



# LAWS260

## Human Rights, Policy and the Law

S1 Day 2016

*Dept of Law*

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#### **Disclaimer**

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

## General Information

### Unit convenor and teaching staff

Convenor

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W3A 622

See Ilearn for details.

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See Ilearn for details.

Credit points

3

Prerequisites

12cp

Corequisites

Co-badged status

### Unit description

This unit will explore the dynamic area of public policy development in relation to human rights and the law. It will examine how human rights values and rights-based discourses inform the interaction of law and policy in the regulation of individuals' behaviour and the protection of individual rights. Students will analyse the impact of the law, and various stakeholders, on policy formulation, including in relation to the three case studies of asylum seekers, sexuality rights and civil liberties. They will be challenged to critically analyse real-world policy initiatives and to assess the implications for legal and policy-making forums of differing conceptions of rights, such as the differences between 'natural' conceptions that view human rights as pre-political protections for fundamental human interests and 'political' conceptions that view human rights as arising through states' practices.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.

Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.

Apply international and domestic law to Australian policy formation in the area of human rights.

Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.

Conduct interdisciplinary research in law and international relations in the course of developing problem-solving skills and appreciate the role played by these disciplines in influencing legal processes and policy-making forums.

## General Assessment Information

Details of the assessment tasks and due dates are provided on Ilearn. All assessments are to be submitted electronically via Turnitin.

### Macquarie Law School policy on assessment

In the absence of a successful application for "disruption to studies", any assessment task submitted after its deadline will not be graded and will receive a mark of zero.

Word limits will be strictly applied and work above the word limit will not be marked. Footnotes are only to be used for referencing. Substantive material in footnotes will not be marked.

All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit and the University's Academic Honesty Policy is strictly applied.

## Assessment Tasks

Name	Weighting	Due
<a href="#"><u>Opinion Piece</u></a>	20%	9.00 AM 29 March
<a href="#"><u>Theory essay</u></a>	30%	9.00 AM 16 May
<a href="#"><u>Research report</u></a>	50%	9.00 AM 10 June.
<a href="#"><u>Tutorial participation</u></a>	0%	Weeks 1-13

### Opinion Piece

Due: **9.00 AM 29 March**

Weighting: **20%**

Students will identify a current human rights issue and write an opinion piece outlining a critique of the current situation and providing an argument for reform of policy and/or law in this area.

On successful completion you will be able to:

- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.

### Theory essay

Due: **9.00 AM 16 May**

Weighting: **30%**

Students will identify contemporary theoretical debates concerning human rights and apply these to a contemporary human rights issue.

On successful completion you will be able to:

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.

## Research report

Due: **9.00 AM 10 June.**

Weighting: **50%**

Students will prepare a comprehensive research report on a human rights issue, including recommendations for policy and/or legal reform.

On successful completion you will be able to:

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.
- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.
- Conduct interdisciplinary research in law and international relations in the course of developing problem-solving skills and appreciate the role played by these disciplines in influencing legal processes and policy-making forums.

## Tutorial participation

Due: **Weeks 1-13**

Weighting: **0%**

**Participation is Pass/Fail. You must pass this aspect of the course in order to pass the Unit.**

Tutorials in this unit only work if all students attend and give the entire group the benefit of their views based upon the readings and their experience.

Specific readings and exercises will be set for each tutorial. The tutorial program is set out on iLearn in a weekly format. You must attend all tutorials and listen to all lectures. You are required to participate in the tutorial discussions, debates and any other activities. Tutors will engage in ongoing assessment of student participation using the following criteria:

**1. Preparation and understanding of material:** the student has listened to the lecture, read the required reading and has attempted to link the materials to the lectures, to other course materials, to their own knowledge and to current affairs.

**2. Ability to think critically about the material:** the student is able to think critically about the materials from different angles and is able to question the materials

3. **Clear expression of ideas:** the student is able to clearly express their ideas about the materials

4. **Engaging with other students:** the student engages with others in the class taking an active role in discussions debates and other activities assigned by the tutor. The student responds to others in the class by listening to them, providing constructive feedback and asking questions.

5. **Demonstration of skills:** The student is able to demonstrate communication skills including listening skills.

From time to time, tutors will collect examples of student work completed in tutorials. Tutors may set impromptu quizzes in class to assess a student's knowledge of the tutorial preparation material.

If you cannot attend a tutorial you must email your tutor to inform them of your absence. Repeated absences from tutorials must meet the criteria for Disruption to Studies and be approved by the Unit Convenor. Applications for Disruption to Studies are made online at [ask.mq.edu.au](http://ask.mq.edu.au)

Tutors will raise any concerns about poor participation with the student involved. Students may be given an opportunity to submit remedial work where there are concerns about participation or unexplained absences.

On successful completion you will be able to:

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.
- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.

## Delivery and Resources

This unit requires students to attend or listen online (through Echo360) a weekly one-hour lecture. Students are also expected to attend a one-hour tutorial each week. There is no required textbook. Weekly readings are available through the unit's Library I Share page, and via the ilearn site.

Before attending (or listening to) the weekly live lecture, students are required to access the unit's iLearn page to review online content such as videos (of approximately one hour) and read the assigned readings.

**Before you attend the first lecture on 29 February 2016, you should have logged onto ilearn and viewed the assigned weekly online content of approximately an hour, and read the assigned weekly reading.**

On Campus sessions for external students will be held on 13 and 14 April.

Student workload, in accordance with university guidelines, is 3 hours per credit point per week (over a 15 week term), and can be estimated as follows:

24 hours - attendance of lectures and tutorials

60 hours - readings, review of online content and self-study

66 hours - assessment tasks

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150 hours total

Students will be required to use a computer to interact with online research databases and web-based research tools. This unit's iLearn page will also contain additional lessons with multimedia content to facilitate learning.

## **Policies and Procedures**

Macquarie University policies and procedures are accessible from [Policy Central](#). Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy [http://mq.edu.au/policy/docs/academic\\_honesty/policy.html](http://mq.edu.au/policy/docs/academic_honesty/policy.html)

**New Assessment Policy in effect from Session 2 2016** [http://mq.edu.au/policy/docs/assessment/policy\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.html). For more information visit [http://students.mq.edu.au/events/2016/07/19/new\\_assessment\\_policy\\_in\\_place\\_from\\_session\\_2/](http://students.mq.edu.au/events/2016/07/19/new_assessment_policy_in_place_from_session_2/)

Assessment Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Complaint Management Procedure for Students and Members of the Public [http://www.mq.edu.au/policy/docs/complaint\\_management/procedure.html](http://www.mq.edu.au/policy/docs/complaint_management/procedure.html)

Disruption to Studies Policy [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html) *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

## **Student Code of Conduct**

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/support/student\\_conduct/](https://students.mq.edu.au/support/student_conduct/)

## **Results**

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they

are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [ask.mq.edu.au](#).

## Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](#)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

## Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](#)

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.

## Graduate Capabilities

### Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

### Learning outcomes

- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well



reasoned and well structured arguments.

- Conduct interdisciplinary research in law and international relations in the course of developing problem-solving skills and appreciate the role played by these disciplines in influencing legal processes and policy-making forums.

### **Assessment tasks**

- Opinion Piece
- Theory essay
- Research report

## **Capable of Professional and Personal Judgement and Initiative**

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

### **Learning outcomes**

- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.
- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.

### **Assessment tasks**

- Opinion Piece
- Theory essay
- Research report

## **Commitment to Continuous Learning**

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:

## Learning outcomes

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.
- Conduct interdisciplinary research in law and international relations in the course of developing problem-solving skills and appreciate the role played by these disciplines in influencing legal processes and policy-making forums.

## Assessment tasks

- Opinion Piece
- Theory essay
- Research report
- Tutorial participation

## Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

## Learning outcomes

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.
- Conduct interdisciplinary research in law and international relations in the course of developing problem-solving skills and appreciate the role played by these disciplines in influencing legal processes and policy-making forums.

## Assessment tasks

- Theory essay

- Research report
- Tutorial participation

## Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

### Learning outcomes

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.
- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.
- Conduct interdisciplinary research in law and international relations in the course of developing problem-solving skills and appreciate the role played by these disciplines in influencing legal processes and policy-making forums.

### Assessment tasks

- Opinion Piece
- Theory essay
- Research report
- Tutorial participation

## Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

## Learning outcomes

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.
- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.
- Conduct interdisciplinary research in law and international relations in the course of developing problem-solving skills and appreciate the role played by these disciplines in influencing legal processes and policy-making forums.

## Assessment tasks

- Opinion Piece
- Research report

## Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

## Learning outcomes

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.
- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.

## Assessment tasks

- Opinion Piece
- Research report

- Tutorial participation

## Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

### Learning outcomes

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.
- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.

### Assessment tasks

- Opinion Piece
- Theory essay
- Research report
- Tutorial participation

## Socially and Environmentally Active and Responsible

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

### Learning outcomes

- Explain contemporary debates about human rights values and rights-based discourses and how they are represented in law.
- Critique, against established theoretical frameworks, current policy initiatives in relation to human rights.

- Apply international and domestic law to Australian policy formation in the area of human rights.
- Communicate your understanding of the subject verbally and in clearly written, well reasoned and well structured arguments.

## **Assessment tasks**

- Research report
- Tutorial participation

## **Changes since First Published**

<b>Date</b>	<b>Description</b>
16/02/2016	I changed the date of the first assessment task, as I realised it fell on Easter Monday. The date is now later (so not detrimental to students) I will send an announcement to students about the change