



## IEST7200

### Demystifying Environmental Law: From Regulation to Rights of Nature

Term Three // 2020

## Course Overview

### Staff Contact Details

#### Convenors

Name	Email	Availability	Location	Phone
John Carr	<a href="mailto:john.carr@unsw.edu.au">john.carr@unsw.edu.au</a>	Thursdays, 5:00-6:00 PM	Morven Brown 363	93852313

### School Contact Information

School of Humanities and Languages

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Fax: +61 2 9385 8705

Email: [hal@unsw.edu.au](mailto:hal@unsw.edu.au)

## Course Details

**Credit Points 6**

### Summary of the Course

Regimes of environmental law serve as a ubiquitous background to almost all environment and society relations and challenges. This course seeks to render these regimes understandable to students from a variety of backgrounds, exploring a variety of legal vehicles, concepts, and institutions for addressing human interrelationships with/in their ecosystems. In the process, you will learn about the workings, opportunities, and limits of different aspects of these regimes to help enable you as effective environment and society leaders and change-makers. You will explore Australian law as a springboard for understanding international and transnational approaches to environmental law, with a focus on emerging legal vehicles for dealing with increasingly “fierce” environmental problems.

### Course Learning Outcomes

1. Explore and analyse the range of legal approaches and institutions commonly used to govern environment and society issues
2. Critically evaluate how the law frames, creates, and potentially mitigates social and environmental challenges
3. Develop an understanding of both openings and barriers to mobilising environmental dimensions of law and legal institutions in environmental leadership
4. Communicate the opportunities and challenges of legal approaches to environmental problems in a variety of formats to diverse audiences
5. Exhibit a high level of personal autonomy and accountability in knowledge and skill acquisition through integrating course concepts into independent scholarly research

### Teaching Strategies

In order to maximise your engagement with environmental law and its workings, teaching in this course will lead you through semi-structured discussions of the readings, their historical and theoretical contexts, and their ramifications for human environmental relations. You will be prepared for these semi-structured discussions by reading and reflecting on the assigned works in advance of each class meeting. This teaching approach helps you engage, closely read, understand, evaluate, and apply theoretically rich material to real-world environment and society situations.

# Assessment

## Assessment Tasks

Assessment task	Weight	Due Date	Student Learning Outcomes Assessed
Weekly Reading Reflection Papers	50%	19/11/2020 06:00 PM	1,2,4
Final Project Essay	50%	26/11/2020 06:00 PM	1,2,3,4,5

## Assessment Details

### Assessment 1: Weekly Reading Reflection Papers

**Start date:** 17/09/2020 06:00 PM

**Length:** 2000

**Details:**

Approx 2000 words. Marked weekly using a standardised rubric. Students provided feedback via marks and comments through Turnitin.

**Additional details:**

Every week there will be a reflection paper covering that week's readings due before the class for which the readings have been assigned. Written feedback via Moodle plus marking via rubric.

**Turnitin setting:** This assignment is submitted through Turnitin and students do not see Turnitin similarity reports.

### Assessment 2: Final Project Essay

**Start date:** Not Applicable

**Length:** 2000

**Details:**

Approx 2000 words. Marked using a standardised rubric. Students provided feedback via marks and comments through Turnitin.

**Additional details:**

This will be an essay applying concepts from class to the students' field experiences at an environmental law site. Written feedback via Moodle plus marking via rubric.

**Turnitin setting:** This assignment is submitted through Turnitin and students do not see Turnitin similarity reports.

## Attendance Requirements

Students are strongly encouraged to attend all classes and review lecture recordings.

## Course Schedule

[View class timetable](#)

### Timetable

Date	Type	Content
Week 1: 14 September - 18 September	Seminar	Introduction: What is Law? – Understanding the Australian Legal Context
	Online Activity	Throughout the term, students will engage in online reflection activities.
Week 2: 21 September - 25 September	Seminar	What is “Property”? - Tracing Conventional Western Legal Approaches to Place, Nature and Environment
	Online Activity	Throughout the term, students will engage in online reflection activities.
Week 3: 28 September - 2 October	Seminar	Australian “Command and Control” Environmental Legislation, the Environmental Impact Assessment Process, and the Basis of Environmental Care under the Law
	Online Activity	Throughout the term, students will engage in online reflection activities.
Week 4: 5 October - 9 October	Seminar	New Environmental Governance
	Online Activity	Throughout the term, students will engage in online reflection activities.
Week 5: 12 October - 16 October	Seminar	International Environmental Law Regimes
	Online Activity	Throughout the term, students will engage in online reflection activities.
Week 6: 19 October - 23 October	Seminar	Property and the Limits to Environmental Law Regimes
	Online Activity	Throughout the term, students will engage in online reflection activities.
Week 7: 26 October - 30 October	Seminar	The Trial Process: Procedure, Evidence, and Bias
	Online Activity	Throughout the term, students will engage in online reflection activities.
Week 8: 2 November - 6 November	Fieldwork	<b>Field Experience, Land and Environment Court of New South Wales</b>
	Online Activity	Throughout the term, students will engage in online reflection activities.
Week 9: 9 November - 13 November	Seminar	Indigenous Law, Colonial Law, Environment
	Online Activity	Throughout the term, students will engage in online reflection activities.
Week 10: 16 November - 20 November	Seminar	Legal Personhood of Nature

	Online Activity	Throughout the term, students will engage in online reflection activities.
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## **Resources**

### **Prescribed Resources**

All readings and other resources to be available to students via course Moodle site.

### **Recommended Resources**

You are expected to make good use of the readings provided for the course, and to read beyond those materials for your assignments. Independent research is expected.

### **Course Evaluation and Development**

Past experience and student feedback on the UNSW online survey tool myExperience indicates the importance of students doing close and careful reading of the weekly assigned readings, of engaged student participation in class discussions, and of student independent research.



## **Submission of Assessment Tasks**

### **Turnitin Submission**

If you encounter a problem when attempting to submit your assignment through Turnitin, please telephone External Support on 9385 3331 or email them on [externalteltsupport@unsw.edu.au](mailto:externalteltsupport@unsw.edu.au) . Support hours are 8:00am – 10:00pm on weekdays and 9:00am – 5:00pm on weekends (365 days a year). If you are unable to submit your assignment due to a fault with Turnitin you may apply for an extension, but you must retain your ticket number from External Support (along with any other relevant documents) to include as evidence to support your extension application. If you email External Support you will automatically receive a ticket number, but if you telephone you will need to specifically ask for one. Turnitin also provides updates on their system status on Twitter.

Generally, assessment tasks must be submitted electronically via either Turnitin or a Moodle assignment. In instances where this is not possible, it will be stated on your course's Moodle site with alternative submission details.

For information on how to submit assignments online via Moodle: <https://student.unsw.edu.au/how-submit-assignment-moodle>

## Academic Honesty and Plagiarism

Plagiarism is using the words or ideas of others and presenting them as your own. It can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement.

UNSW groups plagiarism into the following categories:

**Copying:** using the same or very similar words to the original text or idea without acknowledging the source or using quotation marks. This also applies to images, art and design projects, as well as presentations where someone presents another's ideas or words without credit.

**Inappropriate paraphrasing:** Changing a few words and phrases while mostly retaining the original structure and/or progression of ideas of the original, and information without acknowledgement. This also applies in presentations where someone paraphrases another's ideas or words without credit and to piecing together quotes and paraphrases into a new whole, without appropriate referencing.

**Collusion:** working with others but passing off the work as a person's individual work. Collusion also includes providing your work to another student before the due date, or for the purpose of them plagiarising at any time, paying another person to perform an academic task, stealing or acquiring another person's academic work and copying it, offering to complete another person's work or seeking payment for completing academic work.

**Inappropriate citation:** Citing sources which have not been read, without acknowledging the "secondary" source from which knowledge of them has been obtained.

**Duplication ("self-plagiarism"):** submitting your own work, in whole or in part, where it has previously been prepared or submitted for another assessment or course at UNSW or another university.

Correct referencing practices:

- Paraphrasing, summarising, essay writing and time management
- Appropriate use of and attribution for a range of materials including text, images, formulae and concepts.

Individual assistance is available on request from The Learning Centre (<http://www.lc.unsw.edu.au/>). Students are also reminded that careful time management is an important part of study and one of the identified causes of plagiarism is poor time management. Students should allow sufficient time for research, drafting and proper referencing of sources in preparing all assessment items.

UNSW Library also has the ELISE tool available to assist you with your study at UNSW. ELISE is designed to introduce new students to studying at UNSW but it can also be a great refresher during your study.

Completing the ELISE tutorial and quiz will enable you to:

- analyse topics, plan responses and organise research for academic writing and other assessment tasks
- effectively and efficiently find appropriate information sources and evaluate relevance to your needs
- use and manage information effectively to accomplish a specific purpose
- better manage your time

- understand your rights and responsibilities as a student at UNSW
- be aware of plagiarism, copyright, UNSW Student Code of Conduct and Acceptable Use of UNSW ICT Resources Policy
- be aware of the standards of behaviour expected of everyone in the UNSW community
- locate services and information about UNSW and UNSW Library

Some of these areas will be familiar to you, others will be new. Gaining a solid understanding of all the related aspects of ELISE will help you make the most of your studies at UNSW.

<http://subjectguides.library.unsw.edu.au/elise/aboutelise>

## **Academic Information**

For essential student information relating to:

- requests for extension;
- late submissions guidelines;
- review of marks;
- UNSW Health and Safety policies;
- examination procedures;
- special consideration in the event of illness or misadventure;
- student equity and disability;
- and other essential academic information, see

<https://www.arts.unsw.edu.au/current-students/academic-information/protocols-guidelines/>

## **Image Credit**

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## **CRICOS**

CRICOS Provider Code: 00098G

## **Acknowledgement of Country**

We acknowledge the Bedegal people who are the traditional custodians of the lands on which UNSW Kensington campus is located.