Course Outline

Code: LAW310
Title: Children and the Law

Faculty: Arts, Business and Law
School: USC Law School
Teaching Session: Semester 2
Year: 2018

Course Coordinator: Dr Dominique Moritz
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Email: dmoritz@usc.edu.au

Course Moderator: Associate Professor Kelley Burton
Email: kburton3@usc.edu.au

Please go to the USC website for up to date information on the teaching sessions and campuses where this course is usually offered.

1. What is this course about?
1.1 Course description
In this course you will enhance and build upon your knowledge of the law as it relates to children (minors). You will study legal and ethical issues relating to child protection; children’s education, sport, employment, wills and estates, criminal and civil liability, disability, access to medical treatment and procedures. Along with Australian law, you will examine international and human rights perspectives and specific issues affecting indigenous children.

1.2 Course content
This course includes consideration of the United Nations Convention on the Rights of the Child; areas of Australian Law relating to children including criminal responsibility and juvenile justice; child protection; discrimination and the laws applicable to the treatment of children in employment, sport, disability matters, medical treatment and school education; specific matters relevant to indigenous children; immigration; family law; adoption; wills and estates; the liability and/or rights of children in contract and torts; the way children are dealt with in Court, legal representation of children and taking evidence from children.

2. Unit value
12 units
3. **How does this course contribute to my learning?**

<table>
<thead>
<tr>
<th>Specific Learning Outcomes</th>
<th>Assessment Tasks</th>
<th>Graduate Qualities</th>
</tr>
</thead>
<tbody>
<tr>
<td>On successful completion of this course you should be able to:</td>
<td>You will be assessed on the learning outcome in task/s:</td>
<td>Completing these tasks successfully will contribute to you becoming:</td>
</tr>
<tr>
<td>Critically analyse contemporary legal developments with reference to broader contexts.</td>
<td>3</td>
<td>Creative and critical thinkers. Knowledgeable.</td>
</tr>
<tr>
<td>Identify and articulate legal and ethical issues arising from circumstances relating to children.</td>
<td>1, 2 and 3</td>
<td>Knowledgeable. Creative and critical thinkers.</td>
</tr>
<tr>
<td>Analyse and critically evaluate legal, factual and policy issues to generate appropriate responses to problems.</td>
<td>1, 2 and 3</td>
<td>Knowledgeable. Creative and critical thinkers.</td>
</tr>
<tr>
<td>Research, interpret legal decisions and statutes, and synthesise relevant legal principles.</td>
<td>1, 2 and 3</td>
<td>Creative and critical thinkers. Knowledgeable.</td>
</tr>
<tr>
<td>Communicate professional conclusions on legal matters effectively in a required format.</td>
<td>2 and 3</td>
<td>Creative and critical thinkers. Knowledgeable.</td>
</tr>
</tbody>
</table>

4. **Am I eligible to enrol in this course?**

Refer to the Coursework Programs and Awards - Academic Policy for definitions of “pre-requisites, co-requisites and anti-requisites”

4.1 **Enrolment restrictions**
Enrolled in any Law Program

4.2 **Pre-requisites**
LAW102, LAW202 and LAW104

4.3 **Co-requisites**
Nil

4.4 **Anti-requisites**
Nil

4.5 **Specific assumed prior knowledge and skills**
Nil

5. **How am I going to be assessed?**

5.1 **Grading scale**
Standard – High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL)
### 5.2 Assessment tasks

<table>
<thead>
<tr>
<th>Task No.</th>
<th>Assessment Tasks</th>
<th>Individual or Group</th>
<th>Weighting %</th>
<th>What is the duration / length?</th>
<th>When should I submit?</th>
<th>Where should I submit it?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a</td>
<td>Written submission to a mock court or tribunal</td>
<td>Individual</td>
<td>30%</td>
<td>2000 words</td>
<td>One week before Task 1b</td>
<td>Blackboard (SafeAssign)</td>
</tr>
<tr>
<td>1b</td>
<td>Oral submission to a mock court or tribunal</td>
<td>Individual</td>
<td>20%</td>
<td>12 minutes</td>
<td>In class, weeks 6 – 8</td>
<td>In class</td>
</tr>
<tr>
<td>2</td>
<td>Examination</td>
<td>Individual</td>
<td>50%</td>
<td>2 hours plus 30 minutes’ preparation time</td>
<td>Central examination period</td>
<td>In exam venue</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Assessment Task 1A: Written submission to a mock court or tribunal**

**Goal:**
The goal of this task is for you to analyse and critically evaluate relevant legal and ethical policy and principles to generate a written response to support your oral submission in Task 1b.

**Product:**
Written Submission

**Format:**
Written Submissions to support the oral submission to the mock court/tribunal at Assessment Task 1B. It will be completed individually, include footnote references in AGLC3 format, and will be up to 2000 words (references not included in word count).

**Criteria**
You will be assessed on your demonstrated ability to:
- Critically analyse contemporary legal developments with reference to broader contexts;
- identify and articulate relevant legal and ethical issues;
- research, interpret and synthesise legal sources and principles;
- analyse and critically evaluate legal, policy and factual matters to reach a conclusion;
- communicate effectively in a required format

<table>
<thead>
<tr>
<th>Generic skill assessed</th>
<th>Skill assessment level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Problem solving</td>
<td>Graduate</td>
</tr>
<tr>
<td>Information Literacy</td>
<td>Graduate</td>
</tr>
<tr>
<td>Communication</td>
<td>Graduate</td>
</tr>
</tbody>
</table>
Assessment Task 1B: Oral submission to a mock court or tribunal

**Goal:** The goal of this task is for you to demonstrate your ability to communicate professional legal and ethical responses and conclusions to contemporary legal issues, in a mock court room setting.

**Product:** Oral submission to a mock court or tribunal.

**Format:** The oral submission simulates court room practice. The oral submission (12 minutes) is made to the examiner, who will simulate the role of a judicial or tribunal officer. It is based upon and complements the written submissions in task 1A. Submissions will be recorded for tutor review, grading and moderation purposes.

**Criteria**

You will be assessed on your demonstrated ability to:
- Identify and articulate relevant legal and ethical issues;
- Develop a persuasive legal argument;
- Effectively respond to questions from the Bench displaying critical thinking;
- Communicate effectively in a required oral format.

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<td>Communication</td>
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</table>

Assessment Task 2: Examination

**Goal:** The goal of this examination is to assess your understanding of the concepts that have been studied in this course as well as your ability to apply that understanding to hypothetical fact situations.

**Product:** Hand written answers to examination questions.

**Format:** This is an individual assessment. You will have two hours plus 30 minutes preparation time to complete the assessment.

**Criteria**

- Correctly identifies legal and ethical issues;
- Synthesises and applies legal and ethical issues to generate appropriate responses to hypothetical fact situations;
- Communicates effectively.

<table>
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<td>Communication</td>
<td>Graduate</td>
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</tbody>
</table>

5.3 Additional assessment requirements

**Plagiarism**

In order to minimise incidents of plagiarism and collusion, this course may require that some of its assessment tasks, when submitted to Blackboard, are electronically checked through SafeAssign. This software allows for text comparisons to be made between your submitted assessment item and all other work that SafeAssign has access to.

**Eligibility for Supplementary Assessment**

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:
- The final mark is in the percentage range 47% to 49.4%
- The course is graded using the Standard Grading scale
- You have not failed an assessment task in the course due to academic misconduct
5.4 Submission penalties
Late submission of assessment tasks will be penalised at the following maximum rate:
- 5% (of the assessment task’s identified value) per day for the first two days from the date identified as the due date for the assessment task.
- 10% (of the assessment task’s identified value) for the third day
- 20% (of the assessment task’s identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.
- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task.

Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

6. How is the course offered?
6.1 Directed study hours
On campus Tutorial: 2 hours per week and 1-hour recorded overview lecture available via Blackboard (Week 1-13)

6.2 Teaching semester/session(s) offered
Semester 2

6.3 Course activities
The Course activities for this course will be provided on Blackboard no later than one week before the first class.

7. What resources do I need to undertake this course?
7.1 Prescribed text(s)
Please note that you need to have regular access to the resource(s) listed below:

<table>
<thead>
<tr>
<th>Author</th>
<th>Year</th>
<th>Title</th>
<th>Publisher</th>
</tr>
</thead>
</table>

You are also expected to read cases and legislation as directed.

7.2 Required and recommended readings
Lists of required and recommended readings may be found for this course on its Blackboard site. These materials/readings will assist you in preparing for tutorials and assignments, and will provide further information regarding particular aspects of your course.

7.3 Specific requirements
Nil

7.4 Risk management
Health and safety risks have been assessed as low. It is your responsibility to research and understand risks of specific courses and to review the USC’s health and safety principles by viewing the online induction training for students.
8. **How can I obtain help with my studies?**
In the first instance, you should contact your tutor, then the Course Coordinator. Additional assistance is provided to all students through Academic Skills Advisers. To book an appointment or find a drop-in session go to Student Hub. Contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au

9. **Links to relevant University policies and procedures**
For more information on Academic Learning & Teaching categories including:
- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Administration of Central Examinations
- Deferred Examinations
- Student Academic Misconduct
- Students with a Disability


10. **General enquiries**
In person:
- **Sippy Downs** - Student Central, Ground Floor, Building C
- **USC SouthBank** - Student Central, Building B, Ground floor (level 1)
- **USC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **USC Fraser Coast** - Student Central, Building A
- **USC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

**Tel:** +61 7 5430 2890  
**Email:** studentcentral@usc.edu.au