

AULSS

THE AULSS
PRESENTS

LAW
ELECTIVES
GUIDE
2018/19

THE INSIDE SCOOP ON ALL THE
ELECTIVES ON OFFER...

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Note from the Editors

*You're trying to select electives but can't make up your mind.
The course planner isn't giving you all the information you need?
You want to know what other students really thought...*

The AULSS Education Team have put together this Electives Guide in the hope that it will assist you in the electives selection process. It includes information on all of the electives on offer at the time of publication. For each course, key details from the course outline are provided. Student testimonials have also been included, to give you an honest insight into the elective from the perspective of someone who has done the course before. For most courses, you will also see a student rating for: **(1) Level of Enjoyment** and **(2) Workload**.

A higher rating indicates increased student satisfaction for both, i.e. a course with a rating of 4/5 for Enjoyment and Workload indicates that the course was both enjoyable and had a fairly manageable workload, whereas a course with a rating of 2/5 for Workload indicates that, while enjoyable, the course may be time consuming and/or involve more rigorous assessment.

We hope that this guide proves useful in choosing your electives. If you have any suggestions for future electives guides, please contact the Education Team at education@aulss.org.

All the best!

Azaara Perakath

Director of Education (2018)

Jasmin Teurlings, Emma Stone, Chelsea Chieng & Peter Tantalos

Education Representatives

DISCLAIMER: This guide has been compiled by the Adelaide University Law Students' Society using information available on the University of Adelaide course outlines, student responses and our own research. It does not represent the personal opinions of AULSS committee members or the Adelaide Law School. It is intended as a supplementary resource- students should not make decisions solely on the basis of the information in the Guide.

Summer Electives

Law 3510 - Clinical Legal Education

Course Coordinator (2018): Margaret Castles

Prerequisites: Law 2504 Administrative Law

Units: 3

Contact Hours: Up to 16 hours per week in the summer semester, 8 hours per week in Semesters 1 and 2

Assessment: Professional Journal (30%), Class Participation (P/F), Project (30%), Performance on Placement (20%), and Portfolio (20%).

Overview:

The course is designed to demonstrate the operation of theoretical and doctrinal law in a legal environment. Students are placed for one day per week* in a legal office, supervised by a legal practitioner, and participate actively in all aspects of the work at the office, including client interviewing, community education, and case work.

The Law School also offers placements at legal advice clinics run by Adelaide Law School at the Adelaide Magistrates Court, and at the Adelaide Legal Outreach Service. The concurrent seminar program builds on students' experiences on placement, examining issues such as lawyer/client relationships, legal ethics, professionals and professions, justice access, and the role of our legal system in society.

* When offered over summer, course entails 2 days of placement each week for 6 weeks between January and end of February.

NOTE: this elective is also offered in Semesters 1 & 2



Student Testimonial: Alison Jones

Elective: Clinical Legal Education, completed Semester 1 2018

Placement: Adelaide Legal Outreach Service

Clinical Legal Education is an elective that provides students with the opportunity to develop their practical legal skills in a supportive and collaborative environment. Each student is placed in a legal advice clinic where they work one day per week providing free legal advice on a range of legal issues. Depending on the clinic, students can provide advice in the areas of criminal, employment, commercial and corporate law and the clinics available include:

- Adelaide Legal Outreach Service
- Magistrates Court Legal Advice Service
- Equal Opportunity Commission Legal Advice Service
- Entrepreneur and Venture Advice Clinic

The subject is structured so that students attend a fortnightly seminar in addition to spending one full day at their respective clinic. This structure allows students to devote most of their time towards developing their practical legal skills whilst still learning about theory and content. During each fortnightly seminar, students are required to come prepared to discuss their readings and are encouraged to reflect on their placement. This gives students an open space to talk about their experiences and discuss any difficulties they have come across.

Although the assessment is quite frequent, overall the workload is very manageable. Students will receive a grade for their 'performance' at the clinic and also need to produce a 'writing portfolio'. In addition to regular reflective journals, students will then work on a 'project' that must be completed by the end of the semester. Students are given a high level of autonomy over their project (which is fantastic!) and this can also be completed as a group.

Overall, CLE is an incredibly rewarding elective that provides students with the opportunity to apply their legal knowledge in a practical environment. Not only will students benefit from learning about the law in practice, but they will be able to develop their legal skills in seminars and discussions. Increasing access to justice in South Australia should be a priority for all legal professionals and being involved in a program like Clinical Legal Education is an invaluable opportunity for students to give back to the local community.

Level of enjoyment: 5/5

Workload: 3/5

Law 3516 - International Law Moot Court

Course Coordinator (2018): Associate Professor Matthew Stubbs

Prerequisites: Law 1501 Foundations of Law, Law 1508 International Law

Units: 3

Contact Hours: Up to 3 hours + independent research and writing submissions

Assessment: Group Memorials (30%), Individual Oral Advocacy (70%)

Overview:

Students are eligible to participate in this course by application and competitive selection only. This course offers students the opportunity to work on complex and cutting-edge questions of international law through preparation for, and participation in, a distinguished international law moot competition. In the process, students will develop and refine advanced legal research and advocacy skills.

The moot competitions will usually include the Philip C Jessup International Law Moot Court Competition, the pre-eminent global mooting competition in international law. Teams may also be entered in other prestigious international law moots, including the Manfred Lachs Space Law Moot. Students will be expected to attend induction and moot training sessions, and then to undertake intensive research in international law, prepare written submissions and develop oral submissions which are then refined through mooting practice.



Student Testimonial: Christian Andreotti

Courtroom advocacy is a crucial skill for any aspiring lawyer, and a cornerstone of our adversarial justice system. Unfortunately, it is a skill left largely unexplored at law school. So how does one develop experience in this field before they find themselves fainting in front of an intimidating judge out in the real world? This is where the International Law Moot elective comes into the equation.

The Philip C. Jessup International Law Moot Court Competition is the oldest and largest international moot competition in the world, spanning approximately 100 law schools from 70 countries. I could not recommend participation in this elective highly enough. The competition involves a hypothetical proceeding before the International Court of Justice, dealing with real-world issues at the apex of international law scholarship and debate. Students will develop a deep knowledge of legal issues and analysis, courtroom advocacy, and the intricate strategy that accompanies such complex proceedings. Ultimately, it directly mimics real-world courtroom advocacy, and provides an experience like no other.

The list of past competitors makes for impressive reading, including a current justice of the High Court of Australia, the current Chief Justice of Singapore, and two members of ABC's *The Chaser*. If you wish to join this rarefied list, you should definitely consider applying for this elective course. You won't regret it.

Level of Enjoyment: 5/5

Workload: 2.5/5

Law 3514 - Human Rights Internship Program

Course Coordinator (2018): Associate Professor Laura Grenfell

Prerequisites: Law 1501 Foundations of Law, Law 1508 International Law

Units: 3

Contact Hours: Up to 3 hours per week

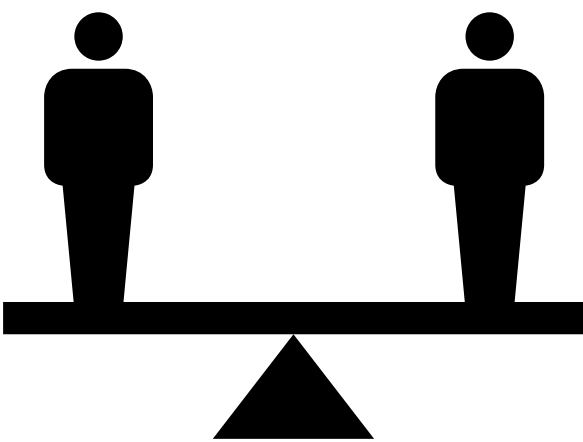
Assessment: 3 x Diary Summaries (10% each), 3000-4000 word Research Essay (60%), Reflection on Research Methodology (10%), Organisation Briefing (P/F).

Overview:

The course helps to make students career ready by placing them in 'internships' with human rights organisations located internationally and nationally for a period of six weeks. The internships enable students to build on their understanding of the theory of human rights law by gaining an appreciation of its practical operation.

The course aims to give depth and context to students' existing knowledge of human rights law. During the internship, the students will be required to complete an agreed research task under the supervision of a senior person at the chosen human rights organisation. This research task might involve research into a specific area of law or policy for the purpose of a 'test-case' being run in the courts, for the drafting of a report, or the preparation of educational material. It is expected that students will also be involved in the day-to-day activities of the organisation and gain an understanding of how such organisations operate. Prior to commencement, students will be given an orientation to introduce them to the strategies and procedures generally employed by human rights organisations.

NOTE: this elective is also offered in Semesters 1 & 2



Student Testimonial: Sarah Kapadia

The Human Rights Internship Program allows students to gain credit for internships you complete with human rights organisations during your law degree. The flexible nature of the course enables students to undertake internships in a time-frame, location and organisation that best suits you. Students may also be eligible for scholarships to help fund expenses during the course of an international internship, depending on your chosen country.

I undertook my internship during the university summer break, and spent eight weeks interning at the Malaysian Centre for Constitutionalism and Human Rights (MCCHR) in Kuala Lumpur. MCCHR is a non-profit organisation aiming to bring about pro-human rights changes in Malaysia. With only five permanent staff members and very limited funding, it was incredible to see the impact of this NGO. I had opportunities to work closely with inspiring and incredibly passionate people, and be involved in a variety of interesting, challenging, and often confronting work.

Whatever your work might entail, completing predominantly research-based coursework alongside the internship allows you to critically reflect on the issues relevant to the organisation from a legal perspective. The major assessment piece is a 4000-word research essay on a topic of your choosing, guided by the issues you engage with as part of your internship. In addition, students must complete a reflection on the research methodology employed in the research task, and three 500-word diary summaries that identify and analyse the legal processes relevant to your work.

Overall, the Human Rights Internship Program enabled me to add depth and context to my university studies, develop connections with Malaysian lawyers and human rights advocates, and gain an experience invaluable to the development of my legal career. I would strongly recommend the course to students wanting to combine a challenging work experience opportunity with adventure whilst broadening your understanding of human rights on an international level.

Law 3527 - Law & Justice Internship



Course Coordinator (2018): Ms Cornelia Koch

Prerequisites: Law 2504 Administrative Law

Units: 3

Contact Hours: Up to 3 hours per week + one day/week at host institution

Assessment: 3 x Diary Summaries (10% each), 3500-word Research Essay (70%)

Overview:

The course helps to make students 'career ready' by placing them in 'internships' with host institutions for a period of between 22 and 25 days in total. Semester 1 and 2 enrolments ordinarily involve two intensive weeks over non-teaching weeks, eg summer or winter break, followed by one day per week over the semester (with each day being a 7 1/2 hour day) or five weeks intensive over the summer semester. The internships enable students to build on their understanding of the theory of law by gaining an appreciation of its practical operation.

The course aims to give depth and context to students' existing knowledge of law. Students will be required to complete an agreed research task under the supervision of the course coordinator. The research task will be negotiated between the student and the course coordinator, and will build on the work the student completes during the internship. It is expected that students will also be involved in day-to-day activities of their internship office and gain a broad understanding of the operation of law generally.

NOTE: this elective is also offered in Semesters 1 & 2

Student Testimonial: Azaara Perakath

The Law and Justice Internship was one of the most practical, enriching and fulfilling courses I have undertaken during my time at law school. Run by the ever-enthusiastic Cornelia Koch, this elective benefits greatly from her continued efforts to secure new and exciting host institutions. Students can express preference in a range of organisations - ranging from interning with a judge in the Supreme Court or with the Solicitor-General, to SACAT, the Ombusman or even Wine Australia! Students need to undertake a total of between 22-25 days at the host institution, which can be completed fairly flexibly (i.e. a couple of weeks full-time over the break, and then one day a week during the semester).

Whilst I had a pre-existing interest in the court system and courtroom advocacy, having the opportunity to intern with Justice Hinton at the South Australian Supreme Court strengthened this, by exposing me to a diverse range of people, matters and legal and social issues. I learnt so much by being in chambers, attending court and undertaking various legal research tasks. Of course, it can be daunting to be thrown in at the deep end, and to actually be undertaking tasks that will be used by your supervisor, but you will definitely find that you step up to the challenge and find yourself producing higher quality work as a result!

The assessment involves three 500 word 'diary entries' detailing various aspects of the tasks you have undertaken, the relevant legal principles and how the internship experience is helping to develop your legal skills. There is also a final research essay (3500 words), which is based on the work you have undertaken during your internship. You have a chance to propose and negotiate the topic with Cornelia and she is always available should you need some extra assistance or guidance once you start writing it.

As a result of the internship, I was able to develop both personal and professional skills and cannot recommend the course highly enough to future students!

Level of Enjoyment: 5/5

Workload: 3/5 (Note: the assessment workload is quite manageable given how spaced out the deadlines are. Just keep in mind that undertaking the internship is like working an extra day during the week).

Law 3505 - Aboriginal Peoples and the Law

Course Coordinator (2018):

Associate Professor Laura Grenfell

Prerequisites:

Law 1501 Foundations of Law

Units: 3

Contact Hours: Intensive

Assessment: Class Participation (10%), Personal Reflection on Aboriginal Legal Perspectives (10%), Small Group Reflection (10%), 4000-word Research Essay (70-80%).



Overview:

A critical analysis of the legal and historical relationships between Aboriginal and non-Aboriginal peoples. The course will consider topics chosen from: the theory, policy and law relating to Aboriginal sovereignty, self-government, native title, cultural heritage protection, customary law and identity and constitutional recognition. It will look at Aboriginal challenges to government law and policy, including reparations for the stolen generations and claims of genocide. The course will analyse these topics predominantly through a series of major case studies, and studies of particular legislative schemes.

Law 2507 - Australian Legal History

Course Coordinator (2018): Professor Greg Taylor

Prerequisites: Law 1501 Foundations of Law, Law 2501 Australian Constitutional Law

Units: 3

Contact Hours: Intensive

Assessment: Participation (10%), Class Presentation (20%), and 5000-word Essay (70%) OR Exam (70%)

Overview:

This course will primarily examine the historical background of the Australian legal system and the influence of history on the evolution of Australian law and legal institutions. Students will be expected to participate in class discussions. They may include the following topics : the development and evolution of British legal institutions with a particular focus on the role of Courts and lawyers, the legal and philosophical foundations of the British Empire, the juridical status of Australian settlement, the status of the Aboriginal people under European law, frontier law and other original Australian developments, the move to independent legal institutions and the juridical nature of constitution making in Australia.

The course will also introduce students to the sources of legal history generally and Australian legal history in particular, as well as basic historical methodology. Reference will also be made to the legal history of other English-speaking countries, European countries and international law.



Law 2514 - Intellectual Property Law

Course Coordinator (2018): Dr Judith Bannister

Prerequisites: Law 1506 or Law 1511 Property Law

Units: 3

Contact Hours: Intensive

Assessment: Online Patent Quiz (5%), Patent Case Analysis (40%), Final Exam (55%)

Overview:

This course aims, through a treatment of laws relating to patents, trademarks, confidential information, designs and copyright, to examine the protection provided by the law in regard to ideas, inventions, information and other forms of creative effort. The course also aims to explore how the law must balance interests and protect investment while taking into account public welfare and technological developments.

The course will explore the interrelationship of the different regimes of protection, and will also consider practical issues arising in the commercialisation or exploitation of intellectual property. Students completing this course should have a basic grounding in the law of the area, its limitations, policies, and objectives, including the basic features of the various systems of protection.



Student Testimonial: Meg Lawson

Intellectual property focuses on the protection provided by the law for ideas, inventions and information. The course covers the law of patents, trademarks, passing off, confidential information, designs, copyright as well as infringements, defences and remedies. The course considers intellectual property in a broad range of contexts including literature, pharmaceuticals, films, software, fashion, consumer products and recipes. It also involves discussions regarding public policy and how the law should best balance public welfare, protect investment and stimulate innovation.

The course structure involves lectures each week and seminars every second week considering each of the intellectual property regimes. The lectures are very clear, well structured and interesting. These can involve comparing two clips of music or dress designs, and discussing celebrity endorsements or illegal downloading. The seminars are problem question based and require you to advise the same wine business over the course of the semester, with additional facts provided each week.

The assessment involves a short online multiple choice quiz on patent law, and a patent case analysis of 2500 words. The exam is 1.5 hours and is one large problem question that covers all topics in the course (excluding patent law). Although it is a short exam, it is difficult as it requires you to identify and advise a client on all intellectual property rights, possible infringements, defences and available remedies.

Overall, the course is conceptually challenging, especially as all the different regimes to protect intellectual property are interrelated. However, it is a well structured course and the workload over the semester is very manageable. Intellectual Property Law was very enjoyable, and is recommended for students interested in commercial law, technology, entrepreneurship, business or public policy.

Level of Enjoyment: 4/5

Workload: 3/5

Semester 1

Law 2571 - Law of the Sea



Course Coordinator (2018): Dr Nengye Liu

Prerequisites: Law 1501 Foundations of Law, Law 1508 International Law

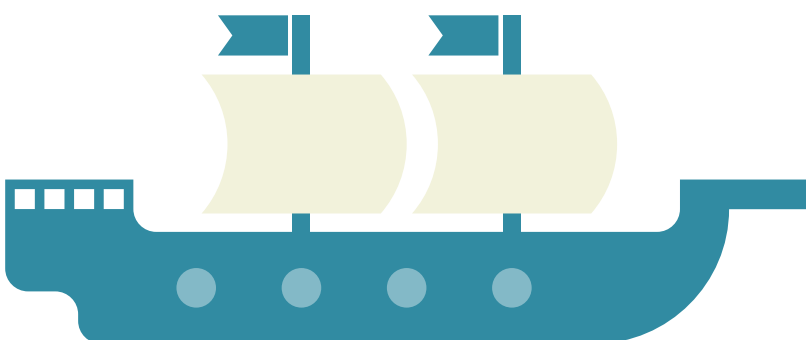
Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Class Participation (10%), Interim Assignment (30%), Research Essay (55%), Class Presentation (5%)

Overview:

The aim of this unit is to introduce students to the Law of the Sea for the first time. It will draw on students' knowledge of international law. The unit will cover most of the topics addressed by the United Nations Convention on the Law of the Sea, including territorial sea, continental shelf, exclusive economic zone, deep seabed, as well as some contemporary issues such as South China Sea disputes and changing Polar regions.



Student Testimonial: Emma Zeitz

Law of the Sea is an elective that expands on the basic principles taught in International law.

In the first few weeks, we learnt about the various maritime zones as well as the history of the law of the sea. We then moved into the more environmental aspect of the law, including resource management, scientific research, and environmental protection. There is some emphasis in the course on climate change and melting icebergs, which I did not expect going into it. The course finishes looking at the polar regions and countries who are having a rising influence over the laws and the oceans.

The course was taught in 3-hour lectures on a Friday morning with compulsory attendance. The first 2 hours were spent listening to the lecturer and the last hour was a presentation made by other students on a topic from the week before. The lack of seminar or discussion made it difficult to pay attention for the full 3 hours. On top of participation and the presentation, the other assessment was made up of two research essays; one in the middle of the course and one at the end. The interim assignment only had one essay question while the final essay offered a choice of three. While I enjoyed the first few weeks, I found the last half of the course to not be what I expected, with too much emphasis on the effects of climate change and not enough on the substantial law.

While overall the course was enjoyable; with 3-hour long lectures, too much time spent on climate change and most of the assessment being research essays, it was definitely not my favourite course.

Enjoyment: 2.5/5

Workload: 2/5

Law 2573 - Private International Law



Course Coordinator (2018): Mrs Jessica Viven-Wilksch

Prerequisites: Law 1503 or Law 1510 Contract Law, Law 1507 Tort Law, Law 1508 International Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: 5 x online quizzes (2% each), Research Assignment (30%), Final Exam (60%)

Overview:

This course will review the legal rules applicable to when the South Australian courts have and will accept jurisdiction to resolve a dispute. It will also deal with the law applicable to international transactions, including the law of contract, the law of torts, and equitable duties.

It will also examine the recognition of foreign law in Australia as well as the recognition of Australian law overseas, in particular of law which purports to apply extraterritoriality. The jurisdiction of Australian courts over defendants resident in other countries and the mutual recognition of jurisdiction over Australian defendants by foreign courts will be studied.

Student Testimonial: Nicholas Michalakas

Private International Law was taught a number of years ago but unfortunately was discontinued. In 2018, Jessica Viven-Wilksch brought the course back and has filled it with content that provides an interesting and practical look at how private individuals interact with international law.

Particular focus is given to how Australian courts can claim jurisdiction over matters with international elements, such as in the case of a tort that occurred overseas but its damage done in Australia, the enforcement of a foreign arbitral award, to things one might not even consider as being 'international', such as enforcing a Victorian judgment in South Australia.

Assessment: In my view, the course contains more assessable pieces than a typical law elective. There is a fortnightly quiz, which is cumulatively worth 10%, a 30% research essay, and a 60% Wayville exam. The quizzes in particular allowed close engagement with fine parts of the course, and the Wayville exam (in retrospect!) covered the course well. However, be prepared to revise and be (some-what) up-to-date throughout the semester.

Resources: The main resources for the course were the prescribed textbook and Supreme Court Civil Rules 2006 (SA).

Take away: Overall, I'm glad I did PIL and enjoyed the course content a lot. I would add that we did not do many problem questions in tutorials, which were often dedicated to discussion of a case or a publication. I suspect this is the case because the course is brand new. For those interested in pursuing a commercial path I would recommend the course. Jessica is very passionate in the area.

Level of enjoyment: 4/5

Workload: 2/5

Law 2568 - Climate Change Law

Course Coordinator (2018): Dr Manuel Solis

Prerequisites: Law 1501 Foundations of Law, Law 1508 International Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Class Participation (10%), Research Presentation (10%), Research Proposal (20%), 4000-word Research Essay (60-70%)

Overview:

Climate change poses enormous challenges due to its wide-ranging implications and long-term effects to the environment, economy and society. This course examines the various legal regimes, approaches and responses to climate change at the international and national level from the United Nations Framework Convention on Climate Change to Australian federal, state and local legislation.

It will also consider the broader scientific, policy, ethical and normative debates that overlay and add context to the legal measures and solutions-undertaken to mitigate and adapt to climate change.



Student Testimonial: Thomas Blokland

Climate change is one of the most complicated issues facing the world today. It is not surprising then that Climate Change Law is multidimensional and broad-reaching. What is remarkable is how well Dr Manuel Solis (**Manny**) distils those dimensions down into something that can be digested. From Australia's relevant administrative law, tort law and even corporate law, to the complexities of international treaty negotiations, Manny takes full advantage of his passion and expertise to convert climate change law from a nebulous and almost intangible subject of discussion, into a course that has something for everyone.

The course covers the authoritative science surrounding climate change, the international agreements aiming to curtail its devastating impact and the adaptive and mitigative legal mechanisms existing and developing at a domestic level. Dr Alex Wawryk even makes an appearance to explain the complexities of the greenhouse gas emissions arising from energy production and discuss the energy regulations that exist and how they are developing to combat this issue. We also had the opportunity to listen to the thoughts and theories of some esteemed guest lecturers. Whether you are into international law, corporate law, litigation, human rights, international finance or even just **science**, there is something for everyone.

The assessment really centres around one major piece of writing on a topic of your choosing: there is a research proposal (**20%**), a presentation (**10% redeemable**) on the topic you choose and its relevance to climate change law and then the production of a research paper (**60%/70%**). Unfortunately, there is also a class participation mark (**10%**). The lecture format tended to involve periods of open discussion about the topics which, in a room of everyone from climate activists to climate sceptics with their full array of charming personalities, could become rather entertaining — but at least there was no textbook or exam!

In reality, this course is the perfect opportunity to work on one 4,000-word paper for 4 months while bludging one 3-hour lecture per week. And that is something I think we can all get behind.

Level of enjoyment: 4/5

Workload: 1/5

Law 2563 - IHL and Advocacy



Course Coordinator (2018): Professor Dale Stephens

Prerequisites: Law 1508 International Law

Units: 3

Contact Hours: 3 hours per week

Assessment:

(1) Advocacy Stream: Memorial (20%), Online Quiz 1 (5%), Online Quiz 2 (5%), Oral Moot Presentations (70%)

(2) General Stream: Written Opinion/Judgment (20%), Online Quiz 1 (5%), Online Quiz 2 (5%), Essay (70%)

Overview:

International Humanitarian Law (IHL), also known as the Law of Armed Conflict, is a set of rules that seeks to balance military priorities when engaging in armed conflict with humanitarian concern for those who are impacted by such operations. This body of law comprises at its core the four 1949 Geneva Conventions and the three 1977 Additional Protocols, as well as a myriad of associated treaty and customary international law that dates back to the late nineteenth and early twentieth centuries.

After decades of promise, International Criminal Law has now found its place as a vibrant and entrenched part of the international legal panoply. The liberal dream of harnessing law's power and authority to restrain and criminalize aberrant violence has been realized. There is now a cascade of International Courts and Tribunals dispensing justice routinely and assigning legal culpability to individuals who have breached the growing body of application law. This course will examine both substantive IHL and the emerging principles of international criminal law that seeks to criminalise aberrant behaviour on the battlefield.

Student Testimonial: India Short

The course is taught by the passionate Dale Stephens, and it covers the many conventions and customary international law principles that govern armed conflicts. The topics studied range from the protection of cultural property, to cyber law, international criminal law, and much more. The exploration of ethical issues, and the practical discussion generated from Dale's experience and knowledge means that this subject is much more than an application of black letter law. If you're like myself and enjoyed studying international law in first year, this is a great subject. Also, if you like advocacy, or wish to develop advocacy skills, I would strongly recommend this subject for its mooting assessment.

Assessment structure: The assessment consists of two quizzes worth 5% each (10% in total), and the option to either pursue the advocacy or research stream. There is no seminar, instead there is a three hour weekly lecture where discussion is encouraged. Also, there's no exam!

Advocacy Stream: I chose the advocacy stream, which consisted of two graded moots that made up 90% of the grade. The grades for the moots are further broken down into 70% for oral presentations and 20% for the written memorials. Don't stress if you haven't mooted before, there was a training session held in the mid-semester break and a practice moot before the graded moots to allow students to familiarise themselves with the process. This is an assessment that I would say you cannot do the night before, so keep that in mind.

Research Stream: If you pick the research stream you will write an opinion/judgement on one of the moots that you watch, worth 20% of the final grade. The remainder 70% is a research essay that you have the opportunity to formulate yourself.

Level of Enjoyment: 4.5/5

Workload if Moot: 3/5

Workload if Essay: 4/5

Law 3546 - Miscarriages of Justice



Course Coordinator (2018): Mr David Caruso

Prerequisites: Law 2503 Criminal Law and Procedure

Units: 3

Contact Hours: 3 hours per week

Assessment: Participation (10%), Class Group Presentation (30%), 4000-word Research Essay (60%)

Overview:

The course examines first instance criminal appeal process in South Australian and Federal Courts and post-conviction review mechanisms throughout Commonwealth nations, including Australia, the U.K, Canada, Scotland and New Zealand. Students will critically examine, through class participation and oral and written assessment, the development, rules and nature of criminal appeals in Australia in contrast with post-conviction processes for reviewing criminal convictions subsequent to exhaustion of the appeal process.

The course syllabus involves the following modules (over 3 hours) over the intensive period of teaching: History and Development of the Criminal Appeal in the United Kingdom; Criminal appeal Process in Australian State and Federal Jurisdictions; Criminal Appeal in other Commonwealth Nations; The Principle of Finality; The Institution of Mercy (1) - Prerogative Power and Exercise; The Institution of Mercy (2)- Referral Power and Exercise; Special Inquisition into Criminal Miscarriage - Royal Commission and Inquiry; The Nature of Executive Post-Conviction Review and the Separation of Powers; Reform CCRC;s and Innocence Projects; Reform - Second Statutory Appeals; International Obligations on Criminal Appeal Process and Executive Mercy.

Student Testimonial: Sean Nottle

If you've ever watched Making a Murderer, been moved by Atticus Finch's story in to Kill A Mockingbird, or just simply haven't got enough vitamin DC over your time in Law School, this is the elective for you. Miscarriages of Justice are what legal scholars, journalists and your Average Joe puzzle over, years after the fact. But don't worry, you've only got to do it for six weeks in this subject. It's true. The course predominates on appeal regimes and delves a little deeper into the areas that influence those statute based scenarios. Topics on Forensic DNA, guest lectures from retired Supreme Court Justice's, end of semester pizza(!!), it's a course that has everything.

The subject really is an insight for any student looking to pursue a career in the criminal law. Moreover to that however, the importance David places on not just preparing for the research essay, but the profession, cannot be overstated. Done in an environment free from the rigours of legal reality, the assessment for this course does includes a group presentation performed under time constraints, but given you will have done half a dozen before you are actually assessed it's not at all a reason to baulk from booking in.

A fascinating foray into what it really means to provide justice, from the point of view of those who have been wronged, the course is a thoroughly engaging experience and one that would be highly recommended.

Level of Enjoyment: 5/5

Workload: 5/5

Law 2526 - Legal Theory

Course Coordinator (2018): Dr Peter Burdon

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Class Participation (10%), Research Presentation (10%), Research Proposal (30%), Research Paper (50%)

Overview:

Hannah Arendt is one of the great thinkers in twentieth-century political philosophy. After reporting on the trial of Nazi war criminal Adolf Eichmann, Arendt embarked on a series of reflections about how to make judgments and exercise responsibility in the face of immoral law. This course uses Hannah Arendt's text *Eichmann in Jerusalem* to examine major themes in legal theory, including the nature of law, legal authority, the duty of citizens, the nexus between morality and law and political action. It is designed to enrich critical thinking skills and will prepare students for facing future political problems.



Student Testimonial: Reade Allison

Centred on Hannah Arendt's account of the trial of the Nazi bureaucrat Adolf Eichmann, the Legal Theory course is full of political intrigue and legal drama, but will also compel (or in Peter Burdon's case gently encourage) you to reevaluate your notion of moral evil, and its relationship to ideas of law, justice and citizenship. You may even become a better person for it.

Classes were conducted in an open-lecture format, with a large degree of student interaction. Although that may sound irksome for many law students, the classes were full of interesting content and a healthy level of interaction between Peter and the class. The class discussion always felt engaging and welcoming, without ever veering too far off on a tangent by someone whose real life experiences make them an expert on quite virtually anything.

The students attracted to the course understandably tend to have a background in the Humanities and social sciences, and often had something considered to add to conversations about the role of law and its moral implications. But I'd argue that the class format and scope of content invites students from a whole range of study interests.

The assessment is also ideal for those of us who are tired of writing out endless procedures to regurgitate in Wayville. The main assessment is a major research essay, along with a presentation and a research proposal. The research topic is of your choosing, and tends to be more social and theoretical than strictly legal. Peter was always happy to sit down with students and help frame their research topic, or simply talk more generally (which is always enriching in itself). Also watching other students present on their research proposals would have been good inspiration if it not for that moment of regret and envy for not thinking of the research idea first [sigh].

The course will improve your research skills and introduce you to new critical ideas surrounding law, morality and citizenship.

Level of Enjoyment: 5/5

Workload: 4/5

Law 2516 - Medical Law and Ethics

Course Coordinator (2018): Dr Bernadette Richards

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Quiz (15%), Seminar Paper (10%), Class Participation (10%) and 4500-word Research Paper (65%)



Overview:

The course provides an introduction to ethics generally and more specifically to medical ethics, examining in particular the principle of autonomy, which informs much of medical law.

The course then considers the general part of medical law governing the legal relationship between medical practitioners and their patients. It considers the legal implications of the provision of medical advice, diagnosis and treatment. Selected medico-legal issues over a human life are also examined. These may include reproductive technologies, foetal rights, research on human subjects, organ donation, the rights of the dying and the legal definition of death.

Student Testimonial: Jasmyn Tran

I would definitely recommend undertaking Medical Law and Ethics as an elective!

The course structure is 6 weeks of lectures, then 6 weeks of seminars. The first part gives you background info and of course, the law. The seminar weeks are relaxed, with most classes centred around debates on topical legal and ethical issues in the medical realm, such as organ transplants, end of life care, and enhancement surgery for minors.

The course content is significantly different to what you're used to in your law degree. There are no problem questions or simple solutions. The challenge is to think about things from multiple perspectives; you look at what the law *ought* to be and why. It requires you to consider how values and ethics challenge legal principles, and what impact such subjective elements should have upon law making, especially in the context of highly controversial medical advancements. As such, the assessment is not heavily law-based, but hinges more upon your ability to think critically from diverse perspectives. There is a SGDE plus a major essay, but because there is such flexibility in choosing a topic, you can pick something you are genuinely interested in (which makes the process more enjoyable!).

The course focus may seem niche but it intertwines with studies of human rights, medical sciences, technology and innovation, and even corporate law and commercial transactions given that the huge power-players in the field are expanding to private and public commercial entities. This course will be valuable to any career path you take.

Law 2512 - Family Law

Course Coordinator (2018): Mr James Stewart

Prerequisites: Law 1501 Foundations of Law

Units: 3

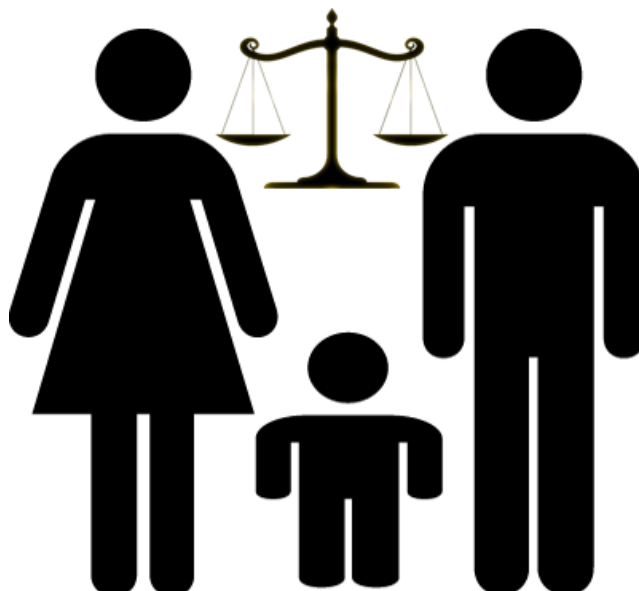
Contact Hours: Up to 3 hours per week

Assessment: Research Paper (30%), Examination (70%)

Overview:

This course focuses on the law of marriage, de facto relationships and divorce. The protection of children under the Family Law Act including parentage, parental responsibility, custody, and access is also considered.

The course covers topics such as matrimonial and defacto property rights, binding financial agreements, and spousal maintenance. Students will also engage with legal ethics in the practice of family law.



Student Testimonial: Eloise Dibden

What the course involves: Family law, unsurprisingly, centres on the issues raised under the Family Law Act, and touches on various issues. Three central topics are: marriage/divorce, child matters, and property settlement. Assessment (at the time of writing) is roughly approximate to other law courses, with a mid-semester research essay and a final examination. A highlight is learning how the law operates in relation to contemporary news items, and getting to visit the Family Law Courts.

If you like...: If you enjoyed the general flow of torts, that is, learning the law, cases and then working through them in seminars then you will like how Family Law is run. It is incredibly statute based. If you are currently (or thinking of) volunteering at somewhere like the Women's Legal Service, this background understanding will be invaluable. It is also a great insight into different career pathways, outside of corporate law. Lastly, as James Stewart runs the course, it would be remiss of me not to say that if you enjoy sarcastic, quick-witted humour, and tacky PowerPoint animations (that he will deny he knows anything about) then sign up. It makes for enjoyable lectures.

Tips:

- **Buy the Family Law Act:** This will be your new bible (move over AGLC). If you know the legislation and how to apply it, you will undoubtedly do well in the course. Make sure it's the most current edition.
- **Form a study group:** They will be your family for the semester (pun intended). Having people to talk things through and organise a handy flow chart will help you immensely in the final exam (I can vouch about this from personal experience). They will also, if your group is anything as amazing as mine, send you hilarious memes that lift your spirit and help you make it through the course.
- **Keep up-to-date and be a proactive learner:** Keep on top of your lecture slides, and make sure you are following the exact sections that apply to the relevant topic. Check and double-check. If unsure, ask. Utilise the discussion board and if you are really unsure don't be afraid to send the course co-ordinator an email.

Even though some of these tips seem really general, they are really applicable to this course.

Level of Enjoyment: 4/5

Workload: 3.5/5

Law 3530 - Personal Insolvency Law

Course Coordinator (2018): Professor Chris Symes

Prerequisites: Law 1506 or Law 1511 Property Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Case Comment (50%), Research Essay (50%)

Overview:

The course will examine the role of the law in relation to the theory, policy and procedures for dealing with multiple debt default and financial distress of individuals, including consumer insolvency issues. Whilst the course will focus on Australian law, there will be significant comparative aspects.

Topics to be covered include the principles of the fresh start and equality of distributions, the history and purposes of the law, bankruptcy administration and regulation, the petitioning of bankruptcy through voluntary and compulsory methods, acts of bankruptcy, the roles of the trustee in bankruptcy, the effects of bankruptcy, the property of the bankrupt estate and its exemptions, investigations, recovery actions, realising property and income contributions, discharge, bankrupt deceased estates, alternatives to bankruptcy including Part X and Part IX administrations, and offences.



Student Testimonial: Gaida Merei

If your favourite part of Corporate Law was Symesy's insolvency lectures, then the insolvency electives are for you. Prof Chris Symes runs the Personal Insolvency and Corporate Insolvency electives in consecutive years, and as the expert on Insolvency law in Australia, there is no one better to learn from. The Personal Insolvency course looks at the theory, procedure and policy of bankruptcy, primarily focusing on the operation of the Bankruptcy Act.

The course runs as a 3-hour block with an interactive lecture and seminar, but attendance isn't compulsory. The course structure and work load is fantastic if your other courses have a quite a heavy workload as there are only 2 pieces of assessment over the course of the semester (NO EXAM!!!).

Although insolvency can be quite dry the assessment is fantastic, with only a casenote and essay. You'll be provided with a list of essay questions and cases to choose from for your assessment, but if nothing appeals to you or you want to guarantee yourself a good mark, you can source your own. The best part of the course is Symesy's approachableness and willingness to help students. If you're stuck or want to run a draft of your essay, just stop by his office and he'll be more than happy to have a chat.

If you want to pursue a career in commercial law or you want a subject that won't drive you up the wall with group work or exam prep, this elective is a must.

Workload: 5/5 (as in its great)

Level of Enjoyment: 4.5/5

Difficulty: 3/5 (5/5 being very difficult)

Law 3542 - Secured Transactions

Law



Course Coordinator (2018): Mr David Brown

Prerequisites: Law 1503 Contracts, Law 1506 Property Law and Law 2505 Corporate Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Online quiz (20%), Research Opinion (30%), Final Examination (50%)

Overview:

This course will introduce students to secured transactions in personal property in the context of commercial and consumer credit and finance transactions, and in light of the important *Personal Property Securities Act 2009* (Cth), introduced in January 2012, which has been said to be the most significant commercial legislation for decades.

Students will obtain an understanding of the role and policy of secured finance and credit law in the context of the common law of security interests, the international landscape on which the new Australian law (adopted from New Zealand and Canada) has drawn, and will obtain a detailed understanding of the working and impact of the new system under the PPSA. This will provide students with applicable knowledge and understanding of a crucial area of commercial finance, banking and insolvency practice, and with skills of applying complex legislation to practical registration and priority issues, through problem-solving and case studies.

Student Testimonial: Gaida Merei

Want to work in commercial law and need electives that will make you stand out? Secured Transactions and David Brown are here to help. The course focuses on the oh so confusing *Personal Property Securities Act* (PPSA) which is relevant to commercial transactions, banking and finance law and insolvency law. The PPSA only came in to force in 2012 so hardly anyone knows what is going on (besides David Brown). This course focuses on the operation of the act, the policy behind it and the way similar acts operate in other jurisdictions such as New Zealand and Canada.

The course runs as a 3-hour block with an interactive lecture and seminar, but attendance isn't compulsory. The assessment is quite standard, with a quiz, mid-term assignment and exam. The mid-term assignment focuses on the first half of the course and is a standard problem question. The assignment also contains an 'research component' which requires you address answer one part of the problem question with regard to the law of an international jurisdiction. The final exam also contains a number of problem questions and examines the second half of the course topics.

Overall, the course is conceptually quite difficult and after 12 weeks you'll be questioning whether or not you understand how the PPSA actually works. However, if you're looking for relevant commercial electives, you can't go past this course – just accept the fact that you'll be crying and triggered by the exam for the rest of your natural life.

Level of Enjoyment: 4/5

Workload: 4/5

Difficulty: 5/5 (it's a hard one)

Law 3532 - Advanced Constitutional Law

Course Coordinator (2018): Dr Anna Olijnyk

Prerequisites: Law 1504 Principles of Public Law, Law 2501 Australian Constitutional Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Group Presentation (10%), Judgment Writing Assignment (30%) and Final Research Essay (60%)

Overview:

This course will explore the ways in which courts, governments and individuals shape Australian constitutional law. It will include an overview of the different schools of theoretical thought regarding constitutional interpretation, but also around principles such as popular sovereignty, federalism, the separation of powers, the rule of law, and the role of the common law.

The course will give students an opportunity to explore current constitutional questions as well as historically important constitutional disputes. Students will gain an understanding of the trajectory of, and trends in, constitutional law. The study of these topics will allow students to deepen and broaden their understanding of the principles of constitutional law learnt in the compulsory course, Australian Constitutional Law.

Students will gain an understanding of the practice of key actors in constitutional matters, including the High Court, state and federal executives and legislatures, indigenous people and other individuals.



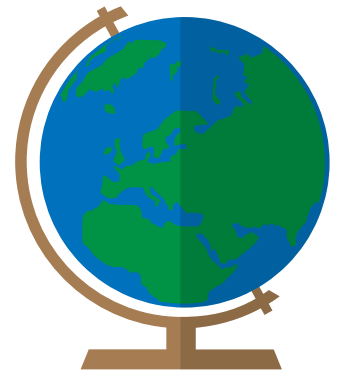
Student Testimonial: George Bouras

For anyone who enjoyed taking Constitutional Law, I strongly recommend that they take Advanced Constitutional Law with Anna Olinjk. Rather than simply learning about constitutional sections and doctrines, in this course you consider broader themes behind constitutional interpretation.

The course consists of 1 three-hour seminar/lecture a week. The first hour involves Anna giving a lecture on the core material and the next hour was usually some kind of class discussion based activity. The third hour is certainly the highlight of the course. Anna invites Professor Geoffery Lindell and the Honourable Justice Martin Hinton to engage in wide ranging class discussion — they sit in with the body of the students so it's certainly not a lecture, but rather a wide ranging discussion! Professor Lindell often gave an accounts from his decades of experience in analysing and even advising on the drafting on many of the laws discussed. Further, Hinton J's experience as Solicitor-General of South Australia provided a unique and invaluable window into most of the recent constitutional cases, because he personally argued them before the High Court!

The assessment for the course is a judgment writing exercise (this year we pretended we were writing about the s 44 citizenship cases), a group presentation, and a 4000-word essay on any constitutional topic of your choosing.

Law 2508 - Comparative Law



Course Coordinator (2018): Dr Lorne Neudorf

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 3 hours per week + one day/week at host institution

Assessment: 2 x Reflections (5% each), Seminar Presentation (20%), Examination (70%)

Overview:

Students are introduced to comparative law as a method of legal enquiry, which is of significant import to the cosmopolitan lawyer who often requires knowledge of more than one legal system. Students consider the practical aims and theoretical underpinnings of the comparative legal method and examine the historical development of the process of comparing rules, principles, and institutions of different countries.

Emphasis is placed on the contemporary use of the comparative method in both public and private law by legal actors such as lawyers, judges, and legislators. Students develop an international perspective by making substantive connections between the Australian common law and a range of legal traditions, questioning whether national legal systems and institutions are converging or whether differing economic, political, and social contexts preserve legal diversity.

Student Testimonial: Danielle Gilby

If you are interested in why laws are the way they are, the Comparative Law elective is absolutely for you. The course canvasses legal systems and traditions in numerous countries, including the civil law and common law traditions, the Asian law tradition, and Islamic law tradition. It also looks at how different legal systems interact with each other, influence each other, and sometimes even borrow certain institutions or principles from each other. Extra-legally, the course considers the impact of cultural, religious or political factors - explaining why certain legal systems have particular rights or principles, while others do not. The University of Adelaide Law School already has a strong emphasis on foreign law and international relations, and this course is perfect for those wanting to enhance their own knowledge in these areas.

The course runs in typical lecture-and-seminar format, and the assessments include a SGDE exercise, quizzes and an exam. The readings for this course can be verbose, but that is more a reflection of the academics in this field than of the course itself. Also, reading for this course can be done “out-of-order” if you simply cannot fit it in one week. Because different topics are covered every week, you do not have to scramble to “catch up” on a reading you missed. You can leave it to a quiet weekend or the mid-semester break. The exam format sometimes changes depending on who is running the course, but builds predictably on the content covered throughout the semester. Preparing for Comparative Law was the less stressful preparation I have done for any law exam. It also had some of the most interesting content I have found in a law course.

Overall, if you are interested in foreign systems, or want to work in any area of law that involves interactions with other countries, the Comparative Law elective is essential for you. Further, it gives you a new perspective on other systems, as well as our own system, which you can use to critique or praise Australian legal doctrines in other subjects. This elective truly allows you to see the “bigger picture” of legal traditions around the world.

Level fo Enjoyment:

Workload:

Law 2511 - Environmental Law



Course Coordinator (2018): Dr Michelle Lim

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Participation (5%), Seminar Presentation (10%), Online Quiz (10%), 2500-word Essay (30%), Final Exam (45% or 75% if essay redeemed).

Overview:

An introduction to the concepts and principles which underpin environmental law from the international to the local level. The course will address Constitutional responsibilities and roles relating to the environment; sustainable development and the law; environmental planning through environmental impact assessment and land-use law; environmental protection principles, climate change water resources law; heritage issues and the protection of biological diversity.

Student Testimonial: Cloe Jolly

Aaah the environment! It's biodiversity, ecosystem services, crisp air and beauty. Why wouldn't you want to learn about how to protect and sustainably use its resources?

The Environmental Law course looks at a variety of international and domestic environmental law topics amongst the complex interactions of the various treaties, conventions, statutes, case law and regulations that concern the environment and how humans interact with it.

You will look at an array of topics. Some more theoretical in nature, such as the legal status of the principles of sustainable development, environmental law enforcement on the international scale and the relationship between human rights and the environment. Others much more practical, such as planning/development assessment, heritage protection, pollution control, native vegetation clearance, water law and the conservation of protected species.

Assessment generally involves a group presentation, a main research essay and (unfortunately) an exam (2018 was a short Wayville exam but has traditionally been a take-home before this).

This course would be enjoyed by anyone with a keen interest in the complexity of environmental law and who enjoys statute-based subjects (because you will use about 10 different ones). It is also arising as quite a hot topic so its good for those who want to gain some understanding of how to prepare for the world's downfall.

Level of Enjoyment: This nature lover would give it a 4.5/5 !

Workload: 4/5

Law 2519 - Native Title Internship

Course Coordinator (2018): Ms Anne Hewitt

Prerequisites: Law 1506 or Law 1511 Property Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Completion of Aurora Project Internship (P/F), Work Diary (15%), Research Proposal (15%) and 5000-word Research Essay (70%)

Overview:

The course allows students completing internships with native title representative bodies and other organisations which deal with native title in Australia or Indigenous law and policy for a period of four to six weeks to complete an academic course which complements their internship experience.

The internship enables students to build on their understanding of native title law or Indigenous law and policy by gaining an appreciation of its practical operation. The associated elective course aims to give depth and context to student's existing knowledge of native title law and Indigenous law and policy. In the elective course students will be asked to complete an agreed research task under the supervision of the course coordinator. That research task might involve research into a specific aspect of native title law or procedure or Indigenous law and policy. The precise research topic will be negotiated individually between each student and the course coordinator, and will build on the work the student completes with their host organisation. It is expected that students will also be involved in the day-to-day activities of their host organisation and gain a broad understanding of how such organisations operate.

NOTE: This elective is offered in both Semesters 1 and 2.



Student Testimonial: Soraya Pradhan

Eligibility:

In order to be eligible for the Native Title Internship Programme, you must meet the following criteria:

- have completed Property Law (LAW 1506); and
- have been accepted into an Aurora Project Internship in the legal stream.

The Aurora Project Internship Program is an organisation that places students in various programs related to native title issues. Selection is competitive and is not affiliated with the university. Once you are selected for an Aurora Internship, you can have input as to which organisation you intern with. You will be able to do the Native Title Internship Programme in the semester directly after your internship, or as negotiated with the course coordinator.

Course Structure: The course does not have set lecture or seminar times. Discussions with the course coordinator are held approximately once every 2-3 weeks at a mutually convenient time.

Assessment: The assessment for the subject is likely to include:

- completion of the internship;
- a reflection on your internship experience;
- a research abstract; and
- a research paper of 3000-4000 words.

Overview: The Native Title Internship Programme is very helpful for students interested in native title law or research issues. The course is structured to give significant flexibility to students, as they may have an input in the frequency of meetings, research topics and output. The course is also structured such that the research project may be used for future publication at conferences or in essay competitions. This course particularly suits those with an interest in research or who would like to gain practical experience in the field of native title.

Level of Enjoyment: 3.5/5

Workload: 4/5

Law 2506A - Adelaide Law Review

Course Coordinator (2018): Associate Professor Matthew Stubbs (S1) / Judith Bannister (S2)

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 2 hours per week

Assessment: Editorial Activities (25% each semester), 2 x 2750-word Casenotes (one per semester, 25% each)

Overview:

The Adelaide Law Review has been since 1962 the flagship publication of the Law School. The journal is peer reviewed and is committed to the publication of legal scholarship of the highest quality. The Course will introduce students to legal publishing and editing. Further students will consider the legal journal as a means of legal education.

This course will involve students in the production of the annual editions of the journal. Students will consider the role of legal publications, critically analyse submitted material and comment upon a diverse range of legal scholarship. In addition students will develop skills in advanced legal writing, copy-editing and journal production.

NOTE: **this is an invite-only course and it runs across the whole year (both semesters)



Student Testimonial: Kyriaco Nikias

Law Review is better characterised as a co-curricular activity than an elective. There is no real coursework. Student Editors work on articles which have been chosen for publication in the Review. These vary depending on what has been submitted by writers from around Australia. Each week an article is allocated to an individual student (or two students) to edit. Those suggested edits must be provided to the whole group when it meets each week. During this time, the Student Editors discuss the article and decide which changes should be made, and whether any questions need to be asked to the authors.

Editing consists of two tasks: first, ensuring that the author makes verifiable claims; second, helping to make those claims as clear as possible. This means checking whether citations properly support the arguments the author makes, and ensuring that the article is properly formatted.

The process is tedious, repetitive, and intricate. A good editor must be nit-picky. You will read a lot of academic writing: some good, some bad. You will learn what works, and what doesn't. It is a unique opportunity among law courses to learn how to write coherent, persuasive prose. There is a world of difference between that and the last assignment you wrote for Admin Law or your second-year History elective.

The workload is not overwhelming. But do not be misled by the fact it is only 1.5 credits per semester. The more you engage with editing each week, the more you will get out of the course. You will write one case note each semester. The best two will be published. This is a great opportunity to practise your writing skills. The best two Student Editors are invited to stay on for the next year to work in a more senior role for the Review. I

f you are not a nerd, you will probably regret taking Law Review by Week 2. But if you are, congratulations. Participating in Law Review is not only a mark of academic achievement, but it is universally-recognised currency in both the worlds of academia and legal practice. By the end of the year, with a bit of luck, you will be a better writer. You might even be published.

Law 3534A - Law Reform



Course Coordinator (2018): Dr David Plater

Prerequisites:

Law 2501 Australian Constitutional Law,
Law 2504 Administrative Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Class Participation (10%),

Semester 1: 1500-word Literature Review (30%) + Class Presentation (5%)

Semester 2: 3500-word Research Assignment (50%) + Class Presentation (5%)

Overview:

This course will examine theories, practices and processes for achieving reform of the law. The course will operate in conjunction with the South Australian Law Reform Institute and students will participate in the references being undertaken by the Institute.

The topics to be covered in the course include: -theories of law reform; -the institutions through which the law is reformed; -the role of the community, the executive, the parliament, the bureaucracy, law reform bodies commissions and courts in progressing law reform; -the role of the news media and new media; -the role and function of the South Australian Law Reform Institute -legal policy analysis for law reform.

NOTE: **this is an invite-only course and it runs across the whole year (both semesters)

Student Testimonial: Liv Jay

The Law Reform subject is an elective run through the South Australian Law Reform Institute (SALRI), which, unbeknownst to many, is actually housed in the nosebleed section of Ligertwood. Similar to Law Review, enrollment in the subject is by invitation.

At the beginning of the year, students are introduced to the array of projects being undertaken by the Institute at that time, and are asked to select an area of interest. The topics are diverse, and this year, members of the class have conducted research on areas such as commercial surrogacy arrangements, advanced care directives, the criminal defences of duress and marital coercion - and even restrictive covenants! It's safe to say that there's something for everyone. Over the year, students complete two big pieces of assessment on their topic of choice - the first being a literature review, and the second being a research essay. You will also have the opportunity to develop your presentation skills by presenting your findings to your peers in both semesters. Much of the work that students do throughout the year often ends up contributing to the work of SALRI in a valuable way.

The subject is different to most other electives, in that it is a single unit subject which runs over the entire year. Students receive 1.5 credits a semester, similar to Law Review. There are no law reform lectures, but the class meets once a week for two hours. In seminars, students present their findings on their independent projects, discuss academic works about law reform, and are joined by interesting and diverse speakers from the profession and the political sphere. For instance, the class this year has had the great privilege of meeting with John Rau SC, Vickie Chapman, and former Chief Judge Geoffrey Muecke. It is also worth mentioning that one of the best things about reform is the class itself. About 20 students do it, and it runs for the whole year, so before long, you build a strong rapport with your peers. Our class is full of different personalities, and I've found it to be quite unlike other electives in this regard.

Students who are interested in research, academic writing, current affairs and policy will thrive in and enjoy reform. It is a challenging subject, and a lot of work goes into the projects that students develop. However, it is also a very flexible subject, and students very much drive their own workload subject to what else they have on at the time. Further, if you pick a topic that you're interested in - which, if you're smart, you'll do - you will actually really enjoy the challenge. Working on my reform essay in semester 1 was honestly a welcome break from DRE study, and help is always there if you ask for it.

Reform has been one of my favourite subjects at Uni, and I highly encourage anyone who is offered the opportunity to take it.

Level of Enjoyment: 5/5

Workload: 2.5/5

Law 3599 - Law Research Dissertation

Course Coordinator (2018): Dr Beth Nosworthy

Prerequisites: Law 2504 Administrative Law and Law 2505 or Law 2598 Corporate Law

Units: 6

Contact Hours: Up to 4 hours per week

Assessment: 12 000-word Dissertation (100%)

Overview:

Students are required to write a supervised research dissertation on an approved topic. The dissertation will be written and assessed in accordance with procedures approved from time to time by the Dean of Law.

Students wishing to write a research dissertation will be selected into this elective upon the basis of their academic records - only available where School can provide appropriate supervision for the research topic proposed.

NOTE: This elective is offered in both Semester 1 and Semester 2.



Student Testimonial: Samuel Leeson

Law Research Dissertation gives students a unique opportunity to examine a particular legal issue in depth. Until recently, the course was run as an elective in which applicants were selected according to their GPA. It now forms a compulsory part of the honours program for students who commenced their law degree after 2015.

The course requires students to choose a topic and write a 10,000 to 12,000-word dissertation addressing the key issues that arise from their topic. The paper is written over a semester with input from a supervisor, who is a member of the academic staff with knowledge in the area of law you are writing in.

Assessment: The assessment for the course consists entirely of the research dissertation that you write. This gives it a lot of flexibility in how you approach the research and writing and the deadlines that you set yourself. For example, I had weekly meetings with my supervisor and set a deadline of the mid-semester break to have a draft of my entire argument. While it can be a bit daunting to have a subject grade resting entirely on one paper, keep in mind that you have an entire semester to write and perfect the end result.

Resources: The resources used will vary depending on the topic you choose. Keep in mind that it is a research dissertation and will require students to read widely in a particular legal areas to form an argument. Keep a copy of the AGLC handy, as you will need it.

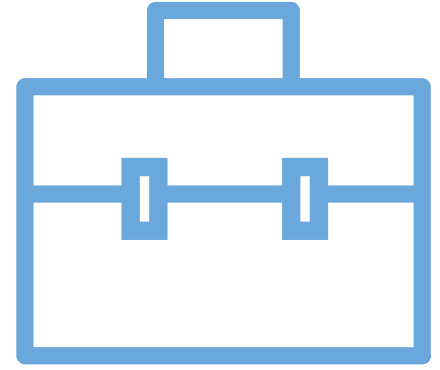
Take away: Overall, I thoroughly enjoyed looking at a particular issue in depth and the law research dissertation is really the only chance that you get to focus on a particular topic of interest in the undergraduate degree. The course is really what you make of it. If you are keen on research, or have a particular legal issue in mind that you would be keen on exploring fully, I would highly recommend doing a dissertation.

Level of Enjoyment: 4.5/5

Workload: 4/5

Winter Electives

Law 3517 - Law of Work



Course Coordinator (2018): Dr Joanna Howe

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Intensive

Assessment: 1000-word Casenote (30%) and 4000-word Essay (70%).

Overview:

This course examines the law governing work as it is evolving in the global era. It explores a range of regulatory mechanisms deployed in this area, including international norms as well as Australian statute and common law, and new forms of 'soft' regulation.

Topics covered include: the law of work in the global era; the Australian regulatory system; the subject of the law of work, including the distinction between employees and independent contractors, and the nature of the 'firm'; the contract of employment, and common law rights and responsibilities at work; legislated safety net conditions and awards; security at work, including dismissal law; freedom of association; workplace bargaining, and resolving conflicts at work under the law.

Student Testimonial: Matthew Cheung

Why should you enrol into Law of Work? Unfortunately – to most of our dismay – many of us will need to obtain some occupation within our lifetime. So, you might as well know your employment rights and responsibilities! Whether you are still in school looking for that part time job, or soon to transition into your professional career, this course will be relevant and helpful.

Have you ever contemplated the following burning employment questions, such as:

Being confused whether your job is that of ‘casual employment’ or ‘part-time employment’? Uncertain about the differences between ‘contracts of service’ as opposed to ‘contracts for services’?

Have you recently posted a *particular* tirade on twitter? Or maybe had *too much* of a good time last weekend or *faked a sickie* and posted it on Facebook and/or Instagram? In Law of Work, you can learn about what employers may invoke to regulate you on such instances and other possible repercussions.

Other topics include:

- Understanding the employment regulatory framework in Australia and use of the Fair Work Act 2009 (Cth);
- Recalling some of the glory days in *Contract Law* within the modern employment contract; and
- Exploration of other diverse topics such as Australia’s unique Awards system, registered agreements, unions and remedies.

Knowing the current landscape of how employers and employees interact with each other is vital for a harmonious workplace. If you are lucky, this course will be facilitated by some of Australia’s preeminent academics in the field of employment law– Andrew Stewart and Joanna Howe.

Law 2567 - Biodiversity, Planning & Regional Australia Study Tour



Course Coordinator (2018): Mr Paul Leadbeter

Prerequisites: N/a

Units: 3

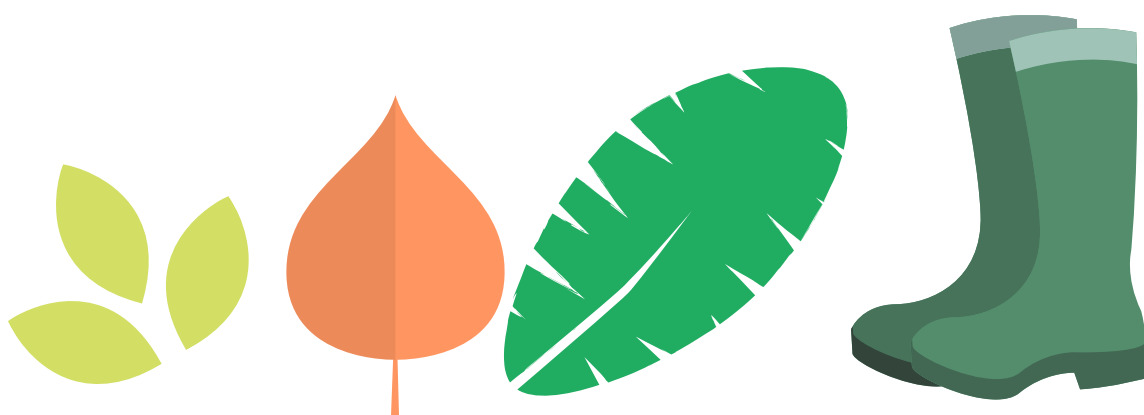
Contact Hours: Intensive

Assessment: Attendance and Participation (10%), 3 x Reflective Journal Entries (30%) and 4000-word Research Assignment (60%)

Overview:

This course takes students into regional Australia to examine the impact of federal and state laws on our diverse environments, towns and peoples in regional South Australian.

The course will assist students to develop skills in biodiversity and planning law as well as enrich their Indigenous cultural awareness. It will focus on developing legal analysis skills within a practical and holistic context and it will also focus on legal research.



Student Testimonial: Rachael Ingleton

The Biodiversity Study Tour is a great opportunity to explore complex environmental and planning law issues in depth. The one week study tour takes place in regional South Australia, with visits to Woomera, Roxby Downs, Iga Warta, Blinmann, and Wilpena Pound to name a few. During this time, students will meet with organisations such as the Aboriginal Legal Rights Movement and the conservation team at Arid Recovery. The course is designed to expose you to aspects of biodiversity law, environmental law and planning law in practice that will later form the basis for your assessment.

Assessment includes reflective journals, a 4000 word essay and participation. The assessment in this course is designed to test your engagement with course content, your participation in unique experiences, as well as your legal research skills on specific areas of law that involve complex legislative and social policy frameworks.

This trip was one of the highlights of my time at Adelaide Law School, and I cherished the opportunity to get out of Ligertwood and into the outback. That being said, it might not be for everyone: long drives, drop toilets and long discussions about the merits of indenture agreements are all parts of this course! Best suited to those with keen interests in environmental law.

Enjoyment: 5/5

Workload: 4.5/5

Course structure: be flexible

Semester 2 Electives

Law 2570- Aliens, Citizens and Migration



Course Coordinator (2018): Professor Alex Reilly

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Participation (10%), Short Answer (20%), Research Proposal and Presentation (20%) and 3000-word Research Essay (50%)

Overview:

The criteria for membership in nation states is highly contested. Often the formal status of membership does not mirror the level of individual attachment to a place. This has led to problems of over-inclusion and over-exclusion of people within nation state communities.

This course examines how nations and their communities construct the criteria for membership and belonging. It interrogates the formal legal criteria for membership through an examination of the many attachments humans have to nation-state, local communities and culture. The course focuses on Australia, but draws on examples from North America and Europe.



Student Testimonial: Lesley Jayasuria

If you're just a bit sick of reading Acts and cases and the words "Advise generally" sends chills down your spine then Aliens, Citizens and Migration might be the perfect elective for you. The course has recently been revamped by coordinator (and resident refugee law and migration law GOD) Alex Reilly to take a more theoretical and conceptual look at migration.

The course is definitely targeted at students who are more interested in the policy than advocacy side of the law. But if you're an advocate at heart, do not worry because class participation is part of your grade and boy do some of the tutes get HEATED (plus a fun drinking game: take a shot whenever someone feels the need to tell you their personal life story EVERY. SINGLE. TIME. before they answer a question).

Each week focuses on a different concept such as membership, identity and allegiance and how they relate to our migration thresholds and citizenship tests. The main and final assessment is a research essay (praise the Lord no exam!) and you get to choose what particular issue to base it on. The other assessments include an essay proposal and a peer-reviewed presentation of your proposal that are all effectively aimed at assisting you with writing that big essay.

Border control has become such a hot topic in many countries all over the world and the best part about this course is that it pushes you to really stop and think why this is so and where it stems from.

Level of Enjoyment: 4.5/5

Workload: 4/5

Law 2513 Human Rights: International and National Perspectives



Course Coordinator (2018): Associate Professor Laura Grenfell

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Class Participation (10%), News Reflection (20%), Online Quiz (5%), Small Group Presentation (5%) and 4000-word Research Essay (60%)

Overview:

The aim of this course is to have students consider the legal, philosophical and sociological underpinnings of human rights; students will be encouraged to think critically about the views they hold and the values reflected in the Australian and international legal systems.

The course will focus on the United Nations and its role in formulating, interpreting and monitoring human rights. A further component of the course will be the protection of human rights in Australia.

Student Testimonial: Vaishi Rajaramanan

I did this subject in semester 1 of 2017, and found it interesting, engaging and insightful. While the 3-hour block is a bit of an adjustment, the content is unique and engaging as it tackles the substance of various international conventions in different settings, as well as the ability of these conventions, as well as various international institutions, to remain relevant and enforceable.

I was fortunate to hear from some extremely interesting guest speakers, and for people who don't like exams, this course provided varied and interesting assignments through class presentations, media article analysis and an end of semester essay. This subject also allowed consideration of legal, ethical and philosophical dimensions, as opposed to simply applying black letter law. In fact, this course had few 'problem questions' and rather encouraged discussion of the values underpinning human rights, and the extent to which they could be monitored, both ideally and realistically, by domestic and international mechanisms. I particularly enjoyed the focus on disability rights, but across the weeks there was significant attention devoted to areas such as immigration law, indigenous rights, economic and social rights and gender rights.

To do well in this course I would recommend staying on top of the readings, and always considering a variety of angles and arguments (even the ones you don't agree with) in your assignments. I would also recommend this subject to anyone looking to apply for the Human Rights Internship Programme, as it gives you a holistic background to various Human Rights Institutions and International covenants. Enjoy!

Level of Enjoyment: 4.5/5

Workload: 4/5

Law 2524 - Criminology

Course Coordinator (2018): Mr James Stewart

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Class Participation (10%), 2000-word Research Paper (30%) and Examination (60%).

Overview:

Criminology looks at defining crime and provides an introduction to the criminal justice system.

The course involves an examination of the historical origins and contemporary theoretical perspectives on the causes of crime and criminality including: physical and genetic factors; psychological theories; and sociologically based theories of crime. It also provides an introduction into the nature of and uses of criminal statistics.



Student Testimonial: Jasmyn Tran

Criminology is an intriguing and enjoyable elective, which I would recommend taking especially if you have an interest in working in criminal law or if you are simply fascinated by human behaviour.

The course exposes you to criminological theories which have developed over time to try and understand why people engage in criminal activities, including analysis of the social and structural aspects of crime. It is different to traditional legal subjects, with quite a few readings of empirical studies and articles from the social-sciences. However, approaches to understanding, explaining and reducing crime through our justice system is a topic that I think everyone has an opinion on, therefore it is easy to engage with the themes of this course and assessments are reasonably enjoyable as opposed to tedious!

Additionally, the inter-disciplinary approach to understanding something like crime is helpful if you wish to work in areas of policy or law reform, where understanding diverse community groups and social-economic factors are vital to creating viable, workable solutions.

Law 2523 - Succession

Course Coordinator (2018): Dr Sylvia Villios

Prerequisites: Law 1506 or 1511 Property Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: 2000-word compulsory research assignment (30%) and Final Exam (70%)

Overview:

This course acquaints students with the basic principles of the devolution and distribution of property upon death of the owner. Death is a major occasion for the transfer of property and the principles relating to it form an important part of any legal practice. Whilst the course concentrates upon the rules and practice relating to devolution of property on death, various aspects of social policy are considered.

The following topics will be covered: wills; distribution upon intestacy; family provision; probate and administration, and the choice of law principles that govern the law applicable to succession issues which are connected to more than one jurisdiction.



Student Testimonial: Gerald Manning

If your non-law electives are boring you to death, you're going to need a will. The Succession law elective, run by Sylvia Villios, will teach you the fundamentals of making a valid will, what happens if a person dies intestate (without a will), how the Family Provision legislation can be used to challenge a family member's estate, and how the Supreme Court grants probate or administration.

The course has a relatively light workload, although the timetabling can be inconvenient. There are two 1-hour lectures per week, and one 2-hour lecture held fortnightly. With that said, you can always watch the lectures online. There are also only two pieces of assessment for the course: a group assignment and a written exam. The group assignment is a 2000-word research essay on a topic selected by Sylvia. You are required to form a group of five or six with members of your seminar, and together answer the assigned assignment questions. The 2-hour Wayville exam contains problem questions and short answer questions relating to each topic of the course. Sylvia runs an exam workshop session prior to the exam, so you know the structure and types of questions before going in.

The best part is you do not need a textbook for the course — Sylvia supplies you with a document summarising the law for each topic, which covers everything that is examinable. Further, the actual law is intuitive, and the course is tailored to allow you to resolve practical issues within each topic.

Having knowledge of succession law is a great way to increase your employability, as many practicing lawyers will deal with wills and estates at some point in their career. If not, at least you will know how to challenge a family estate!

Level of Enjoyment: 4/5

Workload: 3/5

Difficulty: 3/5

Law 3519 - Remedies

Course Coordinator (2018): Mr David Wright

Prerequisites: Law 1506 or 1511 Property Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Case Analysis (30%), Online Assessment (20%) and Research Essay (50%)

Overview:

This course examines the various general law remedies available. Specific topics will include: (i) common law damages (ii) the declaration (iii) the injunction, including an examination of specific problem areas, for example, balance of convenience, interlocutory injunctions and damages in lieu (iv) specific performance (v) compensation (vi) account of profits.



Student Testimonial: Azaara Perakath

For anyone thinking 'I'm not sure what elective to do but just want something that will be interesting and useful in practice', **Remedies** is the elective for you! Run by resident Ligertwood equity guru, David Wright, the course builds upon all of those previous concepts in contracts, torts and equity that you didn't quite understand the first time, when 'remedies' was tacked onto the end of an answer to a problem question.

The assessment features two x 1000 word casenotes (only one of which is marked), as well as an online quiz and a final research essay. Yes, you read that right, there is no Wayville Exam!

The course covers the history and development of common law damages and equitable remedies, contractual and tortious damages, restitutionary remedies, and much much more! Lectures are kept fun with David always managing to throw in casual quips about his dinner discussions with Justice Gummow or his predictions for the directions of the current High Court.

Helpfully, David also provides students with summaries of each topic in seminars, and keeps things interesting by including weekly quizzes on the law generally, which keeps you feeling like you're staying on top of more than just the course content.

Overall, remedies is a really interesting and useful course, and one that is of extreme significance within the Australian legal landscape. If you're fence-sitting about what elective to do, select remedies and you won't regret it!

Level of Enjoyment: 4/5

Workload: 4.5/5

Law 3509 - Anti-Discrimination & Equality Law

Course Coordinator (2018): Associate Professor Anne Hewitt

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Quiz (5%), Role Play Portfolio (30%), Peer Assessment (10%) and Final Assignment (55%).

Overview:

The course will cover aspects of Australian anti-discrimination and equality law at both Federal and State levels. Analysis of the law will be placed in a broader context: justifications for anti-discrimination law and the principle of non-discrimination will be examined. The scope of existing Federal and State prohibitions on discrimination, and exceptions to prohibitions, will be considered, as will mechanisms for enforcing the legislation and remedies.

The course will make clear the assumptions that underlie traditional thinking concerning anti-discrimination legislation, and expose these to critical scrutiny. In previous years the assessment in this courses included a portfolio of a number of pieces of written interim work submitted by a group of students (25%), a peer and self assessed group work mark (10%) and a final take home examination (65%), however the precise nature of the assessment tasks and weighting may be subject to change.



Student Testimonial: Liam McInerney

Content warning: Group work

If you're the kind of person who hates sitting around in a classroom talking about vague and abstract legal concepts and you're looking for something highly practical and hands-on, this is the subject for you. The lectures are really engaging, but unless you can make it to the actual lecture, you're not going to fully appreciate their worth. I'm not going to lecture you about attendance, but if you're going to skip (and I'm certainly in no position to judge), I wouldn't watch the recording. The seminars are run really well and you can generally get most of the content from going to those and doing some readings. I'd also say you can do well without the textbook if you make good use of the other resources, which is always a plus.

But heed this warning: 30% of the assessment over about 4-5 weeks is group work, with groups randomly assigned. If the thought of yet another dreaded SDGE makes you sick to the stomach, steer clear of this subject and thank me later. Having said that, the extended group "portfolio" consists of a series of tasks that are really useful and practical; asking "clients" (i.e. course co-ordinator Anne Hewitt) questions, writing letters to clients, etc. For such essential skills in practice, I can't think of any other substantive subjects (i.e. not DRE) where we've done something like that.

This is a genuinely interesting area of law, and one that is probably going to be reformed a fair bit over our careers, so definitely one worth getting your head around. I'd also say that it's one you can do well in without strict lecture attendance or the textbook, but slide into my DMs on results day to see if I eat my words.

Level of Enjoyment: 4/5

Workload: 4.5/5

Law 3543 - Corporate Gatekeepers

Course Coordinator (2018): Professor Suzanne Le Mire

Prerequisites: Law 2505 or Law 2598 Corporate Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Class Participation (10%), (optional) Portfolio (30%) and Final Assignment (60-90%).

Overview:

This topic explores the role and contribution of corporate gatekeepers. As the power and complexity of the modern corporation has increased, an intricate web of parties have been charged, to some degree, with keeping a watch on the exercise of corporate power. These parties include both regulators who monitor aspects of corporate activity, and professionals who are called on to advise, or take on specific tasks in the life of the corporation.

This course will introduce regulatory theory with its expanded understanding of regulation and regulatory techniques. It will use this perspective to critically evaluate the way these gatekeepers work, and the extent to which the legal and regulatory framework supports or limits their power and effectiveness.



Student Testimonial: Erin Mack

Corporate Gatekeepers is a level 3 elective that explores the role of Corporate Gatekeepers, including ASIC, regulators and auditors. It is taught by Suzanne Le Mire in a 3-hour block, with the majority being a lecture with some group discussion. There have also been visiting lecturers from ASIC and APRA.

It is a pretty interesting course that builds on the stuff about regulators from Corporate Law, and Suzanne is an engaging lecturer.

The assessment involves a class presentation, media portfolio and paper, and a take-home exam.

Level of Enjoyment: 4/5

Workload: 4/5

Law 2518 - Moot Court

Course Coordinator (2018): Dr Anna Olijnyk

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Group Written Submissions (30%), Practice Moot #1 (20%) and Practice Moot #2 (50%).

Overview:

Students are eligible for the subject by application and selection only. To apply an on-line application needs to be submitted:

<https://unified.adelaide.edu.au/group/law-school/moot-court-expression-of-interest>

Participation in the Moot Court subject will enable students to develop skills in preparing written submissions and in oral advocacy at an advanced level. Central to the learning in this subject is the preparation and participation in national mooting competitions such as: 'The Administrative Appeals Tribunal Mooting Competition', the 'Sir Harry Gibbs National Moot Competition (Constitutional Law)' and the 'Michael Kirby Contract Law Moot Competition.

NOTE: Team by selection only.



Law 3520 - Sentencing & Criminal Justice

Course Coordinator (2018): Ms Kellie Toole

Prerequisites: Law 2503 Criminal Law and Procedure

Units: 3

Contact Hours: Up to 3 hours per week + one day/week at host institution

Assessment: 1500-word critical analysis (20%), Group role play (30%), 3000-word Research Assignment (50%).

Overview:

Sentencing is the process by which criminal penalties are imposed on an individual found guilty of a criminal offence. The type and severity of penalties available for imposition involve significant value judgments.

The course will cover sentencing theory; the history of Australian corrections law and policy; distinguishing between the factors relevant to determining guilt and those relevant to sentencing; current South Australian sentencing legislation, and the law and order policy informing it. It may include guest presenters and field trips.

A selection of additional topics, determined in consultation with students, will be drawn from areas such as mandatory vs discretionary sentencing; plea 'bargaining'; the role of the victim in the criminal justice system and sentencing; therapeutic and restorative justice; principles for sentencing Aboriginal offenders; principles for sentencing juvenile offenders; international comparisons including the death penalty; media representations and reporting; sentencing and criminology theories; control orders and preventative detention.



Law 3533 - Sports Law



Course Coordinator (2018): Dr Mark Giancaspro

Prerequisites: Law 1503 or Law 1510 Contract Law, Law 1507 Tort Law, Law 2503 or Law 2599 Criminal Law and Procedure

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: Letter to the Editor (10%), 2000-word Case Judgment (30%) and 4000-word Essay (60%).

Overview:

In the last fifty years, sports law has emerged as one of the most important and controversial fields of law. As a discipline, sports law overlaps with contract law, employment law, competition law, intellectual property law, criminal law, tort law and many others. In addition, there are a number of legal issues which are specific to sport such as policy responses to doping and drug use, athlete behaviour and discipline, corruption, and selection processes.

This course will examine a number of these areas and analyse the way in which sport and the law interact. The course will provide an overview of some of the unique legal issues which arise in modern elite and professional sports at a national and international level. Subjects covered may include: commercialisation of sport, national and international governance of sport and sporting organisations; employment and contract law issues relating to elite athletes; labour market controls and issues such as salary caps; disciplinary tribunals and the regulation of athlete behaviour; anti-doping policy and cases; restrictive trade practices; and civil/criminal liability for sporting injuries.

Student Testimonial: Jake Kriticos

Sports Law is a semester 2 elective, taught in two sessions each week. The first is a one hour 'lecture', while the second is a two hour 'practical'. Both are recorded.

The course is a great option for students looking to cover a broad range of topics. The 12 topics for the course consider corporate governance, employment law, contracts, administrative law, and civil and criminal liability, all from a sports law perspective.

To this end, Contracts (LAW 1503), Tort Law (LAW 1507) and Criminal Law and Procedure (LAW 2503) are the prerequisites.

The course is not rigorous as far as assessment goes. To the benefit of time-poor students, it is possible to only undertake a cursory look at the topics that are not encapsulated in any of the three pieces of assessment, and still receive a good grade. The assessment pieces, which have been recycled since the course began in 2016, include:

1. A Letter to the Editor: A 1000 word paper covering one of the topics addressed in weeks 1-4.
2. A Case Judgment: A 2000 paper, written in *groups*, addressing an issue the week 7 topic.
3. A Research Essay: A 4000 word research paper addressing a provided essay question.

The text for the course, 'David Thorpe et al., *Sports Law* (Oxford University Press, 3rd ed, 2017), was helpful for the first two of these assessments.

Overall, Sports Law was very enjoyable. The lecturers (primarily Dr Mark Giancaspro) were engaging and the topics they covered were interesting. Strongly recommend for sports fans, or for those looking to see how the various topics, studied in isolation throughout the laws degree, interrelate. Although, a word of warning for the haters of group work – students are not given the opportunity to choose their own groups for the Case Judgment exercise.

Level of enjoyment: 4.5/5

Workload: 3/5

Law 3511 - Commercial Equity



Course Coordinator (2017): Mr David Wright

Prerequisites: Law 2502 Equity

Units: 3

Contact Hours: Up to 3 hours per week

Assessment: 1000-word case analysis (30%), Online Assessment (10%) and 2000-word Research Essay (60%)

Overview:

This course considers the application of equitable principles to modern commercial life.

Issues that may be looked at include: commercial fiduciaries, including joint venturers; equitable security transactions, with particular regard to Romalpa clauses; subrogation and contribution; set-off; marshalling; trusts in a commercial context: trusts and superannuation; the Quistclose trust; the imposition of constructive trusts into commerce; commercial trustees; commercial equitable remedies, particularly Mareva injunctions and Anton Piller orders.

NOTE: Historically, this course is run once every two years. It was last run in 2017, so is likely to run again in 2019.

Student Testimonial: Gaida Merei

If you loved reading Mason's CJ judgments in Equity but you want to pursue a career as a corporate hack, then Commercial Equity is a godsend and taught by none other than the god of Equity himself, David Wright.

The course looks at the application of equitable principles in commercial contexts. The course content covers fiduciary duties, Equity and the competition and consumer act, breaches of confidence, subrogation and contribution and relief against penalties and forfeiture. The tutorials cover these topics with regard to practical application through problem questions and theoretical and conceptual aspects through discussion in class.

The assessment for Commercial Equity includes two casenotes, but only one will be marked and count towards your grade (and you won't know which one), a short quiz and a 2-3 day take home exam which is made up of 4 short essay questions.

Although the content can be difficult to wrap your head around at times, David Wright is one of the most intelligent and friendly academics at the law school and will go above and beyond to ensure you understand the content if you ask for help. As one of the best commercial law electives offered, you definitely won't regret enrolling.

Level of Enjoyment: 4.5/5

Workload: 4/5

Difficulty: 3/5

Trimester 3 Electives

Law 3602 - Strategic Space Law



Course Coordinator (2018): Professor Dale Stephens

Prerequisites: Law 1501 Foundations of Law

Units: 3

Contact Hours: Intensive

Assessment: 1500-word 'Short Issues' Paper (30%) and 3000-word Research Essay (70%).

Overview:

This course will examine the legal aspects of space security, globally and domestically. The content of the course will range across the spectrum from peace to conflict and will cover international law and some domestic law applicable to space situational awareness, sharing of technology, expertise and data, space launch, the space component of ballistic missile defence, space-based intelligence, surveillance and reconnaissance and means to counter these systems, space-based Position, Navigation and Timing (PNT), satellite communications, use of the radio-frequency spectrum and electronic warfare, counter-space operations and force application from space.

On successful completion of this course students should be able to demonstrate advanced knowledge of the intersection of law, strategy and outer space; critically analyse complex problems arising from the application of law to space security; and broadly understand the interests and stakeholders in a variety of contexts associated with strategic space law.

Student Testimonial: Joel Lisk

Strategic Space Law is an intensive course run over six days in the semester two mid-semester break. Dedicated to all things space law, this course covers various aspects of commercial, military and all other types of space activities.

The course is run by Prof Dale Stephens and Prof Melissa de Zwart, but generally also includes other lecturers with practical experience in considering space law issues. The course starts off by covering the basic law of outer space and then discusses the legal issues that arise in specific areas with Prof de Zwart covering most of the commercial aspects and Prof Stephens focusing on the more military focused elements. There are also a few group activities.

Assessment is generally a couple of research papers on topics you choose, so you can explore the areas of the course that are of interest. The first assignment is due relatively quickly, but there is a quite a bit of time to do the second essay.

Strategic Space Law is an interesting and engaging course into a developing area of law, taught by the leading international academics in the area.

Level of Enjoyment: 4.7/5 – interesting and niche area of law taught by super enthusiastic and knowledgeable people

Workload: 4/5 – The first assignment is due relatively quickly, but with only two assignments the workload is manageable.

Law 2572 - Native Title Law

Course Coordinator (2018): Associate Professor Laura Grenfell

Prerequisites: Law 1506 or Law 1511 Property Law

Units: 3

Contact Hours: Intensive

Assessment: Participation (10%), Reflection (10%), Individual Presentation (10%) and 5000-word Research Essay (70%).

Overview:

Native title has been described by Justice Kirby as an 'impenetrable jungle'. This course seeks to guide students in navigating and breaking down this complex and controversial area of law and policy by isolating the main elements of this 'jungle'. To do this, students will examine the range of techniques available in Australia, Canada, and other settler states for the recognition and protection of native title. These techniques include judicial and legislative responses, quasi-constitutional documents such as treaties, constitutional provisions that guarantee rights, and the establishment of semi-autonomous institutions for indigenous self-government.

In the second part of the course, students will identify and consider the ways in which the recognition of native title requires a reassessment of the foundations of real property law in Australia and other settler states such as New Zealand and Canada.



Student Testimonial: Rob Butler

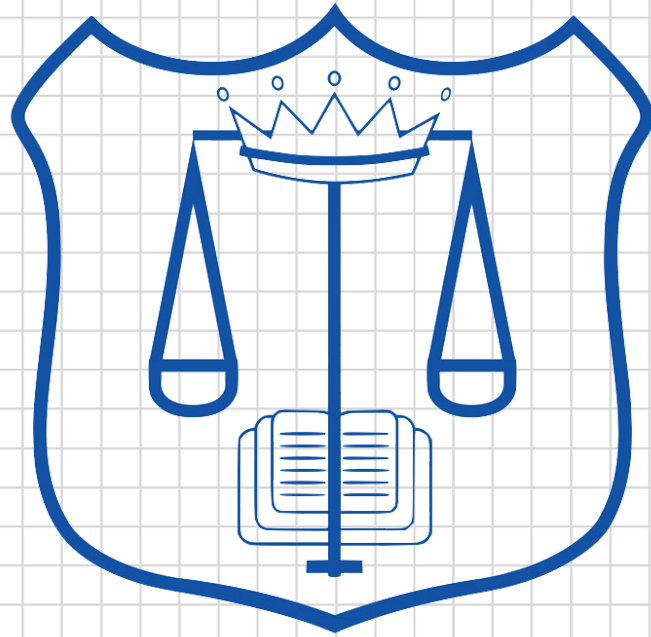
Native Title Law is an intensive that occurs in the holiday break of Semester 2. If you're not cramming for other subjects by that point, this is a lovely way to spend your break. The course is broken up into two segments – the first is a three-day trip to the Yorke Peninsula (Narungga country) where you spend time developing an appreciation for country and contemporary indigenous issues, and the second is four days of intensive teaching back at the University where you learn about the native title regime in Australia and how it compares to other systems and treatises around the world.

In terms of assessable work, you'll have a personal reflection on the excursion to prepare due the first Monday of intensive classes, a general presentation mark, a group presentation, and a research essay that tails the teaching days due later in the second semester.

Personally I found the course highly enjoyable. It's a great way to get to know some of your fellow law students very well, including (at least in our group) some from other universities. The tour guides were fantastic, the food was awesome, the scenery was beautiful, the learning was impactful, and Alex Reilly, Laura Grenfell, Paul Babie, and Peter Burdon were fantastic in their respective roles throughout the duration. Overall I'd recommend the course if you have the time to give to it.

Level of Enjoyment: 4.5/5

Workload: 4/5



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