on time to ever obtain a medical certificate when you were not genuinely ill or not sufficiently ill not to attend work on the day in question.

Applications to defer an exam should be made (no later than 3 working days after the date of the exam) in writing to the Assistant Dean of Law. Application forms can be obtained from the University’s website or at the School of Law Reception. Note that part of the application form requires the completion of a statutory declaration before an appropriate person (as listed on the form) and (if the application is on medical grounds) the completion of a certificate by a medical practitioner.

Applications for special consideration in relation to the marking of an exam or an assignment, should be made (no later than 3 working days after the exam or assignment due date) in writing to the Assistant Dean of Law. Application forms can be obtained from the University’s website or the School of Law Reception. Please refer to the Dean’s Orientation Day Speech in relation to requests for extensions of time.

Questions about student accommodation, clubs and societies, other general student issues and equity support for exams (e.g. a scribe or extra time due to a medical condition) should be directed to the Student Life Office (in the St Benedict’s building, ph: 8204 4429 or sydney.studentlife@nd.edu.au).

Questions relating to fees (including FEE-HELP) or whether your load is sufficient to qualify for Austudy, etc should be directed to Student Administration in Pioneer House.

Questions re general academic support (not specific to a particular unit) should be directed to the Academic Enabling and Support Centre (ph: 8204 4228 or sydney.aesc@nd.edu.au).

Requests for counselling should be directed to the University’s free and confidential counselling service for students (ph: 8204 4220 or sydney.counselling@nd.edu.au). If you wish to contact the Chaplaincy (ph: 8204 4315 or Patrick.langrell@nd.edu.au)

Please make sure that the University’s records always contain your current postal address and phone numbers. Forms to change these can be obtained from the University’s website or at the SOL Reception.

University Rules, Codes and Policies which govern your academic progress

See http://www.nd.edu.au/nav-current-students/regulations for a full list and copies of each. The most important ones are:

- University General Regulations (which apply to all students of the University). Note especially the provisions on (1) misconduct; (2) needing to make satisfactory academic progress each year to remain enrolled; (3) your obligations to attend class (4) your obligation to submit assignments on time (5) information on the marking and scaling of assessments and exams and (6) information on requests for re-marking of assessments and examinations.

- School Regulations (which apply to all students in a particular school – e.g. the School of Law) and also see the School of Law Honour Code (Annexure A) and Academic Integrity Policy (Annexure B).

- Course Regulations (which apply to all students in a particular single or double degree course – e.g. Bachelor of Laws/Bachelor of Arts). These contain details of the exact units that you need to complete and the order in which you need to complete them. They also contain the rules on qualifying for Honours.
Code of Conduct for Students (filed under Policies and Guidelines) (which apply to all students of the University). Note especially the following provisions which can be located at the following link: http://www.nd.edu.au/__data/assets/pdf_file/0020/113456/code_of-conduct_students_09.pdf and in particular to:

i) Carry out your academic studies conscientiously and with honesty and diligence and maintain satisfactory academic progress.

ii) Attend classes (seminars and practical work, and in other schools lectures and tutorials) and examinations.

iii) Submit original work and abide by deadlines when submitting work for assessment.

Policy: Academic Misconduct (Plagiarism) (which applies to all students of the University). Plagiarism is a serious matter particularly in the Law School of a Catholic University. Make sure you understand what plagiarism means and that you do not engage in it. A finding of plagiarism may affect your ability to be admitted as a legal practitioner. If you are in doubt about plagiarism discuss with Karen Rowe-Nurse in the library.

Policy: Student Appeals Students are expected to familiarise themselves with the general policy on Appeals. A student may appeal their final grade in accordance with the Policy: Student Appeals (General Regulations 6.20). Students should note that Appeals in relation to a final grade may only be made on the grounds of administrative error; or a breach of the University's assessment policy, procedure or regulations sufficient to cause disadvantage to the Student; or a failure to adhere to approved assessment procedures for that unit sufficient to cause disadvantage to the Student; or unfair treatment in the process of assessment; or unfair treatment by persons involved in the conduct of the examination. Under the University Policy appeals cannot be accepted on the grounds of an allegation that the judgment of the Unit Coordinator was incorrect. In considering whether to lodge an appeal in relation to marks or grades please be aware, that an appeal may result in no change to your result, or to your result being increased or decreased by the Dean, the Associate Dean, the Assistant Dean or another marker upon a re-marking of one or more pieces of assessment. All appeals should be lodged in writing and accompanied by relevant documentary evidence.

Guideline: Supplementary, Deferred or Irregularly Scheduled Examinations An application for a Deferred Examination or Irregularly Scheduled Examination in lieu of sitting the originally scheduled examination is ultimately determined by the Registrar of the University and not by the Assistant Dean of Law (although the School of Law can provide a recommendation it does not make the final decision) and in any event may only be granted in exceptional circumstances beyond the control of the student as per the University's General Regulations 6.7 and 6.8. Circumstances beyond the control of the student may include a student not being able to sit an exam due to a medical condition, not being able to study for the exams for two weeks immediately preceding the exam due to a medical condition, or other circumstances outlined in the Guideline: Supplementary, Deferred and Irregularly Scheduled Examinations. Students should note that Supplementary examinations may only be granted by the Board of Examiners and that such an option may only be considered in the very limited circumstances noted in General Regulation 6.6.

Guideline: The meaning of “special consideration” and “exceptional circumstances” This form of academic relief may only be granted to students by the Assistant Dean of the School of Law in relation to assessments completed or attempted in circumstances of a serious nature beyond the student's control which impair the student's ability to perform at their usual demonstrated academic ability in an assessment task as per the University's General Regulations 6.10. These may include documented medical illness, misadventure, compassionate grounds, trauma or some forms of compulsory community commitments, however these will not usually include an application on the basis that the students has competing deadlines and workloads from other units or that the student has competing employment commitments outside the University.

Class Attendance & Absence
In accordance with the General Regulations, you are expected to attend each weekly seminar. A roll will be taken at each seminar and if you fail to attend without a proven medical reason or other sufficient justification then you will be marked absent. Students are strongly encouraged to attend class for several reasons namely;
You will learn much more if you attend class and actively participate. Even if you borrow someone else’s notes and they are excellent or you obtain a recording of a lecture, and even if you read the prescribed reading materials, it is no substitute for the learning that you can achieve if you attend class. In class, at a minimum, you can supplement your reading by what you hear and see. Ideally in class you will also talk with the lecturer and obtain immediate feedback through the discussions which occur.

Repeated absences or lateness will affect your ability to master the material in this Unit; where a Unit includes a class participation component, then a failure to attend class will prevent you from participating and may consequently reduce your mark; and as the General Regulations and the Code of Conduct require attendance, failure to attend class may amount to misconduct.

Further, if you are an international student then you must meet the attendance requirements in your student visa.

**Census dates and how to change units (this is very important)**

To add or withdraw from a unit you need to submit a signed Change of Enrolment Form to the School of Law. Before being processed it will need to be signed by the Dean of Law (or delegate). If covering an Arts or Business unit, it will also need to be signed by the Dean (or delegate) of Arts or Business.

You need to be aware of the following dates and time restrictions:

- You generally cannot add a new unit after the first 2 weeks of semester.
- If you withdraw from a unit on or before the Census Date (also called the Financial Penalty Date) then you avoid paying fees for that unit and you avoid the unit showing on your academic record. The Semester 1 2015 date Census Date is is Friday 20 March 2015. You should try and complete all withdrawals by this date.
- If you withdraw from a unit after the above date but on or before the Academic Penalty Date then you are required to pay the fees but you avoid the unit showing on your academic record. In Semester 1 2015, this date is Friday 22 May 2015.
- If you withdraw from a unit after the above date but on or before the last day of lectures for the semester then you pay the fees and your academic record shows ‘Withdrawal with Fail (WF)’ for the unit.

**Leave of absence**

Students may apply for a leave of absence during their course for up to four semesters. Written applications must be submitted to the Dean of Law preceding the time of absence. International students are not able to take a leave of absence unless there are exceptional circumstances involved.

**Student ID card**

You will be photographed for your Student ID card on enrolment day. This card will allow you to borrow books from the library and use the photocopier for photocopying and printing. You must also bring your Student ID card to all exams as proof of identity (as there will be supervisors from outside the University).

**Student login**

All students are issued with a student email account. The University usually contacts you via this email account. The University requires all students to check this email account at least once a week (but you would be wise to check it every day). The University will assume that you have read anything which anyone from the University has emailed to this email account.

All email correspondence from you to the University must be from your student email account. Due to privacy reasons, staff will not generally respond to emails from a personal address.

Once you have had your unit enrolment completed by Student Administration you will be able to access your student email account and other electronic resources such as the Student Server. See:

- **Log in:** Student ID Number
- **Select:** MyND Portal
- **Password:** Nddmmmyyyy (date of birth, day month year)
  (e.g. June 13 1994, Nd13061994)

If you ever have problems with logging on then please contact the IT support staff on ph 8204 4444 or at sydneyit@nd.edu.au.
Some units may be supported by the ‘BlackBoard’ on-line learning environment. If your unit is one of these then you will be advised by your lecturer of the procedures for use of this environment.

**Student academic information**

You may access your academic information (including current enrolment and unit results) via the Student Academic Information Portal on the University’s website. This log-in is the same as for your student email account. You should check this portal to verify that submitted forms regarding changes to units or course have been processed.


**The Jury's In**

The Dean of the School of Law writes to students of the School of Law regularly in a publication called “The Jury's In” which is normally circulated by email each Monday during term. The Jury's In is the main method by which the School communicates with its students. Accordingly you must read “The Jury's In”, each week as it has important dates, information on Unit availability, upcoming talks and events, volunteering opportunities and job offers.

**Mentoring Programmes**

The University of Notre Dame School of Law runs several Mentoring Programmes for its law students. These include two highly selective commercial firm specific mentoring programmes for four of our highest achieving students each year (in partnership with two of the most prestigious law firms in the nation – Allens and King & Wood Mallesons) as well as a broader mentoring programme for other interested law students each Semester in partnership with the St Thomas More Society.

Mentoring in the legal context creates an opportunity for an experienced legal professional (Mentor) to impart professional guidance and practical knowledge to a law student (Mentee) and the University regards this relationship as a critical component in supporting law students to succeed as graduates, both by developing their key skills and by fostering healthy relationships and perspective on the practice of law as part of a profession. The goal of the mentoring programmes is to improve the competence, professionalism, and capability of law graduates. They aim to support students' formal academic training by developing student networks with the profession and providing exposure to the practicalities of practice and of life in the law.

As a form of pedagogy, the mentoring programmes are flexible by their very nature. The main Mentoring Programme offered in partnership with the St Thomas More Society does not prescribe the number of times that mentors meet with their mentees or the extent to which mentors are able to include students in some of the workings of their practice. Generally, mentors and mentees may seek to meet 3-4 times during the course of the semester long programme and activities may involve;

- Discussions on the realities of the legal profession and other related matters
- Half-day of work shadowing
- Attending court and work meetings with your Mentor
- Having a coffee or informal meeting
- Attending public lectures or professional development sessions together
- Seeking your Mentor’s assistance with goal setting and career advice i.e. job applications and interview skills
- Enlisting your Mentor’s support in building professional networks i.e. introducing your mentee to colleagues
- Engaging in email exchanges or telephone discussions

Interested students should contact Mr Darren Fitzpatrick, the Manager of the Internship Program in the Pro-Vice Chancellery, Sydney on [Darren.fitzpatrick@nd.edu.au](mailto:Darren.fitzpatrick@nd.edu.au) for more information.

**Timetable**

Before the commencement of semester, you will be able to access the upcoming semester timetable through logging into Allocate +. This log-in is the same as for your student email account. Units with only one session will be automatically timetabled. If a session has multiple options, you will be able to select your preferred session based on availability.
Orientation tours of the library
The library is located in Canavan Hall. Orientation tours of the library for students will be given during the first week of semester and in Orientation Week.

T.E. F Hughes QC Moot Court
The University provides state of the art professional training facilities for law students in the TEF Hughes QC Moot Court – named after one of the country’s most renowned lawyers the Honourable Thomas Eyre Forrest Hughes AO QC. The Moot Court assists the School to provide professional and practical training for the University’s current and future law students, through the use of innovative features which are identical to that found in our modern courts of law. Notre Dame students benefit from academic programmes and initiatives delivered through the School of Law which provide a hands-on, practical learning experience integral for a career in the courts by allowing participants to participate in simulated court proceedings, thereby practicing a range of important skills such as:

- Speaking in front of others
- Structuring a legal argument
- Analysing cases
- Gaining additional writing experience

The Moot Court also serves as a forum providing opportunities for students to network with potential employers through competitions and develops leadership skills which enhance graduates’ ability to organise, motivate and lead others.

Student Law Society
The Notre Dame Sydney Law Society (NDSLS) is the main student society at the University responsible for various social events, competitions, publications and other activities for the benefit of Notre Dame Law students. You are encouraged to participate in the NDSLS’ activities and, in the fullness of time, consider joining the NDSLS’ executive.

The President for 2014 is Ms Kathryn Whybourne. She can be contacted by emailing president@ndsls.org. The NDSLS has a website - www.ndsls.org - (which you are encouraged to visit) and a Facebook group (which you are welcome to join).

Different degrees to choose from
You can choose from:

- Undergraduate entry Bachelor of Laws (LLB) – Course Code 3178. This can be completed in 4 years but some students choose to take longer.
- Graduate entry Bachelor of Laws (LLB) – Course Code 3410. This can be completed in 3 years but some students choose to take longer.
- Undergraduate entry double degree combining a Bachelor of Laws (LLB) with one of the following degrees from the School of Arts and Sciences or the School of Business or the School of Philosophy and Theology. This can be completed in 5 years but some students choose to take longer:
  - **Arts**
    - LLB + Bachelor of Arts (with different possible majors) – Course Code 3388
    - LLB + Bachelor of Arts (Politics and Journalism) – Course Code 3389
    - LLB + Bachelor of Behavioural Science – Course Code 3390
    - LLB + Bachelor of Communications and Media – Course Code 3419
  - **Business**
    - LLB + Bachelor of Commerce (with different possible majors) – Course Code 3391
    - LLB + Bachelor of Human Resource Management – Course Code 3402
    - LLB + Bachelor of Marketing and Public Relations – Course Code 3403
  - **Philosophy**
    - LLB + Bachelor of Philosophy – Course Code 3486
  - **Theology**
    - LLB + Bachelor of Theology – Course Code 3502
Excellent students may be invited to complete their degree at an Honours level. At Notre Dame School of Law Honours is embedded in the degree and does not require the completion of an additional year of study.

A description of the content of all compulsory and elective Law units in the Bachelor of Laws is available on the University's website at http://www.nd.edu.au/units/lw.shtml.

**Degree Plans**

Some sample degree plans are attached. It is **your** responsibility to ensure that you enrol in and complete the necessary units in order to graduate with the degree or degrees which you are undertaking. Refer to your applicable Bachelor of Law Degree Plan http://www.nd.edu.au/nav-current-students/regulations Degree requirements - Chapter 3 Degree requirements 3.1 Course Structure

**Research Degrees**

Notre Dame also offers a Masters of Law (research) (LLM), a Masters of Philosophy (MPhil) and a Doctorate of Philosophy (PhD). These degrees are normally undertaken by students who have already completed an LLB or JD Degree. For more information see http://www.nd.edu.au/research/degrees.shtml
5 Year Undergraduate Double Degree Plan – Bachelor of Laws/Bachelor of [second degree] (as at October 2013)

Course Codes: Law/Arts = 3388; Law/Arts (Politics and Journalism) = 3389
Law/Communications and Media = 3419, Law/Commerce = 3391;
Law/Human Resource Management = 3402, Law/Marketing and Public Relations = 3403

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<td>LW102 Legal History (25 CP) Nat</td>
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<td>LW1010 Legal Process (30 CP) Nat</td>
<td>LW252 Criminal Law B – Defences (35 CP) State</td>
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<td>LW251 Criminal Law A – Procedure (35 CP) State</td>
<td>PT101 Logos I</td>
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<td>LW230 Contemporary Legal Issues (25 CP) Nat</td>
<td>PT103 Logos III</td>
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<td>PT102 Logos II</td>
<td>2 or more units from 2nd Degree</td>
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<td>LW242 Property Law B (30 CP) State</td>
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<tr>
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<td>3 or more units from 2nd Degree</td>
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<td>LW332 Administrative Law B (25 CP) State</td>
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<tr>
<td>LW323 Evidence A (25 CP) State</td>
<td>LW324 Evidence B (25 CP) State</td>
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<td>LW321 Corporations and Partnerships (40 CP) Nat</td>
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<td>Law Elective One (20 CP) Nat</td>
<td>Law Elective Three (20 CP) Nat</td>
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<tr>
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<td>LW350 Legal Philosophy (25 CP) Nat</td>
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<td>LW463 Civil Procedure A (25 CP) State</td>
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<td>LW405 Remedies (30 CP) Nat</td>
<td>LW462 Alternative Dispute Resolution (25 CP) Nat</td>
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<tr>
<td>Law Elective Four (20 CP) Nat</td>
<td>Law Elective Six (20 CP) Nat</td>
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Nat = can be studied in either Sydney or Fremantle
State = should be studied in the State where you intend to practise Law

So, in summary, there are 29 compulsory Law units, 3 compulsory units covering Philosophy, Ethics and Theology (i.e. the Logos units) and 6 Law electives. There are also the units for your other degree – there are normally 12 units for each of the Arts degrees and between 14 and 18 units for the various Business degrees (depending on the degree and the major).

Please Note:

PH308 Natural Law and PH316 Legal Reasoning may be substituted for a Law elective*

See Bachelor of Laws Course Regulations clause 3.3 [http://www.nd.edu.au/nav-current-students/regulations](http://www.nd.edu.au/nav-current-students/regulations)

*The Deans of Law and Arts need to approve any substitution.
# 5 Year Undergraduate Double Degree Plan

**Bachelor of Laws/Bachelor of Philosophy = 3486 [second degree] (as at October 2013)**

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<td><strong>Semester One</strong></td>
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<td>LW100 Legal Research and Writing (30 CP) Nat</td>
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<td>PT101 Logos I</td>
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<td>1 or more Philosophy units</td>
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<td>2 more Philosophy units</td>
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So, in summary, there are 29 compulsory Law units, 3 compulsory units covering Philosophy, Ethics and Theology (i.e. the Logos units) and 6 Law electives. There are also the units for your other degree – there are normally 12 units for each of the Arts degrees and between 14 and 18 units for the various Business degrees (depending on the degree and the major).

**Please Note:**

AB100 Aboriginal Peoples may be substituted for LW230 Contemporary Legal Issues*

See Bachelor of Laws Course Regulations clause 3.3 [http://www.nd.edu.au/nav-current-students/regulations](http://www.nd.edu.au/nav-current-students/regulations)

*The Deans of Law and Arts need to approve any substitution.
## Degree Plan - Bachelor of Laws
### 4 Year Undergraduate Degree (as at October 2013)

Course Code: 3178

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<td>LW463 Civil Procedure A (25 CP) State</td>
<td>LW464 Civil Procedure B (25 CP) State</td>
</tr>
<tr>
<td>LW405 Remedies (30 CP) Nat</td>
<td>LW462 Alternative Dispute Resolution (25 CP) Nat</td>
</tr>
<tr>
<td>LW420 International and Comparative Law (25 CP) Nat</td>
<td>Law Elective Five (20 CP) Nat</td>
</tr>
<tr>
<td>Law Elective Four (20 CP) Nat</td>
<td>Law Elective Six (20 CP) Nat</td>
</tr>
</tbody>
</table>

Nat = can be studied in either Sydney or Fremantle
State = should be studied in the State where you intend to practise Law

So, in summary, there are 29 compulsory Law units, 3 compulsory units covering Philosophy, Ethics and Theology (i.e. the Logos units) and 6 Law electives.

**Please Note:**

**AB100** Aboriginal Peoples may be substituted for **LW230** Contemporary Legal Issues*

**PH308** Natural Law may be substituted for a Law elective*

See Bachelor of Laws Course Regulations clause 3.3 [http://www.nd.edu.au/nav-current-students/regulations](http://www.nd.edu.au/nav-current-students/regulations)

*The Dean needs to approve any substitution.*
### Degree Plan 3 Year (Graduate Entry) for students commencing 2014

Course Code: 3410

#### FIRST YEAR

<table>
<thead>
<tr>
<th>Semester One</th>
<th>Semester Two</th>
</tr>
</thead>
<tbody>
<tr>
<td>LW100 Legal Research &amp; Writing (Nat)</td>
<td>PT103 Logos III</td>
</tr>
<tr>
<td>LW1010 Legal Process (Nat)</td>
<td>PT102 Logos II</td>
</tr>
<tr>
<td>LW251 Criminal Law A-Procedure</td>
<td>LW252 Criminal Law B-Defences</td>
</tr>
<tr>
<td>LW211 Principles of Contract Law A (Nat)</td>
<td>LW212 Principles of Contract Law B (Nat)</td>
</tr>
<tr>
<td>LW221 Principles of Torts A (Nat)</td>
<td>LW222 Principles of Torts B (Nat)</td>
</tr>
</tbody>
</table>

#### SECOND YEAR

<table>
<thead>
<tr>
<th>Semester One</th>
<th>Semester Two</th>
</tr>
</thead>
<tbody>
<tr>
<td>LW231 Principles of Equity (Nat)</td>
<td>LW232 Law of Trusts (Nat)</td>
</tr>
<tr>
<td>LW241 Property Law A</td>
<td>LW242.1 Property Law B</td>
</tr>
<tr>
<td>LW323 Law of Evidence A</td>
<td>LW324 Law of Evidence B</td>
</tr>
<tr>
<td>LW331 Administrative Law A</td>
<td>LW332 Administrative Law B</td>
</tr>
<tr>
<td>LW341 Constitutional Law A (Nat)</td>
<td>LW342 Constitutional Law B (Nat)</td>
</tr>
<tr>
<td>LW360 Advocacy (Nat)</td>
<td>Law Elective One (Nat)</td>
</tr>
</tbody>
</table>

#### THIRD YEAR

<table>
<thead>
<tr>
<th>Semester One</th>
<th>Semester Two</th>
</tr>
</thead>
<tbody>
<tr>
<td>LW321 Corporations &amp; Partnerships (Nat)</td>
<td>LW350 Legal Philosophy (Nat)</td>
</tr>
<tr>
<td>LW405 Remedies (Nat)</td>
<td>PT101 Logos I</td>
</tr>
<tr>
<td>LW463 Civil Procedure A</td>
<td>LW464.1 Civil Procedure B</td>
</tr>
<tr>
<td>LW471.1 Commercial Practice &amp; Ethics (Nat)</td>
<td>Law Elective Three (Nat)</td>
</tr>
<tr>
<td>Law Elective Two (Nat)</td>
<td></td>
</tr>
</tbody>
</table>

#### Honours:
Students in the Bachelor of Laws (Graduate Entry) degree are invited by the School of Law to do Honours at the end of their second year (students going into their final year of Law). Students who are invited to do so, enrol in the Honours program by adding LW441 Advanced Research Project to their enrolment in Semester 1 and Semester 2 of the third year, in place of Law Elective Two and Three.

(Nat) = can be studied in either Fremantle or Sydney
How are grades and marks allocated at Notre Dame Law?

**University Grading Rubric**

Set out below is a copy of the Grading Rubric which we apply:

<table>
<thead>
<tr>
<th>Grade Title</th>
<th>Grade Code</th>
<th>Mark</th>
<th>Level of Performance (used to determine academic status)</th>
<th>Understanding of the subject matter</th>
<th>Skill development</th>
<th>Interpretative and analytical ability and intellectual initiative</th>
<th>Achievement of objectives of the unit</th>
<th>Standard of academic literacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Distinction</td>
<td>HD</td>
<td>80 – 100</td>
<td>Exceptional Performance</td>
<td>Comprehensive understanding</td>
<td>Mastery</td>
<td>Extremely high level of ability and initiative</td>
<td>All objectives achieved</td>
<td>Ability to communicate findings and knowledge of a very high standard</td>
</tr>
<tr>
<td>Distinction</td>
<td>D</td>
<td>70 – 79</td>
<td>Excellent</td>
<td>Very high level of understanding</td>
<td>Very high level of skill development</td>
<td>Very high level of ability and initiative</td>
<td>All objectives achieved</td>
<td>Ability to communicate findings and knowledge of a high standard</td>
</tr>
<tr>
<td>Credit</td>
<td>C</td>
<td>60 – 69</td>
<td>Good</td>
<td>High level of understanding</td>
<td>High level of skill development</td>
<td>High level of ability</td>
<td>Some objectives not fully achieved</td>
<td>Ability to communicate findings and knowledge at an acceptable standard</td>
</tr>
<tr>
<td>Pass</td>
<td>P</td>
<td>50 – 59</td>
<td>Satisfactory</td>
<td>Adequate understanding</td>
<td>Partial development</td>
<td>Adequate level of ability</td>
<td>Failure to achieve some (minor) objectives</td>
<td>Ability to communicate findings and knowledge at an acceptable standard</td>
</tr>
<tr>
<td>Conceded Pass</td>
<td>CP</td>
<td>48 or 49</td>
<td>Satisfactory</td>
<td>Adequate understanding</td>
<td>Partial development</td>
<td>Adequate level of ability</td>
<td>Failure to achieve some (minor) objectives</td>
<td>Ability to communicate findings and knowledge limited</td>
</tr>
<tr>
<td>Non-Graded Pass</td>
<td>NGP</td>
<td>NA</td>
<td>Satisfactory</td>
<td>Satisfactory understanding</td>
<td>Satisfactory development</td>
<td>Satisfactory level of ability</td>
<td>All key objectives achieved</td>
<td>Ability to communicate findings and knowledge at an acceptable standard</td>
</tr>
<tr>
<td>Fail</td>
<td>F</td>
<td>0 - 49</td>
<td>Unsatisfactory</td>
<td>Inadequate understanding</td>
<td>Failure to develop relevant skills</td>
<td>Insufficient evidence of ability</td>
<td>Failure to achieve key objectives</td>
<td>Ability to communicate findings and knowledge below an acceptable level</td>
</tr>
<tr>
<td>Fail due to Non-Completion</td>
<td>FN</td>
<td>0 – 100</td>
<td>Unsatisfactory</td>
<td>Did not submit one or more pieces of continuous assessment and/or did not sit the final exam</td>
<td>Did not achieve objectives of the unit</td>
<td>NA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Withdrawal with Fail</td>
<td>WF</td>
<td>No Mark</td>
<td>Unsatisfactory</td>
<td>Withdrew from the unit after the Academic Penalty Date of the unit.</td>
<td>Did not achieve objectives of the unit</td>
<td>NA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research in Progress</td>
<td>RP</td>
<td>No Mark</td>
<td>Research is continuing</td>
<td>Supervised Research/Dissertation/Honours has been undertaken in that semester and is continuing</td>
<td>NA</td>
<td>NA</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**University Scaling Policy**

Notre Dame applies the following scaling policy to all Law units to ensure consistency of grading between subjects:

1. The number of students awarded a High Distinction (‘HD’) grade (being a mark of 80 or above) will not exceed 10% of the students enrolled in the unit.

2. The sum of:
   (a) the number of students awarded a Distinction (‘D’) grade (being a mark between 70 and 79); and
   (b) the number of students awarded a High Distinction (‘HD’) grade (being a mark of 80 or above), will not exceed 35% of the students enrolled in the unit.

3. There is no restriction on the number of students awarded a Credit (‘C’) grade (being a mark between 60 and 69), a Pass (‘P’) grade (being a mark between 50 and 59) or a Fail (‘F’) grade (being a mark less than 50).

A Conceded Pass (‘CP’) grade cannot be awarded for any unit offered by the School of Law.
Who teaches at the School of Law?

A brief summary of the experience of some of our academic staff is set out below:

Permanent Staff

Professor Michael Quinlan, Dean of the School of Law

Professor Quinlan commenced as Dean of the Sydney School of Law in February 2013. Prior to accepting the appointment, Professor Quinlan had a distinguished career of over 23 years at the prestigious commercial law firm Allens where he was a partner for more than 14 years. Allens has a strategic alliance with global law firm Linklaters. At Allens, Professor Quinlan worked in the Litigation and Intellectual Property Department and was the most senior partner of the Corporate Insolvency and Restructuring Practice in Sydney. Although corporate insolvency and restructuring work came to dominate Professor Quinlan's practice, over his many years at Allens, he was also very active in insurance and reinsurance work and in general commercial litigation, particularly in the areas of revenue and property disputes. Professor Quinlan was a long term member of the Pro Bono Committee at Allens and believes that pro bono work is an obligation of all lawyers. Whilst at Allens Professor Quinlan's pro bono practice was centred around refugee and migration appeals but also involved assisting other individuals in need, as well as various charities.

Whilst in practice Professor Quinlan was frequently published, particularly in the areas of corporate insolvency and restructuring law and insurance and reinsurance law. He is a member of the Insolvency Practitioners Association of Australia, INSOL International (INSOL), the Australian Insurance Law Association and the Australian Professional Indemnity Group (APIG). He was a member of the Technical Committee for INSOL 2005, co-edited INSOL World in 2004/2005, is a former board member of APIG, was a member of the organizing committee for APIG's inaugural national conference, INSOL Vancouver 2009's Insurance and Insolvency Ancillary Conference and Technical Co-Chair of INSOL Singapore 2011.

Professor Quinlan edited the Allens Arthur Robinson Directors' Duties During Insolvency book (Thomson LBC 2nd ed 2006) and, whilst he was in practice, was recognized for many years by Chambers Global/Chambers Asia Pacific as a Band 1 leading Australian restructuring/insolvency lawyer. Professor Quinlan is the current Junior Vice President of the St Thomas More Society. Professor Quinlan holds Bachelor of Arts, Bachelor of Laws and Masters of Laws degrees from the University of New South Wales and a Master of Arts (Theological Studies) with High Distinction from the University of Notre Dame Australia.

Dr Keith Thompson, Associate Dean of the School of Law

Dr Thompson practiced as a commercial and property lawyer in Auckland for 11 years, including 6 years as a partner in the firm Fortune Manning. He was an International Legal Counsel for The Church of Jesus Christ of Latter-day Saints for the Pacific Area for 18 years and occupied the same role for the African continent for 2 years. Whilst he is currently lecturing in Constitution Law at Notre Dame, Keith continues to work as Special Counsel at Taylor and Whitty a NSW regional firm. Keith has experience in a range of areas including property and commercial law, international, constitutional, criminal and human rights law. Keith is the author of Religious Confession Privilege and the Common Law. He has also published on Insolvency, Vicarious Liability in Tort and on Foreign Corrupt Practices. Keith was an Adjunct Professor of Murdoch University before being appointed to the permanent staff of Notre Dame.

Prasan Ulluwishewa, Assistant Dean of the School of Law

Prasan completed his LLB/ B Commerce (Accounting) at UNSW and practiced as a Solicitor at Mallesons Stephen Jaques (now King & Wood Mallesons) with a practice focus on corporate, commercial and competition law in the course of representing clients in heavily regulated industries. Prior to and after this Prasan also served as a Speechwriter and Senior Policy Advisor to two (now former) Premiers of New South Wales and several NSW Government Ministers. Prasan completed his Masters in Law (LLM) at the University
of Virginia School of Law with a focus on US commercial and antitrust law in the context of the energy and resources sector. Prasan has also lectured at Macquarie University and the University of Melbourne Law School and currently lectures in Torts, Employee Relations Law and Criminal Law at Notre Dame. Prasan researches and publishes in the field of Construction Law.

**Emeritus Professor Leroy Certoma**

Emeritus Professor Certoma holds the degrees Bachelor of Arts, Bachelor of Laws (Hons), Master of Laws (Hons) (Sydney) and Dottore in Giurisprudenza (Hons) (Florence, Italy). Emeritus Professor Certoma is a dottore in giurisprudenza. This title, held by very few Australians, was awarded as a post-graduate degree in law by the University of Florence (Italy).

He commenced his academic career at the University of Sydney, becoming a Senior Lecturer and a Sub-Dean of the Faculty of Law. He subsequently held various professorial appointments during his professional career, including at the Law Schools of the University of New South Wales and the University of Wollongong. As well as teaching at Notre Dame Law, Emeritus Professor Certoma lectured for the Law Extension Committee and was an examiner for the Legal Profession Admission Board.

Emeritus Professor Certoma's professional career spanned many years as legal practitioner, primarily in the commercial and probate areas of the law, and later a member of various State and Commonwealth tribunals, including foundation Senior Member for New South Wales of the Immigration Review Tribunal and the foundation Principal Member of the Refugee Review Tribunal. For ten years he was an Acting Judge of the District Court of New South Wales.

Emeritus Professor Certoma is the author of numerous legal articles and papers, and of the following legal books: *Cases and Materials on Real Property*, *The Italian Legal System*, *The Law of Succession in New South Wales*, Hutley, Woodman & Wood, *Succession; Commentary and Materials, Wills in Practice, NSW Handbook*.

Emeritus Professor Certoma has been a member of numerous community organisations, and is currently the Chairman of the Board of Scalabrini Village Ltd which provides care for the aged in the Italian and Christian traditions.

In 2010 Professor Certoma was conferred the Italian knighthood of Cavaliere of the Ordine della Stella della Solidarieta' Italiana by the President of Italy for his professional and community work.

His substantial contribution to Notre Dame was recognised by the award of the Emeritus Professor title in January 2015.

**Nicholas Augustinos**

Nick is an experienced commercial lawyer, having practised for a number of years with leading law firms in Sydney and London, including Allens, Cameron McKenna, Allen & Overy and Dibbs Barker. He was a partner with Dibbs Barker for 4 years. Whilst in London he gained international experience working on financing and construction transactions covering a variety of jurisdictions in Europe and the Middle East. His Sydney experience has focused on the more complex types of financing matters, particularly structured and project financings involving stamp duty and taxation issues. He has provided extensive advice to clients on the regulatory and taxation laws affecting the financial transactions they are engaged in. Nick’s current research is in the field of taxation law. He has published in the Australian Tax Review, the Australian Tax Forum, Taxation in Australia, the CCH Journal of Australian Taxation and the Journal of Banking and Finance Law and Practice. He has also published in the field of cultural property law. He is currently lecturing in Equity, Trusts, Commercial Law, Taxation Law and Construction and Building Contract Law. Before joining Notre Dame, Nick was lecturing at Sydney University.
Frank Esparraga

Francisco migrated to Australia from Sevilla, Spain as a young child and is still fluent in the Spanish language. He undertook his undergraduate degrees at the University of New South Wales and his postgraduate studies at the University of Sydney.

In his early legal career, he worked at the Privacy Committee within the Attorney-General's Department of NSW; SBS Television and the Department of Territories and Local Government in Canberra. On returning to Sydney, he spent many years in the Department of Veterans’ Affairs and several years at the Independent Commission Against Corruption.

In more recent years, he has worked in private practice; been a part-time Member of the Consumer Trader Tenancy Tribunal; lectured at all of the Law Schools in Sydney, as well as working for the Legal Practitioners’ Admission Board and the College of Law. He is a foundation member of the Australian Institute of Administrative Law.

In 2010, Francisco was appointed as the Australian Representative to the Board of the International Client Consultation Competition. He is a judge in this competition, as well as the Vis International Commercial Arbitration Moot and Australian Law Students’ Association Competitions.

Over the years, Francisco has written and presented papers at Conferences in Australia, Hong Kong, Switzerland, Italy, Spain, Dubai and the United Kingdom. In 2013, he was invited to undertake guest lecturing at several Law Schools in China. In 2010, he co-authored the “Administrative Law Guidebook” for Oxford University Press and is working on the next edition.

Francisco’s research specialty is Administrative Law but also teaches Alternative Dispute Resolution and Legal Research and Writing. He has also taught Contracts Law, Corporations Law, Torts and the Law of Evidence. He maintains a research interest in Comparative law, particularly Chinese Administrative Law and European Community Law as well as in Legal Ethics.

Professor Bernard Evans

Professor Bernard Evans has nearly 30 years’ experience as a commercial lawyer. He commenced his career as an in-house lawyer at a major oil company specializing in offshore construction projects, joint ventures and acquisition of resource projects. For 20 years he was a partner of a commercial law firm advising on competition and trade practices issues, mining acquisitions and sales, resource projects, prospectus preparation and corporate governance issues. When he is not working at Notre Dame, Bernard continues to practice as commercial lawyer.

Svetlana German

Svetlana German has a broad range of experience in legal practice most recently as a barrister with Chambers at 10th Floor Selborne Wentworth Chambers. Prior to being called to the bar in 2013, Svetlana worked as a lawyer at Allens Arthur Robinson (now Allens) in Sydney and as a Senior Associate at the Boston Consulting Group. Svetlana also taught at the University of New South Wales from 2007 to 2013 and lectured in Property Law and Equity and Trusts. Svetlana holds a Master of Laws (LLM) degree from Columbia University, New York and a Bachelor of Science/Bachelor of Laws degree from the University of New South Wales.

Svetlana's research interests are in alternative dispute resolution, mediation and environmental law and she is a nationally accredited mediator (NMAS).

Robert Pelletier

Robert began his legal career at the New South Wales Law Reform Commission working on criminal
Richard Perrignon

Before being called to the bar, in 1992, Richard worked as a commercial litigation solicitor with Freehill Hollingdale & Page (now Herbert Smith Freehills) and in the banking practice of Allens. In 2007 Richard was appointed a judicial member of the NSW Administrative Decisions Tribunal, and sits in its Revenue and Equal Opportunity Divisions. Richard is currently teaching Advocacy and Trial Advocacy.

Karen Rowe-Nurse

Karen has worked as a law librarian in the private, government and university sectors. She is currently a sessional academic at Notre Dame as well as holding the position of Liaison Librarian for the Law and Business Schools. She holds degrees in law, arts (English literature and language) and information management. In 2012 she graduated at Notre Dame with the Graduate from the Certificate in University Teaching and has enrolled in a Masters of Business in 2014. She is currently Vice President of the Australian Law Librarians Association and sits as a member of their governing Board.

Professor Gerard Ryan

Before joining Notre Dame, Professor Ryan worked as a commercial lawyer in Sydney and was a partner with at Middletons from July 2000 until 2008. Whilst in practice Professor Ryan advised some of the major generators, retailers and network operators in the National Electricity Market, as well as various government and regulatory bodies. Professor Ryan’s expertise includes the documentation of electricity derivative transactions using the International Swaps and Derivatives Association framework; competition law issues in the energy sector; the documentation of large energy infrastructure projects; greenhouse gas regulatory schemes; renewable energy power stations; carbon trading; and regulatory issues in the National Electricity Market. From 2008 until 2012 Professor Ryan was Dean of the School of Law. He is currently lecturing in Contracts and in Commercial Practice and Ethics.

Greg Walsh

Greg lectured at the University of Western Sydney and the University of New South Wales before joining Notre Dame. Greg has worked in various legal roles in Australia and overseas, including as a solicitor for the Office of the Director of Public Prosecution and Maurice Blackburn Lawyers.

Greg’s research interests include torts, medical law, human rights law, and the intersection between law and religion. He is a member of the St Thomas More Society, the Australasian Association of Bioethics and Health Law and the NSW Medico-Legal Liaison Committee.

Sessional Staff

Sandrine Alexandre-Hughes

Ms Alexandre-Hughes has a background in both Common Law (Australia, UK) and Civil Law (France), with masters-level qualifications under both systems, including an LLM in Commercial Law from UNSW.

Prior to moving to Australia, Ms Alexandre-Hughes worked for two years as a Legal Officer at the Hague Conference on Private International Law in the international family law and protection of children team.
In Australia, prior to being called to the bar, Ms Alexandre-Hughes worked for top-tier international law firms working in litigation and international arbitration.

Ms Alexandre-Hughes has a keen interest for conflict of laws and cross-border enforcement issues whether applied to Family or Commercial matters.

Since joining the NSW Bar, Ms Alexandre-Hughes has been involved in a variety of matters including: Private International Law, Family law, Administrative law, Commercial Law, and Civil Liability.

Michael Najeem

Michael McGrowdie

Michael McGrowdie is an Arbitrator of the Workers Compensation Commission. He is also a practicing Barrister and Mediator. For six and a half years he was an Acting Judge of the District Court and before that, an Acting Judge of the former Compensation Court. Michael has also served as an Acting Deputy President of the Workers Compensation Commission, an Assessor for motor vehicle personal injury claims and a member of the Bar Associations Alternate Dispute Resolution Committee. He is presently a Court Appointed Mediator of the Supreme Court, the District Court and the Dust Diseases Tribunal. He co-authored 'Enforcement Proceedings' for Butterworth's Local Government, Planning & Environment Service and has lectured in Administrative Law for the Law Extension Course of the University of Sydney. He practiced as a solicitor with the firm now known as Ashursts before being called to the Bar.

Jackie O'Brien

Jackie O'Brien is a Partner at Norton Rose Fulbright Australia practising in Intellectual Property law. Jackie, formerly of Allens Arthur Robinson (now Allens) has over 20 years of experience in the field and is recognised as a leader in her area of practice by Chambers Global, Who's Who of International Trademark Lawyers and Doyle's Guide. Her legal expertise includes; advising on trade marks, copyright, patents, confidential information and know how, designs and misleading and deceptive conduct.

Jackie brings a wealth of knowledge and experience in Intellectual Property law to the School of Law in teaching LW307 Intellectual Property Law. Her industry experience focusses on financial services, FMCG, retail, media and, the growing field of social media.

Father Mark Podesta

Father Mark Podesta is a priest of the Archdiocese of Sydney, having been ordained a priest in 2007. He graduated from the Pontifical Gregorian University in Rome with a Licence in Canon Law. Previously, he studied at the Catholic Institute of Sydney, a member institute of the Sydney College of Divinity, where he graduated with a Bachelor of Arts in Philosophy, a Bachelor of Theology, and the Sacred Theological Baccalaureate. Father Podesta is the Director of the Archdiocese of Sydney Tribunal Office, and is an Ecclesiastical Judge for the Regional Tribunal of Sydney (NSW and ACT). In addition to his canonical roles, Father Podesta is the Administrator of the Parish of St Patrick in Mortlake, in the inner west of Sydney, and he serves as a member of the Sydney Archdiocesan Commission for Ecumenism and Interfaith Relations.

Caroline Ravenscroft

Having qualified as a solicitor in England, Ms Ravenscroft first worked as a Prosecuting Solicitor for the police in Manchester. She then moved to Hong Kong where she joined the Attorney General’s Chambers as a senior Crown Counsel, prosecuting criminal trials on behalf of the Crown. She has practised as a barrister in Hong Kong and in NSW, her principle area of work being in the criminal jurisdiction. She now lectures at Notre Dame as well as UTS. Ms Ravenscroft has over 20 years of experience in criminal law and the law of evidence.

Monique Robb
Monique Robb lectures in Family Law and holds a Bachelor of Arts and Bachelor of Laws (Hons) from the University of Sydney. Monique has worked as an Associate in the Federal Magistrates Court (now Federal Circuit Court) and currently works in private practice at Watts McCray Lawyers, a specialist family law firm. Monique has significant experience in the areas of divorce, child support, property and parenting disputes and is experienced in both litigation and mediation in those areas of family law.

Murray Tobias

Sophie York

Sophie York is a lecturer in Legal Philosophy (or Jurisprudence). She is also a barrister at the NSW Bar, legal officer in the Royal Australian Naval Reserves, Dame of the Equestrian Order of the Holy Sepulchre of Jerusalem, and author. She has lectured over the last decade at various law schools, including Sydney University and the University of Technology Sydney (UTS).

Michael Zammit

Michael was called to the Bar in 1991 and specialises in commercial matters including contract, equity and Trade Practices. Before becoming a barrister, he worked at Allens firstly in the Property Department and later in the Litigation Department. In his third year of practice he left Allens and joined the Commonwealth Director of Prosecutions. He currently lectures in Remedies.

Who has been appointed as an Adjunct

Adjuncts assist the School in various ways.

Dr. Holger Sorensen – Adjunct Professor

Holger’s practice is principally in revenue law (stamp duties, land tax, payroll tax, and income tax, CGT, GST etc) with a special interest in State taxes. The revenue law practice necessarily involves an understanding of and practice in administrative, commercial and conveyancing law, equity and trusts (including charity law). He has had extensive experience in advising and appearing for both revenue authorities and taxpayers. His practice has also included planning, valuation and compulsory acquisition compensation, and Crown lands law matters.

Mr. Maithri Panagoda - Adjunct Senior Lecturer

Maithri Panagoda is an experienced and well respected legal practitioner with significant expertise in litigation and dispute resolution. He has over 30 years experience in litigation and dispute resolution. He is accredited as a personal injury specialist by the Law Society of NSW.

Maithri practised as a lawyer in Dubbo for nearly 10 years before joining Carroll & O’Dea in 1991. He worked with the Western Aboriginal Legal Service and since joining Carroll & O’Dea he has continued his commitment to representing Aboriginal people. He has been involved in a number of cases being brought by members of the “Stolen Generation”.

Maithri is fluent in Sinhalese. He is involved in various activities with the Sri Lankan community in New South Wales. Maithri was appointed an Arbitrator of the Local Court at Dubbo in 1990. By virtue of his professional standing, he has been a member of Law Society’s Medico Legal Liaison Committee, Senior Solicitors’ Committee and the Litigation Law and Practice Committee.

Maithri has published numerous articles and publications and is a regular speaker at legal seminars. He is the author of the chapter on workers’ compensation in the Lawyers Practice Manual published by the Thompson Lawbook Co.

Father Mark Podesta – Adjunct Senior Lecturer
As noted above - Father Mark Podesta is a priest of the Archdiocese of Sydney, having been ordained a priest in 2007. He graduated from the Pontifical Gregorian University in Rome with a Licence in Canon Law. Previously, he studied at the Catholic Institute of Sydney, a member institute of the Sydney College of Divinity, where he graduated with a Bachelor of Arts in Philosophy, a Bachelor of Theology, and the Sacred Theological Baccalaureate. Father Podesta is the Director of the Archdiocese of Sydney Tribunal Office, and is an Ecclesiastical Judge for the Regional Tribunal of Sydney (NSW and ACT). In addition to his canonical roles, Father Podesta is the Administrator of the Parish of St Patrick in Mortlake, in the inner west of Sydney, and he serves as a member of the Sydney Archdiocesan Commission for Ecumenism and Interfaith Relations.

What is the Law Advisory Board and Who sits on it?

The Law Advisory Board

The Dean obtains advice from the Law Advisory Board (LAB). The LAB is a group of distinguished legal practitioners from across the spectrum of legal practice. The LAB currently comprises:

The Hon. John Dunford QC (Chair)

The Honourable John Dunford QC completed his law degree at the University of Sydney in 1959 and practised as a barrister in NSW and the ACT from 1960 to 1986. He was appointed a Queen's Counsel in 1980, and was a Judge of the District Court of NSW from 1986 to 1992, and of the Supreme Court from 1993 until his retirement in early 2005. He was President of the St Thomas More Society for Catholic Lawyers from 1990 to 1992. He is currently Deputy Chairperson of the New South Wales Sentencing Council and is currently (2007) an Acting Commissioner of the Corruption and Crime Commission of Western Australia. He is also a member of the Board of Governors of the University of Notre Dame Australia.

Mr Robert Algie

Robert has a broad legal practice and is a Partner in the Compensation Law Division at Carroll & O'Dea. He has worked on a large number of difficult negligence cases. His other University qualifications, outside of his law degree, in Applied Science in Nuclear Medicine, position him well to conduct complex medical law litigation for plaintiffs.

Robert is a member of the Medico-Legal Liaison Committee and the Law Advisory Board for Notre Dame. He is regularly involved with the inter-school mock trial competition which is run by the Law Society. He is equally adept as both a plaintiff and defence lawyer and due to his broad practice, he does both types of work for clients of the firm.

The Hon Justice Margaret Beazley

Margaret Beazley attended the Sydney Law School graduating with Honours in Law in 1974 and was admitted to the New South Wales Bar on 14 March 1975. She was appointed a Queen’s Counsel in 1989. In 1993, her Honour was appointed as a judge of the Federal Court of Australia. In 1996 she was the first woman appointed to the New South Wales Court of Appeal, where she currently sits and is one of the most senior women judges in Australia. She is Chairperson of the NSW Chapter of the Australian Institute of Administrative Law. Her Honour was made an Officer in the Order of Australia in the Queens’ Birthday Honours List on 12 June 2006 for service to the judiciary and the law, particularly through contributions to professional and ethical standards and to the advancement of women in the legal profession and the community. In May 2008, her Honour was awarded Doctor of Laws honoris causa (Hon LLD) by the University of Sydney.

Mr Michael Brennan

Michael Brennan undertook a BA/LLB (Hons) at the University of Melbourne and first admitted to practice in the Supreme Court of Victoria in May 2001. Subsequently, Michael was admitted to practice in the Supreme Court of New South Wales and the High Court of Australia in 2002. Michael obtained a principal’s practising certificate in New South Wales in 2008.

Between 2000 and 2007 Michael practised in the workplace relations group of the national firm, Corrs Chambers Westgarth and was promoted to Senior Associate in 2005. Michael joined TNT in February 2007 as Senior Legal Counsel and was promoted to General Counsel and Company Secretary in January 2008. In his present role, Michael has overall responsibility for the provision of legal services for TNT within Australia, New Zealand and Fiji and manages the Legal and Insurance teams. Michael is a member of the St Thomas More Society.
Ms Marie-lyse Eliatamby
Head of Group Legal at Investec Bank (Australia) Limited.

Mr John Emmerig
Since December 2012 John has been a partner of international firm, Jones Day. John has lectured at ANU and has guest lectured here speaking on class actions as part of the Civil Procedure unit. Jones Day was formed in the USA and has a very deep connection with Notre Dame there. It is a growing global presence in Australia. John mainly practices in class actions, commercial disputes, matters involving regulators and government and commissions of inquiry. Before joining Jones Day he was at Blake Dawson (now Ashurst) for more than 24 years.

Ms Melissa Fisher
Melissa Fisher is a commercial barrister specializing in administrative, building and construction, commercial, company, equity, insurance and reinsurance, property, trade practices and competition and in Royal Commission, statutory tribunal and appellate work. Melissa is a contributing author to Thomson Uniform Civil Practice and Procedure and is also the Moderator of the NSW Bar Association's Practice and Procedure Examination and is a member of the Examination Working Party. Melissa is regularly invited to speak on Practice and Procedure.

Ms Lynne Harman
Lynne joined the GBCA in June 2008 to provide support in the governance of the organisation and to coordinate and provide advice on legal issues. Her role includes taking responsibility for the conduct of Board Meetings and ensuring compliance with the GBCA Constitution and statutory requirements.

Lynne is the point of contact for all legal and governance issues that arise across the organisation. Lynne has a BA LLM from the University of Sydney and worked at the commercial law firm, Allens for 20 years. She is also a Graduate of the Australian Institute of Company Directors.

The Hon Dr Tricia Kavanagh
Former Justice of the Industrial Court of New South Wales; Former Deputy President, NSW Industrial Relations Commission

Mr Matthew McLennan
Matthew combines a strategic focus and careful management to achieve cost-effective and successful outcomes for his clients. He specialises in complex commercial disputes.

Matthew's matters span a range of different industries and jurisdictions. He has run cases in the Federal Court of Australia, the Supreme Court of NSW, the High Court of Justice of England, and the Administrative Appeals Tribunal. He has acted for investment banks, energy companies, IT businesses, brokers, insurers and industrial corporations.

Corporations and securities law and commercial law, such as contract and equity, are an important part of Matthew's practice. He is also experienced in corporate insolvency and restructuring. Matthew has a particular interest in regulatory investigations and compliance and has advised clients in matters involving the Australian Securities and Investments Commission, the Australian Prudential Regulation Authority, the Australian Securities Exchange and the Financial Services Authority in the United Kingdom.

The Hon Justice Anthony Meagher
Justice Anthony (Tony) Meagher was appointed a judge of the Supreme Court of New South Wales, Court of Appeal, in August 2011. Before his appointment he practised for many years as a barrister. He holds Degrees
in Commerce and Law from the University of New South Wales and a Master of Laws from London University (London School of Economics). He and his wife, Fran, are enthusiastic supporters of the Orchestra.

Mr Andrew O’Connor

Andrew O’Connor studied law and philosophy at Sydney University. His career has been spent in the public sector at both Commonwealth and State levels. He specialised in law enforcement, intelligence analysis and policy development at agencies including the Trade Practices Commission, the Independent Commission Against Corruption and the NSW Ministry for Police. He is currently a Policy Manager in the NSW Department of Premier and Cabinet. His portfolio responsibilities include: major and organised crime, fraud, identity crime, drug and alcohol policy, indigenous justice, mental health and traffic law. Mr O’Connor is a member of various national and state working groups on such issues as organised crime and criminal asset forfeiture.

Ms Catherine Osborne

Catherine Osborne has over 20 years' experience in insurance and reinsurance law and commercial litigation and was a partner at the insurance specialist firm Ebsworth & Ebsworth for 10 years. In 2008 Catherine became a partner at Wotton+Kearney before taking her current appointment at specialist insurance firm Curwoods. As well as a BA (Mus) and an LLB (Syd) Catherine is a Graduate of Australian Institute of Company Directors. Catherine has been recognised by Who's Who of Australian Women and is ranked by Chambers Asia Pacific 2013 and 2014 as a leading individual. She is also a Non-Executive Director of Zurich Australian Superannuation Pty Ltd. Catherine has a particular commitment to pro bono work including asylum seeker/migration law.

The Hon Greg Smith SC MP

Greg Smith has been the Member for Epping in the NSW Parliament since March 2007. He has served in many roles including as the Attorney General Minister for Justice and the Deputy Director of Public Prosecutions (NSW) (DPP). As DPP he appeared regularly in the High Court of Australia. His career in the criminal justice system started with the Commonwealth Crown in Sydney, which was followed by a secondment to the Stewart Royal Commission into Drug Trafficking. Later the Commonwealth DPP sent him to Ireland with the extradition request for mafia leader Robert Trimbole. Mr Smith worked for 2 years at the National Crime Authority before his appointment as a NSW Crown Prosecutor in 1987. He has prosecuted many major trials, and also completed a stint at ICAC as Counsel Assisting.

Mr Geoffrey Watson SC

Geoffrey was called to the bar in 1984 and appointed an SC in 2002. He mainly practices in appellate work, building and construction, insurance, product liability and professional indemnity.

Notre Dame Law Units

Undergraduate Core / Compulsory Units
LW100 Legal Research and Writing
LW102 Legal History
LW104 Ethics and the Law (FM)
LW1010 Legal Process
LW211/212 Principles of Contract Law A & B
LW221/222 Principles of Torts A & B
LW230 Contemporary Legal Issues
LW231 Principles of Equity
LW232 The Law of Trusts
LW241/242/242.1 Property Law A & B
LW251/252 Criminal Law A & B
LW321 Corporations and Partnerships
LW323/324 Evidence A & B
LW331/332 Administrative Law A & B
LW341/342 Constitutional Law A & B
LW350 Legal Philosophy
LW360 Advocacy
LW405 Remedies
LW420 International and Comparative Law
LW462 Alternative Dispute Resolution
LW463/464/464.1 Civil Procedure A & B
LW471/471.1 Commercial Practice and Ethics
LW441 Advance Research Project

**Masters Units**
LW5350 Legal Philosophy
LW5102 Legal History
LW5420 International and Comparative Law

**Elective Units** *
LW300 Health Law
LW302 Mining and Petroleum Law
LW303 Trade Practices
LW304 Employee Relations Law
LW305 Family Law
LW307 Intellectual Property Law
LW309 Human Rights Law
LW311 Indigenous Law
LW312 Insolvency Law
LW313 Succession
LW315 Bioethics and the Law
LW317 Lender Liability
LW318 Trial Advocacy
LW325 Occupational Safety and Health Law
LW326 Environmental Law
LW336 Entertainment Law
LW333 Construction and Building Contract Law
LW338 Mental Health Law
LW339 Introduction to Canon Law
LW344 Law and Religion
LW345 Corporate Finance Law
LW347 Introduction to Australian Income Tax
LW348 Business Tax Law
LW351 Law and War
LW373 Law in Context (Externship)
LW380 Law Review
LW395 Commercial Law
LW442 Directed Research Project

**Masters Units**
LW5300 Health Law
LW5303 Trade Practices Law
LW5313 Succession
LW5339 Introduction to Canon Law
LW5344 Law and Religion
LW5347 Introduction to Australian Income Tax
LW5351 Law and War

*Note that not every compulsory unit is compulsory in every course structure. Units which are not compulsory in a course structure may be undertaken as elective units in that course.

**Note that not every elective unit is available every semester and availability is always subject to demand.
Unit Descriptions: School of Law

Undergraduate Units

Compulsory Units in the Bachelor of Laws*

All subject content requirements specified in the Fifth Schedule to the Legal Practitioner’s Admission Rules 1994 will be met. In addition, broader overviews of these units and the remainder of our compulsory and elective units are provided below.

Notre Dame emphasizes the value of the human person and the importance of maintaining an ethical way of life. In keeping with such emphasis, all students complete core units in ethics, philosophy and theology dealing with issues that go to the very heart of participation in public life.

Please note that for students undertaking the Bachelor of Laws (Graduate Entry) (Course Code 3410) commencing from 2014 onwards the following Units are not compulsory:

- LW102 Legal History
- LW230 Contemporary Legal Issues
- LW462 Alternative Dispute Resolution
- LW420 International and Comparative Law

These students may nevertheless enrol in LW462 Alternative Dispute Resolution or LW420 International and Comparative Law as electives instead. These students may also enrol in either LW102 Legal History or LW230 Contemporary Legal Issues as elective units with the consent of the Dean (or his delegate).

Please note that for students undertaking the Bachelor of Laws (Graduate Entry) (Course Code 3410) commencing prior to 2014 the following Units are not compulsory

- LW102 Legal History
- LW230 Contemporary Legal Issues

These students may nevertheless enrol in either LW102 Legal History or LW230 Contemporary Legal Issues as elective units with the consent of the Dean (or his delegate).

* Bachelor of Laws in this section refers to all refers to all Course Codes resulting in the award of an LLB as either part of or the sole course outcome.

LW100 Legal Research and Writing - 30 credit points

Pre-requisite Units: None. Co-requisite Units: LW1010 Legal Process

This unit provides a comprehensive introduction to the language and resources of law, to research techniques appropriate to law and to communication of the results of research in an appropriate form. Such an introduction focuses upon legal language, writing and research within the context of the legal information network (with the law library at its centre) and local legal institutions.

The unit is designed to help law students acquire the basic legal communication skills fundamental to a professional legal education.

LW102 Legal History – 25 credit points

Pre-requisite Units: None. Co-requisite Units: LW100 Legal Research and Writing and LW1010 Legal Process

This unit is to gives the student an appreciation of the sources and development of the common law, equity and our legal institutions. The way in which the law has developed as society has changed and has adapted to evolving demands and circumstances provides the key to a proper understanding of the law in its modern environment. It traces the development of legal ideas and disciplines from English history around 1066 to modern day Australia.

Historical development of the law will be examined through such topics as the on-going relationship between the common law and equity, the Christian roots of the common law and the legal aspects of British settlement of Australia.

Please note that LW102 Legal History is not compulsory for any student enrolled in the Bachelor of Laws (Graduate Entry) (Course Code 3410). These students may nevertheless enrol in LW102 Legal History as an elective unit with the consent of the Dean (or his delegate).

LW1010 Legal Process and Statutory Interpretation – 30 credit points
The purpose of this unit is to introduce students to a critical understanding of the institutions and practices that are basic to the law in Australia. The course includes components which educate students to greater knowledge, skill and understanding of fundamental elements in the legal system. It provides a basis for later courses, both in its content, and also in its method of teaching, which will set the subject matter of the course within the context of realistic legal transactions, and include discussion of the ethical dimensions of legal process. By the end of the unit students should have gained a foundation of basic knowledge about the Australian legal system, including the sources of legal authority in the Australian legal system, the system of courts and tribunals, the roles of judges and lawyers, and basic distinctions, such as those between civil and criminal law, common law and equity. Students will also have been introduced to the skills required in essential aspects of legal work, including the use of statutes and law reports, statutory interpretation, legal research and writing, and the elements of legal argument. Throughout the unit, the students will be encouraged to reflect critically on aspects of the legal system, and this will include an introduction to the historical and philosophical sources of such elements as the adversarial system, the structure of courts and tribunals and the role of lawyers.

**LW211 Principles of Contract Law A – 35 credit points**
**Pre-requisite Units:** None. **Co-requisite Units:** LW100 Legal Research and Writing, LW1010 Legal Process.
Principles of Contract Law A teaches students the fundamental principles of contract law including contract formation and the express and implied terms of a legally enforceable contract including exclusion clauses. Students are taught to answer two fundamental questions: Is there a legally enforceable contract, and what are the terms of the contract? The Unit is taught with a practical focus in order to teach students how to answer a legal problem question in a law school through to providing legal advice to a client as a legal practitioner.

**LW212 Principles of Contract Law B – 35 credit points**
**Pre-requisite Units:** LW211 Principles of Contract Law A. **Co-requisite Units:** LW100 Legal Research and Writing and LW1010 Legal Process.
Principles of Contract Law B builds on the fundamental principles of contract law covered in Principles of Contract Law A. The unit focuses on topics such as breach of contract, remedies for breach, restitution, specific performance and discharge by performance. The unit also teaches students to assess whether a contract may be unenforceable by virtue of common law mistake, duress, unconscionability, undue influence, misrepresentation and frustration. This unit consolidates the skills required for students to answer a legal problem question as well as legal research and writing skills.

**LW221 Principles of Torts A and LW222 Torts B – 25 credit points**
**Pre-requisite Units:** None for LW221. LW221 is a pre-requisite for LW222. **Co-requisite Units:** LW100 Legal Research and Writing, LW1010 Legal Process.
The law of torts is one of the fastest growing legal subjects. The word “tort” refers to conduct which is a civil wrong. It refers to a breach of duty, other than one arising under contract, which gives rise to a civil cause of action and for which compensation is recoverable. The law of torts protects the general rights of every person which are conferred by law and not by way of agreement between the parties. These general rights include rights not to have one’s person, property and economic interests injured. It is therefore an essential aspect of legal education. A significant amount of the semester’s teaching focuses upon the law of negligence. This is because it is the fastest growing and most modern tort. There are some torts which are not included in the course – this is because of the limitations of time and the desire to give some cohesion to what is a disparate group of actions. The objectives of this course are to assist students in learning and understanding the substantive law associated with the particular torts taught in this course, to help students to evaluate this substantive law in a critical fashion, including consideration of possible reform and to encourage students to develop their skills of legal analysis and their ability to reason by analogy with precedent.

**LW230 Contemporary Legal Issues – 25 credit points**
**Pre-requisite Units:** None. **Co-requisite Units:** None
This is a unit where students are invited to take a closer look at issues at the cutting edge of the law. Students are invited to grapple with the law as it relates to controversial subjects such as: terrorism, prostitution, refugees, cloning, drugs, stem cell research, immigration, brain death, torture, abortion, white collar crime, indigenous people, euthanasia, same sex couples, bills of rights, hate speech, imprisonment and capital punishment. Students are required to become fluent and conversant in both sides of the debate on any given topic. They are required to think critically about the strengths and weaknesses of the law as it stands, and present suggestions for how it may be improved. Students will reflect on the appropriate role that morality should play in the development of the law, and understand the Catholic perspective on any given topic. Strong research skills are developed in this unit, as students must formulate their own positions on the areas of law they analyse, and substantiate the same. In Contemporary Legal Issues, students are encouraged to reflect
The incorporated body is now the basic entity through which commerce operates. Knowledge of the principles of company law, setting out as they do the responsibilities of those who choose to conduct business affairs critically, and debate openly. All perspectives and viewpoints are welcomed and respected – the only requirement being that every stance must have intellectual merit.

Please note that LW230 Contemporary Legal Issues is not compulsory for any student enrolled in the Bachelor of Laws (Graduate Entry) (Course Code 3410). These students may nevertheless enrol in LW230 Contemporary Legal Issues as an elective unit with the consent of the Dean (or his delegate).

**LW231 Principles of Equity** – 25 credit points  
**Pre-requisite Units:** None. **Co-requisite Units:** LW100 Legal Research and Writing, LW100 Legal Process.  
The Principles of Equity introduces students to the origin and nature of Equity and examines several of the most fundamental equitable doctrines (such as estoppel, fiduciary obligations and breach of confidence) in order to illustrate the manner in which Equity functions in Australia today.

**LW232 The Law of Trusts** – 25 credit points  
**Pre-requisite Units:** LW100 Legal Research and Writing, LW1010 Legal Process, LW231 Principles of Equity. **Co-requisite Units:** None  
The Law of Trusts builds on the students’ knowledge of Equity by examining in detail the most important of all equitable doctrines – Trusts. Students become familiar with: the fundamental nature of the trust; the most important varieties of trust; the essential requirements for creating a valid trust; the rights of both trustee and beneficiary; and the legal rules pertaining to the breach of trust.

**LW241 Property Law A** – 30 credit points  
**Pre-requisite Units:** None. **Co-requisite Units:** LW100 Legal Research and Writing LW1010 Legal Process  
Property Law A teaches students the fundamental common law, equitable and statutory principles of property law, such as the nature of property, formal requirements for the creation and transfer of proprietary interests, co-ownership of property, the difference between legal and equitable proprietary interests, the rules for determining priority disputes between competing claims for property and the doctrine of native title.

**LW242/1 Property Law B** – 30 credit points  
**Pre-requisite Units:** LW241 Property Law A. **Co-requisite Units:** None  
Property Law B teaches students the application of fundamental common law, equitable and statutory principles of property law to Torrens System land. It extends students’ understanding of property law in relation to the Torrens System of registration of interests, the concept of indefeasibility of title, mortgages and leases.

**LW251 Criminal Law A-Procedure** – 35 credit points  
**Pre-requisite Units:** LW100 Legal Research and Writing, LW1010 Legal Process.  
This unit provides an overview of the general principles of criminal law and criminal responsibility. It explores homicide offences, sexual offences, property offences and non fatal offences of violence. The law relating to parties to offences, inchoate offences, conspiracy and attempts is also examined. The principle sources of law include the Criminal Code, Misuse of Drugs Act, Police Act and Road Traffic Act and the Commonwealth Crimes Act and Customs Act. Summary and indictable offences are distinguished, and the right to fair trial is analysed. Upon completion of the course students should be in a position to scrutinize hypothetical criminal cases and identify relevant criminal offences. They should also be able to advise a ‘client’ on the elements and proof requirements of the offence(s), and assess the prospects of conviction.

**LW252 Criminal Law B-Defences** – 35 credit points  
**Pre-requisite Units:** LW251 Criminal Law A. **Co-requisite Units:** LW100 Legal Research and Writing, LW1010 Legal Process.  
This unit is taught in collaboration with members of the profession Judges, prosecutors and Defence lawyers who conduct occasional lectures. It examines the general principles law relating to defences under the Criminal Code, as well as the substantive defences themselves. Specific attention is paid to exculpatory defences such as self defence, provocation, accident, mistake of fact, extraordinary emergency, automatism, insanity and intoxication. Students develop the capacity to identify applicable defences to criminal law problems. Students are required to undertake field research in the form of a court visit and prepare a report setting out their observations.

**LW321 Corporations and Partnerships** – 40 credit points  
**Pre-requisite Units:** LW100 Legal Research and Writing and LE1010 Legal Process. **Co-requisite Units:** None  
The incorporated body is now the basic entity through which commerce operates. Knowledge of the principles of company law, setting out as they do the responsibilities of those who choose to conduct business affairs...
through incorporated structures, is essential to anyone involved in commerce. Attention is be given to the corporation as a separate legal entity and all that flows from this concept. The process and consequences of incorporation, and the constituent documents of the corporate entity, such as the memorandum and articles of association and powers and capacities of company and what remains of the doctrine of ultra vires be studied. The importance of contractual capacity and things such as the indoor management rule, both at law and under statute, are considered. Issues affecting the management and control of a company, especially the division of powers between shareholders and the board of directors and the rights, obligations and liabilities of directors, de facto directors, managers and employees, are considered. The concept of share capital is explained. Other ways of raising capital, and the peculiarities of company charges, are touched on. There is a brief introduction to dealing with companies in trouble, including voluntary and compulsory winding up, voluntary administration and receivership. Students are introduced to other forms of business and commercial associations such as partnerships and joint ventures.

**LW323 Evidence A** – 25 credit points  
**Pre-requisite Units:** LW100 Legal Research and Writing, LW1010 Legal Process. **Co-requisite Units:** None  
The unit covers topics such as relevance and circumstantial evidence; the rules relating to the burden and standard of proof; the competence and compellability of witnesses; character evidence; the evidence of an accused as a witness; privilege against self-incrimination; legal professional privilege; public interest immunity. The unit provides an overview of the trial process, including the functions of the judge and jury.

**LW324 Evidence B** – 25 credit points  
**Pre-requisite Units:** All compulsory units which the relevant Course Regulations require to be completed in an earlier academic year of study. Completion of LW 324 Evidence A is recommended. **Co-requisite Units:** None  
The unit covers topics such as hearsay and res gestae; documentary evidence; the admissibility of confessions and admissions; opinion evidence; similar fact/propensity/tendency evidence; illegally obtained evidence; identification evidence; and corroboration.

**LW331 Administrative Law A** – 25 credit points  
**Pre-requisite Units:** LW100 Legal Research and Writing, LW1010 Legal Process. **Co-requisite Units:** None  
Administrative Law A aims to provide students with a sound theoretical and practical overview of Administrative Law. The unit considers the law concerning the accountability and control of the administrative actions of government departments and government officials. Administrative Law A focuses on the development of the law in Australia, who may exercise administrative powers, the making of delegated legislation, the provision of reasons for decision making, the role of discretionary powers by administrators, the different forms of merits review of administrative action, the scope and operation of the Administrative Appeals Tribunal and the State Administrative Tribunal, the scope and operation of Freedom of Information legislation, the role of the Ombudsman and other methods for controlling administrative behaviour such as anti corruption commissions and whistleblower legislation.

**LW332 Administrative Law B** – 25 credit points  
**Pre-requisite Units:** LW 100 Legal Research & Writing, LW 1010 Legal Process, LW 331 Administrative Law A. **Co-requisite Units:** None  
Administrative law is concerned with the operation of government, including the Parliament, the Executive, statutory tribunals and semi-governmental organisations. It is an area of law that commonly affects the daily lives of citizens. The essential aim of administrative law is to ensure that citizens are treated fairly by administrative (that is, governmental) decision making processes. Administrative Law B will continue to build on the knowledge and skills taught in Administrative Law A. That is, to provide students the skills to answer a legal problem question in the classroom and to provide students with the qualifications necessary to advise and represent clients affected by governmental power and decisions. In particular Administrative Law B will focus on the concept of Judicial Review; that is, review by the courts of governmental power and decisions.

**LW341 Constitutional Law A** – 25 credit points  
**Pre-requisite Units:** None. **Co-requisite Units:** LW100 Legal Research and Writing, LW1010 Legal Process.  
Constitutional Law A provides students with an understanding of the basic foundations of our constitutional system of government, with a focus on federal constitutional law and the provisions of the Commonwealth Constitution. This includes Australia’s progression from a British colony through to federation and the coming into force of the Commonwealth Constitution in 1901. The unit also examines the central constitutional concepts of federalism, threats to federalism and the rights of the States, constitutionalism representative and responsible government, and the separation of powers doctrine. It examines the three main types of institutions and their powers set out in the Commonwealth Constitution, the Parliament (specifically, the House of Representatives and the Senate), the Executive
The implied freedom of political communication as a limitation on Parliament and will also discuss whether Australia needs a constitutionally entrenched bill of rights, including some of the negative aspects of bills of rights from a comparative perspective with reference to the United States and Canadian Bills of Rights.

LW342 Constitutional Law B – 25 credit points
Pre-requisite Units: LW341 Constitutional Law A. Co-requisite Units: None
This unit builds on students’ understanding of the issues covered in LW341/LW5341 Constitutional Law A, in two main ways. Firstly, by examining express rights and limitations on the Commonwealth Parliament including freedom of religion and freedom of interstate trade. Secondly, by focusing on the distinctively federal aspects of the Australian Constitutional system, in particular, the enumerated legislative and financial powers of the Commonwealth government.

The enumerated powers that are examined include the Corporations Power, External Affairs Power, Defence Power and Acquisition of Property Power. The financial powers of the Commonwealth government that are examined include the Taxation Power, the exclusive power to levy excise duties, and federal government spending and grants.

LW350 Legal Philosophy – 25 credit points
Pre-requisite Units: LW1010 Legal Process and LW231 Principles of Equity. Co-requisite Units: None
In this unit, students learn of the major traditions of thought about law and legal systems, with a view to encouraging them to place their own ideas within the context of those traditions, and to become constructively critical of their own views and the views of others. The unit combines a rigorous approach to the gaining by students of knowledge about those traditions, with openness to different views among the students and the encouragement of the development in them of an understanding of where they themselves stand within these traditions, and the advantages and deficiencies in their choices.

LW360 Advocacy – 25 credit points
Pre-requisite Units: None. Co-requisite Units: LW100 Legal Research and Writing and LW100 Legal Process
This is a compulsory unit, split into two main sections.
In the first section, students are introduced to the ethics of advocacy. They learn elementary skills of courtroom etiquette, and the techniques of formulating and making applications to the Court of various kinds, both opposed and ex parte. It includes the most commonly used techniques of the mention, application to bail, plea in mitigation of sentence, and a variety of interlocutory applications in civil proceedings.

In the second section, students learn the technique of appellate advocacy (‘moot court’). They are assessed on their presentation in a major mooting exercise.

Students are required to participate in advocacy presentations as a part of their assessment. These include presenting a Plea in Mitigation at Petty Sessions level and an appeal in a higher court (the Moot). Prior to presenting the Moot, students will undertake classes in advocacy and preparation, court room etiquette and public speaking. They are also required to submit written court documents prior to the Moot.

LW405 Remedies – 30 credit points
Pre-requisite Units: All compulsory units which the relevant Course Regulations require to be completed in an earlier academic year of study. Co-requisite Units: LW100 Legal Research and Writing LW1010 Legal Process
Remedies is an important final year unit. It provides a vehicle to tie together and revise many of the strands of learning with which students have come into contact in earlier years. Material previously studied in contract, torts and equity will be considered in this course. In this sense, Remedies is an excellent final year unit to prepare students for the reality of legal practice.

Topics covered include consideration of the damages available in tort and in contract. Various equitable remedies are also considered. These include restitution, rescission, specific performance, account of profits, injunctions, equitable compensation and damages, Mareva Orders, Anton Piller Orders, Rectification and Declarations. Finally, the statutory remedies available under the Trade Practices Act will also be considered.

LW420 International and Comparative Law – 25 credit points
Pre-requisite Units: None. Co-requisite Units: None
This unit provides students with an introduction to public international law. It is designed for students with no prior background in the subject. Contemporary problems in the field of public international law are examined by reference to key areas including: the nature of international law; sources of international law (including treaties, customary international law, general principles of international law and juristic opinions); the
relationship between international law and domestic (Australian) law; the United Nations system; principles of state responsibility; jurisdiction & immunities; self-determination & secession; international environmental law; and international law and the use of force.

Please note that for students undertaking the Bachelor of Laws (Graduate Entry) (Course Code 3410) commencing from 2014 onwards LW420 International and Comparative Law is not compulsory but may instead be selected as an elective.

LW462 Alternative Dispute Resolution* – 25 credit points
Pre-requisite Units: LW100 Legal Research and Writing and LW1010 Legal Process. Co-requisite Units: None.
This unit fosters the idea of the lawyer as problem solver, which is consistent with the aims and philosophies of the University generally. This unit introduces processes increasingly being used by parties seeking to resolve disputes without adjudication. These include negotiation, mediation, conciliation, expert appraisal, early neutral evaluation and arbitration. Students are shown how to distinguish between these processes and how to select the most appropriate form of ADR for particular disputes. Differences between private and court annexed ADR processes will also be explored. Teaching methods involve participation by students as various processes are demonstrated by working through examples of legal disputes arising in the community.

Please note that for students undertaking the Bachelor of Laws (Graduate Entry) (Course Code 3410) commencing from 2014 onwards LW462 Alternative Dispute Resolution International and Comparative Law is not compulsory but may instead be selected as an elective.

LW463 Civil Procedure A – 25 credit points
Pre-requisite Units: LW100 Legal Research and Writing and LW1010 Legal Process. Co-requisite Units: None.
The unit continues to provide students with an overview of civil procedure in New South Wales and covers topics up to close of pleadings such as: the conduct of a matter prior to issuing proceedings including relevant professional duties owed to the client and the court and identification of jurisdictional and limitation period issues; preparation and service of originating processes; general pleading rules and preparation of particular pleadings; applying for summary judgment and setting aside default judgment; requesting further particulars and applying to strike out defective pleadings; and the principles governing amendment of pleadings and joining causes of action and parties.
Specific skills of the unit include:

1. An understanding of the legal background in NSW in which the civil courts operate, solicitor's professional duties and the court's role in managing litigation ("case management").
2. An understanding of the relevant legislation and statutory rules governing the procedure of the civil courts in NSW with particular focus on the District and the Supreme Court.
3. Learning techniques for taking accurate instructions from clients prior to commencement of litigation and identifying alternative commercial solutions.
4. Identifying appropriate steps to protect the client's and the legal practitioner's own interests prior to commencing litigation including costs disclosure and retainer agreements.
5. Identifying legal restrictions on litigation such as the operation of relevant limitation periods, jurisdiction issues, and contractually limiting mechanisms (eg arbitration clauses).
6. A basic understanding of the steps involved in commencing litigation including how to identify, prepare and serve the correct originating process.
7. An understanding of, and an ability to, prepare statements of claim, defences and counterclaims, replies and defences to counterclaims, the principles governing amendments of the same, as well as requesting particulars and applications to strike out defective pleadings and other summary applications.

LW464-464.1 Civil Procedure B – 25 credit points
Pre-requisite Units: LW100 Legal Research and Writing, LW1010 Legal Process and LW463 Civil Procedure A. Co-requisite Units: None
The unit continues to provide students with an overview of civil procedure in New South Wales and will cover topics post close of pleadings such as: discovery and inspection; interrogatories; pre-trial conferences, mediation and settlement; interlocutory proceedings and chambers advocacy (with a focus on injunctions); entry for trial; trial preparation; trial procedure and manner of presentation of evidence; extraction of orders;
costs issues; judgment enforcement.

Specific skills of the unit include:

1. Learning to identify discoverable documents and privileged documents and professional duties to the court regarding the same as well as understanding the process of giving discovery and inspection and being able to prepare the relevant documentation involved
2. Learning to evaluate when interrogatories are appropriate and appreciating how to frame interrogatories correctly and recognise the principles behind objecting to the same
3. Understanding how to enter a matter for trial including preparing the relevant documents
4. Understanding pre-trial conference and mediation conference procedures, formal offers of compromise and payments into court, and the steps necessary to give effect to any settlement reached and finalise proceedings
5. Understanding the steps leading up to trial preparation including both procedural preparation such as issuing subpoenas, exchanging witness statements and filing legal submissions and personal preparation such as preparation of questions for witnesses and opening and closing addresses
6. Understanding of the procedure at trial and the manner of presentation of evidence
7. Learning the various costs orders that may be made and how the costs are taxed
8. Learning to extract orders and enforce judgments with particular focus on the Civil Judgments Enforcement Act 2004

LW471/471.1 Commercial Practice & Ethics – 20/25 credit points

Pre-requisite Units: LW100 Legal Research and Writing and LW1010 Legal Process. Co-requisite Units: None.
The unit provides students with an overview of commercial legal practice and ethics in New South Wales. It covers the following: drafting legal documents and correspondence; preparation of wills and understanding probate practice; lawyers' ethical and legal duties applicable to daily legal practice with a particular focus on legal practice legislation and legal professional conduct rules; an overview of the different types of common business structures (sole proprietorships, partnerships, companies and trusts) and a comparative analysis of same in terms of commercial effectiveness and liability risk management; steps in the sale and settlement of major assets (land and businesses); advising on and the preparation of commercial leases and the application of retail shops legislation; advising on and the preparation of security transactions with particular emphasis on guarantees and mortgages and the practice and procedure of giving guarantee advice.

Specific skills of the unit include:

1. Writing clear, concise and effective legal letters in plain language.
2. Drafting and structuring documents in clear, concise terms appropriate to clients’ needs and adapting and applying commercial precedents effectively.
3. Adopting techniques for taking instructions from clients in different transactions and strategies for effective conduct of a matter to advance the client's interests.
4. Understanding how legal services can be a prevention rather than a cure - how correct legal advice and drafting early on can prevent or minimise problems likely to be encountered by clients in their commercial activities and add value to same.
5. Drafting and identifying the documents required for, and the main components of, commercial transactions such as partnership deeds, company incorporation, trust deeds, business and land sale agreements, share sale agreements, commercial (retail and non-retail) leases, mortgages and guarantees
6. Understanding the relevant duties legislation and its application to various commercial transactions as well as implications of failure to comply with same
7. Understanding and identifying issues pertaining to professional responsibility and legal and ethical duties arising under the Legal Profession Act 2009, the common law, the professional conduct rules and generally in the profession as well as the inquisitorial nature of the disciplinary process and how it differs from the adversarial court system
8. Understanding and applying areas often arising in daily legal practice, namely:
   - Wills and probate practice
   - Business structures including partnerships, companies and trusts
   - Sale and settlement of land and business and the parties’ rights thereunder
   - Duties legislation
   - Commercial leasing and the operation of retail shops legislation
   - Security transactions including guarantees and mortgages
**Elective Units: Law**

Not all elective units are offered on an annual basis or in each semester.

If recommended units have not been completed you need to seek written permission of the Assistant Dean to enrol in the unit. Preference will be given to students who have completed the recommended units.

Students should not consider enrolment in elective units unless and until they have reached the electives in their course structure. Permission to do electives before this must receive written permission of the Dean or Assistant Dean.

**LW300 Health Law** - 20 credit points

**Pre-requisite Units:** (Completion of LW 221 Principles of Torts A and LW 222 Principles of Torts B and LW211 Contract A and LW212 Contract B is recommended)

The aim of this unit is to expose students to a rapidly emerging area of legal practice and to examine, by way of case studies and recent court decisions within Australia and internationally, contemporary issues in medicine and medical ethics as they relate to the legal profession.

This unit considers the rights and responsibilities of patients and health professionals, and considers the causes of action which may arise, and defences.

This course will look closely at areas of law such as the legal duties of health professionals, consent to medical procedures, basic tort liability of health workers, access to medical records, privacy and confidentiality, withdrawal of treatment and euthanasia, and abortion and wrongful birth.

**LW302 Mining and Petroleum Law (formerly Natural Resources Law)** – 20 credit points

**Pre-requisite Units:** (Completion of LW211 Contract A and LW212 Contract B, LW241 Property Law A and LW242 Property Law B and LW 221 Principles of Torts A and LW 222 Principles of Torts B is recommended)

The aim of this unit is to familiarise students with the chief features of the law regulating the use and exploitation of natural resources. The unit will consider the conceptual property basis of natural resources law and the history of Australian legal regimes relating to natural resources, before passing to a detailed consideration of the law applying to the exploitation of particular resources. Special attention will be paid to the law regulating mining. The unit will also study the legal regimes affecting the exploitation of gas and petroleum, and the use of water in relation to extraction of minerals and petroleum. Careful attention will be given to the manner in which considerations of law, and those relating to such matters as the environment and native title, interact in relation to the use of natural resources. The course aims to prepare students for work in the resource sector. It aims to provide students with the ability to understand the law and the wider business and social context of resource extraction.

**LW303 Trade Practices Law** - 20 credit points

**Pre-requisite Units:** (Completion of LW211 Principles of Contract Law A, LW212 Principles of Contract Law B, LW221 Principles of Torts A and LW222 Principles of Torts B is recommended.)

The Trade Practices Act 1974 (Cth) (which, as from 1 January 2011, was renamed the "Competition and Consumer Law Act 2010" (the Act) and contains, as a schedule, the "Australian Consumer Law") has proved to be one of the most litigated and wide-reaching pieces of legislation in Australia. As both the description "Trade Practices", and now, "Competition and Consumer" suggests, the Act affects all manner of commercial dealings. Everyone who engages in trade and commerce must factor the provisions of the Act into their conduct and commercial behaviour. The purpose of this course is to enable students to become familiar with certain aspects of the Act.

Quite apart from the enormous amount of case law that has been generated by the provisions of the Trade Practices Act which were transposed into the Act, it is important to consider the policy issues raised by the legislation, which both motivated its introduction in 1974 and continue to shape the continuing, frequent, and recent amendments to the Act. This overview, together with a study of those legal entities whose conduct is affected by the Act, and some key concepts under the Act, forms the introduction of the course. The course will then proceed to examine the substantive aspects of the Act, namely:

- the restrictive trade practices (ie competition) provisions, contained in Part IV, which are designed to prohibit conduct which may lessen competition;
- the "consumer protection" provisions (ie the Australian Consumer Law) which concern misleading and deceptive conduct, unconscionable conduct, statutory guarantees, in respect to consumer goods and services, unfair terms in standard form contracts, and liability for defective products.

**LW304 Employee Relations Law** - 20 credit points

**Pre-requisite Units:** (Completion of LW211 Principles of Contract Law A & LW212 Principles of Contract Law
For many individuals, one of the most significant legal obligations they ever enter into is a contract of employment. However, many people give little or no thought to the content or obligations which they are accepting until something goes wrong in their employment. This area of law covers a wide range of jurisdictional and legal issues in this continuously changing field. Interestingly, employee relations plays a fundamental role in Australia’s political and legal climate. This unit explores the legal regulation of employment within Australia and, in particular: the employment relationship; creating an employment contract; terms and conditions (express and implied) of employment contracts; legislation, awards, agreements and other instruments that govern employment; significant issues that arise during employment; termination of the employment relationship; the role of unions and collective employee relations in Australia; and a broad overview of the laws of occupational safety and health and equal opportunity in employment as they affect the employment relationship.

The course explores Federal and relevant State legislation and common law principles. Throughout the course, students are encouraged to critically evaluate current issues arising in employment law and politics and the changing world of employee relations.

**LW305 Family Law - 20 credit points**

**Pre-requisite Units:** (Completion of LW241 Property Law A and LW242 Property Law B, and LW231 Equity and LW232 Trusts is recommended)

This unit is designed to provide a thorough introduction to contemporary Family Law in Australia, with special reference to the main financial consequences of marriage and cohabitation. The course comprises three main parts. The first is a consideration of certain introductory topics that are necessary for an understanding of Family Law in Australia. These concern Commonwealth and State legislative powers in Family Law, an introduction to the Family Law Act 1975 (Cth.), and an introduction to the Family Court. The second, and principal, part of the course is a study of the main financial consequences of marriage and cohabitation, with special reference to spousal and child maintenance and alteration of property interests upon the breakdown of marriage. The third part comprises a study of the law of marriage, nullity of marriage and dissolution of marriage.

**LW307 Intellectual Property Law - 20 credit points**

**Pre-requisite Units:** (Completion of LW221 Principles of Contract Law A; LW222 Principles of Contract Law B is recommended)

Monopolies are anathema to the common law, except where authorised by statute. This unit will explore the various monopoly and quasi-monopoly statutes as well as common law and statutory protection of reputation. The course will centre on the protection granted under the Copyright Act and Designs Act, including principal areas such as copyright protection in literary, dramatic, musical and artistic works (for example, protection in sound recording, films, radio and television broadcasts). Protection of reputation through the Trade Marks Act, under the common law of passing off and pursuant to section 52 of the Trade Practices Act will be examined. Additionally, the protection of computer software, the Patent Act, parallel importing, international treaties and the economic ramifications of intellectual property rights in Australia and overseas will be briefly considered.

**LW309 Human Rights Law - 20 credit points**

**Pre-requisite Units:** (Completion of LW251 Criminal Law A and LW252 Criminal Law B, and LW331 Administrative Law A and LW332 Administrative Law B is recommended)

The historic evolution and conceptual foundation of contemporary human rights are explored. The genesis of the modern international human rights movement is discussed, including a study of international human rights norms and scrutiny of the effectiveness of implementation-monitoring agencies. The unit also considers the role of the equal opportunity commissions and tribunals. Emphasis is placed on the current law and practice adopted in Australia particularly in the area concerning discrimination on such grounds as sex, race and marital status.

**LW311 Indigenous Law - 20 credit points**

The area of law relating to indigenous people has been one of the fastest growing and most interesting aspects of the Australian legal system for a number of years. This unit seeks to examine that area of law in a manner which places it firmly in its wider legal, constitutional, social and economic context. The unit examines both the initial interaction of indigenous and European law through the doctrine of terra nullius, and the notion of customary law as a distinct entity, including proposals to give greater recognition to customary law. The development of the Native Title Act is traced, as are operations in relation to native title claims, and pastoral and resource management. Other legal issues of relevance to indigenous people, such as the criminal justice system, also be addressed. The role of the National Native Title Tribunal is examined, and a practical perspective placed on the arbitration and mediation of claims. Comparisons are drawn with other indigenous law regimes in comparable jurisdictions, such as Canada.
LW312 Insolvency - 20 credit points
**Pre-requisite Units:** *(Completion of LW 321 Corporations and Partnerships is recommended)*
This unit involves an in-depth study of the various forms of corporate insolvency administration including voluntary administration, receiverships and liquidations. Emphasis is placed on the procedural aspects of the administration in each of these areas, embodying the effects on the company, its directors, employees, shareholders and creditors. The administrative role and powers vested in the insolvency practitioner are analysed closely. The unit also focuses upon the order of application of assets in the respective type of administration and addresses the issue as to whether the law fulfils the interests of the parties involved.

LW313 Succession - 20 credit points
**Pre-requisite Units:** *(Completion of LW 241 Property Law A and LW242 Property Law B, and LW231 Equity and LW232 Trusts is recommended)*
This unit deals with selected topics in the law of succession such as the making of wills, vitiating factors affecting wills and beneficiaries, legacies, devises, revocation and revival of wills, equitable doctrines affecting the law of succession, intestate succession, the administration of estates and testator's family maintenance. A practical aspect of the course includes a will drafting exercise. Procedures relating to the grant of representation, administration of estates following a grant of representation and problems of testator's family maintenance are covered in the course.

LW315 Bioethics and the Law - 20 credit points
**Pre-requisite Units:** *(LW 221 Principles of Torts A and LW 222 Principles of Torts B, and LW251 Criminal Law A and LW252 Criminal Law B are recommended)*
Students of Medical law consider and study law and bioethics. Medical Law is the new frontier of human rights. It is Medical Law that regulates developing science. Topics considered include: assisted reproductive technology; genetics; cloning; stem cell research; abortion; wrongful birth; post-coma unresponsiveness (vegetative state); euthanasia; organ donation and transplantation; forensic evidence; human research and disposing of the dead.

Students will examine contemporary issues in medicine and ethics as they relate to the legal profession. The course is taught from a perspective which reflects both ethical approaches and human rights arguments.

LW317 The Law of Lender Liability - 20 credit points
**Pre-requisite Units:** *(LW 241 Property Law A and LW242 Property Law B, and LW231 Equity and LW232 Trusts is recommended)*
The purpose of this unit is to expose students to the law relating to lender liability. In so doing, the course will examine various aspects of liability thrust upon lenders, i.e. banks and financial institutions, such liability arising not only from the lenders' principal activity of lending, but also from activities incidental to lending. The course deals with the potential liability of the lender at various stages of the lender-customer relationship.

LW318 Trial Advocacy - 20 credit points
**Pre-requisite Units:** *(LW323 Evidence A and LW324 Evidence B are pre requisites)*
This elective is a higher level unit building on the skills acquired in the LW360/5360 Moot Court unit. It is designed to develop skills and learning for participation in trial advocacy. The desired outcomes for the unit are as follows; students have a deeper understanding and appreciation of the skills required to effectively participate in trial advocacy; students are able to efficiently prepare a case for trial; students are able to conduct a trial including opening and closing addresses, evidence in chief and re-examination and cross-examination; students learn to work effectively as a team.

LW319 Maritime Law - 20 credit points
**Pre-requisite Units:** *(Completion of LW211 Contract A and LW212 Contract B and LW 221 Principles of Torts A and LW 222 Principles of Torts B is recommended)*
The aim of this unit is to provide students with an understanding of the complex legal framework underpinning the shipping trade from both an international and Australian perspective. In particular, this unit will deal with the legal relationships brought about during the carriage of goods by sea, including bills of lading, waybills and charterparties; the Admiralty jurisdiction; International Maritime Conventions; maritime insurance, and the relevance of international conflict of laws to maritime disputes. Specific topics covered will include piracy, the pursuit of illegal fishing vessels, fatal accidents at sea (including the 1998 Sydney-Hobart yacht race) and marine environment and pollution. This unit will allow students to explore by way of a research paper, an aspect of Maritime Law of their particular interest. This will challenge students to undertake comprehensive legal research on a new, challenging and highly relevant area of the law. By the end of the unit, students should have: a basic understanding of the main concepts that are used in maritime law, their historical development and commercial context; an awareness of relevant Australian case law and legislation together
with the relationship of Australian law to such international conventions as the United Nations Convention on the Law of the Sea; an awareness of current international developments in maritime law.

**LW325 Occupational Safety and Health Law**  
*(there are no pre requisites)*

In every workplace, there are hazards and risks. Unfortunately these hazards sometimes result in injuries and deaths. For a long time employers have had a common law duty of care and statutory duties and responsibilities. The degree of legal regulation, control and responsibilities has vastly increased with societal expectations that those going to work should come home in the same condition they left for work in. This unit explores the common law duties of employers, the statutory framework established for workplace safety, the legal requirements on employers, employees and others, the government control of workplace safety and prosecution of safety breaches, the consequences of injuries including Workers Compensation and fatal accidents, and to provide students with an understanding of the practical application of safety and health systems within workplaces. The unit explores some of the current issues and trends within this area of the law.

**LW326 Environmental Law – 20 credit points**  
*(completion of LW341 Constitutional Law A, LW342 Constitutional Law B, LW331 Administration Law A, LW332 Administration Law B and LW420 International and Comparative Law is recommended)*

This unit explores the fundamental principles of environmental law. Legal responses to contemporary environmental challenges are assessed, including those related to: loss of biodiversity; ozone depletion; global warming; and harm to the marine environment from various activities (ranging from noise pollution to the dumping of waste at sea). Other themes explored include the nexus between human rights law and environmental law. Students will gain an understanding of the impact of environmental laws on both States and non-State actors (corporations and individuals). Particular attention is paid to: international treaties on environmental protection; domestic environmental law and policy; enforcement measures; remedies; regional mechanisms; the nexus between planning and environmental law; and the expanding field of climate change law. Emerging norms on reduction of carbon emissions and other responses to global warming are examined. The pre-requisite units for law students taking this subject are Torts Law and Criminal Law.

**LW333 Construction and Building Contract Law – 20 credit points**  
*Pre-requisite Units: (LW211 Contract A and LW212 Contract B are pre requisites)*

This unit enables students to understand the roles and legal relationships of all parties involved in construction projects. Additionally students should be aware of the issues of risk allocation and management in construction contracts together with procurement and delivery methods in contract selection and insurance considerations. The unit also considers issues relating to tendering and contract formation. Each of the standard form contracts and sub-contracts including the common problem of interpretation will be considered. Issues of performance, compliance, suspension and interpretation will be considered along with issues arising from consultancy agreements and design responsibilities. Alternative and innovative forms of contracts will also be examined.

**LW339 Introduction to Canon Law** – 20 credit points  
*(there are no pre requisites)*

This unit provides students with an introduction to the internal laws governing the Catholic Church (known as ‘Canon Law’). The laws are specified in the Code of Canon Law promulgated by Pope John Paul II in 1983. The unit covers a variety of topics such as the historical background to Canon Law; the purpose, nature and sources of Canon Law; parts of the 1983 Code of Canon Law; the Church’s tribunals (including procedure, evidence and appeals); the disciplining of clergy and laity; marriage and annulment; the administration of Church property; and complaints of sexual abuse against clergy, religious and Church employees (such as teachers).

**LW343 Commercial Drafting:**

This unit teaches the skills required by commercial lawyers to draft a range of commonly used commercial agreements. It examines the formal parts of an agreement, execution issues and a range of clauses typically found in large commercial agreements. It also explores a range of commonly used commercial agreements. It examines the law that lies behind each clause (and agreement). It also examines the issues that should be covered by each clause (and agreement). It has a large practical focus with a significant number of drafting exercises.

**LW344 Law and Religion** - 25 credit points  
*(there are no pre requisites)*

One of the most important issues facing States and the international community today is the appropriate role that religion should play in a variety of legal and political issues. This unit focuses on the key treaties and
international institutions relevant to religion and assess the approach they have taken in determining the appropriate international and national role that religion should play. A key focus of the unit is the approach the Australian legislature, executive and judicature have taken in resolving a variety of issues involving religion. Particular topics covered in the unit include the approach of international law to religion, the role of the Australian Constitution, anti-discrimination laws, blasphemy and anti-conversion laws. The unit is taught in an interactive style where students are able to discuss with their colleagues some of the key moral and political issues that are raised in addressing the appropriate relationship that should exist between the law and religion.

**LW347 Introduction to Australian Income Tax**

**Pre-requisite Units:** LW100 Legal Research & Writing; LW1010 Legal Process; LW321 Corporations and Partnerships

This unit provides an introduction to Australia's income tax system. It examines the operation of Australia’s income tax laws as well as the underlying principles on which those laws are based. Topics covered by this unit include: the concept of income, the capital/revenue distinction, allowable deductions and capital allowances, capital gains tax, fringe benefits tax, tax accounting principles and tax avoidance. The unit title is “Personal Taxation Law” because the general principles of taxation law are introduced from the perspective of their application to individuals. The application of these principles to business entities is explored in the Business Taxation Law unit. This unit is a prerequisite for Business Taxation Law.

**LW348 Advanced Taxation Law**

**Pre-requisite Units:** LW100 Legal Research and Writing; LW1010 Legal Process; LW321 Corporations and Partnerships; LW347 Introduction to Australian Income Tax

This unit is an extension of the Personal Taxation Law unit but focuses on business entities rather than individuals. The unit examines the principles underlying the taxation of business entities. It also examines the operation of the income tax in an international environment. Taxes covered in this unit extend beyond the income tax to include the goods and services tax. Topics covered by this unit of study include: taxation of partnerships and trusts, taxation of companies and shareholders under the imputation system, taxation of international transactions, the goods and services tax and tax administration.

**LW349/LW5349 Insurance Law - 20 credit points**

**Pre-requisite Units:** LW100/LW500 Legal Research and Writing; LW1010/LW5101 Legal Process; LW211/LW5211 Principles of Contract A; LW212/LW5212 Principles of Contract B; LW221/LW5221 Principles of Torts A; LW222/LW5222 Principles of Torts B

Insurance Law is an established, specialised and sometimes complex area of law which is concerned with the management and allocation of risk. It is an area of law which most legal practitioners will inevitably come across in their practice. This unit will deal with major areas of Insurance law including public liability, professional indemnity, contractor’s all risk and the relevant legislation.

**LW352 Special Topics in Law I**

This unit involves a detailed examination and analysis of a specific topic in law. The topic (along with any pre-requisite units) will be published as part of the annual list of electives published by the respective Schools of Law in Fremantle and Sydney.

**LW353 Special Topics in Law II**

This unit involves a detailed examination and analysis of a specific topic in law. The topic (along with any pre-requisite units) will be published as part of the annual list of electives published by the respective Schools of Law in Fremantle and Sydney.

**LW373 Law in Context (Externships) - 20 credit points**

Externships involve students learning through the process of a formal education program focused on active student participation in a real legal practice. At a practical level students develop skills in: interviewing clients, operating with strict professional and ethical guidelines, community legal education, identifying non-legal dimensions to client problems, "real world" legal research, negotiation and advocacy, letter writing and drafting documents, and policy development and law reform.

At a personal level students develop skills in: working in a team environment, empathising with clients, critically reflecting on personal experiences and identifying and resolving conflicts between personal and professional ethics. The course runs over a semester. In addition to a placement of at least one day per week, students will be expected to participate in weekly seminars. The seminars will focus on legal skills, ethics, structure and operation of the legal profession and an overview of some of the areas of law the students are likely to work with.
LW380 Law Review - 20 credit points
(written application for and acceptance into this unit is required before enrolment)
The annual production of a Law Review by a University College of Law is an extremely important part of its academic mission. Participation by law students in all aspects of the production of a law review is seen as a prestigious honour and one which is typically limited to those students who have excelled academically. This unit is available to a limited number of students entering their third or fourth year of the law degree. Entry is by invitation only, and selection of students to participate is made by the Dean of the College of Law in consultation with the unit coordinator (Associate Editor). The Law Review is a year long commitment from the enrolled students who will work as assistant editors to the Associate Editor. The responsibilities include:

- assisting in the solicitation of appropriate articles, notes and review from academics and practitioners;
- editing and research work to transform submitted manuscripts into publishable form;
- advertising, sponsorship and subscription drives; and
- liaising with the printer of the Review.

This is a pass/fail unit only and it does not have a final examination. The Associate Editor will be responsible for assessing whether the enrolled student has adequately performed the duties required of the enrolment.

LW395 Commercial Law - 20 credit points
Pre-requisite Units: (completion of LW211 Contract A and LW212 Contract B is recommended)
This unit covers aspects of commercial and business law in further detail that are only briefly mentioned, or that are not covered in the law courses currently offered. The aim is to appeal to students who are interested in expanding knowledge in business, contract and consumer law. Topics may include several or more of the following: cheques and negotiable instruments, the law of agency, sale of goods, international sales contracts, insurance, guarantees, bailment and electronic transactions.

LW399 Peer Tutoring for Information Literacy: Advanced Legal Research Skills – 20 credit points
Pre-requisite Units: (LW 100 Legal Research and Writing is a pre requisite)
This Unit is designed to provide an opportunity for senior students to revise or update their information literacy skills as they assist students beginning a course of study in the same discipline area with their initial development of these important skills. This unit may be taken by senior students from the College of Law for credit or audit. Students are expected to study the set references for LW100 Legal Research & Writing and at least one book from those set for review as well as the notes and reading allocated for each topic. Students must demonstrate that they can integrate and evaluate perceptions and perspectives on legal research and writing in light of the experience of studying law at tertiary level and are encouraged to draw on the wealth of the bibliography provided. Students will need to spend at least the equivalent of 20 hours over the semester on the subject. The preparation for the week’s class will last up to 1 hour and the tutorial delivery will last for 1 hour. In conjunction with reading, reflection and engaging directly with the experience, students will be required to complete an evaluation form and also submit to an evaluation by their tutees at the conclusion of the programme.

LW402 Comparative Law
Comparative Law includes study of the major families of law (Romano-Germanic and the common law), the comparative method of study, the basic differences between civil and common law, and their differing approach to public and private law. The course includes comparison between cases in the common law, civil law and Islamic traditions; their differing solutions to similar legal problems. and discussion of the codification movement in common law countries. The prominent differences between different legal systems are also examined (eg the impact of the doctrine of precedent as well as the differences between adversarial and investigatory civil procedure methods).

LW403 Private International Law
Private International Law covers traditional resolution of conflict of law issues including foreign enforcement of domestic judgments and the domestic enforcement of foreign judgments. This unit also includes international privacy, counter terrorist and anti-money laundering legislation, anti-corruption legislation, cross-border financing, tax shelters, the enforcement of foreign arbitral awards, the General Agreement on Tariff and Trade, the World Trade Organisation free trade agreements generally, and the jurisdiction of the International Criminal Court.

LW441 Advanced Research Project (Honours students) - 20 credit points
(This unit is only available by invitation)
The aim is to develop the students’ research and legal writing skills and to provide an opportunity for the student to focus on a specific area of law which is of interest to the student. This unit is only available to final
year law students who have been invited into the Honours program. Students who have been invited to embark on this unit are required to submit an appropriate research topic for approval by a supervisor. Approval depends upon the subject-matter of the proposal and the availability of an appropriate supervisor. Once approved, the student must write an abstract, a 10 -12,000 word thesis on the topic and make an oral presentation of the thesis.

**LW 442 Directed Research Project** – 20 credit points  
*(written application for and acceptance into this unit is required before enrolment)*  
This unit provides an opportunity for graduate and final year undergraduate students to undertake a research project on a topic of their choosing, thus allowing further specialisation by these students in a specific field. The choice of topics will only be restrained by the supervisory capacity of the staff.

**Masters Level**

**LW5102 Legal History**  
This unit gives the student an appreciation of the sources and development of the common law, equity and our legal institutions. The way in which the law has developed as society has changed and has adapted to evolving demands and circumstances provides the key to a proper understanding of the law in its modern environment. It traces the development of legal ideas and disciplines from English history around 1066 to modern day Australia. Historical development of the law is examined through such topics as the on-going relationship between the common law and equity, the Christian roots of the common law and the legal aspects of British settlement of Australia.

**LW5300 Health Law**  
**Pre-requisite Units:** *(Completion of LW 221 Principles of Torts A and LW 222 Principles of Torts B and LW211 Contract A and LW212 Contract B is recommended)*  
The aim of this unit is to expose students to a rapidly emerging area of legal practice and to examine, by way of case studies and recent court decisions within Australia and internationally, contemporary issues in medicine and medical ethics as they relate to the legal profession. This unit considers the rights and responsibilities of patients and health professionals, and considers the causes of action which may arise, and defences. This course will look closely at areas of law such as the legal duties of health professionals, consent to medical procedures, basic tort liability of health workers, access to medical records, privacy and confidentiality, withdrawal of treatment and euthanasia, and abortion and wrongful birth.

**LW5303 Trade Practices Law**  
The *Trade Practices Act 1974* (Cth) (which, as from 1 January 2011, was renamed the "*Competition and Consumer Law Act 2010*" (the Act) and contains, as a schedule, the "Australian Consumer Law") has proved to be one of the most litigated and wide-reaching pieces of legislation in Australia. As both the description "Trade Practices", and now, "Competition and Consumer" suggests, the Act affects all manner of commercial dealings. Everyone who engages in trade and commerce must factor the provisions of the Act into their conduct and commercial behaviour. The purpose of this course is to enable students to become familiar with certain aspects of the Act.

Quite apart from the enormous amount of case law that has been generated by the provisions of the *Trade Practices Act* which were transposed into the Act, it is important to consider the policy issues raised by the legislation, which both motivated its introduction in 1974 and continue to shape the continuing, frequent, and recent amendments to the Act. This overview, together with a study of those legal entities whose conduct is affected by the Act, and some key concepts under the Act, forms the introduction of the course. The course will then proceed to examine the substantive aspects of the Act, namely:

- the restrictive trade practices (ie competition) provisions, contained in Part IV, which are designed to prohibit conduct which may lessen competition;

the "consumer protection" provisions (ie the Australian Consumer Law) which concern misleading and deceptive conduct, unconscionable conduct, statutory guarantees, in respect to consumer goods and services, unfair terms in standard form contracts, and liability for defective products.

**LW5313 Succession**  
This unit deals with selected topics in the law of succession such as the making of wills, vitiating factors affecting wills and beneficiaries, legacies, devises, revocation and revival of wills, equitable doctrines affecting the law of succession, intestate succession, the administration of estates and testator's family maintenance. A
practical aspect of the course includes a will drafting exercise. Procedures relating to the grant of representation, administration of estates following a grant of representation and problems of testator's family maintenance are covered in the course.

**LW5338 Mental Health Law**
The students who graduate from this unit will be well prepared to represent clients at Mental Health Review Boards, at the State Administrative Tribunal (in WA) and in criminal courts. Given that the clients are often among the poorest in the community, often on medical pensions, the practical training in this course will provide new practitioners skills in an area of law wherein they can offer their expertise in 'pro bono' circumstances.

**LW5339 Introduction to Canon Law**
This unit provides students with an introduction to the internal laws governing the Catholic Church (known as 'Canon Law'). The laws are specified in the Code of Canon Law promulgated by Pope John Paul II in 1983. The unit covers a variety of topics such as the historical background to Canon Law; the purpose, nature and sources of Canon Law; parts of the 1983 Code of Canon Law; the Church's tribunals (including procedure, evidence and appeals); the disciplining of clergy and laity; marriage and annulment; the administration of Church property; and complaints of sexual abuse against clergy, religious and Church employees (such as teachers).

**LW5350 Legal Philosophy**
In this unit, students learn of the major traditions of thought about law and legal systems, with a view to encouraging them to place their own ideas within the context of those traditions, and to become constructively critical of their own views and the views of others. The unit combines a rigorous approach to the gaining by students of knowledge about those traditions, with openness to different views among the students and the encouragement of the development in them of an understanding of where they themselves stand within these traditions, and the advantages and deficiencies in their choices.

**LW5420 International and Comparative Law**
This unit provides students with an introduction to public international law. It is designed for students with no prior background in the subject. Contemporary problems in the field of public international law are examined by reference to key areas including: the nature of international law; sources of international law (including treaties, customary international law, general principles of international law and juristic opinions); the relationship between international law and domestic (Australian) law; the United Nations system; principles of state responsibility; jurisdiction & immunities; self-determination & secession; international environmental law; and international law and the use of force.

**LW5422/LW422 International Law Moot**
This unit provides students with an opportunity to obtain an understanding of international trade law and international commercial arbitration law. The unit is also skills-based because students will be involved in numerous simulated arbitration hearings and will study oral advocacy skills which are needed to address an arbitral court. The goal of the Vis Arbitral Moot is to foster the study of international commercial law and arbitration for resolution of international business disputes through its application to a concrete problem of a client and to train law leaders of tomorrow in methods of alternative dispute resolution. The objective is to train students in the principles of international trade law and international commercial arbitration. The ultimate goal is to train a team of students that will participate in the prestigious Willem C Vis International Commercial Arbitration Moot at the highest levels, hopefully winning many international prizes.

**LW5344 Law and Religion - 25 credit points**
*(there are no pre requisites)*
One of the most important issues facing States and the international community today is the appropriate role that religion should play in a variety of legal and political issues. This unit focuses on the key treaties and international institutions relevant to religion and assess the approach they have taken in determining the appropriate international and national role that religion should play. A key focus of the unit is the approach the Australian legislature, executive and judicature have taken in resolving a variety of issues involving religion. Particular topics covered in the unit include the approach of international law to religion, the role of the Australian Constitution, anti-discrimination laws, blasphemy and anti-conversion laws. The unit is taught in an interactive style where students are able to discuss with their colleagues some of the key moral and political issues that are raised in addressing the appropriate relationship that should exist between the law and religion.
LW5338 Mental Health Law
Pre-requisite Units: (completion of Legal Research & Writing, Legal Process and Criminal Law is a pre-requisite)

The students who graduate from this unit will be well prepared to represent clients at Mental Health Review Boards, at the State Administrative Tribunal (in WA) and in criminal courts. Given that the clients are often among the poorest in the community, often on medical pensions, the practical training in this course will provide new practitioners skills in an area of law wherein they can offer their expertise in ‘pro bono’ circumstances.

LW5422/LW422 International Law Moot
This unit provides students with an opportunity to obtain an understanding of international trade law and international commercial arbitration law. The unit is also skills-based because students will be involved in numerous simulated arbitration hearings and will study oral advocacy skills which are needed to address an arbitral court. The goal of the Vis Arbitral Moot is to foster the study of international commercial law and arbitration for resolution of international business disputes through its application to a concrete problem of a client and to train law leaders of tomorrow in methods of alternative dispute resolution. The objective is to train students in the principles of international trade law and international commercial arbitration. The ultimate goal is to train a team of students that will participate in the prestigious Willem C Vis International Commercial Arbitration Moot at the highest levels, hopefully winning many international prizes.

School of Law Unit Offerings for 2015*

**Summer Term 2015**

<table>
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<tr>
<td>LW230</td>
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<td>Entertainment Law</td>
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<td>Introduction to Australian Income Tax</td>
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<td>LW315</td>
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**Semester 2 2015**

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<td>Legal Process and Statutory Interpretation</td>
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<tr>
<td>LW102</td>
<td>Legal History (can be counted as an elective for Graduate B. Law)</td>
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<tr>
<td>LW212</td>
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<td>LW222</td>
<td>Principles of Torts B</td>
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<td>LW232</td>
<td>The Law of Trusts</td>
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<td>LW241</td>
<td>Property Law A</td>
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<td>Criminal Law A-Procedure</td>
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<td>Criminal Law B-Defences</td>
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<td>Corporations and Partnerships</td>
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<td>Evidence B</td>
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**Masters Level**

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<td>LW318</td>
<td>Trial Advocacy</td>
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<tr>
<td>LW333</td>
<td>Construction and Building Contract Law</td>
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<td>LW343</td>
<td>Commercial Drafting</td>
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<tr>
<td>LW348/LW5348</td>
<td>Advanced Taxation Law</td>
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<td>Insurance Law</td>
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<td>LW373</td>
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<td>LW442</td>
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<td>LW304</td>
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*Please note that this only reflects the planned Unit offering at the time of publication and is subject to change at the discretion of the School of Law.
ANNEXURE A - The Honour Code
OF
THE UNIVERSITY OF NOTRE DAME AUSTRALIA
LAW STUDENTS

A. ETHICAL STANDARDS
All lawyers, and those who aspire to be lawyers, need to be reminded of the high ethical standards which are expected of the legal profession. These standards, based upon obligations of honesty and trust, serve not only to protect the interests of those whom a lawyer represents, but they also protect the rule of law which underlies our constitutional and legal system.

The University of Notre Dame Australia is a Catholic University and students are expected to be familiar with the University’s Mission Statement and adhere to its principles, which reflect those rules of law.

General Integrity
1. A student must endeavour to comply with all of the University’s regulations and, at all times, act in a manner which demonstrates the high standards of honesty and integrity expected of those who serve the legal system.

Academic Integrity
1. A student must, at all times, comply with the School of Law’s Academic Integrity Policy. Specifically, a student must not cheat or attempt to cheat in any form of assessment, including exams, nor must a student do anything to assist another student to cheat, including:
   (a) plagiarising the work or ideas of any other person by falsely representing their words or ideas as one’s own;
   (b) using answer guides to seminar questions and problems, to assignment and moot topics, or to other forms of assessment in such a way as to misrepresent this material as the product of one’s own thought and study;
   (c) producing, distributing or selling such answer guides for the purpose of assisting other students to misrepresent their answers as their own.
   (d) engaging in any conduct in the pursuit of their studies that breaches any Regulations, policies or Code or is otherwise unprofessional or dishonest conduct.
2. A student must comply with all of the requirements for the proper conduct of examinations, including:
   (a) complying strictly with any instructions in relation to authorised materials which may be brought into the examination;
   (b) not permitting another person to take the examination for the student;
   (c) not engaging in any form of cheating.

Student Integrity
1. A student must not engage in any conduct which obstructs the learning efforts of fellow students, including:
   (a) stealing, damaging, or interfering with the notes, equipment or other property of fellow students;
   (b) failing to return property borrowed from fellow students;
   (c) subjecting fellow students to physical or psychological abuse;
   (d) using the notes or other property of fellow students without their permission.
   (e) knowingly or negligently misrepresenting facts about themselves or another person to the staff of the Law School or to any other person for the purpose of obtaining an unfair academic or financial benefit or for the purpose of injuring a fellow student academically or psychologically.
2. Students shall treat fellow students and all University staff honestly, courteously and in good faith and shall endeavour to establish and maintain a professional relationship of trust and confidence with each other.
3. Students shall not:
   (a) discriminate against any other student or staff member by reason of “…colour, race, ethnic or national origins, gender, sexual orientation, marital status, physical impairment or religious beliefs”.
   (b) in the course of their studies or other activities related to their enrolment in the College, “engage in conduct which is not directed towards a specific person, but is offensive or is likely to offend a reasonable person because of its [discriminatory or offensive] nature.”

Library Integrity

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3 Based on the Law Society of Western Australia’s Professional Conduct Rules (PCR) 20.5
4 Based on the Law Society of Western Australia’s Professional Conduct Rules PCR 20.7
1. A student must make use of all of the Notre Dame libraries (the Library) in a manner that is courteous and considerate to fellow students and staff and that helps promote the University in a positive way. Activities and behaviour in the Library that are incompatible with its courteous and considerate use include:
   (a) All eating and drinking;
   (b) Swearing and other abusive language;
   (c) Loud conversation;
   (d) Leaving Library books on desks after use instead of placing them on re-shelving trolleys or at other designated places;
   (e) Removal of any Library material from Notre Dame libraries without completing the formal loan transaction procedures;
   (f) Removal of any Library material from other libraries without completing the formal loan transaction procedures;
   (g) Deliberate mis-shelving of any library material in order to hide it from other students and staff;
   (h) Failing to replace photocopied articles in the correct reserve collection pamphlet boxes;
   (i) Marking, underlining, highlighting or annotating Library material in any way;
   (j) Tearing, cutting or removing pages from any book or other Library material;
   (k) Any act of vandalism directed at any Library property;
   (l) Using e-mail at any terminals other than those designated for the purpose;
   (m) Using Library computer terminals for any purpose not connected with a University course of study;
   (n) Failing to observe University standards of dress;
   (o) Using mobile phones.

Sanctions will be imposed (in accordance with the disciplinary procedure detailed in Part B) on persons who behave or act in any of these ways and include exclusion from the Library for up to four hours.

B. DISCIPLINARY PROCEDURE

1. A complaint may be made to the Dean of the Law School in the event of any violation by a law student of this Honour Code.
2. The Dean may require the complaint to be in writing and signed by the complainant.
3. The student, the subject of the complaint, will be notified by the Dean of the terms of the complaint if the Dean is satisfied that the complaint is bona fide and appears to involve a potential violation of the Honour Code.
4. The Dean will provide an opportunity for both the complainant and the student concerned to address the Dean, together with such other members of staff as the Dean may determine, on the matter.
5. The manner in which those addresses are given shall be determined by the Dean.
6. Only after both the complainant and the student concerned have been given the opportunity to address the Dean, the Dean may, in his or her discretion, take any of the following steps:
   (a) Dismiss the complaint as unwarranted or unfounded;
   (b) Issue a warning to the student concerned;
   (c) Uphold the complaint and advise the student concerned that the Dean will deal with the matter; or,
   (d) Uphold the complaint and advise the student concerned that the matter is of such seriousness that he or she will refer the matter to the Discipline Committee of the University, as established under the General Regulations of the University.
7. In those instances where the Dean deals with the matter, the Dean may impose such penalty as the Dean considers is appropriate and fair in the circumstances. Examples of penalties which the Dean may impose include: a fine, an order of restitution, an entry of a fail grade for subject or zero marks for a particular assessment in a subject, or suspension from the Law School for a period no longer than a semester.
8. The disciplinary procedure provided for in paragraphs (1) to (7) is intended to complement the Disciplinary Regulations and the General Regulations of the University to which both the Honour Code and the Disciplinary Procedure remain subject.
UNIVERSITY POLICY & GENERAL REGULATIONS

The University of Notre Dame Australia’s disciplinary regime is guided by the Church’s vision of the character of a Catholic University:

A Catholic university pursues its objectives through its formation of an authentic human community animated by the spirit of Christ. The source of its unity springs from a common dedication to the truth, a common vision of the dignity of the human person and, ultimately, the person and message of Christ, which gives the institution its distinctive character. As a result of this invitation, the community is animated by a spirit of freedom and charity; it is characterized by mutual respect, sincere dialogue, and protection of the rights of individuals.

[emphasis added] (John Paul II, Apostolic Constitution, Ex Corde Ecclesiae, On Catholic Universities, 1991)

Violation of academic integrity is any action in connection with an academic task which is misleading or deceptive. It includes, but is not limited to collusion and plagiarism (University General Regulation 8.5) and students will be liable to disciplinary action:

8.3 Liability of Students to Disciplinary Action
8.3.1 A student is subject to disciplinary action if that student:
   (a) engages in misconduct; or:
   (b) violates academic integrity; or
   (c) breaches the Code of Conduct published by the Vice-Chancellor.

University General Regulations 8.7–8.10 set out the possible processes available when an allegation of violation of academic integrity is made:

8.7 School Discipline
8.7.1 An allegation of misconduct, violation of academic integrity or a breach of a Code of Conduct must be referred in writing in the first instance to the Dean of the School in which the student is undertaking studies or, where the person making the allegation is the Dean, the Provost (or delegate) will perform the functions of the Dean under these following provisions.
8.7.2 Where an allegation is referred to the Dean of a School, the Dean may, after having discussed the matter with the student concerned:
   (a) deal with the allegation informally, if of the opinion that no action should be taken in respect of the allegation on the grounds either that it is not well-founded or is not of a serious character; or
   (b) deal with the allegation as a matter of School discipline; or
   (c) refer the allegation to the Discipline Committee.

The person making the allegation against the student may ask for the matter to be referred to the University Disciplinary Committee should the Dean decide to proceed either informally or by way of School Discipline (University General Regulation 8.7.4).

Where the Dean deals with the allegation as a matter of School Discipline, the following penalties are available (University General Regulation 8.7.15), so that the student may:

   (a) receive a reduced mark or no marks in respect of any piece of work or piece of assessment to which the allegation relates; and/or
   (b) receive a grade of “Fail” in respect of any unit to which the allegation relates; and/or
   (c) be required to re-submit the any piece of work to which the allegation relates; and/or
   (d) receive a written reprimand; and/or
   (e) be required to complete specified number of hours of University service work; and/or
   (f) be required to refrain from having any or such specified contact with particular students or members of staff of the University as the Dean considers necessary or appropriate; and/or
(g) any other penalty agreed upon by the Discipline Committee and approved by the Chair, which is considered to be relevant to the allegation.

If the matter is referred to the University Discipline Committee, the following penalties may be imposed (University General Regulation 8.8.14):

(a) a formal written reprimand and/or transcript notation;
(b) a specified number of hours of University service work on a voluntary basis provided that the number of hours specified does not exceed thirty;
(c) a fine not exceeding the sum of $600, or, if the general misconduct of the student caused damage to property or facilities, the sum of $600 plus the cost of making good that damage;
(d) prohibit the student from the use of any of the University resources, including but not limited to, library and computing and network facilities, for a period not exceeding twenty working days either absolutely or on such terms and conditions as the Discipline Committee considers necessary or appropriate;
(e) a requirement that the student refrain from having any or such specified contact with particular students or members of staff of the University as the Discipline Committee considers necessary or appropriate;
(f) suspension for such period and on such terms and conditions as the Discipline Committee considers necessary or appropriate; or
(g) exclusion either permanently or for any period and either absolutely or on such terms and conditions as the Discipline Committee considers necessary or appropriate.

Law students should familiarize themselves with the University General Regulations relating to violations of academic integrity.

SCHOOL OF LAW POLICY

Violations of academic integrity are not acceptable at University level. The practice of law inherently requires honesty, high ethical conduct, integrity, responsibility and justice; these qualities are expected in any lawyer and the highest standards are expected of the Notre Dame law student and law graduate. Violations of academic integrity within the College of Law will not be tolerated and penalties will be applied.

In addition, when a University awards a degree to a student, it is guaranteeing to the public that the graduate has achieved a certain level of ability, which they haven’t achieved if they are submitting work other than their own, but in their own name. Where students attempt to deceive their assessor, it is not only immoral and dishonest, but puts the University’s (and the School of Law’s) reputation at risk. It is also grossly unfair to students who complete honest work.

A student who has been found guilty of plagiarism, or other academic dishonesty, during the course of their law degree may find that their application for admission to the profession may not be accepted by the Supreme Court of Western Australia. That is, you may not be allowed to qualify or practice as a lawyer. (See annexure A)

Any dealings regarding academic dishonesty will be permanently recorded on your student file, and possibly on your academic transcript where it will be seen by future prospective employers.

DEFINITIONS:

Violation of academic integrity includes, but is not limited to:

1. ‘Plagiarism’ is a failure to reference properly. It is using someone else’s words and/or ideas and passing them off as your own. Intention is irrelevant and not an excuse for the offence; intention may be taken into account when considering penalties. Reckless disregard when copying sources from the internet and used “accidentally” in assessments is not an excuse for plagiarism.

What is plagiarism?
• Taking (borrowing, stealing, using, misappropriating)
• An object (words ideas, graphics, choreography)
• From a particular source (person, internet)
• By an agent (student, academic, author)
• Without adequate acknowledgment
• With or without intention

(Wendy Sutherland Smith, Ph.D student Deakin University, 24 August 2004)

At University level you are expected to display a higher awareness of critical analysis of subject matter. It is not acceptable to build an essay on quotations alone, there is a need for evidence of original thought.

If you use other people’s quotes, or even their ideas, and do not acknowledge the source, you have plagiarised.

For examples of plagiarism, see annexure B.

2. ‘Collusion’ is unauthorized collaboration. It is any form of joint work or effort between two or more students, or between a student and other person or persons, that deceives the assessor as to who is actually responsible for producing the material submitted for assessment.

You are permitted, and encouraged, to discuss ideas with other students, just as you will discuss matters with other lawyers in a firm when in practice. However, when you come to write the piece of assessment, the work must be written by each student independently. This extends to exam preparation for open book exams.

It is not permitted to copy in full, or in part, any of another student’s work, either with or without that other student’s permission.

Where students are found guilty of collusion, both parties will be subject to disciplinary action. It is therefore unwise to email, give or show drafts of assessment work, or give floppy disks containing your work, to any other student who is also completing the same piece of assessment.

You may be asked to submit joint or group work for assessment. If collaboration is authorized (and if it is it will be clearly authorized by the assessor), it is not collusion.

For examples of collusion please see Annexure B.

3. ‘Purloining’ is committed where a student copies all, or part, of another student’s work without the knowledge or consent of the latter student. (If it is done with consent it is collusion). It is therefore unwise to email, give or show drafts of assessment work, or give floppy disks containing your work, to any other student who is also completing the same piece of assessment.

You may be asked to submit joint or group work for assessment. If collaboration is authorized (and if it is it will be clearly authorized by the assessor), it is not collusion.

For examples of purloining please see Annexure B.

4. ‘Resubmission’ of previously marked work is the submission of the same piece of work for assessment in two different units (or the same unit, if the unit is being repeated by a student for whatever reason) by the same student author.

Submission of a piece of work completed by another student for the same unit in a previous semester is both plagiarism and resubmission. Both matters will be dealt with by way of disciplinary action.

Submission of a piece of work completed by another student for another unit in either the same or a previous semester is both plagiarism and resubmission. Both matters will be dealt with by way of disciplinary action.

5. ‘Paraphrasing’ must be referenced or it is plagiarizing. Paraphrasing occurs when you express a statement or text in different words to those used by the original author. Whilst the words you write may be yours, the ideas are not and the author of those ideas must be acknowledged.

Other forms of academic dishonesty that are not permitted include, but are not limited to, the following:

6. No student may ask another person or persons, to complete in whole or part, a piece of assessment required to be submitted by them for the purposes of completion of a unit.
7. No student may submit as their own work, any piece of work taken in whole or part from the internet or any other published or unpublished source, whether intentional or not.

8. Instances of reckless disregard in ‘cutting and pasting’ from the internet without sourcing that reference in a piece of assessment will be the subject of disciplinary action.

9. No student is permitted to borrow or steal another person or person’s work and submit it as their own, with or without the consent of the other person.

10. No student is to complete a ‘practical assessment’ that requires attendance at a particular event, when they do not attend that event. Completing a piece of assessment in this manner is a ‘fabrication of sources’. See annexure B for examples.

11. No student is to indicate completion of aspects of a piece of assessment in the declaration on the School of Law Assignment Cover Sheet without having complied with all the requirements. To do so will incur disciplinary action.

12. Any student who fails to adequately complete the College of Law Assignment Cover Sheet in any way, will not have their work assessed, or any mark recorded for the purpose of assessment, unless and until the student correctly completes the declaration.
SUPREME COURT OF QUEENSLAND

CITATION: Re: AJG [2004] QCA 88

PARTIES:

IN THE MATTER OF THE RULES RELATING TO THE ADMISSION OF SOLICITORS OF THE
SUPREME COURT OF QUEENSLAND
and
IN THE MATTER OF AN APPLICATION BY AJG FOR ADMISSION AS A SOLICITOR OF THE SAID
COURT
(applicant)

FILE NO/S: SC No 2015 of 2004

DIVISION: Court of Appeal

PROCEEDING: Application for Admission

ORIGINATING COURT: Supreme Court at Brisbane

DELIVERED EX TEMPORE ON:
15 March 2004

DELIVERED AT: Brisbane

HEARING DATE: 15 March 2004

JUDGES: de Jersey CJ, Jerrard JA and Philippides J
Separate reasons for judgment of each member of the Court, each concurring as to the order made

ORDER: 1. Application adjourned, not to be relisted before the expiration of six months from today

2. Dispense with the need for further advertisement
CATCHWORDS: PROFESSIONS AND TRADES – LAWYERS – ADMISSION – where applicant disclosed a finding against him of academic misconduct – where the Court has previously emphasised the unacceptability of this conduct on the part of an applicant to the legal profession – whether cheating in the academic course which leads to the qualification central to practice precludes the Court from being satisfied of the applicant’s fitness

COUNSEL: P W Hackett for the applicant
M Timmins for the Solicitors’ Board

SOLICITORS: Morgan Conley for the applicant

THE CHIEF JUSTICE: The applicant has disclosed a finding against him of academic misconduct. While engaged in the Practical Legal Training Course at Griffith University, he copied the work of another student, M. The letter dated 2nd November 2003 from the Dean, Professor Hunter, shows that it was substantial copying and not just, as the applicant had asserted, of material available in the public forum. He was failed in the subject, resat and passed.

Over the last couple of years, the Court has, in strong terms, emphasised the unacceptability of this conduct on the part of an applicant for admission to the legal profession. At the last Admissions Sitting, the Court indicated a strengthening of its response to situations like this on the basis adequate warning had been given.
This is a case where the applicant must be taken to have turned his face, at least recklessly, against those possible consequences. Significantly, in his response dated 31st October 2003 to the Dean, when called upon to show cause, he said this: "I most humbly request that the decision-makers in this matter exercise their discretion to please pardon the offence. While I accept responsibility for my actions, I know that in recent times the Courts are reluctant to allow admission of lawyers who have a recorded offence of academic misconduct so close to the date of admission. Such a result would shatter my dream of becoming a solicitor and the struggle to stay afloat and to finally find this job that I love would all have been in vain."

The Solicitors Board has not opposed his admission because the incident appeared to be a one-off aberration and, significantly, because "the applicant was clearly experiencing significant external stressors of a financial and domestic nature at the time of the incident". He had lost his employment in September 2003 and was experiencing stress and financial hardship.

But as the Dean pointed out, his rational course was to seek an extension of time for the submission of the course work. It is inappropriate that we should, without pause, accept as fit to practise an applicant who responds to stress by acting dishonestly to ensure his personal advancement.

On the 10th of November 2003, the Court admitted M, who provided the work which was copied, even though a finding of academic dishonesty had been made against him because of that incident. I do not think that means we must now admit the applicant. The applicant's offence is graver. He committed it at a time when he conceded appreciably its possible affect on his application for admission and he applies now at a time when the Court has been signalling a likely stronger approach.

Legal practitioners must exhibit a degree of integrity which engenders in the Court and in clients unquestioning confidence in the completely honest discharge of their professional commitments.

Cheating in the academic course which leads to the qualification central to practice and at a time so close to the application for admission must preclude our presently being satisfied of this applicant's fitness.

I would adjourn the application not to be relisted before the expiration of six months from today. I would dispense with the need for further advertisement

JERRARD JA: I agree.

PHILIPPIDES J: I agree.

THE CHIEF JUSTICE: Those are the orders.
ANNEXURE B
EXAMPLES OF PLAGIARISM

Example 1
Violation of academic integrity is any action in connection with an academic task which is misleading or deceptive. It includes, but is not limited to collusion and plagiarism.

This is a direct quote from this paper. It should be presented in quotation marks -

“Violation of academic integrity is any action in connection with an academic task which is misleading or deceptive. It includes, but is not limited to collusion and plagiarism.”

-and the source properly referenced with a footnote in accordance with the AGLC.

Example 2
Legal practitioners must exhibit a degree of integrity which engenders in the Court, and in clients, unquestioning confidence in the completely honest discharge of their professional commitments.

Cheating in the academic course which leads to the qualification central to practice and at a time so close to the application for admission must preclude our presently being satisfied of this applicant's fitness.

This has been ‘cut and pasted’ directly from an internet source. It should be indented, in a smaller font and referenced with a footnote in accordance with the AGLC. It must include a URL and the date that the source was accessed.

Legal practitioners must exhibit a degree of integrity which engenders in the Court and in clients unquestioning confidence in the completely honest discharge of their professional commitments.

Cheating in the academic course which leads to the qualification central to practice and at a time so close to the application for admission must preclude our presently being satisfied of this applicant's fitness

EXAMPLES OF COLLUSION

Example 1
Student 1 gives his/her completed or draft assignment to student 2 to enable student 2 to submit a similar piece of work for assessment. It may be on floppy disk, CD Rom, emailed, typed or hand written or some other medium. Both student 1 and 2 are guilty and will each receive a penalty.

It is not collusion if student 1 only hands over the sources (e.g. cases or journal articles) for the assessment, rather than the assignment itself and student 2 completes the assignment originally, but from the shared sources.

Example 2
Students 1 and 2 prepare and resource together, discussing the topic but when it comes to writing the assignment they continue to share thoughts and ideas and write the assignment together, but each hand in a copy declared as all their own work. This includes preparation for open book exams where notes or papers written in preparation are used verbatim in the exam.

It is not collusion where students 1 and 2 resource together but write the assignment independently. It is not collusion where students 1 and 2 prepare together for the exam but write their notes independently.

EXAMPLES OF FABRICATION OF SOURCES

Example 1
The student completes a Court Report, which required that student’s personal attendance at Court, when they did not in fact attend the Court for any significant period of time, or at all.

Example 2
The student references a source in a piece of assessment that they did not in fact use. For example, referring to a telephone conversation or personal appointment with someone when in actual fact that person was never contacted or interviewed.

END OF ACADEMIC INTEGRITY CODE FOR STUDENTS