LAWS5011

Discrimination and the Law

Session 1, Special circumstances 2021

Macquarie Law School

Contents

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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 activities on campus, and most will keep an online version available to those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face 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 Therese MacDermott therese.macdermott@mq.edu.au
Credit points 10
Prerequisites (130cp in Law or LAWS units) or (130cp including LAWS260 or LAWS2060)
Corequisites
Co-badged status
Unit description This unit aims to give students a grounding in both the theoretical and practical application of Australia's existing anti-discrimination regulatory framework. The unit introduces students to critical debates regarding what is discrimination, what anti-discrimination legislation is designed to achieve, and how best can law address inequality and discrimination. The unit also examines the legal form in which discrimination is regulated. It requires students to come to terms with the legal concepts of direct and indirect discrimination, the construction of the various grounds of discrimination, the application of the prohibitions in specified contexts, as well as defences and exemptions that apply.

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: analyse and critique the role of law in addressing inequality and discrimination

ULO2: contrast different theoretical approaches to equality and non-discrimination

ULO3: explain what constitutes unlawful discrimination and how a complaint of unlawful discrimination is pursued within the current regulatory framework

ULO4: locate and analyse relevant primary and secondary sources relating to discrimination law

ULO5: critique reform options and proposals in the field of discrimination law

General Assessment Information

Late Submission Penalty

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.

Assessment Tasks

Name	Weighting	Hurdle	Due
Online Quiz	15%	No	30 mins between 5-8pm 31 March 21
Participatory tasks	15%	No	ongoing
Research essay	40%	No	5PM 10 May 2021
Take-home Final Assessment	30%	No	10- 2pm 11 June 2021

Online Quiz

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 10 hours
Due: **30 mins between 5-8pm 31 March 21**
Weighting: **15%**

On-line quiz based on content covered in the early part of the course

On successful completion you will be able to:

- analyse and critique the role of law in addressing inequality and discrimination
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- locate and analyse relevant primary and secondary sources relating to discrimination law

Participatory tasks

Assessment Type [1]: Participatory task
Indicative Time on Task [2]: 10 hours
Due: **ongoing**

Weighting: **15%**

A series of participatory tasks scheduled throughout the semester to monitor student progress and participation in the unit. These may include reflective task, reporting back from a group discussion, participating in role plays, discussions and other exercises, commenting on readings, and contributions to discussions.

On successful completion you will be able to:

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Research essay

Assessment Type [1]: Essay
Indicative Time on Task [2]: 30 hours
Due: **5PM 10 May 2021**
Weighting: **40%**

This task requires students to engage in in-depth research and reading from a wide range of sources, from which they will develop well-supported arguments. In writing the essay, students will demonstrate their ability to critically analyse the core issues raised by a topic, as well as an understanding of the context, relevant case law, and the broader public policy issues involved.

On successful completion you will be able to:

- analyse and critique the role of law in addressing inequality and discrimination
- contrast different theoretical approaches to equality and non-discrimination
- locate and analyse relevant primary and secondary sources relating to discrimination law
- critique reform options and proposals in the field of discrimination law

Take-home Final Assessment

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 15 hours
Due: **10- 2pm 11 June 2021**

Weighting: **30%**

A timed assessment task for which all unit content may be relevant

On successful completion you will be able to:
- explain what constitutes unlawful discrimination and how a complaint of unlawful discrimination is pursued within the current regulatory framework
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- critique reform options and proposals in the field of discrimination law

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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

Lectures published on iLearn; weekly tutorials and block sessions

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.