

## LAWS20009 Environmental Rights & Responsibilities

<b>Credit Points:</b>	12.5
<b>Level:</b>	2 (Undergraduate)
<b>Dates &amp; Locations:</b>	2015, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: 36 hours. Total Time Commitment: 120 hours, comprising the 36 contact hours, reading and reflecting time of 4 hours per week on average (48 hours) and an assessment time commitment of 3 hours per week on average (36 hours).
<b>Prerequisites:</b>	Completion of 100 credit points of undergraduate study.
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a> .
<b>Coordinator:</b>	Mr Brad Jessup
<b>Contact:</b>	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
<b>Subject Overview:</b>	<p>This subject offers a legal approach to the environment and environmental and scientific knowledge. It provides an overview of the law that affects and regulates the environment, human relationships with the environment and the conduct of environmental agencies and environmental professionals. It explores this broad topic through a frame of "rights and responsibilities", especially in the context of a rise of interest in human rights within environmental law. The subject will bring together a number of sub-disciplines within the law, each with their own concepts of rights and responsibilities and different approaches to the environment. They may include environmental torts (the law of civil wrongs), international environment law, environmental crime, conservation laws, human rights law, property law and environmental and planning law.</p> <p>The subject will commence with a discussion of the making of environmental law, and develop a framework of rights and responsibilities of humans, species and "nature" drawn from legal and theoretical scholarship. The remainder of the subject will focus on a survey of legal topics and topical legal case studies drawn from Australia and overseas. Principal topics will change from year-to-year, though may include:</p> <ul style="list-style-type: none"> <li># The extent of, and limits on, private property rights in the law and their role in land and environmental management;</li> <li># Native title and Indigenous heritage and land rights and responsibilities and the implications for conservation and development (including mining);</li> <li># International environmental rights and responsibilities, possibly in the context of world heritage protection, transnational environmental assessment and pollution, whaling or climate change;</li> <li># The legalisation of the right to, and responsibility of, sustainable development in an Australian context;</li> <li># The rise of human rights to environmental protection, the place of the law in protecting these rights, and their future extent within environmental law;</li> </ul>

	<ul style="list-style-type: none"> <li># The notion of environmental rights and the enforcement of laws to protect non-human species and ecosystems;</li> <li># Responsibilities of individuals, agencies and organisations for pollution and contamination, and duties not to cause environmental harm under pollution control laws and the laws of negligence.</li> </ul>
<b>Learning Outcomes:</b>	<p>The aims of this subject are to:</p> <ul style="list-style-type: none"> <li># Introduce students to notions of rights within law, foundation legal principles and legal systems that regulate human relationships with land and the environment, and that seek to protect the environment or enable economic development;</li> <li># Examine the legal responsibilities of nations, governments and humans to protect the environment from harm and conserve aspects of the environment;</li> <li># Explore ideas about the legal rights of "nature" and the legal rights of humans to environmental protection, and critically evaluate the legal tools to achieve the protection of such rights;</li> <li># Understand the responsibility of organisations, professionals and agencies to prevent pollution and restore or compensate environmental damage;</li> <li># Critique the environmental legal system through case study perspectives, and explore opportunities to reform the law so that it might better achieve its objectives.</li> </ul>
<b>Assessment:</b>	Reflective journal (of 2,000 words maximum) (40%); Tutorial attendance, participation, and oral presentation (10%); Closed book examination comprising multiple choice questions and one long essay question (of 2 hours writing time in total) (50%).
<b>Prescribed Texts:</b>	Specialist printed materials will be available from the University Co-Op Bookshop.
<b>Breadth Options:</b>	<p>This subject potentially can be taken as a breadth subject component for the following courses:</p> <ul style="list-style-type: none"> <li># <b>Bachelor of Arts</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-ARTS">https://handbook.unimelb.edu.au/view/2015/B-ARTS</a>)</li> <li># <b>Bachelor of Biomedicine</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-BMED">https://handbook.unimelb.edu.au/view/2015/B-BMED</a>)</li> <li># <b>Bachelor of Commerce</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-COM">https://handbook.unimelb.edu.au/view/2015/B-COM</a>)</li> <li># <b>Bachelor of Environments</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-ENVS">https://handbook.unimelb.edu.au/view/2015/B-ENVS</a>)</li> <li># <b>Bachelor of Music</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-MUS">https://handbook.unimelb.edu.au/view/2015/B-MUS</a>)</li> <li># <b>Bachelor of Science</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-SCI">https://handbook.unimelb.edu.au/view/2015/B-SCI</a>)</li> </ul> <p>You should visit <a href="http://breadth.unimelb.edu.au/breadth/info/index.html">learn more about breadth subjects (http://breadth.unimelb.edu.au/breadth/info/index.html)</a> and read the breadth requirements for your degree, and should discuss your choice with your student adviser, before deciding on your subjects.</p>
<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>A student who satisfactorily completes this subject will have:</p> <ul style="list-style-type: none"> <li># Acquired knowledge of legal principles and regulatory systems relating to the environment and human use and modification of the environment;</li> <li># Been introduced to the dominant notions of rights and responsibilities within a legal system, and acquired knowledge about how these notions link legal systems – especially international and domestic legal systems;</li> <li># Used creative thinking and critical analysis skills to independently reflect, synthesise and extend acquired knowledge so to demonstrate understanding of the legal rights and responsibilities of various human and non-human components of the environment;</li> <li># Planned a presentation directed at solving a perceived limitation in environmental law, and used research and analytical and persuasive communication skills to justify an independently formed viewpoint about environmental law;</li> <li># Demonstrated oral and written communication skills in presenting knowledge and ideas about how the law could improve its social and environmental objectives.</li> </ul>