



LAWS5005

Child/Elder Law

Session 2, Special circumstance 2020

Macquarie Law School

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Disclaimer

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Notice

As part of [Phase 3 of our return to campus plan](#), most units will now run tutorials, seminars and other small group learning activities on campus for the second half-year, while keeping an online version available for those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face and online activities for your unit, please go to [timetable viewer](#). To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

General Information

Unit convenor and teaching staff

Convenor

Holly Doel-Mackaway

Contact via 9850 4090

6 First Walk (W3A) room 625

Tuesdays 12 noon-1pm (via phone or the communications forum on the iLearn page)

Credit points

10

Prerequisites

(80cp in LAW or LAWS units) or (130cp including LAWS2060 or LAWS260)

Corequisites

Co-badged status

Unit description

This unit examines the intersection of age and law, in particular, the ways in which the law protects, empowers and also negatively impacts on the lives of children and older people. This course equips students to understand the national and international legal frameworks impacting on children and young people and the elderly and the strengths and limitations of these frameworks. This unit is relevant to students interested in human rights and social justice, as well as students who want to gain an advanced understanding of the socio-legal context surrounding children and young people and/or the elderly.

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:

ULO1: Demonstrate awareness and understanding of the legal issues affecting children and older people in various contexts.

ULO2: Identify the elements of a rights-based approach to legal issues that affect children and older people.

ULO3: Engage in critical analysis of the way in which laws impact on children and older people.

ULO4: Evaluate the role of law reform in key areas affecting children and older people.

ULO5: Demonstrate awareness and understanding of the way law impacts on diverse communities of children and older people, especially Aboriginal and Torres Strait Islander peoples.

General Assessment Information

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

Word limits will be strictly applied and work above the word limit will not be marked.

All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.

Moderation

Detailed marking guidelines will be made available on iLearn. The convenor moderates all assessments. All high distinctions and fails are double marked.

Assessment Tasks

Name	Weighting	Hurdle	Due
Law reform campaign	30%	No	Week 7 on 11 September 2020 by 10 pm
Online task	10%	No	Weekly forum posts 3 posts submitted w13 6 Nov 2020 by 10 pm
Research Essay	60%	No	Week 13 on 6 November 2020 by 10 pm

Law reform campaign

Assessment Type ¹: Media presentation

Indicative Time on Task ²: 20 hours

Due: **Week 7 on 11 September 2020 by 10 pm**

Weighting: **30%**

Students will be required to develop a campaign outline on an issue related to law and children or older people. Topic choices and details of the assessment will be outlined on iLearn

On successful completion you will be able to:

- Demonstrate awareness and understanding of the legal issues affecting children and older people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and older people.
- Engage in critical analysis of the way in which laws impact on children and older people.
- Evaluate the role of law reform in key areas affecting children and older people.
- Demonstrate awareness and understanding of the way law impacts on diverse communities of children and older people, especially Aboriginal and Torres Strait Islander peoples.

Online task

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 20 hours

Due: **Weekly forum posts 3 posts submitted w13 6 Nov 2020 by 10 pm**

Weighting: **10%**

Several online forum posts / discussions

On successful completion you will be able to:

- Demonstrate awareness and understanding of the legal issues affecting children and older people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and older people.
- Engage in critical analysis of the way in which laws impact on children and older people.
- Evaluate the role of law reform in key areas affecting children and older people.
- Demonstrate awareness and understanding of the way law impacts on diverse communities of children and older people, especially Aboriginal and Torres Strait Islander peoples.

Research Essay

Assessment Type ¹: Essay

Indicative Time on Task ²: 35 hours

Due: **Week 13 on 6 November 2020 by 10 pm**

Weighting: **60%**

A research essay on a select topic related to child/elder law. Full details of the topic and further instructions will be available on ilearn

On successful completion you will be able to:

- Demonstrate awareness and understanding of the legal issues affecting children and older people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and older people.
- Engage in critical analysis of the way in which laws impact on children and older people.
- Evaluate the role of law reform in key areas affecting children and older people.
- Demonstrate awareness and understanding of the way law impacts on diverse communities of children and older people, especially Aboriginal and Torres Strait Islander peoples.

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Students will have the opportunity to explore complex legal questions and develop practical and theoretical understandings relevant to child and elder law. All students must be aware that this unit predominantly focuses on children and the law and is convened by Dr Holly Doel-Mackaway, whose background is in international children's rights. The last two weeks of lectures will provide a brief introduction to elder law. However, this course will not provide students with a comprehensive overview of elder law.

In this unit we will also examine the relationship between Indigenous peoples and the law. Please see this resource produced by Walanga Muru, Macquarie University Office of Indigenous Strategy for information about [Aboriginal Cultural Protocols](#).

Given the current COVID situation the mode of delivery for this unit could change to 'online only' at short notice. Until that time however, tutorials will be run both online and face to face (tutorial times are available at Timetables). The online OCS for external students will run on the 23 and 24 September. The course content (lectures and other learning materials) will be delivered online, every week during weeks 1-13.

All students are required to prepare for, attend and actively participate in either compulsory weekly face-to-face or online tutorials or a 2-day compulsory online OCS.

The program for the OCS will be released in due course. **Students who cannot attend both days of the OCS due to a clash with another subject should choose a different subject as all students are required to attend both days of the OCS.** If a student is not able to attend the OCS due to an unforeseen circumstance they will be allocated alternative work that will require the student to undertake the same degree of preparation, pre-reading and participation (amounting to 2 full days and additional preparation time). Only students with an approved special consideration will be allocated alternative work.

Each week students will be required to read the required readings and listen to approximately 2 hours of pre-recorded lecture or other course material that will be available on iLearn. The schedule of topics to be covered in the lectures, and required readings, will be available on iLearn and in the unit's Leganto reading list.

Lectures being in week 1 and finish in week 12. Tutorials being in week 2 and finish in week 13.

There is no textbook for the course rather a list of readings for each week will be posted on the unit Leganto link.

Lectures being in week 1 and finish in week 12. Tutorials start in week 2 and finish in week 13.

Students require access to a computer and a secure and reliable internet provider.

Unit Schedule

Child and Elder Law Unit Schedule

This is subject to change, please check the iLearn page for updates.

WEEK	DATES: WEEKS STARTING	LECTURE TOPIC	TUTORIAL	ASSESSMENT
Week 1	27 July	Children and the Law; Constructions of Childhood	No tutorial	Weekly forum posts—weeks 2-13
Week 2	3 Aug	The Development of the International Children's Rights Framework	Tutorial: Week 1 Topic	
Week 3	10 Aug	Indigenous Children and the Law	Tutorial: Week 2 Topic	
Week 4	17 Aug	Protecting Children from Abuse and Neglect	Tutorial: Week 3 Topic	
Week 5	24 Aug	Children, Migration, Conflict and COVID	Tutorial: Week 4 Topic	

Week 6	31 Aug	Juvenile 'Justice' and Criminal Responsibility	Tutorial: Week 5 Topic	
Week 7	7 Sept	Children: E-Safety, Agency and Privacy	Tutorial: Week 6 Topic	Law Reform Campaign due 11 September by 10pm
RECESS	14 Sept			
RECESS	21 Sept	OCS (23 and 24 September)		
Week 8	28 Sept	Children's Participation in Law and Policy Development; Legal Representation of Children	Tutorial: Week 7 Topic	
Week 9	5 Oct	Legal Capacity and the Medical Treatment of Children	Tutorial: Week 8 Topic	
Week 10	12 Oct	Does the 'Law' Uphold Children and Young People's Rights?	Tutorial: Week 9 Topic	
Week 11	19 Oct	Overview of Elder Law Elderly People: Decision Making, Capacity and Discrimination	Tutorial: Week 10 Topic	
Week 12	26 Oct	Elderly People: Financial Abuse and Aged Care	Tutorial: Week 11 Topic	
Week 13	2 Nov	No Lecture (tutorial only)	Tutorial: Week 12 Topic	Research Essay & 3 forum posts due 6 Nov by 10pm

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)

- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.)

Students seeking more policy resources can visit the [Student Policy Gateway](https://students.mq.edu.au/support/study/student-policy-gateway) (<https://students.mq.edu.au/support/study/student-policy-gateway>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central](http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) 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 or if you are a Global MBA student contact globalmba.support@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 help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

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

If you are a Global MBA student contact globalmba.support@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/.

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.

Changes from Previous Offering

Introduced face to face and online tutorials in this offering (previously it was offered in Block mode, so only OCS's).

Altered the assessment regime and weighting.

Course materials updated.