



# LAWS564

## Advanced Legal Research Project

FY1 External 2018

*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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Contact via [francesca.dominello@mq.edu.au](mailto:francesca.dominello@mq.edu.au)

W3A 619

TBA on iLearn

Credit points

6

Prerequisites

48cp in LAW or LAWS or LAWZ units and ((GPA of 3.25 out of 4.0) or (GPA of 5.25 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 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. Applications to undertake LAWS564 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 sent to students in December.

## 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 a research question appropriate for undergraduate legal research and identify the aims of the research.

Come up with an appropriate title for your research.

Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.

Identify appropriate legal research methodologies for the research and be able to give reasons why that methodology/ies have been used.

Work with a supervisor to establish a research plan and time frame for completion.

Summarise the main aspects of the research in a written research proposal in language that is accessible to a non-expert reader.

Be able to articulate aspects of the research to the unit convenor and students in class using speech that is easy to understand.

Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.

Formulate written arguments appropriate for a legal research project. Aim for creative and critical analysis and solid and logical structure. Ensure that argument is evidence-based and, if justified, evaluate and refute counter-arguments.

Use the AGLC style guide correctly (adapting it where appropriate).

## **General Assessment Information**

### **Special Consideration**

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

### **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
<u>Research Proposal</u>	10%	No	6pm, Friday of Week 3
<u>Class Presentations</u>	10%	No	Week 11 S1 and Week 7 S2
<u>Research Essay</u>	80%	No	6pm, Friday of Week 13

### Research Proposal

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

Weighting: **10%**

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

8 page research proposal (includes footnotes and bibliography)

The proposal is to be submitted in Turnitin on iLearn.

The marker will not read more than 8 pages.

You must use headings dividing each section of the proposal.

The main parts of the proposal must be double spaced with margins not less than 2.5cm on the right and left. All text must typed in 12 pt Times New Roman. Footnotes can be in 10 pt Times New Roman.

The summary of the chapters of the thesis and timeline for completion can be single spaced with margins of 2.5cm on the right and left. This information can be put in tables (but this is not compulsory).

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 comply with the AGLC.

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

Note the new Special Consideration policy for written assessments:

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline.

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 a research question appropriate for undergraduate legal research and identify the aims of the research.
- Come up with an appropriate title for your research.
- Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.
- Identify appropriate legal research methodologies for the research and be able to give reasons why that methodology/ies have been used.
- Work with a supervisor to establish a research plan and time frame for completion.
- Summarise the main aspects of the research in a written research proposal in language that is accessible to a non-expert reader.
- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.
- Use the AGLC style guide correctly (adapting it where appropriate).

## Class Presentations

Due: **Week 11 S1 and Week 7 S2**

Weighting: **10%**

Students are expected to present their research in class - once in S1 (Week 11) and again in S2 (Week 7). It is compulsory for students to attend these seminars. They are not required to attend the other seminars but it is highly recommended that they do.

Each presentation is worth 5%.

The presentations will be oral only (no powerpoint slides). The aim is for students to present their research informally to the class for not more than a few minutes. The students will be expected to present on these aspects:

In semester 1 - The Structure of the Thesis

In semester 2 - Writing for a Generalist Audience in Law

The seminars aim to workshop students' research. Students should treat this exercise as one where they can share their research, but also ask questions about how to approach their research and get feedback from the unit convenor and other students in the class.

If a student is unable to attend one or both seminars they should apply for special consideration. If successful other arrangements will be made. This is a timed assessment. If a student fails to attend their allocated seminar without special consideration they will receive 0 marks for this assessment.

For External students unable to attend the seminars please contact the unit convenor to arrange a mutually convenient time for your presentations.

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 a research question appropriate for undergraduate legal research and identify the aims of the research.
- Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.
- Identify appropriate legal research methodologies for the research and be able to give reasons why that methodology/ies have been used.
- Be able to articulate aspects of the research to the unit convenor and students in class using speech that is easy to understand.

## Research Essay

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

Weighting: **80%**

15,000 word graded research paper due 6pm, Friday of Week 13, S2.

Your Essay is to be submitted via Turnitin in iLearn. The paper is to be submitted in **Word format. NO PDFs will be accepted.**

You must comply with AGLC

The word length is 15,000 words max. Word limits will be strictly applied and work above the word limit will not be marked. The word length excludes footnotes and bibliography. Footnotes should only contain details of texts cited in the body of the thesis.

The essay should be double spaced in 12 pt Times New Roman. The footnotes can be in 10 pt Times New Roman. The bibliography can be single spaced with a space in between each reference.

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 such things as 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.

Note the new Special Consideration policy for written assessments:

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments

submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

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:

- Come up with an appropriate title for your research.
- Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.
- Identify appropriate legal research methodologies for the research and be able to give reasons why that methodology/ies have been used.
- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.
- Formulate written arguments appropriate for a legal research project. Aim for creative and critical analysis and solid and logical structure. Ensure that argument is evidence-based and, if justified, evaluate and refute counter-arguments.
- Use the AGLC style guide correctly (adapting it where appropriate).

## **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 compulsory for the seminar students are to present on their research. A schedule will be posted on iLearn in Week 1. Attendance at the other seminars 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, 3rd ed, 2012)

available online

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

### **Recommended:**

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

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

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](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central>). 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](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

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

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/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](https://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://unitguides.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

- Choose a research question appropriate for undergraduate legal research and identify the aims of the research.
- Come up with an appropriate title for your research.
- Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.
- Summarise the main aspects of the research in a written research proposal in language that is accessible to a non-expert reader.
- Be able to articulate aspects of the research to the unit convenor and students in class

using speech that is easy to understand.

- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.
- Formulate written arguments appropriate for a legal research project. Aim for creative and critical analysis and solid and logical structure. Ensure that argument is evidence-based and, if justified, evaluate and refute counter-arguments.

## **Assessment tasks**

- Research Proposal
- Class Presentations
- Research Essay

## **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**

- Choose a research question appropriate for undergraduate legal research and identify the aims of the research.
- Come up with an appropriate title for your research.
- Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.
- Work with a supervisor to establish a research plan and time frame for completion.
- Summarise the main aspects of the research in a written research proposal in language that is accessible to a non-expert reader.
- Be able to articulate aspects of the research to the unit convenor and students in class using speech that is easy to understand.
- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.
- Formulate written arguments appropriate for a legal research project. Aim for creative and critical analysis and solid and logical structure. Ensure that argument is evidence-based and, if justified, evaluate and refute counter-arguments.

## Assessment tasks

- Class Presentations
- Research Essay

## 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

- Summarise the main aspects of the research in a written research proposal in language that is accessible to a non-expert reader.
- Be able to articulate aspects of the research to the unit convenor and students in class using speech that is easy to understand.
- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.
- Formulate written arguments appropriate for a legal research project. Aim for creative and critical analysis and solid and logical structure. Ensure that argument is evidence-based and, if justified, evaluate and refute counter-arguments.

## Assessment tasks

- Research Proposal
- Class Presentations
- Research Essay

## 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 a research question appropriate for undergraduate legal research and identify the aims of the research.
- Come up with an appropriate title for your research.
- Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.
- Identify appropriate legal research methodologies for the research and be able to give reasons why that methodology/ies have been used.
- Summarise the main aspects of the research in a written research proposal in language that is accessible to a non-expert reader.
- Be able to articulate aspects of the research to the unit convenor and students in class using speech that is easy to understand.
- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.
- Formulate written arguments appropriate for a legal research project. Aim for creative and critical analysis and solid and logical structure. Ensure that argument is evidence-based and, if justified, evaluate and refute counter-arguments.
- Use the AGLC style guide correctly (adapting it where appropriate).

## Assessment tasks

- Research Proposal
- Class Presentations
- Research Essay

## 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 a research question appropriate for undergraduate legal research and identify the aims of the research.
- Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.

- Identify appropriate legal research methodologies for the research and be able to give reasons why that methodology/ies have been used.
- Summarise the main aspects of the research in a written research proposal in language that is accessible to a non-expert reader.
- Be able to articulate aspects of the research to the unit convenor and students in class using speech that is easy to understand.
- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.
- Formulate written arguments appropriate for a legal research project. Aim for creative and critical analysis and solid and logical structure. Ensure that argument is evidence-based and, if justified, evaluate and refute counter-arguments.

## **Assessment tasks**

- Research Proposal
- Class Presentations
- Research Essay

## **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 a research question appropriate for undergraduate legal research and identify the aims of the research.
- Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.
- Identify appropriate legal research methodologies for the research and be able to give reasons why that methodology/ies have been used.
- Summarise the main aspects of the research in a written research proposal in language that is accessible to a non-expert reader.
- Be able to articulate aspects of the research to the unit convenor and students in class using speech that is easy to understand.
- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.

- Formulate written arguments appropriate for a legal research project. Aim for creative and critical analysis and solid and logical structure. Ensure that argument is evidence-based and, if justified, evaluate and refute counter-arguments.

## **Assessment tasks**

- Research Proposal
- Class Presentations
- Research Essay

## **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**

- Choose a research question appropriate for undergraduate legal research and identify the aims of the research.
- Come up with an appropriate title for your research.
- Demonstrate understanding of the background of the research topic; the existing research on the topic and the significance of your research to the existing research.
- Work with a supervisor to establish a research plan and time frame for completion.
- Summarise the main aspects of the research in a written research proposal in language that is accessible to a non-expert reader.
- Be able to articulate aspects of the research to the unit convenor and students in class using speech that is easy to understand.
- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.
- Formulate written arguments appropriate for a legal research project. Aim for creative and critical analysis and solid and logical structure. Ensure that argument is evidence-based and, if justified, evaluate and refute counter-arguments.
- Use the AGLC style guide correctly (adapting it where appropriate).

## **Assessment tasks**

- Research Proposal
- Class Presentations



- Research Essay

## 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

- Work independently to produce a research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.

### Assessment task

- Research Essay

## 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 research essay that is sophisticated and original and is written in language that is accessible to a non-expert reader.

### Assessment task

- Research Essay

## Changes from Previous Offering

Student presentations in S1 and S2 have replaced the 3MT assessments. Presentations in both semesters have been introduced to motivate students to work on their research essays consistently throughout the year.

## 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.