

LAWS70292 Australian Charters of Rights

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: February, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	<i>Students who have completed Protecting Rights or Victorian Charter in Comparative Perspective may not undertake this subject.</i>
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.
Contact:	For more information, contact the Melbourne Law Masters office. Email law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) or phone +61 3 8344 6190. Alternatively, visit our website: www.masters.law.unimelb.edu.au (http://www.masters.law.unimelb.edu.au/)
Subject Overview:	Principal topics will include: <ul style="list-style-type: none"> # Background to the introduction of bills of rights in Australia # Key features and framework of the Victorian Charter and the ACT <i>Human Rights Act</i> in comparative perspective, including: <ul style="list-style-type: none"> # Ministerial statements of compatibility and scrutiny of bills # Interpreting legislation compatibly with human rights and declarations of inconsistent interpretation # The concept of 'public authorities' and their rights-compliance obligations # Impact on the private sphere # The principle of proportionality and reasonable limitations on human rights # Bringing legal proceedings under the Victorian Charter and the ACT <i>Human Rights Act</i> and their interaction with the existing law # Overview of the key features of comparable human rights instruments in other jurisdictions # Interpretation and application of selected human rights, in comparative perspective, including the freedoms of expression, movement and religion, freedom from interference with privacy, family and the home, conditions of detention, and the presumption of innocence (subject to change) # Implementation of charters of rights in government, including the role of the Human Rights and Equal Opportunity Commissions # The Brennan Committee report, the National Human Rights framework and the potential for future developments, including a federal charter of rights.
Objectives:	A student who has successfully completed this subject should: <ul style="list-style-type: none"> # Appreciate the historical debate over bills of rights in Australia, including the Brennan Committee report and the National Human Rights framework # Understand the key features and operation of the <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic) and the <i>Human Rights Act 2004</i> (ACT)

	<ul style="list-style-type: none"> # Understand different bills or charters of rights models in other jurisdictions # Be able to critically evaluate the effectiveness of the Victorian and ACT Acts in protecting human rights, and participate in the debate about potential future developments # Be able to identify situations in which human rights issues may arise and how the Victorian Charter and the ACT Human Rights Act may be utilised in their resolution # Be able to research and advise on the substantive rights protected and the operational features of Australian charters of rights.
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