LAWS5005

Age and the Law

Session 2, Weekday attendance, North Ryde 2021

Macquarie Law School

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Session 2 Learning and Teaching Update

The decision has been made to conduct study online for the remainder of Session 2 for all units WITHOUT mandatory on-campus learning activities. Exams for Session 2 will also be online where possible to do so.

This is due to the extension of the lockdown orders and to provide certainty around arrangements for the remainder of Session 2. We hope to return to campus beyond Session 2 as soon as it is safe and appropriate to do so.

Some classes/teaching activities cannot be moved online and must be taught on campus. You should already know if you are in one of these classes/teaching activities and your unit convenor will provide you with more information via iLearn. If you want to confirm, see the list of units with mandatory on-campus classes/teaching activities.

Visit the MQ COVID-19 information page for more detail.

General Information

Unit convenor and teaching staff Holly Doel-Mackaway Contact via via ilearn 6 First Walk (W3A) room 625 Thursday @ 12 noon (via zoom link on iLearn page)
Credit points 10
Prerequisites (130cp in Law or LAWS units) or (130cp including LAWS260 or LAWS2060)
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 – **10 marks out of 100 credit will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted seven days (incl. weekends) after the original submission deadline.**

Word limits will be strictly applied and any words above the word limit will not be marked. Students may submit 10% less words than the word limit for an assessment (however, it is strongly recommended to use all the words possible as generally students who adhere to the recommended word limit perform better than students who do not). All assessments in the unit are to be submitted electronically via the appropriate Turnitin link. Plagiarism detection software is used in this unit. 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 6 on 2 September by 10pm
Participation	10%	No	Week 13 on 4 Nov by 10pm
Research Essay	60%	No	Week 13 on 4 Nov by 10pm

Law reform campaign

Assessment Type [1]: Media presentation
Indicative Time on Task [2]: 20 hours
Due: **Week 6 on 2 September by 10pm**
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.

Participation

Assessment Type [1]: Participatory task
Indicative Time on Task [2]: 20 hours
Due: **Week 13 on 4 Nov by 10pm**
Weighting: **10%**

Students will be assessed on their informed participation in discussions, role plays, debates and/or other activities.

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 4 Nov by 10pm**
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.

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[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 13 and 14 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 weekly face-to-

face or online tutorials or a 2-day 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.

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 so keep checking this iLearn page.

WEEK	DATES: WEEKS STARTING	LECTURE TOPIC	TUTORIAL	ASSESSMENT
Week 1	26 July	**Children and the Law; Constructions of Childhood**	No tutorial	
Week 2	2 Aug	**The Development of the International Children's Rights Framework**	Tutorial: Week 1 Topic	**Weekly forum posts–weeks 2-13**
Week 3	9 Aug	**Indigenous Children and the Law**	Tutorial: Week 2 Topic	
Week 4	16 Aug	**Protecting Children from Abuse and Neglect**	Tutorial: Week 3 Topic	
Week 5	23 Aug	**Children, Migration, Conflict and COVID**	Tutorial: Week 4 Topic	
Week 6	30 Aug	**Juvenile 'Justice' and Criminal Responsibility**	Tutorial: Week 5 Topic	**Law Reform Campaign due 2 September by 10pm**

Week 7	6 Sept	**Children: E-Safety, Agency and Privacy**	Tutorial: Week 6 Topic	
RECESS	13 Sept	**OCS** (Mon 13 and Tues 14 September)		
RECESS	20 Sept			
Week 8	27 Sept	**Children's Participation in Law and Policy Development; Legal Representation of Children**	Tutorial: Week 7 Topic	
Week 9	4 Oct	**Legal Capacity and the Medical Treatment of Children**	Tutorial: Week 8 Topic	
Week 10	11 Oct	**Does the 'Law' Uphold Children and Young People's Rights?**	Tutorial: Week 9 Topic	
Week 11	18 Oct	**Overview of Elder Law** **Elderly People: Decision Making, Capacity and Discrimination**	Tutorial: Week 10 Topic	
Week 12	25 Oct	**Elderly People: Financial Abuse and Aged Care**	Tutorial: Week 11 Topic	
Week 13	1 Nov	**No Lecture (tutorial only)**	Tutorial: Week 12 Topic	**Research Essay & 3 forum posts due 4 Nov by 10pm**

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://policies.mq.edu.au). 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

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

To find other policies relating to Teaching and Learning, visit Policy Central (https://policies.mq.edu.au) and use the search tool.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/admin/other-resources/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.