

# LAWS50100 Law & Ethics Of Death And Dying

<b>Credit Points:</b>	12.50																											
<b>Level:</b>	5 (Graduate/Postgraduate)																											
<b>Dates &amp; Locations:</b>	This subject is not offered in 2014. 24 hours of seminar classes offered intensively, or as 12 weekly 2 hour seminars over the course of a semester.																											
<b>Time Commitment:</b>	Contact Hours: 24 hours. Total Time Commitment: 144 hours.																											
<b>Prerequisites:</b>	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <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>LAWS50025 Torts</td> <td>November, Semester 2</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> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50031 Legal Theory</td> <td>Semester 2</td> <td>12.50</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.50	LAWS50024 Principles of Public Law	Semester 1	12.50	LAWS50025 Torts	November, Semester 2	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50	LAWS50028 Constitutional Law	Semester 2	12.50	LAWS50029 Contracts	Semester 2	12.50	LAWS50031 Legal Theory	Semester 2	12.50
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<b>Corequisites:</b>	None.																											
<b>Recommended Background Knowledge:</b>	None.																											
<b>Non Allowed Subjects:</b>	None.																											
<b>Core Participation Requirements:</b>	<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: <a href="http://www.services.unimelb.edu.au/disability/">http://www.services.unimelb.edu.au/disability/</a>.</p>																											
<b>Contact:</b>	<p>Melbourne Law School Student Centre            Email: <a href="mailto:law-studentcentre@unimelb.edu.au">law-studentcentre@unimelb.edu.au</a> (mailto:law-studentcentre@unimelb.edu.au)            Tel: +61 3 8344 4475</p>																											
<b>Subject Overview:</b>	The subject Law and Ethics of Death and Dying is concerned with the legal ordering of death and dying. It has two broad aims. The first is to provide an advanced and integrated																											

	<p>understanding of relations between legal and ethical understandings of death and dying. The second aim is to develop the repertoires of research skills, conceptual knowledge, and judgment necessary to address specific legal engagements with questions of life and death. This subject develops and deepens the understanding of the organisation and reach of legal thought. It does so in order to develop more advanced and substantial accounts of both the relationship between law and ethics and of the ways in which the institutional practice of law is understood and evaluated. To do this it develops historical and comparative aspects of the legal understanding of death and dying in order to deepen our understanding of what is issue in the legal ordering of death and dying.</p> <p>The subject will explore and critically reflect on some of the following concerns:</p> <ul style="list-style-type: none"> <li># The valuing of life and death;</li> <li># The history and jurisprudence of the legal ordering of death and dying in Australia;</li> <li># Rival ways of representing the importance of death in the socio-legal domain;</li> <li># Comparative jurisprudential and ethical understanding of the care of the dying and the dead;</li> <li># The understanding of dying and death in hospitals;</li> <li># The understanding of mass death.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will be able to:</p> <ul style="list-style-type: none"> <li># Recognise the complex legal and ethical dimensions in the regulation of death and dying;</li> <li># Investigate, analyse and synthesise different ethical and regulatory approaches to the legal ordering of dying in Australia, and effectively communicate the characteristics of those approaches to specialist and non-specialist audiences;</li> <li># Interpret the historical and ethical context of law, with the ability to distinguish between different temporal, cultural and ethical approaches to how such contexts are presented or deployed;</li> <li># Evaluate, at an expert level, case-studies of death and dying in their relationship to questions of law and of ethics; and</li> <li># Develop independent accounts of jurisprudence and ethics that are sensitive to institutional concerns of those involved in the care of the dying and the death.</li> </ul>
<b>Assessment:</b>	<p>Preparation of Research Brief (hurdle requirement): students will be required to formulate a research essay question. They will also be required to submit a brief topic outline, and research methodology of about 750 words. In addition students will have to show evidence of a close reading and analyse of significant text in their chosen field of research; Independent Research Essay (100%): students will be required to prepare and submit a 6,000 word research essay on the question formulated for the purposes of the Research Brief, or another question formulated by the student and approved by the coordinator. Preparation of the essay will require the conduct of substantial independent research; the demonstration of the conceptual and methodological skills necessary to develop and engage in an advanced analysis; and, the evaluation of the law and of the ethics of death and dying. The assessment criteria will also give weight to the diversity of research materials; the evaluation of the limits and possibilities of those different disciplinary methods in the articulation of ethical and legal argument; and breadth and complexity in the design of their framing questions. There is an expectation that research essays will be of a very high quality, opening up awareness for students of the possibility of future or further scholarly and legal engagement.</p>
<b>Prescribed Texts:</b>	Specialist printed materials will be made available from Melbourne Law School.
<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>Generic Skills:</b>	<p>On completion of the subject students should have developed and demonstrated their cognitive, technical, creative and professional-legal skills in relation to:</p> <ul style="list-style-type: none"> <li># The ability to develop, analyse, and communicate, complex ethical and legal argument, both orally and in writing;</li> <li># The ability to understand and explain the relationship between legal and ethical modes of analysis and argumentation, and their application to the formation of law and policy. This includes the ability to communicate ethical and legal matters to a variety of specialist and non-specialist audiences;</li> </ul>

	<ul style="list-style-type: none"><li># The ability to generate and evaluate legal and ethical concepts in order to respond to developments in practice or research;</li><li># The ability to justify and explain the theoretical understanding of relationships between law and ethics;</li><li># The ability to reflect and deliberate on the forms of ethical life proposed through legal regulation; and</li><li># The ability to plan and execute a substantial piece of research and scholarship.</li></ul>
<b>Notes:</b>	This subject has a quota of 60 students.