



# LAW 564

## Advanced Legal Research Project

FY1 External 2015

*Dept of Law*

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## General Information

Unit convenor and teaching staff George Tomossy <a href="mailto:george.tomossy@mq.edu.au">george.tomossy@mq.edu.au</a>
Credit points 6
Prerequisites 48cp in LAW or LAWS units and (GPA in LAW units of 3.25) and permission of Executive Dean of Faculty
Corequisites
Co-badged status
Unit description This unit provides students with an opportunity to develop and demonstrate advanced research skills through a series of seminar presentations and supervised research, leading to the submission of a 15,000 word thesis. Students formulate their own research question or argument in any area of legal scholarship or regulation. The thesis must be presented and defended within the broader conditions of its relevance, for example: social, historical, philosophical, economic or environmental contexts.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

- Use appropriate legal research methodologies, carry out independent research and analysis, and think creatively about legal problems;
- Critically analyse legal arguments orally and in writing;
- Undertake a legal research project that can lead to a high quality scholarly paper suitable for publication;
- Choose an appropriate topic for a legal research project;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;

Give an oral presentation of a research argument in an academic environment; an  
Formulate and present oral and written arguments appropriate to a legal research  
project.

## Assessment Tasks

Name	Weighting	Due
<a href="#"><u>Research Proposal</u></a>	10%	10am Monday of Week 4 s1
<a href="#"><u>Three minute thesis</u></a>	10%	Week 7 of s2 in tutorial
<a href="#"><u>Submission of Thesis</u></a>	80%	10am 1st Monday after wk 13 s2

### Research Proposal

Due: **10am Monday of Week 4 s1**

Weighting: **10%**

Taking into account convenor's comments, supervisor's comments and class discussion, submit:

one page research proposal

one page bibliography

outline of thesis structure + weekly work plan (total one page)

On successful completion you will be able to:

- Use appropriate legal research methodologies, carry out independent research and analysis, and think creatively about legal problems;
- Choose an appropriate topic for a legal research project;

### Three minute thesis

Due: **Week 7 of s2 in tutorial**

Weighting: **10%**

Present the main argument of your thesis in three minutes before supervisors and fellow researchers. One powerpoint slide with your name and title of your thesis plus an image (no animation) is allowed.

On successful completion you will be able to:

- Critically analyse legal arguments orally and in writing;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;
- Give an oral presentation of a research argument in an academic environment; an

- Formulate and present oral and written arguments appropriate to a legal research project.

## Submission of Thesis

Due: **10am 1st Monday after wk 13 s2**

Weighting: **80%**

15,000 word graded research paper

The supervisor marks the paper from an expert, specialist perspective for content and originality. This mark is worth 40%.

The convenor marks the paper from a generalist perspective for style, referencing, structure and methodology. This mark is worth 40%.

On successful completion you will be able to:

- Use appropriate legal research methodologies, carry out independent research and analysis, and think creatively about legal problems;
- Critically analyse legal arguments orally and in writing;
- Undertake a legal research project that can lead to a high quality scholarly paper suitable for publication;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;
- Formulate and present oral and written arguments appropriate to a legal research project.

## Delivery and Resources

### 1. Delivery mode

All students (internal and external) must attend the scheduled seminar in week 7 to present their three minute thesis.

Attendance for all other seminars (see iLearn for schedule and activities) are optional and are made available to assist students.

The unit will use an ilearn website. Peer review activities will take place online.

### 2. Lecture times and locations

For current updates, lecture times and classrooms please consult the MQ Timetables website: <http://www.timetables.mq.edu.au>.

### 3. Required and recommended resources

#### Required:

Readings posted on the ilearn website of the unit.

Australian Guide to Legal Citation (Melbourne University Law Review, 3 e 2012)

available online

<http://www.law.unimelb.edu.au/files/dmfile/FinalOnlinePDF-2012Reprint.pdf>

Theses MUST comply with the AGLC.

### Recommended:

Hutchinson, Terry. *Researching and Writing in Law* (3 e) (Thomson, 2010)

Most references are aimed at PhD students as there are very few references directed at honours students so please take this into account.

Craswell, G & M Poore. *Writing for Academic Success* (Sage Publications, 2nd ed, 2012)

Creswell, J. *Research Design: Qualitative, quantitative, and mixed methods approaches*. (Thousand Oaks, California: Sage Publications, 3e 2009)

Dawson, J and N Peart. *The Law of Research: A guide* (Otago: Uni Otago Press, 2003)

Dunleavy, P. *Authoring a PhD* (Palgrave Macmillan, 2003) Chapter 9 on publishing

Enright, C. and P Sidorko. *Legal Research Technique*. (Sydney: Branxton Press, 2002).

Halliday, S., and P Schmidt. *Conducting Law and Society Research: Reflections on methods and practices*. (CUP, 2009)

McKerchar, M. *Design and Conduct of Research in Tax, Law and Accounting* (Sydney: Thompson LBC, 2010)

Punch, K. *Developing Effective Research Proposals* (Sage, 2006) (useful on literature reviews 44-49)

Watt, R. *Concise Legal Research* (Sydney: Federation Press, 6<sup>th</sup> ed, 2009)

### MOTIVATIONAL STRATEGIES

Useful websites:

*Turbocharging your writing* <http://www.ithinkwell.com.au/resources.html>

Aimed at PhD students and GPs, this site run by psychologists has a range of practical tips and strategies to help you plan and stick to your plan.

*The Desk* <https://www.thedesk.org.au/about>

Set up by the University of Queensland and funded by Beyond Blue, this Australian website aims to help students with modules, tools, and quizzes on avoiding perfectionism and procrastination, as well as advice on a broad range of stresses facing students. You need to register to use the site.

## Unit Schedule

Week	Date	Topic
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1	7 March	<p>Introductions</p> <p>Negotiating the Supervisor-Student Dynamic</p> <p>Research Proposal</p> <p>Methodology/Theory</p>
2	14 March	<p>Methodology/theory</p> <p>Literature Review</p> <p>Ethics</p> <p>Referencing and use of sources</p>
3	21 March	<b>Revised Research Proposal due Tuesday 18 March 5pm</b>
4	28 March	<p>Return and discussion of research proposal</p> <p>Sticking to the writing plan: motivational strategies</p> <p>Writing workshop: introductions</p> <p>Structure, referencing, style, paragraphing</p>
		No Classes: students to continue writing and revising
6 (S2)	12 Sep	<p>Writing workshop: 4 pages from the body of your thesis</p> <p>Preparation for Three Minute Thesis</p>
7 (s2)	19 Sep	<b>Three minute thesis</b>
12 (s2)	7 Nov	<b>Thesis due 5pm</b>

Preparation for class is set out in detail on iLearn

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](#). Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy [http://mq.edu.au/policy/docs/academic\\_honesty/policy.html](http://mq.edu.au/policy/docs/academic_honesty/policy.html)

Assessment Policy <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Grievance Management Policy [http://mq.edu.au/policy/docs/grievance\\_management/policy.html](http://mq.edu.au/policy/docs/grievance_management/policy.html)

Disruption to Studies Policy [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html) *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

## **Student Code of Conduct**

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/support/student\\_conduct/](https://students.mq.edu.au/support/student_conduct/)

## **Results**

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [ask.mq.edu.au](http://ask.mq.edu.au).

## **Student Support**

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## **Learning Skills**

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

## **Student Services and Support**

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## **Student Enquiries**

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

## **IT Help**

For help with University computer systems and technology, visit <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). The policy

applies to all who connect to the MQ network including students.

## Graduate Capabilities

### Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

#### Learning outcomes

- Critically analyse legal arguments orally and in writing;
- Undertake a legal research project that can lead to a high quality scholarly paper suitable for publication;
- Raise claims and support them with logical, evidence-based arguments;

### Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

#### Learning outcomes

- Critically analyse legal arguments orally and in writing;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;

#### Assessment task

- Submission of Thesis

### Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:



## Learning outcomes

- Critically analyse legal arguments orally and in writing;
- Undertake a legal research project that can lead to a high quality scholarly paper suitable for publication;
- Choose an appropriate topic for a legal research project;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;

## Assessment tasks

- Research Proposal
- Three minute thesis
- Submission of Thesis

## Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

## Learning outcomes

- Use appropriate legal research methodologies, carry out independent research and analysis, and think creatively about legal problems;
- Critically analyse legal arguments orally and in writing;
- Undertake a legal research project that can lead to a high quality scholarly paper suitable for publication;
- Choose an appropriate topic for a legal research project;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;
- Give an oral presentation of a research argument in an academic environment; an
- Formulate and present oral and written arguments appropriate to a legal research project.

## Assessment tasks

- Three minute thesis

- Submission of Thesis

## Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

### Learning outcomes

- Use appropriate legal research methodologies, carry out independent research and analysis, and think creatively about legal problems;
- Critically analyse legal arguments orally and in writing;
- Choose an appropriate topic for a legal research project;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;
- Formulate and present oral and written arguments appropriate to a legal research project.

### Assessment tasks

- Research Proposal
- Submission of Thesis

## Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

### Learning outcomes

- Use appropriate legal research methodologies, carry out independent research and analysis, and think creatively about legal problems;
- Undertake a legal research project that can lead to a high quality scholarly paper suitable for publication;
- Choose an appropriate topic for a legal research project;
- Raise claims and support them with logical, evidence-based arguments;

- Evaluate and, if justified, refute counter arguments;
- Formulate and present oral and written arguments appropriate to a legal research project.

## **Assessment tasks**

- Research Proposal
- Three minute thesis
- Submission of Thesis

## **Effective Communication**

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

## **Learning outcomes**

- Raise claims and support them with logical, evidence-based arguments;
- Give an oral presentation of a research argument in an academic environment; an
- Formulate and present oral and written arguments appropriate to a legal research project.

## **Engaged and Ethical Local and Global citizens**

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

## **Learning outcome**

- Choose an appropriate topic for a legal research project;

## **Assessment tasks**

- Three minute thesis
- Submission of Thesis

## Socially and Environmentally Active and Responsible

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

### Learning outcome

- Undertake a legal research project that can lead to a high quality scholarly paper suitable for publication;

### Assessment task

- Submission of Thesis

## Learning and Teaching Activities

See detailed outline available on iLearn

## Technologies Used and Required

Unit webpage and technology used and required

Online units can be accessed at: <http://ilearn.mq.edu.au/>.

PC and Internet access are required. Basic computer skills (e.g., internet browsing) and skills in word processing are also a requirement.

You may wish to use Endnote or Latec for referencing: we will discuss in class.

Please consult teaching staff for any further, more specific requirements.