

MLP710

ADMINISTRATIVE LAW

Comprehensive Study Guide

— SAMPLE PREVIEW —

The full 73-page guide covers the complete MLP710 syllabus.
This sample gives you a taste of the design and substance.

Deakin University · Juris Doctor

What's in the full guide

The full 73-page Comprehensive Study Guide covers the complete MLP710 syllabus in 13 parts:

Part 1 — Foundations. Constitutional context, Allsop CJ's public-law values, legality vs merits (Quin), the four models table, justiciability (Smith framework).

Part 2 — Common-Law Judicial Review. The full 7-step skeleton with every remedy, ground, and materiality analysis.

Part 3 — The AD(JR) Act. Eligibility, standing, all s 5 grounds, reasons (s 13), remedies (s 16), Schedule 1 exclusions.

Part 4 — Merits Review (ART Act 2024). The new Tribunal, Drake, Shi, separation-of-powers limits.

Part 5 — Delegated Legislation. Two-part test, Henry VIII clauses (Capital Duplicators), Legislation Act 2003.

Part 6 — First Nations. Cases (Onus, Toohey, Tickner, Wilson, Kartinyeri, NLC v Quall), statutes (ATSHP, NTA, ALRA), the Hindmarsh saga.

Part 7 — Case Compendium. 60+ essential cases organised by topic, each with facts, holding and rule.

Part 8 — Statute Compendium. Every Act with the sections that matter.

Part 9 — Skeletons and Templates. Opening sentences for each question type, materiality template.

Part 10 — 15 Practice Hypotheticals with Full Model Answers. Common-law JR, merits review, delegated legislation, First Nations, essays.

Part 11 — Triage Tables. Statute wording → ground; fact pattern → ground.

Part 12 — Exam Technique. Time strategy, panic protocol, the five things to do every time.

Part 13 — Alphabetical Case Index. 70+ cases for fast lookup.

The following pages show a small selection of what the guide looks like and how it reads.

Sample — Common-Law JR skeleton

Common-law judicial review is the largest single component of MLP710 and the biggest question on the exam. The full guide sets out each step in detail with cases, ready phrasing and worked application.

KEY RULE

The seven steps of a common-law judicial review answer, in order:

- 1. REMEDY — which writ does the client need? The remedy drives the jurisdiction analysis.
- 2. JURISDICTION — s 39B(1) of the Judiciary Act (or s 75(v)); matter, officer of the Cth, writ sought.
- 3. JUSTICIABILITY — almost always yes; note if the subject matter squarely raises the doctrine.
- 4. STANDING — special interest (ACF v Cth) or person aggrieved; for groups, multifactorial (North Coast).
- 5. GROUNDS — each ground: hook, test, lead case, apply, materiality.
- 6. MATERIALITY → JURISDICTIONAL ERROR — after every ground (Hossain; MZAPC; Nathanson).
- 7. OUSTER — if a clause is present, classify and apply (S157/Kirk for privative; Futuris for no-invalidity; Graham for information-restricting).

The materiality template

The full guide provides ready-to-deploy templates for every step. This one, copied into every common-law ground, keeps materiality analysis tight and consistent:

“This [ground] was material because, but for the error, there is a realistic possibility that the decision could have been different (Hossain v MIBP (2018) 264 CLR 123; SZMTA (2019) 264 CLR 421; MZAPC (2021) 273 CLR 506). The threshold is undemanding — reasonable conjecture (MZAPC) — and especially undemanding for procedural-fairness breaches (Nathanson v Minister for Home Affairs (2022) 276 CLR 80). The error is therefore JURISDICTIONAL and certiorari/mandamus/prohibition is available.”

Sample — Case compendium

The full guide contains 60+ cases in this format, organised by topic. Every case gives you the facts, the holding, and the rule you deploy in the exam.

CASE

Ebner v Official Trustee in Bankruptcy (2000) 205 CLR 337

Facts: A trial judge owned shares in a bank that was one of the litigants in the case. Alleged apprehended bias.

Held: High Court: the test for apprehended bias is a TWO-STEP inquiry. Step 1 — identify the FACTOR that might lead the decision-maker to decide the case other than on its merits. Step 2 — articulate the LOGICAL CONNECTION between that factor and the feared deviation from impartial decision-making, viewed by a fair-minded lay observer.

Rule / why it matters: The leading Australian statement of the apprehended-bias test. Apply the two-step test methodically. The connection must be a logical one — mere speculative or remote connection is insufficient. (Ebner itself failed on the connection.)

CASE

Tickner v Chapman (1995) 57 FCR 451 (FCFC)

Facts: The Minister made a declaration under s 10 of the ATSIHP Act 1984 (Cth) after receiving over 400 representations. He read a summary prepared by his officials rather than the representations themselves. Section 10(1)(c) required him to 'consider' the representations.

Held: Federal Court Full Court: the declaration was invalid. 'Consider' in s 10(1)(c) required personal engagement with each representation — not merely a summary. The Minister had unlawfully sub-delegated the consideration function to officials.

Rule / why it matters: The leading case on failure of genuine consideration in a statutory PF context. Where the statute requires personal consideration of submissions, the decision-maker must engage with them — a departmental summary is not enough. Deploy in any heritage or high-stakes decision where officials appear to have digested submissions on the Minister's behalf.

Sample — Triage table (partial)

The full guide contains two complete triage tables (statute wording → ground; fact pattern → ground) covering every recurring exam trigger. Here's a taste of the second:

If the facts show...	Likely ground	Lead case
DM applied a blanket rule to everyone	Inflexible policy / fettering	Green v Daniels; Re Drake (No 2)
DM did what the Minister told them	Acting under dictation	Anderson ex p Ipec-Air; Riddell
Someone else effectively decided	Improper sub-delegation	NLC v Quall; Tickner v Chapman
DM had personal/family/financial interest	Apprehended bias	Ebner
Adverse material not disclosed	Hearing rule breach	VEAL; Lam
Decision on no probative material	No evidence	Bond; Curragh
Bizarre / disproportionate outcome	Unreasonableness	Li
... and 5 more rows in the full guide	...	...

EXAM TIP

The trigger tables are one of the most-used sections in the exam. Fast pattern-matching saves you precious minutes when you're under time pressure.

Sample — Practice hypothetical (question only)

The full guide contains 15 practice hypotheticals with FULL model answers. Here's one question in the format you'll find them. The model answer, running through jurisdiction, standing, three grounds, materiality and remedy, is in the full guide.

Hypothetical — Liquor licence revocation (common-law JR)

Facts:

Under the Liquor Licensing Act 2023 (Cth), s 22 provides: 'The Licensing Commissioner may revoke a licence where satisfied the operator is not a fit and proper person.' Section 23 requires written notice of grounds and a 21-day response period.

Karima holds a tavern licence and has operated it for 12 years without incident. The Commissioner receives an anonymous letter alleging Karima 'has links to organised crime'. The Commissioner does not put the letter to Karima but issues a revocation notice citing 'serious concerns about character'. Karima's response with character references does not address the criminal-links allegation because she was not told about it. The licence is revoked. AD(JR) is unavailable. Advise.

The model answer in the full guide runs through:

- Skeleton: remedy, jurisdiction, justiciability, standing
- Ground 1 — hearing rule + statutory PF code (VEAL, Lam, Project Blue Sky, Nathanson)
- Ground 2 — subjective jurisdictional fact wrongly formed (Hetton Bellbird)
- Materiality analysis and conclusion on remedy

Each of the 15 hypotheticals in the full guide is treated at this depth. Together they cover common-law JR, merits review, delegated legislation, First Nations problems, and essays.

Get the full guide

The full 73-page Comprehensive Study Guide is available on StudentVIP.

What you get in the full guide:

- 73 pages of comprehensive coverage across 13 parts
- The complete doctrine — four models, all grounds, materiality, ouster
- First Nations administrative law as a dedicated section
- 60+ cases in the compendium, plus every essential statute
- 15 practice hypotheticals with full JD-level model answers
- Ready-to-deploy skeletons and opening sentences for every question type
- Complete triage tables for fast in-exam pattern-matching
- Exam technique, panic protocol, alphabetical case index
- Reflects the current syllabus — ART Act 2024, modern materiality (Nathanson), Davis v Minister (2023)

Written by a Deakin JD student for the T3 2026 exam. Clean modern design; easy to read; designed to be your primary reference from mid-semester to the exam itself.

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