



# LAW 879

## Environmental Law and Policy Clinic

S2 Block 2018

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Judith Preston

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Convener

Judith Preston

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N/A

By appointment via email only

Credit points

4

Prerequisites

(Admission to MEnvLaw or MIntEnvLaw or LLM or (42cp in LAW or LAWS units at 400 or 500 level) or (admission to JD and 32cp in LAW or LAWS units at 800 level)) and permission by special approval

Corequisites

Co-badged status

Unit description

This unit provides students with an opportunity to experience environmental law and policy 'in action' and give practical effect to skills learnt in other law units. Through a placement in legal practice, an environmental organisation, government or another institution, and supervision by practitioners, the student will learn about the role and practice of environmental law. This unit provides clinical placement opportunities that expose a student to real people and situations, actual legal problems and policy initiatives. The placement also requires reflection on, and analysis of how environmental lawyers can engage in a variety of strategies to achieve change.

## 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:

Demonstrate a sound understanding of the role and practice of environmental law.

Evaluate and critically assess the issues that arise in undertaking public interest environmental litigation, researching and preparing policy submissions, drafting legislative amendments and reform agenda, providing research for community advice and/or the practical application of environmental law and policy in other contexts related to a specific placement.

Demonstrate sound ability to research and evaluate law in context.

Display an enquiring, critical and creative approach to legal problems in real life contexts.

Critically analyse how environmental law and policy can be utilised to achieve social and political change.

Demonstrate and critically reflect upon professional and ethical knowledge, understanding and skills required for the variety of tasks within the placement.

## **General Assessment Information**

The Unit involves three components to be assessed, both practical and written tasks including:-

1. Assessment by Placement Supervisor about aspects of the student's work during the placement including research, drafting and supervised tasks for clients (25%).
2. Reflections Report about the placement based on weekly reflections kept by the student about the placement experience in the host organisation (25%).
3. Research paper or portfolio of work regarding a specific project about environmental law and policy directly related to the placement (50%).

### **Word Limit for written Assessments**

Any work over the word limit will not be marked.

### **Moderation**

Detailed marking rubrics will be made available on iLearn. Markers in this unit undertake a process of 'blind marking' to establish a common marking standard and all Fail papers are double marked

### **Penalties for Lateness**

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Placement Supervisor Report</u>	25%	No	Week 12
<u>Placement Reflection</u>	25%	No	2/11/18 (5:00pm)
<u>Research Report</u>	50%	No	11/11/18 (5:00pm)

### Placement Supervisor Report

Due: **Week 12**

Weighting: **25%**

Students attend an approved environmental law placement program. Work undertaken during the placement will depend upon the host organisation but may involve one or more of the following: research, drafting or other paralegal assistance in the areas of litigation, policy submissions, legislative drafting and community advice work.

On completion of the unit, the placement supervisor will provide a written report about the assessment of the student's capacity, application to work and achievement during the placement using a rubric provided by the Course convener.

On successful completion you will be able to:

- Demonstrate a sound understanding of the role and practice of environmental law.
- Demonstrate sound ability to research and evaluate law in context.
- Display an enquiring, critical and creative approach to legal problems in real life contexts.
- Demonstrate and critically reflect upon professional and ethical knowledge, understanding and skills required for the variety of tasks within the placement.

### Placement Reflection

Due: **2/11/18 (5:00pm)**

Weighting: **25%**

Students are to keep a reflective journal in relation to the placement of 200-300 words per week. The journal entries are to be submitted to the Convener each week by email. At the conclusion of the placement, completion of these journal entries will contribute to the summary report referred to below.

At the end of Week 12, students are to submit a summary report of maximum 1,000 words (exclusive of references) that critically reflects upon the placement experience. The weekly journal entries are to be attached to the summary report.

The report must summarise the work of the placement organisation, explain the role that the student played at the host organisation and reflect upon the experience in the placement

including reference to the learning objectives.

On successful completion you will be able to:

- Demonstrate a sound understanding of the role and practice of environmental law.
- Evaluate and critically assess the issues that arise in undertaking public interest environmental litigation, researching and preparing policy submissions, drafting legislative amendments and reform agenda, providing research for community advice and/or the practical application of environmental law and policy in other contexts related to a specific placement.
- Display an enquiring, critical and creative approach to legal problems in real life contexts.
- Critically analyse how environmental law and policy can be utilised to achieve social and political change.

## Research Report

Due: **11/11/18 (5:00pm)**

Weighting: **50%**

Students are required to write a research paper or portfolio of work of 4,000 words based upon environmental law and policy issues directly related to the placement. **A synopsis of your proposal for this assessment** must be sent by email to the Convener for approval by **Monday 1 October 2017 at 5:00pm**.

A portfolio of work is a collection of work prepared for the purposes of the placement such as a submission on law reform or a position paper. If the portfolio of work is submitted, it should be presented in a clear, logical manner and include a table of contents and pagination. An introduction should be included which sets out the scope and relevance of the work presented.

Research papers should be well structured including sub-headings where appropriate. The paper should be properly referenced using the Australian Guide to Legal Citation. A bibliography should be included but will not be included in the word limit.

Students will be assessed on the basis of their understanding and identification of the relevant legal frameworks, analysis and evaluation of the issues, quality and depth of research, critical and inter-disciplinary approach, understanding of the role, functions and significance of the organisation in relation to environmental protection and law /policy reform .The paper should be well structured, use headings where appropriate and a proper referencing style. Clarity of expression, presentation of argument, responsiveness to the question will also be taken into account.

On successful completion you will be able to:

- Demonstrate a sound understanding of the role and practice of environmental law.
- Evaluate and critically assess the issues that arise in undertaking public interest environmental litigation, researching and preparing policy submissions, drafting

legislative amendments and reform agenda, providing research for community advice and/or the practical application of environmental law and policy in other contexts related to a specific placement.

- Demonstrate sound ability to research and evaluate law in context.
- Display an enquiring, critical and creative approach to legal problems in real life contexts.
- Critically analyse how environmental law and policy can be utilised to achieve social and political change.
- Demonstrate and critically reflect upon professional and ethical knowledge, understanding and skills required for the variety of tasks within the placement.

## Delivery and Resources

There is no required text.

However, there are a range of excellent general texts on environmental and policy widely available. For example, Gerry Bates (Dr) *Environmental Law in Australia, Lexis Nexis Australia, 9th Edition, 2017*.

Readings for the assessment component can be provided by the Convener in consultation with students and tailored for the particular placement.

Resource materials to be read prior to the placement can be provided by email to students.

However, students are expected to avail themselves of appropriate academic materials related to domestic and international environmental law such as Ecolex (<https://www.ecolex.org/>) or EDO NSW (<http://www.edonsw.org.au/>).

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). 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](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

Undergraduate students seeking more policy resources can visit the [Student Policy Gateway \(htt](#)

[ps://students.mq.edu.au/support/study/student-policy-gateway](https://students.mq.edu.au/support/study/student-policy-gateway)). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central](http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central>).

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/study/getting-started/student-conduct>

## Results

Results shown in *iLearn*, 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](http://ask.mq.edu.au).

## Student Support

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

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

## Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

## 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.

## Graduate Capabilities

### PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

#### Learning outcomes

- Evaluate and critically assess the issues that arise in undertaking public interest environmental litigation, researching and preparing policy submissions, drafting legislative amendments and reform agenda, providing research for community advice and/or the practical application of environmental law and policy in other contexts related to a specific placement.
- Critically analyse how environmental law and policy can be utilised to achieve social and political change.
- Demonstrate and critically reflect upon professional and ethical knowledge, understanding and skills required for the variety of tasks within the placement.

#### Assessment tasks

- Placement Supervisor Report
- Placement Reflection

### PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

#### Learning outcomes

- Demonstrate a sound understanding of the role and practice of environmental law.
- Demonstrate sound ability to research and evaluate law in context.

#### Assessment tasks

- Placement Supervisor Report
- Placement Reflection



## PG - Critical, Analytical and Integrative Thinking

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

### Learning outcomes

- Demonstrate a sound understanding of the role and practice of environmental law.
- Evaluate and critically assess the issues that arise in undertaking public interest environmental litigation, researching and preparing policy submissions, drafting legislative amendments and reform agenda, providing research for community advice and/or the practical application of environmental law and policy in other contexts related to a specific placement.
- Demonstrate sound ability to research and evaluate law in context.
- Display an enquiring, critical and creative approach to legal problems in real life contexts.
- Critically analyse how environmental law and policy can be utilised to achieve social and political change.

### Assessment tasks

- Placement Supervisor Report
- Placement Reflection
- Research Report

## PG - Research and Problem Solving Capability

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

This graduate capability is supported by:

### Learning outcomes

- Demonstrate a sound understanding of the role and practice of environmental law.
- Evaluate and critically assess the issues that arise in undertaking public interest environmental litigation, researching and preparing policy submissions, drafting legislative amendments and reform agenda, providing research for community advice and/or the practical application of environmental law and policy in other contexts related

to a specific placement.

- Demonstrate sound ability to research and evaluate law in context.
- Display an enquiring, critical and creative approach to legal problems in real life contexts.
- Critically analyse how environmental law and policy can be utilised to achieve social and political change.

## **Assessment tasks**

- Placement Supervisor Report
- Research Report

## **PG - Effective Communication**

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

This graduate capability is supported by:

## **Learning outcomes**

- Demonstrate sound ability to research and evaluate law in context.
- Display an enquiring, critical and creative approach to legal problems in real life contexts.
- Critically analyse how environmental law and policy can be utilised to achieve social and political change.
- Demonstrate and critically reflect upon professional and ethical knowledge, understanding and skills required for the variety of tasks within the placement.

## **Assessment tasks**

- Placement Supervisor Report
- Placement Reflection
- Research Report

## **PG - Engaged and Responsible, Active and Ethical Citizens**

Our postgraduates will be ethically aware and capable of confident transformative action in relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues

This graduate capability is supported by:

## Learning outcomes

- Evaluate and critically assess the issues that arise in undertaking public interest environmental litigation, researching and preparing policy submissions, drafting legislative amendments and reform agenda, providing research for community advice and/or the practical application of environmental law and policy in other contexts related to a specific placement.
- Display an enquiring, critical and creative approach to legal problems in real life contexts.
- Critically analyse how environmental law and policy can be utilised to achieve social and political change.
- Demonstrate and critically reflect upon professional and ethical knowledge, understanding and skills required for the variety of tasks within the placement.

## Assessment tasks

- Placement Supervisor Report
- Placement Reflection
- Research Report