University of Cape Town
FACULTY OF LAW

GUIDELINES FOR MINOR DISSERTATION

LLM and MPhil by Coursework and Minor Dissertation

Contents

January 2026

This document is an adaptation from the Faculty of Health Sciences guidelines, which in turn have been adapted, with permission, from a student handbook from the School of Graduate Studies at the University of Toronto. We are indebted to both the Faculty of Health Sciences Postgraduate Committee and the University of Toronto School of Graduate Studies.

This booklet should be read in conjunction with the General Rules for Students (Handbook 3), the Law Faculty Handbook (Handbook 10) and the UCT Fees Booklet (Handbook 12). Students should also comply with the Faculty's Instructions on registration processes, provided for in separate documentation.

Basic requirements for minor dissertations

A Master of Laws (LLM), Master of Philosophy (MPhil) or Postgraduate Diploma[1] student must write a minor dissertation on a subject of legal interest related to one of their courses. In the case of the degrees and diplomas in specialist areas, the subject of the dissertation must also satisfy the rules applicable to the particular qualification. The dissertation may not exceed 25,000 words in length for the LLM or MPhil Degree (**including** footnotes but **excluding** bibliography)

Although an original contribution to knowledge is always desirable in a minor dissertation it is not an essential requirement. However, candidates must show that they have:

- a thorough knowledge of the subject chosen;

- mastered techniques required for competent research in law;

- the capacity for independent thought and sound reasoning; and

- satisfactorily presented the results of research.

Finding a supervisor

Students are encouraged to approach any member of staff or programme convenor **as soon as the academic year starts** and propose an outline of their minor dissertation topic. The proposal must be submitted no later than the time at which half the coursework requirements of the degree or diploma have been fulfilled. If the proposal is acceptable, the student must arrange that or another member of the Faculty staff to act as their supervisor.

All students registered for a dissertation component must complete the online Memorandum of Understanding at the point of registration. If you do not have a supervisor appointed at that point please complete the abridged MOU. You must select the Programme Convenor for the programme for which you are registering as your interim supervisor. The full MOU must be completed by no later than 30 April 2026. Returning students are required to complete the online Annual Supplement to the Memorandum of Understanding at the point of registration each academic year.

Students should submit at least one draft of their dissertation to their supervisor before final submission to the Faculty Office for examination. If a minor dissertation is submitted that has not been approved and supervised, the Faculty reserves the right not to consider it.

The choice of supervisor is important. The person concerned needs to be not only academically competent but also willing to represent the student's interests. In addition, the student must feel free to communicate with the supervisor and not feel overwhelmed or intimidated. Moreover, because research work can be a lonely experience, candidates need the guidance of staff who can stimulate thought and encourage perseverance.

In order to obtain more information on a potential supervisor, the first port of call should be the convener of the programme for which you are registered. In addition see the list of supervisors and their areas of specialization at http://www.sals.uct.ac.za/sals/research/topic.

Managing expectations between student and supervisor

The provision of guidelines by supervisors is vital at all stages of postgraduate work, but it is especially important during the initial phase, because both supervisors and students must have a set of shared expectations. Each needs to understand the constraints operating on the other, and the effects that these may have on supervision. Good supervisors make their expectations clear on issues such as regular meetings, mastery of methods and timelines for completing the degree or diploma. Once these expectations are made clear, it is much easier to develop a positive and productive relationship.

In initial discussions between candidate and supervisor, the following topics should be covered:

- frequency of contact;

- preferred method of communication (e-mail, voicemail or in person);

- deadlines for each stage of the work;

- frequency of submission of work;

- type of feedback expected;

- nature of any directed reading programme;

- monitoring, evaluation and reporting of progress.

Student responsibilities

Good supervisory practice entails responsibilities, not only for the supervisor but also for the student. When students enter a minor dissertation programme, they must be prepared to commit the time and energy necessary for sustained research. Although the supervisor has a duty to be reasonably available for consultation, the primary responsibility for keeping in touch rests with the student. The student's other responsibilities include the following:

- becoming familiar with, and adhering to, the Faculty rules and procedures;

- adhering to all deadlines regarding registration and minor dissertation submission;

- preparing a research plan and timetable in consultation with the supervisor as a basis for the programme of study;

- meeting with the supervisor when requested, and reporting regularly on progress;

- giving the supervisor contact details and advising any significant changes in the progress of research.

Student checklist

Appropriateness of Supervisor
1. Have you determined whether a member of the Faculty has competence in the area you wish to study? Before choosing a supervisor, have you investigated the research interests and publications of staff in the Faculty?

Registration of Minor Dissertation Topic and Supervisor
2. Have you completed the online MOU to register your minor dissertation/ and the name of your supervisor? Has your MOU been finalized?

The MOU approval process, it is as follows:
1. Student completes and submits form to supervisor
2. Supervisor returns form to student once they add their input
3. Student accepts supervisor's input
4. Supervisor accepts this version of the MOU
5. HOD approves MOU – MOU is finalised
6. Student can go ahead with the registration process
7. IF student is a returner and was coded FECC last year, Deputy Dean approves

When form is declined, the supervisor and student are notified.

If you are registering for the first time, please fill in the abridged MOU and add your Programme Convenor as your nominal supervisor. Their contact can be found here: http://www.sals.uct.ac.za/sals/contact. Please note this process asks for supervisor and HOD approval and may take a few days to finalise.

Communications
3. Does your supervisor know how to reach you? When you have to leave campus for

significant periods of time, do you respond promptly to all communications received?

Mutual Understanding

4. Have you and your supervisor developed an understanding about the mechanics of supervision and the kind and amount of guidance you want? Are you both in agreement about the frequency and regularity with which you will see each other and about a plan of action (ie choosing a minor dissertation topic, when to submit an outline of draft chapters, etc)? Have you and your supervisor discussed your expectations concerning the quality and originality of the completed minor dissertation? Are you both maintaining good records of each stage of the research? Have you developed a clear understanding with your supervisor about her or his role as a mentor?

Planning and Consulting

5. Have you spent some time in devising a plan for writing the minor dissertation/ research paper which can be discussed with your supervisor? (Remember that the minor dissertation should be largely the student's unaided effort.) Are you meeting regularly with your supervisor to review your progress?

Submission and Return of Work

6. Are you presenting your work to your supervisor chapter by chapter (or section by section) in an approved format? Do you observe clearly stated arrangements for the submission and return of your written work? Do you understand the relevant references and how they contribute to your research?

Timing

7. If you are working towards a deadline, are you allowing sufficient time for your supervisor to read all parts of the minor dissertation in the final form? Remember that the responsibility for proof-reading the final copy is yours, and this reading may take some time.

It is the responsibility of both the student and supervisor to ensure that the Memorandum of Understanding is completed once the dissertation is registered at the Faculty Office. You will not be permitted to register a topic without a completed Memorandum of Understanding.

Supervisor responsibilities

A supervisor's primary task is to guide and inspire students to reach their full scholarly potential. At the same time, supervisors must acquaint their students with the University

regulations. Accordingly, the supervisor should promote conditions conducive to a student's intellectual growth and provide appropriate guidance on the progress of the research and the standards expected.

Writing and research exist in a dialectical relationship. Research prepares students to write; writing enables students to identify gaps in their knowledge. Since writing facilitates not only the transmission of ideas but also their clarification and evaluation, candidates for postgraduate degrees and diplomas are encouraged to write regularly and to submit written work to their supervisors as early as possible.

Good supervisory practice includes the following:

- guiding the student in the selection and planning of a research topic which can be successfully completed within the expected time;

- establishing, with the student, a realistic timetable for the completion of various phases of the programme;

- giving feedback to students on their work as soon as possible.

- ensuring that students have an understanding of the relevant theories and skills necessary for the research;

- being accessible to give advice and feedback;

- making arrangements to ensure continuity of supervision during extended periods of leave;

- avoiding personal or business relationships that may constitute a conflict of interests;

- being honest with students when they do not meet expectations; while dealing with inadequate academic performance can be difficult, it is in no one's interests to prolong a programme of study if success is unlikely.

Students sometimes experience personal difficulties, ranging from family crises and problems in personal relationships to cultural adjustments and financial pressures. The effect of these problems on a student's work should not be underestimated. Clearly, supervisors are not trained counsellors, and they cannot be expected to give professional help; nor should they intrude with unwanted advice into the personal lives of their students. Supervisors should nevertheless try to ensure that their relationships with students are such that the latter will feel able to confide in them about significant personal difficulties.

In the event of a student crisis, students are encouraged to contact Student Wellness at the Department of Student Affairs, which offers health and counselling services. Students should phone 021-650 1017 / 1020 to schedule an appointment.

Supervisor checklist

Mutual Expectations
1. Have you developed an understanding with your student concerning the mechanics of supervision, in other words, the kind and amount of advice you are able and willing to offer, the frequency and regularity with which you expect to see each other, the timing for submitting draft chapters, and your mutual expectations about the quality and originality of the completed work?

Definition of Project
2. Has the topic of research been suitably refined? Is the scope of the minor dissertation excessively ambitious or too narrow? Are you satisfied with the student's progress and background knowledge of the subject? Have you counter-signed the student's form approving the research topic and agreeing to supervise it?

Arrangements for the Return of Work
3. After work has been submitted, do you make (and observe) clearly stated arrangements

for its return within 10-14 business days? In circumstances where this is not possible, do you inform the student, and specify a new target date?

Absences from the University
4. Do you inform your students when you plan to be absent for an extended period of time from the University? Do you make arrangements for substitute supervision during this time?

Requirements for Successful Submission
5. Is your student aware of the University and Faculty requirements to which the minor dissertation is expected to conform?

It is the responsibility of both the student and supervisor to ensure that the Memorandum of Understanding is completed once the dissertation is registered at the Faculty Office. You will not be permitted to register a topic without a completed Memorandum of Understanding.

Language policy

At UCT, English is both the medium of teaching and of examination, except in departments where another language is taught. This rule applies at all levels, and to all theses for higher degrees. Dissertations must be expressed in clear and grammatical English. If English is not your first language it is highly recommended that you make timeous use of the postgraduate writing centre to refine the language and grammar employed in your written work (see 'Postgraduate Writing Centre' immediately below).

Plagiarism in postgraduate research

The Law Faculty has a zero-tolerance policy in respect of plagiarism. Plagiarised work is penalised heavily and will in most cases result in a mark of zero awarded for the piece. Plagiarism can, in addition, lead to expulsion from the university. Key details contained in UCT's Plagiarism Guidelines for Students are summarised below:

1. What is Plagiarism

Whenever you do written work you must differentiate between your own ideas and those, which you did not think of yourself, but which you have read elsewhere – you must distinguish what you have written from what you are quoting. You commit plagiarism in written work when you use another person's words, ideas or opinions without acknowledging them as being from that other person. You do this when you copy the work word-by- word (verbatim); or submit someone else's work in a slightly altered form (such as changing a word with one meaning to another word with the same meaning); and you do not acknowledge the borrowing in a way that shows from whom or where you took the words, ideas or reasoning. You must provide references whenever you quote (use the exact words), paraphrase (use the ideas of another person, in your own words) or summarise (use the main points of another's opinions theories or data).

It does not matter how much of the other person's work you use (whether it is one sentence or a whole section), or whether you do it unintentionally or on purpose; if you present the work as your own without acknowledging that person, you are committing theft. You are taking someone else's work and passing it off as your own. Because of this, plagiarism is regarded as a very serious offence and carries heavy penalties. If another student gives one of his or her past assignments you may not copy this and hand it in as your own, you are not allowed to do it. It is another form of plagiarism.

The onus is on students to ensure that their minor dissertation contains no elements of plagiarism. In this regard we wish to highlight the severe consequences of plagiarism.

2. The Consequences of Plagiarism

Procedures for Dealing with Plagiarism

• __Disciplinary Action__

(a) Plagiarism is a breach of the student rules. Where plagiarism is found or suspected, the Head of Department must refer the matter to the Vice-Chancellor's nominee for possible disciplinary action in terms of the rules on disciplinary jurisdiction and procedures (DJP1.1).
In considering each case, the Head of Department should try to ascertain whether there is an academic problem (such as the student had not been adequately taught referencing conventions), or a purposeful attempt to cheat.

(b) A Head of Department must inform the Dean where he/she has referred a case to the Vice-Chancellor or nominee for possible disciplinary action.

(c) The Vice-Chancellor's nominee will make the decision whether to prosecute the student. There are varying degrees of plagiarism (from referencing inadequately, in the instance where the student quotes the source but does not insert the inverted commas, to copying a thesis and submitting the work in its entirety as one's own.). This will be taken into account first, in the decision to prosecute, and secondly on imposing the sentence for a student found guilty.

(d) If a decision is made to prosecute the student, and the student is found guilty, the sentencing will take into account factors such the academic seniority of the student. For the same extent of plagiarism, a first year student is likely to be given a lesser sentence than a postgraduate student.

(e) It is possible, however, that the University Tribunal will acquit a prosecuted student, if the University fails to prove the charge on the balance of probabilities. This does not alter the action that the department, Faculty Examinations Committee or Doctoral Degrees Board, will have taken in the academic assessment of the student.

3. Turn-It-In

Given the above serious consequences, students are encouraged to use any available avenue to ensure that they do not fall foul of plagiarism. One such tool is Turn-It-In and students are encouraged to submit the draft dissertations through Turn- It-In both prior to submitting them to the supervisors for comment and for examination.

Should you require any further information on turn-it-in please consult the post-graduate assistants in the Writing Centre.

Postgraduate Writing Centre

The Faculty has its own Writing Centre, which provides support for both LLB and postgraduate students. Postgraduate support is available in two forms. First, a programme of workshops is held during the first and second semesters. In the past, members of the Faculty as well as of the Centre for Higher Education Development have presented workshops on topics such as:
- writing the research proposal;
- referencing and citation;
- plain English in law;
- legal style and argument.

Attendance at the workshops is voluntary but **highly** recommended. Notification of the workshops will be by email.

Finally, please note that there is a UCT Writing Centre open to students from all disciplines on Level 6 of the Hlanganani Building, Upper Campus. Useful information is available on their website: Home | Writing Centre

Format of minor dissertation Discussion with supervisor

Master's candidates are to submit electronic versions of (full or minor) dissertations/theses online via the PeopleSoft Student Administration Self-service functionality. Hard copies of 'intention to submit forms and dissertations/theses no longer need to be physically deposited at UCT; you must submit your work for examination from any digitally-connected destination.

Please make sure that you have your username and password and are able to access the PeopleSoft Student Administration Self Service.

Should you have any problems with this service, please consult the following document: Accessing PeopleSoft Self Service for Students, or get help by accessing Student Self Service Help or emailing: sss-helpdesk@uct.ac.za

Discuss the layout of your minor dissertation with your supervisor to decide on the introduction and conclusion, the number of chapters and the content of each. Please note that, although supervisors may assist, they are not required to undertake detailed editing or the correction of spelling, grammar and style.

1. **Page set-up**

   - A4 page size;

   - use fonts such as Arial, Times New Roman, Book Antiqua or Bookman Old Style; avoid any comic fonts;

   - font size 12;

   - page numbers in the same font as that used for the text; and placed at the top right-hand corner of the page;

   - set language checks to English [South Africa]. Do not use American spelling;

   - line spacing of 1.5 is recommended; spacing should allow 6pts after each paragraph, which improves the look of the document and avoids the need to include extra paragraph breaks;

   - paragraphs should be indented;

   - the right-hand margin should not be justified.

2. **Mandatory information on the cover**

The outside cover of the minor dissertation must have the following information:

- the student's full name;
- student number;
- the qualification (degree/ postgraduate diploma) for which the student is registered;
- the dissertation title;
- the supervisor's full names;
- the word-count;
- AND the following statement, which must be signed and dated:

Research dissertation presented for the approval of Senate in fulfillment of part of the requirements for the *<qualification for which the student is registered>* in approved courses and a minor dissertation. The other part of the requirement for this qualification was the completion of a programme of courses.

I hereby declare that I have read and understood the regulations governing the submission of *<qualification for which the student is registered>* dissertations, including those relating to length and plagiarism, as contained in the rules of this University, and that this dissertation conforms to those regulations.

For information on referencing and style conventions see Appendix 2, the Housestyle of the *South African Journal of Criminal Justice*. Also please read the Law School Writing Guide, available on the Law Library website. https://lib.uct.ac.za/libraries-collections/brand-van-zyl-law-library Style rules

1. Quotations

- Use single quotation marks.
- Quotations within quotations should appear within double quotation marks.
- Quotations that are four or more lines in length should be indented and single-spaced.

2. Ellipsis

- Ellipsis points are used when certain words are omitted from a quotation. Use three points to indicate the omission of part of a sentence. Use four points to indicate that the sentence ends with the quoted passage or that the ellipsis extends into a new sentence.

3. Interpolations

- It is sometimes necessary to alter a quotation slightly to clarify the meaning. For example, the original quotation reads: 'The judge stated that his evidence was not credible.' It is not clear to whom the word 'his' refers. You may therefore interpolate a word or phrase to clarify the meaning: 'The judge stated that [the defendant's] evidence was not credible.'
- Square brackets are also used to indicate that you are inserting a lower-case letter instead of the capital letter that appeared in the original: '[h]e was not telling the truth'. The sentence in the original read: 'He was not telling the truth.'

4. Abbreviations

- The general rule is that full stops are omitted in all abbreviations: ie (in other words), eg (for example), etc (et cetera), viz (namely). Try to avoid making excessive use of

abbreviations, and never use an abbreviation at the beginning of a sentence.

- The following words may be abbreviated when used in a sentence before a number or in footnotes: section (s), paragraph (para), regulation (reg), article (art), Government Notice (GN), schedule (sched). They are not otherwise abbreviated: 'The article that addresses the issue…'

5. Dates, times, numbers, fractions and decimals

- 28 November 2000

- Avoid using 'from/between 1950-1969'. Write 'from 1950 to 1969' or 'between 1950 and 1969'.

- Unless 'am' or 'pm' is used, the time of day should be spelled out: 'At five o'clock the jury retired. At 6.16pm the jury returned.'

- Sums of money: R20 000 and R125.59.

- Ages are always given in figures: The boy is 8 years old.

- Numbers from 1 to 10 are written in words, except in references to pages and in percentages. Numbers greater than 10 are given in figures. Also use figures for numbers that include a decimal point or fraction (4.25, 4½).

- 'Per cent' is written as two words (not 'percent' or '%').

- Fractions should be hyphenated (two-thirds, four-fifths) and spelled out in words, unless attached to whole numbers. Use fractions for approximate figures; use decimals for more exact figures.

6. Footnotes

- While styles vary, the main rule is to be consistent. For an example of a recognised referencing style please see Appendix 2.

- Keep footnotes brief; the detail is provided in the bibliography.

- Numbers of footnotes appear outside final punctuation marks. For example, 'Amnesty is a heavy price to pay. It is, however, the price that the negotiators believed our country had to pay to avoid an "alternative too ghastly to contemplate".'[19]

- Footnotes can also be used to provide further information that is of interest, but is not directly relevant to your main argument.

- Note, MPhil students may adhere to a different recognised referencing style as long as referencing is consistent throughout the document.

7. Citation of references

For information on the method for citing references and preparing a bibliography, consult the Faculty guide, which is available from the Printing and Materials office. A summary of key information pertaining to bibliographies is provided directly below in point 8.

8. Bibliographies

- A bibliography is a detailed list of sources referred to in your minor dissertation, or consulted during its preparation. It contains more detail than footnote references; in particular, it indicates the publisher and place of publication of books. (Publishing details of journals and law reports are never provided)

- Secondary sources are ordered alphabetically by authors" surnames. It is

usually not necessary to distinguish between books and journals, but it may be, depending on the number of sources consulted. In a doctoral thesis there should be separate sections on books and journals.

- Official publications and publications produced by organisations, for which there is no named author, should be listed by reference to the body responsible for the publication thereof, for example, Commission for Gender Equality; Department of Justice; Organisation of African Unity.

- Primary sources of law should be listed in separate tables of statutes and cases. When primary sources from more than one jurisdiction are used, these tables should be sub-divided by jurisdiction, or at least so as to distinguish between South African and foreign/ international sources.

Example:

BIBLIOGRAPHY

Primary Sources
Cases

Boesak v Minister of Home Affairs 1987 (3) SA 665 (C).
Mohlomi v Minister of Defence 1997 (1) SA 124 (CC).

Statutes
Income Tax Act 58 of 1962.
Labour Relations Act 66 of 1995.
Restitution of Land Rights Act 22 of 1994.

Secondary Sources
Books

Fish, Stanley *Is there a text in this class?* (1980) Harvard University Press, Cambridge Mass.
Seeger, Anthony 'Ethnomusicology and music law' in Bruce Ziff and Pratima V. Rao (eds) *Borrowed power: essays on cultural appropriation* (1997) Rutgers University Press, New Brunswick.
Twining, William and Miers, David *How to do things with rules: a primer of interpretation* 4ed (1999) Butterworths, London.

Journals
Alford, William P 'Exporting "The pursuit of happiness"' (2000) 113 *Harvard LR* 1677.
Blackman, MS 'Companies' *LAWSA* vol 4, Part 1 First Reissue (1997) Butterworths, Durban.
Cockrell, Alfred 'Second-guessing the exercise of contractual power on rationality grounds' 1997 *Acta Juridica* 26.

Research ethics policy and procedure

The Faculty of Law has adopted Guidelines on Research Ethics Relating to Research on Human Subjects, to ensure that such research is carried out with social sensitivity and responsibility, and with respect for the dignity and self-esteem of the individual and for basic human rights. Any student whose minor dissertation involves research on human subjects should follow these guidelines, as laid out below. For further details on Research Ethics Guidelines visit the following website:

https://www.uct.ac.za/research-support-hub/integrity/ethics

(A copy of the Application for Ethics Clearance for Research involving human participants is attached as Appendix 3.)

1. General

Research should always be carried out with sensitivity, responsibility and respect for the dignity of the participants. To this end, researchers should:

- ☐ ensure that they are qualified to work with particular communities, and, when necessary, consult experts on such communities
- ☐ communicate findings honestly, clearly, comprehensively and accountably
- ☐ report findings, and the limitations thereof, so that they may be scrutinised by peers and the public in general
- ☐ point to the possibility of alternative interpretations
- ☐ respect the right of fellow researchers to work with different paradigms and methods
- ☐ honour the authority of professional codes in specific disciplines
- ☐ refrain from using their positions for personal gain.

If researchers have any doubt about the ethical implications of their research, they must, before continuing, consult their faculties, supervisors or any other authoritative body knowledgeable about the ethics of research.

2. Informed consent

The informed consent of participants is a basic ethical tenet of any research on human populations, especially when vulnerable groups (such as youth, recent immigrants or the mentally ill) are involved. When obtaining such consent, researchers must appreciate that participants may be under subtle pressures to co-operate, and they must take this possibility into account when designing informed consent procedures. Under most circumstances, payment is considered coercion, although minimum payment to cover the costs of attending interviews may be considered.

Consent is considered 'informed' when, in a language that is understood by participants, researchers explain:

- ☐ the nature of the research

- • the participants' freedom to decline to participate at any time

- • factors that may influence a participant's willingness to take part, such as emotional trauma or limitations on confidentiality

- ☐ the methods to be used, such as video-, tape-recording or scribing.

In short, the participant must have a complete understanding of the aims and processes of the research, its intended outcome, as well as any consequences that may follow from publication.

The research results may not be used for any purpose other than those originally consented to by both parties.

3. Foreseeable consequences

When planning research, researchers must consider its consequences, and they must attempt to protect participants against physical, psychological or social harm. No research should be undertaken on vulnerable subjects, if the required information can be obtained by other means.

4. Terms of participation

If conflict arises between the interests of researchers and those of research participants, the interests of the participants take precedence.

The research should be conducted to suit the convenience of participants, so that their income and work is not affected.

The privacy of a participant must be respected on that person's terms. Interviews (whether focus groups or one-on-one) must be conducted in private.

5. Confidentiality

Researchers must ensure that confidentiality is protected, and must accordingly take into account the long-term uses of research information, such as submission for a higher degree, placement in public archives or examination by other researchers. Data which may reveal the identity of a participant is confidential, unless the participant agrees to its release.
Hence, the researcher must remove any information that would identify the research participants in any way.

The obligation to maintain confidentiality extends to all members of research teams and collaborating organisations.

Researchers may not use research as evidence for the arrest or exposure of a participant. If the participant is involved in activities that are endangering themselves or others, such as participation in serious crimes, a different set of ethics applies, and the researcher may then have to report on those activities. For this purpose, legal advice should be sought.

6. Intervention

Researchers and assistants are permitted to perform only those tasks for which they are appropriately trained. Hence, researchers must not provide advice on any medical, psychological or legal matter, unless they are professionally trained to do so.

7. THE ETHICS OF RESEARCH ON HUMANS

The Faculty of Law has adopted Guidelines on Research Ethics Relating to Research on Human Subjects, to ensure that such research is carried out with social sensitivity and responsibility, and with respect for the dignity and self-esteem of the individual and for basic human rights. Any student whose thesis involves research on human subjects should visit the following website: https://law.uct.ac.za/research/ethics-research

Submission of minor dissertation

Students should submit at least one draft of their dissertation/research paper to their supervisor before final submission to the School for Advanced Legal Studies for examination. If a minor dissertation is submitted for examination that has not been approved and supervised, the Faculty reserves the right not to consider it ready for examination.

The following rules and procedures apply to the submission of LLM and MPhil minor dissertations:

• The University of Cape Town (UCT) requires LLM/MPhil candidates to submit electronic versions of dissertations online via the PeopleSoft Student Administration Self Service functionality.

• At the conclusion of your research, 4-6 weeks prior to the submission, please upload your **intention to submit form** along with a copy of your abstract on PeopleSoft using this process

• All communication from UCT regarding the examination process will occur via e-mail. Please make sure that you have your username and password and are able to access the PeopleSoft Student Administration Self Service.

• The minor dissertation must be no longer than 25,000 words for the LLM and MPhil degrees.

• The instructions for the uploading the dissertation can be found here. Please ensure that you correctly follow the process outlined. All incomplete submissions will be rejected, which will cause delays in the examination process.

• The dissertation should be accompanied by the declaration form, a Plagiarism Declaration form, turn-it-in report (the digital submission instructions document includes turn-it-in information as well) and the final abstract.

• **Returning students** should bear in mind that the final date for submission of minor dissertations is: the first day of term in the new academic year (17 Feb 2025) if they do not wish to re-register in 2025.

• Students who submit their minor dissertations for examination before the start of the academic year, do not need to re-register and pay associated fees for an additional year.

• Returning students who wish to re-register for only their minor dissertation in 2024 need to consult the UCT Fees handbook for submission deadlines. Please also consult the fees handbook for the cost of Registration for the dissertation-only degree programme.

• Students are required to re-register in February of each year whilst completing their dissertations.

• Where students are required to revise and resubmit a minor dissertation the academic fee will be charged per quarter (i.e. if candidates must work for up to one quarter they will pay 25% of the full fee; for up to two quarters, they will pay 50% of the full fee and so on).

• For more information about timelines for minor dissertations examination from submission for examination to graduation LLM submission deadlines 2026

• Once the examination process is concluded and you are asked to upload your library copy, please follow the Library Upload instructions.

Publication and copyright

Publication is always encouraged by the University. Prior to the award of a degree or diploma, however, although candidates may mention their affiliation with the University, they may not state that their publication is part of work being done towards a higher degree or diploma, unless they have obtained permission from the University. Once the degree or diploma has been awarded, University permission is not necessary.

Copyright is protected under both international conventions and South African domestic law. It exists if an idea has been put in writing, forms the subject of a drawing or painting, or has been given tangible form in a model. The author of a work is the holder of copyright in it (unless the author was employed under a contract of service, and the work was made in the course of that employment). Copyright persists for the author's life, and, in some cases of

published work, for fifty years after the author's death. Copyright in unpublished material remains in perpetuity. (For example, copyright remains in unpublished letters of whatever age.)

Students have copyright in their minor dissertation, unless they have entered an arrangement specifically granting copyright to someone else. In this regard, it should be noted that the University has a licence to reproduce dissertation work under Rule GM8 of the Rules for Degrees, Diplomas and Certificates. For more information on this topic refer to the UCT website.

Breach of copyright entitles the holder to bring a civil action. It also constitutes a criminal offence, for which the offender is personally liable.

Making a copy of computer software or using unlicensed copied software is a breach of copyright. Acquiring an unauthorised copy of computer software is also an infringement of copyright. Acquisition, in this sense, includes loading a copy of a programme into any form of storage medium. Some software developers recognise the special position of educational institutions and offer site or bulk licensing. Under bulk licensing, the institution pays an annual fee and may make a specified number of copies, while site licences allow an unlimited number of copies. Where such arrangements exist, the software may be used only by those members of the University specified in the applicable agreement and may not be distributed outside it.

Copyright is not infringed where a work is:

☐ used for research or private study, subject to the fair dealing requirements of the law (ie appropriate acknowledgement of the source and limited circulation of the study);

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☐ quoted, provided that the quotation is compatible with fair dealing, is not excessively long and is attributed to the author and to the work;

☐ used by way of illustration for the purposes of teaching (again subject to the fair dealing test).

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University of Cape Town Conflict Resolution Process for a Supervisor- Postgraduate student relationship

This process relates to conflict in the context of the Memorandum of Understanding (MOU) and Planned Progress Activity (PPA) report agreed between a student and a supervisor.

Conflict is not necessarily to be avoided; it can result in creative new ideas, and the advance of knowledge. The very nature of the academic enterprise assumes that ideas may be challenged. Conflict should be handled early; it is easier to deal with small issues, as and when they arise. The longer an issue is left, the less likely the possibility of a resolution.

Conflict Resolution

If a conflict arises between a postgraduate student and a supervisor, the parties should, if possible, first try to resolve it amicably.

If informal discussion is ineffective in resolving the conflict, then the parties should put their disagreement in writing, and submit this record to the Head of Department (who may refer the conflict to the appropriate Faculty structure) for resolution. If the supervisor is the Head, the record should be referred directly to the Deputy-Dean charged with Postgraduate Affairs.

If this does not resolve the conflict within a month then the student or supervisor should refer the record to the Deputy-Dean. If the supervisor is the Deputy Dean, the record should be referred to the Dean.

If this does not resolve the conflict, (or if the supervisor is the Dean), the student or the supervisor should refer the record to the Deputy Vice-Chancellor for Research and Internationalization.

If at any stage the student or supervisor has any reservations about this conflict resolution process, they may consult the office of the Ombud.

Grievance Procedures

If the conflict between a postgraduate student and their supervisor is not resolved by the above process, the student should refer to Senate Procedures for Student Complaint in Handbook 3.

APPENDICES

Appendix 1

House Style for *South African Journal of Criminal Justice*, available at

HOUSE STYLE

When preparing contributions, contributors are requested to observe the following conventions:

(1) Submissions should be in English and in Times New Roman font, 12-font size double-spacing. Footnotes and quotations are single-spaced in 10-font size. MSWord is preferred but WordPerfect is acceptable. The name, address and phone number, academic qualifications, professional and academic status held by the author to be included on a separate page.

(2) Absent exceptional circumstances, articles should be no more than 6 000 words in length. Comments should be no more than 4 000 words in length and case notes no more than 2 000 words in length. Book review lengths depend on the nature of the review.

(3) All articles must be accompanied by an abstract of no more than 200 words in length.

(4) Electronic copy should be in its final form as corrections on proofs will be limited to grammatical and stylistic errors or changes necessitated by legislative developments.

(5) Authors should pay meticulous attention to the accuracy of case names, citations and other references, judges' names and quotations. It is the author's responsibility to ensure that the house style is adhered to and articles will be returned to authors to correct for failure to observe the house style.

(6) It is assumed that an article submitted to the *South African Journal of Criminal Justice* has not been submitted to another publisher or journal. It is the policy of Juta & Co, Ltd not to publish material that has already been published elsewhere. Please note that, on publication, copyright in all material is vested jointly in Juta & Co, Ltd and the contributor.

(7) The following style must be observed for contributions to be accepted for publication:

(a) Levels of headings should be clearly indicated and marked H1, H2, H3 etc (where the number indicates the level of heading).

(b) Gender-neutral language should be used.

(c) As a general rule abbreviations should not be used and names of countries or organisations must be spelled out in full (thus United Nations instead of UN). Note that full stops are not used following any abbreviations.

(d) In articles, references to cases, journals, statutes and books are to appear in footnotes, numbered consecutively throughout and ending with a full stop.

In comments and case notes the references are incorporated in the text in round brackets.

(e) References should be cited in the following manner:

(i) Cases
S v De Blom 1977 (3) SA 513 (A).
S v Makwanyane 1995 (2) SACR 1 (CC).
There is no need to refer to 'and Others' or 'and Another'.

(ii) Journals
JM Burchell 'Wilful blindness and the criminal law' (1985) 9 *SACJ* 261. (Note: the author's initials precede the surname, no space between initials; the title of the article is in single quotation marks; the year of publication is in brackets; the volume number of the journal must be provided; the officially recognised journal title is italicised; the page on which the article commences and the page on which the citation appears must be included.)
K Askin 'Sexual violence in decisions and indictments of the Yugoslav and Rwandan tribunals: Current status' (1999) 93 *AJIL* 97 at 98n8.

(iii) Books
CR Snyman *Criminal Law* 5ed (1990) 555.
(Note: the author's initials precede the surname, no space between initials and edition number; the word 'page' (or 'p'), the publisher and place of publication of books are not included.)

(iv) Statutes
Criminal Procedure Act 51 of 1977.
(Note: do not use only the number and year (Act 51 of 1977))
Sections of an Act are referred to by the abbreviation 's' and plural 'ss'. Subsections by 'subsec' and 'subsecs', except at the beginning of a sentence where the word is written in full ('Section' or 'Subsection').

(v) Theses
A Dhlamini *Family Violence in South African Criminal Law* LLM (Natal) (1960) 30.

(vi) Law Commission
South African Law Commission Discussion Paper 102 (Project 107) 'Sexual Offences: Process and Procedure' (2002) at para 2.3.4.

(vii) Internet references/citations
A Dworkin 'The United States and the International Criminal Court: A briefing' *Crimes of War Project*, 15 May 2002, available at *http://www. crimesofwar.org/onnews/news-us-icc.html*, accessed on 27 February 2003.
(Note: Citation from the official, hard copy compilation is preferred.
Where necessary, internet citations are acceptable but must be meticulously checked for accuracy and must be complete. The actual web site
is to be written in italics without brackets and the date on which the site was accessed must be reflected. If no page references are available, then the author must locate the citation by means of paragraph and/or section headings.)

(f) Subsequent references:

(i) Cases
S v De Blom supra (n000) at 123B-C.
(Note: supra is not underlined; 000 is the number of the footnote in which the case is first referred to with no spaces between the brackets; the page referred to is indicated by 'at' and (if necessary) the inclusion of side-letters

in upper or lower case, as in the judgment, with no spaces.)

(ii) Journal articles
Burchell op cit (n000) 123.

       (iii) Books
Snyman op cit (n000) 234.
Note: only the author's surname is used; op cit is not italicised; 000 is the number of the footnote in which the work is first referred to.
Statutes are repeated in full in *subsequent* references.
Note: In all instances, 'Ibid' is used only when repeating the immediately preceding reference exactly; page numbers, authors' names, section numbers, etc are superfluously and incorrectly used with ibid.

(g) Quotations should be in single quotation marks ('Breakwater Declaration'). Quotations within quotations are in double quotation marks ('…"Breakwater Declaration"…'). Quotations longer than three lines are to be indented, single-spaced in 10-font size.

(h) The style of the Journal avoids the use of capital letters. Thus, as a general rule, write 'a court', 'the judge', 'the minister', 'the government', 'the state'. Capitals should be used where referring to individual institutions with given names:
'the Appellate Division', 'the Natal Provincial Division', 'the United Nations', etc.

Examples:

1 CR Snyman *Criminal Law* 5ed (1990) 555.
2 Ibid.
3 JM Burchell 'Wilful blindness and the criminal law' (1985) 9 *SACJ* 261.
4 *S v Makwanyane* 1995 (2) SACR 1 (CC).
5 *S v Makwanyane* supra (n4) at 478I-J.
6 Snyman op cit (n1) 179.
7 Burchell op cit (n3) 262.
8 Section 2 of the Criminal Procedure Act 51 of 1977. Cf s 29.
9 A Dhlamini *Family Violence in South African Criminal Law* LLM (Natal) (1960) 30.
10. Dhlamini op cit (n9) 78.

Appendix 2

APPLICATION FOR ETHICS CLEARANCE FOR RESEARCH INVOLVING HUMAN PARTICIPANTS

There are three sections to this application: (1) Formal details regarding yourself and the proposed research; (2) Supervisor's comments and approval; and (3) Guidelines for the completion of the substantive part of the application. Note that in addition you must provide a copy of the research proposal. If you have any queries please make an appointment via Sue Wright to discuss these with a member of the Committee.

ETHIC CLEARANCE REFERENCE

SECTION 1 - FORMAL DETAILS

Name and student number (if applicable): Title

of the research project:

Supervisor (if applicable):

Purpose of research:

Funding source (or anticipated funding source):

Duration of research project:

Contact details for applicant:

Contact details for supervisor (if applicable):
 SECTION 2 - SUPERVISOR'S APPROVAL

Supervisor's comments:

Supervisor's signature: