Course Prescription

The legal modes for protection of civil rights including study of the New Zealand Bill of Rights Act 1990, the Human Rights Act 1993, freedom of speech and religion, criminal procedural rights, equality and the prohibited grounds of discrimination.

Course Overview

This course is about human rights protection in New Zealand from a theoretical, doctrinal, and comparative perspective. It focuses on rights and freedoms in the New Zealand Bill of Rights Act 1990 other than those relating specifically to criminal procedure (the subject of a different course).

The course looks at rights protection from a theoretical perspective and through a series of problems and case studies arising out of particular human rights controversies. The discussions will start by examining the theoretical foundations of human rights protection and then draw on case studies and controversies from both New Zealand and other jurisdictions. We look particularly at the rights to liberty and bodily security, freedoms of expression and religion and other democratic rights including voting, and rights to culture and against discrimination. The countries we are especially interested in for comparative purposes are: New Zealand, Canada, United States, and the United Kingdom. We look also at cases from Australia, India, South Africa, and the European Court of Human Rights under the ECHR (by which the UK is bound and which is of direct effect in UK law by virtue of the Human Rights Act 1998 (UK)).

A feature of the course is classroom discussion of the readings.

Course Requirements

Prerequisite: LAW 211 Restriction: LAW 342, 452, LAWHONS 702

Capabilities Developed in this Course

Capability 1: Disciplinary Knowledge and Practice
Capability 2: Critical Thinking
Capability 3: Solution Seeking
Capability 4: Communication and Engagement
Capability 5: Independence and Integrity
Capability 6: Social and Environmental Responsibilities
Graduate Profile: Bachelor of Laws

Learning Outcomes

By the end of this course, students will be able to:

1. Identify and evaluate underlying theoretical justifications for human rights protection (Capability 1.1, 1.2, 2.1, 2.2, 2.3 and 3.1)
2. Articulate and apply key legal principles and concepts that relate to the protection of human rights to reach reasoned solutions and make reasoned recommendations. (Capability 2.1, 2.2, 4.1, 6.1 and 6.2)
3. Demonstrate effective written communication skills in answering questions about human rights law (Capability 4.1, 4.2 and 5.1)
4. Critically evaluate arguments made by judges and scholars in the field of human rights (Capability 4.1, 4.2, 5.1, 5.2, 6.2 and 6.3)

Assessments

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<tr>
<th>Assessment Type</th>
<th>Percentage</th>
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<tr>
<td>Final Exam</td>
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<table>
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<td>✓</td>
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<tr>
<td>Final Exam</td>
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The course involves considerable class discussion of cases and controversies in the field of human rights. Discussions about the readings in the class, as well as discussions about human rights issues in the news, will provide opportunity for feedback throughout the course as to your understanding of the course content.

The coursework is a research essay (2250 words) on an approved topic.

Workload Expectations

This is a standard 15-point course. There will be around 36 hours of lectures in this course. As a general guide, you should expect a workload of three hours outside of the classroom for each hour spent in class. The guideline for the total workload for this course is 150 hours.
Delivery Mode

Campus Experience

Attendance is expected at lectures.
Lectures will be available as recordings.
The course will not include live online events.
Attendance on campus is required for the exam.
The lectures for the course are scheduled as a standard weekly timetable.

Student Feedback

At the end of every semester students will be invited to give feedback on the course and teaching through a tool called SET or Qualtrics. The lecturers and course co-ordinators will consider all feedback and respond with summaries and actions.

Your feedback helps teachers to improve the course and its delivery for future students.

Class Representatives in each class can take feedback to the department and faculty staff-student consultative committees.

Digital Resources

Course materials are made available in a learning and collaboration tool called Canvas which also includes reading lists and lecture recordings (where available).

Please remember that the recording of any class on a personal device requires the permission of the instructor.

Academic Integrity

The University of Auckland will not tolerate cheating, or assisting others to cheat, and views cheating in coursework as a serious academic offence. The work that a student submits for grading must be the student's own work, reflecting their learning. Where work from other sources is used, it must be properly acknowledged and referenced. This requirement also applies to sources on the internet. A student's assessed work may be reviewed against online source material using computerised detection mechanisms.

Inclusive Learning

All students are asked to discuss any impairment related requirements privately, face to face and/or in written form with the course director, lecturer or tutor.

Student Disability Services also provides support for students with a wide range of impairments, both visible and invisible, to succeed and excel at the University. For more information and contact details, please visit the Student Disability Services’ website http://disability.auckland.ac.nz
Special Circumstances

If your ability to complete assessed coursework is affected by illness or other personal circumstances outside of your control, contact a Student Academic and Support Adviser as soon as possible before the assessment is due.

If your personal circumstances significantly affect your performance, or preparation, for an exam or eligible written test, refer to the University’s [aegrotat or compassionate consideration page](https://www.auckland.ac.nz/en/students/academic-information/exams-and-final-results/during-exams/aegrotat-and-compassionate-consideration.html).

This should be done as soon as possible and no later than seven days after the affected test or exam date.

Learning Continuity

In the event of an unexpected disruption we undertake to maintain the continuity and standard of teaching and learning in all your courses throughout the year. If there are unexpected disruptions the University has contingency plans to ensure that access to your course continues and your assessment is fair, and not compromised. Some adjustments may need to be made in emergencies. You will be kept fully informed by your course co-ordinator, and if disruption occurs you should refer to the University Website for information about how to proceed.

Student Charter and Responsibilities

The Student Charter assumes and acknowledges that students are active participants in the learning process and that they have responsibilities to the institution and the international community of scholars. The University expects that students will act at all times in a way that demonstrates respect for the rights of other students and staff so that the learning environment is both safe and productive. For further information visit [Student Charter](https://www.auckland.ac.nz/en/students/forms-policies-and-guidelines/student-policies-and-guidelines/student-charter.html).

Disclaimer

Elements of this outline may be subject to change. The latest information about the course will be available for enrolled students in Canvas.

In this course you may be asked to submit your coursework assessments digitally. The University reserves the right to conduct scheduled tests and examinations for this course online or through the use of computers or other electronic devices. Where tests or examinations are conducted online remote invigilation arrangements may be used. The final decision on the completion mode for a test or examination, and remote invigilation arrangements where applicable, will be advised to students at least 10 days prior to the scheduled date of the assessment, or in the case of an examination when the examination timetable is published.