

## LAWS70186 Human Rights Litigation and Advocacy

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2013, Parkville This subject commences in the following study period/s: June, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique 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 to 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 who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Coordinator:</b>	Assoc Prof John Tobin
<b>Contact:</b>	For more information, contact the Melbourne Law Masters office. Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	<p>Human rights are becoming increasingly important to the practice of law at the domestic and international level, and within government, the private and community sector. This subject is designed to equip students with the practical skills required for effective engagement with human rights in each of these contexts. The subject will be of interest to students whose work already intersects with human rights directly or to students who wish to explore ways to further inject human rights into their work. It is designed to be of relevance to students whether they are working within Australia, other countries or at the international level. The subject lecturer draws heavily on his extensive contacts to integrate the insights and experiences of legal professionals into the teaching of the subject.</p> <p>The first four days of the subject examine:</p> <ul style="list-style-type: none"> <li># The strategic considerations and techniques required for effective use of human rights in litigation, advocacy and service delivery</li> <li># The technical skills required to determine the meaning of civil and political rights, such as the right to life and the prohibition against torture, and economic, social and cultural rights such as the right to health</li> </ul>

	<ul style="list-style-type: none"> <li># The status and strategic opportunities for using international human rights standards in domestic legal systems</li> <li># The effectiveness of domestic systems for the protection of human rights, principally Bills of Rights (using the Victorian Charter of Human Rights as a case study of the dialogue model, unless it is repealed)</li> <li># The international mechanisms available for individual allegations of human rights violations</li> <li># The use of human rights standards to shape and influence law reform and policy development.</li> </ul> <p>The final day of the subject involves the application of the skills developed during the subject to several practical and contemporary case studies.</p>
<b>Objectives:</b>	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># 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 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)</li> <li># 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</li> <li># 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</li> <li># 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</li> <li># 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.</li> </ul>
<b>Assessment:</b>	3,000 word written assignment (30%) (15 July) 7,000 word research paper (70%) (23 September) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	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.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS70186/2013">http://www.law.unimelb.edu.au/subject/LAWS70186/2013</a>