



# LAWS561

## Advanced Legal Research Project

S2 Day 2017

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Unit Convenor

Francesca Dominello

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W3A 619

TBA on iLearn

Credit points

3

Prerequisites

48cp in LAW or LAWS or LAWZ units and ((GPA of 3.2 out of 4.0) or (GPA of 5.2 out of 7.0) in LAW or LAWS or LAWZ units) and permission by special approval

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 an 8,000-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. Please note that applications to undertake LAWS561 in Session 1 or Session 2 will close in the last week of January. No late applications can be accepted. As part of the application process students are required to submit an Expression of Interest Form and have confirmation that a member of staff in the Macquarie Law School is willing to act as their supervisor. The Form will be made available to students in December of the previous year.

## 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:

Choose an appropriate topic for a legal research project;

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;  
Work independently to produce a sophisticated research project;  
Raise claims and support them with logical, evidence-based arguments;  
Evaluate and, if justified, refute counter arguments;  
Formulate written arguments appropriate to a legal research project.

## General Assessment Information

### Disruption to Studies

In the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero. Applications for a Disruption to Studies are made electronically, via [ask.mq.edu.au](http://ask.mq.edu.au), and should be accompanied by supporting documentation. Students should refer to the [Disruption to Studies Policy](#) for complete details of the policy and a description of the supporting documentation required.

### Submission

All written assessments in the unit are to be submitted electronically by way of Turnitin on the iLearn page. Plagiarism detection software is used in this unit.

### Format

All assessment tasks in this unit must be typed in **Word format** and be **double spaced** to facilitate marking in Turnitin.

### Word Limits

Word limits will be strictly applied and work above the word limit will not be assessed.

### Moderation

Marking for each final research paper is shared between the convenor and supervisor. Detailed marking rubrics will be made available on iLearn. If there are other markers assisting the convenor then a process of 'blind marking' to establish a common marking standard will be adopted and all Fail papers will be double marked.

### Style

All written assessments should use the latest edition of the AGLC.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Research Proposal</a>	20%	No	6pm, Friday of Week 3

Name	Weighting	Hurdle	Due
<u>Submission of Thesis</u>	80%	No	6pm, Friday of Week 13

## Research Proposal

Due: **6pm, Friday of Week 3**

Weighting: **20%**

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

8 page research proposal

2 page bibliography

The proposal is to be submitted in Turnitin on iLearn.

Failure to submit by the due date will result in 0 marks being awarded for this assessment, unless an extension is granted according to the disruption to studies policy.

All disruption applications are to be made through Ask.

The marker will not read more than 8 pages + 2 page bibliography.

Your proposal must be double spaced with margins not less than 2.5cm on the right and left. It must be typed in 12 pt Times New Roman.

The bibliography can be single spaced with a space in between each reference with margins not less than 2.5cm on the right and left.

You must use headings dividing each section.

You must comply with the AGLC.

Failure to comply with these instructions will result in loss of marks at the discretion of the marker.

Further instructions on how to complete the assignment and how it will be assessed will be available on iLearn.

On successful completion you will be able to:

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

## Submission of Thesis

Due: **6pm, Friday of Week 13**

Weighting: **80%**

8,000 word graded research paper due 6pm, Friday of Week 13, S2.

Your Essay is to be submitted via Turnitin in iLearn and by e-mail to the unit convenor. The

paper is to be submitted in **Word format. NO PDFs will be accepted.**

You must comply with AGLC

Failure to submit by the due date will result in 0 marks being awarded for this assessment, unless an extension is granted according to the disruption to studies policy.

All disruption applications are to be made through Ask.

Word limits will be strictly applied and work above the word limit will not be marked. The word length excludes footnotes and bibliography.

The supervisor marks the paper from an expert, specialist perspective for content (quality and rigour of research) 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%.

Where the Convenor is also the supervisor, the convenor portion will be graded by another academic within the Law School.

Further instructions on how to complete the assignment and how it will be assessed will be available on iLearn.

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;
- Work independently to produce a sophisticated research project;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;
- Formulate written arguments appropriate to a legal research project.

## **Delivery and Resources**

### **1. Technology used and required**

To participate successfully in this unit, students will require access to the unit iLearn page. This will require access to secure and reliable computer facilities. Students will be required to upload all assessment tasks by way of Turnitin on the unit iLearn page.

### **2. Delivery mode**

There will be fortnightly seminars starting in Week 1. Attendance is optional but highly recommended.

The unit will use an ilearn website.

### **3. Lecture times and locations**

For current updates, lecture times and classrooms please consult the MQ Timetables website:

<http://www.timetables.mq.edu.au>.

#### 4. Required and recommended resources

##### Required:

Any 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>

##### 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 1: Workshop on Research Proposal

Week 3: Workshop on Research Proposal

Week 5: Workshop on Literature Review and Methodology

Week 7: Workshop on Writing for a Generalist Audience in Law

Week 9: Workshop on Introduction

Week 11: Workshop on Structure

## 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\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.html)

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

Complaint Management Procedure for Students and Members of the Public [http://www.mq.edu.au/policy/docs/complaint\\_management/procedure.html](http://www.mq.edu.au/policy/docs/complaint_management/procedure.html)

Disruption to Studies Policy (in effect until Dec 4th, 2017): [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html)

Special Consideration Policy (in effect from Dec 4th, 2017): <https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/special-consideration>

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://stu>

[dents.mq.edu.au/support/](https://dents.mq.edu.au/support/)

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](https://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](https://ask.mq.edu.au)

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources 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;
- Work independently to produce a sophisticated research project;
- Raise claims and support them with logical, evidence-based arguments;

### Assessment tasks

- Research Proposal
- Submission of Thesis



## 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;
- Work independently to produce a sophisticated research project;
- 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

- Choose an appropriate topic for a legal research project;
- Critically analyse legal arguments orally and in writing;
- Work independently to produce a sophisticated research project;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;

### Assessment tasks

- Research Proposal
- 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**

- Choose an appropriate topic for a legal research project;
- 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;
- Work independently to produce a sophisticated research project;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;
- Formulate written arguments appropriate to a legal research project.

## **Assessment tasks**

- Research Proposal
- 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**

- Choose an appropriate topic for a legal research project;
- 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;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;
- Formulate 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

- Choose an appropriate topic for a legal research project;
- Use appropriate legal research methodologies, carry out independent research and analysis, and think creatively about legal problems;
- Work independently to produce a sophisticated research project;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;
- Formulate written arguments appropriate to a legal research project.

### Assessment tasks

- Research Proposal
- 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

- Critically analyse legal arguments orally and in writing;
- Work independently to produce a sophisticated research project;
- Raise claims and support them with logical, evidence-based arguments;
- Evaluate and, if justified, refute counter arguments;
- Formulate written arguments appropriate to a legal research project.

### Assessment tasks

- Research Proposal

- Submission of Thesis

## 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 task

- 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

- Work independently to produce a sophisticated research project;

### Assessment task

- Submission of Thesis

## Changes from Previous Offering

Due to a large cohort enrolled in there is no longer a 3 minute thesis presentation assessment.

## Technologies Used and Required

Unit webpage and technology used and required

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

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