

Position Statement of CALD on Honours in light of the AQF 2011

The Council of Australian Law Deans (CALD) has prepared this Position Statement. CALD is the collective voice of Deans of Law Schools and Faculties in Australia. This Statement has been prepared to develop an agreed perspective by Law Deans on the issue of Honours under the Australian Qualifications Framework (AQF) 2011. It will support the effective implementation of the AQF to Law programs.

Law Honours in Australia has traditionally been embedded in the Law Degree for high achieving students¹ and this approach has served Australian Law Faculties/Schools and their students well. CALD is strongly of the view that the current approach of embedded Law Honours is appropriate and that it should continue. While the AQF describes Honours as “typically” an additional year – either subsequent or embedded, CALD notes that under the AQF a level 7 Bachelors qualification is typically 3-4 years. Law is already typically a four year Bachelor Degree or five or six year Combined Degree and it would be unwarranted and unduly burdensome to impose a further year of study for Honours, given the length of study for such students is already the same or greater than that of the typical student obtaining Honours.

Notably, the Australian approach of embedded Honours for Law within the same length of study of the pass degree is also adopted internationally in many overseas jurisdictions, and it is particularly important to ensure that we do not disadvantage students studying Law in Australia who wish to go on to international postgraduate study. This is a matter which has been of great concern to Law Schools and the current arrangements are not a historical accident but the outcome of considered and purposive reform.

CALD considers that Honours in the LLB can demonstrate compliance with level 8 of the AQF requirements, in particular the need to “to plan and execute project work and/or a piece of research and scholarship with some independence” and to do so with the “technical skills to design and use research” in such a project. CALD is of the view that this requirement can be satisfied without the need for an additional year of study.

In order to comply with the AQF for Honours, and taking account of the purpose and other specifications for a Bachelor Honours Degree, CALD accepts there must be some demonstrable research component and training included within the course of study for students graduating with Law Honours. We leave this training to be developed by individual law schools. By way of illustration, CALD considers the following approaches would amount to sufficient research training:

- enrolment in a specialist research training course as part of the degree that incorporates training in development and planning of research; or
- research training either individually or as part of a group embedded within a supervised research project.

CALD notes that the Level 7 Bachelors requirements do not refer to the technical skills of designing and using research in projects. Given the inherent need to research legal answers

¹ That is, honours is embedded within the pass degree, with no requirement of an additional year of study.

to novel situations when practicing as a lawyer, it is likely that many law schools will require all students to undertake research training, whether or not they go on to achieve Honours.

That research training should lead to a research project. CALD notes that the AQF draws a distinction between a “project work and/or a piece of research and scholarship” for Honours Level 8 and a “*substantial* research based project, capstone experience and/or piece of scholarship” for Masters (Coursework) Level 9 (emphasis added). CALD considers that in the discipline of law, any independently developed and researched project that results in a written paper of over 10,000 words is a “substantial” work of research and scholarship (suitable for Level 9), and that a research project of a lesser length would be appropriate for Honours (Level 8).

CALD therefore is of the view that the AQF requires a standard of quality rather than length for any Level 8 research project. CALD leaves it to individual law schools to determine rules to ensure that any “piece” of research for an Honours qualification meets the requisite level of quality, including the assessment process. By way of illustration CALD considers the following approaches would amount to sufficient quality:

- completion of an Honours dissertation as part of a separate subject/course;
- completion of an optional research paper within a pass degree subject/course where the topic was independently developed by the student under supervision, and where the length of the paper was greater than the standard maximum length of a pass degree essay
- completion of a number of research papers within pass degree subjects/courses where at least one paper was independently developed by the student, where all papers were of a quality expected of an Honours paper, where the cumulative length was 10,000 words, and no paper was less than 3,000 words.

CALD notes that there has been student support for maintaining the status quo: Australian Law Students’ Association (ALSA) – ‘Quality law degrees won't fit proposed AQF mould’ <http://www.alsa.net.au/media-/193-quality-law-degrees-wont-fit-proposed-aqf-mould>. ALSA has also drawn attention to the disproportionately high cost imposed on Law Students, with very little Commonwealth funding for Law places. To impose a further year would add to the existing financial burden that a Law degree places on students. It would be a retrograde step to create a disincentive for Law students to undertake Honours in Law and would result in many finishing their degrees with poorer research skills. This represents a waste of talent especially given that Law attracts many of Australia’s top students and there is great potential amongst this cohort.

For the above reasons, CALD strongly endorses the existing embedded approach to Honours, subject to some formalisation of the research component within existing degree structures.

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