

730-644 Law of Public Inquiries

Credit Points:	12.500
Level:	Graduate/Postgraduate
Dates & Locations:	2008, This subject commences in the following study period/s: Summer Term, - Taught on campus.
Time Commitment:	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidate's background and experience.
Prerequisites:	N.A.
Corequisites:	N.A.
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	N.A.
Coordinator:	The Hon Stephen Charles QC
Subject Overview:	<p>Objectives:</p> <p>A candidate who has successfully completed the subject should:</p> <ul style="list-style-type: none"> # Have a grasp of the principles of law that govern the establishment and conduct of the two most important kinds of public inquiries, namely, royal commissions and parliamentary inquiries # Understand the role played by the main forms of public inquiries in the Australian system of government and administration (including the need, in that regard, to balance the conflicting considerations of the right of the public to know about matters affecting their government, the right to privacy and the cost of such inquiries to the public in terms of expenditure and resources) # Understand the increasing relevance of administrative and constitutional law in relation to the conduct of public inquiries, including the advantages and disadvantages of judicial review in safeguarding the rights of individuals # Understand the difference between the adversarial and inquisitorial methods of inquiry # Be in a position to understand and make recommendations for the reform of the law governing public inquiries # Be aware of, and able to assess, the relevance of the experience of the law of public inquiries in other comparable countries, e.g. United Kingdom, New Zealand and Ireland. <p>Syllabus:</p> <ul style="list-style-type: none"> # Introduction # Appointment and composition (including constitutional constraints) # Supply of information <ul style="list-style-type: none"> # Power to compel # Limits on the power to compel, including public interest immunity (formerly described as Crown privilege), privilege against selfincrimination, privileges of parliament # Application of rules of administrative law, including procedural fairness and judicial review # Legal representation and assistance # Contempt # Re-opening of completed inquiries # Reform.
Assessment:	Take-home examination (50%) (4-7 April) Research paper 5,000 words (50%) (12 May) (topic approved by the subject coordinator)

Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	Please see the Subject Objectives for this information.
Links to further information:	For the latest information on this subject, please visit: http://www.masters.law.unimelb.edu.au/subject/730644