

LAWS50036 Remedies

Credit Points:	12.50
Level:	5 (Graduate/Postgraduate)
Dates & Locations:	2010, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus. Seminars.
Time Commitment:	Contact Hours: One three hour seminar a week. Total Time Commitment: 144 hours.
Prerequisites:	733-510 Legal Method and Reasoning; 733-511 Principles of Public Law; 733-512 Torts; 733-513 Obligations; 733-514 Dispute Resolution; 733-515 Constitutional Law; 733-516 Contracts; 733-517 Property; 733-518 Legal Theory; 733-521 Administrative Law; 733-522 Trusts; 733-523 Criminal Law and Procedure.
Corequisites:	None.
Recommended Background Knowledge:	None.
Non Allowed Subjects:	None.
Core Participation Requirements:	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: http://www.services.unimelb.edu.au/disability/ .
Coordinator:	Assoc Prof Elise Bant
Contact:	Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
Subject Overview:	This subject studies the nature, goals and structure of private law remedies, and is organised around the remedial goals of compensation, coercion, restitution and punishment. Topics will include: <ul style="list-style-type: none"> # Compensation (damages for breach of contract; compensatory remedies under the <i>Trade Practices Act 1974</i> (Cth); compensation and damages in equity; # Coercion (specific performance and injunctions); # Restitution (the measure of restitution; rescission; accounting for profits; equitable proprietary remedies); # Punishment in private law (aggravated and exemplary damages).
Objectives:	On completion of this subject, students should: <ul style="list-style-type: none"> # Understand the principles governing the award of private law remedies; # Be able to apply the principles to simple and complex hypothetical private law disputes; # Understand the principal theoretical debates concerning the appropriateness of remedies awarded in private law litigation; # Assess proposals for the reform of the law of remedies.
Assessment:	Supervised Examination or Take Home Examination (100%).
Prescribed Texts:	Tilbury, Noone, and Kercher, Remedies: Commentary and Materials, 4th ed, 2004.

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:	<p>On completion of the subject, students should have developed the following generic skills:</p> <ul style="list-style-type: none"># The ability to exercise a discretion on the basis of a rational assessment of alternative solutions;# The ability to read carefully and to analyse a wide range of sources;# To understand the role of theory and to assess its relevance to problem solving;# To understand the relevance of policy analysis to decision making;# The ability to give an accurate and clear account of complex arguments.
Related Course(s):	Juris Doctor