

# Tutorial Letter 201/1/2018

Legal Research Methodology

**LME3701**

**Semester 1**

**Department of Criminal and Procedural Law**

**IMPORTANT INFORMATION:**

This tutorial letter contains important information  
about your module.

BAR CODE

Dear Students,

**FEEDBACK ON COMPULSORY ASSIGNMENTS – FIRST SEMESTER 2018**

This tutorial letter contains feedback on the compulsory assignment set for the first semester of 2018.

**1. FEEDBACK ON ASSIGNMENT 01 – MULTIPLE CHOICE ASSIGNMENT – UNIQUE NUMBER 874851**

The following are the correct options for the MCQ assignment:

QUESTION 1	QUESTION 2	QUESTION 3	QUESTION 4	QUESTION 5
Option 3	Option 4	Option 3	Option 3	Option 4

In general, the pass and average percentage for assignment 01 was exceptionally high.

**2. FEEDBACK ON ASSIGNMENT 02 – WRITTEN DRAFT RESEARCH PROPOSAL – UNIQUE NUMBER 761709**

Assignment 02 required you to select a research theme and based thereon provide content to the seven headings indicated in the assignment instructions.

Individual feedback is provided for your specific work by the markers on the assignment submitted. Hereunder we provide general observations from the assignments submitted. Kindly compare the feedback hereunder against your assignment within the context of the individual feedback provided by the markers on your assignment. For your convenience, we structured the comments below in line with the prescribed assignment instructions and thereafter discuss general observations.

**2.1 List of ten preliminary sources consulted and a brief indication of their content**

In general the following observations:

- Some students did not provide any indication of the content of their sources but merely listed them. This was not the aim of the instruction. You were required to provide 10 preliminary sources and indicate briefly the content of the source as relevant to the topic.
- Some students merely listed legislation and thereafter listed section numbers from the legislation with no indication as to content or relevance.
- See tutorial letter 501 (specifically page 31 onwards) for guidance as to source selection.
- Note that the sources were also marked for compliance with the CLAW referencing methods. Some students provided references to their sources in footnotes and others quoted the source title with citation in the main text. For the purposes of this assignment, we accepted both formats in the list of preliminary sources but please note that the CLAW does not accept in-text referencing of sources.

## 2.2 Proposed working title and research introduction

In general the following observations:

- The working title of your research was to be synthesised from your research. Some students merely stated the research problem as a title. This is not acceptable.
- Refer to the discussion on myUnisa regarding working titles if your assignment indicates an issue with your title. Further refer to tutorial letter 501 for guidance on producing an acceptable research title (specifically refer to page 27 and learning unit 3).
- The research introduction is not a space to provide excessive detail. It is intended merely to introduce your proposed research. Some students provided a complete historical background – this is not acceptable.

## 2.3 Indication of the problem statement

In general the following observations:

- Generally, students did not experience problems with identifying a research statement or problem.
- We reiterate that your problem statement must be concise and to the point.
- We received a variety of different research problems synthesised from the general research field we provided to you.
- Please see page 28 and learning unit 4 if your individual feedback indicated any issues with your problem statement.

## 2.4 Indication of a research hypothesis

In general the following observations:

- By far this requirement provided the greatest challenge to students.
- Many students confused the hypothesis with the research methodology and design.
- Refer to page 33 and learning unit 5 of tutorial letter 501 in this regard as well as the discussions on myUnisa.

## 2.5 Research points of departure and assumptions

In general the following observations:

- For many students this point caused a challenge.
- Please see learning unit 6 and page 33 of tutorial letter 501 in this regard.

## **2.6 Conceptualisation of at least three central research themes or terms**

In general the following observations:

- Although most students were able to identify 3 themes or terms they failed to describe and/or define them with reference to authority (provided in a footnote).
- The aim is not to provide your own definition or explanation but to rely on the existing knowledge base to describe and/or define a term or theme.
- See learning unit 7 in tutorial letter 501.

## **2.7 Description of a proposed research methodology design**

In general the following observations:

- In a large majority of cases students confused hypothesis with design.
- See learning unit 10 and page 22 onwards of tutorial letter 501 in this regard.

## **2.8 General observations**

The following are general observations. If any of the below matters were raised in your individual feedback please attend to it before submitting the exam portfolio (assignment 03):

- Note that the assignment should have contained proper referencing (by way of footnotes) and a bibliography of sources. See assignment instructions.
- Some students limited their sources to the case law provided. You were instructed to provide additional references to case law and legislation, where applicable and relevant, in order to support your answers.
- The assignment was limited to a maximum of ten (10) typed pages, cover page and bibliography excluded. The format for the assignment was 1.5 line spacing, Arial font 12 point.
- You were required to use the prescribed front cover as indicated on page 79 of Tutorial letter 501.
- You were required to insert the academic honesty declaration on page 80 of Tutorial letter 501.
- You were required to number your headings.
- You were required to follow the heading as prescribed on page 32 of tutorial letter 101.
- You were required to use footnotes – we do not reference in-text in CLAW.
- Your footnotes should be single spaced and formatted according to the citation guide beginning on page 72 of tutorial letter 501.
- Your footnotes must be formatted according to the citation guide beginning on page 72 of tutorial letter 501.
- Footnotes appear on the bottom of each page and not at the end of the document, (we do not use endnotes in CLAW).

- Please see the comments on myUnisa under the announcement section on how to reference the Constitution correctly.
- Case names must be in italic text in both the main text and footnotes. See citation guide in tutorial letter 501.
- See comments posted on myUnisa under the announcement section regarding the format of a bibliography. See also the citation guide in tutorial letter 501 for the correct format of a bibliography.
- You must take care of your technical formatting on assignment 03 and follow the required content requirements.
- In the text of the document the footnote number goes after the comma or other grammar mark and not before. Please correct this in your final submission.
- When you quote from a case, you must cite the exact paragraph number from the case in the footnote. For example, a case footnote referring to specific information obtained from the case should read as follows: *De Vos N.O and Others v Minister of Justice And Constitutional Development and Others* SACR 217 (CC) [3] – the [3] refers to the third paragraph of the case judgement.
- On the title page, please note there is no full stop after the title.
- Please format your footnote references according to the citation guide contained in the tutorial letter 501.

Please ensure that you read the discussions on myUnisa before proceeding with the portfolio exam 03. In particular, see the discussion labelled “22 April 2018”. Further, see the announcement on myUnisa containing an example of what we expect in assignment 03. Good luck with the examination portfolio!

**MS U POYO**  
**PROF MG KARELS**