

AUSTRALIAN UNIVERSITIES QUALITY AGENCY

Report of an Audit of
The College of Law

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OVERVIEW OF THE AUDIT

Background

In 2003 the Australian Government introduced the Higher Education Support Act 2003 (HESA) to allow students in non self-accrediting higher education institutions to receive financial assistance for their students' tuition fees through the FEE-HELP program.

Non self-accrediting institutions (NSAIs) approved under the HESA for this purpose have become known as higher education providers, or HEPs. Although other institutions also provide higher education, the term 'HEP' is commonly used to denote only non self-accrediting higher education providers, and it is used in this sense in this Report. The HESA requires that HEPs in receipt of FEE-HELP funds must meet a range of quality and accountability requirements, including regular audit by a quality auditing body named in the Higher Education Provider Guidelines.

This Report of the audit by the Australian Universities Quality Agency (AUQA) of the College of Law Pty Ltd ('the College') provides an overview, and then briefly details the Audit Panel's main findings, and its commendations, affirmations and recommendations. A brief introduction to the College of Law, including its Mission, Vision and Principles, is given in Appendix A; the mission, objectives, vision and values of AUQA in Appendix B; membership of the Audit Panel in Appendix C; and abbreviations and technical terms used in this Report in Appendix D.

The Audit Process

AUQA bases its audits of non self-accrediting HEPs on each organisation's own objectives, together with the MCEETYA *National Protocols for Higher Education Approval Processes* (National Protocols, available at: <http://www.mceetya.edu.au/mceetya/>), the DEST (now DEEWR) Handbook for Quality Audits of Higher Education Providers and other relevant legal requirements or codes to which the organisation is committed. The programs or courses of NSAIs are accredited by state and territory accrediting agencies, so quality audits of HEPs do not include a detailed examination of the academic quality assurance processes for programs of study.

HEP audits under the HESA consider institutional actions and performance in relation to, firstly, the institution's objectives; and, secondly, a group of criteria collectively known as 'Quality Audit Factors' (QAFs). The four QAFs are set out in the handbook referred to above (and in the AUQA Audit Manual). Their primary purpose is to provide the HEPs with a framework for the review of certain aspects of institutional performance. In the report of its self review (the 'Performance Portfolio' or 'Portfolio'), the College of Law reported against each of the QAFs, in addition to carrying out an ADRI analysis under headings based on the Business Excellence Framework. The chapters in this Report use the four main topic headings provided by the QAFs. Within each chapter, all the criteria for that QAF are addressed, but usually in a holistic way rather than criterion by criterion.

On 11 February 2008, the College presented its submission to AUQA, comprising a 15-page introduction, a 45-page report against the individual QAF criteria, and a 55-page ADRI analysis of the College quality framework (together with a list of documentary evidence). While this approach was comprehensive, it did result in a good deal of repetition (because QAF criteria overlap, and because the same evidence is relevant to many aspects), and hence the portfolio was almost twice as long as AUQA's specified maximum. NSAI HEP audit panels generally meet telephonically, but as all three members of this Panel are based in Victoria, the Panel met in Melbourne on 29 February 2008 to consider these materials.

The College of Law has its headquarters in Sydney, but has operations in Western Australia, Victoria, Queensland and New Zealand. On 11 March, the Audit Panel visited the Melbourne offices, and the main Audit Visit (to the St Leonard's campus in Sydney) took place from 16 to 18 March 2008. During this visit, the Panel spoke by telephone to the CEO of the College of Law New Zealand ("College New Zealand"). The Panel also read registration and other reports of the operations of the various campuses of the College.

In all, the Audit Panel spoke with over 60 people during these audit visits, including the College directors, managers, senior staff, adjunct staff, students and external stakeholders. Sessions were also available for any member of the College community to meet the Audit Panel but no one took advantage of this opportunity.

This Report relates to the situation current at the time of the Audit Visit, which ended on 18 March 2008 and does not take account of any changes that may have occurred subsequently. It records the conclusions reached by the Audit Panel based on the documentation provided by the College as well as information gained through interviews, discussion and observation. While every attempt has been made to reach a comprehensive understanding of the College's activities encompassed by the audit, the Report does not identify every aspect of quality assurance and its effectiveness or shortcomings.

The Report contains a summary of audit findings together with lists of commendations, affirmations and recommendations. A commendation refers to the achievement of a stated goal, or to some plan or activity that has led to, or appears likely to lead to, the achievement of a stated goal, and which in AUQA's view is particularly significant. A recommendation refers to an area in need of attention, whether in respect of approach, deployment or results, which in AUQA's view is particularly significant. Where such matters have already been identified by the College, with evidence, they are termed 'affirmations'. AUQA indicates that some recommendations and affirmations have a high priority. It is acknowledged that recommendations in this Audit Report may have resource implications.

Quotations taken from the four core documents of the Portfolio are identified as eg 'Doc2, p37'.

CONCLUSIONS

This section summarises the main findings and lists the commendations, affirmations and recommendations. Other favourable comments and suggestions are mentioned throughout the text of the Report.

Introduction to Findings

Considering the College's institutional and educational objectives, AUQA commends the College on its success in establishing courses that are attractive to students and the legal profession, that have many positive elements including excellent materials and small class sizes, and that address a significant need for teaching law graduates about the practical aspects of practicing law. The College's success in incorporating into its operations continuous student-centred quality improvement and providing a vibrant continuing education program for the legal profession are also commended. The College is well run and enjoys strong and effective leadership. However, its ambition to expand its programs and become a self-accrediting institution is taking it into new territory and will require it to address new issues.

The current Vision and Mission statements do not adequately capture either what the College is now or what it aspires to be. Despite this, the College has a clear focus through the imagery of 'the bridge'. The College is now looking to revise its current, rather complicated institutional structure and AUQA recommends attention to the academic governance. Therefore, the statements will need attention to ensure that the College continues to have a firm basis as it develops and perhaps changes.

The College is a widely spread organisation, with activities extending from Perth to New Zealand, and its central operations in Sydney. It has systems in place to ensure consistent treatment of students across these widely dispersed sites, the heart of this being the on-line program. The Audit Panel noted some significant differences in performance of students at different sites, and recommends that the College improve its mechanisms for moderation and for consideration and confirmation of results. The College would be able to use its multi-site operation to great advantage through mechanisms for inter-site benchmarking.

The College stays in close touch with its students, with employers and with the profession and uses the feedback so gained to revise and update its programs. It is also embarking on benchmarking activities with other educational institutions, both in Australia and abroad, and the Audit Panel encouraged a systematic and co-ordinated approach to this.

Staff of the College are committed and dedicated, and feel well-supported by the College. Many have undertaken further study at the College's expense. The Audit Panel commended this support, but recommends that it be more targeted towards the specific needs of the College and its programs. As the on-line course is central to almost all the College's work, it is particularly important for staff to remain abreast of the latest developments in this area, and to be innovative in their approach.

The students are well-supplied with information and other resources (though many are already employed in legal work and use their employer's resources). The student administration system, however, lacks the functionality needed by the College, and is being upgraded.

The College has a good Quality Management System, based on the Australian Business Excellence Framework, it has ISO9000 accreditation for its operations in Sydney, and it is subject to many reviews.

The QMS works well, but the Audit Panel recommends that the QMS and the review processes be treated in a more integrated fashion.

A summary of commendations, affirmations, and recommendations follows. They are listed below in the order in which they appear in the Report.

Commendations

1. AUQA commends the Board of Directors of the College of Law for its effective governance of the institution, and the Managing Director for his strong and inclusive leadership.8
2. AUQA commends the College of Law New Zealand for its effective system of moderation.....12
3. AUQA commends the College of Law for achieving its objectives in teaching and learning.....12
4. AUQA commends the College of Law for the range of study options it makes available to students, including through the co-operative programs and through the use of new technology.....13
5. AUQA commends the College of Law for its attention to plagiarism which is thorough and well documented, and apparently successful in reducing the incidence of this offence.14
6. AUQA commends the College of Law for its high quality Practice Papers which are well researched and written and attractively presented.16
7. AUQA commends the staff of the College for their high level of collaborative commitment to its work and to advancing its Mission.....17
8. AUQA commends the College of Law for its very extensive and thorough staff induction manual and associated processes.....18
9. AUQA commends the College of Law for the staff performance appraisal process, while suggesting some enhancements to it.19
10. AUQA commends the College of Law for its student-centred approach, including providing rapid feedback to students.20
11. AUQA commends the College of Law for its attention to continuous quality improvements, through its active, ISO-certified QMS, and its frequent reviews, the results of which are considered and acted on promptly as required.....22
12. AUQA commends the College of Law for its strong links with legal employers, including through its co-operative programs.23

Affirmations

1. (urgent) AUQA affirms the College of Law's intent to move to a national independent structure.....7
2. AUQA affirms the College of Law's attention to the views of employers and to implementing a process for obtaining more comprehensive and systematic employer and other stakeholder feedback.....15

3. (urgent) AUQA affirms the College of Law’s plans to upgrade its student administration system to rectify several drawbacks in its ability to moderate and report on student achievement in courses.....20

Recommendations

1. AUQA recommends that the College review its Vision and Mission in the light of its evolving interests and possible future development, including its growing national role.6
2. (urgent) AUQA recommends that the College review the composition and role of the Academic Board with a view to its having strong and senior membership commensurate with its important academic oversight responsibilities; and that it review and simplify the emerging academic structure associated with the Academic Board.....10
3. (urgent) AUQA recommends that the College implement a nation-wide system of moderation of student results for programs taken in different modes and locations.....12
4. AUQA recommends that the College develop a program for the systematic improvement of its teaching and learning that enables staff to contribute to innovation and improvement in course design and teaching across all its programs.....14
5. AUQA recommends that the College of Law ensure that the work experience component of programs relates to the practical knowledge and skills training those programs provide so that they achieve their goal of enabling students to “integrate [their] coursework knowledge and skills with the real world delivery of legal services”14
6. AUQA recommends that the College establish clear and appropriate objectives and plans in relation to scholarship and research that have regard to the goals and nature of the institution, and revise its Mission and objectives as necessary.....16
7. AUQA recommends that the College of Law take a strategic approach to the planning and funding of staff development opportunities and activities to ensure that it has the mix of skills and knowledge to enable it to achieve its goals, and to ensure that it applies best practice in online learning.....18
8. AUQA recommends that the College of Law develop an academic workloads model that clearly specifies what is expected of academic members of staff in relation to teaching (by reference to hours taught and student load), research, administration and student support.....19
9. AUQA recommends that the College of Law undertake more international benchmarking, especially in relation to academic standards.....23

1 INSTITUTIONAL AND EDUCATIONAL OBJECTIVES AND INSTITUTIONAL GOVERNANCE

The College of Law sets out its Vision, Mission and Values in 'College Concept Statements'. Its objectives are elaborated as 'Principles in Research and Scholarship', 'Principles in Teaching and Learning', and 'Principles of Engagement with the Profession and Community'. These Concepts and Principles may be found in Appendix A of this Report.

1.1 *Institutional and Educational Objectives*

In the early 1970s, English common law jurisdictions began to take a new approach to legal education. It was recognised that, whereas universities had come to provide satisfactorily the first, academic, stage of legal education, a more specialised approach was needed to providing Stage 2 (the practical training required for admission to practice) and Stage 3 (continuing legal education). In response, in 1973 the Law Society of NSW (LSNSW) established the College of Law, in purpose-built premises in St Leonards, Sydney, to provide Stage 2 and 3 courses. The first courses were offered in 1974.

This historical note is important, as these two course types still define the core business of the College and are embedded in its objectives. The Vision and Mission (and the logo) use the imagery of a 'bridge' to describe the Graduate Diploma of Legal Practice (referred to throughout the College as Practical Legal Training (PLT)), which in its various forms accounts for the vast majority of the College's enrolments. This course provides the bridge between the law graduate's academic training and the legal professional's practical needs, and was accredited as a VET award in 1996, and as a higher education award in 2002. In this area, the College has had and continues to have a well-defined role and purpose and the bridge analogy is a simple visual and usable concept that has served it well in ensuring that this educational purpose is known and understood throughout the institution. However, because of its desire to expand the range of courses and activities it pursues and to play an enhanced role in the tertiary education sector, the College is finding that this imagery is no longer entirely satisfactory. The bridge analogy is less relevant to the College's Stage 3 work in Mandatory Continuing Legal Education (MCLE) of various sorts, and even less applicable to the other accredited higher education programs, namely the Graduate Diploma of In-House Legal Practice (also known as the In-House Program, IHP) which started in 2007; the Master of Applied Law (Family Law) which started in 2008; and the non-award Legal Practice Management Course (practising certificate to enter partnership or sole practice, or practice as a solicitor-director of an incorporated legal practice or as the solicitor on the record for a corporation or government department), and Law 9000 (Quality in Law, a legal best practice management certification system). More generally, since all education can be seen as a bridge, the analogy has become devalued.

In view of this expansion and the College's aspirations, there is a need for the Vision and Mission to be revised to capture the future, rather than describe the past. Apart from the reference to the bridge, the remainder of the Vision, Mission and Values could apply to many higher education institutions in the law field. The College may wish to reflect on whether there is room for greater specificity.

Recommendation 1

AUQA recommends that the College review its Vision and Mission in the light of its evolving interests and possible future development, including its growing national role.

In producing graduates for the legal profession, the College stays in touch with various legal employers and revises course units as appropriate to meet the changing needs of the employers and the changing professional specifications of the legal regulatory bodies. (Reference to the need for a more systematic and holistic approach to feedback and review is made later.) The needed changes are then planned, funded and implemented. In this way, the objectives influence the College's decision-making and resource allocation.

1.2 Institutional Structure

The College of Law Pty Ltd is a not-for-profit, fully owned subsidiary of the LSNSW. It is a company limited by two shares held by the LSNSW, and operates as a charitable trust for educational purposes. The Western Australian, Queensland and New Zealand colleges are wholly owned subsidiaries (though College Queensland operates within a collaboration agreement with the Queensland Law Society), and the Victorian college is a joint venture between the College and the Law Institute of Victoria. In sum, the College operates as an Australasian group of companies, but is skewed in one direction (by the particular historical position of NSW and the LSNSW). The College is trying to move past this complex situation and become a genuinely national / international operation. As the Panel believes that it would be highly desirable to have a single national company operating in all jurisdictions, it strongly supports this intent.

Affirmation 1

(urgent) AUQA affirms the College of Law's intent to move to a national independent structure.

The Panel was advised that the purpose-built building owned by the College in NSW is relevant to this process, as its legal status within a trust currently places some restrictions on the College's development options and might affect considerations about changing status.

The heads of the various colleges have the title of 'CEO and program director'. This gives them broad responsibility for the management of the office, the staff, the teaching, the courses and liaison with external stakeholders.

1.3 Institutional Governance

The College's governing body is the College of Law Pty Ltd Board of Directors ('the Board'), chaired by the Senior Vice President of the LSNSW. It has 10 external members together with the Managing Director and the Company Secretary and has directorial responsibility under the Companies Act. The Board membership brings a useful range of background and experience to the task, including academics, judges, metropolitan and rural solicitors, and consultants.

The College's eight constitutional objectives, which are therefore the Board of Directors' objectives, are set out in the Memorandum of Association of the College of 1994. The first three objectives are covered by the PLT and CLE, the fourth by the establishment of the state and New Zealand colleges, and three others by the College's information dissemination. The remaining one is 'to undertake legal studies and conduct legal research' and will be taken up later in this Report.

The Board is well-served with information through the papers it receives. These include quarterly detailed KPI reports against the objectives, with analyses of the indicated trends, risks, successes and shortfalls. These analyses are considered carefully against the Mission and

objectives. The Board conducts an annual review of its performance. The Managing Director is highly regarded and is seen as having excellent management skills and being a good and inclusive educational leader. He is supported by a Senior Management Team (SMT). He and his leadership team have built a remarkable esprit de corps in the institution.

The Audit Panel formed the view that the College is very well governed and managed and hence operates effectively to its objectives.

Commendation 1

AUQA commends the Board of Directors of the College of Law for its effective governance of the institution, and the Managing Director for his strong and inclusive leadership.

1.4 Academic Management

The corporate academic leadership of the College is provided by the Academic Board (AB) which was created by the Board of Directors in August 2005, and reports directly to that Board. The AB has 13 members and is chaired by a non-executive member of the Board of Directors. Its members include all the CEOs of the colleges (in an advisory capacity), the General Manager Education, the Registrar, the Directors of the NSW and ACT PLT programs, the Director of Program Development, another senior member of the academic staff, and two other external members. Since the majority of the students are doing the PPO (ie the PLT online), having the Directors of NSW PLT and Program Development means that the core business of the College is covered, while the presence of the other CEOs ensures that the Board has geographic spread. The role of the AB is to oversee the curriculum of the whole College, to ensure high and consistent standards College-wide, and to ensure that the requirements of regulators are met. Its attention to standards is exercised through assessing the needs of law firms (through focused briefings) and the courts, and through monitoring student feedback; and it measures its success by the number of leading law firms choosing to work with the College or to have the College train their staff, and by subsequent achievements of graduates. A systematic stakeholder survey has just been piloted.

The Senior Management Team (SMT) is chaired by the Managing Director (MD) and comprises all the internal members of the AB and five other members. Another piece of the academic management structure is the Course Committee (CC), which reports to the AB and others, and whose members are all internal members of AB or SMT or both, and is chaired by the General Manager Education. The CC meets fortnightly to address all practical issues relating to courses, and in particular to: "review the day-to-day operation of College courses", "monitor and, where necessary, influence all aspects of moderation", and analyse course data to "make recommendations for the continuous improvement of the content and delivery of all courses". The CC reports through its chair to the MD, to the SMT, and (quarterly) to the AB. The CC "does not make academic decisions, but it influences" the AB and the SMT. As mentioned later, despite the remit for moderation in the CC's brief, greater attention to moderation of courses is required.

As one of its mechanisms for reviewing courses and recommending improvements, the CC seeks advice from the ad hoc Evaluations Committee. This is chaired by a Senior Lecturer with expertise in measurement and its members include the College statistician. It considers students' course evaluations (which are carried out at the end of every course and segment) and reports on trends and (where needed) recommends changes to the instruments. It reports to CC and AB. The work of the Evaluations Committee makes an important contribution to continuous

improvement in courses and their continuing relevance. However, some evaluations flow through into the program development process and enhance courses before CC or the Evaluations Committee receive them. Although this shows commendable alacrity, the College should ensure there is appropriate monitoring and quality control.

As mentioned earlier, the Graduate Diploma of In-House Legal Practice introduced in 2007 was the College's first new accredited course additional to the PLT for 33 years, so the College was unaccustomed to managing the processes of new higher education courses approval. Proposing this course brought to the College's attention that it had no internal vetting committee to check the course proposal before it went outside the College. The Course Review Committee (CRC) was therefore created by AB late in 2007, reporting to the AB. Its procedures and terms of reference are still to be defined, but its core tasks will be to consider new course proposals and review existing courses every two years. Also, the Board of Directors has stated that the College intends in due course to seek the status of a self-accrediting institution (SAI), and the CRC is seen as necessary for that purpose also. The CRC will comprise the Chair of AB, the General Manager Education, the Registrar, the Director of Program Development, plus an external member chosen relevant to the specific course, and will make recommendations to AB. The Audit Panel observes that having a subcommittee report to a body with the same chair is problematic. The nature of the CRC and the AB will be revisited shortly.

When a new course is contemplated a Curriculum Advisory Committee (CAC) is established to design the course. The intent is that this committee be largely composed of very eminent external members, including practitioners and academics, to ensure that the course is practical, relevant and acceptable to the legal constituency. The Panel interviewed members of the CAC for the Master in Applied Law, and confirmed the high standing of its members. The intent is that when the course is approved, the CAC morphs into a standing Course Advisory Committee that will meet from time to time (though the terminology does not seem to be firm).

Although much of the substance of this arrangement is laudable, the Audit Panel identified two issues of concern. Firstly, although the committee is called a Curriculum Advisory Committee, it covers only the **content** of the course, with the structure, design, assessment, moderation etc being dealt with later by other individuals or bodies (perhaps the CRC). Secondly, it is quite possible that recommendations from a committee (the CAC) of very senior and eminent people will be considered by a committee and board that do not have personnel on them of equally high legal standing. This is inherently problematic. The Audit Panel was also informed that some CACs continue to meet from time to time after the course is established, reporting to the AB through a single AB member.

A further committee is the Practical Experience Approvals Committee, which also reports directly to the AB. The work is largely done by its chair (the Director of the NSW PLT) and consists of assessing workplaces as suitable to deliver the 15-week practical component of the PLT, as well as assessing prior experience for its equivalence to the 15-week practical component of the PLT. Given that practical experience is part of the PLT program managed by the CC, and given the Panel's concern about the lack of integration of the practical component of the PLT with other course components (section 2.2.3), the reporting relationship between this committee and the CC may require review.

Although some of these systems are working well, as the College evolves its thinking about the scope and number of new courses and students, and consequent revision of the Mission and objectives, it should reflect on whether it needs such a complicated structure for a small, single discipline organisation. It should also review the composition and role of the AB to ensure that it is demonstrably the pre-eminent academic body. It might, for example, wish to add more

external members, seeking to have as members, senior academics, legal practitioners and judges, and perhaps have several of the geographic operations represented by a single member so as not to overly increase its size.

Recommendation 2

(urgent) AUQA recommends that the College review the composition and role of the Academic Board with a view to its having strong and senior membership commensurate with its important academic oversight responsibilities; and that it review and simplify the emerging academic structure associated with the Academic Board.

2 ACHIEVING EFFECTIVENESS IN TEACHING, LEARNING AND OTHER CORE FUNCTIONS

2.1 Admission and Progress

2.1.1 Admissions

As the College is a provider of courses in a very specialised field, prospective students enrol at the College with a good idea of what to expect. This makes it relatively simple for the College to represent its courses and offerings accurately to prospective students. Also, students who come to the course as part of a co-operative program with an employer in the law profession have information from that source. Informational material viewed by the Panel was generally clear, although some minor teething problems in this respect were noted in College New Zealand as it began its operation, but these have now been resolved. There is a case for greater consistency in the use of terminology. For example, it is not easy to see that what is referred to as PLT or PPO or IHP are actually structured courses leading to formal award of a graduate diploma, especially when the mention of the graduate diploma in the Professional Program Handbook occurs late in the Handbook and is not very evident. The distinction between higher education award and other courses is also not always evident.

Until 2007, the College's sole program was the pre-admission practical legal training course, and the College's admission requirements were correspondingly straightforward, namely a law degree (or the imminent gaining of a law degree), or equivalent qualification. The same admission requirements apply to the second graduate diploma (the In-House Program), and access to the various post-admission courses is similarly straightforward. The College is now extending its scope with the introduction in 2008 of a masters degree in family law practice with the same admission requirement. The College is confident that the admissions system will be applied with equal rigour to the new program.

2.1.2 Progress and Moderation

In 1998, the College introduced a CD-ROM version of the on-campus PLT course, and in 2002 a web-based version, and now 92% of PLT students study online. This alternative is called the Professional Program Online (PPO). The program takes 15 weeks full-time (or 30 weeks part-time) and students spend three of the 15 weeks onsite – two weeks in the middle and one at the end. The College assists students to complete the face-to-face component by providing them in the various centres in Australia and New Zealand, and elsewhere (eg Kuala Lumpur, London) when possible. Student progress is monitored both electronically as they carry out the on-line learning activities, by staff who provide rapid turnaround on assignments, and by phone calls to students whom the lecturer identifies as needing additional assistance. Students have confirmed, in their evaluations and in interviews with the Audit Panel, the attentive support of staff.

The way in which courses are designed and implemented results in consistency of the student experience across the locations in which the courses are offered, and across the modes in which the courses are presented. The extensive and frequent interaction between the CEOs of the geographically dispersed colleges is also of considerable assistance in achieving consistency between locations. Having said that, the primarily online mode for the overwhelmingly largest course, means that the College does not have to deal with a great deal of variation. The Panel noted minor variations which require ongoing monitoring, such as different levels of satisfaction

with teaching in the online and face to face modes, and that not all the online material is made available to the onsite students.

In respect of the students' final progress, and consideration of pass/fail rates and grade distributions, the College acknowledges in its self-review that "its practices in this area require improvement" (Doc 2, p16). It attributes this to limitations of the current software (which is being replaced), so the "moderation processes have been reliant on the knowledge and experience of key individuals". However, College New Zealand (as required by local regulators) has implemented a thorough moderation system, with specified samples of scripts being marked by external practitioners.

Commendation 2

AUQA commends the College of Law New Zealand for its effective system of moderation.

It would be relatively straightforward to implement a similar system in Australia, particularly with the benefit of being able to exchange assessments between the different branches of the College. The Panel noted some large discrepancies between results in different states. The College offered a possible reason for this, but in the absence of a moderation system, such as that operating in New Zealand, questions about the comparability of students' performance will remain. For this reason it is important that the College actively seeks to emulate in Australia a system of moderation similar to that in operation in New Zealand, and investigate the results being obtained by different cohorts and in different locations, especially as it moves to being a genuinely national educational provider.

Recommendation 3

(urgent) AUQA recommends that the College implement a nation-wide system of moderation of student results for programs taken in different modes and locations.

In this connection, the Panel noted that the College has been discussing approaches to moderation with CSU and UWS (see Chapter 4).

2.2 Teaching and Learning

2.2.1 Principles in Teaching and Learning

The College of Law has stated 'Principles in Teaching and Learning' (Appendix A). Following the 'General Statement', the Principles read like objectives. The Audit Panel investigated the Principles in this light and confirms that the College is achieving these objectives, including keeping its course materials current.

Commendation 3

AUQA commends the College of Law for achieving its objectives in teaching and learning.

That is not to say, of course, that improvement is not possible. There are suggestions above in relation to assessment and moderation, and further suggestions are offered below.

2.2.2 Teaching Innovation

The College has from its inception been very focused on its core courses, has worked hard at doing well what it does, and has changed in response to feedback from students, practitioners, and law bodies. One example of evolutionary change in reaction to external response is the growth of the online PLT option (PPO). The popularity of this option with students is due to the fact that they can start or continue working and earning while pursuing the course. The popularity with employers is similarly that they can have staff working productively at the same time as they are studying. These advantages have led to a large number of 'co-operative programs'. These are agreements between the College and an employer to train that employer's staff. The employer might guarantee a certain number of students each year, and the training might take place on the employer's premises. It was this attractiveness to employers that led to the College being invited to establish itself in New Zealand by law firms, as the only option available in NZ, provided by the NZ Council on Legal Education, was a full-time face-to-face course.

Commendation 4

AUQA commends the College of Law for the range of study options it makes available to students, including through the co-operative programs and through the use of new technology.

The College now states that "the ability to design [law] programs in high quality multi-media formats ... has become a signature for the way the organisation does its work" (Doc 2, p31). The Audit Panel agrees that the involvement of legal practitioners in the design and presentation of accessible and effective online courses is the College's signature, but suggests that there is now scope for more systematic attention to the improvement of course design and teaching across the College.

The College's aim is to provide courses that are relevant and helpful to legal professionals, and it draws on the skills of such professionals to do that. As mentioned, they are included on committees, and they are also employed as staff, full-time or adjunct. However, these staff do not necessarily have the pedagogic knowledge and experience necessary to contribute at the highest level to the very specific type of course modes used by the College. As mentioned below, the College is generous in funding academic staff to gain qualifications in education, but this may not be sufficiently focused to ensure that they become professionals in education as well as the law.

The Panel reviewed the College's processes for instructional design and the results thereof and found them thorough, responsive and indeed proactive. Academics, who as just mentioned are largely legal experts, are seconded to the instructional design department for periods of time, and this is an excellent device for both getting the necessary legal professional expert input, and making the academic feel ownership of the course. However, this is not an approach that will necessarily lead to innovation, nor to the "best practice learning and teaching methods" that the College claims (Doc 2, p10).

The Audit Panel observed that there is no formal seminar program on e-learning developments or other teaching innovations and no particular unit or leader with responsibility for innovation. In their absence, the College's achievement of its teaching and learning Principles is all the more commendable. However, it means that there is scope for even greater achievement.

Recommendation 4

AUQA recommends that the College develop a program for the systematic improvement of its teaching and learning that enables staff to contribute to innovation and improvement in course design and teaching across all its programs.

This recommendation for a more systematic approach should be read in the context of the collaboration between staff that is already evident and is mentioned in Commendation 7.

2.2.3 Work Experience

The PLT/PPO course requires a work placement of 15 weeks. The Handbook says that “work experience enables you to integrate your coursework knowledge and skills with the real world delivery of legal services”. The College is still working with a policy of 1996 which permits the whole of the work experience component to be done prior to the coursework component. The main task of the Practical Placements Committee (or Director) (see above) is to decide whether prior work can be recognised as satisfying some or all of the work experience requirement. However, whatever the nature of that earlier work, it does not seem likely that prior work would permit the achievement of the work experience objective just quoted. Students are required to write a “reflective account” relating the learning to the experience, but this seems to be a system that would be more effective if the work followed the course. The Panel was informed that the account is not checked or monitored by staff. To be of value, the work experience needs a greater level of monitoring and integration.

Recommendation 5

AUQA recommends that the College of Law ensure that the work experience component of programs relates to the practical knowledge and skills training those programs provide so that they achieve their goal of enabling students to “integrate [their] coursework knowledge and skills with the real world delivery of legal services”.

2.2.4 Plagiarism

The Panel also investigated the College’s attention to plagiarism. It was found to be thorough, and included clarification of the difference between citing precedent and plagiarising. The College’s position is strengthened by the career intentions of most of the students in the College. To be registered as a legal professional, one must be ‘a fit and proper person’, and committing plagiarism would be likely to cause the applicant to fail this test. Admitting authorities are becoming more stringent, and the College’s policy on student non-compliance includes the capacity, and where required, obligation to provide advice about the non-compliance to both admitting bodies and professional associations. Records are kept of plagiarism and grievances, and they are dealt with systematically, including making use of an external person. The incidence of plagiarism is low and declining.

Commendation 5

AUQA commends the College of Law for its attention to plagiarism which is thorough and well documented, and apparently successful in reducing the incidence of this offence.

There is a continuing need for close monitoring of the levels of plagiarism and the effectiveness of the College's approach, and for new measures to be implemented if any increasing trends in incidence are detected.

2.2.5 Ethics

Since 'ethics' is one third of each of the Principles in Appendix A, the Panel expected to find a high level of attention to this issue. In its Performance Portfolio, the College did not provide a specific detailed or systematic account of its work in this area, although there were a number of incidental references. For example, the Panel was informed that one staff member is assisting with the Riley's Solicitors Manual on this topic and is developing ethics components of all courses. The Panel was also told that staff model ethical behaviour in their work. Following investigation and discussion, the Panel accepts that it is a topic that is integral to the College's work. The Panel urges the College to take every opportunity to expand its work in this area.

2.3 *Monitoring*

The College monitors student satisfaction extensively, and acts on it in relation to the design and re-design of courses and any complaints about teaching.

The College also monitors external stakeholders but not in a systematic way. In view of the extensive interaction with law firms involved in the co-operative programs, strong employer support in sending staff to the College (in both Australia and New Zealand), the large percentage of the pre-admission market that chooses the College, and the position of many students already in employment so providing 'vicarious' employer feedback, this is not as serious as it would be for other institutions. Nonetheless, the College has recognised this as a gap, and has recently conducted a pilot stakeholder survey.

Affirmation 2

AUQA affirms the College of Law's attention to the views of employers and to implementing a process for obtaining more comprehensive and systematic employer and other stakeholder feedback.

2.4 *Scholarship and Creative Activity*

The College of Law has stated 'Principles in Scholarship and Research' (Appendix A). The Audit Panel investigated these Principles and does not believe that they accurately represent what the College is doing. For example, it is stated that "the overall objective is to be consistently at the forefront of new thinking, study and experimentation" and the Panel saw no evidence of this. This is not to detract from the excellent job done by the College in staying up-to-date in support of their course development and teaching, but even here it is recommended above that something more can be done to enhance the inventiveness of staff in relation to teaching.

The College encourages staff to stay up-to-date in their field, which could be seen as analogous to fostering a culture of critical enquiry. The College does clearly value scholarship and creative activity, and does it in a way that is relevant to the institution. The excellent Practice Papers which are an up-to-date source of reference for College students and staff are a prime example of this.

Commendation 6

AUQA commends the College of Law for its high quality Practice Papers which are well researched and written and attractively presented.

However, the College needs to reflect on the meaning of scholarship with respect to its goals and nature. The College's scholarship is directed at ensuring that information provided is correct and current. What the College and its staff do not do is research in the sense of creating new knowledge or evaluating existing material – engaging for example in activities analogous to those of the various Law Reform Commissions.

The Audit Panel observes that the College can develop perfectly well without undertaking research unless postgraduate research degrees are offered. The College has stated its aim of achieving SAI status. What will be needed for this is attention to the academic management structure, especially as it relates to courses as set out above, but not necessarily research. Mention was made of the College having achieved “university equivalence”, but probing by the Panel revealed that this is interpreted in terms of the College's students all being graduates.

Recommendation 6

AUQA recommends that the College establish clear and appropriate objectives and plans in relation to scholarship and research that have regard to the goals and nature of the institution, and revise its Mission and objectives as necessary.

Part of the difficulty in discussing scholarship is that it is not consistently defined across the higher education sector, but Boyer's definition (identifying four scholarships, of discovery, application, integration and transmission) is commonly used. The College is not close to the scholarship of discovery, but is well-placed in the scholarships of teaching and integration, and possibly also application. The College used to have a journal and is considering creating an Australasian Journal of Applied Law, which would support the scholarship of application. The Boyer structure might provide a context in which the College can review its role in scholarship and research.

3 ORGANISATIONAL STRUCTURES, DECISION-MAKING PROCESSES AND RESOURCES TO SUPPORT TEACHING AND LEARNING AND OTHER CORE ACTIVITIES

3.1 *Organisational Structures and Decision Making*

AUQA finds that the College's structures for decision-making are generally sound. Personnel interviewed by the Panel were clear on their responsibilities and appeared to be exercising them effectively. In Chapter 1 of this Report are commendations of the good management of the College, together with an analysis of the improvements needed in the academic decision-making structure.

3.2 *Academic and Administrative Staff*

3.2.1 Collaboration

The Audit Panel found a high level of staff morale, and a real understanding of and commitment to the College's purpose. There is a collaborative approach to the compilation of teaching material and a flexible willingness to take up the load where it is needed.

Commendation 7

AUQA commends the staff of the College for their high level of collaborative commitment to its work and to advancing its Mission.

There is much more sharing than is common in academia. It might be because the system of instruction involves a lot of people in course design, in lecturing and in tutoring, so the major activity of the College, ie the teaching, is seen as collegial rather than individual. In turn, the contrast might be that research is a more individual pursuit and more conducive to competition, but less important than in other academic institutions.

3.2.2 Staff Recruitment

The College's approach to recruitment is competency-based, with the core competency being "to analyse and translate law and legal procedure into systematically designed learning programs, supported by high calibre teaching and mentoring" (Doc 2, p31). This has now been extended to include the ability to design programs in multi-media formats. The core competency is broken into a set of 13 competencies (including client service skills, teaching skills, instructional design skills, marketing capability, industry expertise) grouped under the following broad criteria:

- teaching and teaching development
- intellectual and professional scholarship
- management / administration
- contribution to the corporate life of the College, the Profession or the Discipline

Once appointed, staff have the benefit of a very extensive induction manual and, in NSW, a systematic mentoring process that provides support for the new staff member over an extended period.

Commendation 8

AUQA commends the College of Law for its very extensive and thorough staff induction manual and associated processes.

Because the Manual is so full, it would benefit from a suggested schedule that points staff to the sections to consult at what times, together with a schedule to guide the mentoring process.

3.2.3 Staff Development

Retention

Once staff are appointed with the appropriate practical knowledge, retention rates are high – see the above comment on morale and collaboration. The College benefits from many external visitors, whether as adjunct lecturers or otherwise, and so the staff have a continuing opportunity to interact with practicing lawyers. Staff are also encouraged to interact with colleagues at relevant conferences. These opportunities all contribute to the high retention.

Development

The College does not have a large staff development budget, but is very generous in supporting staff to do further study related to their employment and many have obtained qualifications in education since joining the College. The Panel was told that no reasonable request for such support had been refused. Staff also report being given some short-term teaching relief to allow them to undertake short projects. However, despite these employment practices that facilitate the acquisition of teaching qualifications, there is no systematic approach to improvement in teaching and learning and the development of teaching skills. Some teaching practices are dated and there is inadequate systematic attention to innovative and current best practice in a context of CQI (section 2.2.2).

The ready support for both academic and support staff to undertake further qualifications needs to be more strategically planned and matched to the needs of the College, with staff actively encouraged to do specified further study if necessary. The Panel was advised that there are processes for providing education and training on the basis of annual appraisals, ad hoc requests, and need for change, but this system may need to be applied more systematically.

Recommendation 7

AUQA recommends that the College of Law take a strategic approach to the planning and funding of staff development opportunities and activities to ensure that it has the mix of skills and knowledge to enable it to achieve its goals, and to ensure that it applies best practice in online learning.

(See also section 3.3)

Workloads

The Audit Panel investigated the staff workload and found that it is quoted only in terms of staff / student ratio, with different numbers for full- and part-time, online and print classes. This policy is the result of a recent thorough internal investigation that focused on the needs of, and time spent on, each student. The Portfolio then says “The College participates in a range of activities outside teaching and staff are encouraged into cycles of involvement in project work, course design and general administrative roles to balance out workload from the College’s strong concentration from the classroom, both real and virtual.” (Doc 2, p32)

This policy is clearly working at present, but the Panel reflected that this might be due to the strong esprit de corps that sees staff willing to admit when they have some slack and take up a load elsewhere. The present statement about how staff workloads should be balanced is not very clear, and increases the potential for staff dissatisfaction with actions or decisions relating to academic workloads. Without damaging a working system, the College might like to consider making the statement a little sharper.

Recommendation 8

AUQA recommends that the College of Law develop an academic workloads model that clearly specifies what is expected of academic members of staff in relation to teaching (by reference to hours taught and student load), research, administration and student support

Reference to the broader scope of staff work will assist both staff and management to understand the context for, and approval or rejection of, applications for requested short-term relief from teaching.

Appraisal

The College has a thorough and comprehensive approach to staff appraisal through: student evaluations of teaching, appraisal by the director of the program, and informal discussions.

Student evaluations are carried out in the middle and end of the PLT. Response rates are very high as they are done during the onsite weeks. (Evaluations of other courses are done at appropriate times.) The lecturer discusses the results with the director of the program, and the Course Committee also considered the (anonymised) results. The Panel was informed of actions taken as a result of the evaluations. The evaluation process has been benchmarked with CSU with some potential improvements identified. Also, the College has recently begun participating in the CEQ.

The annual appraisal with the supervisor uses the same four criteria as were used for recruitment. Staff report a useful discussion with the supervisor, but the outcomes seem not to be connected to the development of the individual staff member, nor to the College's strategic plan and objectives. A benchmarking activity with the College of Law of England and Wales is looking at how to improve the monitoring of development plans.

Commendation 9

AUQA commends the College of Law for the staff performance appraisal process, while suggesting some enhancements to it.

3.3 Support and Student Learning

The College of Law is well-placed to understand the characteristics of its students as it is operating in a well-defined narrow area. Nonetheless, this 'environmental knowledge' is supplemented by focused market research. In 2006, the College commissioned research into the expectations of PLT students and into the expectations of the new post-admission programs. These reports, like the more continual interactions with students and employers, assist the College to meet the learners' needs.

Dealing with a student population composed entirely of adult learners, most of whom are studying while working, the College has made the provision of timely and accurate information

to students a high priority. In the PLT and PPO courses, support for students is satisfactory. In the onsite mode, lecturers are constantly available, while in the on-line mode the materials are comprehensive and the tutor feedback is again rapid. It is very noticeable that the College is strongly student-centred, and students appreciate that lecturers provide them with rapid feedback on assignments.

Commendation 10

AUQA commends the College of Law for its student-centred approach, including providing rapid feedback to students.

The College is going through a period of significant advance. It introduced a new graduate diploma last year and its first masters course this year; it is having a major upgrade of the IT system (next section) to address some gaps in its capability, and it is contemplating moving from its current site as it becomes a truly national body. This would be a good time to take stock of its basic online provision, since the College sees the online mode as the most important, both now and into the future, and indeed it is the main aspect that is giving the College its competitive edge. The College could usefully review the pedagogy and presentation of its online courses, and provide focused staff development in this area, to ensure that the College is at the cutting edge of online learning (see Recommendation 7). This will be especially important with commercial operators moving into the field.

3.4 Information Resources

The information resources and technology for the support of students are appropriate at present. The hard-copy libraries are small but the online information available is adequate for the College's needs. Inasmuch as there are libraries in each state, as the College moves towards being a genuinely national operation it would be useful for this to be nationally co-ordinated. There will also need to be further development as the College introduces more postgraduate level courses.

In addition students have access to resources available on member areas of professional associations such as the Australian Corporate Lawyers Association, the Queensland Law Society and the Law Institute of Victoria. A wide range of legal resources are now available only electronically and in practice lawyers are expected to be able to conduct legal research online. Although the library provides lending services to all locations, these are infrequently used by students and staff. Even on-campus students tend to prefer to use online research facilities.

The student administration system, however, has several deficiencies, as the current system was largely developed to meet the needs of pre-admission programs and predated student access to fee-help. A new system and the underpinning information architecture was scoped in 2007 year, and is due to be in place by July 2008. This will cover student enrolment, fees, progress, and reporting and is intended to be integrated with other parts of the technology renewal project such as the new learning management system and internal information management systems.

Affirmation 3

(urgent) AUQA affirms the College of Law's plans to upgrade its student administration system to rectify several drawbacks in its ability to moderate and report on student achievement in courses.

4 MAINTAINING A COMMITMENT TO QUALITY IMPROVEMENT

4.1 *Recapitulation*

The College's activities in relation to the maintenance and improvement of quality in its operations have been mentioned in relevant sections of this Report.

As described in Chapter 2, the College is rigorous about collecting evidence from student evaluations. It gets an excellent response rate, and takes action on the findings. As already observed, there is a need for greater analysis of grades and grade trends, and for greater attention to moderation.

This section provides comment on the overarching quality systems without further repetition of the earlier specific material.

4.2 *The Quality Management System*

After a period of affiliation with the University of Technology Sydney, the College became an independent educational institution in 1995, with its PLT, CLE and property holding functions beneath the unified authority of a single Board of Directors. At this time, the College selected the Australian Business Excellence Framework (ABEF) as the basis for its imminent organisational reform. Use of the ABEF has continued, and as part of the audit process, the College carried out an ADRI analysis against headings adapted from the Business Excellence Framework.

In 2004, seeking the further discipline of a directive QMS, together with an external validation, the College obtained accreditation to ISO9000:2000 for its operations in Sydney. All policies are online, and the Head of the QMS meets each policy-holder biannually to review the documents and procedures and check the references. The Head of QMS uses this as an opportunity to go beyond compliance and discuss possible improvements that have emerged from the events of the preceding six months. In this way, the implementation of the QMS is a force for continuous improvement.

The QMS covers administrative and support processes and aspects of program and curriculum QA, but appropriately the QA processes for teaching and learning are handled differently.

The College and its programs are also subject to many other review processes, including:

- Reviews by National and State Law Societies
- Reviews by the States, Federal and New Zealand Courts and Admitting Authorities
- Reviews associated with changes to State, Federal and New Zealand government policies for the legal profession
- Reviews associated with changes to university policies with respect to law schools
- Reviews associated with MOU's and affiliations with other higher education institutions
- Reviews by State, Federal and New Zealand departments of higher education
- Reviews associated with the negotiations of co-operative programs with law firms

(Doc 2, p45)

The College is therefore very conscious of external expectations. Furthermore, the internal audit process is systematic and thorough, and contributes to improvement. The term ‘rigour’ is often used, and with good reason.

Commendation 11

AUQA commends the College of Law for its attention to continuous quality improvements, through its active, ISO-certified QMS, and its frequent reviews, the results of which are considered and acted on promptly as required.

However, the many reviews are unrelated to the QMS. While maintaining the specific steps necessary for continued ISO9000 certification, the College might find that, for its own purposes, coherence and consistency would be increased and duplication reduced if the College’s QMS were to take account of the other review processes that occur, so they can be treated in a co-ordinated way.

4.3 Benchmarking

The College is aware of benchmarking and makes many references to it in the Portfolio. The Panel has recommended above that the College do more internal benchmarking, taking advantage of its different locations and cohorts and modes. Externally, the College reports benchmarking activities with three Australian universities and an overseas college of law on a range of topics, as follows:

| UWS | CSU | COLE | Murdoch University |
|--------------------|-------------------------|------------------------|---------------------------|
| retention | retention | retention & completion | |
| moderation | moderation | | |
| assessment | assessment | | |
| student grievances | student grievances | | |
| employer feedback | | employer feedback | |
| | distance education | distance education | |
| | Course Review Committee | | Course Review Committee |
| | student evaluations | | |
| | | staff appraisal | |

The Panel commends this attention to obtaining external input and making external comparison, but all these activities seem to be at an early stage and no concrete improvements have yet been reported. The Panel advises the College to be focused in its benchmarking, and be clear what benefits are expected from any particular partnership.

The Panel also notes that the College sees itself as sitting in the wider common law tradition, and indeed its creation followed a foreign report. The College would therefore benefit by measuring itself internationally to a greater extent than it now does, to follow the internationalisation of the law profession.

Recommendation 9

AUQA recommends that the College of Law undertake more international benchmarking, especially in relation to academic standards.

This is not an implication that the standards are low – just that evidence should be available.

4.4 Engagement with the Profession and the Community

The College of Law has stated 'Principles of Engagement with the Profession and the Community' (Appendix A).

In terms of the objectives stated in the Principles, the College puts great and commendable effort into creating a maintaining a strong relationship with the profession.

Commendation 12

AUQA commends the College of Law for its strong links with legal employers, including through its co-operative programs.

Its success is exemplified by, inter alia, the co-operative programs, the number of firms using its services, and the eminent Curriculum Advisory Committees. The College is assiduous in getting external comments from co-operative programs, although there is not yet a formal structured method of gaining evaluation from the employers. More generally, the links are not always used as well as possible, for example to enhance the membership of the Academic Board. As also noted, there is not yet a systematic record of student employment.

There is less evidence that the College "actively contributes to the intellectual life of the legal profession" or that it "promotes discussion and debate in the profession and the community". These are matters on which it can usefully reflect as it addresses Recommendation 1 in section 1.1 on reviewing the Vision and Mission in the light of its own interests and the changing environment, and on reflecting further on its role in scholarship.

APPENDICES

APPENDIX A: THE COLLEGE OF LAW

History and Location

The College of Law arose out of industry in the early 1970s to provide a course in practical legal training (PLT) for law graduates, designed to enhance and normalise the pre-admission training experience for lawyers, and to provide continuing legal education for admitted practitioners.

The College operates as an Australasian group of companies:

- College of Law Pty Ltd – St Leonards, NSW
- College of Law New Zealand Ltd (College New Zealand) – Auckland
- College of Law Queensland (College Queensland) – Brisbane
- College of Law Victoria (College Victoria) – Melbourne
- College of Law Western Australia (College Western Australia) – Perth

The parent College is a company limited by two shares, held by the Law Society of NSW. However, as a function of the law of trusts, as well as its own constitution, the College is bound to operate for charitable education purposes. The College can never pay a dividend to the Law Society nor otherwise upstream funds of any kind to the shareholder. All surpluses achieved from operations must be reapplied to the development of a stronger, better educational resource servicing the needs of the legal profession.

College Victoria is a joint venture between the College and the Law Institute of Victoria (LIV). The other three Colleges are wholly owned subsidiaries of the College although College Queensland operates within a formal Collaboration Agreement with the Queensland Law Society (QLS).

Academic Profile

Until 2007, the College offered only the Professional Program for law graduates wishing to be admitted as lawyers, but in response to a perceived desire in the profession for further award courses in legal practice, the College has developed (and continues to develop) a range of courses to suit the career needs of lawyers in diverse areas of practice. The full range of College award courses is currently:

- Graduate Diploma of Legal Practice (the Professional Program), the Stage 2, post-university, pre-admission to practice course, referred to in the College as Practical Legal Training (PLT), or (in the on-line version) the Professional Program Online (PPO), or (if offered within a law firm) the Co-operative Program
- This requires 15 weeks of study (if taken full-time), plus 15 weeks of work experience, plus 10 hours of Continuing Professional Education (CPE)
- Graduate Diploma of In-house Legal Practice (the In-house Program)
- Graduate Certificate, Graduate Diploma, and Master of Applied Law (Family Law)
- Mandatory Continuing Legal Education (MCLE) of various sorts
- Legal Practice Management Course (required in NSW)

Further courses in Applied Law are currently in development.

Key Statistics (2007 unless otherwise stated)

| Metrics | COL P/L | COLQ | COLV | COLWA | COLNZ |
|--|---------|---------------------------------|------|-------|-------|
| # Total Staff * | 95 | 10 | 7 | 5 | 8 |
| # Student Enrolments per annum (rounded) | 1,400 | 340 | 300 | 50 | 440 |
| # CLE Practitioner Hours p.a. | 18,500 | <i>* Includes adjunct staff</i> | | | |

College Concept Statements

Vision

A bridge between academic knowledge and professional practice, devoted to developing lawyers who will uphold the rule of law and apply its precepts ethically and skilfully.

This vision brings together a spirit of free intellectual enquiry and a sense of practical discipline in the application of the law, in order to serve:

- ▶ the interests of justice
- ▶ the equitable conduct of business, and
- ▶ the rights of individuals before the law.

Mission

To bridge the learning needs of the practising legal profession into high standards and practical currency of legal knowledge, skill and judgement.

This mission is based on continuous improvement systems and culture, as a means of strengthening:

- ▶ research and scholarship
- ▶ teaching and learning
- ▶ engagement with the profession and community.

Values

Working together to inspire professionalism, we value:

- ▶ the learning needs of legal professionals as the main focus of our work
- ▶ our College community as a source of professional support and teamwork
- ▶ a professional approach to practical business realities in the sector of work

Principles in Research and Scholarship

General Statement

The College promotes a scholarship based on the practical application of the law. The overall objective is to be consistently at the fore front of new thinking, study and experimentation associated with best practice standards in the delivery of legal services to the community.

The College's principles in scholarship fall into three categories:

Legal Professional Practice

The College will promote a scholarship that studies:

- ▶ the structures, processes, dynamics, demographics and sociology of the legal profession, as capabilities for delivery of services
- ▶ the legislative and other structures by which the legal profession is regulated and governed, and the development of social and legislative policy with respect to the legal services market place
- ▶ best practice trends in the design and delivery of legal services, developing new fields of legal practice and their impact on legal service consumers and communities

Legal Education Best Practice

The College will promote a scholarship that studies:

- ▶ how education standards for first and continuing licence of legal professionals are authoritatively defined, including definitions of practice standards in a range of specialist areas, law firm management standards and standards in education technology for learning in legal practice
- ▶ the theory and practice of continuing and professional education as it applies to the legal profession, how lawyers and other professionals learn, how to translate legal learning into practice competencies and how to most effectively match learning strategies and technologies to learning objectives
- ▶ regulation and governance of higher education systems and law school sectors, and their overall impact on...

Professional Legal Ethics

The College will promote a scholarship that studies:

- ▶ ethical frameworks for professional competency standards and the legal learning necessary to achieve them
- ▶ trends in debate among the public and profession about lawyer ethics
- ▶ comparatively ethical frameworks
- ▶ corporate social responsibility as a core dynamic of the legal profession

Principles in Teaching and Learning

General Statement

The College supports teaching and learning which involves:

- ▶ preparing new entrants to the legal profession, by equipping them with sound legal knowledge, the conceptual ability to solve legal problems, practical legal skills, and ethical awareness; and
- ▶ meeting the needs of practising lawyers, and law firms, for advanced learning programmes that
 - address new knowledge and new concepts at the leading edge of professional practice, and
 - support effective law practice management, and the delivery of legal services to the community, and
- ▶ providing quality, career enhancing learning experiences for all participants in all programs

The Colleges principles in teaching and learning fall into three categories:

Legal Professional Practice

The College will provide programs that:

- ▶ make explicit the core values of the legal profession
- ▶ are relevant to professional practice in different contexts
- ▶ reflect current law and legal practice
- ▶ promote best legal practice
- ▶ integrate work-based and academic learning
- ▶ enable College graduates to participate actively and responsibly in a diverse and changing profession

Legal Education Best Practice

The College will provide programs that:

- ▶ are student focussed
- ▶ use active learning strategies to engage students
- ▶ incorporate flexible learning technologies
- ▶ provide professional mentoring and support to students
- ▶ deliver practical and professionally relevant content
- ▶ are well organised and structured
- ▶ use assessment practices that support and enhance student learning

Legal Professional Ethics

The College will provide programs that:

- ▶ provide leadership and scholarship in professional ethics
- ▶ actively promote the principles of ethical behaviour in practice
- ▶ reflect current issues and research in professional legal ethics
- ▶ incorporate professional ethics directly or indirectly
- ▶ are delivered by staff who are professional role models
- ▶ encourage College graduates to be active and responsible legal professionals who contribute to the service of the community and the administration of justice.

Principles of Engagement with the Profession and Community

General Statement

The College actively contributes to the intellectual life of the legal profession and the community by engaging in a range of activities beyond core teaching and scholarship activities.

The College's principles in engagement with the profession and community fall into three categories:

Legal Professional Practice

The College will make contributions that:

- ▶ develop strong relationships with and between professional legal associations, groups, boards, committees and working parties
- ▶ promote discussion and debate in the profession and the community about the legal profession and its role, and respond actively to government discussion papers and public media on these matters as they arise
- ▶ support government initiatives in legal institutional strengthening in activities among legal professions in our region

Legal Education Best Practice

The College will make contributions that:

- ▶ develop strong relationships with the law schools, law teachers, law student associations and other professional schools and organisations within the higher education sector with relevance for the College's work
- ▶ promote discussion and debate in the higher education system and the community about developing best practice in legal education, and respond actively to government discussion papers and public media on these matters as they arise

Legal Professional Ethics

The College will make contributions that:

- ▶ Promote corporate social responsibility in the profession and the community

APPENDIX B: AUQA'S MISSION, OBJECTIVES, VISION AND VALUES

Mission

AUQA is the principal national quality assurance agency in higher education with the responsibility of providing public assurance of the quality of Australia's universities and other institutions of higher education, and assisting in enhancing the academic quality of these institutions.

Objectives

AUQA is established to be the principal national quality assurance agency in higher education, with responsibility for quality audits of higher education institutions and accreditation authorities, reporting on performance and outcomes, assisting in quality enhancement, advising on quality assurance; and liaising internationally with quality agencies in other jurisdictions, for the benefit of Australian higher education.

Specifically, the objectives of AUQA are as follows:

1. Arrange and manage a system of periodic audits of:
 - the quality of the academic activities, including attainment of standards of performance and outcomes of Australian universities and other higher education institutions;
 - the quality assurance arrangements intended to maintain and elevate that quality;
 - compliance with criteria set out in the National Protocols for Higher Education Approval Processes;and monitor, review, analyse and provide public reports on the quality of outcomes in Australian universities and higher education institutions.
2. Arrange and manage a system of periodic audits of the quality assurance processes, procedures, and outcomes of State, Territory and Commonwealth higher education accreditation authorities including their impact on the quality of higher education programs; and monitor, review, analyse and report on the outcomes of those audits.
3. Publicly report periodically on matters relating to quality assurance, including the relative standards and outcomes of the Australian higher education system and its institutions, its processes and its international standing, and the impact of the National Protocols for Higher Education Approval Processes on Australian Higher Education, using information available to AUQA from its audits and other activities carried out under these Objectives, and from other sources.
4. Develop partnerships with other quality agencies in relation to matters directly relating to quality assurance and audit, to facilitate efficient cross-border quality assurance processes and the international transfer of knowledge about those processes.

Vision

To consolidate AUQA's position as the leading reference point for quality assurance in higher education in and for Australia. Specifically:

- AUQA's judgements will be widely recognised as objective, accurate and useful, based on its effective procedures, including auditor training and thorough investigation.
- AUQA's work will be recognised by institutions and accrediting agencies as adding value to their activities, through the emphasis on autonomy, diversity and self-review.
- Through AUQA's work, there will be an improvement in public knowledge of the relative academic standards of Australian higher education and an increase in public confidence in Australian higher education.
- Through AUQA's work with other quality assurance agencies, the international quality assurance requirements for Australian higher education institutions will be coherent and rigorous, avoiding duplication and inconsistency.
- AUQA's advice will be sought on quality assurance in higher education, through mechanisms including consulting, training and publications.
- AUQA will be recognised among its international peers as a leading quality assurance agency, collaborating with other agencies and providing leadership by example.

Values

In its external relations, AUQA will be:

- *Rigorous*: AUQA carries out all its audits as rigorously and thoroughly as possible.
- *Supportive*: AUQA recognises institutional autonomy in setting objectives and implementing processes to achieve them, and acts to facilitate and support this.
- *Flexible*: AUQA operates flexibly, in order to acknowledge and reinforce institutional diversity, and is responsive to institution and agency characteristics and needs.
- *Cooperative*: AUQA recognises that the achievement of quality in any organisation depends on a commitment to quality within the organisation itself, and so operates as unobtrusively as is consistent with effectiveness and rigour.
- *Collaborative*: as a quality assurance agency, AUQA works collaboratively with the accrediting agencies (in addition to its audit role with respect to these agencies).
- *Transparent*: AUQA's audit procedures, and its own quality assurance system, are open to public scrutiny.
- *Economical*: AUQA operates cost-effectively and keeps as low as possible the demands it places on institutions and agencies.
- *Open*: AUQA reports publicly and clearly on its findings in relation to institutions, agencies and the sector.

APPENDIX C: THE AUDIT PANEL

Professor Philip Clarke, Pro Vice-Chancellor (International), (formerly Dean, Faculty of Business and Law), Deakin University, Geelong

Ms Sian Lewis, General Manager VET Division, Office of Training and Tertiary Education, Department of Innovation, Industry and Regional Development, Victoria

Dr David Woodhouse, Executive Director, Australian Universities Quality Agency

Observer

Mr Tim Bryant, Director, Private Providers Unit, Higher Education Group, DEEWR

APPENDIX D: ABBREVIATIONS AND DEFINITIONS

The following abbreviations and definitions are used in this Report. As necessary, they are explained in context.

| | |
|----------------|--|
| AUQA | Australian Universities Quality Agency |
| ABEF..... | Australian Business Excellence Framework |
| CEQ | Course Experience Questionnaire |
| CLE | Continuing Legal Education |
| COLE..... | College of Law England and Wales |
| CSU | Charles Sturt University |
| DEEWR..... | Australian Government Department of Education, Employment and Workplace Relations, formerly DEST |
| DEST..... | former Australian Government Department of Education, Science and Training |
| EFTSL..... | equivalent full-time student load |
| FEE-HELP | FEE-HELP is a loan given to eligible fee-paying students to help pay part or all of their tuition fees. |
| GDS | Graduate Destination Survey (http://www.graduatecareers.com.au/content/view/full/868) |
| HEIMS | Higher Education Information Management System |
| HEP(s)..... | higher education provider(s) |
| HESA | <i>Higher Education Support Act 2003</i> |
| IELTS..... | International English Language Testing System |
| IT | information technology |
| LSNSW..... | Law Society of NSW |
| MCEETYA | Ministerial Council on Education, Employment, Training and Youth Affairs |
| MD | Managing Director |
| NSAI(s) | non self-accrediting institution(s) |
| OADRI | Objective-Approach-Deployment-Results-Improvement |
| PF p | Performance Portfolio page reference |
| PLT | Practical Legal Training |
| Portfolio..... | Performance Portfolio: Self-Review Report, prepared by ACAP |
| QAFs..... | Quality Audit Factors |
| SAI(s)..... | self-accrediting institution(s) |
| SMT..... | Senior Management Team |
| UWS | University of Western Sydney |
| VET | vocational education and training |

