LAWS5005
Age and the Law
Session 1, In person-scheduled-weekday, North Ryde 2024

Macquarie Law School

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https://unitguides.mq.edu.au/unit_offerings/166628/unit_guide/print
General Information

Unit convenor and teaching staff
Convenor / Lecturer
Holly Doel-Mackaway
holly.doel-mackaway@mq.edu.au
Contact via iLearn page
2pm Monday via zoom link on iLearn page

Credit points
10

Prerequisites
(130cp in Law or LAWS units) or (130cp including LAWS260 or LAWS2060)

Corequisites

Co-badged status

Unit description
This unit examines the intersection of age and law, in particular, the ways in which the law protects, empowers and also negatively impacts on the lives of children and older people. This course equips students to understand the national and international legal frameworks impacting on children and young people and the elderly and the strengths and limitations of these frameworks. This unit is relevant to students interested in human rights and social justice, as well as students who want to gain an advanced understanding of the socio-legal context surrounding children and young people and/or the elderly.

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: Demonstrate awareness and understanding of the legal issues affecting children and older people in various contexts.

ULO2: Identify the elements of a rights-based approach to legal issues that affect children and older people.

ULO3: Engage in critical analysis of the way in which laws impact on children and older people.
ULO4: Evaluate the role of law reform in key areas affecting children and older people.

ULO5: Demonstrate awareness and understanding of the way law impacts on diverse communities of children and older people, especially Aboriginal and Torres Strait Islander peoples.

**General Assessment Information**

**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.**

**MODERATION**

Word limits will be strictly applied and any words above the word limit will not be marked. Students may submit 10% less words than the word limit for an assessment (however, it is strongly recommended to use all the words possible as generally students who adhere to the recommended word limit perform better than students who do not). All assessments in the unit are to be submitted electronically via the appropriate Turnitin link. Plagiarism detection software is used in this unit. Detailed marking guidelines will be made available on iLearn.

The convenor moderates all assessments. All high distinctions and fails are double marked.

**Assessment Tasks**

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Hurdle</th>
<th>Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law reform campaign</td>
<td>30%</td>
<td>No</td>
<td>Week 6, 29 March 2024 by 11.55pm</td>
</tr>
<tr>
<td>Participation</td>
<td>20%</td>
<td>No</td>
<td>In class &amp; forum posts Week 13, 31 May by 11.55pm</td>
</tr>
<tr>
<td>Research Essay</td>
<td>50%</td>
<td>No</td>
<td>Week 13, 31 May by 11.55pm</td>
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</tbody>
</table>

**Law reform campaign**

Assessment Type 1: Media presentation
Indicative Time on Task 2: 10 hours
Due: **Week 6, 29 March 2024 by 11.55pm**  
Weighting: **30%**

Students will be required to develop a campaign outline on an issue related to law and children or older people. Topic choices and details of the assessment will be outlined on iLearn.

On successful completion you will be able to:

- Demonstrate awareness and understanding of the legal issues affecting children and older people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and older people.
- Engage in critical analysis of the way in which laws impact on children and older people.
- Evaluate the role of law reform in key areas affecting children and older people.
- Demonstrate awareness and understanding of the way law impacts on diverse communities of children and older people, especially Aboriginal and Torres Strait Islander peoples.

### Participation

**Assessment Type 1**: Participatory task  
**Indicative Time on Task 2**: 0 hours  
**Due**: In class & forum posts Week 13, 31 May by 11.55pm  
**Weighting**: **20%**

Students will be assessed on their informed participation in discussions, role plays, debates and/or other activities.

On successful completion you will be able to:

- Demonstrate awareness and understanding of the legal issues affecting children and older people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and older people.
- Engage in critical analysis of the way in which laws impact on children and older people.
- Evaluate the role of law reform in key areas affecting children and older people.
- Demonstrate awareness and understanding of the way law impacts on diverse communities of children and older people.
communities of children and older people, especially Aboriginal and Torres Strait Islander peoples.

Research Essay
Assessment Type: Essay
Indicative Time on Task: 20 hours
Due: Week 13, 31 May by 11.55pm
Weighting: 50%

A research essay on a select topic related to child/elder law. Full details of the topic and further instructions will be available on ilearn.

On successful completion you will be able to:

• Demonstrate awareness and understanding of the legal issues affecting children and older people in various contexts.
• Identify the elements of a rights-based approach to legal issues that affect children and older people.
• Engage in critical analysis of the way in which laws impact on children and older people.
• Evaluate the role of law reform in key areas affecting children and older people.
• Demonstrate awareness and understanding of the way law impacts on diverse communities of children and older people, especially Aboriginal and Torres Strait Islander peoples.

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
Students will have the opportunity to explore complex legal questions and develop practical and theoretical understandings relevant to child and elder law. All students must be aware that this unit predominantly focuses on children and the law and is convened by Dr Holly Doel-Mackaway, whose background is in international children’s rights. The last two weeks of lectures will provide a brief introduction to elder law. However, this course will not provide students with a
A comprehensive overview of elder law.

In this unit we will also examine the relationship between Indigenous peoples and the law. Please see this resource produced by Walanga Muru, Macquarie University Office of Indigenous Strategy for information about Aboriginal Cultural Protocols.

The course content (lectures and other learning materials) will be delivered online, every week during weeks 1-13. Lectures commence in week 1 (till week 12) and the tutorial about that lecture material occurs in the following week (thus, tutorials start in week 2 and go through till week 13).

All students are required to prepare for, attend and actively participate in either weekly face-to-face or online tutorials.

Each week students will be required to read the required readings and listen to approximately 2 hours of pre-recorded lecture or other course material that will be available on iLearn. The schedule of topics to be covered in the lectures, and required readings, will be available on iLearn and in the unit’s Leganto reading list.

There is no textbook for the course rather a list of readings for each week will be posted on the unit Leganto link.

Students require access to a computer and a secure and reliable internet provider.

**Unit Schedule**

**Unit Schedule**

This is subject to change so keep checking the iLearn page.

<table>
<thead>
<tr>
<th>WEEK</th>
<th>LECTURE TOPIC</th>
<th>TUTORIAL</th>
<th>ASSESSMENT</th>
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<tbody>
<tr>
<td>Week 1</td>
<td>Children and the Law; Constructions of Childhood</td>
<td>No tutorial</td>
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<tr>
<td>Week 2</td>
<td>The Development of the International Children's Rights Framework</td>
<td>Tutorial: Week 1 Topic</td>
<td>Weekly in-class participation AND three forum posts in any weeks between weeks 2-13</td>
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<tr>
<td>Week 3</td>
<td>Indigenous Children and the Law</td>
<td>Tutorial: Week 2 Topic</td>
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<td>Week 4</td>
<td>Protecting Children from Abuse and Neglect</td>
<td>Tutorial: Week 3 Topic</td>
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<tr>
<td>Week 5</td>
<td>Children, Migration, Conflict and COVID</td>
<td>Tutorial: Week 4 Topic</td>
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<tr>
<td>Week 6</td>
<td>Juvenile ‘Justice’ and Criminal Responsibility</td>
<td>Tutorial: Week 5 Topic</td>
<td>Law Reform Campaign due</td>
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<td>Week 7</td>
<td>Children: E-Safety, Agency and Privacy</td>
<td>Tutorial: Week 6 Topic</td>
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<td>Week 8</td>
<td>Children’s Participation in Law and Policy Development; Legal Representation of Children</td>
<td>Tutorial: Week 7 Topic</td>
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<td>Week 9</td>
<td>Legal Capacity and the Medical Treatment of Children</td>
<td>Tutorial: Week 8 Topic</td>
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<tr>
<td>Week 10</td>
<td>Does the ‘Law’ Uphold Children and Young People’s Rights?</td>
<td>Tutorial: Week 9 Topic</td>
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<tr>
<td>Week 11</td>
<td>Overview of Elder Law</td>
<td>Tutorial: Week 10 Topic</td>
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<td></td>
<td>Elderly People: Decision Making, Capacity and Discrimination</td>
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<tr>
<td>Week 12</td>
<td>Elderly People: Financial Abuse and Aged Care</td>
<td>Tutorial: Week 11 Topic</td>
<td></td>
</tr>
<tr>
<td>Week 13</td>
<td>No Lecture (tutorial only)</td>
<td>Tutorial: Week 12 Topic</td>
<td>Research Essay &amp; 3 forum posts due</td>
</tr>
</tbody>
</table>

**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
Student Support

- 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 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.

Changes from Previous Offering

Student feedback suggested reducing the number of forum posts from 6 to 3. This change has been implemented in this offering.

Unit information based on version 2024.03 of the Handbook