LAWS8051

Climate Change Law

Session 2, Special circumstances 2021

Macquarie Law School

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Disclaimer

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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 Convenor Paul Govind paul.govind@mq.edu.au Contact via Via iLearn Room 617, 6 First Walk (Law Building) By appointment
Credit points 10
Prerequisites (Admission to JD and 80cp in LAWS or LAW units at 6000 level or above) or (admission to LLM)
Corequisites
Co-badged status
Unit description Climate change is the outstanding environmental issue of our time. This is a specialised unit that analyses law and policy relevant to managing the problems presented by climate change. Both the causes and impacts of climate change are pervasive and present significant challenges to conventional legal approaches. The unit investigates the role of law in driving society's response from the international law level through the United Nations Framework Convention on Climate Change and Paris Agreement, to federal and state responses in terms of both legislation and judicial decisions to local scale actions. At each jurisdictional level, focus is given to law that relates to the major pillars of climate policy – mitigation, adaptation and loss and damage.

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 an understanding of the fundamental bio-physical concepts of climate change, including its causes and impacts in the Anthropocene epoch, as a basis

for understanding of the climate law framework

ULO2: Identify and examine the challenges of managing environmental change in a context of uncertainty and how scientific information is translated into law

ULO3: Critically analyse the development of climate legislation and climate litigation in Australia and overseas in order to express analytical and substantiated views about the effectiveness of the legal framework and use of litigation as a tool to assist with improved climate governance.

ULO4: Critically analyse the history, current operation and future growth of the international climate law regime, recognizing the different perspectives of relevant groups of nation states from both the Global North and Global South

ULO5: Evaluate perspectives from disciplines outside law in order to to understand how to approach climate law problem-solving from a multi-disciplinary perspective

General Assessment Information

Detailed marking rubrics will be made available on iLearn.

All assessments that receive a FAIL grade are double marked.

All assessments in the Unit are to be submitted electronically (via Turnitin). Plagiarism detection software is used in this Unit.

Where there is a word limit no work over the limit will be read by the marker.

Law students - All written work must (where relevant) be referenced in accordance with the ***Australian Guide to Legal Citation*** **(4th edition)**. Please use this link: https://law.unimelb.edu.au/mulr/aglc

Late Assessment Submission Penalty

Unless a Disruption to Studies 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.

Assessment Tasks

Name	Weighting	Hurdle	Due
Analytical Research Essay	40%	No	23:59 30/08/ 2021
Reflective paper of learning experience	10%	No	23:59 18/10/2021
Report on the status of climate change law	50%	No	23:59, 05/11/2021

Analytical Research Essay

Assessment Type [1]: Essay
Indicative Time on Task [2]: 35 hours
Due: **23:59 30/08/ 2021**
Weighting: **40%**

Students will prepare a research essay that analyses a topic relating to climate law

On successful completion you will be able to:

- Critically analyse the development of climate legislation and climate litigation in Australia and overseas in order to express analytical and substantiated views about the effectiveness of the legal framework and use of litigation as a tool to assist with improved climate governance.
- Critically analyse the history, current operation and future growth of the international climate law regime, recognizing the different perspectives of relevant groups of nation states from both the Global North and Global South
- Evaluate perspectives from disciplines outside law in order to to understand how to approach climate law problem-solving from a multi-disciplinary perspective

Reflective paper of learning experience

Assessment Type [1]: Reflective Writing
Indicative Time on Task [2]: 10 hours
Due: **23:59 18/10/2021**
Weighting: **10%**

Students will write and submit a reflective paper on what they have learnt through the unit

On successful completion you will be able to:

- Demonstrate an understanding of the fundamental bio-physical concepts of climate change, including its causes and impacts in the Anthropocene epoch, as a basis for understanding of the climate law framework
- Evaluate perspectives from disciplines outside law in order to to understand how to approach climate law problem-solving from a multi-disciplinary perspective

Report on the status of climate change law

Assessment Type [1]: Report
Indicative Time on Task [2]: 20 hours
Due: **23:59, 05/11/2021**
Weighting: **50%**

Students will submit a report on recent developments in the area of climate law legalisation/ policy or judicial decisions

On successful completion you will be able to:

- Demonstrate an understanding of the fundamental bio-physical concepts of climate change, including its causes and impacts in the Anthropocene epoch, as a basis for understanding of the climate law framework
- Identify and examine the challenges of managing environmental change in a context of uncertainty and how scientific information is translated into law
- Critically analyse the development of climate legislation and climate litigation in Australia and overseas in order to express analytical and substantiated views about the effectiveness of the legal framework and use of litigation as a tool to assist with improved climate governance.

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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

Delivery

Lecture material will be delivered each week. Please note that some smaller lectures will be delivered later in the week following the main lecture - though the weekly allocation will not exceed two hours per week in total.

Lectures will be exclusively online and recorded and uploaded using Zoom.

Please ensure that you check the designation of each tutorial (either online to face to face)

before you enrol and select your preference. Zoom invitations will be sent to all students in the online tutorials in the week prior to the commencement of Session 2, 2021.

This unit heavily utilizes iLearn for all communication purposes. Announcements, lecture recordings, assessments etc. all operate upon the iLearn platform.

It is critical that students have consistent access to a reliable internet connection.

It is therefore vital that students familiarize themselves with the iLearn platform and its operations if they haven't done so previously.

Students should regularly check the unit web page on iLearn to keep up with information for students entered by the Unit Convenor. There may be information placed on the web page at short notice concerning attendance, cancelled or postponed classes and relevant assessment items and dates. Attending on the right dates is your responsibility and mistakes with attendance may result in your failing of the unit.

Further, iLearn is utilised for the purposes of discussion forums, both teacher led and those that are exclusively for the use of students. It is highly recommended that students keep up to date with forum discussion as it features topical news items relevant to the course etc.

All communication with academic staff in this unit is to be conducted via iLearn.

Resources

There is no prescribed textbook for this course in 2021. The materials will consist of articles (peer reviewed and non-peer reviewed), book chapters, cases, legal instruments and other publications.

This will be detailed in a List of Readings published on iLearn in the week prior to the commencement of Session 2, 2021.

NB: A weekly lecture guide and tutorial questions will be supplied in a separate document posted on the iLearn website.

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.

Changes from Previous Offering

Some topics will change in 2021 due to changes in the teaching staff for the Unit.