

The University of Waikato

TE PIRINGA - FACULTY OF LAW



THE UNIVERSITY OF
WAIKATO
Te Whare Wānanga o Waikato

GRADUATE HANDBOOK

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Updated November 2021

Definitions

ALPSS means the Division of Arts, Law, Psychology, and Social Sciences.

Chief Examiner means the Deputy Dean.

Commonwealth jurisdictions means any one of the 54 member countries of the Commonwealth of Nations (including New Zealand).

Faculty means Te Piringa Faculty of Law.

PG Convenor means the Convenor of Postgraduate Programmes.

Working days include Mondays to Fridays; but exclude Saturdays, Sundays, Public Holidays, and any other day on which the University is closed.

PART 1: INTRODUCTION

This handbook is designed to assist students to plan and develop their studies while participating in graduate and postgraduate programmes in Law.

1.1 General information about Te Piringa – Faculty of Law

General information about Te Piringa – Faculty of Law including our Academic Staff and their areas of research expertise can be accessed and downloaded from the Faculty webpage - <https://www.waikato.ac.nz/law/>.

1.2 Student conduct

In the spirit of collegiality that pervades all day-to-day interactions both between students, and between students and staff – students enrolled in the graduate and postgraduate programmes in Law are required at all times to comply with the *Code of Student Conduct* and the *Student Discipline Regulations*, which can be accessed and downloaded from the following webpages - <https://www.waikato.ac.nz/official-info/index/docs/code-of-student-conduct> and <https://calendar.waikato.ac.nz/general-regulations-and-procedures/student-discipline-regulations>.

PART 2: GRADUATE AND POSTGRADUATE PROGRAMMES IN LAW

The Faculty offers the following graduate and postgraduate programmes in Law:

2.1 Graduate Programmes in Law

- Master of Laws (LLM).
- Master of Laws in Maori/Pacific and Indigenous People's in Law (LLM (Maori/Pacific/Indigenous)).
- Postgraduate Certificate in Law (PGCert (Law)).

- Postgraduate Diploma in Law (PGDip (Law)).
- Master of Legal Studies (MLS).
- Postgraduate Certificate in Legal Studies (PGCert (Legal Studies)).
- Postgraduate Diploma in Legal Studies (PGDip (Legal Studies)).

Students enrolled in the Graduate Programmes in Law listed above **must** normally complete a selection of taught 500 level Law papers chosen from the Catalogue of Papers (including any compulsory papers). The Catalogue of Papers can be accessed from the following webpage - <https://papers.waikato.ac.nz/>.

For the LLM and LLM (Maori/Pacific/Indigenous), and the PGCert (Law) and PGDip (Law), LEGAL509 Legal Research: Theory and Methods is a **compulsory** paper.

For the MLS and PGCert (Legal Studies) and PGDip (Legal Studies), both LEGAL500 Legal System and Methods and LEGAL509 Legal Research: Theory and Methods are **compulsory** papers.

Students enrolled in the:

- LLM or LLM (Maori/Pacific/Indigenous) must gain a total of 120 points at 500 level.
- MLS must gain either a total of 180 points at 500 level if they have qualified for the award of a 360 point bachelors degree or a total of 120 points at 500 level if they have qualified for the award of a 480 point bachelors degree.
- PGCert (Law) or PGCert (Legal Studies) must gain a total of 60 points at 500 level.
- PGDip (Law) or PGDip (Legal Studies) must gain a total of 120 points at 500 level.

Students will normally complete the requisite number of 30 point taught 500 Law level papers offered by the Faculty to complete their qualifications.

Because the Faculty is committed to teaching law in context, students may enroll one 30 point taught 500 level paper from another discipline toward the completion of their qualification. A list of relevant papers is **attached** as Appendix A.

Faculty approval is required for enrolment in the following directed study, dissertation, or thesis papers:

- LEGAL590 Directed Study 15points LLM/MLS.
- LEGAL591 Dissertation 30points LLM/MLS.
- LEGAL592 Dissertation 60points LLM.
- LEGAL593 Thesis 90points LLM.

The LLM (Maori/Pacific/Indigenous) degree reflects the University's geographic location both within New Zealand and the Pacific, and the Faculty's commitment to biculturalism.

2.2 Postgraduate Programmes in Law

- Master of Philosophy (MPhil) (50,000 word thesis).

- Doctor of Philosophy (PhD) (100,000 word thesis).
- Doctor of Juridical Science (SJD) (Part 1: 40,000 word research portfolio; Part 2: 60,000 word thesis).
- Doctor of Laws (LLD) (a collection of work, or a specially composed thesis based on such work).

2.3 Qualification regulations

The qualification regulations for each of the graduate and postgraduate programmes in Law (listed in subparts 2.1 and 2.2 above) including the admission and other requirements for these degrees, certificates and diplomas, thesis examination and award of honours (where relevant), and variations can be accessed and downloaded from the following webpage - <https://calendar.waikato.ac.nz/regulations>.

2.4 Orientation

The Faculty offers a one-day orientation programme for graduate and postgraduate students. The date, time, and venue for the orientation programme will be advertised by the Convenor of Postgraduate Programmes (PG Convenor) via the *Law Honours Forum* and the *Law Graduate Students Forum* in Moodle.

The Moodle pages (noted above) will also include important announcements that are posted from time to time by the PG Convenor and will be relevant for all students enrolled in the graduate and postgraduate programmes in Law.

2.5 Student support structure and complaints procedure

We encourage students concerned about issues relating to teaching or supervision in the Graduate and Postgraduate Programmes in Law to raise these issues in the first instance with the Lecturer or Supervisor concerned. Serious concerns should be stated in writing by email.

Students should follow the procedures in the University's *Student Concerns and Complaints Policy* that can be accessed and download from the following webpage - <https://calendar.waikato.ac.nz/general-regulations-and-procedures/student-complaints>.

Any concerns that are not resolved satisfactorily may be escalated to the PG Convenor or Deputy Dean (as appropriate) in accordance with the *Teaching and Student Matters Flowchart* **attached** as an appendix to this Handbook.

2.6 Representatives

Each year students enrolled in the graduate and postgraduate programmes in Law elect one person to act as their Year representative for the purposes of the Faculty of Law Board of Studies and the Academic Board, and for the purposes of general liaison with the PG Convenor. One person is elected to represent students enrolled in 500 level papers, and one

person is elected to represent students enrolled in both 800 and 900 level papers. The nomination process normally takes place early in A Trimester.

PART 3: ADMISSION TO GRADUATE AND POSTGRADUATE PROGRAMMES IN LAW

3.1 Admissions

3.1.1 Is a legal background required?

Applicants wishing to enroll in the graduate programmes in Law offered by the Faculty (except for the MLS, and the PGCert and PGDip in Legal Studies) **must** have qualified for the award of a Bachelor of Laws (LLB) degree.

Applicants wishing to enroll in the MLS, and the PGCert or PGDip in Legal Studies are **not** required to have qualified for the award of an LLB degree but **must** have qualified for the award of a bachelors degree in another discipline.

3.1.2 Postgraduate Programmes in Law

The MPhil and PhD degrees in Law, and the SJD degree are administered by the School of Graduate Studies (SGR).

Further details about admission to the postgraduate programmes in law are outlined in subpart 7.2 below.

3.2 Part-time study

3.2.1 Continuing professional development points

The taught 500 level Law papers offered by the Faculty toward completion of the graduate programmes in Law listed in subpart 1.1 above meet New Zealand Law Society (NZLS) requirements for continuing professional development (CPD).

Attendance and participation in any one of the taught 500 level Law papers offered by the Faculty will satisfy the requirements for 10 CPD points.

Enrolling in the LLM degree part-time over a period of four years should therefore satisfy the requirements for 10 CPD points for each year of study.

3.3 Cross-credits

The University Regulations relating to the particular masters degree programmes make it possible for students to be admitted with credit for graduate level papers taken at another university, provided that the paper has not been counted towards another completed qualification. It is the policy of the Faculty to consider a credit toward the LLM for one graduate level paper taken at another university for which the student has earned at least a B grade, or with another School/Faculty within Waikato University, in place of one Level 5

Law paper. Application should be made online, when applying to study, or via MyWaikato if you have already completed your application to study. Please allow six weeks for processing.

3.4 Programme changes, withdrawal, and re-enrolment

The regulations relating to programme changes are outlined in detail as part of the preamble to the master's degree regulations in the *University of Waikato Calendar*. The following points should be noted:

- a) A paper may be added or deleted from a student's programme up until the end of the second week of the relevant trimester. Students may withdraw from a 500 level paper at any time before the due date for the final item of assessment. Intensive papers must be deleted by 5pm on the first Friday of the relevant teaching period.
- b) Students who expect that they will not submit their directed study, dissertation or thesis by the due date, may (as noted below) apply for an extension of time without the requirement for re-enrolment, provided that the application for an extension is lodged prior to the deadline for submission. Applications must be supported by the Supervisor, and approved by the Chief Examiner and the ALPSS Associate Dean (Postgraduate). The *ALPSS application form* can be obtained from, and completed applications must be returned to, law.reception@waikato.ac.nz.
- c) Extensions (as noted below) will not be granted for more than 21 working days after the last teaching day of the relevant Trimester in which the paper is taught. Students who do not submit their dissertation or thesis by the end of any extension, will be liable for re-enrolment and a further payment of tuition and other fees for a period of at least one trimester, and any other enrolment charges including the late enrolment charge, if appropriate.

PART 4: TEACHING OF GRADUATE PROGRAMMES IN LAW

This part of the *Graduate Handbook* applies to all taught 500 level Law papers coded LEGAL 500 to 589 listed in the *Catalogue of Papers*.

4.1 Assessment and workload

The workload in taught 500 level Law papers should be broadly comparable. For 30 point taught 500 level Law papers, there will normally be one written research essay totalling up to 11,500 words or up to 10,500 words where an oral presentation of the research project is required. Details of the required assessment will be specified in the Paper Outline.

In terms of workload, students should expect to invest 300 hours to complete any 30 point 500 level Law paper, including lecture attendance.

4.2 Research proposals

Research proposals are required for **all** taught and supervised 500 level Law papers and should be identified as assessable work in the Paper Outline. Before beginning a research

assignment in earnest, students must submit a research proposal for approval, and (where required) for discussion with the Lecturer or Paper Convenor. The purpose of the research proposal is to ensure that students embark on research that will lead to useful results. It is a safeguard, and helps to avoid research efforts that are overbroad (a common problem), or ones that will 'bottom out' too quickly. It will reveal the existence of any underlying issues (including theoretical or contextual issues) that did not appear at first sight, that require exploration. The research proposal requires students to become familiar with the existing literature on the subject, so that they do not repeat work that has already been done, and so that student's work is current. It requires students to consider what material they will need. Some material may not be available through the Law Library, or may be held confidentially.

4.2.1 Content

Research proposals are likely to include the following:

- a) A one-paragraph statement – the purpose of the proposed paper. The exercise of writing a simple sentence stating what the purpose is, compels you to identify with precision just what you intend to do – or what your central proposition or 'thesis' is. This is quite different from a general enthusiasm for work in an area of law.
- b) An outline of the parts and sections of the proposed paper: This takes the form of an expanded, annotated draft table of contents.
- c) An interim bibliography: It should be annotated as to the availability, content, and usefulness of each item. It should be sufficient to demonstrate that you have come to grips with the basic materials.
- d) In some circumstances, additional material will be required, e.g. a timetable for the attainment of different objectives, a section on methodology, or an outline of any ethical issues.

A research proposal will normally be up to 1,000 words maximum. The research proposal is not binding. Research work sometimes changes, right up to its completion. The process of putting a proposal together verifies that you have found at least one project that appears to be viable and have begun to think systematically about the issues it raises. Any proposed changes to the research proposal should however be discussed and agreed with the Lecturer or Paper Convenor **before** any changes are actioned.

4.2.2 Marking criteria

Research proposals will be marked against the following criteria:

- a) Focus and Structure: Clarity in the definition of the topic; Conciseness and accuracy in the identification of issues; Logic and clarity of organisational structure.
- b) Scholarship and Analysis: Use of theoretical and contextual scholarship; Legal analysis; Evidence of wide ranging independent research; Relevance of sources and quality of annotations.

- c) Presentation and Style: Lucidity and cogency of the discussion of the material; Precision of language and style guide compliance; Compliance with word limits, appropriate spacing and font, etc.

4.4 Oral presentations of research projects

Taught 500 level Law papers may include a requirement that the student prepare and deliver an oral presentation on the work of their research project. These presentations help to hone the students focus on their work, develop collegial research skills, and develop communication skills. Presentations may be delivered either live in class or via a pre-recorded video posted online via the Moodle page for the paper. Details of any required oral presentations will be specified in the Paper Outline.

4.4.1 Marking guide for oral presentations

Criteria for marking oral presentations will focus on the structure of the presentation:

- a) Introduction: Introduction of the subject, preview of main ideas.
- b) Content: Development of the main points with supporting facts, examples, ideas and/or arguments you want to give. Quality of Information and Depth of Scholarship. Use of transitions to help the audience follow the development of ideas. Logical flow.
- c) Conclusion: Provision of a crisp clear summary of main points, extent to which central idea was re-emphasised in a memorable way, provision of closure, ability to motivate the audience to respond with questions/comments.
- d) Presentation delivery: Lucidity of the discussion of relevant material; ability to hold interest and help with understanding, extent to which thesis/research statement and question was made memorable; confidence with material showing evidence of preparation. Time-keeping and management of discussion.

4.5 Written research essays

4.5.1 New Zealand Law Style Guide

All written research work submitted in part fulfillment of the requirements for completing any graduate programme in Law including taught 500 level Law papers, directed study, dissertation, and thesis must comply with the latest edition of the *New Zealand Law Style Guide*. The guide can be accessed and downloaded from the following webpage - <https://www.waikato.ac.nz/library/guidance/referencing/nz-law>.

4.5.2 Presentation and submission of internal assessments

Unless otherwise directed, work is submitted by the specified deadline, online via Moodle.

4.5.3 Final date

All course work must be completed by the dates specified in the Paper Outline for taught 500 level Law papers.

4.5.4 Marking criteria for written research work

The following criteria apply to all written research work submitted in part fulfillment of the requirements for completing any graduate programme in Law including taught 500 level Law papers, directed study, dissertation, and thesis:

- a) Focus and Structure: Clarity in the definition of the topic; conciseness and accuracy in the identification of issues; logic and clarity of organisational structure.
- b) Scholarship and Analysis: Appropriate use of theoretical and contextual scholarship; skilful legal analysis; evidence of wide ranging and thorough independent research; originality.
- c) Presentation and Style: Lucidity of the discussion of the material; cogency of prose and argument; precision of compliance with the New Zealand style guide.
- d) General: Work submitted for masters papers must demonstrate: the ability to engage in critical analysis of the law, in the particular context relating to the question posed; the ability to recognise and to make appropriate comparisons, and the ability to identify and discuss core legal concepts in a thoughtful, supported and original manner.

4.5.5 Graduate programme assessment schedule

The schedule of grades used by the University applies to the assessment of all written research work submitted in part fulfillment of the requirements for completing any graduate programme in Law including taught 500 level Law papers, directed study, dissertation, and thesis. The schedule of grades and the range of marks represented by each grade can be accessed and downloaded from the following webpage - <https://www.waikato.ac.nz/students/student-assessment/regulations-and-policies/grading-scale>.

The following overall criteria will be used by Lecturers, Paper Convenors, and Supervisors when applying the relevant marking criteria outlined above for written research work:

- a) A+, 90-100%: Clear evidence of significant reading beyond basic texts of first reference; originality or new interpretation; all major points identified and responded to in a convincing and persuasive manner, alternative arguments are canvassed and convincing reasons advanced for their not being favoured; nearly all difficult issues are identified; flawless prose and organisation. Attention may be paid to the scope of the project undertaken (credit may be given for attempting more challenging projects).
- b) A, 85%: Most of the requirements for an A+.
- c) A-, 80%: As for B+, together with several of the requirements of an A+.
- d) B+, 75%: As for B, but with more difficult issues solved and a good standard of writing.

- e) B, 70%: Presents the main points in a manner that indicates understanding and a degree of confidence and control over the subject matter. No confusion over core concepts. Some difficult issues identified and answered. Good prose. Dissertation is well organised, structural headings and sub-headings make sense and are informative. No irrelevant material.
- f) B-, 65%: As for B, but inferior in one or two respects. No confusion.
- g) C+, 60%: As for C, but with little confusion and more issues identified and answered. Some irrelevant material tolerated.
- h) C, 55%: Essential points identified and presented. Some confusion tolerated. Probably half of the relevant issues identified.

4.5.6 Written research work feedback

Students may reasonably expect their marked assignments returned within 5 weeks of due submission dates. Graded assignments may be accompanied by comments explaining the grade awarded. The Lecturer should also be available for discussion.

4.5.7 Extensions

Students are required to complete and submit all work by the specified dates in the Paper Outline.

Applications for extensions may be made online via the Law Student Hub webpage **before** the specified date in the Paper Outline for completing and submitting the work.

Extensions will ordinarily be granted for up to 10 working days where the criteria specified on the Law Student Hub webpage are satisfied. Extensions will not be granted for more than 21 working days after the last teaching day of the relevant Trimester in which the paper is taught.

Applications that are made out of time, or that do not satisfy the relevant criteria, or where any required supporting evidence is not provided within a reasonable time will be declined.

Unless an extension in writing has been granted, a Lecturer may refuse to accept a piece of work which is submitted after the specified date, and automatically award it no mark, or may lower the mark as a penalty for lateness.

Applications for extensions relating to taught 500 level papers are determined by the Chief Examiner. Students will be notified of the outcome of their application by Law Reception by email.

In the meantime, students should continue to complete their work and submit it online via Moodle as soon as possible.

4.5.8 Special consideration

Students may apply for special consideration in relation to the research proposal or oral presentation regarding any missed or impaired work. Applications should be made online via the Law Student Hub and will be assessed against the criteria specified on that webpage.

The Paper Convenor will be responsible for making a recommendation to the Board of Examiners as to whether an estimated mark should be given for the research proposal or oral presentation, or alternatively whether students should be allowed the opportunity (a) to submit or repeat the original assessment or (b) to submit an alternative assessment.

Applications that are made out of time, or that do not satisfy the criteria for special consideration, or where no supporting evidence is provided will be declined.

Special consideration is **not** available for written research essays but students may apply for an extension as outlined above.

Students may appeal against the Paper Convenor's recommendation to the Chief Examiner. Any appeals must be made in writing no later than 7 days after the date on which the Paper Convenor's recommendation was emailed to the student.

For any missed work (where special consideration has not been given) students will be given an IC grade in relation to any compulsory examination that has been missed, and will be given a zero mark or E grade for any internal assessment work that is missed.

4.5.9 Penalties for lateness

Failure to comply with requirements as to the time deadlines for internal assessment (detailed in the Paper Outline) without having applied for an extension or special consideration before the due date will result in the deduction of 2.5% for the piece of internal assessment work for each day, or part thereof, the work is late. Internal assessment work submitted more than 5 working days after the specified deadline may not (as noted below) be marked.

Unless an extension has been granted in writing (by email), a Lecturer may refuse to mark a piece of internal assessment work that is submitted more than 5 working days after the specified date, and automatically award it no mark (zero), or may lower the mark as a penalty (as outlined above).

4.5.10 Review of grade

A student who considers that a mistake has been made in the process of calculating or determining a grade for a paper may (on payment of the prescribed fee) apply for a review of a grade.

An application for review of grade must be submitted by the student to the Student Centre not more than 14 days after receiving notification of the grade.

The review of grade involves a re-marking of all items of assessment that contribute to the final grade and a re-calculation of marks, or the student (where applicable) may elect to have their exam script only reviewed.

A review of grade results in a grade either being left unchanged, raised, or lowered.

Any review of grade should be carried out independently by another Law Academic and not by the original examiner/lecturer who marked the student work.

4.5.11 Academic Integrity

The University is committed to excellence, respect, and honesty in scholarship and to ethical professional conduct. Academic integrity is at the core of this commitment and requires all members of the University community (students, academic and general staff) to uphold academic integrity as a personal, academic, and professional responsibility.

4.5.11.1 Plagiarism

Plagiarism means presenting as one's own work the work of another, and includes the copying or paraphrasing of another person's work in an assessment item without acknowledging it as the other person's work through full and accurate referencing; it applies to assessment (as defined in the Assessment Regulations) presented through a written, spoken, electronic, broadcasting, visual, performance or other medium.

The [Student Discipline Regulations](#) are found in the online [Calendar](#). The [Library](#) and [Student Learning](#) are valuable resources to assist you with your studies at the University. There is also a [Moodle-based course](#) on Academic Integrity, which is highly recommended.

4.5.11.2 Cheating

Cheating at the University includes and is not limited to the following items:

- Copying all or part of another student's work (essay, report, code, test answers, etc) and submitting it as your own.
- Using another person's work - from a reading (article, book), from course materials, from digital sources such as Wikipedia and not acknowledging the source of the work.
- Buying an assignment, including from an internet service or a social messaging service (such as WeChat).
- Using sites such as but not limited to, studocu.com and chegg.com to source answers for assessment tasks, such as test questions.
- Asking someone else to produce your assignment and submitting it as your own.

Throughout this paper you may be asked to work in groups or teams on a variety of tasks and discussions. When it comes to assessment, the work you submit should always be all your own work unless your lecturer or tutor has specifically assigned the work as a group assignment. This does not mean that you can't form study groups and work together on problems, exchange ideas, and so on. However, you may not submit someone else's work as your own; you need to write the assessment yourself.

On occasion, an assessment task may require you to submit drafts or parts of a piece of work before submitting a final version. Otherwise, you are not permitted to submit the same piece of work for two different assignments even if they are for different papers. The University's [Assessment Regulations](#) prohibit this type of repeat submission, without prior approval from the lecturer.

Students' work is checked by staff and by software such as Turnitin in order to detect cheating. Cheating is a breach of the [Assessment Regulations](#) and will be dealt with according to the [Student Discipline Regulations](#).

PART 5: SUPERVISION OF GRADUATE PROGRAMMES IN LAW

This part of the *Graduate Handbook* applies to the following supervised research 500 level Law papers:

- LEGAL490 Directed Study 15points LLB.
- LEGAL590 Directed Study 15points LLM/MLS.
- LEGAL591 Dissertation 30points LLM/MLS.
- LEGAL592 Dissertation 60points LLM.
- LEGAL593 Thesis 90points LLM.

Faculty approval is required for enrolment in these papers.

5.1 Applications process and Faculty approval

The Faculty normally operates a batch round application process for the above supervised research 500 level Law papers, with applications for Batch Round 1 closing on 30 April and Batch Round 2 closing on 31 October. Late applications will be considered in the next following round. Any incomplete applications will not be considered.

Decisions on applications are normally made by the Faculty's Graduate Studies Committee in the following month after the close of applications. Offers are made based on academic merit and the availability of appropriate academic supervision capacity. The relevant application form can be obtained from and completed applications must be returned to law.reception@waikato.ac.nz.

The Faculty does not warrant that it can provide supervision in all areas of law. Student decisions about enrolling in supervised legal research, and about their research plans, should therefore be taken in the light of the Faculty's capability to provide appropriate expert supervision.

LLM students wishing to enroll in LEGAL593 must have achieved at least a **B+ grade average** from their bachelor's degree award.

5.2 Research options

There are (as noted above) several ways to conduct supervised research in part-fulfillment of the LLM and MLS degree requirements.

For students the first decision to make when considering supervised research is whether to pursue directed study, a dissertation, or a thesis.

The terms directed study, dissertation, and thesis essentially mean the same thing – the differences between them are in scope, depth, and length of the research work. Directed study and dissertation refer to the smaller pieces of work, and thesis refers to a more substantial research project. Apart from the difference in the length, depth, and scope of work, the requirements and format for any directed study, dissertation, and thesis are generally the same.

Any directed study, dissertation, or thesis is the outcome of independent research and scholarship conducted by the student under qualified supervision of a Law Academic (Supervisor) with the aim of introducing the student to the collection, extension and/or analysis of knowledge.

Legal research is distinguished by the relevance of the arguments to the student's discipline, the quality of the evidence collected, how it is employed, and the light it sheds on current disciplinary concerns and interests.

The final results of any directed study, dissertation, or thesis should demonstrate the student's ability to:

- a) Master the theoretical paradigms of the discipline.
- b) Identify and evaluate relevant literature and other forms of information.
- c) Design a well-structured, relevant and integrated plan of research.
- d) Implement a research plan using appropriate methods of research and analysis.
- e) Reach logical conclusions informed by a combination of the student's own investigations and other available information.

Legal research can vary and the best way to become familiar with this form of scholarship is to read examples of work deposited in the University library. Students are strongly advised to do this before embarking on their research proposals.

5.3 Research proposals

Research proposals are required for **all** taught and supervised 500 level Law papers. The detailed requirements for research proposals including content and marking criteria are outlined in subpart 4.2 above.

5.4 Human research ethics approval

Any student who is planning to conduct a research project that involves human participants will need approval from the Division of Arts, Law, Psychology, and Social Sciences (ALPSS) Human Research Ethics Committee.

Ethics approval **must** be gained prior to the commencement of the research, and students are strongly encouraged to begin the process at least one month before the beginning of their research.

Details about the ethics approval process, including, the ethics application form, the ethics consent form, the guidelines for creating an ethics information sheet, the ethics checklist, and the online portal for submitting applications, can be accessed, and downloaded from the following webpage - <https://www.waikato.ac.nz/fass/about/human-research-ethics>. Paper copies of applications are no longer required.

The webpage also provides details of the application deadline dates, how applications will be processed and decided by the ALPSS Human Research Ethics Committee, and the email contact details for the Committee Chair and the Administrator.

The human research ethics approval process outlined above applies to **all** research projects that involve human participants, including:

- LEGAL490 Directed Study 15points LLB.
- LEGAL590 Directed Study 15points LLM/MLS.
- LEGAL591 Dissertation 30points LLM/MLS.
- LEGAL592 Dissertation 60points LLM.
- LEGAL593 Thesis 90points LLM.
- LEGAL800 Law MPhil Thesis 120points.
- LEGAL900 Law PhD Thesis 360points.
- LEGAL994 SJD Thesis 240points.
- LEGAL995 SJD Research Portfolio 120points.

5.5 Directed study, dissertation, and thesis requirements

Pursuing legal research should enable students to master the theoretical paradigms of the discipline:

- a) Identify and evaluate relevant literature and other forms of information.
- b) Design a well-structured, relevant and integrated plan of research.
- c) Implement a research plan using appropriate methods of research and analysis.
- d) Reach logical conclusions informed by a combination of the student's own investigations and other available information.

The work should be presented in a clear, accurate and succinct form suitable for examination.

5.5.1 Structure

Any directed study, dissertation, or thesis should be a carefully written exposition of the research a student has undertaken under supervision. It should:

- a) Critically investigate the topic.
- b) Demonstrate an appropriate level of expertise in the methods of research and scholarship.
- c) Demonstrate the independent development of ideas relevant to the topic.
- d) Present the results lucidly in a manner that makes a contribution to the subject area concerned.

It should normally include the following:

- a) A clear outline of the research question to be addressed and the theoretical, contextual, or disciplinary basis of the student's research, and provide an overview of the rest of the thesis.
- b) It should also develop the arguments in a sustained and coherent manner, and these should be brought to a conclusion.

It is important for students and their Supervisors to realize that the written work, with careful argument and presentation, is a fundamental part of the evidence that the student is, or is not, worthy of the award of the degree. No matter how good the student's research may be, it is an essential condition for the award of the degree that the research be presented in a well-written way that clearly justifies the student's research methods and conclusions.

In addition to the above, the student's written work will normally contain:

- a) An abstract.
- b) A table of contents.
- c) A table of cases and statutes considered.
- d) A detailed description of the student's research, findings, data, and overall conclusion of the thesis.
- e) A bibliography.
- f) Indices (of important words, phrases, and symbols) and/or glossaries as appropriate.

The word limits for 500 level supervised research papers are:

- LEGAL590 Directed Study 15points LLM/MLS (10,000 word dissertation).
- LEGAL591 Dissertation 30points LLM/MLS (12,500 word dissertation).
- LEGAL592 Dissertation 60points LLM (25,000 word dissertation).
- LEGAL593 Thesis 90points LLM (38,000 word thesis).

These word limits **include** the proposal, the research paper and footnotes. They **exclude** the bibliography and any appendices.

5.5.2 Feedback on draft directed study, dissertation, and thesis

Supervisors will provide students with feedback on one draft of their directed study, dissertation, or thesis. Students must leave sufficient time for the Supervisor to do so, 10 working days as a minimum. Supervisors cannot be expected to edit or rewrite student

work. Any review of work completed does not provide a guarantee of any particular grade. The student bears full responsibility for the final work submitted for assessment.

5.5.3 Language

The work will normally be written in English, but a student may request permission to submit work written in te reo Māori.

Students may submit work in a language other than English or Māori only with the permission of the Faculty. Such permission will normally be given only where the use of the language is appropriate to the topic, and where Supervisors and examiners can be appointed who will be able to examine in that language.

Work submitted in any language (including English) is expected to conform to the normal standards of presentation (grammar, spelling, and style) in that language.

5.5.4 Monitoring

Aside from the specific obligations determined by the student and the Supervisor through the research proposal, other basic points which the Faculty insists on are:

- a) In general, students should consult their supervisors regularly (normally at least once per month) concerning the progress of their research.
- b) While academic staff have significant supervisory obligations, ultimate responsibility for the personal programme of study lies with the student. It is the obligation of the student to come to the Supervisor for discussions and review of work.
- c) The Supervisor shall take the initiative in establishing regular supervision meetings with the student, and shall report at the end of each trimester to the PG Convenor on progress of the student.

5.5.5 Completion dates

The start dates and submission dates for all 500 level Law papers are:

- Start date = the first day of the relevant Trimester.
- Due date for submission = the last day of Study Week for the relevant Trimester.

For example, any LEGAL590 directed study or LEGAL591 dissertation should be completed over one trimester of study, any LEGAL592 dissertation should be completed over two trimesters of study, and any LEGAL593 thesis should be completed over three trimesters of study.

5.5.6 Submission

Any directed study or dissertation should be submitted online via the relevant Moodle page for the paper.

Any LEGAL593 thesis must be submitted in electronic format by email to the Assessment Office. A copy of the thesis (as submitted to the Assessment Office) should also be posted online via the Moodle page for the paper.

5.5.7 Extensions

A maximum 21-day extension may be obtained by formal application (see subpart 4.5.7 above) and approval by the Chief Examiner unless there are exceptional circumstances. A student who fails to submit a directed study, dissertation, or thesis within this time frame, will normally be required to re-enrol in the paper or given an IC grade.

5.6 Assessment and examination

The marking of any directed study, dissertation, or thesis should take no longer than eight weeks.

5.6.1 Directed study and dissertation

Any directed study or dissertation shall normally be internally assessed, and marked by the Supervisor and cross-assessed by another Law Academic from the Faculty. The Supervisor is responsible for arranging cross-assessment.

Both the Supervisor and the cross-assessor are required to write separate, independent, reports addressing the requirements outlined in subpart 5.5.1 above and using the grade scale and assessment schedule outlined in subpart 4.5.5 above. When marking is complete the Supervisor should send copies of both reports to the Chief Examiner by email.

5.6.2 Nomination of examiners for LEGAL593

The qualification regulations for the LLM degrees provide that two examiners should be appointed to examine any 90 point thesis (LEGAL593):

- a) One examiner must be external to the University and active in the research field of the thesis.
- b) The other examiner should be internal to the University, with a good grounding in the research field, who is not directly connected to the student, or the student's thesis research or supervision.

Supervisors are responsible for nominating examiners and for overseeing the thesis examination process and providing copies of the external examiners reports to the Chief Examiner by email when marking is complete.

5.6.3 Determining the grade

Where the examiners responsible for marking the student work under subparts 5.6.1 and 5.6.2 above are in agreement about the mark that should be awarded for the work, the

mark shall be confirmed by the Board of Examiners or by the Chief Examiner acting under delegation.

If there is any difference between the examiners regarding the mark that should be awarded for the work, the mark shall be decided by the Board of Examiners or by the Chief Examiner acting under delegation.

PART 6: COMPLETION AND THE AWARD OF HONOURS

Decisions on the award of honours for LLM and MLS degrees are made by the Board of Examiners, or by the Chief Examiner under delegation, when confirming or deciding the final grade for the paper.

The grade average across all papers from the degree required for the different classes on honours awards is:

- First Class Honours = A- to A+ grade (80% to 100%).
- Second Class Honours (first division) = B+ grade (75% to 79%).
- Second Class Honours (second division) = B grade (70% to 74%).

PART 7: SUPERVISION OF POSTGRADUATE PROGRAMMES IN LAW

The Faculty hosts a lively, diverse, and well-established scholarly community of higher research degree students.

Students are supported by their supervision panels (comprising a Chief Supervisor and a Supervisor who are appointed on the basis of their competence in the field of research and time capacity to provide adequate supervision), the PG Convenor, and the Deputy Dean.

7.1 Higher research degrees

This part of the *Graduate Handbook* applies to the following supervised research 800 and 900 level Law papers:

- LEGAL800 Law MPhil Thesis 120points.
- LEGAL900 Law PhD Thesis 360points.
- LEGAL994 SJD Thesis 240points.
- LEGAL995 SJD Research Portfolio 120points.

7.2 School of Graduate Research

The MPhil and PhD degrees in Law, and the SJD degree are administered by the SGR.

Applications for the MPhil and PhD degrees in Law, and the SJD degree are normally operated by the SGR by a batch round application process with applications for Batch Round 1 closing on 31 January, Batch Round 2 closing on 31 May, and Batch Round 3 closing on 30 September.

Generally, applicants wishing to enroll in the Postgraduate Programmes in Law must have qualified for the award of an LLB Honours or LLM Honours or MLS Honours degree with at least second class honours (first division) or distinction.

Details about the application process and requirements for these degrees, and the online portal for submitting applications can be accessed and downloaded from the SGR webpage - <https://www.waikato.ac.nz/study/apply/higher-research-degrees-application-process>.

The LLD degree is also administered by the SGR. Applicants must either be graduates of the University of Waikato in Law or Legal Studies or have a significant academic association with the University. The award of the LLD degree is based on a collection of work, or a specially composed thesis based on such work, which constitutes an original, substantial, and distinguished contribution to scholarship and establishes the applicant as an international authority in the field of Law.

Details about the LLD degree requirements can be accessed and downloaded from the following webpage - <https://www.waikato.ac.nz/study/qualifications/doctor-of-laws>.

7.3 Confirmation of Enrolment

At the end of 6 months full-time equivalent enrolment, all doctoral candidates who have been enrolled conditionally, apply to reach confirmed enrolment.

This is an important milestone in the doctoral programme of study, and signals the end of the conditional enrolment period. The University retains the right to terminate an enrolment where sufficient progress has not been achieved.

When the full research proposal has been completed, candidates are required to apply for confirmed enrolment using the *Application for Confirmed Enrolment* form. The form, along with the full research proposal and any supporting documents, such as ethics approval, is endorsed by the Chief Supervisor, the Deputy Dean, and the ALPSS Associate Dean (Postgraduate) before being passed to the Postgraduate Research Committee for approval.

7.3.1 The full research plan should contain:

- Working title.
- Outline of significance of topic (e.g. its importance for advancing knowledge in the field/discipline or regions and/or implications for methodology or understanding).
- Literature review in a form consistent with practices of the discipline.
- Statement of the research questions or hypotheses.
- The methodologies that will be used to investigate the questions or hypotheses.
- How the data will be analysed.
- Thesis outline.
- Any resource requirements.

- Timetable for research and thesis writing, including dates when key objectives should be met.
- A statement concerning the requirement for any ethical approvals and a copy of that approval having been granted by the Faculty/School.

It is the responsibility of the research supervisor(s) to advise candidates on [ethical matters](#) and to ensure that any necessary approvals are granted before the candidate embarks on their actual research.

At the confirmed enrolment presentation one of the following options will be recommended:

- a. That the candidate proceed to confirmed enrolment because satisfactory progress has been made and the candidate has demonstrated sufficient ability to proceed, or
- b. That the candidate revise and resubmit their confirmed enrolment presentation, or
- c. That the candidate withdraw from the doctoral programme due to an identified lack of ability, or
- d. That the candidate transfer to the MPhil, or LLM degree as appropriate.

For candidates who first enrolled on or after 1 August 2017, if a full research proposal has not been submitted and approved within the first 9 months of full-time equivalent enrolment, then the candidate's enrolment in doctoral study will be terminated.

MPhil candidates do not have a period of conditional enrolment as their initial research proposal, which must include an ethics statement, forms the basis for approval to enrol in an MPhil degree.

SJD candidate's approval to enrol in Part 2 of the qualification (the thesis component) is dependent on:

- Satisfactory completion of the coursework for Part 1.
- Evidence of suitable professional skills.
- Submission of an acceptable full research proposal which must include ethical approval, if required.

7.3.2 Related documents

All candidates applying for confirmed enrolment in a PhD or Part 2 of the SJD programme need to complete an *Application for Confirmed Enrolment* form that can be accessed and downloaded from the following webpage -

https://www.waikato.ac.nz/_data/assets/pdf_file/0003/349005/20191105UOWApplication-for-Confirmed-Enrolment-Form.pdf.

7.4 Further information about PhD and SJD degrees

Further information regarding conditional enrolment, confirmed enrolment, progress reports, annual re-enrolment, written and oral examination, thesis submission for completion, and graduation can be accessed from the following webpage - <https://www.waikato.ac.nz/students/research-degrees/home>.

Students should contact the SGR by email regarding any questions about higher research degree study – SGR@waikato.ac.nz.

7.5 Facilities, scholarships, and employment

The Faculty will, as far as practicable and subject to financial and office space availability constraints provide:

7.5.1 Facilities

Students enrolled in the MPhil, PhD, and SJD degree programmes have the use of the separate graduate tea room located on Level 3 of the Law Building.

Generally, full-time MPhil, PhD, and SJD students will be allocated study space (including a bookshelf, carrel, chair, computer, and desk) in one of the open plan offices located on Level 3 of the Law Building.

7.5.2 Scholarships and awards

A variety of scholarships are available from the Faculty, the University, and other organisations to support graduate and postgraduate study. Full details about scholarships and application procedures can be accessed and downloaded from the Scholarships Office webpage - .

7.5.3 Research and conference funding

ALPSS funding is also available to support graduate and postgraduate students:

- LEGAL590 Directed Study – Research and Conference Expenses up to \$150.
- LEGAL591 Dissertation - Research and Conference Expenses up to \$150.
- LEGAL592 Dissertation – Research Expenses up to \$250 plus Conference Attendance (for one conference only) up to \$200 (North Island) or up to \$350 (South Island).
- LEGAL593 Thesis – Research Expenses up to \$375 plus Conference Attendance (for one conference only) up to \$200 (North Island) or up to \$350 (South Island).
- LEGAL800 MPhil – Research Expenses up to \$500 plus Conference Attendance (for one conference only) up to \$500.

For PhD (LEGAL900) and SJD (LEGAL994) candidates up to \$3,000 (maximum) is available for resources, research expenses, and conference attendance. No more than \$1,000 can be claimed in the first year of enrolment and no more than \$2,000 can be claimed in any subsequent year.

7.5.4 Employment

It is expected that full-time students will be working full-time on their studies. While students may engage in part-time work (including employment as a Tutor or Research Assistant in the Faculty) and part-time work should not exceed 15 hours per week.

7.5.5 Professional Legal Studies programmes

Students should not be enrolled in Professional Legal Studies programmes while enrolled in graduate or postgraduate programmes in Law.

PART 8: GENERAL REGULATIONS AND PROCEDURES

The following regulations (inter alia) apply to students enrolled in graduate and postgraduate programmes in Law:

- Student Research Regulations.
- Ethical Conduct in Human Research and Related Activities Regulations.
- Dissertations and Theses Regulations.
- Personal Programmes of Study Regulations.
- Assessment Regulations.
- Policy on the use of Māori for Assessment.
- Student Discipline Regulations.
- Student Complaints Procedures.
- Library Regulations.
- Parking and Traffic Regulations.
- Miscellaneous Regulations (including the Computer Systems Regulations).

Students are responsible for familiarizing themselves with the regulations and ensuring that they comply with them.

Copies of the regulations can be accessed and download from the following webpage - <https://calendar.waikato.ac.nz/toc>.

PART 9: HANDBOOK UPDATES

This handbook will be updated at the end of each trimester in light of any policy or regulatory amendments or changes made by ALPSS, or the University

APPENDIX

Non-law papers that students may enroll in as part of their LLM or MLS degrees:

Arts

APPLN501 Research Methods and Applied Linguistics

MEDIA501 Critical and Creative Approaches to Research

WRITE501 Writing for Publication

MUSIC501 The Aesthetics of Music

APPLN530 Discourse Analysis

NIDEA

POPST500 Official Social Statistics

POPST501 Population Health and Equity

POPST507 Critical Demography

POPST509 Research Methods for Population Analysis

Psychology

PSYCH555 Environmental Psychology

PSYCH579 Applying Psychology at Work

Social Sciences

ANTHY521 Environmental Anthropology

ANTHY522 Visual Power: Images, Aesthetics & Politics

ENVPL504 Plan Making

ENVPL506 Planning Law

GEOGY500 People, Place, Power

GEOGY520 Human Dimensions of Environmental Change

IRSST502 Security Issues in South-East Asia

IRSST506 International Relations and Global Security

IRSST507 Cyber Security and Cyber Warfare

POLSC537 Environmental Politics and Public Policy

SOCIO500 Comparative Indigenous Sociology

SOCOPY507 Gender and Development