



ANU COLLEGE OF LAW

Graduate Studies in Law
LLM (Legal Practice)

WELCOME TO GRADUATE STUDIES IN LAW

CONTACT INFORMATION

Please ensure that we have an up-to-date contact address and telephone number. The facility to change your address and other personal information is available through the Interactive Student Information Service (ISIS) using your Student ID and Password. <http://ISIS.anu.edu.au>.

All course correspondence will be conducted with your University Webmail account. You can access this email account at <http://students.anu.edu.au/> and clicking on the Webmail icon. There exists the facility to redirect your university email to a preferred account. You can do this at: <http://students.anu.edu.au/StudentITGuide/7olams.asp>

For all postgraduate enquiries please contact the Postgraduate Administrator:

Telephone: 02 6125 0510 or 02 6125 3965
Facsimile: 02 6125 3971
Email: pgadmin.law@anu.edu.au

The Director, Postgraduate Coursework Program, is Professor Don Rothwell, email: rothweld@law.anu.edu.au

The Postgraduate International Student Advisor is Ms Anne McNaughton:

Telephone: 02 6125 9619
Facsimile: 02 6125 3971
Email: anne.mcnaughton@anu.edu.au

COURSE INFORMATION

- We endeavour to have the full-course outlines available 4-6 weeks before the start of a course. When available they can be found on the web at: <http://law.anu.edu.au/PostGraduate/Courses.asp> under the course name.
- Reading materials are available from the Law Services Office. Copies of the reading materials are also placed in the Law Library. A list of materials can be found at the following website when they become available: <http://law.anu.edu.au/servicesoffice/index.asp>. Credit card payments are accepted by completing the online payment process. Cash payments must be made to the Cashier in the Student Administration Office. See the relevant Course Outline for more information.
- For details on essay submission, please see the relevant Means of Assessment. For hard copy submission, please use the Services Office essay chute near the counter. Essays submitted after hours can be placed in the Law Library book return chute. All assignments must be submitted with an Assignment Cover Sheet which is available at the following website: <http://law.anu.edu.au/servicesoffice/>
- The Services Office is open during the following hours:

DURING SEMESTER: Monday to Thursday 10.30am – 5.30pm, Fridays 10.30 – 5.00pm
First semester: 23 February – 5 June
Second semester: 20 July – 30 October

OUTSIDE SEMESTER: Monday to Friday 10.30 – 5.00pm

- Where enrolments in a course are less than 10, that course may not proceed. Students will be given as much notice as possible when a course has to be cancelled or changed.

STUDENT SERVICES

- There is a postgraduate student common room, Room 258, which is for your use at any time. The College supplies the room with disposable cups, coffee, tea and sugar.
- During the normal semester period the Law Library is open at the following hours:

Monday – Thursday 8.30am – 9.00pm;

Friday 8.30am – 5.00pm

Saturday – Sunday 1.00pm – 5.00pm

First semester: 23 February – 5 June

Second semester: 20 July – 30 October

For further information please check the website: <http://anulib.anu.edu.au/about/open/>

- Computer facilities are available to all students at a number of locations across campus. Please visit the following website for further information: <http://students.anu.edu.au/>
- Voucher parking is available in the car park in front of the Law School and other car parks on campus. Parking permits are also available from Parking Administration, John Yenken Building, Sullivans Creek Road. Parking is free at the ANU grounds after 5.00pm and at weekends.

We hope that you will enjoy your time studying here and that you will find it a rewarding and instructive experience. If you have any problems or need assistance of any kind, please do not hesitate to contact one of us. We would be pleased to be able to help you.

Postgraduate Administrator

Telephone: 02 6125 0510 or 02 6125 3965

Facsimile: 02 6125 3971

Email: pgadmin.law@anu.edu.au

<http://law.anu.edu.au/Postgraduate/>

Sue Hancock

Student Administration Manager

Telephone: 02 6125 3489

Facsimile: 02 6125 3971

Email: HancockS@law.anu.edu.au

<http://law.anu.edu.au/Postgraduate/>

WORKING RULES

See the following website for the working rules.

(this site will be updated with the 2009 rules in January 2009)

<http://law.anu.edu.au/Postgraduate/policies/Coursework/WorkingRules/workingrulesindex.asp>

HOW TO ENROL

Students enrol using the Interactive Student Information Service (ISIS). ISIS is used for updating your contact details, enrolling/re-enrolling and viewing your results. When you first login to ISIS there is an enrolment checklist that will take a few minutes to complete.

The steps for enrolling are as follows:

1. LOGON to ISIS using your username & password at: <https://anubis.anu.edu.au/login.asp>
2. **Task Wizard** - complete steps 1 to 4.
3. Read through any messages, check the boxes and click on '**Continue**'
3. **Student Home:**
 - a) Click on '**Enrolment**'
 - b) Click on '**Enrolment Details**' corresponding to the appropriate Program\Session combination
 - c) Click on '**Add**' button to add a new course
 - d) **Class Number** – enter number and click on '**Add Class**' or use '**Search**' button to find the class number
 - e) To **Add** another class - repeat Step d)
 - f) Click '**Continue**' when all courses of enrolment for the semester have been added.
 - g) Ensure the status is Successful and Click '**Save**' to confirm enrolment.

ANNUAL ENROLMENT

Every year you must re-enrol. The closing dates for re-enrolment are published in the SEAP Guide. SEAP Guides are available each year from late October and on the web at www.anu.edu.au/sas/SEAP_guide/ . There are financial penalties for late enrolment.

ENROLMENT

The ANU College of Law Graduate Program offers courses in Semesters and Non-Standard Sessions. Each year you will need to enrol in both halves of the year, or you will need to apply for program leave. The year is divided as follows;

Summer Session, Semester One, Autumn Session	=	First half of the year
Winter Session, Semester Two, Spring Session	=	Second half of the year

RESULTS & GRADUATION

Results for graduate courses may not be available when standard semester results are released. This may affect your ability to graduate in the next ceremony. For approximate date of release, please check your means of assessment. As a general rule, results need to be available by mid-June for the July ceremony and mid-November for the December ceremony. Students should be aware that any late submission of work may mean that conferring of their award/degree may be delayed or that the offer to transfer to a higher level will be delayed to the point that a leave of absence may be required.

Graduate Policy on Attendance

Effective: 1 January 2009

For those graduate courses in law that are offered by face-to-face instruction via lectures or seminars the following policy on attendance has been adopted:

1. For those courses offered in the graduate programs in either intensive or semester-length mode the Postgraduate Studies Committee considers participation in the classes offered to be an important part of the educational experience of graduate study. Accordingly students are expected to attend those classes and Class Rolls will be taken for the purposes of verifying attendance. As courses may be scheduled on either weekdays or the weekends, upon enrolling in a course the college assumes that students have taken into account work, family, religious and all other commitments and are able to attend all advertised lectures or seminars in a course consistent with this policy.
2. Subject to paragraphs 3 and 5, or unless specified differently in the course description, students are required to attend all classes.
3. Recognising that some students face significant work place obligations which may, for example, require work-related travel to be undertaken at short notice, in exceptional circumstances a student may be granted permission by the teacher in consultation with the program/specialisation Convenor or Director, Postgraduate Coursework Program to be absent from some classes, provided:
 - (a) it does not exceed a maximum of 25% of the classes,
 - (b) permission is requested in advance of the classes from which the student will be absent, and
 - (c) the request is supported, where appropriate, by adequate documentation.In cases where permission is granted to be absent from some classes, the lecturer may request that the student undertake additional assessable or other non-assessable tasks.
4. Failure to comply with paragraph 2 may result in a student receiving the grade of NCN (non complete fail).
5. (1) Paragraph 2 does not apply to a student enrolled in a course in which a significant amount of teaching is delivered in whole on-line or by other means and this is made clear in the course description and materials.
(2) In such a case the student must substantially comply with any attendance requirement laid down for that course.
6. The normal pressures of work or planned personal trips do not constitute exceptional circumstances for the purpose of paragraph 3 to justify an exemption from full compliance of this policy. Students who have enrolled in courses which are conducted on weekdays are expected to have made appropriate arrangements with their employers for study leave.
7. This policy does not apply to students enrolled in the Graduate Diploma in Legal Practice.
8. This policy will be interpreted and applied consistent with all University policies relating to attendance including that applying in the case of misadventure.

Approved by Board of Studies –Graduate Program in Law meeting No.5/2002 held on 23/10/02 revised 10/12/02; revised Postgraduate Studies Committee (PSC) 10/08/05; revised 26/09/07; revised 13/08/08

This was correct at the time of printing, for future updates please see: <http://law.anu.edu.au/Postgraduate/Policies.asp>

POLICY ON EXTENSIONS

for submission of assessment in postgraduate courses taught in **intensive mode**

Effective: 1 January 2006

Unless otherwise stated in the Course Outline or agreed with students, the following deadlines for submission of pieces of assessment will apply in postgraduate courses taught in **intensive mode**:

1. The assessment for a course must be submitted no later than 6 weeks after the completion of the last class in the course.
2. The teacher in a course may grant an extension of up to four weeks beyond this date.
3. The Director, Postgraduate Coursework Program may, in exceptional circumstances, grant a further extension of up to an additional two months.
4. No further extensions will be granted beyond a total of three months from the original deadline for submission, unless the Director, Postgraduate Coursework Program considers that the circumstances would satisfy a special examination. <http://www.anu.edu.au/cabs/rules/examstfrules.pdf>
5. Examiners in intensive courses should endeavour to submit final results by four weeks after receipt of assignments from students.
6. Applications for extensions should be made before the applicable deadline.
7. If assessment is submitted after the due date and time without an approved extension, the mark awarded will be reduced by 1% of the marks available for that assessment item (when expressed as a mark out of 100) for each day or part thereof (including weekends and Public Holidays) that it is submitted late. For example, if an individual assessment item is given an initial mark of 65% but is submitted 2 days late, the mark awarded will be reduced to 63%. If the item is submitted 5 days late, the mark awarded will be reduced to 60%.

The normal pressures of work - including predictable periods of high workload - are not generally sufficient to justify extensions. Students are encouraged when planning for their participation in postgraduate courses to set aside not just the days needed to attend classes, but also a sufficient number of days to research and write the assignment.

Students should note that those who seek extensions may not receive their results in time to graduate at the next ceremony or at the advertised time for the release of results. International students should in particular take note of the delays that may result from submission of assessment after the original deadline.

This policy does not apply to students enrolled in the Graduate Diploma in Legal Practice.

*Approved by the Board of Studies-Graduate Program in Law meeting no.4/2002 held on 04/07/02 revised 10/12/02;
revised: Postgraduate Studies Committee (PSC) 10/08/05*

This was correct at the time of printing, for future updates please see: <http://law.anu.edu.au/Postgraduate/Policies.asp>

Master of Laws (Legal Practice)

This program is designed for those students who have completed their Graduate Diploma in Legal Practice at the ANU or CDU and wish to consolidate that vocational study with additional postgraduate study to form a masters degree with a Legal Practice focus. If a student wishes to continue onto this program the GDLP should not be conferred. You will need to complete an application for program transfer available at:

http://www.anu.edu.au/sas/forms/program_transfer_pgrd.pdf

Programs offered:

Program	Code
Master of Laws (Legal Practice)	7312XLLMLP

Program Requirements:

The master degree requires courses totalling 48 units made up as follows:

- Unspecified status for 24 units from the completed GDLP;
- a minimum of 12 units from the following Legal Practice courses, and;
- other courses to a maximum of 12 units from the graduate level courses offered by the ANU College of Law excluding Fundamentals / Principles and Legal Workshop courses.

Duration:

The program may be completed over one semester full-time, or up to a maximum of five years part-time, from commencement of the GDLP (including approved periods of leave).

The following courses are offered in the LLM (Legal Practice). Please note, not all courses may be offered every year:

Advocacy	LAWS8132
Commercial Drafting	LAWS8131
Commonwealth Compensation Law	LAWS8156
Conflict of Laws	LAWS8144
Dispute Management	LAWS8116
Environmental Dispute Management	LAWS8278
Environmental Litigation	LAWS8187
Federal Litigation	LAWS8143
Graduate Research Unit (12 units)	LAWS8308
Human Rights Litigation	LAWS8155
Legislation & Legislative Drafting	LAWS8104
Principles of Evidence Under the Uniform Act	LAWS8150
Special Topics in Legal Practice: Negotiation	LAWS8157

* All courses are worth 6 units unless specified

Advocacy

LAWS8132

Units:	6
Hours:	26 (Mixed Mode: intensive delivery and WebCT)
Specialisation:	LLM(LegPrac)
Prerequisite:	LLB degree
Staff:	Mr Hugh Selby/Mr Graeme Blank

Objectives: To be able to plan, prepare, and perform for a judge alone trial which raises Expert Evidence legal issues; raises common bases of evidence objections, and has fact and credibility disputes.

Content: The course will cover:

- Development of case strategy – being able to analyse and prepare a case for all participant perspectives.
- Preparation skills for written and spoken forms of opening and closing submissions, and expert witness statements.
- Questioning skills for taking instructions, examination-in-chief and cross examination – agenda setting, settling the witness, witness control, story development and reiteration, argument embedded in question strings.
- How to search for relevant material in the social sciences when seeking to use social science expertise.

Learning Outcomes: Understanding the requirements placed on litigations lawyers and experts by Expert Witness guidelines; development of a case analysis and preparation method which is appropriate for each student; an understanding of basic court questioning and submission skills and the capacity to assess the competence of advocates.

Assessment: The assessment is expected to include three items: a practical assessment of in court advocacy skills (which is done on the final day of the intensive); a social science literature review; and, that part of a closing submission which deals with an expert's methods and opinions.

Please note: each and every assessment item must be passed in order to pass the course.

Students must rely on the Approved Assessment which will be posted to the course homepage on the [ANU Law website](#), prior to the commencement of the course.

Other Information: Numbers for this course are capped at 20. Early enrolment is recommended. This course will commence on WebCT on the 21 September 2009, prior to the residential component. Logon to WebCT at: <http://webct.anu.edu.au/login/> using your ISIS username and password. The residential component of the course will run from 6 – 9 October 2008.

Commercial Drafting

LAWS8131

Units:	6
Hours:	26 (WebCT - online)
Specialisation:	LLM(LegPrac); Government and Commercial Law
Prerequisites:	LLB degree
Staff:	Mr Barry Yau

Objectives: This course provides students with:

- an understanding of drafting concepts and techniques for commercial documents, particularly commercial contracts;
- practice and feedback in solving common drafting problems.

Content: Principal topics include:

- drafting techniques;
- structure of commercial contracts;
- formal requirements and drafting to fit other documents and statutes;
- risk management in drafting;
- sources of ambiguity and drafting solutions;
- mechanisms such as dispute resolution.

Assessment: Students must rely on the Approved Assessment which will be posted to the course homepage on the ANU Law website, prior to the commencement of the course.

Other Information: This course is run on WebCT (<https://webct.anu.edu.au>). Once enrolled logon to WebCT at: <http://webct.anu.edu.au/login/> using your ISIS username and password. When available students will be able to gain access to the course materials and the first module.

Commonwealth Compensation Law

LAWS8156

Units:	6
Hours:	26 (WebCT – online)
Specialisation:	LLM(LegPrac); Government & Commercial Law
Prerequisites:	Introduction to Legal Reasoning and Research and Fundamentals of Government & Commercial Law (non-lawyers)
Staff:	David Richards

Objectives:

This course has been designed for either:

- Lawyers and Decision Makers who practice in, or who desire an understanding of Commonwealth Compensation Law relating to injuries at work; or
- Commonwealth employees who are in management, human resources, personnel or legal sections where a detailed understanding of Commonwealth Compensation law is desirable.

Content: This course will give students an understanding of the practical application of the *Safety Rehabilitation and Compensation Act 1988* (the SRC Act). At the conclusion of the course students will have an understanding of;

- 1. the entitlement provisions of the SRC Act;
- 2. The review process of decisions made under the SRC Act.

Learning Outcomes:

- demonstrate an understanding of the core entitlement principles for compensation under the SRC Act
- construct a proposition of law established by case law
- identify the relevant legal issues that arise on a given set of facts
- make arguments about the way in which those legal issues are likely to be resolved, noting contrary arguments and their strengths
- provide case authorities for propositions of law that they use in those arguments
- apply case law and legislation to a given set of facts
- structure an answer to a problem question in a logical and effective way
- comment critically on the outcome and reasoning in cases studied during the course and identify the considerations of policy that may underpin them.

Assessment: Students must rely on the Approved Assessment which will be posted to the course homepage on the ANU Law website, prior to the commencement of the course.

Other Information: This course is run on WebCT (<https://webct.anu.edu.au>). Once enrolled logon to WebCT at: <http://webct.anu.edu.au/login/> using your ISIS username and password. When available, students will be able to gain access to the course materials and the first module.

Conflict of Laws

LAWS8144

Units:	6
Hours:	26 (intensive delivery)
Specialisation:	Government and Commercial Law; LLM (LegPrac); International Law (Supp Elective)
Prerequisites:	LLB
Staff:	Professor Jim Davis

Objectives: The course deals with the law which a court will apply to an action which contains some "foreign" element - ie, one or more of the facts of the case occurred outside the State or Territory which is hearing the matter.

It also deals with the basis upon which a court in Australia may take jurisdiction over a defendant not resident within the jurisdiction, and the circumstances in which judgments obtained overseas, or arbitral awards given overseas, may be enforced in Australia.

Content: Selected topics include:

- Choice of Law in Contract
- Choice of Law in Tort
- Jurisdiction in actions in contract, tort, for misleading conduct and estoppel
- Refusal to exercise jurisdiction (forum non conveniens)
- Enforcement of foreign judgments and arbitral awards

Learning Outcomes: A candidate who successfully completes this course should have a clear understanding of the approach of the Courts to any matter raising issues of the law of contract or the law of tort where the facts are referable to more than one State or Territory of Australia, or more than one country.

In particular, a candidate will have a clear understanding of

- the choices open to a court as to the law to be applied to a contract or tort matter, and the means by which that choice is resolved;
- the bases on which Supreme Courts determine whether they ought to hear cases commenced in that court;
- the principles on which Australian courts recognise and give effect to judgments handed down in countries outside Australia

Assessment: Students must rely on the Approved Assessment, which will be posted to the course homepage on the ANU Law website, prior to the commencement of the course.

Dispute Management

LAWS8116

Units:	6
Hours:	26 (intensive delivery)
Specialisation:	Government and Commercial Law; LLM(LegPrac)
Prerequisite:	None
Staff:	Adjunct Professor Jennifer David and Ms Allyson Boyle

Objectives: This core course aims to introduce students to:

- an overview and history of dispute management in Australia
- the processes and techniques used to prevent, manage and resolve disputes
- theories of conflict and its resolution
- basic skills and techniques, particularly in relation to negotiation and mediation

Content: The course will include:

- definition and introduction to the theory of dispute management and to the resolution processes
- the history of dispute management and the resolution processes in Australia and overseas
- Philosophy and approach within the processes
- comparison of the processes including the advantages and disadvantages of each process
- present use of the processes in Australia
- current issues
- basic skills in: conflict management and the influence of values, biases and learned behaviours; communication - especially listening; consensual and non-consensual process skills
- understanding people and their reactions to conflict and the processes - including cross-cultural and societal influences
- ethical issues in dispute management and resolution.

Assessment: Students must rely on the Approved Assessment, which will be posted to the course homepage on the ANU Law website, prior to the commencement of the course.

Environmental Dispute Management

LAWS8278

Units:	6
Hours:	26 (intensive delivery)
Specialisation:	LLM(LegPrac); Environmental Law
Prerequisites:	Fundamentals of Environmental Law (Non-Lawyers)
Staff:	Brian Preston

Objectives: The course is designed:

- To understand the nature and characteristics of environmental disputes

- to identify and discuss the different processes for dispute resolution, both internal and external to the court system
- to understand why and how effective dispute resolution can be better achieved by matching appropriate dispute resolution processes to the particular environmental dispute.

Content: This course covers the types of processes for resolving environmental disputes including adjudicative (such as litigation), consensual (such as mediation and negotiation) and managerial authority (such as determination by Ministers, government agencies and local councils and merit review of such determinations), as well as the forms in which such processes may be organised and conducted (eg for adjudication, whether adversarial or investigative; for managerial authority; and for consensual mechanisms, the manner in which negotiations and mediations should be conducted). Practical exercises enable the student to have a better appreciation of dispute resolution processes. The concept of a multi-door courthouse, where a variety of dispute resolution processes are offered under the one roof is explored.

Learning Outcomes: At the conclusion of the course students should be able to:

- Identify characteristics of environmental disputes of relevance to selecting appropriate dispute resolution processes
- understand the different types of dispute resolution processes and their strengths and weaknesses
- understand how different dispute resolution processes can be organised and conducted
- match appropriate dispute resolution processes to particular environmental disputes

Assessment: The proposed means of assessment includes a component of class participation (including practical exercises) and a research paper on a topic of relevance to environmental dispute management.

Students must rely on the Approved Assessment which will be posted to the course homepage on the [ANU Law website](#), prior to the commencement of the course.

Environmental Litigation		LAWS8187
Units:	6	
Hours:	26 (intensive delivery)	
Specialisation:	LLM(LegPrac); Environmental Law	
Prerequisites:	Fundamentals of Environmental Law (Non-Lawyers)	
Staff:	Chris McGrath	

Objectives: The course is designed:

- to provide an understanding of the theory and practice of environmental litigation in Australia; and
- to use scenario-based learning (i.e. active learning through problem-solving involving specific factual situations) to provide an integrated and practical knowledge of environmental litigation as a part of the environmental regulatory mix.

Content: The course will cover the following topics:

1. The role of environmental litigation as part of a mix of environmental regulatory instruments and designing environmental policy
2. The role of lawyers in environmental litigation
3. Avoiding and narrowing litigation through good project planning, consultation, sound environmental management practices, and Alternative Dispute Resolution (ADR)
4. Common issues for environmental litigation (e.g. litigation strategies, the litigation process, use of expert witnesses)
5. Environmental litigation to enforce the law by private individuals using common law and statutory avenues
6. Environmental litigation against government decisions, both merits review and judicial review
7. Environmental litigation by government, including civil litigation and criminal prosecutions
8. Critical analysis of environmental litigation frameworks in Australia as part of an effective regulatory system.

Learning Outcomes: The major intended outcomes of the course are:

- To understand the purpose of litigation as part of the environmental policy mix.
- To understand the mechanics of the different types of environmental litigation, including private litigation, litigation against government decisions, and litigation by government.
- To be able to apply a knowledge of the theory and mechanics of environmental litigation to advising a client in practice.

- To be able to analyse critically the different frameworks for environmental litigation in Australia according to modern environmental regulatory design principles.

Assessment: It is expected the assessment for the course will be as follows:

1. A practical exercise involving either:
 - (a) settling an advice on prospects of success and a Claim and Statement of a Claim for an injunction under s475 of the EPBC Act based on a given factual scenario; or
 - (b) settling an advice on prospects of success and a Notice of Appeal against refusal of a planning application in the student's State or Territory based on a given factual scenario. (30%)
2. Writing a 6,000–8,000 word research paper relevant to the topic and the student's interests (70%).

Students must rely on the Approved Assessment which will be posted to the course homepage on the [ANU Law website](#), prior to the commencement of the course.

Federal Litigation

LAWS8143

Units:	6
Hours:	26 (WebCT - online)
Specialisation:	LLM(LegPrac); Government and Commercial Law
Prerequisites:	LLB
Staff:	Dr Doug Hassall

Objectives: This course provides a specialised opportunity for graduates to undertake studies at an advanced level in the field of Federal Litigation. Particular areas of Federal Litigation dealt with include litigation in the High Court of Australia, Federal Court of Australia, and Federal Magistrates Court, other than Family Law cases. The course also touches on aspects of matters before Federal Tribunals. The main objective is the attainment of a specialised understanding of the law and procedure relating to types of matters as litigated most frequently within Australian federal jurisdiction. Federal jurisdiction and litigation within it, is a growing field of law in Australia, both in terms of its increasing prominence in current legal professional practice and scholarly legal research and publications on it.

Content: Topics will include the following:

- Introduction - Federal Jurisdiction
- High Court Litigation
- Federal Court Litigation
- Federal Magistrates Court Litigation
- Aspects of Federal Tribunals Matters
- Remedies, Curial Powers and Appeals

Sample Matters will be drawn from the following fields:

- Administrative Law
- Human Rights and Anti-discrimination Law
- Migration Law and Privacy Law
- Insolvency Law (Bankruptcy)
- Trade Practices Law

Learning Outcomes: At the conclusion of this course students should be able to:

- demonstrate an understanding of the principles and procedures governing litigation in federal jurisdiction
- apply those principles and procedures in matters of federal litigation, particularly in the preparation of originating process, claims and supporting affidavits
- engage in reflective practice in federal jurisdictions, providing advice to clients and appearing in Courts

Assessment: Usual assessment is a 7,500 word research paper on a topic in the field of Federal Litigation chosen by the student and approved by Convenor.

Students must rely on the Approved Assessment which will be posted to the course homepage on the ANU Law website, prior to the commencement of the course.

Other Information: This course is run on WebCT (<https://webct.anu.edu.au>). Once enrolled logon to WebCT at: <http://webct.anu.edu.au/login/> using your ISIS username and password. When available students will be able to gain access to the course materials and the first module.

Graduate Research Unit (Legal Practice)**LAWS8308**

Units:	12
Prerequisites:	Enrolment in a Masters program; completion of at least 24 units at 70% average; approval from the Legal Practice coordinator.
Staff:	Supervisor

Content: A research paper of 15,000 words in length on a topic within the Legal Practice specialisation. The topic must be approved by the Legal Practice coordinator and the appointed supervisor in consultation with the candidate. A more detailed guideline is available in the Law School Office.

Human Rights Litigation**LAWS8155**

Units:	6
Hours:	26 (WebCT - online)
Specialisation:	LLM(LegPrac); Government and Commercial Law
Prerequisites:	Introduction to Legal Reasoning and Research, and Fundamentals of Government and Commercial Law (non-lawyers)
Staff:	Dr Doug Hassall

Objectives: A participant who has successfully completed this course should:

- Have an overview of the shape of, and trends in, current human rights litigation, both federally and Human Rights Act 2004 (ACT)
- Understand the principles that inform and the procedures which govern and shape, litigation in human rights matters;
- Understand the operation of human rights legislation in litigation;
- Be able to analyse critically the issues of principle and procedure involved in human rights litigation and appreciate the intersection of human rights law and litigation with other areas of litigation.

Content: The course is designed to provide law graduates with an understanding of the application and vindication of fundamental rights and human rights law in litigation in Australian jurisdictions.

Topics to be covered include:

- Review of human rights legislation (Federal and ACT)
- Examination and analysis of Human Rights Remedies
- Human rights litigation procedures and claims
- Pleadings aspects in human rights matters
- Current developments in human rights litigation
- Prospects for further development in remedies.

Learning Outcomes: At the conclusion of this course students should be able to:

- demonstrate an understanding of the principles and procedures governing litigation in human rights cases
- apply those principles and procedures in matters of human rights litigation, particularly preparation of originating process, claims and supporting affidavits
- engage in reflective practice in human rights litigation, providing advice and advocacy to clients

Assessment: Usual assessment is a 7,500 word research paper on a topic in the field of Human Rights Litigation chosen by the student and approved by Convenor.

Students must rely on the Approved Assessment which will be posted to the course homepage on the ANU Law website, prior to the commencement of the course.

Other Information: This course is run on WebCT (<https://webct.anu.edu.au>). Once enrolled logon to WebCT at: <http://webct.anu.edu.au/login/> using your ISIS username and password. When available students will be able to gain access to the course materials and the first module.

Legislation and Legislative Drafting

LAWS8104

Units:	6
Hours:	26 (intensive delivery)
Specialisation:	Government and Commercial Law; LLM(LegPrac)
Prerequisite:	Introduction to Legal Reasoning and Research (non-lawyers); Fundamentals of Government and Commercial Law (non-lawyers)
Staff:	Nick Horn, Julie Field and Jeffrey Barnes

Objectives: This course provides students with:

- knowledge of the nature of legislative drafting and the role of the legislative drafter in the legislative process
- basic skills for drafting legislation
- an understanding of how the interpretation of legislation affects, and is affected by, legislative drafting techniques

Content: Principal topics:

- what is legislation?
- the role of the legislative drafter
- legislative drafting techniques
- the role of parliamentary scrutiny committees
- legislative interpretation in the context of legislative drafting

Learning Outcomes: Students will:

- increase their knowledge of legislation and the legislative drafting process
- acquire some foundation skills in legislative drafting
- enhance their capacity to analyse and interpret legislation.

Assessment: The proposed assessment will be 2 short "homework" exercises; an interpretation problem and a major assignment involving drafting a small bill.

Students must rely on the Approved Assessment, which will be posted to the course homepage on the ANU Law website, prior to the commencement of the course.

Principles of Evidence under the Uniform Act

LAWS8150

Units:	6
Hours:	26 (WebCT - online)
Specialisation:	LLM(LegPrac)
Prerequisites:	LLB (including Evidence)
Staff:	Dr Doug Hassall

Objectives: This course will be concerned with a study of the law of evidence in certain key areas, to be selected with regard to their practical significance, and to the currents of judicial interpretation of the Evidence Act 1995. Some parts will deal with issues peculiar to the criminal trial, but most will deal with issues common to both civil and criminal proceedings.

Content: Topics will be drawn from the following:

- Relevance; discretions to exclude; and tendency and coincidence evidence
- Opinion evidence
- The hearsay rule
- Identification evidence
- The 'character' of the accused on a criminal trial
- The impact of a Bill of Rights on rules of criminal evidence and procedure
- The law of evidence and documents

Learning Outcomes: At the conclusion of this course students should be able to:

- demonstrate a critical understanding of the principles underlying the law of Evidence under the Uniform Act
- apply those principles in identifying, researching and critiquing developments in the case law in this field
- engage in reflective practice in the law of evidence and provide advice to clients and appear in Courts

Assessment: Usual assessment is a 7,500 word research paper on a topic in the field of the PEUA that is chosen by the student and then approved by Convenor.

Students must rely on the Approved Assessment which will be posted to the course homepage on the ANU Law website, prior to the commencement of the course.

Other Information: This course is run on WebCT (<https://webct.anu.edu.au>). Once enrolled logon to WebCT at: <http://webct.anu.edu.au/login/> using your ISIS username and password. When available students will be able to gain access to the course materials and the first module.

Special Topics in Legal Practice: Negotiation

LAWS8157

Units:	6
Hours:	26 (WebCT - online)
Specialisation:	LLM(LegPrac)
Prerequisites:	Introduction to Legal Reasoning and Research (non-lawyers); Fundamentals of Government and Commercial Law (non-lawyers)
Staff:	Scott Chamberlain

Objectives: This course explores advanced negotiation concepts and skills beyond the simple principled negotiation techniques taught in most practical legal training. It provides students with a framework for determining which of the many negotiation techniques to apply in any given situation while remaining true to their personal ethics and values.

Learning Outcomes: At the conclusion of this course students should be able to:

- Explain the difference between creating and claiming value;
- Analyse their needs in a negotiation situation according to their material, emotional, and character needs and frame and communicate these needs in a compelling way;
- Diagnose the structural elements in the negotiation that affect their power as represented by their abilities to agree, walk away, endure, and persuade;
- Properly prepare for complex negotiations by classifying them as a game, a decision, a joint-problem, or a war;
- Identify and nullify common negotiation tactics;
- Understand the strategies and skills required to consistently obtain superior negotiation outcomes for their clients or themselves;
- benchmark their skills and identify key areas for future development

Assessment: Students will have the opportunity to demonstrate their understanding of the course concepts by undertaking online role-plays using Machiavelli's Workshop's online negotiation skills software and submitting reflective essays based on their performance.

The role plays are conducted via email and chat rooms over a period of 2-3 weeks. For each role play, students receive their instructions and prepare for the negotiation, negotiate an outcome, and then review the role play and debrief material. It is anticipated that completion of each role play will be a compulsory course requirement.

Students will be assessed on a mixture of the negotiation preparation, negotiation outcomes and the quality of their self-reflective essay, with marks weighted in favour of the reflective essay.

Students must rely on the Approved Assessment which will be posted to the course homepage on the ANU Law website, prior to the commencement of the course.

Other Information: This course is run on WebCT (<https://webct.anu.edu.au>). Once enrolled logon to WebCT at: <http://webct.anu.edu.au/login/> using your ISIS username and password. When available students will be able to gain access to the course materials and the first module.