

LAWS50083 Children Rights And The Law

Credit Points:	12.5																	
Level:	5 (Graduate/Postgraduate)																	
Dates & Locations:	This subject is not offered in 2015.																	
Time Commitment:	Contact Hours: 36 hours of seminar classes offered intensively, or as 12 weekly 3-hour seminars over a semester. Total Time Commitment: 144 hours.																	
Prerequisites:	<table><tr><th>Subject</th><th>Study Period Commencement:</th><th>Credit Points:</th></tr><tr><td>LAWS50023 Legal Method and Reasoning</td><td>February</td><td>12.50</td></tr><tr><td>LAWS50024 Principles of Public Law</td><td>Semester 1</td><td>12.50</td></tr><tr><td>LAWS50026 Obligations</td><td>Semester 1</td><td>12.50</td></tr><tr><td>LAWS50027 Dispute Resolution</td><td>Semester 1</td><td>12.50</td></tr></table>			Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.50	LAWS50024 Principles of Public Law	Semester 1	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50
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Corequisites:	None																	
Recommended Background Knowledge:	None																	
Non Allowed Subjects:	<table><tr><th>Subject</th><th>Study Period Commencement:</th><th>Credit Points:</th></tr><tr><td>LAWS70120 International Law and Children's Rights</td><td>August</td><td>12.50</td></tr></table>			Subject	Study Period Commencement:	Credit Points:	LAWS70120 International Law and Children's Rights	August	12.50									
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Core Participation Requirements:	<p>The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/.</p>																	
Contact:	<p>Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475</p>																	
Subject Overview:	<p>It has been suggested that children's rights have become the dominant program within a social system which makes sense of the adult/child relationship, and that advocacy for international children's rights is one of the most powerful social movements of the twentieth century. Much of the momentum for this movement has been generated by the UN Convention on the Rights of the Child, which was adopted by the UN General Assembly in 1999, and has been ratified by every state in the world except the USA and Somalia. Moreover, at the domestic level there is an increasing trend to provide recognition of children's rights within national constitutions.</p>																	

	<p>Consistent with international trends, social and policy debates within Australia are increasingly being informed by and aligned with the children's rights.</p> <p>This subject is designed to equip students with the skills required to engage with these developments at an advanced level, and consists of two parts. Part A will explore the development of the concept of children's rights and involve:</p> <ul style="list-style-type: none"> # A consideration of the historical relationships between children and the law; # An evaluation of the concept, theory and philosophy of children's rights; and # An examination of the legal formulation of children's rights within international law, principally the UN Convention on the Rights of the Child and domestic legal instruments such as the Victorian Charter of Human Rights and Responsibilities Act. <p>Part B will involve discussion, evaluation and consideration of contemporary legal issues concerning children within Australia by reference to the idea of children's rights. It will explore and critique the content of the relevant legal frameworks and provide an analysis of the extent to which domestic law and policy is consistent with children's rights. The case studies to be covered will be drawn from contemporary issues affecting children in areas such as:</p> <ul style="list-style-type: none"> # Juvenile Justice; # Poverty and homelessness; # Indigenous children and cultural identity; # The legal representation of children; # Child refugees; # Violence against children including the legality of physical discipline; # Children's access to, and right to refuse, medical treatment; # Children's evolving sexual autonomy; and # The relationship between the media and issues such as childhood obesity, eating disorders and the sexual exploitation of children.
Learning Outcomes:	<p>A student who has successfully completed this subject should have an advanced and integrated understanding of, and be able to critically analyse and reflect on:</p> <ul style="list-style-type: none"> # The historical and contemporary status of children within the law; # The notion, limitations and advantages of perceiving children as rights bearers from a range of perspectives; # The value and relevance of interdisciplinary perspectives in understanding the idea of children's rights; # The extent to which domestic and international legal frameworks construct and reflect a rights based approach to matters involving children; # The technical process required to describe and critically assess what it means to adopt a rights based approach, including its key principles, when dealing with children; and # The technical process required to apply a rights based approach as a model for the evaluation and resolution of issues confronting and involving children in a range of contexts.
Assessment:	<p>Students will have the option of: Paper (100%):A 6,000 word paper on a contemporary topic, and in a form, devised by the student and be approved by the coordinator. The paper could be a research paper; detailed legal advice or submission to an inquiry; OR Research Paper (70%) and Written Task (30%):A 2,000 word paper on a task set by the coordinator (30%) (such as a reflective essay, book review; memorandum of advice or submission to an inquiry) AND a 4,000 word research paper on a topic to be formulated by the student and approved by the coordinator (70%). Option 1 is designed to allow students, who have the confidence and desire to produce a substantial piece of written work with the opportunity to do so. Option 2 is designed to allow those students, who would like to receive some detailed feedback on their written work during the semester, and spread their assessment burden, with the opportunity to do so.</p>
Prescribed Texts:	Specialist printed materials will be made available from Melbourne Law School.
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

Generic Skills:	<p>On completion of the subject, students should have developed and demonstrated expert skills in the following areas:</p> <ul style="list-style-type: none"># Cognitive skills to demonstrate mastery of theoretical knowledge about children's rights;# Cognitive, technical and creative skills to critically investigate, analyse, compare and interpret various legal mechanisms that address children's rights;# Cognitive, technical and creative skills to generate and evaluate complex ideas and arguments relating to children's rights at an abstract level, and the ability to apply those ideas and arguments to practical problems as demonstrated in classroom discussion and assessment tasks;# Communication skills and technical research skills to justify theoretical propositions, methodologies, conclusions and recommendations (as appropriate) to specialist audiences in the context of scholarly writing and/or professional advice in assessment tasks; and# Intercultural and ethical sensitivity and understanding.
Notes:	<p>This subject has a quota of 60 students. Details on quota subject selection (http://www.law.unimelb.edu.au/jd/current-students/enrolments/quota-subject-selection/) are available on the JD website.</p>