

ASSIGNMENTS AND ASSESSMENT

The Law Extension Committee's primary methods of assisting in your preparation for the Board's examinations are the lecture and weekend school programs in each subject and the assessment of assignments.

In accordance with the Legal Profession Admission Rules, the Law Extension Committee is obliged to inform the Board when a student has not completed the Committee's course of instruction in a particular subject to the Committee's satisfaction and is therefore ineligible to sit the examination in that subject. See page 41.

To be eligible to sit for the Board's examination, students must register online with the Law Extension Committee in each subject in which they are enrolled and satisfactorily complete any task prescribed in the Law Extension Committee's teaching program for that subject.

Please see the assignment grading and assessment criteria on page 33 - 34 and refer to the relevant Subject Guide and the Course Materials section on the Webcampus.

Assignments

Assignments are prescribed to ensure that you take the opportunity to refine your techniques of research, analysis and expression, and that you receive some feedback on them.

Please:

- **Check your Subject Guides for the compulsory requirements in the subjects you are studying, make a careful note of the due date and ensure you are able to complete them by the due date.**
- **Check your copy of the Guide to the Presentation and Submission of Assignments before completing and submitting an assignment.**
- **Submit your assignments online to the Law Extension Committee, not the Legal Profession Admission Board.**

1 Purpose

The assignments are opportunities for you to develop your skills in researching problems, and in essay writing.

There is a strong research element to preparing an assignment, and you are encouraged to refine your techniques for searching for relevant material and incorporating it in your answer.

To obtain as much benefit as possible from the assignments, you should view them as exercises in legal research and, in the presentation of argument. Each assignment submitted must be a serious attempt to answer the question and analyse the relevant issues and legal principles.

2 Compulsory Assignments

To be eligible to sit the examination you must achieve a satisfactory result in the compulsory component of that subject.

Please check your Subject Guides and the Webcampus for specific details regarding the compulsory requirements for each subject.

Please note that where an assignment has more than one part, all parts must be attempted. As a general rule, students who do not attempt to answer all questions in an assignment will not achieve a satisfactory result.

Those students who fail to complete the compulsory requirement will be notified through the **Results** screen on the Webcampus before the examination period of their ineligibility to sit the examination in that subject.

With regard to assessment and eligibility criteria relating to assignments, see pages 34 and 13.

3 Assignment Questions

Assignment questions and due dates in all subjects can be found under Course Materials on the Law Extension Committee Webcampus. Once you have registered online with the Law Extension Committee, you will have full access to all the facilities on the Webcampus (see page 26 for instructions).

4 Format

Please read and follow the instructions set out in the **Guide to the Presentation and Submission of Assignments** before completing and submitting an assignment.

Assignments should be typed, not handwritten, and on A4 paper. Use one side of the paper only, and leave a left margin of at least 50mm for comments. You should use standard fonts no smaller than 12 point in size. In addition, please **check your Subject Guides and Assignment Question** for word limits and due dates.

(a) Citation of cases

Cases reported in the law reports should be referred to by their full names, which should be italicised (eg *Brown Products Ltd v Black*) or underlined.

A full law report reference, called the citation, should be given after each case name (eg *McPhail v Doulton* [1971] AC 424). Care should be taken with the use of square and round brackets in citations. Square brackets are used where the year is an essential part of a citation. Round brackets are used to indicate the year a case was decided where the year is an inessential part of the citation. Thus *McPhail v Doulton* [1971] AC 424 is to be found in the 1971 volume of the Appeal Cases (AC) at page 424; and *R v Cohen* (1981) 38 ALR 129 was decided in 1981, and is to be found in volume 38 of the Australian Law Reports (ALR) at page 129.

Abbreviations used for the different series of law reports are set out in law dictionaries. Familiarity with the common abbreviations develops with use.

(b) Citation of statutes

The short title of statutes should be italicised or underlined and the jurisdiction should appear in brackets after the date and before a section: *Trade Practices Act 1974* (Cth), s 80. References to amendments need not be included: *Crimes Act 1900* (NSW) is better than *Crimes Act 1900-94* (NSW). Statutes with no short title should be referred to either by their common name (eg *Magna Carta*) or by means of a regnal description and chapter number (eg 4 Geo IV, c 96).

The following abbreviations are often useful in referring to statutory and other regulatory provisions: s (section), ss (sections), sub-s (sub-section), sch (schedule), para (paragraph), sub-para (sub-paragraph), c or ch (chapter), cl (clause),

sub-cl (sub-clause), pt (part), art (article), reg (regulation), r (rule), rr (rules), sub-r (sub-rule).

However, when referring to a particular sub-section, it is better to use the numerical representation, ie s 10(2), not s 10 sub-s 2.

(c) Footnotes

A footnote should appear at the bottom of the page to which it relates rather than at the end of an essay. It should be used to refer to cases, articles or books in which propositions are laid down or particular matters discussed. A footnote should not be used to make a substantive contribution to a main line of argument.

(d) Bibliography

A bibliography including references to all books, journals, articles and internet sources should be included in all assignments.

Useful texts in relation to presentation of assignments are:

- Nemes & Coss, *Effective Legal Research*, LexisNexis, Sydney, 3rd edition, 2006;
- Richard Krever, *Mastering Law Studies and Law Exam Techniques*, LexisNexis, Sydney, 6th edition, 2006;
- Anita Stuhmcke, *Legal Referencing*, LexisNexis, Sydney, 3rd edition, 2005.

5 Submitting Assignments

Make sure you submit assignments to the Law Extension Committee by the due date in your Subject Guide and in accordance with the instructions in the **Guide to the Presentation and Submission of Assignments**. It may be accessed and downloaded directly from the Law Extension Committee Webcampus.

Please ensure you submit the correct version of your assignment and that your answers to individual questions are submitted as one document.

6 Submit Assignments

All assignments must be submitted online through the Webcampus **Submit Assignments** and must be submitted by the due date. If unable to submit through the Webcampus then you must email your assignment to:

lecass@pip.com.au

All assignments must be submitted electronically.

The **Results** screen allows students to track the progress of assignments. Students are able to check:

- when an assignment was received,
- if the assignment is able to be read,
- the mark.

Please check the **Results** screen before contacting the Law Extension Committee with an assignment query.

It is your responsibility to notify the Law Extension Committee if, three business days after submitting the assignment, you become aware that your assignment is not recorded as having been processed or shows as "unable to open" or "wrong file format". If this is the case, please ring the office and have your tracking number and student number ready to provide the Law Extension Committee staff.

Further information regarding the submission of the assignments is provided in the **Guide to the Presentation and Submission of Assignments**.

7 Feedback

Markers will make every effort to mark your paper quickly. Comments by markers will address the aim of the question and the assessment criteria outlined on page 33 - 34.

8 Late Assignments

Assignments MUST be submitted by the due date and all dates are published prior to the start of the session. Please make a careful note of the assignment due date.

Unless the criteria for extensions of time, outlined below, are met, the available marks for an assignment will be reduced by one for each day beyond the submission date.

No extensions will be given unless the Law Extension Committee is contacted in writing **PRIOR TO THE DUE DATE** with a valid request for an extension. A request for an extension **MUST** be made through the LEC Webcampus **Submit Assignments** section under **Extensions**. Alternatively, you may send an email to enquiries@lec.pip.com.au

Extensions will only be granted in **exceptional circumstances**. The Law Extension Committee will use its discretion to grant extensions, however as a general rule, an extension may only be granted based on serious and unforeseen medical grounds.

The application must be accompanied by a specifically detailed medical certificate, or in other extenuating circumstances accompanied by a statutory declaration and evidence of unforeseen disruption to study.

Pressure of work, holidays or family commitments generally are not valid reasons for an extension.

9 Collaborative Learning and Avoiding Plagiarism

The Law Extension Committee encourages collaboration in learning. The active exchange of ideas is one of the most powerful teaching tools. In teaching, our teachers are encouraged to share their particular insights with students, and to be generous in the guidance they offer in bringing deeper understanding to the subjects they teach. Students are encouraged to ask relevant questions in class, to seek the opportunity to make serious comment, and to discuss the substance of lectures with fellow students.

The Law Extension Committee does not object to students making audio tapes of lectures for their own individual study and for their own study group purposes provided permission is requested of the teacher and the class is not disturbed. The Law Extension Committee does warn, however, against the sale or purchase of any notes purportedly transcribed from lectures or tapes of lectures.

It is vitally important that in examinations and in assignments the work submitted is your own. This does not mean that the ideas you put forward will be necessarily of your invention, but they should represent your considered response to a question with appropriate footnotes.

One of the most serious forms of academic misconduct is plagiarism, or seeking to use someone else's material as your own. It is similar to the offences in commercial and professional life of passing off, of misrepresentation, of deceptive conduct. If in doubt, acknowledge the source of your information.

It is serious misconduct for a student to copy an answer to an assignment of another student, whether the student is a past or current student or a student doing a similar course at another institution. Students need to be especially careful

not to appropriate the notes or electronic files of others.

The possible impact on a person's study and career, as well as the deeper moral issue, should make avoiding the risk of plagiarism a fundamental priority. In relation to this, students' attention is directed particularly to Rule 82 of the Legal Profession Admission Rule, which provides in part as follows:

"The Examinations Committee and the Law Extension Committee shall be vigilant to detect any cases of cheating in examinations or in home assignments ..."

The consequences of an allegation of plagiarism can be dire. After inviting a response to the allegation, the Examinations Committee may hold a formal hearing, chaired by a Judge.

If plagiarism is established, exclusion from the course, at least for a period of time, is likely. For a person intending to practise, there is the professional issue of character.

An appreciation of the distinction between plagiarism and collaboration allows for a rich and resourceful period of study followed by the intense learning experience of constructing your own analysis, synthesis, and presentation, and the satisfaction and fulfilment of personal achievement.

10 Assignment Assessment Criteria

There are ways you can increase your chances of a good grade. First, make sure you answer the question. It is surprising how many people either misread the question, answer only part of what is asked, or answer the question they would like to see on the paper rather than the one that is there. Organise your time. Plan your answer. While you will need a command of factual detail, many questions will want an argument from you. Identify issues. Explore the application of legal principles and doctrines. Weigh up competing claims.

Concise, coherent and clear writing should be a priority. The marker needs to see that you understand the issues you are writing about. Point form answers and executive summaries often don't do this. Be fluent, be logical, be direct. Presentation is also important. A consistent and

thorough referencing style should be learned early. The test is whether the reader can easily find the source you are using from your reference.

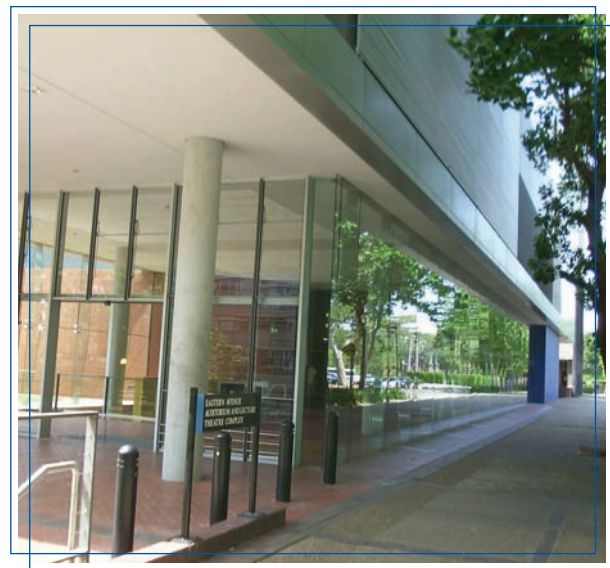
Since assignments and examinations are very different in nature, a direct correlation between assignment results and anticipated examination performance is not possible. However, identification of your strengths and weaknesses in assignment writing will assist your exam preparation both in terms of understanding the content of the subject and in presenting your answers.

Assignments are assessed carefully and marks are reviewed before eligibility status is recorded. We do not have the resources to remark assignments but we will offer as much assistance as possible in clarifying and furthering understanding and analysis of issues.

The grading and assessment criteria identified on the following page are cumulative - each level assumes that the characteristics of the one below have been satisfied.

11 Assignments Submitted in a Previous Session

A student must complete all compulsory assignments in that subject to be eligible to sit the ensuing examination. An assignment submitted in a previous session does not count towards the current session.



ASSIGNMENT GRADING AND ASSESSMENT CRITERIA

Grade	Mark Grade	Mark Range%	Criteria
HD	High Distinction	85% and above	Exceptional. Original application of thorough research and analysis.
D	Distinction	75% to 84%	Very high standard of critical analysis, extensive research and persuasive argument.
C	Credit	65% to 74%	Logical and coherent analysis of issues and application of principles. High quality of expression.
PM	Pass with merit	60% to 64%	Fluent, clear writing. Exhaustive identification of issues. Selection of appropriate principles.
P	Pass	50% to 59%	Demonstrates potential to pass examination. Recognition of scope of question. Identification of significant issues. Competent organisation and use of authorities.
F	Fail	40% to 49%	Some appreciation of the relevant facts but much work is needed in areas identified by the marker. Where an assignment mark is relevant to eligibility to sit for the examination, the result may be indicated as "deemed eligible". See page 13.
F	Serious Failure	Below 40%	If below 40% the work suggests the need for a thorough review of approach to assignment research and writing.

