

LAWS70186 Human Rights Litigation and Advocacy

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: June, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Corequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Recommended Background Knowledge:	Visit the Melbourne Law Masters website for more information about this subject.
Non Allowed Subjects:	Visit the Melbourne Law Masters website for more information about this subject.
Core Participation Requirements:	Visit the Melbourne Law Masters website for more information about this subject.
Coordinator:	Assoc Prof John Tobin
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Subject Overview:	<p># Principal topics will include:</p> <ul style="list-style-type: none"> # An examination of the essential features required for effective human rights litigation and advocacy # The research techniques required to develop an understanding as to the meaning and content of human rights standards, such as the right to life, torture, privacy, equality, health and education # The mechanisms available for the domestic implementation of human rights standards, with a focus on: <ul style="list-style-type: none"> # Comparative Bills and Charters of Rights, especially the Victorian Charter of Human Rights and Responsibilities and its features # The capacity to use international human rights in domestic litigation # The use of case studies to enable the development of the skills necessary to identify human rights issues and prepare appropriate reports and submissions to Government inquiries, courts and other bodies. The case studies will be drawn from contemporary issues such as the war on terrorism, the treatment of refugees and homelessness # The international mechanisms that may be available at a domestic level for the protection of human rights standards, with a focus on the procedure and practice of lodging complaints with the Human Rights Committee and Special Rapporteurs of the Human Rights Council. <p>Note: Although many of the case studies will be drawn from the opportunities for human rights litigation and advocacy in Australia, consideration will also be given to other jurisdictions. Moreover, the general principles and underlying themes of the subject are intended to be capable of application and have relevance beyond the Australian context to any domestic jurisdiction.</p>
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Develop an understanding of the practical skills necessary to make use of human rights standards in two contexts: litigation (both domestic and international) and advocacy (being

	<p>the capacity to invoke human rights at the domestic level to promote or respond to the development of legislation and the design and implementation of public policy)</p> <ul style="list-style-type: none"> # Be aware of the strategic and technical limitations in using human rights standards in litigation and advocacy initiatives at the domestic level # Possess the legal research skills necessary to identify the meaning and content of human rights standards as developed by international, regional and domestic courts, tribunals and other human rights bodies # Be able to offer critical comment on the status of international human rights standards in domestic law and understand the circumstances when recourse can be made to human rights standards before domestic courts # Be able to identify and critically assess the domestic mechanisms for the protection of human rights, principally Bills of Rights by using the Victorian Charter of Human Rights and Responsibilities as a case study to assess the capacity of a dialogistic model to provide effective protection of human rights # Have the capacity to identify when a human rights issue arises on the facts of a particular case and possess the skills necessary to identify the strategies available for the protection of that right at both the domestic and international level.
Assessment:	Visit the Melbourne Law Masters website for more information about this subject.
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees