



LAWS5000

Remedies, Reparations and Resolution in Law

Session 1, Special circumstances 2021

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 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 via discussion boards on ilearn

Tutor

Uche Ngwaba

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Contact via 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://www.mq.edu.au/study/calendar-of-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

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.

Assessment Tasks

| Name | Weighting | Hurdle | Due |
|---|-----------|--------|-----------------|
| <u>Participation on-line</u> | 10% | No | Week 13 |
| <u>Participation in-class</u> | 10% | No | All weeks |
| <u>Research Essay</u> | 30% | No | Monday 5/4/2021 |
| <u>Hypothetical Problems</u> | 50% | No | 06/06/2021 |

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

answer.

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 [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

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 \(https://policies.mq.edu.au\)](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 \(https://students.mq.edu.au/support/study/policies\)](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 \(https://policies.mq.edu.au\)](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.