



| | |
|----------------------------|---|
| Course Code: | 1003CCJ |
| Course Name: | Law, Government & Policy |
| Trimester: | Trimester 3, 2018 |
| Program: | Diploma of Criminology & Criminal Justice |
| Credit Points: | 10 |
| Course Coordinator: | Greg Stevenson |
| Document modified: | 24 September 2018 |

Teaching Team

Your lecturer/tutor can be contacted via the email system on the portal.

Staff Consultation

Your lecturer/tutor is available each week for consultation outside of normal class times. Times that your lecturer/tutor will be available for consultation will be given in the first week of lectures. A list of times and rooms will be published on the Griffith College Portal under the “myTimetable” link.

Prerequisites

There are no prerequisites for this course

Brief Course Description

This course introduces key ideas and institutions associated with law and its production in Australia. It examines how law is made by courts and parliaments, and the principal legal and political conventions and processes involved in law making. This knowledge provides a foundation for further study on criminal law and justice systems.

This is a core, introductory course in the Criminology and Criminal Justice program. It gives students an overview of the role of law in Australian society, and how it is made, influenced and applied by courts and by governments. These concepts and processes are an essential framework for the criminal justice system and knowledge developed in this course provides a foundation for later studies in criminology and criminal justice, and for employment in the field.

The central focus of the course is on examining how law and politics operate and interact in society. The relationship between concepts like rules, morality, justice, politics and power are also examined. Students think critically about the law-making process, and consider diverse issues including: the moral content of laws; liberalism, legalism and the rule of law; the role of judges; indigenous rights and justice; the nature of democracy; the exercise and control of government power; and human rights. This is done through the use of case studies to encourage a problem-based approach to learning.

The course also has a strong focus on skill development for both academic and vocational purposes, especially research, writing and critical analysis.

Rationale

Aims

This is a core, introductory course in the Criminology and Criminal Justice program. It aims to 1) give an overview of the role of law and politics in Australian society; 2) consider the relationship between law and politics, particularly how law is influenced and applied by courts and by governments in a range of contexts; and 3) encourage critical thinking about the law-making process and its relationship with criminal justice, using case studies as the basis for a problem-based learning approach.

The central focus of the course is on examining how law operates in society, and its relationship with concepts like rules, morality, justice, politics and power. The course also has a strong focus on skill development for both academic and vocational purposes, especially research, writing and critical analysis. On completion of this course students should be able to write clearly and analytically in appropriate academic style and engage in informed and reflective discussion about issues raised in the course.

Learning Outcomes

Upon successful completion of this course students will be able to...

1. Describe key institutions involved in making and influencing laws in Australia.
2. Understand principles and theories underlying Australian law and government.
3. Explain constraints on efficient and effective law-making in Australia.
4. Think critically about the operation and fairness of law and government.
5. Identify, locate and analyse information resources relevant to the course.
6. Describe key political institutions and processes in the Australian context, and compare these with other systems internationally.
7. Understand how institutions and processes of law and politics are relevant to the operation of the criminal justice system throughout Australia.

Texts and Supporting Materials

Required Text

Drum, M. & Tate, J. W. (2012). *Politics in Australia*. South Yarra, Vic: Palgrave Macmillan.

There are additional readings set in some weeks of the course.

Organisation and Teaching Strategies

Core material is provided online through the Student Portal.

Module / Weekly folders contain topic information, lecture powerpoints, mini-lectures, additional readings, multi-media links and other relevant content.

Each module contains a module activity, which allows you to apply your knowledge to a case study scenario.

It is expected that you will complete the online work and module activity prior to attending lectures and tutorials each week. This allows you to use class time to clarify content, apply your knowledge to new situations, and engage actively in discussion.

Lectures are focused on clarifying and enhancing students' understanding of core content through explanation of key terms and concepts covered in the online material using examples and real life applications. Tutorials focus predominately on applying knowledge to real life scenarios and developing your ability to engage in critical analysis.

The various methods of teaching are each designed to build your knowledge and understanding of the course material, and to enable you to apply and critique the content in a sophisticated manner.

Class Contact Summary

This course is supported by 2 hours of lecture per week, with 1 hour of tutorial and 1 hour of workshop.

Content Schedule

Weekly Teaching Schedule

| Week | Topic | Activity | Readings |
|------|---|----------|---|
| 1 | 1. Introduction: the idea and role of law (Lecture): * What is law and what is its relationship with morality, justice, and society? * What is politics (theories/institutions) and what is its relationship with law? * How is this all relevant to criminology and criminal justice? * Tips for studying this course. | Lecture | Introduction (pp. xvi - xx) Drum, M., & Tate, J. W. (2012). <i>Politics in Australia</i> . South Yarra, Vic: Palgrave McMillan |
| 2 | 2. Sources of Australian law (Lecture): * History of law in Australia * Case Law/Common Law * Legislation * International law * Jurisdiction | Lecture | Origins of the Australian Legal System (pp 23-31) |
| 3 | 3. Political Theories and Institutions (Lecture): * Principles of democracy * Principles of liberalism * Institutions of government and pressures for change * The High Court as a political institution * How do governments and politics affect law? | Lecture | Chapters 1 & 2 (pp. 1-56) Drum, M., & Tate, J. W. (2012). <i>Politics in Australia</i> . South Yarra, Vic: Palgrave McMillan |
| 4 | 4. What is justice? (Lecture): * What is justice and who has access to it? * Legal aid and access to justice * Justice, law, and morality * Justice and politics * Justice and the criminal justice system | Lecture | Chisholm, R., & Nettheim, G. (2002). Due process of law . <i>Understanding law: an introduction to Australia's legal system</i> (6th ed., pp. 115-125). Sydney: LexisNexis Butterworths |
| 5 | 5. The Constitution and the High Court (Lecture): * What is in the Constitution and why does it matter? * Role of the Constitution - main provisions & problems * Meaning of the Constitution and how it changes * What is not in the Constitution? * The High Court as a political institution | Lecture | Chapter 3 Drum, M., & Tate, J. W. (2012). <i>Politics in Australia</i> . South Yarra, Vic: Palgrave McMillan |
| 6 | 6. Federalism (Lecture): * Which governments make which laws, and why? * State and federal governments * Federalism and its problems * Fiscal, cooperative and coercive federalism | Lecture | Chapter 4 Drum, M., & Tate, J. W. (2012). <i>Politics in Australia</i> . South Yarra, Vic: Palgrave McMillan |
| 7 | 7. Parliament and Executive Government (Lecture): * What useful purposes does parliament serve? * What is the executive and what does it do? * Role, structure and problems of parliament * Role and power of the Senate * Functions of PM, ministers and cabinet | Lecture | Chapters 8, 9 & 10 Drum, M., & Tate, J. W. (2012). <i>Politics in Australia</i> . South Yarra, Vic: Palgrave McMillan <i>(focus on chapter 8, but make sure you at least read pp.209-213, 227-230 of ch 9 and pp.232-234, 251-253 of ch 10.)</i> |

| | | | |
|----|--|---------|--|
| 8 | 8. Elections & political parties (Lecture): * Who gets into government and how? * Electoral systems and their significance. * Parties and their significance. A two party system? | Lecture | Chapters 5 & 6 Drum, M., & Tate, J. W. (2012). <i>Politics in Australia</i> . South Yarra, Vic: Palgrave McMillan |
| 9 | 9. Interest groups and media (Lecture): * What are other ways law-making is influenced? * External influences on government and policy | Lecture | Chapters 11 & 12 Drum, M., & Tate, J. W. (2012). <i>Politics in Australia</i> . South Yarra, Vic: Palgrave McMillan |
| 10 | 10. A liberal democratic system? (Lecture): * Is Australia a liberal democratic state? * Liberalism, the individual and the rule of law * Pressures on liberal democracy in Australia * How does Australia's liberal democratic system compare to other liberal democracies, and non-liberal/democratic systems? * Indigenous law/pluralism | Lecture | Chapter 13 Drum, M., & Tate, J. W. (2012). <i>Politics in Australia</i> , South Yarra, Vic: Palgrave McMillan. (also, revise Chapter 1, pp. 1-15 re: liberalism and democracy). |
| 11 | 12. Justice revisited (Lecture): *a re-examination of key issues raised throughout the course *application of these key issues to the criminal justice system in Australia | Lecture | Carpenter, B & Ball, M 2012, ' <u>Criminal law, equality and justice</u> ', in Justice in society, Federation Press, Annandale, N.S.W., pp. 138-153 Chisholm, R., & Nettheim, G. (2002). <u>Due process of law</u> <i>Understanding law: an introduction to Australia's legal system</i> (6th ed., pp. 115-125). Sydney: LexisNexis Butterworths. (Review - see module 4) |
| 12 | 13. Review (Lecture): * What have we learned? * Course themes & review * Exam preparation | Lecture | |

Assessment

This section sets out the assessment requirements for this course.

Summary of Assessment

| Item | Assessment Task | Weighting | Relevant Learning Outcomes | Due Date |
|------|------------------|-----------|----------------------------|-------------|
| 1 | Essay | 40% | 2,4,5,6 | 10 |
| 2 | In-class Quizzes | 20% | 1,2,3,4,5,6,7 | 5 & 11 |
| 3 | Final Exam | 40% | 1,2,3,4,5,6,7 | Exam Period |

Assessment Details

In-class Quizzes

Learning Outcomes Assessed: 1, 2, 3, 4, 5, 6, 7

Due Date: Week 5 and 11

Weight: 20%

Task Description:

Students will be required to complete two short quizzes during the trimester (one in week 5 and one in week 11). These quizzes will consist of a series of true/false and multiple choice items and short answer questions. Each quiz is worth 10%.

More information about the quizzes will be provided early in the trimester.

Criteria & Marking:

The quizzes are designed to test basic course knowledge and are assessed on the basis of knowledge and accuracy.

Engaging with politics (Essay)

Learning Outcomes Assessed: 2, 4, 5, 6

Due Date: Week 10

Weight: 40%

Task Description:

This assessment item requires students to select a political issue of interest. This can be a local, state, or federal issue.

There are two components to this assessment.

The first component takes the form of a series of questions and answers about the political issue chosen by the student. These will require short answer responses, and is worth 15 marks. The questions to address will be available in the Student Portal.

The second component of this assessment item requires students to draft a submission to government regarding the political issue they have chosen. This will be worth 25 marks. A detailed information sheet about the form of this submission will be available in the Student Portal.

Criteria & Marking:

This piece of assessment will be assessed on the following basis:

1. Demonstration of knowledge of relevant government processes and institutions.
2. Quality of research and critical analysis.
3. Appropriateness of writing style and referencing skills.

A detailed criteria sheet will be available on the Student Portal.

Submission: Students MUST submit this task via Moodle within the Student Portal.

Final/End Study Period Exam

Learning Outcomes Assessed: 1, 2, 3, 4, 5, 6, 7

Due Date: Examination Period

Weight: 40%

Perusal: 10 minutes

Duration: 120 minutes

Format: Closed Book

Task Description:

The final exam will be a 2 hour, closed book exam (that is, you can't take in any books or notes). Discussion questions for the weekly topics (available on the Student Portal) indicate the type of questions that are likely to be asked in the exam (previous exam papers are NOT available). Review these questions to help you study.

Submission and Return of Assessment Items

Normally you will be able to collect your assignments in class within fourteen [14] days of the due date for submission of the assignment.

Retention of Originals

You must be able to produce a copy of all work submitted if so requested. Copies should be retained until after the release of final results for the course.

Extensions

To apply for an extension of time for an assessment item you must submit a written request to your lecturer via the Student Website at least 48 hours before the date the assessment item is due. Grounds for extensions are usually: serious illness, accident, disability, bereavement or other compassionate circumstances and must be able to be substantiated with relevant documentation [e.g. medical certificate]. Please refer to the Griffith College website - Policy Library - for guidelines regarding extensions and deferred assessment.

Penalties for late submission without an approved extension

Penalties apply to assignments that are submitted after the due date without an approved extension. Assessment submitted after the due date will be penalised 10% of the TOTAL marks available for assessment (not the mark awarded) for each day the assessment is late. Assessment submitted more than five days late will be awarded a mark of zero (0) For example:

- > 5 minutes and <= 24 hours 10%
- > 24 hours and <= 48 hours 20%
- > 48 hours and <= 72 hours 30%
- > 72 hours and <= 96 hours 40%
- > 96 hours and <= 120 hours 50%
- > 120 hours 100%

Note:

- Two day weekends will count as one day in the calculation of a penalty for late submission.
- When a public holiday falls immediately before or after a weekend, the three days will count as one day in the calculation of a penalty for late submission.
- When two public holidays (e.g. Easter), fall immediately before or after, or one day either side of a weekend, the four days will count as two days in calculating the penalty for late submission.
- When a single public holiday falls mid-week, the day will not be counted towards the calculation of a penalty.

Please refer to the Griffith College website - Policy Library > Assessment Policy for guidelines and penalties for late submission.

Assessment Feedback

Marks awarded for in-trimester assessment items, except those being moderated externally with Griffith University, will be available on the Student Portal within fourteen [14] days of the due date. This does not apply to the final assessment item in this course (marks for this item will be provided with the final course result).

Generic Skills

Griffith College aims to develop graduates who have an open and critical approach to learning and a capacity for lifelong learning. Through engagement in their studies, students are provided with opportunities to begin the development of these and other generic skills.

Studies in this course will give you opportunities to begin to develop the following skills:

| Generic Skills | Taught | Practised | Assessed |
|----------------------------------|--------|-----------|----------|
| Written Communication | Yes | Yes | Yes |
| Oral Communication | | | |
| Information Literacy | | Yes | Yes |
| Secondary Research | Yes | Yes | Yes |
| Critical and Innovative Thinking | | Yes | |
| Academic Integrity | | Yes | Yes |
| Self Directed Learning | Yes | Yes | |
| Team Work | | | |
| Cultural Intelligence | | Yes | |
| English Language Proficiency | | Yes | Yes |

Additional Course Generic Skills

Additional Course Information

Academic Integrity

Griffith College is committed to maintaining high academic standards to protect the value of its qualifications. Academic integrity means acting with the values of honesty, trust, fairness, respect and responsibility in learning, teaching and research. It is important for students, teachers, researchers and all staff to act in an honest way, be responsible for their actions, and show fairness in every part of their work. Academic integrity is important for an individual's and the College's reputation.

All staff and students of the College are responsible for academic integrity. As a student, you are expected to conduct your studies honestly, ethically and in accordance with accepted standards of academic conduct. Any form of academic conduct that is contrary to these standards is considered a breach of academic integrity and is unacceptable.

Some students deliberately breach academic integrity standards with intent to deceive. This conscious, pre-meditated form of cheating is considered to be one of the most serious forms of fraudulent academic behaviour, for which the College has zero tolerance and for which penalties, including exclusion from the College, will be applied.

However, Griffith College also recognises many students breach academic integrity standards without intent to deceive. In these cases, students may be required to undertake additional educational activities to remediate their behaviour and may also be provided appropriate advice by academic staff.

As you undertake your studies at Griffith College, your lecturers, tutors and academic advisors will provide you with guidance to understand and maintain academic integrity; however, it is also your responsibility to seek out guidance if and when you are unsure about appropriate academic conduct.

In the case of a breach of academic integrity made against a student he or she may request the guidance and support of a Griffith College Student Learning Advisor or Student Counsellor.

Please ensure that you are familiar with the [Griffith College Academic Integrity Policy](#); this policy provides an overview of some of the behaviours that are considered breaches of academic integrity, as well as the penalties and processes involved when a breach is identified.

For further information please refer to the Academic Integrity Policy on the Griffith College website – Policy Library.

Risk Assessment Statement

Copyright © - Griffith College

Note: For all Diploma level programs, Griffith College acknowledges content derived from Griffith University.