

## LAWS50125 Criminal Justice: Drugs in Asia

| <b>Credit Points:</b>                         | 12.5  |                |  |         |                            |                |   |                  |       |                              |            |       |
|---|---|----------------|--|---------|----------------------------|----------------|---|------------------|-------|------------------------------|------------|-------|
| <b>Level:</b>                                 | 5 (Graduate/Postgraduate)   |                |  |         |                            |                |   |                  |       |                              |            |       |
| <b>Dates &amp; Locations:</b>                 | This subject is not offered in 2015.  |                |  |         |                            |                |   |                  |       |                              |            |       |
| <b>Time Commitment:</b>                       | Contact Hours: 3 hours a week or 30 hours intensively. Total Time Commitment: 144 hours.  |                |  |         |                            |                |   |                  |       |                              |            |       |
| <b>Prerequisites:</b>                         | <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> </tbody> </table>   |                |  | Subject | Study Period Commencement: | Credit Points: | LAWS50023 Legal Method and Reasoning          | February         | 12.50 | LAWS50027 Dispute Resolution | Semester 1 | 12.50 |
| Subject                                       | Study Period Commencement:  | Credit Points: |  |         |                            |                |   |                  |       |                              |            |       |
| LAWS50023 Legal Method and Reasoning          | February  | 12.50          |  |         |                            |                |   |                  |       |                              |            |       |
| LAWS50027 Dispute Resolution                  | Semester 1  | 12.50          |  |         |                            |                |   |                  |       |                              |            |       |
| <b>Corequisites:</b>                          | None  |                |  |         |                            |                |   |                  |       |                              |            |       |
| <b>Recommended Background Knowledge:</b>      | None  |                |  |         |                            |                |   |                  |       |                              |            |       |
| <b>Non Allowed Subjects:</b>                  | <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS70415 Drugs and the Death Penalty in Asia</td> <td>Not offered 2015</td> <td>12.50</td> </tr> </tbody> </table>  |                |  | Subject | Study Period Commencement: | Credit Points: | LAWS70415 Drugs and the Death Penalty in Asia | Not offered 2015 | 12.50 |                              |            |       |
| Subject                                       | Study Period Commencement:  | Credit Points: |  |         |                            |                |   |                  |       |                              |            |       |
| LAWS70415 Drugs and the Death Penalty in Asia | Not offered 2015  | 12.50          |  |         |                            |                |   |                  |       |                              |            |       |
| <b>Core Participation Requirements:</b>       | <p>The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>.</p> |                |  |         |                            |                |   |                  |       |                              |            |       |
| <b>Contact:</b>                               | <p>Melbourne Law School Student Centre<br/>           Email: <a href="mailto:law-studentcentre@unimelb.edu.au">law-studentcentre@unimelb.edu.au</a> (mailto:law-studentcentre@unimelb.edu.au)<br/>           Tel: +61 3 8344 4475</p>   |                |  |         |                            |                |   |                  |       |                              |            |       |
| <b>Subject Overview:</b>                      | <p>Initially the subject focuses on how drugs use, cultivation or manufacture and trafficking are regulated in Western countries. The subject will then introduce relevant international regimes and the national regulatory and institutional frameworks for illicit drugs law in each of the countries selected. The second half of the subject will comprise a series of studies of significant and/or high-profile cases from the countries selected, in which the practical application of the regimes examined earlier are investigated. A comparative approach will be applied throughout.</p> <p>Principal topics may include:</p> <ul style="list-style-type: none"> <li># Drugs use, manufacture/cultivation and trafficking: regulatory choices;</li> <li># Delivering social policy through regulation and drugs law, including the interaction between punishment and health-based approaches to illicit drug use;</li> </ul>  |                |  |         |                            |                |   |                  |       |                              |            |       |

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|---------------------------|---|
|                           | <ul style="list-style-type: none"> <li># The interaction between international human rights and drug control law and norms and domestic law and practice;</li> <li># Diverse approaches within Asia to the regulation of drugs, through detailed and nuanced examination of the relevant administrative, criminal and procedure laws, taking into account different legal systems, social, political and cultural traditions, structures and practices;</li> <li># The role played by different legal institutions in the regulation of drugs offences regionally, including courts, police, prosecutors, defence lawyers, NGOs etc;</li> <li># The contribution made to the regulation of drugs and drugs-related offences by international regulatory frameworks;</li> <li># The impacts of non-legal networks and institutions on the development, implementation and review of drugs laws in the region;</li> <li># Divergent attitudes and practices to the death penalty;</li> <li># Drugs-law-related reforms arising from the comparisons;</li> <li># The possibilities for convergence or harmonisation of drugs law in Asia.</li> </ul>   |
| <b>Learning Outcomes:</b> | <p>A student who has successfully completed this subject will have an advanced understanding of, and be able critically to analyse and explain:</p> <ul style="list-style-type: none"> <li># Key regulatory approaches to socio-legal challenges in the 21st century;</li> <li># The diverse approaches within Asia to the regulation of drugs, through detailed and nuanced explication of the relevant administrative law and regulation, criminal and procedure laws, taking into account different legal systems, social, political and cultural traditions, structures and practices;</li> <li># The role played by different legal institutions in the regulation of drugs offences regionally;</li> <li># The contribution, if any, made to the regulation of drugs and drugs-related offences by international regulatory frameworks;</li> <li># The impacts of non-legal networks and institutions on the development, implementation and review of drugs laws in the region; and</li> <li># Divergent attitudes to the death penalty.</li> </ul> <p>A student who has successfully completed this subject will have developed:</p> <ul style="list-style-type: none"> <li># A capacity to critically compare and analyse the comparator jurisdictions' approach to the regulation of drugs offences, and to consider reform possibilities arising from those comparisons; and</li> <li># A capacity to critically evaluate the scope for and benefits of convergence or harmonisation of drugs prosecutions.</li> </ul> |
| <b>Assessment:</b>        | A 750 word abstract, including a briefly annotated bibliography (10%); A 5,500 word research paper (90%).   |
| <b>Prescribed Texts:</b>  | Specialist printed materials capturing recent developments and original sources not publicly accessible to be made available by Melbourne Law School, and library resources.  |
| <b>Breadth Options:</b>   | This subject is not available as a breadth subject.   |
| <b>Fees Information:</b>  | Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>   |
| <b>Generic Skills:</b>    | <p>Students who successfully complete this subject will have developed and demonstrated advanced skills in the following areas relevant to the comparative analysis of criminal and administrative law and criminal procedure law, impacting drugs regulation in Asia:</p> <ul style="list-style-type: none"> <li># Capacity to identify, locate and critically reflect upon and evaluate relevant legal research materials (primary and secondary literature);</li> <li># Capacity to identify, locate and critically reflect upon and evaluate relevant non-legal research materials (primary and secondary literature);</li> <li># Capacity to formulate, manage and execute a regulatory research project from inception to completion;</li> <li># Capacity to persuasively communicate material relevant to the regulation of drug-related criminal law and policy (information and argument), harnessing appropriate sources and evidence;</li> <li># Capacity to justify and interpret methodological approaches or theoretical propositions appropriate to comparative regulatory research and to communicate these with clarity.</li> </ul>  |

**Notes:**

This subject has a quota of 60 students. Details on **quota subject selection** (<http://www.law.unimelb.edu.au/jd/current-students/enrolments/quota-subject-selection/>) are available on the JD website.