



LAWS505

Child/Elder Law

S2 Day 2019

Macquarie Law School

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Disclaimer

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General Information

Unit convenor and teaching staff

Convenor

Dr Holly Doel-Mackaway

holly.doel-mackaway@mq.edu.au

6 First Walk (W3A) room 625

Wed 2-3pm

Credit points

3

Prerequisites

39cp at 100 level or above or 24cp in LAW or LAWS units

Corequisites

Co-badged status

Unit description

This unit examines the impact that age has on the interactions that individuals have with the law. It examines the ways in which the law protects, empowers and also negatively impacts on the lives of children and the elderly. This course equips students to understand the national and international legal frameworks surrounding children and the elderly and the way these frameworks operate (and in many cases fail to operate). The unit draws on expertise within the Law School in the areas of Child Law and Elder Law.

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 awareness and understanding of the legal issues affecting children and elderly people in various contexts.

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

Engage in critical analysis of the way in which laws impact on children and elderly people.

Evaluate the role of law reform in key areas affecting children and elderly people.

Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.

Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner.

Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and interdisciplinary research sources using proper legal citation.

General Assessment Information

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.

Word limits will be strictly applied and work above the word limit will not be marked.

All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.

Moderation

Detailed marking guidelines will be made available on iLearn. The convenor moderates all assessments. All high distinctions and fails are double marked.

Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Class Participation</u>	20%	No	Weeks 1-7 and OCS
<u>National Children's Campaign</u>	30%	No	13 September 2019 (by 10pm)
<u>Research Essay</u>	50%	No	8 November 2019 (by 10pm)

Class Participation

Due: **Weeks 1-7 and OCS**

Weighting: **20%**

Due: **Weeks 1-7 and OCS** Weighting: **20%**

Given this course is run in block mode students are expected to participate in focused online discussions about the weekly topics. Students are also expected to actively participate in both days of the 2-day on-campus-session (OCS).

Online participation: During weeks 1-7 the convenor will post a discussion question based on

that week's topics and students will write a 200-word response to this question and discuss the topics together. Each discussion 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. Forum posts are due by midnight on Sunday during weeks 1-7.

This assessment 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).

Students must write a response to each discussion question each week – this means you will write **7 x 200-word responses**. Choose what you believe are your **3 best posts** and upload these to the appropriate Turnitin link on the same word document you submit for **Assessment 2 on 13 September 2019**. Students are not to exceed the word limit.

OCS participation: Topic Discussion and General Class Participation

Students will be randomly assigned a topic to discuss during the OCS as part of the class participation mark. The allocation of topics will be released to students one week before the OCS (to encourage all students to engage with the course material throughout the first half of the semester and to be as fair as possible to students who are allocated to discuss weeks 6 and 7 topics). All students will commence their in-class discussion 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.

Students who are assigned to a topic will have the 'first right of reply' or 'first chance to respond' to the questions set for your allocated topic and your tutor will facilitate the class discussion. The students who are allocated to each topic will be primarily responsible for inputting into the class discussion about the given topic. Thus, students must be ready to present ideas, insights and reflections on the lectures/readings during the class discussion. Note however, that during the OCS all students are responsible for participating in all class discussions about all topics.

The online participation combined with the OCS participation marks will comprise 20% of your overall mark.

This Assessment Task relates to the following Learning Outcomes:

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

Torres Strait Islander peoples.

- Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner.

More information about this assessment will be provided on the iLearn page.

On successful completion you will be able to:

- Demonstrate awareness and understanding of the legal issues affecting children and elderly people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and elderly people.
- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Evaluate the role of law reform in key areas affecting children and elderly people.
- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner.

National Children's Campaign

Due: **13 September 2019 (by 10pm)**

Weighting: **30%**

You are the Children's Rights Legal Advisor for a leading children's non-government organisation (NGO). Your organisation is running a campaign on a key national children's rights concern. Along with other Children's Rights Legal Advisors from a range of NGOs across the world you have been asked to present your organisation's campaign at a plenary session during the "World Congress on Children's Rights: Working Together to Build a World Fit for Children." This is a large international meeting organised by UNICEF and includes over 70 NGO and country delegations. Your presentation at the Congress will be televised and/or broadcast on radio. You are allocated 5-minutes during the plenary to present your campaign.

NOTE: Imagine that later in the Congress you will deliver a 20-minute paper on your organisation's campaign as part of a range of side-sessions at the event. Thus, your 5-minute presentation is a condensed version of the larger presentation. Imagining this gives you a context for this assessment and a context for what NGO legal advisors do in reality.

Your presentation at the World Congress (and a 1-page media article you will prepare about it) will be distributed widely on social media. Your 1-page article will discuss the legal context of the children's rights issue your campaign is about. This should be written in plain English and pitched to a general audience. It should be appropriate to be published in a local newspaper and distributed widely on social media alongside your video or radio podcast. Links to examples of such articles will be provided on the iLearn page.

Your role is based in any country of your choosing. Your campaign has a national or regional focus. Thus, your presentation and 1-page article must relate to a particular children's rights issue in a specific country or region.

You can choose whether you would like to submit a video or an audio file for this assessment. More information about this assessment will be provided on the iLearn page and discussed in lectures. Instructions for how to record and upload this assessment (using Zoom) will be provided on the iLearn page.

Articles must be submitted in a word document, and be double-line spaced text using 12 point font (use Times New Roman).

Articles are to be no longer than 1 page (do not include ANY footnotes or a bibliography - URL links may be used in the text of the article). This is a strict requirement and **any content** over 1-page words **will not be marked**.

Late Assessment 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.

More information about this assessment will be provided on the iLearn page.

Remember: When you submit this assessment also include in the same word file your **3 best online posts from weeks 1-7** and upload this to the appropriate Turnitin link.

On successful completion you will be able to:

- Demonstrate awareness and understanding of the legal issues affecting children and elderly people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and elderly people.
- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Evaluate the role of law reform in key areas affecting children and elderly people.
- Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner.

Research Essay

Due: **8 November 2019 (by 10pm)**

Weighting: **50%**

Drawing on the learning throughout the course and in response to the essay question(s) released students will apply their research skills and produce a research paper of 2,500-3,000 words. This assessment is an independent research paper and will give students the opportunity

to draw on key elements of child and/or elder law explored during the course.

Essays must be submitted in a word document, and be double-line spaced text using 12 point font (use Times New Roman).

Essays are to be no longer than 3,000 words (this word count does not include the footnotes and bibliography). This is a strict requirement and **any content** (other than the footnotes and bibliography) over 3,000 words **will not be marked**. Exceeding the word limit will mean the last portion of excess words will not be marked and this could mean that all or part of the conclusion is not marked (if this occurs this will significantly and negatively impact student's marks.)

Footnotes should only be used for references, with no further discussion. **A bibliography must be provided**. Submissions must be a word document. This paper is to be submitted via the appropriate Turnitin link on the iLearn page.

The essay must comply with the *Australian Guide to Legal Citation* (4 ed). The Guide is available here: <https://law.unimelb.edu.au/mulr/aglc>

Late Assessment 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.

More information about this assessment will be provided on the iLearn page.

On successful completion you will be able to:

- Demonstrate awareness and understanding of the legal issues affecting children and elderly people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and elderly people.
- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Evaluate the role of law reform in key areas affecting children and elderly people.
- Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and interdisciplinary research sources using proper legal citation.

Delivery and Resources

This uni will be offered in block mode. This means that the course content will be delivered online, every week during weeks 1-13. All students are required to prepare for, attend and actively participate in a 2-day on-campus-session (OCS). The OCS dates are available via timetables. The program for the OCS will be released in due course. **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.

Each week students will be required to read the required readings and listen to 2 hours of pre-recorded lecture material that will be available to students 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.

Lectures begin in week 1 and finish in week 12.

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.

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

Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

Learning outcomes

- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Evaluate the role of law reform in key areas affecting children and elderly people.
- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner.
- Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and interdisciplinary research sources using proper legal citation.

Assessment tasks

- Class Participation
- National Children's Campaign
- Research Essay

Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

Learning outcomes

- Demonstrate awareness and understanding of the legal issues affecting children and elderly people in various contexts.
- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Evaluate the role of law reform in key areas affecting children and elderly people.
- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner.
- Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and

interdisciplinary research sources using proper legal citation.

Assessment tasks

- Class Participation
- National Children's Campaign
- Research Essay

Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:

Learning outcomes

- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner.
- Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and interdisciplinary research sources using proper legal citation.

Assessment task

- Research Essay

Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

Learning outcomes

- Demonstrate awareness and understanding of the legal issues affecting children and elderly people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and elderly people.
- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Evaluate the role of law reform in key areas affecting children and elderly people.
- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
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- Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and interdisciplinary research sources using proper legal citation.

Assessment tasks

- Class Participation
- National Children's Campaign
- Research Essay

Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

Learning outcomes

- Demonstrate awareness and understanding of the legal issues affecting children and elderly people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and elderly people.
- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Evaluate the role of law reform in key areas affecting children and elderly people.

- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner.
- Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and interdisciplinary research sources using proper legal citation.

Assessment tasks

- Class Participation
- National Children's Campaign
- Research Essay

Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

Learning outcomes

- Demonstrate awareness and understanding of the legal issues affecting children and elderly people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and elderly people.
- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Evaluate the role of law reform in key areas affecting children and elderly people.
- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner.
- Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and interdisciplinary research sources using proper legal citation.

Assessment tasks

- Class Participation
- National Children's Campaign
- Research Essay

Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

Learning outcomes

- Evaluate the role of law reform in key areas affecting children and elderly people.
- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.

Assessment task

- Research Essay

Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

Learning outcomes

- Demonstrate awareness and understanding of the legal issues affecting children and elderly people in various contexts.
- Engage in critical analysis of the way in which laws impact on children and elderly people.
- Evaluate the role of law reform in key areas affecting children and elderly people.
- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Demonstrate effective oral communication skills by discussing and debating course

concepts in a scholarly, reflective and respectful manner.

- Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and interdisciplinary research sources using proper legal citation.

Assessment tasks

- Class Participation
- National Children's Campaign
- Research Essay

Socially and Environmentally Active and Responsible

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

Learning outcomes

- Demonstrate awareness and understanding of the legal issues affecting children and elderly people in various contexts.
- Identify the elements of a rights-based approach to legal issues that affect children and elderly people.
- Demonstrate awareness and understanding of the way law impacts on Aboriginal and Torres Strait Islander peoples.
- Demonstrate advanced independent research and writing skills evidenced by a concise writing style and well-structured arguments supported by a range of legal and interdisciplinary research sources using proper legal citation.

Changes since First Published

Date	Description
07/08/2019	Further details about the class participation assessment included