

(this is extracted from the Postgraduate Student Information Booklet)

## **Section 10: Guidelines for Presentation of Research Papers and Research Projects**

### **10.1 Introduction**

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The following document details Law Faculty policy relating to requirements for presenting research papers. All research papers submitted for the degrees of Master of Laws and Graduate Certificate of Law must comply with the following requirements. Although length may vary according to the topic and the discipline, a research paper is expected to contain between 8,000 and 10,000 words, excluding the bibliography. In the case of 24 credit point research projects, word length is expected to be 20,000 words. Students should consult their supervisors or unit coordinators on the appropriate length of the research paper.

### **10.2 Criteria for Assessment**

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A student's grade shall be determined based on the following criteria:

- presentation, structure and grammar
- adequacy of definitions and concepts
- adequacy of research methodology and analytical approach
- proof, elaboration, and illustration of main thesis/hypothesis and supporting arguments
- appropriateness of the balance between description/synthesis and analysis/criticism
- appropriateness of the balance between theory, elements of law and practice
- appropriateness of the balance between Qld, national, comparative, international, and inter-disciplinary perspectives
- adequacy of structure and format, including use of approved forms of citation
- anything else which is relevant

### **10.3 Format and Presentation**

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Before commencing his/her research paper, the student should contact his/her supervisor to obtain advice on presentation, and, during presentation, should ensure that:

- the spelling, grammar, punctuation and choice of language are of a high standard.
- all citations and the bibliography comply with the instructions given below, and that they are thorough and exact.
- all typing errors are corrected.

- research papers are word-processed or typewritten with at least 1.5 lines spacing on international size A4 paper.
- the front page of the research paper should show the title in full, the full name and degrees of the student, the school/centre in which the candidate submitted the work. An assignment acknowledgement form should accompany the title page. Assignment acknowledgement forms can be downloaded from the web, at: <http://www.law.qut.edu.au/current/files/assignack.pdf>.
- if the assignment acknowledgement form is not used by students, the title page should contain the following statement:
 

“The work contained in this research paper has not been previously submitted for a degree or diploma at any other higher education institution. To the best of my knowledge and belief, the research paper contains no material previously published or written by another person except where due reference is made.”

Signed: \_\_\_\_\_

Date: \_\_\_\_\_
- continuous pagination should be used for the main body of the text.

#### **10.4 Inclusion of Previously Published Material in the Paper**

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Original work by the candidate arising from the research reported in the paper and which has been published prior to the submission of the paper may be included. Such inclusion may be either by way of elaboration or explication of the previously published work, or by verbatim inclusion of published work either in appendices or as part of the main text. In the case that previously published work is included verbatim, candidates are required to ensure that enough additional information is included to set the published work in context.

#### **10.5 Form of Footnotes**

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Footnotes are placed at the foot of the page to which they refer. Line spacing of footnotes should normally be single-spaced, irrespective of the spacing in the main text.

#### **10.6 Diagrams and Figures**

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Diagrams, maps or tables exceeding normal page size should be folded so that, when opened fully, they can be easily read, eg there should be a margin of approximately 220mm. Such materials should be included at the back of the research paper. Diagrams or graphs should be included in the body of the text as close as possible to the text which they support.

#### **10.7 Bibliographical Citation**

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Please refer to your unit coordinator or supervisor for details of appropriate referencing procedures. For books, the minimum citation must include author(s), title, edition (if other than 1<sup>st</sup>), place of publication, publisher, date of publication and relevant pages. For periodical articles the citation must give at least author(s), title of article, name of periodical, volume number, part number (if volume is not paginated continuously), date of publication and relevant pages. In certain subjects, more detailed citation may be required and a candidate should consult his/her supervisor on this matter. In the absence of directions from your supervisor or unit coordinator, you should comply with the citation methods specified in

*Australian Guide to Legal Citation* 2<sup>nd</sup> ed, Melbourne: Melbourne University Law Review Association, 2002. <http://www.law.unimelb.edu.au/mulr/aglc.htm>

## **10.8 Legal Research Methodology Guidelines for Students**

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This checklist provides you with a brief overview of a legal research process and a brief list of sources.

The type of research you are undertaking and how much you know about the area of law will determine how you use this methodology. Is it theoretical/conceptual, comparative or practical problem solving research you are undertaking?

All research will begin with assembling relevant facts or information, including identifying any gaps in the information. An analysis of the facts /information will lead you to identify the subject area/s of law that are relevant and the major issues and sub-issues. Background reading may be helpful at this point. At this point start to write a list of search terms for each major issue and sub-issue. If the research you are doing is theoretical/conceptual, then it is appropriate to focus on secondary sources of law. If it is problem solving research then you may focus more on researching primary sources of law.

The research process is not linear, it is recursive. You will need to evaluate your search results, revise and refine your search approach and search terms, and locate additional information as needed.

The primary sources included in this methodology are for Queensland and the Commonwealth jurisdictions. Information about other jurisdictions can be found in legal research text books such as *Research and Writing in Law*, by Terry Hutchinson, Sydney: Lawbook, 2006 and *Concise legal research*, by Robert Watt, Federation Press, 2004. Both these books are recommended references for the process of conducting legal research.

An outline of your research methodology may include the following:

- ◆ An overall analysis/summary of the research required. What is the key question to be addressed in your own words? What are the major issues, keywords/search terms, areas of law to be investigated?
- ◆ For each major issue -
  - an outline of the key search terms
  - what print and electronic sources you searched and why, eg searched for journal articles on LegalTrac because topic is theoretical and wanted a US perspective
  - how you searched the source and updated it, eg searched AGIS electronically for “water law and 2001” and then checked paper version for March for updates since the electronic version was up to date until February

## Legal Research Methodology

1. Assemble facts or information, eg research topic.
2. Identify *subject area of law* and *issues* – generate appropriate search term by thinking of broad and narrow words, synonyms and antonyms, agencies and courts, related procedural terms.  
  
Establish relevant *jurisdiction* (eg Qld) and *time frame* (eg current legal situation or historical position).
3. Background reading – search for **Secondary** sources of law:
  - **Dictionaries** – eg Butterworths *Australian Concise Legal Dictionary*
  - **Encyclopaedias** – eg *Halsburys Laws of Australia, Laws of Australia* (paper and electronic)
  - **Textbooks** – check library catalogue under subject or keyword
  - **Loose-leaf services** - check library catalogue under subject or keyword
  - **Journal articles** – search paper and electronic journal indexes - eg *AGIS* , *Index to Legal Periodicals, LegalTrac, Current legal Information*
  - **Parliamentary publications** – eg Bills (check *Australian Current law, Queensland Legal Indexes*), Parliamentary debates/Hansard, Explanatory notes (with Bills)
  - **Law reform commission reports** – check *Reform*
  - **Internet**
4. Locating authorities – searching for **Primary** sources of law:
  - **Legislation and delegated legislation:**
    - **Legislation subject indexes** – eg *Wicks Subject Index to Commonwealth Legislation, Queensland Legislation Annotations*
    - **Legislation Annotations** – answer questions such as: Has the Act been passed? Has the Act been amended or reprinted? Has the Act been considered in any cases? - eg *Commonwealth Statutes Annotations, Federal Statutes Annotations, Queensland Legislation Annotations, Queensland Legal Indexes*
    - **Updating services** – latest information on legislation - eg *Australian Current Law*
    - **Internet research** – AustLII <<http://www.austlii.edu/au>>, OQPC Queensland legislation <<http://www.legislation.qld.gov.au/OQPChome.htm>>
  - **Case law:**
    - **Case citators** – to find citation to a case, whether a case has been judicially considered - eg *Australian Case Citator, Queensland legal Indexes* (paper and electronic for both), *Casebase* (electronic)
    - **Case digests** – subject approach to finding cases - eg *Australian Digest, Queensland Legal Indexes* (paper and electronic for both)
    - **Updating services** - latest information on recent cases - eg *Australian Current Law, Australian Legal Monthly Digest* (paper and electronic for both)
    - **Internet research** - AustLII <<http://www.austlii.edu/au>>, ScalePlus <<http://scaleplus.law.gov.au/>>
5. Communicate search results – analyse law and apply to facts, evaluate and synthesise arguments/theoretical perspectives and present own interpretation.
6. Conclusion

**Students may expect to receive feedback on marking criteria sheets similar to these sample criteria sheets:  
SAMPLE Seminar Performance Mark Sheet\***

**Student:** \_\_\_\_\_

	Mark (Max)	Very Poor	Inadequate	Sound	Good	Excellent	Mark Awarded
<b>Marking Criterion 1:</b>  <b>Understanding of law and policy, and problem-solving skills</b>	12	Any of the following characteristics: Absent for all or most seminars; contributions rarely evidence any preparation or reading of relevant materials; contributions rarely demonstrate understanding of the question of problem posed or ability to identify issues.	Any of the following characteristics: Failure to attend a significant number of seminars; evidence of only limited relevant reading or other preparation; may struggle to address issues that arise, without notice, in the context of the seminar discussion.	All of the following characteristics: Present for at least 80% of the seminars; regularly contributes to the discussion; regularly demonstrates understanding of the question or problem posed; regularly demonstrates the level of preparation appropriate for a postgraduate student.	All of the following characteristics: In attendance at at least 80% of the seminars; regularly contributes to the discussion; regularly demonstrates solid understanding of question or problem posed with advanced level of preparation and understanding being demonstrated on numerous occasions.	All of the following characteristics: Attendance at at least 80% of the seminars; regularly contributes to the discussion; contributions to are regular, clear and logical, demonstrating advanced level of understanding of unit content; regular contributions to seminar/blog discussion evidence detailed preparation including reading of relevant text, cases and legislation; no irrelevancies of any kind.	
<b>Marking Criterion 2:</b>  <b>Communication skills</b>	8	Any of the following characteristics: Absent for all or most seminars; any contributions to seminar discussions usually minimal or unintelligible or irrelevant; conduct often inappropriate (eg dominating discussion to inappropriate extent/detriment of other students, demonstrating lack of respect for other students, engaging in private conversation, lateness).	Any of the following characteristics: Failure to attend a significant number of seminars; proactive contributions to class discussions through the offering of ideas or asking questions generally minimal or non-existent; occasional demonstrations of inappropriate conduct (eg dominating discussion to inappropriate extent/detriment of other students, demonstrating lack of respect for other students, engaging in private conversation, lateness); range and use of oral communication techniques (eg voice modulation, eye contact limited).	All of the following characteristics: Present for at least 80% of the seminars; regularly contributes to the discussion; regularly demonstrates ability to speak coherently, with pleasant style and tone, usually able to support argument if challenged, open to other points of view; manner is usually pleasant and appropriate with any inappropriate conduct both of a minor nature and very rare.	All of the following characteristics: In attendance at at least 80% of the seminars; regularly contributes to the discussion; regularly contributes proactively offering ideas or asking questions, able to speak coherently, with pleasant style and tone, able to support arguments if challenged; regularly demonstrates ability to use appropriately a range of oral communication techniques; no inappropriate conduct.	All of the following characteristics: Attendance at at least 80% seminars; very polished standard of presentation; demonstrating ability to use appropriately a range of oral communication techniques (eg voice modulation, eye contact); able to competently support argument if challenged; able to synthesise and appropriately respond to other points of view; able to articulate views clearly and concisely; frequently demonstrates ability to incorporate and build on the ideas of others; appropriate manner at all times.	
<b>Comments (if any):</b>							Overall Mark

\*Not applicable to Research Project units

This Sample is based on the criteria sheet prepared by Mr Peter Black for LWN117

## SAMPLE Research Paper Mark Sheet

**Student:** \_\_\_\_\_

	Mark (Max)	Very Poor	Inadequate	Sound	Good	Excellent	Mark Awarded
<b>Marking Criterion 1:</b>  <b>Structure</b>	<b>15</b>	Any of the following characteristics: not a scholarly paper; lacking an appropriate introduction, or development of a logical argument or a conclusion; no headings; writing incoherent; no observable structure; no internal logic to paper; no reference list / bibliography; little footnoting.	Some attempt at a scholarly paper; has an introduction; some headings but giving little coherent structure to answer; writing lacks fluency and succinctness; argument in part illogical or irrelevant; has an inadequate conclusion; reference list contains irrelevant material; footnotes do not match reference list.	Sound attempt at a scholarly paper; has an appropriate introduction; headings give some coherency to structure; writing of a satisfactory level of fluency for a postgraduate unit; observable structure to argument with some internal logic and few irrelevancies; sound conclusion; reference list and footnotes are cross-referenced without error.	A scholarly paper with an appropriate introduction, development of a logical argument and a sound and original conclusion; clear headings point to arc of argument; fluent and succinct writing; coherent structure which clearly answers the question posed or issue raised; full internal logic to argument; one or two irrelevant issues addressed which do not detract from internal logic; fully cross-referenced reference list and footnotes.	A scholarly paper of an advanced standard; an introduction which clearly poses the research issue; clear and logical headings presenting a complete argument; logical structure for question posed or issue raised; completely fluent and coherent writing of an advanced standard; no irrelevancies; an original conclusion; full reference list containing evidence of substantial research effort.	
<b>Marking Criterion 2:</b>  <b>Style</b>	<b>10</b>	Any of the following characteristics: no attempt at presentation; numerous misspellings; little punctuation; illegible; poor grammar; inadequate referencing; no footnotes; AGLC not adhered to.	Some attempt at presentation; some misspellings; some punctuation errors; some grammatical errors; referencing inappropriate or inadequate, few footnotes; AGLC partially adhered to.	Presentation is neat, legible, with some minor errors of spelling, punctuation, and/or grammar; referencing is generally correct in detail although not always used to support the contentions stated; footnotes, where used, are correctly styled in accordance with AGLC.	Presentation is neat, legible, with only minor errors of spelling, punctuation, and/or grammar that do not detract from the paper; referencing is correct in detail although not always used to support the contentions stated; footnotes, where used, are correctly styled in accordance with ACGL.	Presentation is neat, legible, organised and professional; no errors of spelling, punctuation or grammar; all referencing is correct in detail and fully supports all the contentions made; footnotes are used at all appropriate points and are correctly styled in accordance with AGLC.	
<b>Marking Criterion 3:</b>  <b>Content</b>	<b>25</b>	Any of the following characteristics: little or no evidence of understanding of the issues to be raised but one or two issues are identified in a random way; the law is stated but there is no observable logic to the law addressed; much of the content is irrelevant; no relevant papers, treaties or cases are referred to; little or no footnoting; contains evidence of plagiarism.	Several of the issues raised by the topic chosen are identified; the law is stated with little evidence of logic or direction in the argument; some evidence of research of relevant papers, texts, or treaties; some evidence of case reading; footnoting is erratic; there is some irrelevancy in the content; no evidence of plagiarism.	Most of the issues are identified; the law is stated which is relevant to the chosen topic; evidence of effective research of relevant papers, texts, treaties and cases; footnoting is appropriate; little irrelevancy in the content; no evidence of plagiarism.	All the issues are identified which are raised by the chosen topic; the law is stated effectively; evidence of substantial research of papers, texts, treaties and cases; footnoting of all contentions raised; no irrelevant content; no evidence of plagiarism.	All the relevant issues are identified with the argument presented in an original or compelling form; no irrelevancies of any kind; evidence of in depth research of papers, texts, treaties and cases with reference to these which add to the originality or effectiveness of the argument; no errors or omissions in footnoting; evidence of original thinking by the student; no evidence of plagiarism.	
		<b>Mark: 0-5</b>	<b>Mark: 6-8</b>	<b>Mark: 9-11</b>	<b>Mark: 12-14</b>	<b>Mark: 15</b>	
		<b>Mark: 0-2</b>	<b>Mark: 2-4</b>	<b>Mark: 5-6</b>	<b>Mark: 7-8</b>	<b>Mark: 9-10</b>	
		<b>Mark: 0-9</b>	<b>Mark: 10-13</b>	<b>Mark: 14-18</b>	<b>Mark: 19-22</b>	<b>Mark: 23-25</b>	

This Sample is based on the criteria sheet prepared by Mr Peter Black for LWN117

	Mark (Max)	Very Poor	Inadequate	Sound	Good	Excellent	Mark Awarded
<b>Marking Criterion 4:</b>  <b>Critical Analysis</b>		Any of the following characteristics: not a scholarly paper; no presentation of differing points of view on the chosen topic; no attempt at reconciliation, rejection, rebuttal or refutation of differing points of view based on reasoned grounds and supported by references; inadequate scholarship; poor standard of research; no critique of current law or policy.	Some attempt at a scholarly paper; some attempt at presentation of differing points of view on the chosen topic; some attempt at reconciliation, rejection, rebuttal or refutation of differing points of view based on reasoned grounds and supported by references; inadequate scholarship; inadequate standard of research; little attempt at critique of current law or policy.	Some attempt at a scholarly paper; some attempt at presentation of differing points of view on the chosen topic; some attempt at reconciliation, rejection, rebuttal or refutation of differing points of view based on reasoned grounds and supported by references; adequate scholarship; adequate standard of research; some attempt at critique of current law or policy.	A scholarly paper with a sound attempt at presentation of differing points of view on the chosen topic; a sound attempt at reconciliation, rejection, rebuttal or refutation of differing points of view based on reasoned grounds and supported by references; appropriate scholarship; appropriate standard of research; some attempt at critique of current law or policy; contains suggestions of law or policy reform.	A scholarly paper of an advanced standard, with original presentation of differing points of view on the chosen topic; an original synthesis of these differing points of view representing an addition to the literature on the chosen topic; original critique of current law and policy based on the material presented in the paper; suggestions for law or policy reform together with suggestions for their implementation.	
	<b>30</b>	<b>Mark: 0-10</b>	<b>Mark: 11-15</b>	<b>Mark: 16-21</b>	<b>Mark: 22-26</b>	<b>Mark: 27-30</b>	
Overall Mark							

Additional Comments (if any):

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Signature:

Date:

This Sample is based on the criteria sheet prepared by Mr Peter Black for LWN117

## **10.9 Submission of Research Project/Paper**

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Research papers and projects must be submitted in accordance with the assignment submission policy as outlined in Section 8: 8.7.