



LAWS5910

Research Methodologies in Law

Session 2, Online-scheduled-weekday 2023

Macquarie Law School

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General Information

Unit convenor and teaching staff

Convenor

Susan Armstrong

susan.armstrong@mq.edu.au

Will be notified on Ilearn.

Credit points

10

Prerequisites

160cp in LAWS units and a LAWS WAM of 75 or above. Applications for the Honours units are managed internally by Macquarie Law School.

Corequisites

Co-badged status

Unit description

This is the first of two units that form the requirements for students wishing to graduate with a Bachelor of Laws (Honours). This is an advanced legal research unit, designed to develop the skills necessary to plan and execute their major legal research project. The unit introduces students to a variety of research methodologies including doctrinal, comparative, interdisciplinary, empirical, and critical legal studies (CLS) approaches. The unit emphasises theoretical concerns and requirements that pertain to research objectives, research design, research methods, argumentation, writing, and critique. The ethical dimensions of legal research are core topics in this unit and students will explore the roles, rights and obligations of students in their own scholarship. Students will learn to design research projects with rigorous research methodologies, to proffer good written analyses with sound argumentation, and to reflect on legal scholarship and on the law critically.

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:

ULO1: Identify, locate and record primary and secondary legal resources from a variety of library and online collections using appropriate research strategies and software.

ULO2: Apply principles of good written presentation and language to the processes of drafting, editing and re-drafting and referencing in accordance with the Australian Guide to Legal Citation.

ULO3: Critically apply principles and values that underpin ethical research and academic honesty and apply them to your own research planning.

ULO4: Differentiate the different kinds of legal research questions (theoretical, doctrinal, normative, empirical, comparative etc) and the appropriate methodologies for answering them.

ULO5: Prepare a sophisticated research strategy and work-plan, and apply that to your own research project

General Assessment Information

Late Assessment Submission Penalty

Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of '0' (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue.

This late penalty will apply to non-timed sensitive assessment (incl essays, reports, posters, portfolios, journals, recordings etc). Late submission of time sensitive tasks (such as tests/exams, performance assessments/presentations, scheduled practical assessments/labs etc) will only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic.

Assessment Tasks

Name	Weighting	Hurdle	Due
Research Integrity quiz	10%	No	4/8/23
Thesis Proposal	30%	No	In class in weeks 5 and 6
Thesis Plan	60%	No	13/10/23

Research Integrity quiz

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 4 hours

Due: **4/8/23**

Weighting: **10%**

Online quiz

On successful completion you will be able to:

- Critically apply principles and values that underpin ethical research and academic honesty and apply them to your own research planning.

Thesis Proposal

Assessment Type ¹: Plan

Indicative Time on Task ²: 30 hours

Due: **In class in weeks 5 and 6**

Weighting: **30%**

In consultation with their supervisor and the convenor, students will prepare a proposal for their thesis including research question/s.

On successful completion you will be able to:

- Identify, locate and record primary and secondary legal resources from a variety of library and online collections using appropriate research strategies and software.
- Apply principles of good written presentation and language to the processes of drafting, editing and re-drafting and referencing in accordance with the Australian Guide to Legal Citation.
- Critically apply principles and values that underpin ethical research and academic honesty and apply them to your own research planning.
- Differentiate the different kinds of legal research questions (theoretical, doctrinal, normative, empirical, comparative etc) and the appropriate methodologies for answering them.

Thesis Plan

Assessment Type ¹: Plan

Indicative Time on Task ²: 60 hours

Due: **13/10/23**

Weighting: **60%**

Students are required to submit a comprehensive legal research plan including literature review, research methodology and strategy

On successful completion you will be able to:

- Identify, locate and record primary and secondary legal resources from a variety of library and online collections using appropriate research strategies and software.
- Apply principles of good written presentation and language to the processes of drafting, editing and re-drafting and referencing in accordance with the Australian Guide to Legal Citation.
- Critically apply principles and values that underpin ethical research and academic honesty and apply them to your own research planning.
- Differentiate the different kinds of legal research questions (theoretical, doctrinal, normative, empirical, comparative etc) and the appropriate methodologies for answering them.
- Prepare a sophisticated research strategy and work-plan, and apply that to your own research project

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

TEXT

Terry Hutchinson, *Researching and Writing in Law* (Thomson Reuters, 4th ed, 2018)

It is highly recommended that students purchase the textbook as it will be used constantly throughout both semesters for the Honours units. It can be purchased directly via the Thomson Reuters website. The RRP is \$130, however students can apply for a Promo Code and get a 15% discount off the hard copy or the ebook (or 25% off the book + ebook bundle) which brings the cost down to \$110.50. Shipping is free.

Unit Schedule

WEEK	MODULE	WORKSHOPS	ASSESSMENT
	Lecture materials for each Module correspond with the Workshop activities	(6 x 2 hrs each)	

<p>Week 1</p>	<p>MODULE 1</p> <ul style="list-style-type: none"> • Introduction to the Honours Program and Assessments • Introduction to Legal Research • Research Integrity & Ethics <p>'In Conversation with Professor Surya Deva: 'The Role and Power of Legal Research'</p> <p>In Conversation with Dr Carolyn Adams: 'Doing Legal Research: Integrity and Ethics'</p>		
<p>Week 2</p>	<p>MODULE 2</p> <ul style="list-style-type: none"> • Selecting a Research Topic • Reviewing the Literature • Writing Research Questions <p>In Conversation with Dr Amanda Head: 'Reviewing the Literature and Writing Research Questions'</p>		<p>Research Integrity Module and Quiz (due Friday, 4 August 2023)</p>
<p>Week 3</p>	<p>MODULE 3</p> <ul style="list-style-type: none"> • Writing a Research Proposal / 3 Minute Thesis Skills • Writing a Research Plan • Project Management <p>In Conversation with Dr Sonya Willis and Dr Andrew Burke: 'Top Tips (and things to avoid) for a Successful Supervisor/Student Relationship'</p>	<p>WORKSHOP 1</p> <p>(Learning activities based on Module 1 lectures/readings)</p>	
<p>Week 4</p>	<p>MODULE 4</p> <ul style="list-style-type: none"> • Doctrinal Legal Research • Comparative and Historical Legal Research Methodologies • Interdisciplinary and Law Reform Oriented Research • Theoretical Frameworks <p>In Conversation with Professor Niloufer Selvadurai: '<i>Undertaking Doctrinal Legal Research</i>'</p> <p>In Conversation with Dr Holly Doel-Mackaway and Associate Professor Amy Barrow: '<i>Undertaking Empirical Research About Sensitive Issues with Vulnerable Groups</i>'</p> <p>In Conversation with Dr Francesca Dominello: 'Beyond Doctrinal Research - Using Interdisciplinary Perspectives to Critique the Law' (Family Law and Indigenous Peoples and the Law)</p>	<p>WORKSHOP 2</p> <p>(Learning activities based on Module 2 lectures/readings)</p>	<p>Census date (18 August 2023) (Need have contact with supervisor by now to narrow and refine topic get feedback on 3MT - deliver your 3MT to your supervisor this week)</p>

Week 5	<p>MODULE 5</p> <ul style="list-style-type: none"> • Writing a Legal Thesis: Skills <p><u>In Conversation with Professor Cathy Sherry:</u> Using Case Law in Your Thesis</p>	<p>WORKSHOP 3</p> <p>(Learning activities based on Module 3 lectures/readings)</p>	<p>Thesis Proposal (3 Minute Thesis Presentation)</p>
Week 6	<p>MODULE 6: Refining Research Skills and Preparing for Next Semester</p> <p>3 optional lectures - Refining Your Legal Research Skills:</p> <ul style="list-style-type: none"> • Researching Legislation • Researching Cases and Secondary Materials and • Legal Referencing <p><u>In Conversation with Law Librarians Susan Fripp and Anne Cleary:</u> Using Referencing Software</p> <p><u>In Conversation with Jacqueline Albert:</u> 'Where can an Honours degree in Law Take You?'</p>	<p>WORKSHOP 4</p> <p>(Learning activities based on Module 4 lectures/readings)</p>	<p>Thesis Proposal (3 Minute Thesis Presentation)</p>
Week 7		<p>WORKSHOP 5</p> <p>(Learning activities based on Module 5 lectures/readings)</p>	
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Week 8			<p>(Contact with your supervisor - discuss and send draft of your Thesis Plan for feedback this week)</p>
Week 9		<p>WORKSHOP 6</p> <p>(Learning activities based on Module 6 lectures/readings)</p>	
Week 10			<p>Thesis Plan</p> <p>Friday 13 October 2023 by 11.55pm</p>
Week 11			
Week 12			

Policies and Procedures

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

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies \(https://students.mq.edu.au/support/study/policies\)](https://students.mq.edu.au/support/study/policies). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au) and use the [search tool](#).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) 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 or if you are a Global MBA student contact globalmba.support@mq.edu.au

Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

Student Support

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

The Writing Centre

The [Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

Student Services and Support

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

IT Help

For help with University computer systems and technology, visit 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.