



Reading

Introduction to academic and legal reading

You will be expected to do a wide variety of reading during your studies. The most common text types you will encounter will be academic journal articles, government reports, international treaties and policies. However, you might also be expected to read legal cases and pieces of legislation relevant to your subject or assessment task.

This module provides a brief overview of the process of reading for the Transnational Crime Prevention certificate or degree. There will be in-class activities that will give you a better understanding of this complex process.

In order to manage your reading load, it is important to:

- be strategic (follow the recommended reading list and find similar material)
- select relevant parts of the material to read by using the index and chapter headings (if a book) and sub-titles (if a journal)
- read critically: think about what you are reading, ask questions and make notes rather than just copying information
- make links between what you are reading and what you need to use in your assessment tasks

This module has been designed and developed by [Learning Development](#).

Mind maps

Mind mapping, or concept mapping, is a useful tool for assisting and enhancing many of the types of thinking and learning that you are required to do in your studies. You can use mind maps to revise topics, book chapters or entire subjects while studying, or you can use them in the exam room to quickly prepare or plan the structure for your essays or response to a problem question.

Preparing essays with mind maps:

Organising the material is a common problem that people have when they are writing essays or answers to problem questions. Mapping will allow you to see the major themes of your essay. This will allow you to place your ideas in a sequence most applicable to your purposes. You can then move from your non-linear mind map to a more structured essay plan.

Doing a map of the course content can point out the most important concepts and principles, and allow you to see the ways in which they fit together. This may also help you to see your weak areas, and help you to focus your writing.

What goes into mind maps

Possible topics to be covered: Most essays will involve the possibility of tackling a number of topics within the question. Put all of these possible topics down. You may not have the time or length of essay to tackle all of them but getting them down and looking for connections, relevance and priorities is a good start.

Important source material: You should always put down on your mind map references to what you identify as important material - this may be theory, cases, legislation or other material covered in your studies. This knowledge may have come from lectures, readings or other sources, but should be the core. You may be surprised as to how this part of the mind map branches out in lots of directions.

Alternative approaches: One of the powerful things about mind mapping is that it is a tool which encourages creative thinking and often creative solutions to problems. Always look for alternative ways to approach an essay or problem question, be critical in your response and remember to thoughtfully address or account for gaps and tricky issues.

Cross links: Look for relationships or links - these relationships may be important in your understanding new information or in constructing a structured essay plan. Cross-links help you to see how a concept in one topic represented on the map is related to a concept in another topic. In the creation of new knowledge, cross-links often represent creative and critical leaps.

Skim reading tips

Skim reading is when you glance through material, only reading occasional lines or sub-headings in order to assess whether it is relevant for your purposes. When you skim read you don't read every word.

Some tips to help you skim read effectively include:

- look at the title to decide if the text is relevant
- read the table of contents, preface, abstract or introduction
- look through the index for specific key words or connections between words
- read the introduction and conclusion of chapters or articles to get an idea of the main ideas and information covered
- read the topic sentence of each paragraph to gain an idea of each main point

Note-taking

Good note-taking skills are important to your study process because they will help you to become more efficient in your reading and writing to a specific topic relevant to your assessment task. Note-taking will:

- assist you in concentrating on and understanding the information that you are reading by helping you summarise the ideas and arguments in the text
- keep you focused on the points that are relevant to your assignment project (rather than just underlining everything)
- help you organise and start to evaluate your research
- provide you with the necessary evidence to inform and develop a critical argument in your writing

The benefit of this approach is that you do not remain a passive note-taker, but combine a critical and evaluative approach to note-taking. The following page has an outline of the note-taking process using the Cornell Method. This is one way of organising your research. Have a look at it and think about how you take notes. Does this method suit your purposes?

The Cornell method of note-taking

One method of note-taking is called the Cornell method, where you can organise your comments to individual texts on one page, or even go into more detail so as to identify the main issues or themes and allocate separate pages to each one. By using this method you are classifying the information as you take the notes, thus preparing your evidence for the final writing stage.

Bibliographic details: author, title, publisher, place, date		
Headings, topics or themes	Your notes or content	Your reactions/ insights/ cross-references/ ideas/ confusions/ questions
You use this column to indicate which theme the notes relate to.	This column is for your notes; direct or indirect quotations. Always include page numbers at the end of all quotations to avoid mistakes in referencing.	This column is where you can begin the note-making process by critically evaluating the information, asking questions and cross-referencing with what you have already noted in other readings.

You can download a word document with a template of the [Cornell note-taking grid](http://unilearning.uow.edu.au/notetake/note14_template.html) at the link below. http://unilearning.uow.edu.au/notetake/note14_template.html

Reading critically

It is important to read critically as well as efficiently. Being critical means suspending your judgement of a text until you have:

- understood the message being put forward
- evaluated the evidence supporting that message
- evaluated the writer's perspective.

If you read uncritically you are more likely to 'believe' the texts and arguments that you have collected in your research. But when you write an essay, you will be rewarded for the quality of the evaluation and critical analysis that you take not only to the topic, but to the research material that you are using to support your argument.

To help you read in this way and develop your critical thinking and reading you might use the [critical reading checklist](#) to help you ask the right sort of questions of the material you have to read.

Example of critical reading

Read the following text excerpt. What kinds of questions would a critical reader ask about the text?

<p>Mafia bosses do not come much more brutal than Giuseppe and Filippo Graviano. Among the crimes for which the brothers have been serving life sentences since 1994 are involvement in the murder of two anti-mafia judges, the killing of an anti-mafia priest, the bombing of the Uffizi Gallery in Florence and another in Rome that killed 10 people and injured 93.</p> <p>Yet both have shown an unexpected aptitude for turning their brain power to a higher purpose: academic study. They have both gained first class degrees.</p> <p>Prison authorities say a growing number of imprisoned mafia killers were taking degrees, and that their motives might not be related exclusively to academic achievement. "A favourite subject is law," says mafia expert Giuseppe Giustolisi. "Either they want to find out where they went wrong, or they hope they will get out one day and that detailed knowledge of the law will help them to evade prison in the future."</p> <p>He says another motive is that students are allowed to travel to the university where they have enrolled in order to take exams, and the universities are often in their home town.</p>	<ul style="list-style-type: none">▪ Is this an academic or a non-academic text? How can you tell?▪ Does the writer make unsupported generalisations?▪ Are the points made by the writer supported with evidence? Is it persuasive?▪ Does the writer use unfair persuasion tactics such as appeals to prejudice or fear?▪ How would you characterise the writer's tone? How does the tone affect your response to the text?
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Source: Richard Owen 'Jailed Mobsters Hit the Books' , The Australian, 23rd Jan 2008, p28.

Evaluating your sources

Some reading materials are more valid or credible than others. A suitable source for your essay or research project should involve the following features:

Authority: is the source published in a reputable book or journal? Is the writer an expert, or often quoted by other writers?

Originality: are there new ideas in the text or is a repetition or summary of what others have said before?

Objectivity: is there a bias in the writer's approach (eg the writer is American commenting positively on America's foreign policy)

Currency: is the information recent or is it outdated (when was it written, what cases, examples and sources is it referring to itself?)

Balance: does it cover the relevant issues evenly, or are some only given a cursory treatment?

It is also important to think about the **purpose** of the source material that you are reading. This is closely tied to what kind of text it is (a government report, a scholarly article, a text book) and relates to what the author is trying to do (describe, report, argue). The following in-class activity will ask you to identify author's purpose in a selection of short texts.

Thinking critically about the law

During your studies at the CTCP you will be asked to consider the impact and effectiveness of certain laws in transnational contexts. You will need to be able to explain, assess and compare the current laws on any given topic. How you assess the law depends on what perspective you are taking, but as a starting point you might like to consider the following:

Clarity: is the law clear? If not, confusion may mean different interpretations of a law, or different outcomes for similar cases in different countries.

Consistency: can the law be applied consistently in different contexts? Is there a measure of predictability?

Purpose: does the law serve its intended purpose? Why does the law exist? Is it satisfying the intended aims?

Currency: is the law outdated? Does the law take into account relevant historical, social or technological changes?

Effects: are there any undesirable or unintended effects of the law? Are there social or economic costs, or does it affect a particular class of person?

Accessibility: is there someone who is unable to draw on the law, making it unusable?

Impact on rights: does the law protect or restrict any individual rights, and is this justifiable?

Assumptions: is the law based on any assumptions, for instance about peoples' knowledge or behaviour?

Other types of material you might read

How to read a case

You may come across cases in your research. Because you are studying transnational law, these cases may come from a variety of different legal traditions and cultures.

Basically a case is a report of legal reasoning - what you will need to do is to develop the skill to read the judgments in any of the cases you might come across, because it is this judgment that is the source of principle, precedent and policy.

It will be necessary to be strategic when choosing which case to read, and how much effort to put into reading that case. Often you will find the case summarized in your other readings, but occasionally it will be useful to read the case itself.

Reading case law:

To assist in the reading and understanding of case law, students should look at:

1. **The catch words of a case.** These appear after the names of the parties and the court members, and are a selection of words which illustrate what areas the case covers. For example, the words "contract", "promise to act", "estoppel", may appear, and would indicate that the case is in the area of contract law and covers the issue of promissory estoppel.
2. **The headnote**, which appears immediately following the catch words. The headnote comprises two parts: the summary of facts and the summary of the decision. These are both important, but the summary of decision is of primary importance, as it very briefly and accurately summarizes the decision. It can be looked at as a shorthand version of the reason for the decision of the case (also known as the ratio decidendi, or 'ratio'). This summary usually begins with the word "held".

Cases tend to cite other cases, legislation and government reports, but rarely other sources such as academic journal articles.

How to read legislation

A statute is also known as an 'Act', 'statutes' or a 'parliamentary law'. Legislation is the law made by parliament and therefore is easily contrasted with case law, the law that is made in courts. It is important to note that legislation takes precedence over case law.

In your legal studies you may be asked to evaluate, assess or explain an aspect of transnational or international law.

Reading legislation

The meaning and effect of legislation is interpreted by the courts (such interpretation itself becoming a part of case law). In Australia, the courts use well established rules of statutory interpretation to interpret legislation to try to give effect to Parliament's intention. In general, the rules look at the ordinary meaning of words and phrases, and consider these in the context of the entire Act.

To assist in the reading and understanding of legislation, students should look at:

1. The short title of the Act. This often illustrates broadly what the Act covers.
2. The preamble and objects clause. This is a statement of the parliament setting out the reasons for making, and the purpose and objects of, the Act.
3. The long title of the Act. This is also a statement setting out the purpose of the Act.
4. Headings. These short titles of parts or divisions of Acts illustrate what the relevant part or division covers.
5. Marginal notes or 'side notes', which appear at the side of many sections of Acts. These often give a short summary of the subject matter of sections.

How to read a journal article

The most common type of reading for your research essays at CTCP should be academic journal articles. Some students make the mistake of relying too much on primary sources (government reports, legislation, websites) for their essays, perhaps finding it too difficult to locate relevant journal articles, or finding them hard to read.

But journal articles are extremely useful resources, and you must make the effort to use the research databases to find them. Not only are they shorter than the average book, they are also potentially more current. They also commonly use the high standard of scholarly writing, critical analysis, argument, structure and referencing that you are expected to produce in your own essays. (Be aware, of course, that the journal articles you read are probably using a different referencing practice to that used at the CTCP - it is your job to adapt the citation information to the AGLC.) This is not to say that you should *only* read journal articles. You should have a reasonable mix of research that will showcase your good research techniques while adding depth and quality to your own critical analysis of your essay topic or question.

Journal articles are sometimes divided into discrete sections, with headings and subheadings. To assist in the reading and understanding of journal articles, students should look at the sections to determine what is being covered, and how relevant it is for your research topic. Look for:

- **Abstract:** the snapshot summary of the article
- **Introduction:** where the author will outline their line of argument
- **Body:** divided into headings and sub-headings
- **Critical analysis:** throughout the article, this moves beyond description to a thoughtful analysis of the material covered and is often the most interesting thing to quote
- **Conclusion:** with recommendations or general discussion

Unilearning has a useful section on strategies for [reading journal articles](#).