LAWS5910

Research Methodologies in Law

Session 1, Online-scheduled-weekday 2025

Macquarie Law School

Contents

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General Information

Unit convenor and teaching staff
Convenor and tutor
Holly Doel-Mackaway
Contact via iLearn
see iLearn page

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

All written assessments submitted electronically must be submitted through the link provided in iLearn. This unit will utilise Turnitin plagiarism detection software. Students should carefully check that they submit the correct file for an assessment, as re-submissions will not be accepted after the due date and time, including instances where students upload an incorrect file in error.

The design, moderation and feedback of all assessments is in accordance with the Macquarie University Assessment Procedure (link provided under 'Policies and Procedures' below).

Late Submission Policy

A maximum penalty of five (5) percentage points of the total possible marks will be applied per day to late submissions, for up to a maximum of seven calendar days. Tasks that have not been submitted within the maximum number of additional late days will receive a mark of zero. This provision does not apply to online exams or other assessment with a time limit of less than 24 hours.

Penalties for late submission will be applied consistently and equitably to all students enrolled in the unit. Where short-term, serious and unavoidable circumstances have affected their ability to submit an assessment task, a student must submit a formal application for Special Consideration as per the Special Consideration Policy. Students should not request an informal arrangement from their tutor, lecturer or Unit Convenor.

Where an application for Special Consideration is approved, and the outcome is an extension to the due date of a task, submissions that are received after the new due date will be subject to late penalties that are calculated from the new due date. This only applies where the outcome is an extension to the due date – see the Special Consideration Policy for a schedule of all possible outcomes.

Special Consideration

Students should submit applications for Special Consideration electronically via the Service Connect portal, along with the supporting documentation. Before submitting their applications, students should refer to the Special Consideration Policy (link provided under 'Policies and Procedures' below).

Assessment Tasks

Name	Weighting	Hurdle	Due
Thesis Proposal	40%	No	Weeks 5 and 6 in class (24 and 31 March, 2025)
Thesis Plan	60%	No	18/05/2025

Thesis Proposal

Assessment Type [1]: Plan
Indicative Time on Task [2]: 32 hours
Due: **Weeks 5 and 6 in class (24 and 31 March, 2025)**
Weighting: **40%**

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]: 62 hours
Due: **18/05/2025**
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

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[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

This unit is delivered face-to-face and online and consists of *6 x 2 hour workshops* with *2 hours of corresponding pre-recorded lecture material for each workshop*. There is also a **mini-workshop of 1 hour (online) in week 11**.

Workshops for this unit run in **Weeks 2, 3, 4, 5, 6, 8 and 11.** The workshops are interactive and designed to equip you with the skills necessary to carry out your research project. Active participation in all workshops (**with video on for online students)** is expected and attendance at the workshops is recorded. This unit does not include a mark for class participation however, participation in class is necessary to do well in this unit.

Before each workshop students should:

- **watch** the lectures for each workshop available on ECHO and
- **read** the prescribed materials which provide information on each topic as well as a theoretical basis for the practical research activities.

During each workshop students will:

- **discuss the questions** posed for each workshop detailed on the iLearn page and
- **participate in practical activities** and apply knowledge acquired from the lecture and reading materials before class. Workshop activities are closely related to assisting student's to progress their research projects including developing the research proposal (3 Minute Thesis Presentation) and thesis plan.

Participation in this unit is based on acceptance into the Law Honours program and only students who have already been accepted are permitted to attend. This unit is worth 10 credit points, which equates to 150 hours of work. Therefore, students should expect to commit an average of 10 hours per week to this unit, including all scheduled and unscheduled activities and preparing and executing the assessment tasks.

Resources

The required textbook is: *Terry Hutchinson, Research and Writing in Law* (4th ed, Lawbook Co 2018).

Students can purchase the textbook online from online resellers such as Booktopia, Amazon and Zookal. The Macquarie University library holds also copies.

Additional readings will be accessible through iLearn.

Students require access to a computer, internet with decent speed and a secure/reliable server. The iLearn page contains all Unit requirements and a weekly schedule for teaching, readings and tutorials. Information about all assessment tasks is also available on iLearn.

Unit Schedule
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Week	Module * Lecture materials for each module correspond with the Workshop activities	Workshops (6 x 2 hrs each) Mini-workshop week 11 is 1 hr	Assessments

Week 1	MODULE 1 • Introduction to the Honours Program and Assessments • Introduction to Legal Research • Research Integrity & Ethics '**In Conversation with Professor Surya Deva:** 'The Role and Power of Legal Research' **In Conversation with Dr Carolyn Adams:** 'Doing Legal Research: Integrity and Ethics' **In Conversation with Dr Sonya Willis and Dr Andrew Burke:** 'Top Tips (and things to avoid) for a Successful Supervisor/Student Relationship'		*Research Integrity Module and Quiz* (must be completed in order to access all modules)
Week 2	MODULE 2 • Selecting a Research Topic • Reviewing the Literature • Writing Research Questions **In Conversation with Dr Amanda Head: '**Reviewing the Literature and Writing Research Questions'	**WORKSHOP 1** (2hrs) (learning activities based on module 1 lectures/ readings)	
Week 3	MODULE 3 • Writing a Research Proposal / 3 Minute Thesis Skills • Writing a Research Plan • Project Management **Also see: In Conversation with Dr Sonya Willis and Dr Andrew Burke:** 'Top Tips (and things to avoid) for a Successful Supervisor/Student Relationship'	**WORKSHOP 2** (2hrs) (learning activities based on module 2 lectures/ readings)	
Week 4	MODULE 4 • Doctrinal Legal Research • Comparative and Historical Legal Research Methodologies • Interdisciplinary and Law Reform Oriented Research • Theoretical Frameworks **In Conversation with Professor Niloufer Selvadurai:** '*Undertaking Doctrinal Legal Research*' **In Conversation with Dr Holly Doel-Mackaway and Associate Professor Amy Barrow:** *'Undertaking Empirical Research About Sensitive Issues with Vulnerable Groups'* **In Conversation with Dr Francesca Dominello:** '**Beyond Doctrinal Research - Using Interdisciplinary Perspectives to Critique the Law' (Family Law and Indigenous Peoples and the Law)	**WORKSHOP 3** (2hrs) (learning activities based on module 3 lectures/ readings)	*Census date* **(liaise with supervisor to narrow and refine topic and get feedback on 3MT - deliver your 3MT to your supervisor this week)**

Week 5	**MODULE 5:** Writing a Legal Thesis: Skills **In Conversation with Professor Cathy Sherry:** Using Case Law in Your Thesis	**WORKSHOP 4** (2hrs) (learning activities based on module 4 lectures/ readings)	*Thesis Proposal* (3 Minute Thesis Presentation in class, PLUS 1 page summary submitted the night before Week 5, Mon 24 March, in class.
Week 6	**MODULE 6:** Refining Research Skills and Preparing for Next Semester 3 optional lectures - Refining Your Legal Research Skills: • Researching Legislation • Researching Cases and Secondary Materials and • Legal Referencing **In Conversation with Law Librarians Susan Fripp and Anne Cleary:** Using Referencing Software **In Conversation with Jacqueline Albert:** 'Where can an Honours degree in Law Take You?'	**WORKSHOP 5** (2hrs) (learning activities based on module 5 lectures/ readings)	*Thesis Proposal* (3 Minute Thesis Presentation in class, PLUS 1 page summary submitted the night before Week 6, Mon 31 March, in class.
Week 7	**Optional:** Consultation with Convenor about Thesis		
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Week 8	**Optional:** Consultation with Convenor about Thesis	**WORKSHOP 6** (2hrs) (learning activities based on module 6 lectures/ readings)	**(contact your supervisor - discuss and send draft of your Thesis Plan for feedback this week)**
Weeks 9	**Optional:** Consultation with Convenor about Thesis		
Week 10	**Optional:** Consultation with Convenor about Thesis		*Thesis Plan* Week 10, Sunday 18 May by 11.55pm
Weeks 11	**Optional:** Consultation with Convenor about Thesis	**MINI-WORKSHOP 7** (1hr) (note this is not on the timetable, it is an additional online tutorial)	
Week 12-13	**Optional:** Consultation with Convenor about Thesis		

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://policie

s.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). 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) 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 connect.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 the Service Connect Portal, 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.

Changes from Previous Offering

Additional week 11 1 hr tutorial

Unit information based on version 2025.03 of the Handbook