



LAWS812

Independent Research Project in Law, Governance and Policy

S2 Block 2019

Macquarie Law School

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General Information

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|---|
| Unit convenor and teaching staff Convenor Holly Doel-Mackaway holly.doel-mackaway@mq.edu.au Contact via holly.doel-mackaway@mq.edu.au 6 First Walk (W3A) Room 625 Wed 2-3pm |
| Credit points 4 |
| Prerequisites LAWS818 |
| Corequisites |
| Co-badged status |
| Unit description In this unit, students will consolidate their understanding of core concepts and principles of modern theories of governance. They will examine critiques of 'governance' from different disciplinary perspectives. Case studies will be reviewed from the following areas: Public Health, Environment, Commerce, and Human Rights. Students will apply an interdisciplinary lens to produce an independent research paper or policy reform proposal (6,000 words) that builds on their Research Proposal developed in LAWS818. Students may focus on international, national or local governance issues. |

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 an advanced understanding of the broad body of theoretical and applied knowledge in law, governance and public policy.

Recognise and critically evaluate the range of contemporary challenges associated with promoting social justice, corporate responsibility and effective governance at the national and international levels.

Engage in high level critical thinking and exercise judgment in the recognition and resolution of contemporary legal and policy challenges.

Demonstrate Indigenous cultural competency skills by demonstrating an awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.

Apply sophisticated legal and policy research skills.

Communicate effectively in the written form at a postgraduate level.

Produce research findings that address contemporary legal, governance and policy challenges.

General Assessment Information

Late Submission Penalty

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. OCS in-class presentations, quizzes, online tests.

Word Limits

Word limits will be strictly applied and work above the word limit will not be marked. The consequence of this will mean that **any words** over the word limit will not be read nor assessed by the marker. This may mean, for example, that the final paragraphs of the assessment are not marked, and therefore the assessment does not contain a conclusion. If this was the case, this would significantly impact the overall mark for the assessment, so please ensure strict compliance with the word limit.

Submission

All assessments in the unit are to be submitted electronically via the unit's iLearn page (using the appropriate Turnitin link or forum post link). Plagiarism detection software is used in this unit.

All written assessments must be submitted in Word (.doc or .docx) format (except for the online forum posts - they must be submitted in the forum thread NOT in a word document).

Assessments are due by 10pm on the day indicated for each assessment task.

Note: Deadlines refer to teaching weeks. The semester consists of 13 teaching weeks and a two-week mid-semester break.

Moderation

Detailed marking rubrics will be made available on iLearn. The convenor moderates all assessments. All fail research essays are double marked.

OCS

Students who cannot attend both days of the OCS due to a clash with another subject should choose a different subject as all students are required to attend both days of the

OCS. If a student is not able to attend the OCS due to an unforeseen circumstance they will be allocated alternative work that will require the student to undertake the same degree of preparation, pre-reading and participation (amounting to 2 full days and additional preparation time). Only students with an approved special consideration will be allocated alternative work.

Assessment Tasks

| Name | Weighting | Hurdle | Due |
|-----------------------------------|-----------|--------|--|
| <u>Optional Forum Discussions</u> | 0% | No | Weekly (weeks 1-5) |
| <u>Thesis Plan</u> | 20% | No | Monday 9 September 2019 (week 7, by 10pm) |
| <u>Thesis Topic Presentation</u> | 20% | No | OCS (21/22 September 2019) |
| <u>Major Research Thesis</u> | 60% | No | Monday 4 November, 2019 (week 13, by 10pm) |

Optional Forum Discussions

Due: **Weekly (weeks 1-5)**

Weighting: **0%**

During weeks 1-5 students have the opportunity to participate in focused online discussions about the weekly topics. Every Monday (between weeks 1-5) the convenor will post a question based on that week's topics and students will write a response to this question and discuss the topics together.

Each question requires students to critically evaluate the materials posted on iLearn for that week's topic and refer to these materials in the response. These materials are: the lecture, the supplementary materials and the allocated readings.

This optional activity offers students the chance to engage in critical reflection and analysis of the weekly topics and discuss these ideas with one-another. The convenor will moderate and may also contribute to these discussions. In addition to posting comments about the topic students may wish to share additional resources (suggest other readings, post links for relevant videos/podcasts etc).

It is envisaged that these online responses will support students to build their knowledge about contemporary governance challenges throughout the early stages of the course.

Student's weekly responses are to be posted on the respective discussion forum links on the unit's iLearn page.

On successful completion you will be able to:

- Demonstrate an advanced understanding of the broad body of theoretical and applied knowledge in law, governance and public policy.
- Recognise and critically evaluate the range of contemporary challenges associated with promoting social justice, corporate responsibility and effective governance at the national and international levels.
- Engage in high level critical thinking and exercise judgment in the recognition and resolution of contemporary legal and policy challenges.
- Demonstrate Indigenous cultural competency skills by demonstrating an awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Communicate effectively in the written form at a postgraduate level.

Thesis Plan

Due: **Monday 9 September 2019 (week 7, by 10pm)**

Weighting: **20%**

Students will revise their Research Proposal from LAWS818 and write a Thesis Plan for their Major Research Thesis.

The Thesis Plan is to be no longer than 800 words (excluding footnotes and bibliography) and will include reference to the key issues, arguments, recommendations and authors that will be included in the Major Research Thesis. Students are encouraged to use the thesis plan template posted on the unit's iLearn page (although this is not compulsory and students can structure their thesis plan in any way they see fit).

Further instructions and a marking rubric are available on the unit's iLearn page.

This assessment is to be submitted on the Turnitin link on the unit's iLearn page.

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- Engage in high level critical thinking and exercise judgment in the recognition and resolution of contemporary legal and policy challenges.
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- Communicate effectively in the written form at a postgraduate level.
- Produce research findings that address contemporary legal, governance and policy

challenges.

Thesis Topic Presentation

Due: **OCS (21/22 September 2019)**

Weighting: **20%**

During the on-campus session (OCS) students are required to discuss their proposed research topic with the class. Using the Thesis Plan already submitted students are to prepare (in advance of the OCS) a succinct **10-minute** presentation about the topic they will be writing their major research thesis about. After each student's presentation, the class will engage in critical discussion about each student's proposed thesis topics.

One morning of the OCS days will be spent conducting these presentations and discussions. Every student will have an equal opportunity to present their thesis topic talk. Each student's contributions will be graded against the marking rubric on the unit's iLearn page. Students who do not contribute to this group discussion (unless there is an accepted Special Consideration application) will not receive any marks for this assessment.

All students must participate. It is recommended that students use their Thesis Plan (submitted the week before the OCS) to guide preparation for this assessment and in order to assist in preparing for this discussion. All students will commence their in-class presentation with an Acknowledgement of Country or a Welcome to Country that demonstrates Indigenous cultural competency and integrates your study of child and elder law into this Acknowledgement/Welcome (further details about how to do this, and why this is required, will be outlined on the iLearn page).

This is a timed assessment and no late submissions will be accepted. Any student with a successful application for special consideration will be given a supplementary assessment.

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Major Research Thesis

Due: **Monday 4 November, 2019 (week 13, by 10pm)**

Weighting: **60%**

Students must apply their research skills and understanding of legal research methodologies to execute an independent research project to **address a contemporary challenge in legal governance, from either a domestic or international perspective, under one of the following broad topic areas:**

1. **Human Rights and Governance**
2. **Environmental Governance**
3. **Privacy and Governance**
4. **Corporate Governance**
5. **Public Health and Governance**

If your topic falls outside one of these areas please discuss your topic with the convenor.

Students are required to submit a **6,000 word Major Research Thesis** (maximum total length excluding footnotes, bibliography, tables, figures and appendices) with references in accordance with the Australian Guide to Legal Citation 4 (AGLC4) <https://law.unimelb.edu.au/mulr/aglc>.

Papers are to be submitted as a Word document via the Turnitin link on the unit's iLearn page. Further instructions and a marking rubric are provided on the unit's iLearn page.

On successful completion you will be able to:

- Demonstrate an advanced understanding of the broad body of theoretical and applied knowledge in law, governance and public policy.
- Recognise and critically evaluate the range of contemporary challenges associated with promoting social justice, corporate responsibility and effective governance at the national and international levels.
- Engage in high level critical thinking and exercise judgment in the recognition and resolution of contemporary legal and policy challenges.
- Apply sophisticated legal and policy research skills.
- Communicate effectively in the written form at a postgraduate level.
- Produce research findings that address contemporary legal, governance and policy challenges.

Delivery and Resources

Technology Required

All students need access to a secure and reliable server for access to iLearn and submission of assessment tasks.

Delivery

This unit consists of 5 lectures during weeks 1-5 (which will be available on Echo 360) and a **compulsory** 2-day on campus session (OCS). **All students are required to attend the OCS and deliver a presentation about your thesis topic and participate in the class discussion about all student's presentations.**

Students who are unable to attend the OCS must apply for Special Consideration via ask.mq.edu. If that application is accepted students will be set an alternative assessment and alternative coursework (equating to the 2 day on-campus session) in lieu of on-campus attendance.

In addition to the lectures students will be expected to access a range of online resources, as well as weekly readings. These will be posted on the unit's iLearn page for each weekly topic.

The first 5 weeks of the course is designed to provide a foundation to support students to undertake self-directed research and assist student's to research and write the Major Research Thesis (6,000 words).

Unit Schedule

A detailed weekly schedule is provided on the unit's iLearn page. The topics to be covered in this unit are as follows:

Week 1: Principles and Theories of Governance: This week we will be examining the principles and theories of Governance. In doing so we will explore the meaning of the word 'governance' and the implications of varying interpretations of governance.

Week 2: Human Rights and Governance: This week's topic examines human rights and governance by focusing on Indigenous children's human rights. The lecture will overview children's rights and international law and provide examples of contemporary children's rights challenges nationally and internationally.

Week 3: Privacy and Governance: This week we will consider the issue of governance in respect to the right to privacy in Australian law and policy.

Week 4: Corporate Governance: This weeks lecture will discuss corporate governance in Australia and internationally. Various case examples will highlight a range of contemporary governance challenges nationally and internationally.

Week 5: Environmental Governance: This week's topic will overview governance matters relating to environmental protection. Key NSW cases will be explored to highlight contemporary challenges relating to environmental protection in Australia.

**online forum responses due weeks 1-6*

Week 6: Self-Directed Independent Research

Week 7: Thesis Plan Due

Recess: Compulsory OCS and Class Discussion Task

Weeks 7-13: Self-Directed Independent Research

Week 13: Major Research Thesis Due

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](https://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](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>).

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 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

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) 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

If you are a Global MBA student contact globalmba.support@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/.

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

- Demonstrate an advanced understanding of the broad body of theoretical and applied knowledge in law, governance and public policy.
- Recognise and critically evaluate the range of contemporary challenges associated with promoting social justice, corporate responsibility and effective governance at the national and international levels.
- Engage in high level critical thinking and exercise judgment in the recognition and resolution of contemporary legal and policy challenges.
- Demonstrate Indigenous cultural competency skills by demonstrating an awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Communicate effectively in the written form at a postgraduate level.

- Produce research findings that address contemporary legal, governance and policy challenges.

Assessment tasks

- Thesis Topic Presentation
- Major Research Thesis

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 an advanced understanding of the broad body of theoretical and applied knowledge in law, governance and public policy.
- Demonstrate Indigenous cultural competency skills by demonstrating an awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Apply sophisticated legal and policy research skills.
- Communicate effectively in the written form at a postgraduate level.

Assessment tasks

- Optional Forum Discussions
- Thesis Plan
- Thesis Topic Presentation
- Major Research Thesis

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 an advanced understanding of the broad body of theoretical and applied knowledge in law, governance and public policy.
- Recognise and critically evaluate the range of contemporary challenges associated with

promoting social justice, corporate responsibility and effective governance at the national and international levels.

- Engage in high level critical thinking and exercise judgment in the recognition and resolution of contemporary legal and policy challenges.
- Demonstrate Indigenous cultural competency skills by demonstrating an awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Apply sophisticated legal and policy research skills.
- Communicate effectively in the written form at a postgraduate level.

Assessment tasks

- Optional Forum Discussions
- Thesis Plan
- Thesis Topic Presentation
- Major Research Thesis

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

- Recognise and critically evaluate the range of contemporary challenges associated with promoting social justice, corporate responsibility and effective governance at the national and international levels.
- Apply sophisticated legal and policy research skills.
- Communicate effectively in the written form at a postgraduate level.
- Produce research findings that address contemporary legal, governance and policy challenges.

Assessment tasks

- Thesis Plan
- Thesis Topic Presentation
- Major Research Thesis

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 Indigenous cultural competency skills by demonstrating an awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Communicate effectively in the written form at a postgraduate level.
- Produce research findings that address contemporary legal, governance and policy challenges.

Assessment tasks

- Optional Forum Discussions
- Thesis Plan
- Major Research Thesis

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

- Engage in high level critical thinking and exercise judgment in the recognition and resolution of contemporary legal and policy challenges.
- Demonstrate Indigenous cultural competency skills by demonstrating an awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Produce research findings that address contemporary legal, governance and policy challenges.

Assessment task

- Major Research Thesis

Changes from Previous Offering

The assessment regime has changed slightly this offering. Last semester the 5 minute thesis assessment was introduced and I believe this led to a reduction in the number of students who enrolled in the course. I have altered it slightly and called this assessment a 'Class Discussion' -

it is essentially the same, minus the formality and pressure of a 5-minute thesis. The idea is to hold a class discussion rather than have discrete presentations. I hope this will present better conditions for students to interact more with each other's proposals.