

REGULATIONS FOR THE DEGREE OF DOCTOR OF LEGAL SCIENCE (SJD)

(See also General Regulations)

LL70 The degree of Doctor of Legal Science (SJD) is a research postgraduate degree. Such a degree shall be awarded to a candidate who satisfies the coursework requirements, and on completion of an approved scheme of research, who

- (a) presents a successful thesis embodying the results of the candidate's original research and representing a contribution to knowledge worthy of publication; and
 - (b) satisfies the examiners in an oral examination (and any other examination if required) in matters relevant to the subject of the thesis.
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Admission requirements

LL71 To be eligible for admission to the 4-year programme (or its part-time equivalent mentioned in LL74 below) leading to the degree of Doctor of Legal Science, a candidate must:

- (a) comply with the General Regulations;
- (b) hold any one of the following qualifications:
 - (i) an LLB degree or equivalent from this or any other approved University with honours and a taught Master's degree in law from this or any other approved University; or
 - (ii) an LLB degree or equivalent from this or any other approved University with normally First Class Honours or equivalent; or
 - (iii) any other qualification accepted by the Senate on the recommendation of the Faculty of Law in an individual case; and
- (c) shall satisfy the examiners in a qualifying examination if required.

LL71A To be eligible for admission to the 3-year programme (or its part-time equivalent mentioned in LL74 below) leading to the degree of Doctor of Legal Science a candidate must:

- (a) comply with the General Regulations;
 - (b) hold any one of the following qualifications:
 - (i) an LLB degree or equivalent from this or any other approved University with honours and a research Master's degree in law from this or any other approved University; or
 - (ii) any other qualification accepted by the Senate on the recommendation of the Faculty of Law in an individual case; and
 - (c) shall satisfy the examiners in a qualifying examination if required.
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Qualifying examination

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- (a) A qualifying examination may be set to test the candidate's ability to pursue the research project proposed. It shall consist of one or more written papers which may be supplemented by other forms of examination.
- (b) A candidate who is required to sit a qualifying examination shall not be permitted to register until he or she has satisfied the examiners in the examination.

Registration

LL73 A candidate shall commence his or her period of study on registration, which is permitted only on the first day of September or the first day of January of each year.

LL73A Successful candidates will in the first instance be granted “provisional registration” which will be confirmed when the requirements set out in LL 77 below are satisfied.

Period of study

LL74

- (a) In the case of the 3-year programme, the minimum period of study is 3 years full-time or 4½ years part-time, of which the normal expectation would be that the student would spend the first 12 months full-time or the first 18 months part-time enrolled in courses to satisfy the requirements of LL 77 below, and the remaining time engaged on research for and writing of the thesis.
 - (b) In the case of the 4-year programme, the minimum period of study is 4 years full-time or 6 years part-time, of which the normal expectation would be that the student would spend the first 12 months full-time or the first 24 months part-time enrolled in courses to satisfy the requirements of LL77 below, and the remaining time engaged on research for and writing of the thesis.
 - (c) The Chairman of the Faculty Higher Degrees Committee may approve that a student postpone enrolment in one or more courses beyond the period anticipated in LL 74(a) or LL74(b).
 - (d) A candidate may apply to the Chairman of the Faculty Higher Degrees Committee for a shorter or longer period of registration after confirmation of candidature which shall only be approved in exceptional circumstances.
 - (e) Any extra period allowed for revision or re-submission under LL82 shall not count towards the period of study.
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Leave of absence

LL75 A candidate who wishes to be absent from Hong Kong and/or the approved course of study and research or who proposes to take vacation leave shall be required to submit in writing an application for leave of absence. A full-time candidate is entitled to take up to two weeks of vacation leave every twelve-month period during the minimum period of study. Any leave of absence granted for the purpose of study for the degree for which the candidate is registered, or any period of vacation leave of up to two weeks in each period of twelve months to which a full-time candidate is entitled, shall be counted towards the period of study and the minimum period required to be spent in Hong Kong. Leave of absence granted for any other reason shall result in the extension of the period of study by the period of absence. Leave of absence shall not be granted for any consecutive period of more than twelve months.

Award of the degree

LL76 To be eligible for the award of the degree a candidate shall:

- (a) comply with the General Regulations;
- (b) complete the coursework requirements for the degree set out in LL 77 and LL77A below;
- (c) complete, to the satisfaction of the examiners, a thesis as specified in LL 80 below; and
- (d) satisfy the examiners at the oral examination and in any other examination as provided in LL80(d).

Coursework

LL77 To complete the coursework requirement a candidate shall follow the courses of study listed below, and satisfy the examiners in each course:

- (a) Advanced research methodology for law ; and
- (b) Other courses from the syllabus of the Master of Laws totalling seven modules or credit units, as recommended by the candidate's supervisor and approved by the Chairman of the Faculty Higher Degrees Committee.

Provided that:

The Chairman of the Faculty Higher Degrees Committee is satisfied that the intended programme of coursework study is sufficient preparation for the proposed research.

LL77A Where appropriate the Chairman of the Faculty Higher Degrees Committee may approve up to the equivalent of four modules or credit units of courses of instruction drawn from the undergraduate courses taught in the Faculty and/or drawn from courses offered by the Graduate School or in other Faculties of the University in lieu of not more than four courses required in LL77(b). In deciding whether, and if so to what extent, the application is approved, the Chairman of the Faculty Higher Degrees Committee will take into account the relevance and the extent of the candidate's work on the LLM or previous equivalent courses taken which constitute adequate preparation for the intended research.

Probation and confirmation of candidature

LL78 In the case of the 3-year programme, a candidate is subject to a probation period which shall not exceed 18 months full-time or 24 months part-time. In the case of the 4-year programme, a candidate is subject to a probation period which shall not exceed 24 months full-time or 36 months part-time.

LL78A In order to have candidature confirmed, a student must

- (a) pass the module in LL77(a) and the module(s) or credit unit(s) studied under LL77(b); and
- (b) attain an average grade of at least B- in the modules or credit units studied under LL77(b) or LL77A; and
- (c) give an oral presentation of the formal research proposal to the satisfaction of the Faculty Higher Degree Committee.

The Chairman of the Faculty Higher Degrees Committee may recommend confirmation of candidature notwithstanding that approval has been given for not more than two modules or credit units to be postponed under Regulation LL74(c).

Supervision and progress

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- (a) After confirmation of candidature a candidate shall be required to submit a progress report bi-annually and may be required by the Chairman of the Faculty Higher Degrees Committee to give one or more seminars on any part of his or her research.
- (b) A candidate may be discontinued if satisfactory progress is not being made.

The thesis

LL80

- (a) The thesis should be between 50,000 and 60,000 words long (exclusive of tables of cases and statutes, notes, appendices and bibliographies), which must represent an original contribution to knowledge worthy of publication.

- (b) A candidate shall submit for approval by the Chairman of the Faculty Higher Degrees Committee the title of the thesis at any time following the confirmation of the candidature but not later than three months before the submission of the thesis for examination. Thereafter no modification of title shall be made without further approval.
- (c) A candidate shall not be permitted to submit a thesis until all coursework requirements have been satisfied.
- (d) The examiners shall examine the candidate orally and, in addition, may examine the candidate by other means; the candidate may be required to demonstrate not only an ability to discuss with knowledge the topic of the thesis, but to show a knowledge of the broad area or areas of learning which are relevant to that topic.

Failure to satisfy the examiners in the coursework components

LL81

- (a) A candidate who has failed to pass the module(s) or credit unit(s) under the requirement in LL78A(a) may be permitted
 - (i) to attend a supplementary examination, or
 - (ii) to repeat the relevant module(s) or credit unit(s) as proposed by the candidate and approved by the Chairman of the Faculty Higher Degrees Committee, in the next earliest opportunity and retake the prescribed examination, or
 - (iii) to undertake alternative module(s) or credit unit(s) as proposed by the candidate and approved by the Chairman of the Faculty Higher Degrees Committee, in the next earliest opportunity .
- (b) A candidate who has passed the module(s) or credit unit(s) but failed to attain an average grade of at least B- in the modules or credit units studied under LL78A(b) may be permitted to undertake alternative module(s) or credit unit(s) as proposed by the candidate and approved by the Chairman of the Faculty Higher Degrees Committee in the next earliest opportunity.
- (c) A candidate who is not permitted to present himself for re-examination in any module(s) or credit unit(s) course in which he or she has failed to satisfy the examiners shall be recommended for discontinuation of studies under General Regulation G12.

Failure in the thesis component

LL82

A candidate who has not satisfied the examiners in the thesis component:

- (a) may be required to resubmit the thesis after making corrections and amendments as required by the Board of Examiners, without a new examination; or
- (b) may be required to revise and resubmit the thesis for a new examination within a specified period, and may also be required to satisfy the examiners at a new oral examination, or any other examination as appropriate, on the subject of the revised thesis and/or the approved course of study and research; or
- (c) may be required to attend a new oral examination, or any other examination as appropriate, within a period not exceeding six months.

LL83

A candidate who has not satisfied LL82 may be recommended for the award of the LL.M. degree, unless the candidate has already been conferred an LL.M. degree in this University.

Publication based on thesis

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Any publication based on work approved for a higher degree should contain a reference to the effect that the work was submitted to the University of Hong Kong for the award of the degree.

Results

LL85 The degree shall be awarded without classification to a successful candidate.

COURSE OUTLINES

- Advanced Research Methodology for Law
 - Courses totalling seven modules or credit units as specified in LL77(b) (refer to the course outline and syllabus of LLM); and/or
 - Undergraduate courses taught in the Faculty, or courses offered by the Graduate School (refer to the course outline and syllabus from the Graduate School homepage) or other Faculties of the University in accordance with LL77(A) (refer to the course outline and syllabus from the homepages of those faculties).
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LLAW6022 Advanced Research Methodology for Law

This course is a one semester course which is required for all SJD students. No exemptions are possible, except for a student who has taken this course as an LL.M. student of this University. Even if a student claims to have taken a similar course elsewhere there is no exemption, as one of the purposes of this course is for students to interact with each other, and to offer advice and support to each other. For the same reason, attendance will be recorded meticulously at sessions, and discontinuation may be imposed as a penalty for failure to attend.

Course Content:

- Different types of research in law: an introduction to different types of legal and inter-disciplinary research drawing on current examples from, particularly, the periodical literature
- Reading research material: how to read critically, and productively
- Issues in research on law: a discussion of issues such as objectivity, honesty and other theoretical and philosophical issues that arise in doing research
- Advanced library research techniques - using paper sources
- Archival material
- Use of electronic resources
- Empirical research techniques - how to read empirical research, and statistical material. An elementary introduction to empirical techniques for law students: observation studies, interviews. The secondary use of primary statistical material.
- Formulating research topics - generating ideas, developing a 'thesis', research strategies
- Writing a proposal
- Planning the writing; dealing with writer's block, organization of material - different ways of structuring a substantial piece of writing
- The formalities of presentation - citing, acknowledging, plagiarism and how to avoid it, issues of appropriate language.