

730-396 Discrimination, Law and Equality

Credit Points:	12.500
Level:	Undergraduate
Dates & Locations:	2008, This subject commences in the following study period/s: Semester 1, - Taught on campus.
Time Commitment:	Contact Hours: Three hours of seminars per week Total Time Commitment: Estimated total time commitment of 120 hours.
Prerequisites:	Legal Method and Reasoning; Principles of Public Law; Torts
Corequisites:	None
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	<p><p>For the purposes of considering request for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Student Support and Engagement Policy, academic requirements for this subject are articulated in the Subject Overview, Learning Outcomes, Assessment and Generic Skills sections of this entry.</p> <p>It is University policy to take all reasonable steps to minimise the impact of disability upon academic study, and reasonable adjustments will be made to enhance a student's participation in the University's programs. Students who feel their disability may impact on meeting the requirements of this subject are encouraged to discuss this matter with a Faculty Student Adviser and Student Equity and Disability Support: http://services.unimelb.edu.au/disability</p></p>
Coordinator:	Associate Professor B Gaze
Subject Overview:	<p>This subject examines the challenges of using law to counter discrimination and critically examines the contribution of anti-discrimination law to reducing inequality. It begins with a review of the concepts of equality and discrimination and the Australian social context. Turning to the legal response, the major focus is on Australian law after an introduction to international law on equality and discrimination, and constitutional protections in other countries for equality or non-discrimination rights. State and Federal anti-discrimination laws and their interpretation and use will be studied primarily through sex discrimination case law, but other grounds of discrimination including race, disability and sexuality will be considered to a lesser extent. (Students with a strong interest in discrimination on these or other grounds, such as age, political or religious belief etc. can use the research paper as an opportunity to study these areas in more detail). The law prohibits discrimination in certain defined situations, but has been subjected to complex and technical interpretations by the judiciary. The effectiveness of the legislation in changing social practices and eliminating discrimination will be evaluated and alternative approaches considered.</p>
Assessment:	<p>Reflective essay of 1500 words, 20% (due week 10); and a final examination of two hours, 80% OR reflective essay of 1500 words, 20% (due week 10); and a research essay of 5000 words, 80% (due during the exam period). Students undertaking a placement: Assessment of placement performance (by external supervisor in consultation with the subject coordinator) 20% and assignment (on a topic of value to the placement organisation) 2500 words, 40% and a final 1-hour examination, 40%.</p>
Prescribed Texts:	Printed materials will be issued by the Faculty of Law
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

<p>Generic Skills:</p>	<p>On completion of the subject students should have developed or further developed the following generic skills:</p> <p>Thinking skills</p> <ul style="list-style-type: none"> # Understand complexities inherent in concepts of equality and discrimination # Develop sensitivity to the experiences and ideas of people from very different backgrounds to their own, including across cultures, gender, sexuality, age and other classifications # Value the ability to learn from encountering very different perspectives <p>Case reading and analysis</p> <ul style="list-style-type: none"> # read complex cases with a special focus on statutory interpretation and the purposive interpretation of legislation <p>Reading and interpreting legislation</p> <ul style="list-style-type: none"> # read, interpret and analyse statutes, and understand the significance of variations in approaches in different jurisdictions <p>Critical and legal analysis and problem solving</p> <ul style="list-style-type: none"> # Critically analyse the approach of the courts and decision-makers to the interpretation of anti-discrimination laws # The relationship between legal and social thought and analysis # Examining the impact of practical effects of law as well as doctrinal outcomes of legal decisions <p>Legal research and writing skills (Students who complete a research paper)</p> <ul style="list-style-type: none"> # Locating resources for research in relation to equality and discrimination and anti-discrimination law # Ability to use legislation, case law and other materials as part of legal analysis # Present and evaluate a well structured and supported legal argument. <p>Oral communication skills through seminar participation and class presentation on research in progress</p> <p>Practical workplace skills for students undertaking a placement</p> <ul style="list-style-type: none"> # ability to work cooperatively in a human rights organisation # ability to undertake practical research of value to that organisation. # Learning through observation of the work of the organisation where the placement occurs. # Manage their time in order to contribute in an office environment # Other work-place based skills such as communication and office organisation
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