



LAWS8026

Anti-Discrimination Law

Session 1, Online-scheduled-weekday 2024

Macquarie Law School

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Disclaimer

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General Information

Unit convenor and teaching staff

Convenor

Mareike Riedel

Contact via Via iLearn

Tutor

Anita Sekar

Contact via Via iLearn

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

ULO3: analyse the applicable dispute resolution processes

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

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

General Assessment Information

Further instructions for each assessment task are available on the unit's iLearn page.

Late Assessment Submission Penalty

Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of '0' (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue. This late penalty will apply to non-timed sensitive assessment (incl essays, reports, posters, portfolios, journals, recordings etc). Late submission of time sensitive tasks (such as tests/exams, performance assessments/presentations, scheduled practical assessments/labs etc) will only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic.

Assessment Tasks

Name	Weighting	Hurdle	Due
Plan for Essay	15%	No	02 April 2024 at 11:55pm
Research Essay	50%	No	15 May 2024 at 11:55pm
Take Home Final Assessment	25%	No	04 June 2024 from 4pm to 6pm
Participatory tasks	10%	No	Ongoing

Plan for Essay

Assessment Type ¹: Plan

Indicative Time on Task ²: 7 hours

Due: **02 April 2024 at 11:55pm**

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:

- evaluate theoretical approaches to equality and discrimination
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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: 16 hours

Due: **15 May 2024 at 11:55pm**

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

Take Home Final Assessment

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 7 hours

Due: **04 June 2024 from 4pm to 6pm**

Weighting: **25%**

problem based exam

On successful completion you will be able to:

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

Participatory tasks

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 0 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

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

Textbook: Neil Rees, Simon Rice & Dominique Allen, *Australian Anti-discrimination and equal opportunity law* (3rd ed, 2018)

Lectures will be made available via Echo360 (accessible via iLearn).

Other learning resources will be made available via iLearn.

Unit Schedule

Topic 1 Introduction

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

Topic 3 Pursuing a discrimination complaint

Topic 4 Direct Discrimination

Topic 5 Indirect Discrimination

Topic 6 Disability Discrimination

Topic 7 Disability Discrimination & Age Discrimination

Topic 8 Sex Discrimination

Topic 9 Race Discrimination

Topic 10 Sexual Orientation, Gender Identity and Intersex Status Discrimination

Topic 11 Harassment and Vilification

Topic 12 The Potential for Reform

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](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies \(https://students.mq.edu.au/support/study/policies\)](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

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 Advocacy](#) provides independent advice on MQ policies, procedures, and processes

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.

Unit information based on version 2024.01 of the [Handbook](#)