



UNSW Course Outline

PSCY9901 Law and Mental Health - 2024

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General Course Information

Course Code : PSCY9901

Year : 2024

Term : Term 1

Teaching Period : T1

Is a multi-term course? : No

Faculty : Faculty of Medicine and Health

Academic Unit : School of Clinical Medicine

Delivery Mode : Online

Delivery Format : Standard

Delivery Location : Distance Education

Campus : Sydney

Study Level : Undergraduate, Postgraduate

Units of Credit : 6

Useful Links

[Handbook Class Timetable](#)

Course Details & Outcomes

Course Description

This course examines the interface of psychiatry and the law; unlike other subjects in the Forensic Mental Health degree, this unit of study focuses on law in the civil context rather than in forensic matters. The course provides an introduction into the history and development of the

Australian legal system and psychiatry; creation of legislation; expert evidence (theory and practice). The course also provides an overview of Mental Health Legislation in Australia such as relevant sections in the Mental Health Act 2007 (NSW) and the Mental Health and Cognitive Impairment Forensic Provisions Act 2020 (NSW); legal aspects of cognitive impairment, capacity, guardianship, and confidentiality.

Course Aims

This course aims to introduce you to legal concepts and the legal system, and to build your understanding of the interface between law, legislation, and psychiatry. It further aims to provide a broad understanding of the law and regulation of involuntary treatment for mental health.

Relationship to Other Courses

Assistance with progression checking:

If you are unsure how this course fits within your program, you can seek guidance on optimising your program structure from staff at the [Nucleus Student Hub](#).

Progression plans for UNSW Medicine and Health programs can be found on the [UNSW Medicine & Health website](#)

Course Learning Outcomes

| Course Learning Outcomes |
|---|
| CLO1 : Outline the system of law in Australia and describe key legal concepts such as the doctrine of precedent, separation of power, statutory interpretation, sources of law and legislation. |
| CLO2 : Locate, read, and interpret case law and legislation. |
| CLO3 : Describe the concept of legal capacity and apply it in the context of psychiatric illness. |
| CLO4 : Describe the objects, key definitions, and general structure of the Mental Health Act 2007 (NSW) and other jurisdictions, and recount the steps in the processes of civil commitment. |
| CLO5 : Describe the objects, key definitions and general structure of the Mental Health and Cognitive Impairment Forensic Provisions Act 2020 (NSW). |
| CLO6 : Detail the application and limitations of confidentiality and the privacy laws in mental health. |
| CLO7 : Describe and apply general principles of expert evidence. |
| CLO8 : Analyse a range of legal issues in relation to cognitive impairment. |
| CLO9 : Briefly outline the history of Asylums, Mental Health related Inquiries, and the Mental Health Commissions in Australia. |

| Course Learning Outcomes | Assessment Item |
|---|---|
| CLO1 : Outline the system of law in Australia and describe key legal concepts such as the doctrine of precedent, separation of power, statutory interpretation, sources of law and legislation. | <ul style="list-style-type: none"> • Case Discussion • Online Quizzes • Weekly Online Discussion |
| CLO2 : Locate, read, and interpret case law and legislation. | <ul style="list-style-type: none"> • Research Paper • Case Discussion • Online Quizzes • Weekly Online Discussion |
| CLO3 : Describe the concept of legal capacity and apply it in the context of psychiatric illness. | <ul style="list-style-type: none"> • Research Paper • Case Discussion • Online Quizzes • Weekly Online Discussion |
| CLO4 : Describe the objects, key definitions, and general structure of the Mental Health Act 2007 (NSW) and other jurisdictions, and recount the steps in the processes of civil commitment. | <ul style="list-style-type: none"> • Research Paper • Case Discussion • Online Quizzes • Weekly Online Discussion |
| CLO5 : Describe the objects, key definitions and general structure of the Mental Health and Cognitive Impairment Forensic Provisions Act 2020 (NSW). | <ul style="list-style-type: none"> • Online Quizzes • Weekly Online Discussion |
| CLO6 : Detail the application and limitations of confidentiality and the privacy laws in mental health. | <ul style="list-style-type: none"> • Online Quizzes • Weekly Online Discussion |
| CLO7 : Describe and apply general principles of expert evidence. | <ul style="list-style-type: none"> • Research Paper • Online Quizzes • Weekly Online Discussion |
| CLO8 : Analyse a range of legal issues in relation to cognitive impairment. | <ul style="list-style-type: none"> • Online Quizzes • Weekly Online Discussion |
| CLO9 : Briefly outline the history of Asylums, Mental Health related Inquiries, and the Mental Health Commissions in Australia. | <ul style="list-style-type: none"> • Online Quizzes • Weekly Online Discussion |

Learning and Teaching Technologies

Moodle - Learning Management System

Learning and Teaching in this course

All course materials and course announcements are provided on the course learning management system, Moodle (or Open Access).

By accessing and using the ICT resources provided by UNSW, you are agreeing to abide by the '[Acceptable Use of UNSW ICT Resources](#)' policy particularly on respect for intellectual property and copyright, legal and ethical use of ICT resources and security and privacy.

Additional Course Information

Learning and Teaching Technologies

Moodle - Learning Management System | Zoom

Learning and Teaching in this course

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Assessments

Assessment Structure

| Assessment Item | Weight | Relevant Dates |
|---|--------|--|
| Case Discussion Assessment Format: Individual | 25% | Due Date: Week 4: 04 March - 10 March |
| Online Quizzes Assessment Format: Individual | 25% | Start Date: Not Applicable Due Date: Not Applicable |
| Research Paper Assessment Format: Individual | 40% | Due Date: Week 8: 01 April - 07 April |
| Weekly Online Discussion Assessment Format: Individual | 10% | |

Assessment Details

Case Discussion

Assessment Overview

Case Discussion: 1700 words. This assignment is due in the first half of the term.

You must read and interpret a legal case which will be provided during the course, and produce a written response which identifies the salient features and discusses the findings made in relation

to the primary issues.

This assignment will require comprehensive research and reading to produce a clearly written and well-structured response to the question, with integration of critical analysis and evaluation of the source material. It will be assessed against a marking guide which provides breakdown of performance across specific assessment criteria. Guidance regarding these expectations will be provided to you during the term.

You will receive individual written feedback which will identify both strengths and weakness in the submitted work as well as a numerical grade.

Course Learning Outcomes

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- CLO3 : Describe the concept of legal capacity and apply it in the context of psychiatric illness.
- CLO4 : Describe the objects, key definitions, and general structure of the Mental Health Act 2007 (NSW) and other jurisdictions, and recount the steps in the processes of civil commitment.

Detailed Assessment Description

Detailed information about this assessment will be provided on the course Moodle page.

Assessment Length

1700 words

Submission notes

Refer to Moodle for submission information.

Assessment information

As this assessment task involves some planning or creative processes, you are permitted to use software to generate ideas, structures, etc. However, you must develop or edit those ideas to such a significant extent that what is submitted is your own work, i.e., what is generated by the software should not be a part of your final submission. It is a good idea to keep copies of your initial drafts to show your lecturer if there is any uncertainty about the originality of your work.

Please note that your submission will be passed through an AI-text detection tool. If your marker has concerns that your answer contains passages of AI-generated text that have not been sufficiently modified you may be asked to explain your work, but we recognise that you are permitted to use AI generated text as a starting point and some traces may remain. If you are

unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Online Quizzes

Assessment Overview

Ten online MCQ quizzes (open-book) based on lectures and reading material, designed to ensure that you have accessed and understood the content provided for each of the ten weekly topics. Each quiz has on average 5 questions and contributes 2.5% of the total course grade. Numerical grade and written feedback are provided immediately upon answer submission

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- CLO7 : Describe and apply general principles of expert evidence.
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- CLO9 : Briefly outline the history of Asylums, Mental Health related Inquiries, and the Mental Health Commissions in Australia.

Detailed Assessment Description

Detailed information about this assessment will be provided on the course Moodle page.

Submission notes

Detailed information about this assessment will be provided on the course Moodle page.

Assignment submission Turnitin type

This is not a Turnitin assignment

Research Paper

Assessment Overview

Research Paper: 3000 words. This assignment is due in the second half of the term.

You must interpret a specified case scenario provided during the course. The written response must include evaluation of legal capacity, possible treatment and management options, and the relevant principles and ethical issues which may arise. Specific reference to relevant legislation is required.

This assignment will require comprehensive research and reading to produce a clearly written and well-structured response to the question, with integration of critical analysis and evaluation of the source material. It will be assessed against a marking guide which provides breakdown of performance across specific assessment criteria. Guidance regarding these expectations will be provided to you during the term.

You will receive individual written feedback which will identify both strengths and weakness in the submitted work as well as a numerical grade.

Course Learning Outcomes

- CLO2 : Locate, read, and interpret case law and legislation.
- CLO3 : Describe the concept of legal capacity and apply it in the context of psychiatric illness.
- CLO4 : Describe the objects, key definitions, and general structure of the Mental Health Act 2007 (NSW) and other jurisdictions, and recount the steps in the processes of civil commitment.
- CLO7 : Describe and apply general principles of expert evidence.

Detailed Assessment Description

Detailed information about this assessment will be provided on the course Moodle page.

Assessment Length

3000

Submission notes

Refer to Moodle for submission information.

Assessment information

As this assessment task involves some planning or creative processes, you are permitted to use software to generate ideas, structures, etc. However, you must develop or edit those ideas to such a significant extent that what is submitted is your own work, i.e., what is generated by the

software should not be a part of your final submission. It is a good idea to keep copies of your initial drafts to show your lecturer if there is any uncertainty about the originality of your work.

Please note that your submission will be passed through an AI-text detection tool. If your marker has concerns that your answer contains passages of AI-generated text that have not been sufficiently modified you may be asked to explain your work, but we recognise that you are permitted to use AI generated text as a starting point and some traces may remain. If you are unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Weekly Online Discussion

Assessment Overview

You are required to engage in weekly online discussion (ten forums) with your peers and course convenor regarding the relevant week's course topic. You also have the opportunity to engage with your peers in two live collaborate sessions. The task is designed to stimulate your thinking on the provided material, and promote communication skills, without requiring further research. Participation contributes 1% of the total course grade per week (total 10%). Feedback is provided during the course of the discussion.

Each live session is run twice (one weekday and one weekend) within the relevant week of term, to maximise opportunity for your availability. If you are unable to attend you can watch a recording on the session topic in lieu of live attendance.

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- CLO4 : Describe the objects, key definitions, and general structure of the Mental Health Act 2007 (NSW) and other jurisdictions, and recount the steps in the processes of civil commitment.
- CLO5 : Describe the objects, key definitions and general structure of the Mental Health and Cognitive Impairment Forensic Provisions Act 2020 (NSW).
- CLO6 : Detail the application and limitations of confidentiality and the privacy laws in mental

health.

- CLO7 : Describe and apply general principles of expert evidence.
- CLO8 : Analyse a range of legal issues in relation to cognitive impairment.
- CLO9 : Briefly outline the history of Asylums, Mental Health related Inquiries, and the Mental Health Commissions in Australia.

Detailed Assessment Description

Detailed information about this assessment will be provided on the course Moodle page.

Assignment submission Turnitin type

This is not a Turnitin assignment

General Assessment Information

Detailed instructions regarding assessments for this course are provided on the course Moodle page (or Open Learning).

For student information on results, grades, and guides to assessment see: <https://student.unsw.edu.au/assessment>

Grading Basis

Standard

Requirements to pass course

In order to pass this course students must:

- Achieve a composite grade of at least 50 out of 100
- Meet any additional requirements specified in the assessment details section and on Moodle.

Course Schedule

| Teaching Week/Module | Activity Type | Content |
|------------------------------------|-----------------|--|
| Week 1 : 12 February - 18 February | Lecture | |
| | Assessment | Weekly Quiz |
| | Online Activity | Discussion Board |
| Week 2 : 19 February - 25 February | Lecture | |
| | Assessment | Weekly Quiz |
| | Online Activity | Discussion Board |
| Week 3 : 26 February - 3 March | Lecture | |
| | Assessment | Weekly Quiz |
| | Online Activity | Collaborative Session 1: Wed 28 Feb 20:00 (AEDT) or Sat 2 March 16:00 (AEDT) If unable to attend Discussion Board activity |
| Week 4 : 4 March - 10 March | Lecture | |
| | Assessment | Weekly Quiz Assignment 1 due (Sunday 23:59) |
| | Online Activity | Discussion Board |
| Week 5 : 11 March - 17 March | Lecture | |
| | Assessment | Weekly Quiz |
| | Online Activity | Discussion Board |
| Week 6 : 18 March - 24 March | Lecture | |
| | Assessment | Weekly Quiz |
| | Online Activity | Discussion Board |
| Week 7 : 25 March - 31 March | Lecture | |
| | Assessment | Weekly Quiz |
| | Online Activity | Discussion Board |
| Week 8 : 1 April - 7 April | Lecture | |
| | Assessment | Weekly Quiz Assignment 2 due - Sun 23:59 |
| | Online Activity | Discussion Board |
| Week 9 : 8 April - 14 April | Lecture | |
| | Assessment | Weekly Quiz |
| | Online Activity | Discussion Board |
| Week 10 : 15 April - 21 April | Lecture | |
| | Assessment | Weekly Quiz |
| | Online Activity | Collaborative Session 1: Wed 17 Apr 20:00 (AEDT) or Sat 20 April 16:00 (AEDT) If unable to attend Discussion Board activity |

Attendance Requirements

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

General Schedule Information

The times and locations of classes can be found on [myUNSW](#) under Class Timetable.

Students enrolled in online courses should also refer to Moodle as some classes are not

centrally timetabled (e.g., workshops) and will not appear on the timetable website.

The expected engagement for all UNSW 6UOC courses is 150 hours per term. This includes lectures, tutorials, readings, and completion of assessments and exam preparation (if relevant).

Course Resources

Prescribed Resources

There are no prescribed resources for this course.

Recommended Resources

Recommended resources for this course are provided on the course Moodle page.

Additional Costs

There are no additional costs associated with this course.

Course Evaluation and Development

Student feedback is taken seriously, and continual improvements are made to the course based, in part, on such feedback.

We use student feedback from myExperience surveys to develop and make improvements to the course each year. We do this by identifying areas of the course that require development from both the rating responses and written comments. Please spare a few minutes to complete the myExperience surveys for this course posted at the top of the Moodle page at the end of term.

Staff Details

| Position | Name | Email | Location | Phone | Availability | Equitable Learning Services Contact | Primary Contact |
|----------|---------------------|-------|----------|-------|--------------|-------------------------------------|-----------------|
| Convenor | Corrie Goodh and | | Off-site | | | Yes | Yes |

Other Useful Information

Academic Information

As a student of UNSW Medicine & Health you are expected to familiarise yourself with the contents of this course outline and the UNSW Student Code and policies and procedures related

to your studies.

Student Code of Conduct

Throughout your time studying at UNSW Medicine & Health, you share a responsibility with us for maintaining a safe, harmonious and tolerant University environment. This includes within the courses you undertake during your degree and your interactions with the UNSW community, both on campus and online.

The [UNSW Student Code of Conduct](#) website provides a framework for the standard of conduct expected of UNSW students with respect to both academic integrity and your responsibility as a UNSW citizen.

Where the University believes a student may have breached the code, the University may take disciplinary action in accordance with the [Student Misconduct Procedure](#).

The [Student Conduct and Integrity Office](#) provides further resources to assist you to understand your conduct obligations as a student at UNSW.

Academic Honesty and Plagiarism

Academic integrity

UNSW has an ongoing commitment to fostering a culture of learning informed by academic integrity. All UNSW staff and students have a responsibility to adhere to the principle of academic integrity, and ethical scholarship of learning is fundamental to your success at UNSW Medicine & Health.

Plagiarism, contract cheating, and inappropriate use of generative AI undermine academic integrity and are not tolerated at UNSW. For more information see the [Academic Integrity and Plagiarism toolkit](#).

In addition to the information you are required to review in your [ELISE training](#), UNSW Medicine & Health strongly recommends that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task.

Referencing

Referencing is a way of acknowledging the sources of information that you use to research your

assignments. Preferred referencing styles vary among UNSW Medicine & Health disciplines, so check your course Learning Management System (e.g. Moodle or Open Learning) page for information on preferred referencing styles.

For further information on referencing support and styles, see the Current Student [Referencing page](#).

Academic misconduct and plagiarism

At UNSW, academic misconduct is managed in accordance with the [Student Misconduct Procedure](#). Allegations of plagiarism are generally handled according to the [UNSW Plagiarism Management Procedure](#). Plagiarism is defined in the [UNSW Plagiarism Policy](#) and is not tolerated at UNSW.

Use of Generative AI and other tools in your assessment

UNSW has provided guiding statements for the [use of Generative AI in assessments](#). This will differ, depending on the individual assessment task, your course requirements, and the course stage within your program.

Your course convenor will outline if and how you can use Generative AI in each your assessment tasks. Options for the use of generative AI include: (1) no assistance; (2) simple editing assistance; (3) planning assistance; and (4) full assistance with attribution.

You may be required to submit the original generative AI responses, or drafts of your original work. Inappropriate use of generative AI is considered academic misconduct.

See your course Moodle (or Open Learning) page for the full instructions for individual assessment tasks for your course.

Submission of Assessment Tasks

Short extensions and special consideration

Short extension

Commencing in Term 1, 2024, UNSW has introduced a short extension procedure for submission of assessment tasks. Not all tasks are eligible, and eligible tasks have a predetermined extension length. UNSW Medicine and Health have set School-level extension lengths for eligible assessment tasks. See your course assessment descriptions for more information.

Students must check the availability of a short extension in the individual assessment task information for their courses.

Short extensions do not require supporting documentation. They must be submitted before the assessment task deadline. No late applications will be accepted.

Late penalties apply to submission of assessment tasks without approved extension.

Special consideration

In cases where short term events beyond your control affect your performance in a specific assessment task you may formally apply for [Special Consideration](#) through myUNSW.

UNSW has a **Fit to Sit rule**, which means that by sitting an examination on the scheduled date, you are declaring that you are fit to do so and cannot later apply for Special Consideration.

Examinations include centrally timetabled examinations and scheduled, timed examinations and tests managed by your School.

Important information relating to Short Extension and Special Consideration is available [here](#), including eligibility for Special Consideration, circumstances where students with Equitable Learning Plans can apply for Short Extensions and Special Consideration, and the appeals process.

Examinations

Information about the conduct of examinations in your course is provided on your course Moodle page.

Timed online assessment tasks

If you experience a technical or connection problem during a timed online assessment, such as a timed quiz, you can apply for Special Consideration. To be eligible to apply you need to contact the Course Convenor and advise them of the issue immediately. You will need to submit an application for Special Consideration immediately, and upload screenshots, error messages or other evidence of the technical issue as supporting documentation. Additional information can be found on: <https://student.unsw.edu.au/special-consideration>

Other assessment tasks

Late submission of assessment tasks

UNSW has standard late submission penalties as outlined in the [UNSW Assessment Implementation Procedure](#), with no permitted variation. All late assignments (unless extension or exemption previously agreed) will be penalised by 5% of the maximum mark per calendar day (including Saturday, Sunday and public holidays).

Late submissions penalties are capped at five calendar days (120 hours). This means that a student is not permitted to submit an assessment more than 5 calendar days (120 hours) after the due date for that assessment (unless extension or exemption previously agreed).

Failure to complete an assessment task

You are expected to complete all assessment tasks for your courses. In some courses, there will be a minimum pass mark required on a specific assessment task (a “hurdle task”) due to the need to assure clinical competency.

Where a hurdle task is applicable, additional information is provided in the assessment information on your course Moodle page.

Feedback on assessments

Feedback on your performance in assessment tasks will be provided to you in a timely manner. For assessment tasks completed within the teaching period of a course, other than a final assessment, feedback will be provided within 10 working days of submission, under normal circumstances.

Feedback on continuous assessment tasks (e.g. laboratory and studio-based, workplace-based, weekly quizzes) will be provided prior to the midpoint of the course.

Any variation from the above information that is specific to an assessment task will be clearly indicated in the course and assessment information provided to you on your course Moodle (or Open Learning) page.

Faculty-specific Information

Additional support for students

The university offers a wide range of support services that are available for students. Here are

some links for you to explore.

- The Current Students Gateway:<https://student.unsw.edu.au>
- Academic Skills and Support:<https://student.unsw.edu.au/academic-skills>
- Student support:<https://www.student.unsw.edu.au/support>
- Student Wellbeing, Health and Safety:<https://student.unsw.edu.au/wellbeing>

Mind Smart Guides are a series of mental health self-help resources designed to give you the psychological flexibility, resilience and self-management skills you need to thrive at university and at work.

- Mind Smart Guides: <https://student.unsw.edu.au/mindsmart>
- Equitable Learning Services:<https://student.unsw.edu.au/els>
- Guide to studying online: <https://www.student.unsw.edu.au/online-study>

Most courses in UNSW Medicine & Health use Moodle as your Learning Management System. Guidance for using UNSW Moodle can be found on the Current Student page. Difficulties with Moodle should be logged with the IT Service Centre.

- Moodle Support: <https://student.unsw.edu.au/moodle-support>

The IT Service Desk is your central point of contact for assistance and support with remote and on-campus study.

- UNSW IT Service Centre:<https://www.myit.unsw.edu.au/services/students>

Course evaluation and development

At UNSW Medicine & Health, students take an active role in designing their courses and their overall student experience. We regularly seek feedback from students, and continuous improvements are made based on your input. Towards the end of the term, you will be asked to participate in the [myExperience survey](#), which serves as a source of evaluative feedback from students. Your input to this quality enhancement process is valuable in helping us meet your

learning needs and deliver an effective and enriching learning experience. Student responses are carefully considered, and the action taken to enhance educational quality is documented in the myFeedback Matters section of your Moodle (or Open Learning) course page.

School Contact Information

School guidelines on contacting staff:

Course questions

All questions related to course content should be posted on Moodle (or Open Learning) or as directed by your Course Convenor.

In cases where email communication with course convenors is necessary, we kindly request the following:

- Use your official email address for any correspondence with teaching staff.
- We expect a high standard of communication. All communication should avoid using shorthand or texting language.
- Include your full name, student ID, and your course code and name in all communication.

Our course convenors are expected to respond to emails during standard working hours of Monday to Friday, 9am-5pm.

Administrative questions

If you have an administrative question about your program of study at the School please submit your enquiry online at [UNSW Ask Us](#).

Complaints and appeals

Student complaints and appeals: <https://student.unsw.edu.au/complaints>

If you have any grievances about your studies, we invite you to address these initially to the Course Convenor. If the response does not meet your expectations, you may then contact the School Grievance Officer, A/Prof Sean Kennedy (sean.kennedy@unsw.edu.au).