LAWS5000
Remedies, Reparations and Resolution in Law
Session 1, Special circumstances 2021
Macquarie Law School

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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
Tutor
Rod Smith
roderick.smith@mq.edu.au
Contact via discussion boards on iLearn

Tutor
Uche Ngwaba
uche.ngwaba@mq.edu.au
Contact via discussion boards on iLearn

Credit points
10

Prerequisites
140cp in LAW or LAWS units including ((LAW203 or LAWS2400) and (LAW315 or LAWS3300) and (LAWS217 or LAWS2500 or LAW317))

Corequisites
(LAWS398 or LAWS3200) or LAW456

Co-badged status

Unit description
This unit aims to consolidate students’ knowledge and skills and prepare them for life beyond the law school. The unit will examine some of the remedies available in equity, the common law and statute as well as public and international law. It will also examine different mechanisms for the resolution of disputes such as ADR and restorative justice programs. Justice theories will provide the framework for examining the concept of a legal ‘remedy’ and will assist students to explore the broader issue of how to achieve a just remedial system of law.

Important Academic Dates
Information about important academic dates including deadlines for withdrawing from units are available at https://students.mq.edu.au/important-dates

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

ULO1: Explain the principles upon which remedial action can be taken.
ULO2: Critically analyse different types of remedies and how they function in different contexts.

ULO3: Formulate, present and evaluate a range of arguments that draw on law and policy, theoretical and/or ethical considerations about remedies and their effectiveness.

ULO4: Analyse hypothetical fact situations, identify legal and factual issues involving the law of remedies, apply relevant principles and consider policy/value judgments to solve legal problems.

ULO5: Work independently to produce a sophisticated research project based on some of the broad topics covered in the unit.

ULO6: Identify and propose reforms to create a more just remedial system of law.

General Assessment Information

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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

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Hurdle</th>
<th>Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation on-line</td>
<td>10%</td>
<td>No</td>
<td>Week 13</td>
</tr>
<tr>
<td>Participation in-class</td>
<td>10%</td>
<td>No</td>
<td>All weeks</td>
</tr>
<tr>
<td>Research Essay</td>
<td>30%</td>
<td>No</td>
<td>Monday 5/4/2021</td>
</tr>
<tr>
<td>Hypothetical Problems</td>
<td>50%</td>
<td>No</td>
<td>06/06/2021</td>
</tr>
</tbody>
</table>

Participation on-line

Assessment Type 1: Participatory task
Indicative Time on Task 2: 2 hours
Due: Week 13
Weighting: 10%

Students will post 2 times in total during the semester: Questions that have occurred as a result of listening to the weekly lectures, or from the material covered in tutorials; an answer to the question, based on research into the weekly readings/resources and a justification for the
On successful completion you will be able to:

- Explain the principles upon which remedial action can be taken.
- Critically analyse different types of remedies and how they function in different contexts.
- Formulate, present and evaluate a range of arguments that draw on law and policy, theoretical and/or ethical considerations about remedies and their effectiveness.
- Analyse hypothetical fact situations, identify legal and factual issues involving the law of remedies, apply relevant principles and consider policy/value judgments to solve legal problems.

**Participation in-class**

Assessment Type 1: Participatory task
Indicative Time on Task 2: 12 hours
Due: All weeks
Weighting: 10%

This individual component is worth 10% of students grade. Students will be assessed on their informed participation in weekly discussions, role plays, debates and other in class activities.

On successful completion you will be able to:

- Explain the principles upon which remedial action can be taken.
- Critically analyse different types of remedies and how they function in different contexts.
- Formulate, present and evaluate a range of arguments that draw on law and policy, theoretical and/or ethical considerations about remedies and their effectiveness.
- Analyse hypothetical fact situations, identify legal and factual issues involving the law of remedies, apply relevant principles and consider policy/value judgments to solve legal problems.
- Identify and propose reforms to create a more just remedial system of law.

**Research Essay**

Assessment Type 1: Essay
Indicative Time on Task 2: 25 hours
Due: Monday 5/4/2021
Weighting: 30%

Students will prepare a research report on an aspect of the course. The essay question and assessment guidance will be released via iLearn.

On successful completion you will be able to:
• Explain the principles upon which remedial action can be taken.
• Critically analyse different types of remedies and how they function in different contexts.
• Formulate, present and evaluate a range of arguments that draw on law and policy, theoretical and/or ethical considerations about remedies and their effectiveness.
• Work independently to produce a sophisticated research project based on some of the broad topics covered in the unit.
• Identify and propose reforms to create a more just remedial system of law.

Hypothetical Problems
Assessment Type 1: Essay
Indicative Time on Task 2: 30 hours
Due: 06/06/2021
Weighting: 50%

Students will advise a client based on the facts of the situation and the law learned in the course. The essay question and assessment guidance will be released via iLearn.

On successful completion you will be able to:
• Explain the principles upon which remedial action can be taken.
• Critically analyse different types of remedies and how they function in different contexts.
• Formulate, present and evaluate a range of arguments that draw on law and policy, theoretical and/or ethical considerations about remedies and their effectiveness.
• Analyse hypothetical fact situations, identify legal and factual issues involving the law of remedies, apply relevant principles and consider policy/value judgments to solve legal problems.

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 Learning Skills Unit 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
For the internal classes
Each week consists in:
- Readings.
Online lectures: beginning in Week 1.

A one hour tutorial: These begin in Week 2. Tutorial content will cover the topic from the previous week’s lectures. You must prepare your responses in advance. The content and questions for the tutorial can be downloaded from iLearn. Tutorials are assessed for participation.

For the external/infrequent classes

Online lectures: beginning in Week 1.

There will be a full day of class as indicated in the timetable. This will be followed by six weeks of one hour online classes from week 8 to week 13. This class will be held as per the timetable which is Tuesday 6pm.

Discussion questions for each tutorial will be available on the iLearn page for the unit. You will find the required reading list in the online unit available at ilearn.mq.edu.au. The Required Text is: Covell & Lupton Principles of Remedies, 7th edition (LexisNexis, 2018). Additional readings will be available via iLearn or else they will be linked to a publicly available source. Students will also be required to use a computer for word processing of assignments and have access to the internet for submission of assignments in Turnitin and to interact with iLearn and online research databases and web-based research tools.

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). 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). 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).
**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](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/](http://students.mq.edu.au/support/)

**Learning Skills**

Learning Skills ([mq.edu.au/learningskills](http://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 Enquiry Service**

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

If you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

**Equity 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.

**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](https://students.mq.edu.au/admin/other-resources/student-conduct).
The policy applies to all who connect to the MQ network including students.