LAWS8026

Anti-Discrimination Law

Session 1, Online-scheduled-weekday 2022

Macquarie Law School

Contents

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General Information

Unit convenor and teaching staff
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Credit points
10

Prerequisites
Admission to LLM or (Admission to JD and LAWS600 or LAWS8001)

Corequisites

Co-badged status

Unit description
This unit examines how the concepts of equality and non-discrimination have been given
effect to in Australia through the statutory framework of federal, state and territory anti-
discrimination laws. It analyses the theoretical and practical application of this regulatory
framework, and its shortcomings. The unit critiques how the legal form of 'discrimination' is
constructed, and whether the complaints based model for the enforcement of Australian anti-
discrimination laws is an effective compliance regime. It also considers how we judge the
contribution law can make to eliminating discrimination and addressing inequality, and what
additional regulatory responses may be required.

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: evaluate theoretical approaches to equality and discrimination

ULO2: apply the legislative proscription of discrimination to varying attributes and
contexts

ULO4: present well-developed arguments in response to a range of discrimination
issues

ULO3: analyse the applicable dispute resolution processes

ULO5: identify potential reforms to the existing anti-discrimination regulatory framework

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.

Assessment Tasks

Name	Weighting	Hurdle	Due
Participatory tasks	10%	No	Ongoing
Plan for Essay	15%	No	5pm 6 April 2022
Research Essay	50%	No	5pm 18 May 2022
Take Home Final Assessment	25%	No	7-9 pm 9 June 2022

Participatory tasks

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

A series of participatory tasks scheduled throughout the semester to monitor student progress and participation in the unit. These may include reflective tasks, 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:

• evaluate theoretical approaches to equality and discrimination

• apply the legislative proscription of discrimination to varying attributes and contexts

• present well-developed arguments in response to a range of discrimination issues

Plan for Essay

Assessment Type [1]: Plan
Indicative Time on Task [2]: 20 hours
Due: **5pm 6 April 2022**
Weighting: **15%**

This task required students to submit a research plan that outlines the topic of their proposed

essay. The plan requires students to give a brief overview of the topic area, and pose a clear question that the research seeks to answer.

On successful completion you will be able to:

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- identify potential reforms to the existing anti-discrimination regulatory framework

Research Essay

Assessment Type [1]: Essay
Indicative Time on Task [2]: 40 hours
Due: **5pm 18 May 2022**
Weighting: **50%**

This task requires students to engage in in-depth research and reading from a wide range of sources, from which they are required to develop well-supported arguments in essay form on the topic. In writing the essay, students should demonstrate their ability to critically analyse the core issues raised by the 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:

- evaluate theoretical approaches to equality and discrimination
- present well-developed arguments in response to a range of discrimination issues
- analyse the applicable dispute resolution processes
- identify potential reforms to the existing anti-discrimination regulatory framework

Take Home Final Assessment

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 20 hours
Due: **7-9 pm 9 June 2022**
Weighting: **25%**

problem based exam

On successful completion you will be able to:

- apply the legislative proscription of discrimination to varying attributes and contexts
- present well-developed arguments in response to a range of discrimination issues
- analyse the applicable dispute resolution processes

[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

In person and on-line weekly tutorials

Text Book - Neil Rees, Simon Rice & Dominque Allen, *Australian Anti-discrimination and equal opportunity law* **(3nd, 2018)**

Other learing resources made available through Leganto

Unit Schedule

Week 1 Introduction

Week 2 Equality theory, the influence of international law and the constitutional dimensions

Week 3 Pursuing a discrimination complaint

Week 4 Direct Discrimination

Week 5 Indirect Discrimination

Week 6 Disability Discrimination

Week 7 Disability Discrimination & Age Discrimination

Week 8 Sex Discrimination

Week 9 Race Discrimination

Week 10 Sexual Orientation, Gender Identity and Intersex Status Discrimination

Week 11 Harassment and Vilification

Week 12 The Potential for Reform

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

- Assessment Procedure

- Complaints Resolution 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

Academic Integrity

At Macquarie, we believe academic integrity – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free online writing and maths support, academic skills development and wellbeing consultations.

Student Support

Macquarie University provides a range of support services for students. For details, visit http://students.mq.edu.au/support/

The Writing Centre

The Writing Centre provides resources to develop your English language proficiency, academic writing, and communication skills.

- Workshops

- Chat with a WriteWISE peer writing leader

- Access StudyWISE

- Upload an assignment to Studiosity

- Complete the 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

Macquarie University offers a range of Student Support Services including:

- IT Support
- Accessibility and disability support with study
- Mental health support
- Safety support to respond to bullying, harassment, sexual harassment and sexual assault
- Social support including information about finances, tenancy and legal issues

Student Enquiries

Got a question? Ask us via AskMQ, or contact Service Connect.

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.