

City University of Hong Kong
Course Syllabus

offered by School of Law
with effect from Semester A 2024/25

Part I Course Overview

Course Title:	<u>Independent Research</u>
Course Code:	<u>LW5552</u>
Course Duration:	<u>One semester</u>
Credit Units:	<u>3</u>
Level:	<u>P5</u>
Medium of Instruction:	<u>English</u>
Medium of Assessment:	<u>English</u>
Prerequisites: <i>(Course Code and Title)</i>	<u>#LW5622 Legal methods, Research and Writing (this requirement applies to JD student only)</u>
Precursors: <i>(Course Code and Title)</i>	<u>Nil</u>
Equivalent Courses: <i>(Course Code and Title)</i>	<u>LW6551E or LW5551</u> <u>LW6537C/E and LW6137C/E Dissertation</u>
Exclusive Courses: <i>(Course Code and Title)</i>	<u>(Students who have completed or are taking any of these Dissertation courses are not allowed to take LW5552 Independent Research.)</u>

Part II Course Details

1. Abstract

This course aims (i) to develop students' ability to identify a suitable topic based on a research gap (ii) to give students the freedom and flexibility to develop their expertise in a subject area of interest through independent library-based and/or empirical research, and (iii) to harness writing skills to produce a publishable paper, under the supervision and guidance of an experienced staff member.

2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	DEC related learning outcomes		
			A1	A2	A3
1.	Identify a suitable research topic and design a research proposal on an area of law worth pursuing.	10%	✓	✓	
2.	Search, read, analyse and cite research materials relevant to one's research proposal.	25%	✓	✓	✓
3.	Critically apply selected legal theories and techniques to the subject matter of the paper.	25%	✓	✓	✓
4.	Write a substantial paper of individual research of publishable quality and with an element of originality.	40%	✓	✓	✓
		100%			

A1: *Attitude*

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: *Ability*

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

A3: *Accomplishments*

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

Alignment of CILOs with PILOs:

PILOs		CILOs
1	Explain and assess specified areas of the law and the legal system of Hong Kong, with particular emphasis on the law in action and the dynamic interplay between law and other social phenomena.	2,3,4
2	Assess the common law system and its values, and its interaction with the law and legal system of mainland China, the East Asian region and the wider world.	1,2
3	Explain, interpret and apply main principles of ethics, civil duty, and social and professional responsibility.	2,3,4
4	Critically assess the strengths and weaknesses of law as a means of regulating society in the context of competing and conflicting interests.	2,3,4
5	Demonstrate and apply skills of legal analysis and reasoning, of legal research, or problem solving, and of oral and written communication to a level appropriate to a graduate-entry degree in law.	3,4

3. Learning and Teaching Activities (LTAs)

(LTAs designed to facilitate students' achievement of the CILOs.)

LTA	Brief Description	CILO No.	Hours/week (if applicable)
1	Self-directed research and writing. Each student will be required to work independently, undertaking an individual piece of work related to his/her chosen area of research. Students will be encouraged to devise their own topics, although the supervisor may provide some guidance during regular meetings.	1-4	7 (approx..)
2	Consultations with supervisor. The student will follow a systematic monitoring programme, seeking feedback from the supervisor at regular intervals: <ol style="list-style-type: none"> i. Scheduling an initial meeting at which the independent research paper proposal is discussed including: the proposed research question, methodology, background literature, and timetable for research and writing. ii. Presentation of an initial draft to the supervisor for consideration, analysis and comment. iii. Submission of a final draft. This final draft may or may not warrant comment from the supervisor. 	1-4	1 (approx..)

Supervisors are not responsible for the production of research material or for the preparation of the independent research paper. This is the sole responsibility of the student.

4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.	Weighting	Remarks
Continuous Assessment: 100%			
Coursework (final research paper)	1-4	100%	
		100%	

The research paper must be submitted by the end of the semester (the exact date is to be advised in due course). The length of the main text of the research paper must fall in the range of 8,000 to 10,000 words (excluding footnotes). The main text should be supplemented by footnotes as per the most recent version of the *Oxford Standard for Citation of Legal Authorities* (OSCOLA).

The research paper must be coherent and persuasive. It should be based on sound scholarly research and adequately supported by relevant authorities. Research papers will be assessed for substance, originality, independent thought, breadth of research, quality of presentation, logic, accuracy, and citation style and authorities

The faculty member who supervised the independent research paper and another anonymous faculty member mark the research paper simultaneously. The relevant External Academic Advisor and/or a third marker may moderate assessment of the research paper, especially if there is a significant difference in grades assigned by the supervisor and the second marker.

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Applicable to students admitted from Semester A 2022/23 to Summer Term 2024

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B)	Marginal (B-, C+, C)	Failure (F)
Independent Research paper (100%)	The paper will be assessed for Originality, Breadth of Research, Citation & Authority, Quality of Presentation, Logic, Accuracy, Independent Thought and Substance.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 and thereafter

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
Independent Research paper (100%)	The paper will be assessed for Originality, Breadth of Research, Citation & Authority, Quality of Presentation, Logic, Accuracy, Independent Thought and Substance.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Part III Other Information (more details can be provided separately in the teaching plan)

1. Keyword Syllabus

(An indication of the key topics of the course.)

Legal Research
Writing
Citation

Detailed Syllabus

There is no formal syllabus. Students undertaking independent research must find a faculty member with relevant research interest and expertise to agree to provide academic supervision. Students should prepare a short research proposal on a subject area of his/her chosen stream of study and obtain approval from the faculty supervisor.

2. Reading List

Selected Background Reading

1. Christina L Kunz, et al., *The Process of Legal Research*, 5th ed. (Gaithersburg, MD: Aspen Law & Business, 2000).
2. Robert Watt, *Concise Legal Research*, 4th ed. (Sydney: Federation Press, 2001)
3. Basil S Markesinis (ed.), *Law Making, Law Finding and Law Shaping: The Diverse Influences* (Oxford; New York: Oxford University Press, 1997)
4. Terry Hutchinson, *Researching and Writing in Law* (Sydney: Lawbook Co, 2002).
5. John Bahrij, *Hong Kong Legal Research: Methods and Skills* (Hong Kong: Sweet & Maxwell Asia, 2007).
6. Eugene Volokh, *Academic Legal Writing: Law Review Articles, Student Notes, Seminar Papers, and Getting on Law Review*, 4th edn (New York: Foundation Press, 2010).
7. James A Holland & Julian S Webb, *Learning Legal Rules: A Student's Guide to Legal Method and Reasoning*, 11th ed. (Oxford; New York: Oxford University Press, 2022).
8. Sharon Hanson, *Legal Method & Reasoning*, 2nd ed. (London: Cavendish, 2003)
9. Jill Cottrell, *Legal Research: A Guide for Hong Kong Students* (Hong Kong: Hong Kong University Press, 1997).
10. Faculty of Law, University of Oxford, *Oxford Standard for Citation of Legal Authorities* (2012).
11. Bryan A Garner, *Legal Writing in Plain English: A Text with Exercises* (Chicago: University of Chicago Press, 2001).
12. Paul Kossof, *Chinese Legal Research* (Durham NC: Carolina Academic Press, 2014)
13. Lee Epstein, *An Introduction to Empirical Legal Research* (Oxford: Oxford University Press, 2014)
14. Dawn Watkins and Mandy Burton (eds), *Research Methods in Law*, 2nd ed (Abingdon: Routledge, 2018)
15. Peter Cane and Herbert Kritzer (eds), *The Oxford Handbook of Empirical Legal Research* (Oxford: Oxford University Press, 2010)
16. Mark van Hoecke, *Methodologies of Legal Research* (Delhi: Hart Publishing, 2017)