LEGAL STUDIES

STAGE 6
## CONTENTS

Course Structure

### PRELIMINARY COURSE

**PART I: THE LEGAL SYSTEM**

- Topic 1: Basic Legal Notions
- Topic 2: Sources of Law
- Topic 3: The Constitutional System in Australia
- Topic 4: The Operation of the Legal System

**PART II: THE INDIVIDUAL AND THE STATE**

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- Topic 6: Legal Controls on State Power
- Topic 7: Duties
- Topic 8: Rights

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- Focus Study 1: Aboriginal and Torres Strait Islander peoples
- Focus Study 2: People who have a mental illness or intellectual or physical disability
- Focus Study 3: Migrants
- Focus Study 4: People who are socioeconomically disadvantaged
- Focus Study 5: Women
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- Legal issues and remedies
- Ethics, effectiveness and law reform

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- Focus Study 2: Family
- Focus Study 3: Global environment
- Focus Study 4: Shelter
- Focus Study 5: Workplace
- Focus Study 6: World Order
# Course Structure

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<td>Application of Part III as the dynamic context for the study of Parts I and II in the following common areas:</td>
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Basic Legal Notions

Relationship between rules, laws and custom

Aboriginal and Torres Strait Islander Customary law prior to 1788

Sources of Contemporary Australian law

Sources and framework of International law

THE LEGAL SYSTEM

The Federal System

Constitutional Division of Power

The Constitutional system in Australia

The High Court and Constitutional Interpretation

Transfer of Legislative Power

The Operation of the Legal System

Operation of the Legal System

Operation of the Legal System in relation to Native Title
Topic 1: Basic Legal Notions

- Law
- Fairness
- Custom
- Anarchy
- Equality
- Rule
- Justice

BASIC LEGAL NOTIONS

Relationship between rules, law and custom

Changing the law to reflect changing values and ethics

Ethics

Values
Topic 2: Sources of Law

Aboriginal and Torres Strait Islander Customary law prior to 1788

- Spiritual nature of Customary law
- Enforcement and Sanctions
- Ritual and Oral tradition
- Conciliation and Mediation
- The significance of land and the role of property
- Contrasts with English

Sources of Contemporary Australia law

- Statute Law
- Common Law
- Precedent
- Civil Law
- Constitution

Sources and framework of International law

- Treaties
- Legal Writings
- International Conventions
- International Customs
- International Organisations (UN etc.)

Sources of Contemporary Australia law

- Delegated Legislation
- Parliament
- Criminal Law
- Constitution

Sources and framework of International law

- Legal Decisions
- Precedent
- Common Law
- Statute Law

SOURCES OF LAW
Topic 3: The Constitutional System in Australia

The Federal System
- History: English military rule
- Reception of English law
- The development of a legally independent nation

The establishment of the Commonwealth

Exclusive, Concurrent and Residual Powers
- Constitution Section 51, 90
- Conflict of Concurrent Power

Constitutional change

Constitutional Division of Power

The High Court and Constitutional Interpretation
- ‘Protect’ and interpret Constitution
- Original Jurisdiction and Final Court of Appeal
- Separation of Powers: Legislature, Judiciary, Executive

Checks and Balances

Transfer of Legislative Power
- Removal of link to Privy Council
- Terra Nullius and the Colonial era
- Appropriate legislation

Checks and Balances

The CONSTITUTIONAL SYSTEM IN AUSTRALIA

Removal of link to Privy Council
Topic 4: The Operation of the Legal System

The Adversarial System and the Legal Profession

Future directions

Alternative Dispute Resolution (ADR)

Court procedures in Civil and Criminal Proceedings

Observation of civil and Criminal cases in the Local Courts

Enforcement Agencies and Legal Aid

Administrative and other tribunals

THE OPERATION OF THE LEGAL SYSTEM

The status of Indigenous people

The doctrine of Terra Nullius

Native Title as a collective right

The growth of recognition of Native Title in some countries

Operation of the Legal System in relation to Native Title

The Mobo case and the Wik case
PART II: THE INDIVIDUAL AND THE STATE

Concepts of Power

Power and Authority

Relationship of the Individual to Power and Authority

Legal Controls on State Power

Official Duties and Discretionary Powers

Parliamentary control of the Executive

Individuals’ rights to access to information

Informal means of challenging State Power

Informal means of challenging State Power

Duties

Restrictions on the use of force

The different meanings of Duties

Meanings of International Duties

The interrelationship of Legal and other Duties

Rights

Legal basis of Rights

The distinction between Moral, Customary and Legal Rights

Different types of Legal Rights

International Treaties and Declarations of Rights

Legal Controls on State Power

Self-Determination/Collective Rights

The limitations of International law in protecting Rights
Topic 5: Power and Authority

Concepts of Power
- Political Power
- Social Power
- Economic Power
- Legal Power
- Cultural Power

Concepts of Authority
- Customary Authority
- Statutory Authority
- Delegated Authority
- Common law Authority

Relationship of the Individual to Power and Authority

Balancing the views of Individuals and the State

Conflicting needs of Individuals and the State
Topic 6: Legal Controls on State Power

**LEGAL CONTROLS ON STATE POWER**

- Official Duties and Discretionary Powers
- Parliamentary control of the Executive
- Individuals’ rights to access to information

**Formal means of challenging State Power**
- The Independent Commission Against Corruption (ICAC)
- Ombudsman
- The Courts and Judicial Review
- Special tribunals
- Administrative Appeals Tribunal (AAT)
- Privacy Bodies

**Informal means of challenging State Power**
- Media
- Members of Parliament
- Trade Unions
- Non-government Organisations
- Interest Groups

Ministerial responsibility under the Westminster System
Parliamentary Committees
Statutory Rights
Common law position
Topic 7: Duties

The different meanings of Duties

Legal Duties

Cultural and Social Duties

Religious Duties

Moral Duties

Restrictions on the use of force

Meanings of International Duties

History of Global Incentives

How effective are Australian responses to issues raised by military conflict?

How effective is International law in dealing with military conflict?
Topic 8: Rights

- Legal basis of Rights
- The distinction between Moral, Customary and Legal Rights
- International Treaties and Declarations of Rights
- The limitations of International law in protecting Rights
- Self-Determination/Collective Rights
- Different types of Legal Rights
- Bill of Rights

Self-Determination
Collective Rights
PART III: THE LAW IN FOCUS

- **Aboriginal and Torres Strait Islander peoples**
  - Status under the law
  - Responsiveness of the legal system
  - Mechanisms for achieving justice

- **Members of other groups covered by human rights legislation, including anti-discrimination legislation**
  - Status under the law
  - Responsiveness of the legal system
  - Mechanisms for achieving justice

- **Women**
  - Status under the law
  - Mechanisms for achieving justice
  - Responsiveness of the legal system

- **Migrants**
  - Status under the law
  - Responsiveness of the legal system
  - Mechanisms for achieving justice

- **People who are socioeconomically disadvantaged**
  - Status under the law
  - Responsiveness of the legal system
  - Mechanisms for achieving justice

- **People who have a mental illness of intellectual or physical disability**
  - Status under the law
  - Responsiveness of the legal system
  - Mechanisms for achieving justice
Focus Study 1: Aboriginal and Torres Strait Islander peoples

- Era of ‘protection’
- Assimilation and integration

History of government policy

- Dispersal and dispossession
- Misunderstandings due to ignorance and different points of view

- The justice system and indigenous customary law
- Anti-discrimination legalisation

Mechanisms for achieving justice

- Terra Nullius
- The legal status of Aboriginal and Torres Strait Islander peoples
- Status under the law

The legal status of Aboriginal and Torres Strait Islander peoples

- Indigenous customary law
- Criminal law
- Civil law

Pre-1967 referendum

Post-1967 referendum

- International law

ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES

- Legal Aid
- Self-determination including treaties

Responsiveness of the legal system

- Language and cultural differences
- The Stolen Generation

Government responses to issues and rights

- Misunderstandings due to ignorance and different points of view
- Land rights: Native Title

- Deaths in custody recommendations
- Right of self-determination

- Racial vilification
- Local councils and trusts
- Special commissions and government inquires

History of government policy
Focus Study 2: People who have a mental illness or intellectual or physical disability

The distinction between mental illness, mental disorder and intellectual disability

Status under the law

Mental illness
Mental disorder
Physical disability
Intellectual disability

The nature of disadvantage of people in these groups

Criminal justice system
Discrimination
Treatment
Legal capacity

Types of problems legislation attempts to address

Human Rights and Equal Opportunity Commission
Commonwealth–States Disability Agreement
National Mental Health Strategy

Responsiveness of the legal system in relation to asylum seekers

Responsiveness of the legal system

Deinstitutionalisation

How communities attitudes towards people with disabilities influence law makers and law enforced

Voluntary and involuntary institutionalisation

The Mental Health Review Tribunal
Treatment of mental illness

Other delegated and substitute decision makers
Other bodies with a protective role

PEOPLE WHO HAVE A MENTAL ILLNESS OF INTELLECTUAL OR PHYSICAL DISABILITY

Mechanisms for achieving justice

Rights affected by mental illness, or intellectual or physical disability

Right to self-determination

Rights of mentally ill regarding hearings

Rights in institutions

Special rights affected by mental illness and intellectual or physical disability

Legal rights of the mentally ill and intellectually and physically disabled in the community

Guardianship and mental health legislation

Mental Health Act 1990 (NSW)
Guardianship Act 1990 (NSW)

Voluntary and involuntary institutionalisation

Rights of people with a protective role for people with mental illness or intellectual disability or physical disability

Other bodies with a protective role

Criminal justice system

Mental Health Review and Guardianship Tribunals

Rights affected by mental illness, or intellectual or physical disability

The Office of the Protective Commissioner

Legal rights of the mentally ill and intellectually and physically disabled in the community

Disability discrimination

Prejudice and discrimination: legislative sanctions against discriminator behaviour

International obligations

Domestic legislation

Disability discrimination

Justice

The extent to which the state guarantees the rights if people with mental illness, or intellectual or physical disabilities

Mental illness: a historical perspective

Domestic legislation

International obligations

The distinction between mental illness, mental disorder and intellectual disability

Mental illness
Mental disorder
Physical disability
Intellectual disability
Focus Study 3: Migrants

MIGRANTS

Status under the law

- Distinction between the various categories of immigration

- Assurance of Support
- Family Migration
- Skilled Stream Migration
- Humanitarian Stream Program

Introduction

- Citizenship

Discrimination

- The nature of disadvantage for people in these groups

- Alienation
- Access to the law

Employment and economic disadvantage

Immigration issues

- History of disadvantage
- The nature of disadvantage for people in these groups

The nature of disadvantage for people in these groups

- Discrimination
- Employment and economic disadvantage
- Immigration issues

Evolution of our immigration policy

- Historical perspective
- Development of multiculturalism

Mechanisms for achieving justice

- Special criminal law process: deportation, extradition and detention

Responsiveness of the legal system

- Administrative review of immigration decisions
- Other means of review
- Judicial review

Forms of responses:

- International treaties, racial vilification legislation, anti-discrimination legislation

- Social security

Access to housing, social services and the law

- Access to housing
- Access to social services

Other services

Issues of court access

- Detention

Other means of review

Legal Aid

Legislative sanctions against discriminatory behaviour

Removal

Deportation

Extradition

Asylum seeker assistance

Migrant community services

Access to the law

- Special criminal law process: deportation, extradition and detention

Administrative review of immigration decisions

Other means of review

Judicial review

Recognition of cultural diversity

Evolution of our immigration policy

- Historical perspective
- Development of multiculturalism

Legislative sanctions against discriminatory behaviour

- Federal jurisdiction
- State jurisdiction

International treaties

Legal Aid
Focus Study 4: People who are socioeconomically disadvantaged
Focus Study 5: Women

Changing status of women

Social security
Minority groups

Changing attitudes
Economic rights

Jury duty
Political suffrage

Mechanisms for achieving justice

Issues that still need to be addressed
Women’s ability to join professions
Marriage

The law as it reflects the changing role of women

Women and violence
Finance
Education

Jury service
The right to vote
The workplace

Forms of response
Government inquiries

Role of trade unions
Lobby groups

Legal and non-legal mechanisms

Welfare groups and government agencies
Federal government response

Health policies

Sex-Discrimination Act 1984 (Cwlth)

Mechanisms for achieving justice

Affirmative action and anti-discrimination legislation

Affirmative action

Equal employment opportunity

Political and economic inequality
Sexual harassment

Equal pay for equal work

Mechanisms for resolving problems

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Focus Study 6: Members of other groups covered by human rights legislation, including anti-discrimination legislation
PART I: LAW AND SOCIETY

Nature of Law

Nature of Justice

The essential influences on law

Law and justice

LAW AND SOCIETY

Human rights

The nature and development of concepts of human rights

Identifying the types of international rights

The recognition of human rights under Australian law

The effectiveness of law in addressing human rights issues
Topic 1: Law and justice

The concept of the rule of law

Influences on the law

The development of law

Customary, common and civil law

Doctrine of natural justice

The essential influences on law

Nature of law

The characteristics of a just law or judicial decision

The relationship between justice, fairness and equity

Notion of equality
Topic 2: Human rights

HUMAN RIGHTS

The nature and development of concepts of human rights

- Historic constitutional documents
- Natural law doctrine
- State Sovereignty

- Domestic and international rights
- Moral, customary and legal rights

Movement for the abolition of slavery

Trade unionism

Universal suffrage and education

Civil and political rights

Identifying types of international rights

- Economic, social and cultural rights
- Collective right to self-determination

The changing understanding of human rights

The effectiveness of law in addressing human rights issues

The recognition of human rights under Australian law

- Common law and statute law
- Evolving human rights: A Bill of Rights?
- Contemporary struggles for human rights
- The changing understanding of human rights

Recognition of enforcements of rights
PART II: FOCUS STUDY – CRIME

Crime: Key legal concepts and features of the legal system

- Factors affecting definition of crime and criminal behaviour
- The court structure
- Sources of criminal law
- Types of crime
- Sources of law for international crimes

Crime: Ethics, effectiveness and law reform

- Morality, ethics and commitment to the law
- Law reform

Effectiveness of the law

Crime: Legal issues and remedies

- Enforcing the law through punishment
- The sentencing process
- Penalties

Researching a current criminal justice issue

Extradition

Dealing with international crime

Post-sentencing decisions

Creating social order through education, regulation and coercion

Defences to criminal charges

The role of discretion

The role of Legal Aid

Types of international crime

Types of crime

Parties to crime

Elements of crime

Distinguishing summary and indictable offences

Parties to crime

Sources of law for international crimes

Factors affecting definition of crime and criminal behaviour

The court structure

Sources of criminal law
CRIME: Key legal concepts and features of the legal system

Types of crime
- Offences against the state
- Drug offences
- Economic offences
- Offences against the person
- Preliminary crimes
- Victimless crimes

Sources of criminal law
- Constitution
- Statute
- Common law

Sources of law for international crimes
- International law

Types of international crime
- Preliminary crimes

The role of Legal Aid
- Types of legal advice
- Qualifying for Legal Aid

Factors affecting definition of crime and criminal behaviour
- Actus reus
- Mens rea
- Causation
- Recklessness and negligence

The court structure
- The High Court
- The Local Court
- The Children’s Court
- The District Court
- The Supreme Court
- The Coroner’s Court

Elements of crime
- Absolute and strict liability
- Recklessness and negligence

The definition of crime
- Criminal behaviour

The criminal process and the role of discretion
- Arrest
- Bail
- Plea and hearing: The adversary system of trial
- Appeals
- Personnel

Distinguishing summary and indictable offences

Defences to criminal charges
- Complete defences
- Partial defences

Parties to crime
- Perpetrators

Investigation of crime
- Reporting crime

Appeals
CRIME: Legal issues and remedies

Creating social order through education, regulation and coercion

Education

Regulation

Coercion

Situational crime prevention

Social crime prevention

Purpose of punishment

Enforcing the law through punishment

Factors affecting the sentencing decision

Young offenders

The hearing

Types of penalty

Penalties no longer available

Penalties that infringe human rights laws

Remissions and licences

Security classification

Post-sentencing decisions

Parole

Protective custody

Dealing with international crime

Researching a current criminal justice issue

Extradition

Creating social order through education, regulation and coercion

Crime prevention

CRIME: LEGAL ISSUES AND REMEMDIES

The sentencing process
CRIME: Ethics, effectiveness and law reform

- Morality, ethics and commitment to the law
  - The extent to which law reflects moral and ethical standards
  - Commitment to the law

- Effectiveness of the law
  - Evaluating the effectiveness of law in achieving justice or individuals
  - Evaluating the effectiveness of law in achieving justice for society

- Law reform
  - Agencies of reform
  - Conditions that give rise to the need for reform
  - Effectiveness of law reform agencies

CRIME: ETHICS, EFFECTIVENESS AND LAW REFORM
PART III: ADDITIONAL FOCUS STUDIES

Key legal concepts and features of the legal system

Consumers
  - Ethics, effectiveness and law reform

Family
  - Ethics, effectiveness and law reform

World order
  - Ethics, effectiveness and law reform

Additional Focus Studies
  - Legal issues and remedies

Global environment
  - Ethics, effectiveness and law reform

Workplace
  - Legal issues and remedies
  - Ethics, effectiveness and law reform

Shelter
  - Legal issues and remedies
  - Ethics, effectiveness and law reform
Focus Study 1: Consumers

Key legal concepts and features of the legal system

Occupational licensing
- Regulation of occupational licensing
- Licensing of specific occupations
- Review of licensing decisions

The nature of change from rural to urban mass-consumption/production society

Regulation of marketing and advertising:
- Relevant legislation
- Legal definition of ‘consumer’
- Reasons for the development of regulation
- General standards
- Specific requirements
- Deceptive marketing practices

Contracts and terms implied by common law and statutes:
- The laissez-faire philosophy

Financing a purchase
- Rights and remedies of borrowers and credit providers
- The notion of security
- Regulation of credit providers
- Uniform Consumer Credit Code
- Credit Act 1984 (NSW)

Effectiveness of the law:
- Evaluating the effectiveness of law in achieving justice for individuals
- Evaluating the effectiveness of law in achieving justice for society

Law reform
- Agencies of reform
- Conditions that give rise to the need for reform

The nature of contracts:
- The elements of a legally binding contract
- Written and oral contracts
- Terms and conditions of contracts
- Parties to contracts
- Privity of contract

The role of common law in remedying justice:
- Standards to be expected of contracts
- Role of common law in remedying injustice
- Legislation designed to remedy injustice
- Problems of language and literacy
- Discrimination in the supply of goods and services
- Remedies for breach of contract

Statutory controls:
- Rights against suppliers
- Rights against manufacturers
- Rights against finance companies
- Quality of goods and services
- Compliance with description and promotional material
- Legislation governing spare parts and repair facilities

Morality, ethics and commitment to the law:
- Extent to which law reflects moral and ethical standards
- Commitment to the law

Effectiveness of the law:
- Evaluating the effectiveness of law in achieving justice for individuals
- Evaluating the effectiveness of law in achieving justice for society

Consumer remedies
- Damages
- Rescission and modification
- Special orders
- Injunctions and specific performance

Procedures for redress:
- Self-help
- The Fair Trading Tribunal
- Arbitration
- The courts
- Mediation and conciliation

Sources of advice and assistance for dealing with complaints:
- Consumer groups
- Relevant government agencies
- Investigating agencies
- The media

Self-help awareness:
- Notifying the seller or service provider
- Complaining to manufacturers

Consumers’ rights

Legal issues and remedies

Consumer redress

Focus Study: CONSUMERS
Focus Study 2: Family

Key legal concepts and features of the legal system

Legal consequences and responsibilities of marriage:
- Mutual duties of husband and wife
- Maintenance
- Property right
- Agency
- Effect or marriage on wills
- Family provision legislation

Legal rights and obligations between parents and children:
- Care and control
- Education
- Discipline
- Medical treatment
- Autonomy of children
- Inheritance by children

Dissolution of marriage:
- History of law in relation to dissolution of marriage

Alternate family arrangements:
- Family agreements
- Aboriginal and Torres Strait Islander peoples’ customary law
- Single parent families
- Blended families
- Same sex relationships
- Domestic relationships
- Polygamous marriages
- De facto relationships

Agreements

The Family Court of Australia:
- Maintenance
- Property allocation
- Parental responsibilities and parental orders
- Limits of the court’s jurisdiction
- Counselling

Dissolution of marriage:
- Grounds for dissolution

Ethics, effectiveness and law reform

Morality, ethics and commitment to the law:
- The extent to which law reflects moral and ethical standards
- Commitment to the law: The issue and compliance and non-compliance

Law reform
- Agencies of reform
- Conditions that give rise to the need for reform

Effectiveness of the law:
- Evaluating the effectiveness of law in achieving justice for individuals
- Evaluating the effectiveness of law in achieving justice for society

Parents and children:
- United Nations Convention on the Rights of the Child
- Birth technology
- Surrogacy
- Ex-nuptial children
- Adoption and guardianship

Problems in family relationships:
- Causes
- Legal responses to violence
- Violence between spouses
- Violence by and against children
- Children in trouble

Children’s Court and Legal Aid:
- The Young Offenders Act 1997 (NSW)
Focus Study 3: Global environment

Concepts of environment in the law:
• Definition of ‘environment’
• The effect of these different perspectives

The need for global environment protection:
• Environmental impact of industrial society and culture

Morality, ethics and commitment to the law:
• The extent to which law reflects moral and ethical standards
• Commitment to the law: The issue and compliance and non-compliance

Ethics, effectiveness and law reform

Implementation of international agreements:
• Australia’s role
• Legal framework for environmental laws in Australia

The meanings of key terms:
• Sustainable development
• Precautionary principle
• Biological diversity
• Intergenerational and intergenerational equity

Effectiveness of the law:
• Evaluating the effectiveness of law in achieving justice for individuals
• Evaluating the effectiveness of law in achieving justice for society

Law reform
• Agencies of reform
• The conditions that give rise to the need for reform

Australia’s role in global environment protection:
• Signing international agreements
• Complying with international obligations
• Legal remedies in Australia
• Australia’s Federal structure
• Implementing policies and strategies

Coverage and adequacy of issues:
• Major global environmental issues: A review
• International law developments: An overview
• Stockholm Conference
• Rio Conference
• International law
• United Nations
• Intergovernment organisations
• Non-government organisations
• media

Role of international tribunals:
• The International Court of Justice (ICJ)
• An environmental world court?
• An environmental world ombudsman?

Key legal concepts and features of the legal system

Legal issues and remedies
**Focus Study 4: Shelter**

**Key legal concepts and features of the legal system**
- The right to shelter:
  - Political statements
  - Housing for poor and disadvantaged
  - Methods for securing shelter
- Rights and obligations of landlords and tenants
- Public housing and the role of authorities
- Accommodation for Aboriginal and Torres Strait Islander peoples

**Systems of registration:**
- Types of title

**Concepts of real property**

**Private housing:**
- Standard contract of sale
- The role of estate agents
- The role of solicitors
- Licensed conveyancers

**Special types of shelter:**
- Aged care accommodation
- Caravan parks
- Boarding houses
- Group houses
- Squatting

**Legal issues and remedies**

**Public housing:**
- Advantages and disadvantages

**Ethics, effectiveness and law reform**
- Law reform
  - Agencies of reform
  - The conditions that give rise to the need for reform
- Effectiveness of the law:
  - Evaluating the effectiveness of law in achieving justice for individuals
  - Evaluating the effectiveness of law in achieving justice for society

**Morality, ethics and commitment to the law:**
- The extent to which law reflects moral and ethical standards
- Commitment to the law:
  - The issue and compliance and non-compliance

**Settling disputes between neighbours:**
- Dispute resolution procedures

**Different types of special shelter**

**Focus Study: SHELTER**

**Private housing:**
- Comparison of separate housing and shared space
- Mortgages
- Personal loans
- Credit reporting
- Insurance
- Common property
- The owners’ corporation
- Types of title
- Problems
- Neighbours
- Dispute resolution
- Protection of buyers
- New buyer protections

**Leasing:**
- Security of tenure
- Default and eviction
- Remedies for default
- Role of tribunals
- Rental Bond Board
- Rent Control Tribunal
- Repairs and damage
- Discrimination

**Morality, ethics and commitment to the law:**
- The extent to which law reflects moral and ethical standards
- Commitment to the law:
  - The issue and compliance and non-compliance
Focus Study 5: Workplace

FOCUS STUDY: WORKPLACE

Legal issues and remedies

- Discrimination in the workplace:
  - Legislation aimed at combating racism, sexism, physical and age discrimination
  - Equal opportunity
  - Equal pay for equal work

- The contract of employment:
  - Vicarious liability of employers
  - Remedies of employers against employees in breach of contract

- Safety in the workplace:
  - The meaning of safety in the workplace
  - Common law duty of care
  - Statutory duties of employers and employees
  - WorkCover
  - Workplace injuries and diseases
  - Rehabilitation

- Ethics, effectiveness and law reform
  - Effectiveness of the law:
    - Evaluating the effectiveness of law in achieving justice for individuals
    - Evaluating the effectiveness of law in achieving justice for society
  - Law reform:
    - Agencies of reform
    - The conditions that give rise to the need for reform

- Morality, ethics and commitment to the law:
  - The extent to which law reflects moral and ethical standards
  - Commitment to the law:
    - The issue and compliance and non-compliance

- Employment law:
  - Laissez-faire versus state intervention
  - Development of the law of employment

- Negotiations between employers and employees:
  - Workplace bargaining
  - Individual action
  - Collective bargaining
  - Consensual forms of dispute resolution

- Change in the workplace:
  - The impact of technological change on work patterns
  - Redundancy and retraining

- The role of courts

- Industrial relations:
  - Breakdown in negotiations
  - Process of settling industrial disputes

- Statutory framework:
  - Industrial awards
  - Superannuation guarantee
  - Industrial relations
  - Enterprise agreements
  - Australian Workplace Agreements

- Changes in the master/servant relationship:
  - The development of machinery for settling industrial disputes
  - Standing to seek industrial law remedies

- Key legal concepts and features of the legal system

- The contract of employment:
  - Types of employment contracts
  - Differences between contract of service and contract for service
  - Express and implied terms
  - Rights and duties of employers and employees

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Focus Study 6: World order

The need for world order:
- Forms of conflict
- Expansionism
- Growth of interest in limiting war
- Interdependence
- Impact of conflict on indigenous peoples and local communities

The main ways of working for world order:
- World government
- World/regional federation
- Peace enforcement and peacekeeping
- Humanitarian intervention
- Regulation of the conduct of hostilities

Implementation of international agreements:
- Roles of national governments
- State sovereignty

Morality, ethics and commitment to the law:
- The extent to which law reflects moral and ethical standards
- Commitment to the law: The issue and compliance and non-compliance

Law reform:
- Agencies of reform
- The conditions that give rise to the need for reform

Ethics, effectiveness and law reform:
- Agencies of reform
- The conditions that give rise to the need for reform

Effectiveness of the law:
- Evaluating the effectiveness of law in achieving justice for individuals
- Evaluating the effectiveness of law in achieving justice for society

The role of international tribunals:
- The International Court of Justice
- Other international tribunals

The role of Australia’s federal structure

Legal issues and remedies

The scope for achieving world order:
- The media
- Force
- International instruments (declarations and treaties)
- International customary law (also known as customary international law)
- Regional intergovernmental organisations
- The United Nations
- Non-governmental organisations (eg. Red Cross/ Red Crescent)

Non-legal remedies:
- Force
- Political negotiation
- Persuasion