

LAWS70451 Health Law and Human Rights

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2015, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	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.
Non Allowed Subjects:	None
Core Participation Requirements:	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: www.services.unimelb.edu.au/disability/
Coordinator:	Prof Ian Freckelton
Contact:	For more information: Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	This subject will address a range of human rights in the health law area, including bioethical origins of contemporary views of health rights, Article 12 of the International Covenant on Economic, Social and Cultural Rights and the role of the Special Rapporteur, rights to life and death; rights to health information; rights to civil remedy and compensation for malpractice; rights to coronial investigation of deaths; rights to complain about registered practitioners, public health law rights; and mental health law rights. Principal topics include: # Bioethical and human rights to health # Rights to health # Rights to mental health

	<ul style="list-style-type: none"> # Rights to health information # Rights to compensation for malpractice # Rights to death # Rights to death investigation # Rights to complaint and notification.
Learning Outcomes:	<p>A student who has successfully completed this subject will have:</p> <ul style="list-style-type: none"> # An advanced and integrated understanding of international and local human rights framework for provision of contemporary health services in Australia # Been an engaged participant in debates concerning human rights issues in relation to provision of treatment and entitlement to treatment # Awareness of law in relation to health privacy and critical incident review committee workings # A detailed understanding of distinctions in relation to human rights issues between life and death # Understanding of the concept and repercussions of the body as property, in a variety of rights contexts including burial, cremation, organ donation and post-mortem reproduction # Sophisticated understanding of the relevance to the law of human rights in relation to the turning off of life support and physician-assisted suicide and euthanasia # Understanding of the law of no further resuscitation # Awareness of the role of the coroner as a decision-maker in relation to rights to autopsy, exhumation; inquests and decision-making about causes of death # Understanding of rights issues in coronial practices, findings, and recommendations # Understanding of rights issues in wrongful life, wrongful birth and wrongful death actions # An appreciation of rights issues in relation to the investigation and determination of complaints against registered and unregistered health practitioners.
Assessment:	10,000 word research paper (100%) (10 June) on a topic approved by the subject coordinator
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the 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
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70451/2015
Notes:	This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists.