LAWS5071

Health Law and Ethics

Session 2, Online-scheduled-weekday 2025

Macquarie Law School

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General Information

Unit convenor and teaching staff
Convenor
George Tomossy
Contact via iLearn
17WW Room 209
Mondays 1-2pm or by appointment

Credit points
10

Prerequisites
80cp in LAW or LAWS units including (LAWS3000 or LAW314) and (LAWS2500 or LAWS217 or LAW317) and (LAWS2400 or LAW203)

Corequisites

Co-badged status

Unit description
This unit introduces students to health law and ethics in Australia. Duties, obligations and responsibilities that arise in the context of the health practitioner-patient relationship will be examined, as well as areas of health law that pose ethical and/or regulatory challenges. These include:legal concepts and areas of law integral to health care treatment (capacity and consent; negligence and criminal law; management of health care information); applied health law and ethics (mental illness and disability; preconception, conception and birth; end of life; human tissues); and broader systemic regulation of health care (regulation of health care practitioners; public health; research involving humans). Contemporary issues will be explored to examine interrelationships between health law, policy, ethics, regulation, human rights and social justice.

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: Critically analyse the fundamental doctrines, concepts, principles, values and sources of regulation, relevant to health law.

ULO2: Analyse how health law and ethics may impact upon practice and/or research.

ULO3: Integrate and synthesise knowledge from a range of multi- disciplinary sources to generate appropriate responses to health related problems that raise ethical, social, legal and/or human rights issues.

ULO4: Communicate effectively with legal and non-legal audiences in relation to health related matters that raise ethical, social, legal and/or human rights issues.

General Assessment Information

Students will be provided with a sign-up facility to choose their preferred time slot for their Expert Appearance (Task 3) from a list of times (including day and evening) between the dates indicated above, with some time slots on weekends. Consistent with the Faculty of Arts Late Assessment Submission Penalty Policy (see below), no late submissions or rescheduling Expert Appearances will be permitted once the sign-up facility closes in the absence of a successful application for special consideration.

Students who fail to submit a written Expert Submission (Task 2) will be precluded from making an Expert Appearance (Task 3), resulting in a grade of zero for both assessments.

Word limits will be strictly applied and work above the word limit will not be graded. Footnotes and bibliographies are not included in word counts; however, footnotes are primarily to be used for referencing. Assessments must be submitted in the format prescribed in detailed instructions provided on the unit iLean page. All assessments in the unit are to be submitted electronically via Turnitin. Plagiarism detection software is used in this unit.

All assessments must be appropriately referenced, applying the *Australian Guide to Legal Citation* (4th ed).

Further instructions and marking rubrics for each of the assessments in the Unit will be provided on the unit's iLearn page.

Late Assessment Submission Penalty *(Faculty of Arts)*

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	Groupwork/Individual	Short Extension	AI Approach
Professional Skills	15%	No	ongoing (Weeks 2-11 inclusive)		No	
Expert Submission	50%	No	2 November 2025 11:55pm (end of week 12)		No	
Expert Appearance	35%	No	scheduled via sign-up between 3 Nov 2025 and 23 Nov 2025		No	

Professional Skills

Assessment Type [1]: Practice-based task
Indicative Time on Task [2]: 0 hours
Due: **ongoing (Weeks 2-11 inclusive)**
Weighting: **15%**
Groupwork/Individual:
Short extension [3]: No
AI Approach:

Students will engage in classroom activities including mooting, presentations or demonstrations, structured discussion and problem solving, doctrinal analysis, simulated client consultations, and collaborative legal research. Through these activities students will develop skills in oral advocacy, legal analysis, critical reasoning, teamwork and team leadership, and/or strategic problem-solving. These activities are designed to strengthen students' ability to communicate legal concepts verbally and engage professionally within a supportive learning environment.

On successful completion you will be able to:

- Critically analyse the fundamental doctrines, concepts, principles, values and sources of regulation, relevant to health law.
- Analyse how health law and ethics may impact upon practice and/or research.
- Integrate and synthesise knowledge from a range of multi- disciplinary sources to generate appropriate responses to health related problems that raise ethical, social, legal and/or human rights issues.

- Communicate effectively with legal and non-legal audiences in relation to health related matters that raise ethical, social, legal and/or human rights issues.

Expert Submission

Assessment Type [1]: Report
Indicative Time on Task [2]: 60 hours
Due: **2 November 2025 11:55pm (end of week 12)**
Weighting: **50%**
Groupwork/Individual:
Short extension [3]: No
AI Approach:

Students will provide a 3000-word submission (plus a one-page executive summary) to a mock Parliamentary Inquiry .

On successful completion you will be able to:

- Critically analyse the fundamental doctrines, concepts, principles, values and sources of regulation, relevant to health law.
- Analyse how health law and ethics may impact upon practice and/or research.
- Integrate and synthesise knowledge from a range of multi- disciplinary sources to generate appropriate responses to health related problems that raise ethical, social, legal and/or human rights issues.
- Communicate effectively with legal and non-legal audiences in relation to health related matters that raise ethical, social, legal and/or human rights issues.

Expert Appearance

Assessment Type [1]: Viva/oral examination
Indicative Time on Task [2]: 15 hours
Due: **scheduled via sign-up between 3 Nov 2025 and 23 Nov 2025**
Weighting: **35%**
Groupwork/Individual:
Short extension [3]: No
AI Approach:

Each student will appear in a fifteen minute solo in-camera expert witness appearance before the Committee Chair of a mock Parliamentary Inquiry, responding to questions and providing verbal clarification of arguments presented in their written Expert Submissions.

On successful completion you will be able to:

- Critically analyse the fundamental doctrines, concepts, principles, values and sources of regulation, relevant to health law.
- Analyse how health law and ethics may impact upon practice and/or research.
- Integrate and synthesise knowledge from a range of multi- disciplinary sources to generate appropriate responses to health related problems that raise ethical, social, legal and/or human rights issues.
- Communicate effectively with legal and non-legal audiences in relation to health related matters that raise ethical, social, legal and/or human rights issues.

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[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
- Academic Success 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.

[3] An automatic short extension is available for some assessments. Apply through the Service Connect Portal.

Delivery and Resources

All Lectures for this unit are pre-recorded and can be accessed via the unit iLearn page. These will be made available on a rolling basis over the course of the semester.

Tutorials will be conducted face-to-face and/or online (via Zoom), commencing in **Week 1** and concluding in **Week 12**. Weekly tutorials are not recorded.

There will be no tutorials in this unit in Week 9 (Oct 6 2025) due to the public holiday.

All tutorials in Week 12 will be conducted via Zoom.

Students should consult the official Timetable for class times, dates and locations (if face-to-face) and mode of delivery at a specified time at: http://timetables.mq.edu.au Instructions for online tutorials via Zoom will be provided on the unit's iLearn page.

Online content for this unit can be accessed at http://ilearn.mq.edu.au

Computer and stable Internet access are **required** in order to successfully complete this unit. Basic computer skills (e.g., internet browsing) and skills in word processing are also a requirement.

Prescribed weekly readings will be made available via the unit iLearn page and/or Leganto. The

following textbooks are recommeded as general resources for the unit: Ben White et al. *Health Law in Australia* (Thomson, 4th ed, 2024); Sonia Allan and Malcolm Smith, *Australian Health Law* (LexisNexis, 2nd ed, 2025).

Unit Schedule

Week	Topic
1.	Introduction to Health Law and Ethics
2.	The Therapeutic Relationship
3.	Consent to Treatment
4.	Mental Health
5.	Health Governance
6.	Health Information, Privacy and Confidentiality
7	Law and the Human Body
8.	Law at the Beginning of Life
9.	Law at the End of Life
10.	Public Health
11.	Global Health Law
12.	Mock Inquiry Focused Topic

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 connect.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/

Academic Success

Academic Success 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 the Service Connect Portal, 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 2025.03 of the Handbook