



UNIVERSITY *of*
TASMANIA

AUSTRALIA
Faculty of Law



PARLIAMENTARY LAW, PRACTICE AND PROCEDURE LAW702

Winter School 2021
Unit Outline

CONTACT DETAILS

Unit enquiries

The CALE enrolment team should be your first point of call for any enrolment enquiries. The Law Faculty Secretary should be your first point of call for any administrative enquiries.

Enrolment: **Luke Ronan**
Email: Cale.AA@utas.edu.au (In email title: ATTN Luke Ronan)
Phone: +61 3 6226 2546

Faculty Secretary: **Samantha Howlett**
Email: Law.Admin@utas.edu.au
Phone: +61 3 6226 2066

Unit Coordination

Academic Director: **Professor Richard Herr**
Email: r.a.herr@utas.edu.au
Phone: +61 3 6226 7453 / 0467-666-996

Course Director: **Dr Phillipa McCormack** (Tuesday-Friday)
Email: phillipa.mccormack@utas.edu.au
Phone: +61 3 6226 6306

PRE-COURSE AND INTENSIVE INFORMATION

Course Programmes

Please read your pre-course and intensive programmes closely. They contain information about:

- enrolments (including specific information for New Zealand candidates);
- the software used for content delivery and other communications;
- dates for participation; and
- timetables for both the pre-course and intensive components of the unit.

The unit programmes are your primary source of detailed information on how, when and where the unit will be run.

This Unit Outline provides specific details about the unit content and learning tasks. That is, the Unit Outline describes how you will be taught and assessed, and the standards and timeframes that you must meet to complete this unit to a satisfactory standard.

IMPORTANT DATES IN 2021 – A SUMMARY

Welcome to the School of Law at the University of Tasmania and to the 2021 ANZACATT Parliamentary Law, Practice and Procedure Course.

The following calendar sets out important dates for the unit, including pre-course and intensive components. Please note that the intensive component will run from Thursday 1 July to Wednesday 7 July 2021 (with welcome drinks on Wednesday 30 June for those that can participate).

Pre-course modules and online intensive calendar

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
MAY							
	24	25	26	27	28	29	30
	Module 1: Westminster parliamentary history						
MAY-JUNE	31	1	2	3	4	5	6
	Module 2: Law and Structure of Parliament						
	7	8	9	10	11	12	13
	Module 3: Parliamentary practice and procedure						
	14	15	16	17	18	19	20
	Module 4: Parliamentary privilege						
	21	22	23	24	25	26	27
	Module 5: Parliamentary Committees						
JUNE-JULY	28	29	30 <i>Online welcome drinks</i>	1	2	3	4 <i>Rest day</i>
	Intensive period (online)						
	5	6	7	8	9	10	11

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WHAT IS THE UNIT ABOUT?

Unit description

The purpose of the course is to provide students with an in-depth understanding of the law, procedure and practice of parliaments and other related public law topics, such as the relationship of parliament to the executive and the courts. The course will examine common-law Westminster systems and their incorporation into the governments of Australia, New Zealand and the South Pacific.

The Graduate Certificate in Parliamentary Law and Practice is a professional training program specifically designed for parliamentary clerks. However, because the law and custom of parliament is of interest to persons other than clerks, such as members of parliament and students of the parliamentary process, it is proposed that it be open to any person with undergraduate or post graduate qualifications in law or politics.

The course addresses five key general themes as modules in a preparatory, online component and an intensive, on-site component of the unit, followed by off-campus study and assessment. The modules focus on the following topics:

- Module 1: Westminster parliamentary history and sovereignty
- Module 2: The Law of Parliament
- Module 3: Parliamentary practice and procedure
- Module 4: Parliamentary Privilege
- Module 5: Parliamentary Committees

Intended Learning Outcomes

On completion of this unit, you will be able to:

1. Describe the history, constitutional foundations and framework of the Westminster model of responsible government and its development in ANZACATT jurisdictions.
2. Explain the rule of law in a parliamentary context including using key legal sources: historical documents, statutes and common law principles.
3. Apply your understanding of the historical development and importance of parliamentary practice and procedure to practical issues and problems arising in contemporary parliamentary practice.
4. Assess and analyse the powers, operation, importance, limits and challenges of Parliamentary Committees within ANZACATT systems of representative and responsible government.
5. Contribute to informed debate and deliberation about how (or if) parliamentary law, practice and procedure can be improved in your own and other ANZACATT jurisdictions.

Graduate Statement

Successful completion of this unit supports your development of course learning outcomes, which describe what a graduate of a course knows, understands and is able to do. Course learning outcomes are available from the Course Coordinator. Course learning outcomes are developed with reference to national discipline standards, Australian Qualifications Framework (AQF), any professional accreditation requirements and the University of Tasmania's Graduate Statement.

The University of Tasmania experience unlocks the potential of individuals. Our graduates are equipped and inspired to shape and respond to the opportunities and challenges of the future as accomplished communicators, highly regarded professionals and culturally competent citizens in local, national, and global society. University of Tasmania graduates acquire subject and multidisciplinary knowledge and skills, and develop critical and creative literacies and numeracies and skills of inquiry. They demonstrate the ability to apply this knowledge in changing circumstances. Our graduates recognise and critically evaluate issues of social responsibility, ethical conduct and sustainability, are entrepreneurial and creative, and are mindful of their own wellbeing and that of the community. Through respect for diversity and by working in collaborative ways, our graduates reflect the values of the University of Tasmania.

Student feedback

Student feedback received each year since 2018 has informed revisions to both the pre-course online and intensive components of this unit, as well as to the reading lists and assessment tasks. In 2020, the unit was taught wholly online and we have adapted some components of the course as a result of feedback on that form of delivery.

We welcome student feedback on the unit.

Prior knowledge &/or skills

This course is currently only offered to students nominated by ANZACATT.

HOW WILL I BE ASSESSED?

Assessment schedule

Assessment task	Date due	Percent weighting	Links to Intended Learning Outcomes
Assessment Task 1: Online modules	27 June 2021	0% (unit pre-requisite)	ALL
Assessment Task 2: Discussion board postings & short paper	27 Aug 2021	20%	ALL
Assessment Task 3: Research Paper	14 Jan 2022	80%	ALL

Assessment details

Assessment task 1

Task description: Pre-course (online) modules	<p>Participants are required to participate in five mini-modules online that will serve as an introduction to each of the five modules to be undertaken in the online intensive component of the course. The mini modules must be completed by the Sunday before the intensive period.</p> <p>You will find the mini-modules on the UTAS online teaching platform 'MyLO': https://mylo.utas.edu.au</p> <p>Each mini-module will consist of a short, introductory video; up to three required readings; a series of specific questions to guide a discussion with your sponsoring Clerk or delegate about the topic and readings; and a multiple-choice (online) quiz on the topic, drawing on the video and readings.</p> <p><i>Please note: while there is no mark associated with this task, completing the modules and the quizzes is a pre-requisite for participating in the intensive component of the unit.</i></p>	
	Criterion	Measures Intended Learning Outcome:
Criterion 1	Completing each mini-module and attempting each quiz	ALL
Task length	Five online modules; 20 multiple choice quiz questions	
Due by date	Monday, 27 June 2021	

Assessment task 2

<p>Task description: Discussion board postings & short paper</p>	<p>Discussion questions will be posted to an online MyLO discussion board. There will be four questions in total, each on a different topic, with one question posted each week for four weeks, following the intensive component of the course.</p> <p>You must post a short (one to two paragraph) comment or answer in response to one of the issues raised in each question. You are also encouraged to post responses to other candidates' postings. This will help generate collaborative discussion for your short paper amongst the group and provide you with insights beyond your own jurisdiction.</p> <p>After the completion of the last of the MyLO discussion questions, you must submit a brief literature review, not exceeding 2,500 words, to your academic supervisor.</p> <p>The purpose of the literature review is to provide you with background and source material for your research paper and feedback from an academic supervisor.</p>	
	Criterion	Measures Intended Learning Outcome:
Criterion 1	Shows a clear understanding of the key concepts	1, 2
Criterion 2	Identifies and assesses important controversies	4, 5
Criterion 3	Establishes themes relevant to the research proposal	1-3
Criterion 4	Assesses the work of other scholars in terms of argument and evidence	4, 5
Criterion 5	Demonstrates the understanding needed to narrow the scope of research proposal	4, 5
Task length	1,000 words (<i>approximate</i>) for discussion postings AND 2,500 words (<i>maximum</i>) for literature review	
Weight	20% of the marks available in the unit	
Due by date	Friday, 27 August 2021	

Assessment Task 3

<p>Task Description: Major research paper</p>	<p>The main assessment for this course is a research paper. The paper may be between 5,000 - 8,000 words but should generally be around 6,000 words to assist with publication in journals such as the <i>Australasian Parliamentary Review</i> (APR).</p> <p>Papers outside of the minimum or maximum word count will not be accepted.</p> <p>Please note: the mark and assessor's comments on the major research paper may serve as a referee's report for publication in the <i>APR</i>.</p> <p>Candidates are encouraged to discuss possible topics with their academic supervisor and others before leaving Hobart, and then with their sponsoring Clerk.</p> <p><i>Candidates are strongly encouraged to send their supervisor a research proposal or 'dot point plan' for their major paper by early November 2020 for discussion and feedback.</i> This (non-compulsory but highly recommended) task is designed to support candidates to make consistent progress on their major papers, and work towards submission well in advance of the final deadline.</p>	
	<p>Criterion</p>	<p>Measures Intended Learning Outcome:</p>
<p>Criterion 1</p>	<p>Demonstrates novelty, originality & relevance</p>	<p>ALL</p>
<p>Criterion 2</p>	<p>Identifies and assesses evidence and authority</p>	<p>1, 2</p>
<p>Criterion 3</p>	<p>Demonstrates understanding (including balanced and comprehensive coverage of source material)</p>	<p>3, 4, 5</p>
<p>Criterion 4</p>	<p>Analysis (especially logic of argument)</p>	<p>3, 4, 5</p>
<p>Criterion 5</p>	<p>Style / structure / readability/ referencing</p>	<p>1, 5</p>
<p>Task length</p>	<p>6,000 words (<i>approximate</i>; must be between 5-8,000 words)</p>	
<p>Weight</p>	<p>80% of the marks available in the unit</p>	
<p>Date</p>	<p><i>Research proposal/plan (recommended): due 8 November 2021</i> Final paper (compulsory): due 14 January 2022</p>	

How your final result is determined

To be eligible to pass this unit, you need to demonstrate your attainment of each of the Intended Learning Outcomes and attain an overall pass (50%) for the unit.

Submission of assignments

All assessments must be submitted on MyLO, to the appropriate 'Drop Box' under the assessments tab. Late submission of coursework will incur a penalty. See 'Penalties', below.

All typed assessment pieces must be in Times New Roman, 12 point font, and at least '1.5 line' spacing. You may use double spacing if you wish.

Please note that all assignments will be submitted to 'Turnitin' via the assignment drop box on MyLO. This software is designed to detect plagiarism by comparing student answers and checking work against other published material.

Requests for extensions

All requests for extension must be approved by the Unit Academic Director (Professor Richard Herr) and will be dealt with under the Law Faculty *Procedures Relating to Assessment Submission and Word Length: Faculty of Law*:

- https://www.utas.edu.au/__data/assets/pdf_file/0018/448020/Law-Procedures-Relating-to-Assessment-Submission-amended-12-Dec-2013.pdf

Please note: applications will be considered to extend assessment deadlines up to and including Sunday 31 January 2021, but no later.

Please note: an application for an extension must be made by the course participant and include the support of their Clerk, **but the final decision for the extension rests with the Academic Director**. Extensions cannot be granted by a participant's Clerk.

Penalties

Penalties will be dealt with under the Law Faculty *Procedures Relating to Written Work*:

- https://www.utas.edu.au/__data/assets/pdf_file/0008/459071/Law-Procedures-Relating-to-Written-Work-4-2-14.pdf

Review of results and appeals

Review of results and appeals may be undertaken through the University Application for Review of Assessment:

- https://askus.utas.edu.au/app/answers/detail/a_id/1786/~i-am-unhappy-with-the-grade-i-received.-how-can-i-request-a-review-of-my-grade%3F

Academic referencing

In your written work you will need to support your ideas by referring to scholarly literature, works of art and/or inventions. It is important that you understand how to correctly refer to the work of others, and how to maintain academic integrity.

Failure to appropriately acknowledge the ideas of others constitutes academic dishonesty (plagiarism), a matter considered by the University of Tasmania as a serious offence.

The appropriate referencing style for this unit is APA 6th edition, which is an in-text (author, date, page) citation style. APA 6th edition is used in the *Australasian Parliamentary Review*, and the APR is a primary outlet for published ANZACATT papers. The [University library provides information on presentation of assignments, including referencing styles](#) and should be referred to when completing tasks in this unit.

Please read the following statement on plagiarism. Should you require clarification please see your unit coordinator or lecturer.

Plagiarism

Plagiarism is a form of cheating. It is taking and using someone else's thoughts, writings or inventions and representing them as your own; for example, using an author's words without putting them in quotation marks and citing the source, using an author's ideas without proper acknowledgment and citation, copying another student's work.

If you have any doubts about how to refer to the work of others in your assignments, please consult your lecturer or tutor for relevant referencing guidelines. You may also find the [Academic Honesty site on MyLO](#) of assistance.

The intentional copying of someone else's work as one's own is a serious offence punishable by penalties that may range from a fine or deduction/cancellation of marks and, in the most serious of cases, to exclusion from a unit, a course or the University.

The University and any persons authorised by the University may submit your assessable works to a plagiarism checking service, to obtain a report on possible instances of plagiarism. Assessable works may also be included in a reference database. It is a condition of this arrangement that the original author's permission is required before a work within the database can be viewed.

For further information on this statement and general referencing guidelines, see the [Plagiarism and Academic Integrity](#) page on the University web site or the [Academic Honesty site on MyLO](#).

Academic misconduct

Academic misconduct includes cheating, plagiarism, allowing another student to copy work for an assignment or an examination, and any other conduct by which a student:

- a. seeks to gain, for themselves or for any other person, any academic advantage or advancement to which they or that other person are not entitled; or
- b. improperly disadvantages any other student.

Students engaging in any form of academic misconduct may be dealt with under the Ordinance of Student Discipline, and this can include imposition of penalties that range from a deduction/cancellation of marks to exclusion from a unit or the University. Details of penalties that can be imposed are available in [Ordinance 9: Student Discipline](#) – Part 3 Academic Misconduct.

WHAT LEARNING OPPORTUNITIES ARE THERE?

MyLO

MyLO is the online learning environment at the University of Tasmania. This is the system that will host the online learning materials and activities for this unit.

Getting help with MyLO

It is important that you are able to access and use MyLO as part of your study in this unit. To find out more about the features and functions of MyLO, and to practice using them, visit the [Getting Started in MyLO unit](#).

For access to information about MyLO and a range of step-by-step guides in pdf, word and video format, visit the [MyLO Student Support page](#) on the University website. If something is not working as it should, request [help online](#) by 'submitting a request or enquiry', or call [+61 3 6226 2600](#).

Resources

Required readings

All readings will be provided on MyLO.

Activities

Learning expectations

The University is committed to high standards of professional conduct in all activities, and holds its commitment and responsibilities to its students as being of paramount importance. Likewise, it holds expectations about the responsibilities students have as they pursue their studies within the special environment the University offers.

Students are expected to participate actively and positively in the teaching/learning environment. They must attend classes when and as required, strive to maintain steady progress within the subject or unit framework, comply with workload expectations, and submit required work on time.

Lectures and tutorials

Lectures

Lectures will be delivered as part of an intensive course online. Lectures will typically be taught through pre-recorded videos of no more than sixty-minutes in length. Most lectures are between 30-40 minutes long. Lectures will be delivered by lecturers with specific expertise and practical experience in the subjects.

An outline of the modules and mini-lecture topics for the pre-course component of the unit is set out in the *Pre-Course (online) Programme 2021*; and for the intensive, component, in the *Intensive Online Programme 2021*.

Tutorials

A number of tutorials and workshops will be run online as part of the intensive component of the course, overseen by academic staff and parliamentary officers.

Discussion Board Postings

Some discussion questions will be posted to an online, MyLO discussion board (Assessment Task 2). You will be required to post a short answer addressing one issue from each question. You also are encouraged to post responses to other candidates' postings.

The purpose of these postings is three-fold:

1. To ensure that candidates retain a connection with the subject matter taught as part of the intensive course;
2. To encourage candidates to build upon what they have discussed in tutorials and also to allow them to consider and discuss how those scenarios might differ in their own jurisdictions; and

3. To keep candidates in contact with each other and help engage candidates and ensure they progress towards completion.

Please note: while the postings do not carry a points contribution to the final assessment, they are a formal requirement of the course and must be submitted to complete the course.

Specific attendance/performance requirements

You are required to:

- Prepare for and complete each pre-course module;
- Listen to lectures and participate in tutorials and workshops during the intensive period;
- Post and respond to each tutorial question post-intensive; and
- Maintain consistent research and study offsite to meet the assessment requirements.

In this unit, your active engagement will be monitored in the following way:

1. Real-time engagement during the intensive component of the unit; and
2. Benchmark monitoring of online activity on MyLO.

Work Health and Safety (WHS)

The University is committed to providing a safe and secure teaching and learning environment. In addition to specific requirements of this unit you should refer to the University's [Work Health and Safety website](#) and policy.

Communication

Please refer to the 'Contact Details' section of this document for information about course staff and their contact details.

Concerns and complaints

The University is committed to providing an environment in which any concerns and complaints will be treated seriously, impartially and resolved as quickly as possible. We are also committed to ensuring that a student may lodge a complaint without fear of disadvantage. If you have a concern, information about who to contact for assistance is available on the ['How to resolve a student complaint' page](#).

Further information and assistance

If you are experiencing difficulties with your studies or assignments, have personal or life-planning issues, disability or illness which may affect your course of study, you are advised to raise these with the unit coordinator in the first instance.

There is a range of University-wide support services available to you including [Student Learning Support](#), [Student Advisers](#), [Disability Services](#), and more which can be found on the [Student Support and Development](#) page of the University website.

Should you require assistance in accessing the [Library](#), [visit their website](#) for more information.