

# Unit Outline (Higher Education)

<b>Institute / School:</b>	Institute of Education, Arts & Community
<b>Unit Title:</b>	Australian Criminal Courts in International Context
<b>Unit ID:</b>	CRJUS2100
<b>Credit Points:</b>	15.00
<b>Prerequisite(s):</b>	(CRJUS1283 and CRJUS1284) OR (CRJUS1285 and CRJUS1287) OR (ATSGC1283 and ATSGC1284)
<b>Co-requisite(s):</b>	Nil
<b>Exclusion(s):</b>	Nil
<b>ASCED:</b>	099903

## Description of the Unit:

The unit is designed for students who are interested in learning about legal ideas and institutions, and comparative approaches to justice. It explores the ever-changing relationship between law and society, focusing on the Australian courts primarily criminal, but also civil in an international context. It will consider law making, regulation and interpretation of statutes and regulations; examine the role of the criminal courts in the justice system; contrast the consensus theory and the conflict theory of the functions of the criminal courts; analyse the adversarial and the inquisitorial systems of criminal courts in an international context; and explore the major issues and controversies facing the courts in Australia. Indigenous perspectives concerning interaction of indigenous communities will be imbedded into this unit. The unit will challenge students to consider whether courts in Australia are fair, whether justice in the courts is the same for all, and whether the courts serve a utilitarian purpose for society.

**Grade Scheme:** Graded (HD, D, C, P, MF, F, XF)

## Work Experience:

No work experience: Student is not undertaking work experience in industry.

**Placement Component:** No

**Supplementary Assessment:** Yes

Where supplementary assessment is available a student must have failed overall in the Unit but gained a final mark of 45 per cent or above, has completed all major assessment tasks (including all sub-components where a task has multiple parts) as specified in the Unit Description and is not eligible for any other form of supplementary assessment

**Course Level:**

Level of Unit in Course	AQF Level of Course					
	5	6	7	8	9	10
Introductory	■	■	■	■	■	■
Intermediate	■	■	✓	■	■	■
Advanced	■	■	■	■	■	■

**Learning Outcomes:**
**Knowledge:**

- K1.** Critically examine the role and responsibilities of the courts and the key actors in the legal system in Australia
- K2.** Identify and analyse a range of contemporary issues, controversies and opportunities for reform, considering key debates, issues and scholarly perspectives
- K3.** Identify and critique the advantages and disadvantages of adversarial and inquisitorial court systems in an international context, and the impacts of each on victims, offenders and society.

**Skills:**

- S1.** Develop further the ability to critically assess various debates centred on the role, functions and outcomes of criminal hearings and trials
- S2.** Summarise relevant key themes, issues and debates concerning contemporary court processes
- S3.** Express substantiated and reasoned expositions and arguments concerning the merits of court processes.

**Application of knowledge and skills:**

- A1.** Apply skills in critical thinking to key debates concerning the courts in Australia and compare and contrast with international experiences
- A2.** Utilise and integrate relevant conceptual frameworks in analysing criminal court processes using higher order critical thinking skills
- A3.** Identify links and tensions between issues, debates, concepts and perspectives.

**Unit Content:**

Topics may include:

- What is justice? Are the courts fair?
- The courts and popular culture: stereotypes disabused!
- The history and hierarchy of courts in Australia
- Criminal versus civil courts
- Law making: legislation and precedence
- Crime control function of the courts
- Criminal Laws: summary, indictable and hybrid offences
- Legal actors: the role and functions of the people who work within the courts
- The Criminal Trial and the right to due process
- International contexts: adversarial and inquisitorial systems
- Indigenous courts: Indigenous perspectives
- Victims within the courts
- Alternative mechanisms: tribunals, administrative appeals, Fairwork Australia, commissions

- Juvenile offenders and diversionary schemes
- The courts and controversy: major issues, significant controversies
- Prospects of and opportunities for court reform.

## FEDTASKS

Federation University Federation recognises that students require key transferable employability skills to prepare them for their future workplace and society. FEDTASKS (**T**ransferable **A**tttributes **S**kills and **K**nowledge) provide a targeted focus on five key transferable Attributes, Skills, and Knowledge that are embedded within curriculum, developed gradually towards successful measures and interlinked with cross-discipline and Co-operative Learning opportunities. *One or more FEDTASK, transferable Attributes, Skills or Knowledge must be evident in the specified learning outcomes and assessment for each FedUni Unit, and all must be directly assessed in each Course.*

FEDTASK attribute and descriptor		Development and acquisition of FEDTASKS in the Unit	
		Learning Outcomes (KSA)	Assessment task (AT#)
FEDTASK 1 Interpersonal	Students will demonstrate the ability to effectively communicate, interact and work with others both individually and in groups. Students will be required to display skills in-person and/or online in: <ul style="list-style-type: none"> <li>• Using effective verbal and non-verbal communication</li> <li>• Listening for meaning and influencing via active listening</li> <li>• Showing empathy for others</li> <li>• Negotiating and demonstrating conflict resolution skills</li> <li>• Working respectfully in cross-cultural and diverse teams.</li> </ul>	K2;K3;S2;S3;A3	AT1;AT2;AT3
FEDTASK 2 Leadership	Students will demonstrate the ability to apply professional skills and behaviours in leading others. Students will be required to display skills in: <ul style="list-style-type: none"> <li>• Creating a collegial environment</li> <li>• Showing self-awareness and the ability to self-reflect</li> <li>• Inspiring and convincing others</li> <li>• Making informed decisions</li> <li>• Displaying initiative</li> </ul>	K2;K3;S3;A2;A3	AT1, AT2,AT3
FEDTASK 3 Critical Thinking and Creativity	Students will demonstrate an ability to work in complexity and ambiguity using the imagination to create new ideas. Students will be required to display skills in: <ul style="list-style-type: none"> <li>• Reflecting critically</li> <li>• Evaluating ideas, concepts and information</li> <li>• Considering alternative perspectives to refine ideas</li> <li>• Challenging conventional thinking to clarify concepts</li> <li>• Forming creative solutions in problem solving</li> </ul>	K1;K2;K3;S1;S3;A1;A2;A3;	AT1,AT2,AT3

FEDTASK attribute and descriptor		Development and acquisition of FEDTASKS in the Unit	
		Learning Outcomes (KSA)	Assessment task (AT#)
FEDTASK 4 Digital Literacy	Students will demonstrate the ability to work fluently across a range of tools, platforms and applications to achieve a range of tasks. Students will be required to display skills in: <ul style="list-style-type: none"> <li>• Finding, evaluating, managing, curating, organising and sharing digital information</li> <li>• Collating, managing, accessing and using digital data securely</li> <li>• Receiving and responding to messages in a range of digital media</li> <li>• Contributing actively to digital teams and working groups</li> <li>• Participating in and benefiting from digital learning opportunities</li> </ul>	K2;A2	AT1
FEDTASK 5 Sustainable and Ethical Mindset	Students will demonstrate the ability to consider and assess the consequences and impact of ideas and actions in enacting ethical and sustainable decisions. Students will be required to display skills in: <ul style="list-style-type: none"> <li>• Making informed judgments that consider the impact of devising solutions in global economic environmental and societal contexts</li> <li>• Committing to social responsibility as a professional and a citizen</li> <li>• Evaluating ethical, socially responsible and/or sustainable challenges and generating and articulating responses</li> <li>• Embracing lifelong, life-wide and life-deep learning to be open to diverse others</li> <li>• Implementing required actions to foster sustainability in their professional and personal life</li> </ul>	K1;K2;K3;S1;S3;A1;A2;A3	AT1,AT2;AT3

### Learning Task and Assessment:

Learning Outcomes Assessed	Assessment Tasks	Assessment Type	Weighting
K3; S1; S2	Response to various questions about Australian and/or International criminal courts	Online activities	15-25%
K1; K3, S2; S3; A1; A2; A3	Analysis of Australian Court processes	Analytical Report	30-40%
K2; S3; S2; A1; A2; A3	Response to a hypothetical situation centred on the criminal courts in Australia	Written response	40-50%

### Adopted Reference Style:

APA

Refer to the [library website](#) for more information

Fed Cite - [referencing tool](#)