

WESTERN SYDNEY
UNIVERSITY



School of Law

Honours Award Level Guidelines

2023

Bachelor of Laws (Honours)

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Honours Award Level Guidelines 2023

The Honours in Bachelor Awards Policy describes the framework for all Honours courses, both end-on and embedded, at Western Sydney University:

<https://policies.westernsydney.edu.au/document/view.current.php?id=156>

These School Honours Award Level Guidelines contain procedural information specific to the Honours degree in the School of Law.

Note: in general, Honours Award Level Guidelines are published annually and may change from year to year. The Guidelines that apply to any student's candidature are the published Guidelines for the year the student was first enrolled in the Law Honours Program.

1 Application process

Students are encouraged to consult the School Honours Coordinator before making an application as the School may not have staff who are able to supervise all possible dissertation topics.

1.1 On-Line Application Form

Students applying for Honours must complete the on-line application form found on the Western Sydney University Honours in Law website:

https://www.westernsydney.edu.au/sol/school_of_law/honours.

The on-line application form includes facilities for uploading a Statement of Intent and a writing sample (see admission criteria below).

1.1.1 Application Deadline

Applications for admission should be submitted by:

- 11:59pm on 15 January of every year.

2 Admission

Upon receiving an application, the School Honours Coordinator, after confirming eligibility, will forward each application to the Dean and School Academic Committee to approve or decline admission.

2.1 Admission Criteria

In clarification of and in addition to the criteria set out in the Honours in Bachelor Awards Policy, Part E, clauses (21)-(27), the criteria for admission to the Law Honours Program are:

- a. Demonstration of the likelihood, as assessed by the Dean or delegate in exercise of their discretion, of completing the Bachelor of Laws course with a Honours Weighted Average Mark of at least 70; and*
- b. Submission of a Statement of Intent; and*
- c. Availability and appointment of a principal supervisor by the Dean of the School; and*
- d. Demonstration of satisfactory academic research and writing skills appropriate to the discipline.*

Requirement (a) may be fulfilled by demonstrating an Admission Average Mark of at least 70 at the time of seeking admission to the Law Honours Program.

Students are encouraged to consult with the School Honours Coordinator to assess their eligibility for admission.

Students should note Clause 23 of the Honours in Bachelors Awards Policy.

See: <https://policies.westernsydney.edu.au/document/view.current.php?id=156>

The School of Law Academic Committee may, on recommendation of the School Honours Coordinator, rank applicants on the basis of Admission Average Mark (AAM) if the Dean indicates the number of applications exceeds the availability of supervised places.

2.1.1 Calculation of Honours Weighted Average Mark (HWAM) and Admission Average Mark (AAM)

In the calculation of a student's Honours Weighted Average Mark (HWAM) and Admission Average Mark (AAM):

- Only Bachelor of Law subjects are included;
- Compulsory Fail (CF) grades are assigned a numeric mark of 42%;

- Subjects obtained by 'Advanced Standing' are not included, unless the 'original' or 'underlying' subject was delivered by Western Sydney University Law School as part of a Bachelor of Law course in which case the subject is included;
- Subjects obtained on a Satisfactory/Unsatisfactory basis are not included; and
- In the case of subjects a student has failed, the Fail result and the results in any reattempts are included, subject to the exclusion rules below.

In the calculation of the Honours Weighted Average Mark:

- The results in the student's non-Honours subjects are allocated a 0.66 (66%) weighting and the result in the Honours subject, LAWS4011 Law Honours Dissertation, is allocated a 0.34 (34%) weighting; and
- The student's subjects, other than LAWS4011 Law Honours Dissertation, with the two lowest results are excluded.

In the calculation of the Admission Average Mark :

- The student's subjects with the two lowest results are excluded.

2.1.1.1 Implementation of the 'GPA Neutral Scheme' (June 2020)

Following the University's response to the COVID-19 pandemic and in accordance with the 'GPA Neutral Scheme' established by the University in June 2020, students who successfully completed a subject were permitted to apply for their final mark and grade to be converted to a Satisfactory (S) grade. Any non-Honours law subject in which the student has a S grade is not included in the calculation of the student's HWAM or AAM for the purpose of admission to Honours.

2.1.2 Honours Topics and Statement of Intent

The Statement of Intent provides a brief overview of the area of research that the applicant is planning to undertake. Applicants may be required to select their research topics from a list prepared by the School and published by the Honours Coordinator ('the Honours Topic List'). Where an applicant wishes to research a topic that is not on Honours Topic List, the applicant will also be required to explain, in their Statement of Intent, why they should be permitted to undertake research on that topic. Applicants who wish to select their own

topic should be aware that approval of a topic that is not on the Honours Topic List will be subject to the availability of a Principal Supervisor that is qualified to supervise the student. The Statement of Intent is less detailed than a formal Research Proposal. A template for the Statement of Intent can be found on the Honours in Law website.

As a guide, the Statement of Intent should be around 500 words (excluding headings and footnotes) and should address the following aspects:

- Area of research or research topic
- Significance of proposed research (why is this research important to do now?);
- Brief literature review (discuss and explain at least five relevant legal sources); and
- If the topic is not on the Honours Topic list, why the applicant should be permitted to explore that topic (for example, the applicant has specialist knowledge of the field based on work experience)

2.1.3 Appointment of a Principal Supervisor

Admission to the Law Honours Program is subject to the availability of a suitable supervisor and other resources. The Dean appoints supervisors on the recommendation of the School Honours Coordinator. The Principal supervisor will hold qualifications at Australian Qualifications Level (AQF) Level 8 (Bachelor Honours, Graduate Certificate, Graduate Diploma) or above, and have a record of research or scholarly attainment in a relevant field, to satisfy the Higher Education Threshold Standard of “equivalent professional experience”.

3 Ethics and/or Other Required Approvals

Ethics approval will be required where the Statement of Intent indicates that the proposed dissertation includes empirical research involving humans or their data. Approval is via an application in the first instance to the appropriate Peer Review Committee followed by further review and approval. Further information, including the Western Sydney University Guidelines for human ethics and the procedures for ethics review, is at:

https://www.westernsydney.edu.au/research/research_ethics_and_integrity

Upon acceptance into the Laws Honours Program, the student must ensure that approval has been granted by the Western Sydney University Human Research Ethics Committee

before data collection or other fieldwork commences. Applications for ethics approval will normally be initiated by the student's principal supervisor.

See Appendix 1 for more information.

4 Procedures for Dealing with Supervision Issues

Where a student is experiencing supervision difficulties, the student will first consult their supervisor. If the difficulty is not resolved, or the issue involves a supervisor, the student should approach the School Honours Coordinator who will facilitate resolution of the issues. If the issues involve the School Honours Coordinator, the student may approach the Dean of the School of Law or the Pro Vice Chancellor (Research) for advice.

5 Honours Progression

The embedded School of Law honours program consists of the subjects LAWS4016 Legal Research and Methodology (10 credit points) taught in Autumn and LAWS4011 Law Honours Dissertation (20 credit points) taught in Spring. Students self-enrol into LAWS4016 Legal Research and Methodology. Once students have completed LAWS4016 satisfactorily by achieving a result of at least 65 (Credit), the School of Law will manage their enrolment LAWS4011 Law Honours Dissertation.

Note: progression to Spring semester requires satisfactory completion of the assessments due in Autumn semester. Students who have been admitted to the embedded Honours program and who do not achieve a result in LAWS4016 Legal Research and Methodology of at least 65 (Credit) will not be enrolled into LAWS4011 Law Honours Dissertation. This will mean that they are ineligible to receive Honours.

6 Submission of the Honours Dissertation

The dissertation must be submitted electronically via the Turnitin link on the vUWS site for LAWS4011 Law Honours Dissertation on or before the prescribed 'Electronic Version' due date and time. Please read the Turnitin Instruction Manual prior to submission.

Further information in regard to the submission of the assignment may be posted on the vUWS site for this subject.

Students are required to keep an electronic copy of all written work which is submitted and to follow HRED Guidelines in respect of data collected.

6.1 Due date and time for submission

The due date for submission of the Law Honours Dissertation will be as specified in the Learning Guide for LAWS4011 Law Honours Dissertation.

6.2 Procedure for applying for an extension of submission date

A student may apply for an extension of time for dissertation submission up to three working days before the student's originally approved submission date. Note: this deadline is different from other requests for extension.

Extensions can only be granted in exceptional and compelling circumstances consistent with the provisions of the Special Consideration Policy.

The Request for Extension application form can be found at:

https://www.westernsydney.edu.au/currentstudents/current_students/forms

An application for an extension should be sent to the School Honours Coordinator. After consultation with the student's supervisor, the School Honours Coordinator will make a recommendation to the Dean or Deputy Dean as to whether the extension should be granted and the Dean or Deputy Dean will determine the application. The Dean or Deputy Dean will advise the student and the School Academic Committee in writing of the decision.

Students should note that late submission may make a student ineligible for consideration for postgraduate scholarships.

7 Examination Procedures

7.1 Appointment of Examiners

Examiners will be appointed in accordance with the Honours in Bachelor Awards Policy, Part I, clauses (37)-(40), which specify that the significant research component or dissertation will be examined by two suitably qualified examiners. Examiners may be external to the University or internal. However, an internal examiner is preferred and every effort will be made to secure staff in the School of Law as markers. External markers will only be used where the marking needs of the program cannot be met by internal examiners. Examiners must normally hold a qualification at or above Honours and have a record of research or scholarly attainment in a relevant field.

In clarification of and in addition to clauses (37)-(40) of the Honours in Bachelor Awards Policy, the School of Law adopts the following processes for the appointment of examiners:

1. Recommendations for examiners will be made by the School Honours Coordinator (in consultation with the principal supervisor) to the School Academic Committee, which will consider nominations and approve appointments. The School of Law shall be free to decide the composition of the examination panel.
2. Examiners will not be principal supervisors or co-supervisors of the Honours candidate whose dissertation is being examined, nor will the examiners have worked with the Honours candidate on any aspect of their dissertation research.
3. The identity of examiners remains confidential before and during the examination process. The principal supervisor may discuss the examiners' reports with the student after the examination is completed. At that stage, the identity of the examiners may be revealed provided that the examiners have given consent to such a disclosure.
4. The School Honours Coordinator will ensure that each examiner is sent all relevant information and instructions pertaining to the marking of the dissertation. It will be the responsibility of the School Honours Coordinator to ensure that examiner's reports are received in a timely manner – see 'Materials Sent to Examiners' below.
5. Examiners' reports will be sent to the School Honours Coordinator who will ascertain if a third examiner (arbiter) is required under the conditions specified in the Honours in Bachelor Awards Policy, Part I, clause (41) – see "The Use of Third Examiner (Arbiters)" below.
6. The School Honours Coordinator will provide copies of the relevant examiners' reports to the principal supervisor. Copies of all examiner reports will be included in the School Academic Committee consideration of results.

7.2 Materials Sent to Examiners

Materials sent by the School of Law to examiners should include, but are not limited to:

1. a letter inviting the examiner to formally examine the dissertation;
2. a 150-200 word abstract of the dissertation to be examined that contains the title and author of the work;
3. an explanation as to which components of the degree contribute to the determination of the Honours award and specifically the weight given to the dissertation;

4. specific information concerning the School's expectations of the nature, structure, length and presentation requirements of the dissertation of the Honours degree;
5. the criteria by which the examiner is expected to evaluate the dissertation;
6. information concerning the School's expectations of the examiner (e.g. time frame by which examination needs to be completed, what materials need to be forwarded back to the School to complete the examination process);
7. a cover sheet that summarises the examiners' score out of 100 and includes specified criteria for each potential score; and
8. any other School-devised scoring materials.

7.3 The Use and Appointment of Third Examiner (Arbiters)

As set out the Honours in Bachelor Awards Policy, Part I, clause (41), where there is a mark discrepancy of 10 or more marks between dissertation examiners or a difference in the examiner-recommended "grade", the School Honours Coordinator may take one or more of the following actions:

1. Invite the examiners to confer with each other and/or with the School Research and Higher Degrees Committee with a view to presenting a consolidated recommendation;
2. Appoint an experienced marker of Bachelor Honours dissertations as a third examiner who will act as an arbiter; following review of the dissertation and the other examiners' reports the arbiter determines the mark and grade on the basis of the published criteria and standards for the dissertation; this is the final examination result for recommendation to the School Academic Committee.

7.4 Arbitration Process and Outcomes

As well as the standard materials sent to dissertation examiners, supplementary materials forwarded by the School Honours Coordinator to the arbiter should include the following:

- a written letter outlining the circumstances under which the present arbitration is required; and
- examination reports and marking sheets from the two examiners, with the identity of the examiners withheld.

The arbiter shall read the dissertation to reach an independent assessment of the work contained within. After reading the dissertation, the arbiter considers the two examiner reports and assesses the conclusions that the examiners have reached and the

arguments that they have used to justify these conclusions. The arbiter then prepares two reports. The first is a standard assessment report on the quality of the dissertation. The arbiter will also produce a second report to the School Academic Committee explaining the decision in relation to the two examiners' reports.

The arbiter's reports, both the standard assessment report and the report outlining the reasons for their decision, should be sent to the Chair of the School Academic Committee for consideration of results and will be forwarded by the School Academic Committee to the Dean for endorsement.

The recommended mark for the dissertation is decided by the arbiter and will be forwarded by the School Academic Committee to the Dean for endorsement.

8 Determination of Honours Award Level

8.1 Calculation of Honours Weighted Average Mark

In the case of the Bachelor of Laws (Hons), the calculation of the Honours Award level (Class of Honours) is based on the student's Honours Weighted Average Mark (HWAM).

The HWAM is calculated according to the following principles:

- The HWAM is calculated using all Bachelor of Laws subjects completed by the student;
- The student's two subjects, other than LAWS4011 Law Honours Dissertation, with the lowest result are excluded from the calculation;
- The average mark of all non-Honours subjects are given a weighting of 0.66 (66%) when calculating the HWAM;
- The mark for LAWS4011 Law Honours Dissertation is given a weighting of 0.34 (34%) when calculating the HWAM;
- Once calculated, the HWAM is rounded to two decimal places.

The HWAM is calculated in accordance with the following formula:

$$\text{HWAM} = \frac{((\text{Sum of marks in all non-Honours law subjects}) - (\text{sum of marks in two lowest non-Honours law subjects}))}{((\text{Number of non-Honours law subjects}) - 2) * 0.66} + ((\text{Mark in 200700}) * 0.34)$$

$$\begin{aligned}
 \text{HWAM} = & \\
 & \left(\left(\left(\text{Sum of marks in all non-Honours law subjects} \right) \right. \right. \\
 & \quad - \\
 & \left. \left. \left(\text{sum of marks in two lowest non-Honours law subjects} \right) \right) \right) \\
 & / \\
 & \left(\left(\text{Number of non-Honours law subjects} \right) - 2 \right) \\
 & \quad * 0.66 \\
 & \quad + \\
 & \left(\left(\text{Mark in 200700} \right) \right) \\
 & \quad * 0.34
 \end{aligned}$$

Note: 'non-Honours law subject' does not include any subjects obtained by Advanced Standing (unless the 'original' or 'underlying' subject was delivered by the Law School as part of a Bachelor of Law course in which case the subject is included) or on a Satisfactory/Unsatisfactory basis; it does include Fails and Compulsory Fails (which are included at the nominal value of 42).

Note: for clarity in light of the 'W Grade Scheme' implemented by the University in June 2020 in response to the COVID-19 pandemic, W grades are not included in HWAM calculations.

8.1.1.1 Implementation of the 'GPA Neutral Scheme' (June 2020)

Following the University's response to the COVID-19 pandemic and in accordance with the 'GPA Neutral Scheme' established by the University in June 2020 through which a student who successfully completes a subject may apply for their final mark and grade to be converted to a S grade, any non-Honours law subject in which the student has a S grade is not included in the calculation of the student's HWAM for the purpose of determining their Honours Award level.

8.2 Honours Award Level Thresholds

In the case of the Bachelor of Laws (Hons), the awarding of the Honours Award level (Class of Honours) is based on the following thresholds:

<u>Honours Award Level</u>	<u>Threshold</u>
First Class Honours:	HWAM of 80 or higher.
Second Class Honours, Division 1:	HWAM of 75 or higher.
Second Class Honours, Division 2:	HWAM of 70 or higher.

If a student's HWAM is below 70, then an Honours level is not awarded. Third Class Honours is not awarded in the Bachelor of Laws.

8.3 Processing of Honours Awards

Honours marks and level of award will be approved by the School Academic Committee and Dean of School. Once determined, Honours marks and levels will be sent to candidates by the Academic Registrar's Office.

Note: students enrolled in a Bachelor of Laws course or a double Bachelor of Laws degree prior to 2008 may elect to be governed by the Bachelor of Laws (Honours) award rules in force at the time of their first enrolment in that course.

9 Review of Grade

Reviews of Grade are dealt with by Part L of the Honours in Bachelor Awards Policy.

10 Appeal Against Level of Honours

Appeal against Level of Honours is dealt with by Part M of the Honours in Bachelor Awards Policy.

11 Key Dates – Summary

Final Date for Applying for Admission: 15 January 2023.

Confirmation of Enrolment: 20 February 2023

Submission: 23 October 2023

Appendix 1

School Honours Award Level Guidelines: Requirements for Ethics Approval Human and Animal Ethics and Biosafety for Honours students at Western Sydney University

...all research is an ethical undertaking, and all researchers are confronted with ethical choices, whether in the laboratory, the library or the field.¹

Research by University researchers and students must be carried out in accordance with the [Research Code of Practice](#) (opens in new window) and the [Australian Code for the Responsible Conduct of Research \(2007\)](#) (opens in new window). Academic Senate has endorsed the [Singapore Statement on Research Integrity](#) (opens in new window) and the [Montreal Statement on Research Integrity in Cross-Boundary Research Collaborations](#) (opens in new window)

All honours research involving human participants **must** meet the National Statement criteria for Low 1 or Negligible risk research. In Australia, the honours student's Supervisor is the applicant for both human and animal ethics approval.

Given the short time frame available for Honours study, it is recommended that where ethics approval does not already exist, that ethics approval is sought as a matter of **priority** at the earliest possible time during the Honours program.

Before conducting any data collection, experimentation or field work, supervisors of Honours projects must determine whether ethical review is required and obtain approvals from the relevant ethics committee. All projects are considered the responsibility of the supervisor who will be the applicant for ethics protocol approval.

More information available at:

https://www.westernsydney.edu.au/research/research_ethics_and_integrity/human_ethics

Contact: For information on the application requirements and process, contact Human Ethics: humanethics@westernsydney.edu.au

¹ <http://gradresearch.unimelb.edu.au/programs/GReP/GREIM.html>