



The University of Sydney
FACULTY OF LAW

help manual & style guide

for postgraduate research
& coursework students

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APPENDIX A

Sydney Law Review Style Guide

www.law.usyd.edu.au/slr/docs_pdfs/guides/authors_slr_styleguide.pdf

APPENDIX B

Institute of Criminology *Current Issues in Criminal Justice* Style Guide

<http://www.criminology.law.usyd.edu.au/journal/style%20guide.pdf>

STYLE AND SUBSTANCE

POSTGRADUATE STUDY IN THE FACULTY OF LAW

UNIVERSITY OF SYDNEY

A. INTRODUCTION

The Law School at the University of Sydney has the largest and most diverse program of postgraduate studies in law in Australasia. It accounts for a large proportion of all higher degree students enrolled in a Law Faculty within the major Australian research universities. There are approximately 1700 postgraduate students in the Faculty, including over 100 thesis candidates.

The Faculty has a large number of areas of specialisation (including specialist Centres), and it is strong in many areas of the common law. The calibre of teaching and research staff puts the Faculty at the forefront in terms of research output, and in the quality of the contributions to scholarship. Interdisciplinary work is encouraged, but not at the expense of basic doctrinal work. Both bodies of work are equally valued in the School, which has a commitment to excellence and diversity.

Postgraduate training is a major strategic priority of the Faculty. The Faculty is always striving to further improve the quality of the experience for its postgraduate students. This Manual is one contribution to that process. It tells you about the facilities and resources that are available through the Faculty, discusses what postgraduate work involves, and reproduces the *Sydney Law Review* Style Guide.

B. FACILITIES & SUPPORT FOR POSTGRADUATE STUDENTS

1. Library services

The Law Library is part of one of the largest library systems in Australia. Students are entitled to use any of the University of Sydney libraries. Your student card is also your library card. Special services for postgraduate students include the following.

Reference service

Reference assistance can be requested at the Law Library Desk in the Law School Building (F10), Eastern Avenue, Camperdown Campus, at any time. For more complex questions, however, you should make an appointment to see the Reader Librarian on (Tel 9351 0293 or Email p.omara@library.usyd.edu.au). More complex questions might include help with a database search or advice on locating material for a thesis or assignment.

Legal research classes

The Law Library has a program of legal research classes for postgraduate students. Details are announced at the start of each semester. The program includes tours of the library, finding Australian legal materials for students new to the jurisdiction, the study of law, introductory and advanced classes on electronic searching, locating resources in particular subjects and internet searching. Research students may also request training in Lexis and Westlaw.

For further details of classes hosted by the Law Library during each semester, refer to the Law Library homepage: <http://www.library.usyd.edu.au/libraries/law/>

Inter-library loans and documents delivery

Postgraduate students may request items not held in the Law Library to be acquired on inter-library loan or through a commercial document supply service. Material held elsewhere in the University Library can also be requested. There is usually no charge for this service. There is a proviso: if a large number of items are requested from a library in the Sydney area, students are expected to go there in person.

To use the service the first time you need to fill out a "User Agreement Form". This is available at the Information Desk. From then on place your requests online using the web catalogue. For further details check:

<http://www.library.usyd.edu.au/borrowing/docdel/>

Frequent users might like to try "Direct", our unmediated document delivery service.

Computer Access Labs

This is in the Law Library and other locations across campuses managed by the University ICT (Information & Communication Technology) Services. See location and operating hours at <http://www.usyd.edu.au/ict/switch/labs/locations.shtml> Each student has an account provided by the University which allows free access to word processing, some web surfing and access to the University email service. For more extensive access you will need to add money to your account. For more details see <http://helpdesk.usyd.edu.au/>

Reciprocal borrowing

Postgraduate students are able to borrow from most university libraries in Australia under a reciprocal-borrowing scheme. For details see:

<http://www.caul.edu.au/ula/participants.html>

Carrels

The Law Library has lockable study carrels for postgraduate students and visiting scholars. These are in great demand and there is a waiting list. Preference is given to full time research students. Apply to the Law Library Administrative Assistant.

Electronic databases

The Law Library provides access to an extensive range of electronic resources in law and other disciplines. These include reference works, periodical indexes and full text services. Many of these services can be accessed remotely. For details see: <http://www.library.usyd.edu.au/databases/wam.html>

The Law Library has an educational licence to Lexis, Westlaw, and ATP Taxpoint. As a European Documentation Centre, it has access to Celex. Students also have access to Quicklaw. There is a complete list of databases at <http://www.library.usyd.edu.au/libraries/law/databases.html>

Internet access is available for conducting legal research on all library workstations. For general internet use and email there is the Computer Access Laboratory on Level 7.

The Law Library home page <http://www.library.usyd.edu.au/law> includes guides to research materials in areas covered by the specialist teaching programs.

2. Study skills classes

The Faculty – in conjunction with the Learning Centre – conducts several workshops and classes that focus on generic assessment and study skills. These classes may be of particular assistance to international students and those for whom English is not a first language. The Learning Centre conducts seminars as follows:

1. As part of the *Bridging Course* for International and Postgraduate Students. The Bridging Course is taught at the Law School twice each year in the week before semester begins.
2. As part of the postgraduate unit, *Legal Reasoning & the Common Law System*, which is a compulsory unit for a number of postgraduate coursework programs.
3. The Learning Centre also offers a freestanding Assessment Skills Workshop during semester. This will be advertised on the Faculty website.
4. The Learning Centre is also planning to run a session for research students. For further information, contact the Associate Dean (Research) or the Associate Dean (International).

For further details about the Learning Centre, visit their website:

http://www.usyd.edu.au/stuserv/learning_centre/index.shtml

NOTE: In addition to the above, the *Bridging Course* and the postgraduate unit *Legal Reasoning & the Common Law System* contain modules that focus on the fundamentals of writing essays and research papers. These modules also aim to educate students about plagiarism and academic misconduct.

3. Assistance with learning difficulties

Learning Centre

If you are having difficulties with your written expression, including essay writing style or structure, the Learning Centre runs several courses each semester which may be helpful to you. The Learning Centre is located in the Education Building, Room 722, Level 7, Tel: 9351 3853 Email: lac@stuserv.usyd.edu.au

Details of Learning Centre resources and workshop timetables can be found at <http://www.usyd.edu.au/lc>

Some courses are specifically designed for international students and students who come from non-English speaking backgrounds.

University of Sydney Language learning (*Arts Digital Resource Centre*)

For students who would like additional help with English as a second language, the Arts Digital Resource Centre has resources such as self study books, cassettes and videos, as well as audio/video language labs available for all students to use. The Arts Digital Resource Centre is at Brennan MacCallum Building, Main Campus, Tel: 9351 3861, Email: Arts.Digital@arts.usyd.edu.au

Details of the 'Self Study' materials and facilities available free to all University of Sydney students may be found at

http://www.arts.usyd.edu.au/artsdigital/ad_language_learning

4. International students

The Faculty recognises that international students may encounter some difficulties in settling into the Law School and the city. International students are encouraged to consult the Associate Dean for International Students on academic problems or other difficulties that may affect their academic performance.

5. Access to email and internet

The University provides all students with an email account at enrolment. This email account is accessible the Law Library ICT computer lab and other access centres around the main campus. All official University correspondence are forwarded to students at their assigned USyd email address.

Additional services (full access to the Internet and dialup access via modem from home) are provided on an additional fee basis. See <http://helpdesk.usyd.edu.au/> for the current services available and associated fees. Information Services also run a help line (which is operational during office hours) for general help and advice. Students wishing to utilise the internet are strongly urged to take advantage of this facility. The telephone number for Information Services is 9351 5511.

Please ensure that you provide the Postgraduate Team with your email address and remember to provide updates should your address change.

A special email discussion group has been established for postgraduate research students in this Faculty.

6. Research room for postgraduate research students

In recognition of the particular needs of postgraduate students undertaking research towards a thesis (ie those undertaking a PhD, SJD or LLM/MCrim by research), the Faculty has established a Postgraduate Research Room in the Law School building. The room provides computer facilities, a printer, lockers and a workspace (Level 3 and 5).

The computers in the room are strictly for the use of full-time postgraduate research students and are accessed via personal accounts and passwords. Services available in this room include word processing facilities, access to the internet and a laser printer. The Computer Systems Officers are Peter Ni and Patrick Lui (Tel: 9351 0214 Email law.IT@usyd.edu.au). Please note that these staff are NOT available to provide training in computer skills or the use of software. Further information concerning Faculty computer resources for postgraduate students is available in the Faculty's Computer Handbook for Students.

The room has an alarm system. Each eligible student will be provided with a personal security pass to allow them to enter the room. Access to the room will be possible on the same days and times as the library is open. All postgraduate research students are invited to register to use the research room and to collect a security pass and locker key.

To register please see the Facilities Officer on Level 3, Law School, during office hours. Please bring your student card.

Once you have registered for access to this facility you will be issued with a security pass. This will take a day or two to be activated by the University Security Service.

Please keep noise to a minimum and refrain from eating, drinking or using mobile phones while in the room. Misuse of the facility may result in privileges being withdrawn.

7. Assistance with research expenses

Interstate/international calls, postage for research correspondence

Faculty will consider requests to meet special expenses, which are central to the conduct of the research project. In the first instance, this should be discussed with your supervisor. Supervisors are authorised to arrange occasional calls interstate or overseas on their own line, where they are satisfied that the call is necessary. Postage of questionnaires, and the typing and dispatch of research-related correspondence may also be arranged where appropriate. If the expense is significant however, your supervisor will first need to obtain approval from the Associate Dean (Research).

Postgraduate Research Support Grant

Some limited funding may be available to support postgraduate research students in attending conferences where they are presenting a paper, and may be available to cover essential fieldwork. Further information is available from the Faculty website http://www.law.usyd.edu.au/cstudent/research/resources_support.shtml#prss

8. WebCT

All Units of Study at Sydney Law School have online components available. Online study at the University of Sydney uses software called WebCT (Web Course Tools). You should check the WebCT site(s) for units in which you are enrolled as your lecturer may post announcements and important documentation there. Essays and assignments must be lodged via WebCT by the prescribed due date. See relevant unit outlines for detailed instructions.

Requirements for online study at the University of Sydney

To study online you need regular access to a computer with an internet connection. If you are using a computer off campus, WebCT 4.1 has the minimum requirements:

- PC486 (or better) running Windows 95, 98, Me, 2000 or XP
- Mac 68030 (or better) running at least OS 7.5
- At least 16Mb RAM and 20Mb free disk space
- Modem 28k bps or faster

We recommend that you use any of the following browsers (officially supported by WebCT). You can find more information about WebCT and browsers on the WebCT site: www.webct.com/tuneup

PC

Microsoft IE 5.0, 5.5, 6.0
Netscape 6.2.x, 7.0 and 7.1
Mozilla 1.5, 1.6

Macintosh

Microsoft IE 5.1 and 5.2
Netscape 6.2.x, 7.0 & 7.1
Mozilla 1.5, 1.6
Safari 1.2

In order to be able to work with WebCT 4.1 you may have to:

- Change settings in Anti-Virus Software or disable specific Ad Blocking software on your computer.
- Download the (free) Adobe Acrobat Reader as many materials available online are in the Acrobat format (.pdf).

How to log on to WebCT

UniKey logon details are automatically given to all students and staff members of the University of Sydney. All students have a UniKey account, and an account letter is included in the papers given to you when you enrol. You can find more information about UniKey accounts in the University's Help pages:

<http://intranet.usyd.edu.au/help/password.html>

To log into WebCT using your UniKey login, go to the WebCT login page <http://learn-on-line.auth.usyd.edu.au/>. You also can navigate to the WebCT login page via:

- The University of Sydney website: www.usyd.edu.au
Go to the 'Current Students' area of the site and select 'Login to WebCT'
- The Faculty of Law website: www.law.usyd.edu.au
The WebCT link is the second option down from the 'Quick links' dropdown menu on the Faculty of Law homepage.

Where to find help

If you are having problems with WebCT:

- Email the WebCT Helpdesk webct.helpdesk@usyd.edu.au
All queries will be answered within 24 working hours. The WebCT Helpdesk also has a helpful webpage: www.usyd.edu.au/webct/student

- If you are in a WebCT session and are having problems, the WebCT Help button at the top of each page will give you quick, simple answers to most straightforward problems.
- If you are a Sydney Law School student, you can contact the Online Teaching Administrator on law.webct@usyd.edu.au or Tel: 9351 0328 during office hours.
- If you do not have your UniKey login details or you have forgotten your password, contact the ITS representative at Computer Access Labs on campus during semester helpdesk@usyd.edu.au or Tel: 9351 6000.

C. INTELLECTUAL LIFE AT SYDNEY

1. Research clusters

Research clusters have been established to encourage and profile research performance within the Law School. A cluster is an association of academics, including research students, with a commonality of research interests. By setting an environment for discussion and mentoring, research clusters facilitate collegiality and collaboration between members. Fourteen clusters are presently associated with the Law School, indicative of the breadth and diversity of its research strength:

- Corporate and Commercial Law
- Criminal Law and Criminology
- Dispute Resolution
- Employment and Discrimination Law
- Environmental Law
- Family and Child Law
- Gender, Sexuality and Law
- Health Law
- International Law
- Legal Theory
- Private Law and Equity
- Property Law
- Public Law
- Taxation Law

The clusters supplement the various centres already established in the Law School, including:

- Australian Centre for Environmental Law - Sydney (ACCEL)
- Centre for Asian Pacific and Law (CAPLUS)
- Centre for Health Governance, Law and Ethics
- Julius Stone Institute of Jurisprudence

- Ross Parsons Centre of Commercial, Corporate and Taxation Law
- Sydney Centre for International Law (SCIL)
- The Institute of Criminology, University of Sydney (IC)

2. Faculty seminars

During term time, the Faculty runs a regular staff seminar program, with presentations from visitors, members of Faculty and local academics. The program runs every Thursday lunchtime, commencing with a sandwich lunch between 12.30pm and 1pm, followed by the seminar between 1pm and 2pm. Seminars are held in the Law School. Research students (PhD, SJD, LLM and MCrim by thesis candidates) and overseas students should make this a regular booking on their calendar. Other postgraduate students should feel free to come whenever there are topics of particular interest to them.

Currently the focus of the seminars is on staff research development – staff conference papers, work submitted for publication or work-in-progress seminars at which ideas can be presented and discussed and developed in an atmosphere of constructive discussion. Work-in-progress seminars are clearly flagged and chaired to assist the process of discussion and research development. The Sydney Law School staff have priority in presenting research development seminars.

The Sydney Law School attracts many prominent visiting overseas academics. Visitors to the Faculty may also be invited to present a Thursday seminar, where their topic is of broad interest. It is more likely, however, that visitors will present seminars to the relevant research cluster. These seminars are arranged as the occasion demands.

To find out more about the Lunchtime Seminar Series, please visit <http://www.usyd.edu.au/news/law/456.html?eventcategoryid=45>

3. Postgraduate research work-in-progress seminars

Occasional work-in-progress seminars are held in the Postgraduate Research Room, to allow research students to test ideas emerging in the course of their research. Details of these events are posted on the Faculty current research student website, and notified by email.

The most important of these seminars is the Postgraduate Students' Conference that is held towards the end of the academic year. Run by research students enrolled at Sydney Law School, the conference provides candidates with an opportunity to present a paper on their research before an audience comprising postgraduate students from around Australia. Monetary prizes are awarded for the best paper and for the best presentation. Details of this event can be found on the Faculty website. All research students receive email invitations to participate.

Legal Research 3 also provides a forum for the presentation of student research. Postgraduate students who are not formally enrolled in the unit are nonetheless invited to attend.

4. Supervision of research

Postgraduate thesis candidates can expect to meet regularly with their supervisors. Meetings should take place every six to eight weeks. They should be held whether or not you have submitted written material, and whether or not you believe there is anything to discuss. Such meetings provide an ideal opportunity to clarify issues of style. In the event that your supervisor is not available, or is not meeting your expectations, you should contact the Associate Dean (Research).

D. WHERE CAN I OBTAIN ADDITIONAL INFORMATION & ASSISTANCE?

1. Handbooks and Manuals

A detailed description of University-wide standards and guidelines for postgraduate work may be found in the *Postgraduate Studies Handbook*. (Note that this is an entirely separate publication to the *Faculty Handbook*). The website for the *Postgraduate Studies Handbook* is located at

<http://www.usyd.edu.au/fstudent/postgrad/study/pub/handbooks.shtml>. See also:
http://www.usyd.edu.au/fstudent/postgrad/study/pub/pg_handbook03_research.shtml

This is the most accessible and comprehensive source for anyone seeking a full copy of relevant regulations, or the text of University protocols on supervision etc. It also has details concerning the binding and presentation of theses.

2. Associate Deans and Program Coordinators

The Faculty has appointed academic staff to portfolios related to postgraduate education within the Faculty. They are available to discuss matters associated with your studies. They are also the points of contact between postgraduate students and the Faculty. Issues relating to research or coursework programs or individual units of study can be raised with them. In addition, there is a Postgraduate Coursework Committee and a Postgraduate Research Committee. Membership of both committees includes a student representative. Contact details are as follows.

Associate Deans

Portfolio	Associate Dean	Telephone	E-mail	Room No
Pro-Dean	Prof Lee Burns	9351 0283	l.burns@usyd.edu.au	326
Research	A/Prof Greg Tolhurst (Chair, PG Research Committee)	9351 0243	g.tolhurst@usyd.edu.au	420
Coursework	Prof Roger Magnusson (Chair, PG Coursework Committee)	9351 0211	r.magnusson@usyd.edu.au	628
International Students	Dr Belinda Smith (Sem 1) Ms Susan Shearing (Sem 2)	9351 0229 9351 0373	belinda.smith@usyd.edu.au susan.shearing@usyd.edu.au	504 620

Program Coordinators

Portfolio	Program Coordinator	Telephone	E-mail	Room No
Administrative Law & Policy	Prof Margaret Allars	9351 0257	m.allars@usyd.edu.au	538
Commercial Law	Prof Joellen Riley	9351 0232	joellen.riley@usyd.edu.au	500

Corporate Law	Mr Saul Fridman	9351 0273	S.Fridman@usyd.edu.au	408
Criminology	A/Prof Gail Mason (Sem 1)	9351 0326	g.mason@usyd.edu.au	522
	Prof Julie Stubbs (Sem 2)	9351 0251	j.stubbs@usyd.edu.au	526
Environmental Law & MEnvSciLaw	Ms Nicola Franklin	9351 0274	n.franklin@usyd.edu.au	616
	Admin Assistant	9351 0324	Law.Accel@usyd.edu.au	612
Health Law	<i>Joint Co-ordinators</i> Prof Roger Magnusson	9351 0211	r.magnusson@usyd.edu.au	628
	Dr Kristin Savell	9351 0390	ksav6172@usyd.edu.au	536
International Law	<i>Joint Co-ordinators</i> A/Prof Chester Brown	9351 0280	chester.brown@usyd.edu.au	626
	Dr Jacqueline Mowbray	9351 0316	j.mowbray@usyd.edu.au	608
Jurisprudence	Dr Kevin Walton (Sem 1)	9351 0286	kwal3303@usyd.edu.au	404
Labour Law & Relations	Dr Shae McCrystal	9351 0318	s.mccrystal@usyd.edu.au	506
LLM, GradDipLaw	Dr Arlie Loughnan	9351 0246	A.Loughnan@usyd.edu.au	527
MBL, GradDipIntBusLaw & MIntBus&L	Prof Roger Magnusson	9351 0211	r.magnusson@usyd.edu.au	628
Sydney Law School in Europe	A/Prof Barbara McDonald	9351 0307	b.mcdonald@usyd.edu.au	415
Taxation	A/Prof Rebecca Millar	9351 0319	R.Millar@usyd.edu.au	412
	Ms Nancy Carrasco (Admin Assistant)	9351 0282	n.carrasco@usyd.edu.au	423

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Website: www.law.usyd.edu.au

For other contact details, please visit the University directory at www.usyd.edu.au/staff/directories

E. WHAT DOES POSTGRADUATE RESEARCH INVOLVE?

1. A special task

Writing a thesis or research paper calls for more than technical knowledge of the subject matter. Skills in three additional areas are required.

First, the writer must acquire the ability to organise material in ways which clearly show the pattern of the analysis, while demonstrating the main line of argument in the paper. This is the ‘thesis’. Style guides – such as the one used by the *Sydney Law Review* – assist in achieving this. For example, most of the conventions about use of headings and sub-headings derive from the accumulated experience of authors and publishers in finding the best ways of conveying material to their readership.

Second, the writer must format the material appropriately. Requirements for theses reflect commonsense judgements about what the reader will need when examining the work. For example the paper must be word-processed and it should be printed and bound on one side of the page. Text should be double-spaced (this is also a convention for publishers – it aids marking-up commentary). Margins should be wide enough so that the middle pages of the volume are not crowded out by the effect of the binding. Footnotes should be at the bottom of the page.

Third, the author must learn and apply the conventions about how to sustain and support the thesis through citations (references) to primary and secondary sources. At their heart, most of these conventions enshrine simple propositions about how best to carry your reader with you. One of those principles is that of ‘one stop shopping’:

references and citations should contain all the information a reader may need in order to follow up the material you are relying on to support your argument. For instance, this is why the *publisher, place and year* of publication must be included when citing a book. It is also the basis for rules about how to refer to citations on a later occasion – the reader must be able to instantly locate the full citation (either by re-citation if several pages have intervened, or by a reference to the earlier note). These principles are reflected in the detailed Style Guide set out in **Appendix A** http://www.law.usyd.edu.au/slr/docs_pdfs/guides/authors_slr_styleguide.pdf

Another important part of learning the conventions about citation is to become aware of what plagiarism is, and how to avoid it. **Students are advised to read carefully the section on plagiarism contained in this manual (see pp. 20-24 below).**

2. Learning to balance the main line of argument with the necessary detail

An important feature of a good thesis is that material should be ‘graded’. Too much scholarly material can be as bad as too little, but it is a matter of balance.

Postgraduate analysis *must* demonstrate an excellent command of the material. Discussion must be properly located within the prior body of scholarship (in a very economical fashion). It must also demonstrate knowledge of the ‘hierarchy’ of information about the topic being analysed. Like an iceberg, the reader must be convinced that the superstructure is adequately supported by an understanding of what lies beneath. It must also tackle contrary arguments, alternative conceptualisations, and be aware of analogous lines of argument. This is a challenging task, because all these different levels of debate must be present in the document, without deflecting attention away from the main line of argument in the body of the text.

Essential or core propositions should be fully discussed in the text. Necessary intermediate buttresses to the argument will usually be handled in footnotes, together with references to the finer detail of the supporting documentary (or other) evidence relied on to found the argument. Notes should also be the place where the reader with a query about some related point (or a less popular interpretation) finds either the quick refutation, or the ‘pointers’ to the references which discuss such matters in more detail. This does not mean that textual elaboration should overload footnotes. The main purpose of a footnote is to provide the documentary evidence to support the argument itself.

For the convenience of the reader (who will rarely turn up endnotes) and in order that the reader obtains the full force of your argument and its supporting material, notes should appear as footnotes at the bottom of each page.

3. Style guides

Style guides reflect many things, and are subject to change. Commonsense rules to assist the reader are not the only influence. The history of the discipline is important. Habits die hard, even bad habits and conventions. Technology is another important influence.

Some style guides still reflect the impact of past technologies. When printing involved casting ‘hot type’, every punctuation mark or character was costly to produce. With modern electronic typesetting from word-processing disks, some conventions now take advantage of some of the functions of the new technologies.

Contemporary values and pragmatism also have a place in shaping style guides. The *Sydney Law Review Style Guide* (attached as **Appendix A** http://www.law.usyd.edu.au/slr/docs_pdfs/guides/authors_slr_styleguide.pdf) aims to encourage best practice. Style conventions not covered in this guide can best be found in the *AGIMO Style Manual for Authors, Editors and Printers* (6th edition, 2002) published by John Wiley & Sons, Australia Ltd.

There are some key principles:

- Plain language requires that arcane Latin phrases and abbreviations be replaced;
- The proliferation of journals (and increasing use of interdisciplinary material) suggests that, except for very well known journals, full titles of journals are to be preferred to abbreviations which the reader can only find by consulting reference works of such short titles; and
- Identification of authors is assisted if first names are routinely included in place of bald initials.

4. Avoiding unnecessary heartache

One of the most basic principles is that a style must be uniform in content and consistent in the sequence in which items are cited. Therefore it is *imperative* that everything that you read be noted down with a *full* reference. Researchers will be surprised how often they decide to include a reference originally thought to be irrelevant, and quite shocked about how often that reference is out on loan, or no longer accessible, when the missing details are sought. Worse still you may be unable to remember the source altogether.

Readers of a thesis or research paper also need every assistance the writer can give them. Theses therefore should always include not only a bibliography, but also an index and tables of legislation, cases and treaties and other international instruments, wherever appropriate. Bibliographies must always be included with research papers. In both cases, the bibliography should be divided into two sections, or be confined to material directly relied on in compiling the work. If divided, the material directly relied on will be called ‘References’, and other helpful material not directly cited may be called ‘Bibliography’ or ‘Additional Bibliography’. There may be further divisions; for example, ‘manuscript sources’, ‘books’, ‘articles’ or ‘government publications’.

5. Linguistic style

The Faculty Style Guide insists on use of non-discriminatory language. A useful guide on gender neutral language is the University of Sydney *Language Guidelines for Non-Sexist Language*. Spelling and hyphenation should conform to the *Macquarie Dictionary* where possible. You should use the spell and grammar check function on your word processor to remove American spellings and conventions.

For the reasons already mentioned, Latin or foreign words and phrases should be avoided unless they are an essential part of the language of the topic or accepted usage. Where Latin and foreign words must be used, they should only be italicised where they are not commonly regarded as anglicized. The *Macquarie Dictionary* sets all words and phrases in roman, irrespective of their origin; thus any foreign word or phrase not listed there would probably require italics.

Punctuation in citations currently opts for a very spare approach. Although originally adopted to save typesetting costs, it is also consistent with contemporary preferences for elimination of undue complexity in writing generally. Complex sentence structures can be understood only if they are correctly punctuated. In citations, for instance, no full points (stops) are to be used. Similarly with abbreviations of any kind. This includes full points between initials of a first name(s). In this case, one space is left between initials.

Language is a living thing, however. Popular preferences change over time. For instance, the suffix “ise” is now to be used rather than “ize”.

F. POSTGRADUATE STYLE GUIDE

1. Legal style

Legal style is preferred. The *Sydney Law Review Style Guide* should be followed, unless otherwise advised in a particular unit or arranged with your lecturer/supervisor. The style guide is included in this manual as **Appendix A**
http://www.law.usyd.edu.au/slr/docs_pdfs/guides/authors_slr_styleguide.pdf

2. Social science style

Several of the postgraduate programs offered at Sydney Law School are explicitly inter-disciplinary and attract students from diverse backgrounds. Students who are working in inter-disciplinary areas will recognise that different disciplines have established different conventions for the presentation of written work, and for the citation of sources relied on in that work. Broadly speaking the ‘social science’ disciplines utilise forms of citation which differ in several respects from the orthodox legal mode of citations. There are also many variants of ‘social science’ style. Sydney Law School recommends the style adopted for use by the Institute of Criminology journal *Current Issues in Criminal Justice*. This style guide is included in this manual as **Appendix B** <http://www.criminology.law.usyd.edu.au/journal/style%20guide.pdf>

3. When should I use social science rather than legal style?

Coursework students

Students who come to the Faculty of Law from backgrounds other than law may feel more comfortable with using a social science style rather than a legal style. In recognition of the diverse backgrounds of students within the Faculty, many lecturers will accept either social science or legal forms of citation for research papers submitted

in coursework programs. However, *students must consult* with their supervisor, or the lecturer coordinating the unit in which the written work is to be submitted, about which style to adopt.

Research students

When writing a thesis it is advisable to use the form which has widest currency in the primary discipline area of your research. A legal thesis would typically conform to orthodox legal style whilst a criminology thesis would more typically utilise a social science style.

Publications

In writing for publication, students should conform to the house style of the publisher to whom they intend to submit their work. Most journals include notes for contributors on the inside cover of each issue. When writing books or chapters publishers will normally provide a detailed style guide to potential authors.

4. Use of headings and sub-headings

Headings and sub-headings are essential in long research essays and theses, and may be helpful in shorter works to assist in identifying the structure of the paper, and the logical flow of the argument.

Headings clarify the argument in three ways. First, like paragraphs, they serve to identify how the building blocks of your argument fit together. If you like, they tell the reader whether this is a big, medium sized, or small component of the work. Second, they also provide a ‘bird’s eye view’ of the pattern of that argument. Third, through the ‘label’ they provide, well chosen headings are an additional way of making the basic point conveyed in the text of that section of the work.

It follows that headings and sub-headings should be organised consistently in a clear hierarchical style. This format can look much more attractive and better convey the ‘grading’ of your argument and the structure of your analysis. For example:

PROVOCATION

1. STATUTORY

2. COMMON LAW

A. Subjective Test

B. Objective Test

i. Gravity Characteristics

ii. Self-Control Characteristics

5. What form do citations take?

Legal Style

References are included in the text by inserting a numbered marker in superscript immediately after the punctuation. Footnotes are numbered consecutively, with the

footnote number followed by two or more spaces or a tab space. The note itself commences with a capital (upper case) letter. The footnote paragraphs normally use a hanging indent. See further: *Sydney Law Review* Style Guide (**Appendix A**).

Social Science Style

References should follow the Harvard author-date system, as set out in the Institute of Criminology’s style guide, which is included in this manual as **Appendix B** <http://www.criminology.law.usyd.edu.au/journal/style%20guide.pdf>. For further guidance, see *AGIMO Style Manual for Authors, Editors and Printers* (6th edition, 2002). In short, this style requires all references to books, articles and other sources, to be identified at an appropriate point in the text by name of author, year of publication and (where appropriate) pagination. References within the text are placed within parentheses. All works that are referred to in the text must be fully cited at the end of the paper. Footnotes are not to be used for references. Footnotes are only used for substantive material and even then should be used sparingly.

6. Tables and figures

It may be appropriate, or necessary, to include tables or figures in your work to summarise data or concepts. You should not include a table or figure without making reference to it in the text. Where you do make reference to a table or figure in the text, refer to it by number and always capitalise the word ‘Table’ or ‘Figure’. For example:

...As indicated by Table 1, a higher percentage of crime victims (42.5 per cent) than non-victims (28.2 per cent) were aged less than 30 years...

Tables

Tables should be numbered consecutively and each should have a title which provides a brief explanation of what it refers to. Columns (vertical) and rows (horizontal) in tables should be labelled clearly to indicate both the variables (items or concepts) included in the tables and the values that categories of those variables take. For example:

Table 1

Age for victims and non-victims

	<i>Victim status</i>			
	<i>Victims</i>	<i>Percentage</i>	<i>Non-victims</i>	<i>Percentage</i>
<u>Age</u> ^(a)				
Less than 20	11	4.0	9	4.0
20-29	107	38.5	55	21.2
30-39	92	33.1	60	26.4
40-49	32	11.5	43	18.9
50-59	13	4.7	21	9.2
60 plus	23	8.3	39	17.2
Total	278	100.0	227	100.0

^(a) Ages ranged from 17 years to 73years.

It may be appropriate to include footnotes to a table to explain missing values, abbreviations used, the statistical significance of a given value, or otherwise to clarify data summarised in the table. Such a footnote should appear immediately below the table, not at the bottom of the page. Footnotes to tables typically use the marks (a), (b), (c) and so on to avoid confusion with data or with other reference marks.

Where the table is reproduced from another source, this should be indicated by including author, date and page number within parenthesis immediately following the table.

Figures

Figures are graphs or diagrams used to summarise material or illustrate an argument pictorially. They must be numbered consecutively. Note that figures and tables are numbered in separate series so that where a table is followed by a figure, you will number them Table 1 and Figure 1, not Table 1 and Figure 2. Figures must have a heading which provides a brief summary of what is addressed by the figure.

There are many possible forms which graphs and diagrams may take. You should ensure that you label them carefully so that they are meaningful to the reader. Please ensure that you use a key to aid interpretation where that might be helpful.

Where the figure is reproduced from another source, this should be indicated by including author, date and page number within parentheses immediately following the figure.

7. Appendices or appendixes

It may be relevant, and in some cases essential, to append material to your research paper or thesis. Some of the circumstances in which you might include an appendix, or multiple appendices, to your work include:

- Where you use a survey form, interview schedule, or other research instrument which is not generally known and accepted in the field you should append a copy to your paper;
- To provide a summary of research results too detailed or lengthy to include in the text;
- To provide tables or figures too detailed or lengthy to include in the text;
- To list individuals or organisations consulted in your research;
- To detail legislation, conventions, policies etc with which the reader might not be familiar, but which are important to your argument and which are too lengthy to include in the text.

Appendices should be numbered consecutively, and each should have a heading which briefly described what it contains.

Appendices are typically located after the text but before the references.

8. Abbreviations

Abbreviations in the text should be used sparingly, and usually confined to those in common usage, such as NSW. Do not use forms such as etc, or eg in the text – spell them out in full. It may be appropriate to abbreviate the name of an organisation or concept which is lengthy, but always include the full name, and the abbreviated form in parentheses the first time it is used. For example:

Australian Securities and Investments Commission (ASIC)
Battered Woman Syndrome (BWS)
Royal Commission into Aboriginal Deaths in Custody (RCADIC)

9. Table of contents

In a thesis or long research paper it may be useful to include a table of contents. Where your work includes a large number of tables, figures, cases or statutes it may be useful also to include a List of Tables, List of Figures, List of Cases or List of Statutes. Lists of tables or figures typically follow the table of contents. Practice varies as to the placement of lists of cases or statutes – in some publications these also follow the table of contents, whilst in others they appear as appendices or as sub-sections of the references.

10. Pagination

It is usual to number the pages of your work, and for the numbers to commence with the first page of the text. Material which appears prior to the commencement of the text, such as acknowledgements, lists of tables or figures, or the foreword, are typically paginated using lower case roman numerals.

11. Further details

For further information on general style conventions please consult *AGIMO Style Manual for Authors, Editors and Printers* (6th edition, 2002) published by John Wiley & Sons, Australia Ltd.

G. PLAGIARISM & ASSOCIATED FORMS OF ACADEMIC MISCONDUCT

1. What is plagiarism?

Plagiarism is the use of another person's words or ideas without specific acknowledgment. That is, you try to pass off someone else's work as your own. The rules against plagiarism apply equally to the work of published authors, internet sources, and the work of other students. Plagiarism also includes the unacknowledged

use of work of your own if such work has previously been submitted in another course and awarded a grade.

Plagiarism is an academic offence not only because a person who plagiarises may obtain an unfair advantage over students who express their ideas in their own words, but because it also subverts learning. Plagiarism subverts learning because it undermines the generic research and communication skills that are developed through the process of doing one's own work. This includes the skills developed in tracking down appropriate source material, developing key arguments and ideas individually, and expressing them in one's own words.

Forms that plagiarism may take include:

- *Verbatim copying from sources.* That is, you copy somebody else's words "word for word" (or only changing a word here and there), without indicating the source in a footnote. Common examples of this kind of plagiarism include verbatim copying from cases, published articles and books, internet sources, reading guides and handouts, and the work of other students. If you are copying "word for word" from a source, you need to use quotation marks or, for longer quotes, an indented paragraph.
- *Verbatim copying from sources, indicating the source in footnotes, but without indicating that you are in fact copying word for word.* If you are quoting somebody else's words, it is not sufficient simply to include the source in your bibliography without using quotation marks and without indicating the specific page(s) you are quoting from.
- *Using another source as the structure of your paper, and letting that author "do all the work for you", citing the same cases, and copying the footnotes of that author.* This is a form of copying and indicates a failure to engage independently with the issues. An essay that is "derivative" in the sense that it is substantially constructed by "cutting and pasting" bits and pieces from a variety of sources may also amount to misconduct, since it indicates a failure to engage independently with the issues and to develop your own arguments.
- *Failing to acknowledge sources that assist you in the development of your own argument.* You are encouraged to read other authors' work, and to make appropriate use of their ideas and their words. But it is important to make clear what is your own reasoning, and when you are drawing upon the ideas (and the words) of other authors.
- *Copying the work of another student, or collaborating so closely with them that your finished product cannot reasonably be regarded as your own work and as embodying your own independent research and effort.*

In addition to use of published and internet sources, examples of plagiarism and derivative uses of material include use of the essays of fellow students, essays submitted by other students at other universities or in different units, and essays submitted for assessment by the author in different units of study.

You are permitted and encouraged to discuss topics with your fellow students. In researching your essay. However, you should not co-operate so closely with a fellow

student that you are jointly selecting quotes, planning essay structure or copying each other's ideas.

It is not possible to submit jointly-researched papers, since it would not be possible to independently assess each student's contribution to the final product.

The guiding principle, when it comes to plagiarism, is that you are being assessed for your own work, and while your own work may include the ideas, and quotations, of others, you need to make it clear what is yours and what is theirs, so that your piece of work can be assessed fairly.

Examples of plagiarism

Patricia Williams, in her book *The Alchemy of Race and Rights* (Virago, London, 1993) says on page 102:

Affirmative action challenges many people who believe the truism that this is a free country. For people who don't believe that there is such a thing as institutional racism, statements alleging oppression sound like personal attacks, declarations of war.

If you submitted work which reproduced, without sourcing to Williams, all or part of these sentences, it would be plagiarism. Changing word order, or substituting a few of your own words and still not sourcing the idea to the author is still plagiarism. So, for example, writing *Affirmative action is challenging to many people who believe the cliché that this is a free country. People who don't believe in institutional racism think that statements of oppression are declarations of war or personal attacks* as if they are your own words, is plagiarism.

Appropriate sourcing means that you credit both words and ideas of other people which you have used when you use them. Where you have quoted directly, this should be indicated by quotation marks for short quotes and indentation for long quotes. The footnote or reference mark should follow directly after the quotation, and not, for example, at the end of a paragraph.

Appropriate sourcing also means that you use sources for what they actually said or did, and do not misrepresent them. A common mistake is to refer to a published author's opinion as though this establishes a fact or conclusion. The following would be inappropriate sourcing:

*Affirmative action laws will never work because most people don't believe that there is wide spread racism.*¹

1 Patricia Williams, *The Alchemy of Race and Rights* (Virago, London, 1993) at 102.

Williams is expressing an opinion in her piece, she is not establishing a fact. Her opinion is misused here as though it provided an evidentiary basis for a broad overstatement by the student. An appropriate use would be:

*Williams argues that there is resistance to affirmative action in the community, based on a reluctance to acknowledge that there is institutional racism.*¹ *This may prove to be an impediment to affirmative action laws.*

1 Patricia Williams, *The Alchemy of Race and Rights* (Virago, London, 1993) at 102.

Fictional sources. Appropriate references can lend authority to a piece of written work, and enhance the argument it contains. Some forms of student assessment are research exercises where students are expected to go beyond the unit of study materials and to engage with the literature independently. Clearly, it is dishonest to make up sources to “bulk out” the argument.

For more specific advice on conventions for referencing, see **G. Postgraduate Style Guide** above.

2. Other forms of academic dishonesty

Plagiarism and misconduct as it relates to sources are not the only form of academic dishonesty that may arise with written work. Other examples include:

- Paying another person to write a student’s essay, or to conduct research for the essay.
- Fabricating data that forms part of the written work.
- Copying, and other forms of cheating during, and in relation to, an exam. This includes communicating with other students during an exam, reading other students’ work during an exam, bringing forbidden material into an exam, and discussing the exam with someone who did not sit it simultaneously with the student and who is yet to sit it.
- Recycling work for which you have gained credit, or plan to gain credit in another subject. The basic rule is that work should only be used to gain credit in one subject. This applies to subjects for which you have previously gained credit at this institution or at another institution, or to subjects being studied concurrently at this institution. If you are aware of overlap between work to be submitted in a particular subject and work submitted previously or to be submitted in another subject, you should seek guidance from your lecturer.

This is not an exhaustive list. Again, the principle that assists in identifying various forms of academic dishonesty is that the *process of training* that research essays and other forms of written work entail, require the student to do their own work. Similarly, in assessing student work in order to certify competence and achievement in a particular area, students must be assessed on their own work.

3. Consequences of plagiarism & associated forms of misconduct

If you engage in plagiarism, the consequences to you range from receiving a poor mark which reflects the lack of originality and poor referencing of the work, failing because you have not met the minimum standard required of written work in the Faculty of Law or, where it appears that you have been dishonest, referral of the matter to the Pro-Dean. The usual practice is for the Pro-Dean to convene a panel who will discuss the issue with you. This may result in action being taken against you, such as the issue of a warning, the issue of a requirement to remedy the work, the issue of a fail grade or disciplinary action by the Registrar. In all cases, the decision will be recorded in a file kept by the Pro-Dean.

Plagiarism is usually easy to identify. Common “excuses” given by students include time and work pressure, personal stress and health problems. It is important to recognise these pressures and to plan your assessment commitments through semester to avoid placing yourself in an untenable position.

It is the student’s responsibility not to engage in plagiarism and associated forms of academic misconduct. If you are unsure about what amounts to academic misconduct, please speak to the lecturer.

4. University policies and practices

University practice on plagiarism and academic dishonesty is governed by Academic Board Resolutions *Academic Honesty in Coursework*, 14 November 2002, last amended 15 June 2005. This document is available on-line at several places. Students should familiarise themselves with this policy:

http://fmweb01.ucc.usyd.edu.au/pol/FMPro?-db=pol_main.fp5&-lay=www&-format=pol_summary.html&-error=pol_error.html&DocID=9&-find

For further explanation of this policy, see <http://www.chs.usyd.edu.au/PG/honesty.html>

University practice on Plagiarism is also governed by the Vice Chancellor’s Policy *Student Plagiarism Course Work: Policy and Procedure*, 15 February 2005, a copy of which is available from:

<http://www.usyd.edu.au/senate/policies/Plagiarism.pdf>

5. Submission of assignments

The Vice Chancellor’s Policy requires students to submit a signed statement of compliance with all work submitted for assessment. Therefore, all students must submit their essay with the Assignment Cover Sheet and must complete the Declaration on Plagiarism on this Cover Sheet.

For the form, go to <http://www.law.usyd.edu.au/cstudent/coursework/forms.shtml>

Essays and assignments will not be marked unless they are accompanied by the signed Declaration.

All essays and assignments must be lodged via WebCT by the prescribed due date. In addition, please mail a duplicate hardcopy of the assignment to the Academic Support Team Leader, Faculty of Law (F10), The University of Sydney NSW 2006 or submit in person at the Information Desk, Level 3, Law School Building (F10), Eastern Avenue, Camperdown Campus, during office opening hours (Mon-Thu 9-6 and Fri/semester recess 9-5). See instructions in the relevant unit outlines.