



# LAWS5020

## Family Law

Session 1, In person-scheduled-weekday, North Ryde 2025

*Macquarie Law School*

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### Disclaimer

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## General Information

Unit convenor and teaching staff

Convenor

Francesca Dominello

[francesca.dominello@mq.edu.au](mailto:francesca.dominello@mq.edu.au)

Contact via Privately on iLearn

MKB 335

Weeks 1-7 TBA

Convenor

Amira Aftab

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Contact via Privately on iLearn

MKB 342

Weeks 8-13 TBA

Credit points

10

Prerequisites

(130cp in LAW or LAWS units) or (130cp including LAWS260 or LAWS2060 or GEND2000 or GEN210)

Corequisites

Co-badged status

Unit description

This unit covers the study of legal regulation of family relations. Although a great number of laws have a bearing on the 'family', this unit focuses on the Marriage Act 1961 (Cth) and the Family Law Act 1975 (Cth). The unit is divided into five main parts: the concept of family and its historical development; the concept of marriage; dissolution of marriage; financial relationships, especially when they breakdown; children and their rights under family law. An interdisciplinary approach to family law will enable students to analyse the interrelationship between the state, law and society.

## 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:** describe and explain links between sociological, historical, philosophical and political perspectives on the family and developments in areas of family policy and law.

**ULO2:** explain and analyse how multidisciplinary ideas about the family shape state family policies and laws and, in turn, how these policies and laws regulate family life.

**ULO3:** critically evaluate legal mechanisms relating to the resolution of family disputes, including alternative dispute resolution mechanisms.

**ULO4:** critically evaluate legal principles (statute and case law) and consider the role of law reform in the area of Family Law in relation to inequality in society.

**ULO5:** communicate arguments related to the area of Family Law effectively in written and verbal form appropriate to a range of audiences.

## General Assessment Information

All written assessments submitted electronically must be submitted through the link provided in iLearn. This unit will utilise Turnitin plagiarism detection software. Students should carefully check that they submit the correct file for an assessment, as re-submissions will not be accepted after the due date and time, including instances where students upload an incorrect file in error.

The design, moderation and feedback of all assessments is in accordance with the Macquarie University Assessment Procedure (link provided under 'Policies and Procedures' below).

## Late Submission Policy

A maximum penalty of five (5) percentage points of the total possible marks will be applied per day to late submissions, for up to a maximum of seven calendar days. Tasks that have not been submitted within the maximum number of additional late days will receive a mark of zero. This provision does not apply to online exams or other assessment with a time limit of less than 24 hours.

Penalties for late submission will be applied consistently and equitably to all students enrolled in the unit. Where short-term, serious and unavoidable circumstances have affected their ability to submit an assessment task, a student must submit a formal application for Special Consideration as per the Special Consideration Policy. Students should not request an informal arrangement from their tutor, lecturer or Unit Convenor.

Where an application for Special Consideration is approved, and the outcome is an extension to the due date of a task, submissions that are received after the new due date will be subject to late penalties that are calculated from the new due date. This only applies where the outcome is an extension to the due date – see the Special Consideration Policy for a schedule of all possible outcomes.

## Special Consideration

Students should submit applications for Special Consideration electronically via the Service Connect portal, along with the supporting documentation. Before submitting their applications, students should refer to the Special Consideration Policy (link provided under 'Policies and Procedures' below).

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#"><u>Professional Skills</u></a>	20%	No	Ongoing
<a href="#"><u>Written Assessment 1</u></a>	40%	No	16/04/2025
<a href="#"><u>Written Assessment 2</u></a>	40%	No	08/06/2025

## Professional Skills

Assessment Type <sup>1</sup>: Practice-based task

Indicative Time on Task <sup>2</sup>: 0 hours

Due: **Ongoing**

Weighting: **20%**

Students will engage in classroom activities including mootings, 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:

- describe and explain links between sociological, historical, philosophical and political perspectives on the family and developments in areas of family policy and law.
- explain and analyse how multidisciplinary ideas about the family shape state family policies and laws and, in turn, how these policies and laws regulate family life.
- critically evaluate legal mechanisms relating to the resolution of family disputes, including alternative dispute resolution mechanisms.
- critically evaluate legal principles (statute and case law) and consider the role of law reform in the area of Family Law in relation to inequality in society.

- communicate arguments related to the area of Family Law effectively in written and verbal form appropriate to a range of audiences.

## Written Assessment 1

Assessment Type <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 15 hours

Due: **16/04/2025**

Weighting: **40%**

A written assessment requiring the application of critical thinking skills to a research task on a topic in family law.

On successful completion you will be able to:

- describe and explain links between sociological, historical, philosophical and political perspectives on the family and developments in areas of family policy and law.
- explain and analyse how multidisciplinary ideas about the family shape state family policies and laws and, in turn, how these policies and laws regulate family life.
- critically evaluate legal mechanisms relating to the resolution of family disputes, including alternative dispute resolution mechanisms.
- critically evaluate legal principles (statute and case law) and consider the role of law reform in the area of Family Law in relation to inequality in society.
- communicate arguments related to the area of Family Law effectively in written and verbal form appropriate to a range of audiences.

## Written Assessment 2

Assessment Type <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 15 hours

Due: **08/06/2025**

Weighting: **40%**

A written assessment requiring the application of critical thinking skills to a research task on a topic in family law.

On successful completion you will be able to:

- describe and explain links between sociological, historical, philosophical and political

perspectives on the family and developments in areas of family policy and law.

- explain and analyse how multidisciplinary ideas about the family shape state family policies and laws and, in turn, how these policies and laws regulate family life.
- critically evaluate legal mechanisms relating to the resolution of family disputes, including alternative dispute resolution mechanisms.
- critically evaluate legal principles (statute and case law) and consider the role of law reform in the area of Family Law in relation to inequality in society.
- communicate arguments related to the area of Family Law effectively in written and verbal form appropriate to a range of audiences.

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<sup>1</sup> 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.

<sup>2</sup> 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

### Delivery:

The learning activities in this unit include listening to 12 x 2 hour (approx) lectures and attending a weekly tutorial over 12 weeks.

Lectures commence in Week 1 of the semester. Tutorials commence in Week 2.

The lectures will be recorded at the start of the week prior to the scheduled tutorials and posted to echo360 on the iLearn page. The location for the in-person tutorials can be found in eStudent and the links for the online tutorials will be available on iLearn.

This unit is worth 10 credit points, which equates to 150 hours of work. Therefore, students should expect to commit an average of 10 hours per week to this unit, including all scheduled and unscheduled activities and preparing and executing the assessment tasks.

### Resources:

Students require access to a computer, internet with decent speed and a secure/reliable server. The iLearn page contains all Unit requirements and a weekly schedule for teaching, readings and tutorials. Information about all assessment tasks is also available on iLearn.

It is recommended that students purchase Harland, Cooper, Turnbull, and Rundle *Family Law Principles* (Thomson Reuters, revised 3rd ed, 2023) as this provides a practical foundation for studying family law and will be referred to throughout the course. There will be limited access to the online version of this text in the library.

Here are instructions for purchasing the textbook:

- **Directly via the Thomson Reuters website:**

Students can now receive **20% discount** and free shipping if they sign up or use the student Promo Code. Book and eBook bundles can be purchased at a 25% discount. The Promo Code is: **UNIS15**

The site is: <https://legal.thomsonreuters.com.au/student/>

The specific link for Family Law Principles 3e Revised is: <https://legal.thomsonreuters.com.au/family-law-principles-third-edition-revised/productdetail/131527>

- **Online Resellers:**

The text may also be in stock with online resellers that offer discounted prices and good delivery options:

**The Nile:** <https://www.thenile.com.au/>

**Amazon:** <https://www.amazon.com.au/>

**Booktopia:** <https://www.booktopia.com.au/>

## Unit Schedule

This is the schedule for lectures in the unit. Note that the lectures commence in Week 1 and the tutorials are in the week following the lecture. For eg., The tutorial for the Week 1 lecture is in Week 2 and so on.

Week 1 (24 Feb)	Family Law Concepts and Institutions
Week 2 (3 March)	Family Violence and Trauma-Informed Practice
Week 3 (10 March)	Family Formation and Breakdown
Week 4 (17 March)	Family Law Property and Procedures
Week 5 (24 March)	Making a Property Order and Family Violence
Week 6 (31 March)	Spousal Maintenance and Private Ordering
Week 7 (7 April)	The Child in Family Law and Procedures (break 14-25 April)
Week 8 (28 April)	Parenting Orders and Risk
Week 9 (5 May)	Children's Views, the Role of Experts, and Indigenous Children in Family Law
Week 10 (12 May)	Wider Jurisdiction of Family Law (Child Welfare, Child Protection, and IVF and Surrogacy)

Week 11 (19 May)	Relocation and Hague Proceedings; Contravention and Enforcement
Week 12 (26 May)	Child Support and the Wider Context of Social Welfare

## 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 [connect.mq.edu.au](https://connect.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto: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 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/](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**