

Australian Law School Standards

with Guidance Notes

Adopted as at 30 July 2020

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AUSTRALIAN LAW SCHOOL STANDARDS

with Guidance Notes

INTRODUCTION

This document sets out the Standards for Australian Law Schools ('the Standards') and gives guidance as to how they can be achieved. It has been prepared by the Council of Australian Law Deans ('CALD') together with the Australian Law School Standards Committee ('ALSSC'), which is established by CALD under Standard 12. ALSSC's functions according to Standard 13.2 are:

- ▶ To consider and determine applications from Law Schools for certification as compliant with the Standards; and
- ▶ To keep the Standards under review and to propose to CALD amendments from time to time.'

The purpose of this document is twofold: first it provides an explanation of the Standards and describes how each Standard can be met in practice, and second it gives guidance to Law Schools applying for certification.

The intention underlying the certification process is to encourage Law Schools to pursue excellence in their operations, culture, mission and vision. The ALSSC and CALD support this, in part, by providing a set of Standards against which Law Schools can measure their performance. The ALSSC uses the Standards to assess a Law School's application for certification, and interprets the Standards as per the Guidance Notes below.

Today, both the law environment and the higher education sector are undergoing profound changes. In this context, the Standards not only support excellence across a variety of domains, but also support change in Law Schools.

In addition, difference is a key characteristic of the pluralist, multicultural, and multi-faith society that is contemporary Australia. It follows that the many Law Schools operating across the country reflect these differences, which may arise as variations in size, location, objectives, mission, ownership structure, or age. Further, students come to study law from a variety of backgrounds and with diverse motivations.

In recognition of this diversity, the Standards seek to acknowledge the unique identity of each Law School and are designed to be broad enough to accommodate differences between them. It is a guiding principle that the Standards should be interpreted sufficiently flexibly so as not to inhibit innovation or local application. Similarly, a key factor driving the development of these Guidance Notes is the need to give context and detail to each Standard in order that they are meaningful in a local setting, while still applying to the great variety of Australian Law Schools.

The Standards are wide-ranging and cover not only educational matters and infrastructure requirements, but also broader matters such as the Law School's mission and the values it embodies and promotes. In these broader areas, the Standards are concerned in essence with academic leadership and aspirational pursuits; recognising the importance of equipping graduates to serve the community as good lawyers in more ways than simply technical competence.

Finally, the Standards are intended to complement, rather than supplant, other standards or regulatory documents. The current regulatory framework impacting Australian legal education is complex and multi-layered, and embraces both professional and higher education accreditation requirements (Kift 2019). Useful discussion of these regulatory arrangements can be found on the Law Admissions Consultative Committee ('LACC') website. A 2016 unpublished paper prepared by CALD also helpfully examines the interaction between the *Higher Education Standards Framework (Threshold Standards) 2015* ('HES Framework'), the National Accreditation Standards for Australian Law Schools (then in draft form), and the Standards for Australian Law Schools (then named the 'CALD Standards'). While the guidance notes below sometimes make reference to these other documents, the intention here is not to provide a comprehensive account of their intersections, and the reader is directed to those documents for further detail.

Development of the Standards

The 'primary driver' for the development of the Standards was the 'shared desire to have a self-regulatory framework that would enhance the quality of all Australian law schools, for the benefit of the discipline as a whole' (CALD 2014, p. 2).

For an introduction to the Standards and an explanation of their context and the revisions prior to 2014, see *Introduction and Context to the CALD Standards for Australian Law Schools* (CALD 2014). The paper includes a number of general points about the Standards, signalled by the following headings: 1. Purpose; 2. Breadth; 3. Innovation; 4. Generality; 5. Minimum vs aspirational; 6. Inputs vs outcomes; 7. Certification of compliance; 8. Relationship to accreditation; 9. Regulating as partner.

When the Standards were first adopted in 2009, it was envisaged that they may in time be accompanied by a set of 'commentaries' (see Standard 11.4). These commentaries would reflect the wisdom of accumulated experience with the interpretation and application of the Standards.

Consequently, these Guidance Notes have now been developed to assist Law Schools in realising the aspirations of the Standards and their application in practice.

<i>Version No</i>	<i>Date</i>	<i>Key changes</i>
1.0	Nov 2009	First version released.
1.1	Mar 2013	Insertion of reference to Threshold Learning Outcomes.
1.2	Mar 2020	Update to ensure the Standards reflect contemporary developments in the teaching and practice of law, including the updated TLOs, the requirements of the Higher Education Standards Framework, the changed operations of Law School libraries, the move towards online delivery of classes, and the changing relationship between Law Schools and universities, as well as appropriately acknowledge Aboriginal and Torres Strait Islander Australians. Guidance notes released.
1.3	Jul 2020	Final version released (Australian Law School Standards v1.3 30 Jul 2020)

Table: Development of the Standards

Structure of the Document

The Standards appear in full following this Introduction and are noted in italics. Guidance notes on the Standards are then provided in relation to each of the Standards.

Part A of the Standards ('Part A: The Standards') covers ten areas, each of which is dealt with in turn below. Each Standard is highlighted in a blue shaded box, followed by an

explanatory note, and then by guidance as to how a Law School can show that it meets the Standard.

Guidance notes do not accompany Part B of the Standards ('Part B: Application of the Standards'), which deal with application matters only.

A Reference List is provided at the end of the document, giving details of material referred to in this document.

Definitions and Terminology

Some terms and expressions that appear throughout the Standards are defined here. Others that arise in a specific Standard will be addressed in the relevant section below.

Law course: Throughout the Standards, 'law course' refers to the overall group of constituent units of study leading to a degree or degrees recognised by the admitting authority in the jurisdiction as providing the academic requirements for the purposes of admission to practise as a legal practitioner. In some institutions this would be known as 'law program', and the term 'course' would refer to individual units or subjects within the program. This definition links the law course to the requirements for admission to practice. Of course, outside this regulatory framework, law and justice are broad concepts that can encompass law-related areas of study and a variety of fields of practice.

Law School: Any university unit responsible for offering a degree in law, completion of which is recognised by at least one Australian admitting authority as satisfying most or all of that authority's academic requirements for admission to legal practice. This definition is the same as that used in the Council of Australian Law Deans Constitution.

Aboriginal and/or Torres Strait Islander: Aboriginal people and Torres Strait Islander people refer to the two distinct cultural groups that make up Australia's indigenous peoples. The term 'Indigenous Australian' is often used to encompass both Aboriginal and Torres Strait Islander people, however it is considered by many to be too generic. The phrase 'Aboriginal and/or Torres Strait Islander' is used here following the example of the Review of Higher Education Access and Outcomes for Aboriginal and Torres Strait Islander People: Final Report ('Behrendt Report') (Behrendt et al. 2012) and the Australian Institute of Aboriginal and Torres Strait Islander Studies ('AIATSIS').

Australian Law School Standards

1. FUNDAMENTAL ISSUES, MISSION AND OBJECTIVES

1.1 Academic autonomy

1.1.1 *The Law School has the responsibility and capacity to design, develop and deliver a law course which meets these Standards.*

1.2 Aspiration in regard to these Standards

1.2.1 *The Law School seeks to exceed the requirements of these Standards.*

1.3 Statement of mission and objectives

1.3.1 *The Law School has defined its mission and the objectives of the law course, and has made them known to students and other stakeholders.*

1.3.2 *The Law School's mission encompasses teaching, research, and community engagement.*

1.3.3 *The Law School's mission encompasses a commitment to the rule of law, and the promotion of the highest standards of ethical conduct, professional responsibility, and community.*

2. THE LAW COURSE

2.1 Education outcome

2.1.1 *The Law School has articulated and made known the attributes that law students should exhibit on graduation.*

2.2 Curriculum design and educational methods

2.2.1 *The Law School has a curriculum and teaching and learning methods that promote the educational objectives of the law course.*

2.2.2 *The teaching and learning methods encourage students to be active participants in the learning process and to engage with the law in an analytical and critical way.*

2.2.3 *Appropriate tuition, via physical, virtual or blended means, is provided to enable students to develop the knowledge, understanding and skills set out in Standard 2.3.*

2.2.4 *The Law School endeavours to provide, so far as is practicable, experiential learning opportunities for its students, including, but not limited to, clinical programs, internships, workplace experience, and pro bono community service.*

2.3 Curriculum content

2.3.1 *The curriculum includes coverage of all of the academic requirements specified for the purposes of admission to practise as a lawyer in Australia.*

2.3.2 *In general, the curriculum seeks to develop knowledge, understanding, skills, and principles including knowledge of the law; understanding of legal*

principles and of the context within which legal issues arise; skills of research, analysis, reasoning, problem-solving, and communication; and a commitment to ethical legal practice, professional responsibility, and community service.

2.3.3 *In particular, the curriculum seeks to develop:*

(a) *knowledge and understanding of*

- *the fundamental doctrines, concepts, principles, and traditions of Australian law,*
- *the fundamental areas of the substantive law,*
- *the sources of that law and how it is made and developed, and of the institutions within which that law is administered,*
- *the theory, philosophy, and role of law, and the dynamics of legal change,*
- *the broader contexts within which legal issues arise, including, for example, the political, social, historical, philosophical, and economic contexts,*
- *international and comparative perspectives on Australian law,*
- *international developments in the law,*
- *the principles of ethical conduct and the role and responsibility of lawyers, including, for example, their pro bono obligations, and*
- *Aboriginal and Torres Strait Islander perspectives on and intersections with the law;*

(b) *the intellectual and practical skills needed to research and analyse the law from primary sources, and to apply the findings of such work to the solution of legal problems;*

(c) *the ability to communicate these findings both orally and in writing; and*

(d) *awareness of and commitment to principles of ethical conduct, professional responsibility, and community service.*

2.4 Course duration

2.4.1 *The law course requires the completion of the academic equivalent of at least three years of full-time study of law, as provided in the Australian Qualifications Framework.*

2.5 Curriculum dissemination

2.5.1 *The Law School has published a description of the content and structure of the curriculum and duration of the course that guides staff, students and prospective students on the level of knowledge and understanding, skills and attributes expected of students at each stage of the course.*

2.6 Granting of credit and recognition of prior learning

2.6.1 *The Law School or university or both has published policies in regard to the granting of status or credit and the recognition of prior learning.*

2.6.2 *The policies are consistent with the integrity of the law course and the capacity of the Law School to comply with these Standards.*

2.7 Course management

2.7.1 *The Law School has the responsibility and capacity to plan, implement and review the curriculum to achieve the objectives of the law course.*

2.7.2 *In respect of the curriculum, the Law School consults widely in the legal profession.*

2.8 Postgraduate legal education

2.8.1 *So far as the Law School offers educational programs in addition to the course or courses that satisfy the academic requirements for admission to legal practice, the requirements of these Standards shall apply, to the extent that they are applicable and appropriate.*

2.9 Pastoral responsibility

2.9.1 *The Law School's commitment to sound educational methods and outcomes includes a commitment to, and the adoption of practical measures to promote and support student well-being, with particular reference to mental health and awareness of mental health issues.*

3. ASSESSMENT OF STUDENTS

3.1 Assessment methods and standards

3.1.1 *The Law School has documented and published the methods and criteria used for assessment, including the criteria for progression in the course.*

3.1.2 *The reliability and validity of assessment methods are evaluated and new assessment methods are developed where required.*

3.1.3 *The Law School in its assessments requires all students to achieve an appropriate academic standard.*

3.2 Relationship between assessment and learning

3.2.1 *The assessment principles, methods and practices are aligned with the educational objectives of the law course.*

4. COURSE AND SUBJECT EVALUATION

4.1 *The Law School has course and subject evaluation procedures that regularly monitor the curriculum, quality of teaching and student progress, and identify and address concerns.*

4.2 *Graduate attributes are mapped across the curriculum and used to inform course, subject and assessment development.*

5. ACADEMIC STAFF

5.1 Staff numbers, profile and duties

5.1.1 *The Law School has sufficient members of academic staff to meet the needs of the law course and otherwise to fulfil its mission and the requirements of these Standards.*

5.1.2 *The profile of the Law School's academic staff reflects an appropriate range of experienced members.*

5.1.3 *The profile of the Law School's academic staff reflects an appropriate number of full-time staff or an appropriate mix of full-time staff and those with other arrangements.*

5.1.4 *The teaching load expected of staff is consistent with the Law School being able to achieve its aspirations in regard to research and community engagement.*

5.2 Staff Qualifications

5.2.1 *Members of the Law School's academic staff have qualifications and experience appropriate to fulfil the mission of the Law School and to meet the requirements of these Standards.*

5.3 Staff appointment, promotion and development

5.3.1 *The Law School has published appointment and promotion policies that recognise and reward meritorious achievement.*

5.3.2 *The Law School's employment practices are non-discriminatory.*

5.3.3 *Members of academic staff have the opportunity to engage in appropriate staff development.*

5.3.4 *The Law School is committed to and promotes the well-being of its staff.*

5.4 Academic freedom

5.4.1 *The Law School has published policies, or is subject to its university's published policies, in regard to the maintenance of academic freedom.*

5.5 Employment conditions

5.5.1 *The Law School has published policies, or is subject to its university's published policies, in regard to fair and reasonable conditions of employment.*

5.6 Part-time and casual teaching staff

5.6.1 *The Law School has defined the role and responsibilities of all part-time and casual teachers who contribute to the delivery of the law course, and the responsibilities of the Law School to those teachers.*

6. THE NEXUS BETWEEN TEACHING AND RESEARCH

- 6.1 *The Law School supports the production of high-quality research that contributes to the development of law and the justice system in line with the HERDC definition of research.*
- 6.2 *The Law School fosters the relationship between research and teaching.*
- 6.3 *The interaction between research and teaching encourages students to engage in legal research and contribute to the development of the law.*

7. THE LAW LIBRARY OR LAW COLLECTION

The term 'law library' also refers to the 'law collection' where there is not a distinct law library but there is a distinctive and identifiable law collection in the university's library, and includes an online law collection to which there may be no physical space attached.

7.1 General provisions

The law library has a distinctive role in the university, and is appropriately described as 'the lawyer's laboratory'.

- 7.1.1 *The law library is an active and responsive force in the educational life of the Law School, effectively contributing to and supporting the School's teaching, research and service programs.*
- 7.1.2 *The law library has sufficient financial resources to support the Law School's teaching, research and service programs.*
- 7.1.3 *The law library uses up-to-date information technology.*
- 7.1.4 *Adequate library and information technology provision is available to all students studying in the law course, whether full time, part time, or learning in a physical, virtual, or blended setting.*

7.2 Administration of the law library

- 7.2.1 *The Law School is able to participate effectively in the growth and development of the law library and the use of its resources.*
- 7.2.2 *The law library has a person who is appropriately qualified to manage a law library and whose responsibility is the management of the law library.*
- 7.2.3 *The law library has competent and appropriately qualified staff, sufficient in number to provide appropriate library and informational resource services and support for the Law School's programs.*

7.3 Law library services and facilities

- 7.3.1 *The law library provides an appropriate range and depth of reference, instructional, bibliographic and other services to meet the needs of the Law School's teaching, research and service programs.*
- 7.3.2 *The physical or virtual facilities for the law library are sufficient to provide an appropriate range and depth of legal research skills development,*

collection management, and other services to meet the needs of the Law School's teaching, research and service programs.

7.4 The collection

7.4.1 *The collection of the law library is, as a minimum:*

- (a) *all public general Acts of the Commonwealth of Australia and of the jurisdiction in which the Law School is located, in official form;*
- (b) *all statutory instruments and other secondary legislation of the Commonwealth of Australia and the jurisdiction in which the Law School is located, in official form, relevant to the subjects taught;*
- (c) *all reported decisions of the superior courts of Australia and of the jurisdiction in which the Law School is located that are relevant to the subjects taught, together with such decisions of other courts as are necessary to the understanding of those subjects;*
- (d) *parliamentary materials of the Commonwealth of Australia and of the jurisdiction in which the Law School is located, including Bills, parliamentary papers, and reports of parliamentary proceedings, appropriate to the subjects taught;*
- (e) *such other official publications of the Commonwealth of Australia and the government of the jurisdiction in which the Law School is located as are necessary to support the teaching and research objectives of the Law School;*
- (f) *where teaching is provided in the law of any legal system other than that of Australia and of the jurisdiction in which the Law School is located, primary legal materials and official publications from that legal system, sufficient to support the objectives of such teaching;*
- (g) *such secondary works (including textbooks, monographs and periodicals) relating to the law of the Commonwealth of Australia and of the jurisdiction in which the Law School is located as are necessary to support the teaching and research objectives of the Law School;*
- (h) *primary and secondary comparative material from other legal systems, including oral artefacts from Aboriginal and/or Torres Strait Islander legal systems, which are the subject of study in the Law School and are adequate to support the School's teaching and research programs;*
- (i) *those tools, such as general law encyclopaedias, citators, periodical indexes, and current awareness services, which are necessary for the identification and updating of primary and secondary legal materials for the legal systems in which teaching and research are undertaken; and*
- (j) *practical content as appropriate for any work integrated learning units offered by the Law School.*

7.4.2 *The collection is accessible in printed form or electronically, or both.*

8. RESOURCES AND INFRASTRUCTURE

8.1 Generally

8.1.1 *The Law School has adequate resources and infrastructure to enable it to fulfil its mission.*

8.2 Physical or virtual facilities

8.2.1 *The Law School has sufficient physical or virtual facilities, for both staff and students, to ensure that its educational, research and outreach objectives can be achieved.*

8.2.2 *The Law School has sufficient facilities in its physical or virtual campus to enable effective study and research by students and staff.*

8.2.3 *The learning environment for students, whether on campus or virtual, is reviewed and updated regularly to reflect developments in educational practices.*

8.3 Information technology

8.3.1 *The Law School has sufficient information and communication technology facilities, for both staff and students, to ensure the law course can be delivered adequately, and to support its educational, research and community outreach programs.*

9. GOVERNANCE AND ADMINISTRATION

9.1 The institution in which the Law School is situated

9.1.1 *The Law School is part of a university which has power to award degrees.*

9.2 Governance

9.2.1 *The Law School's governance structures and functions are defined, including the School's relationships within the university.*

9.3 Academic leadership

9.3.1 *Ideally, the title of the academic head of the Law School is the 'Dean'.*

9.3.2 *The responsibilities of the academic head of the Law School are clearly stated.*

9.3.3 *The academic head of the Law School has the authority and support needed to discharge the responsibilities of the position and those necessitated by these Standards.*

9.4 Budget and resource allocation

9.4.1 *The Law School has a dedicated operational budget and the primary responsibility for managing it.*

9.4.2 *The Law School has sufficient autonomy to direct resources in order to achieve its mission.*

9.5 Administrative staff and management

9.5.1 *The Law School has appropriate administrative staff to support the implementation of the School's educational programs and other activities, and to manage and deploy its resources.*

9.6 Interaction with the legal profession and the wider community

9.6.1 *The Law School seeks to engage with the legal profession and the legal sector generally.*

9.6.2 *The Law School seeks to engage with the wider community by encouraging its staff and students to use their knowledge and skills for the benefit of the community in outreach programs, including, for example, and so far as is practicable, clinical programs, law reform, public education, and other forms of pro bono community service.*

10. CONTINUOUS RENEWAL AND IMPROVEMENT

10.1 *The Law School has procedures for regular reviews and updating of its structure, functions, policies and practices, to rectify deficiencies and to meet changing needs.*

10.2 *The Law School's teaching, research and outreach programs are responsive to legal, social and technological change.*

PART A: THE STANDARDS

STANDARD 1: FUNDAMENTAL ISSUES, MISSION AND OBJECTIVES

Standard 1.1 Academic autonomy

1.1.1 The Law School has the responsibility and capacity to design, develop and deliver a law course which meets these Standards.

Explanatory note

Law Schools are increasingly situated within larger administrative contexts such as a Faculty of Business and Law, or nested with other disciplines. Where the Law School sits within a wider setting, its capacity to meet the Standards will need to be accommodated within that operational context.

Standard 1.1.1 is important because the Law School situated within a broader setting must have sufficient scope in terms of autonomy of decision-making, control over the law course, and resources necessary to deliver a law course that complies with these Standards.

How can the Law School show that it has met this Standard?

It is sufficient to comply with this Standard that the Law School acknowledges its relationship with its wider context, where applicable, and demonstrates that it retains responsibility and capacity to design, develop and deliver a law course in accordance with these Standards.

Standard 1.2 Aspiration in regard to these Standards

1.2.1 The Law School seeks to exceed the requirements of these Standards.

Explanatory note

Standard 1.2.1 speaks to the issue of whether the intention of the Standards is to articulate a statement of minimum standards or to set a benchmark of what should ideally be achieved. In effect, the Standards encompass a mixture of minimum *and* aspirational standards, and should be interpreted in light of a fundamental intention to challenge Law Schools to pursue excellence and ongoing improvement.

By seeking to exceed the requirements of these Standards, it is meant that the Law School will make best endeavours to pursue outcomes beyond those stated in the Standards.

How can the Law School show that it has met this Standard?

The Law School needs to provide evidence that it is committed to continually improving and that it has clearly defined future strategies.

Standards 1.3 Statement of mission and objectives

- 1.3.1 The Law School has defined its mission and the objectives of the law course, and has made them known to students and other stakeholders.
- 1.3.2 The Law School's mission encompasses teaching, research, and community engagement.
- 1.3.3 The Law School's mission encompasses a commitment to the rule of law, and the promotion of the highest standards of ethical conduct, professional responsibility, and community.

Explanatory note

A mission is a statement or set of statements that captures the Law School's core purpose, aspirations and distinguishing features. Whilst the word 'mission' is used in the Standards, Law Schools might refer instead to their 'objectives', 'aims' or 'purpose', or use other terminology. This may particularly be the case where the Law School sits within a wider organisational unit that has its own mission, and the Law School has developed some supplementary expression of its additional foci.

Standards 1.3.2 and 1.3.3 are not intended to provide every aspect that the Law School might include within its mission. Whilst Standards 1.3.2 and 1.3.3 are minimum requirements, arguments can be made to support the inclusion of a range of mandatory requirements for Law School mission statements. However, beyond those aspects specified here, it is more appropriately left open to the Law School to emphasise in its mission those characteristics that are unique and specific to it. This is in keeping with the underlying intention of the Standards to enable local variation.

Many Law Schools may consider that their commitment to Indigenous cultural competence warrants specific inclusion in their mission statement. Similarly, some Law Schools may consider the following so central to their missions as to justify specific inclusion in their mission statements: facilitating legal education to students in regional Australia, facilitating legal education through digital learning, providing pastoral care to students, providing training for practice in the legal profession, or providing opportunities for discussion of contemporary legal issues. Other Law Schools may have other foci which are so central to their identity that they wish to include these in their mission.

Reference in 1.3.3 to 'ethical conduct, professional responsibility, and community service' echoes language used in Standards 2.3.2 and 2.3.3 in relation to curriculum content. These concepts coupled with the 'rule of law' speak to a fundamental ethic of justice and the ideal of the ethical lawyer with a commitment to community service. These are powerful notions that carry through the Standards as a whole and are an important part of the *raison d'être* of the Standards.

How can the Law School show that it has met these Standards?

The Law School needs to make its mission and the objectives of the law course known either through its strategic plan, if readily available to the public, or on its website.

The Law School will show that its mission encompasses teaching, research and community engagement by providing evidence of how it has been operationalised. The Law School will also show that its mission encompasses a commitment to the rule of law, the promotion of ethical conduct, professional responsibility and community service by providing evidence of how it has been operationalised. In both instances, this could be via curriculum design and content, assessment of students, or academic leadership, but is not limited to these.

STANDARD 2: THE LAW COURSE¹

Explanatory note

As provided in the Standards, Standard 2 should be read in conjunction with the Threshold Learning Outcomes ('TLOs') developed as part of the Learning and Teaching Academic Standards ('LTAS') project. This project saw all Australian Law Schools adopt a common set of TLOs for the Bachelor of Laws ('LLB') degree in 2010 and the Juris Doctor ('JD') degree in 2012 in order to meet national tertiary education requirements set out in the HES Framework. The HES Framework applies to all registered providers of higher education in or from Australia, the requirements of which have force under the *Tertiary Education Quality and Standards Agency Act 2011*(Cth).

The TLOs set out in some detail the type of knowledge and skill acquisition expected in a law course. They are concerned only with the curriculum content aspects of the Standards (Standards 2.3.2 and 2.3.3) (Kift et al. 2010, p. 4). Meeting the TLOs is an important step toward certification for the Law School. In applying for certification, the Law School must address the TLOs as well as those requirements set out within Standard 2 of the Standards.

The Law School's law course must also facilitate student understandings within the eleven Prescribed Areas of Knowledge ('Priestley 11'), which an applicant for admission to the Australian legal profession must demonstrate. These are the 'fundamental areas of legal knowledge' referred to in the TLOs (TLO 1: Knowledge).

It is expected that the Law School is accredited by the relevant admission body. Where the LACC's Accreditation Standards for Australian Law Courses ('LACC Accreditation Standards') (2018) apply, they are designed for use by admitting authorities and intended to complement standards employed by other regulators or external reviewers, including the Standards for Australian Law Schools. While Standards 2.2 and 2.3 (below) are consistent with HES Framework Standards 1.4.1 and 1.4.2, which require a statement of learning outcomes for the law course and for each of the Priestley 11, they are more granular than the LACC Accreditation Standards, which are focussed on knowledge rather than skill acquisition. For further comparison, see the CALD paper (2016) on the interaction between regulatory frameworks referred to above.

Given the diversity that exists among Law Schools across the country, the Standards do not seek in Standard 2 to establish a common norm for the design and delivery of a law course.

¹ Standard 2 incorporates and should be read in conjunction with the Threshold Learning Outcomes that may be found at <http://www.cald.asn.au/education> (inserted March 2013).

Standard 2.1 Education outcome

2.1.1 The Law School has articulated and made known the attributes that law students should exhibit on graduation.

Explanatory note

The Law School should articulate the attributes it aims to develop among students. It is important that these are specific attributes that law students should exhibit on graduation, and extend beyond the generic graduate attributes defined by the university. The attributes should be shared among students and staff or made available on the Law School website.

Universities Australia (2011) recommends that Indigenous cultural competency be embedded as a formal graduate attribute (Recommendation 2). Universities Australia (2017) has also committed all Law Schools to 'have plans for or have already in place, processes that ensure all students will encounter and engage with Aboriginal and Torres Strait Islander cultural content as integral parts of their course of study' by 2020 (p. 30). While universities will differ in how they approach this commitment, Universities Australia suggests this may be via the development of formal graduate attributes.

Graduate attributes are distinct from learning outcomes, which are addressed in Standard 2.2 below.

How can the Law School show that it has met this Standard?

The Law School needs to provide evidence that it has set out the specific attributes that law students should exhibit on graduation, and that this information is shared in such a way that students and staff are aware of it. The Law School will have met this Standard where such attributes are published on the university's website.

Standards 2.2 Curriculum design and educational methods

- 2.2.1 The Law School has a curriculum and teaching and learning methods that promote the educational objectives of the law course.**
- 2.2.2 The teaching and learning methods encourage students to be active participants in the learning process and to engage with the law in an analytical and critical way.**
- 2.2.3 Appropriate tuition, via physical, virtual or blended means, is provided to enable students to develop the knowledge, understanding and skills set out in Standard 2.3.**
- 2.2.4 The Law School endeavours to provide, so far as is practicable, experiential learning opportunities for its students, including, but not limited to, clinical programs, internships, workplace experience, and pro bono community service.**

Explanatory note

Standard 3.1.3 of the *HES Framework* requires that '[t]eaching and learning activities are arranged to foster progressive and coherent achievement of expected learning outcomes throughout each course of study.' This is consistent with Standard 2.2.1 here which, in order to comply, requires the Law School to demonstrate how teaching and learning methods, as well as the curriculum, promote the educational objectives of the law course.

The use of the term 'teaching and learning methods' in Standards 2.2.1 and 2.2.2 suggests the Law School give consideration to a variety of methods, such as seminars, lectures, workshops, group activities, project-based tasks and immersion experiences. Consideration should be given to methods physical, virtual or blended, as provided in Standard 2.2.3. The Standards do not specify in detail the teaching methodology that a

Law School should adopt. Instead, requirements set out in this Standard are put in general terms with an emphasis on meeting educational objectives. Standard 2.2.3 aligns with *HES Framework* Standard 3.1.4, which requires that '[e]ach course of study is designed to enable achievement of expected learning outcomes regardless of a student's place of study or the mode of delivery.'

In general, this Standard accommodates the recent increase in the use of technology-enhanced educational methods across the higher education sector. In Law Schools, these methods may take a variety of forms, ranging from specific initiatives to use video conferences or app-based survey tools, to the general delivery of blended learning programs across a law course. The best curriculum design and educational methods will utilise technology to enhance the learning environment, although this is not a requirement for certification.

Standard 2.2.2 speaks to the crucial importance of students actively participating in the learning process. Students' active engagement involves critically analysing the knowledge they acquire, testing this knowledge through applying it to scenarios, producing solutions supported by legal argument, and reflecting on these processes. It may be relevant to addressing this Standard that the Law School gives students the opportunity to provide feedback on the law course. Course and subject evaluation are addressed in Standard 7 below.

Standard 2.2.4 is an aspirational standard rather than a minimum standard, recognising the value of experiential learning but at the same time acknowledging the different resourcing and objectives of Law Schools. In relation to meeting this Standard, the Law School may consider virtual experiential learning opportunities, such as through virtual reality ('VR'), augmented reality ('AR'), or video conferencing activities.

How can the Law School show that it has met these Standards?

It is sufficient to comply with this Standard that the Law School documents for each core subject in the curriculum, the teaching and learning methods, the tuition arrangements, and the extent to which experiential learning opportunities are available. This document will ideally take the form of a curriculum map or spreadsheet.

As part of this documentation, the Law School needs to give indicative examples that show the promotion of educational objectives of the law course and the encouragement of students' analytical and critical participation in the learning process.

Standards 2.3 Curriculum content

- 2.3.1 The curriculum includes coverage of all of the academic requirements specified for the purposes of admission to practise as a lawyer in Australia.
- 2.3.2 In general, the curriculum seeks to develop knowledge, understanding, skills, and principles including knowledge of the law; understanding of legal principles and of the context within which legal issues arise; skills of research, analysis, reasoning, problem-solving, and communication; and a commitment to ethical legal practice, professional responsibility, and community service.
- 2.3.3 In particular, the curriculum seeks to develop:
- (a) knowledge and understanding of
 - the fundamental doctrines, concepts, principles, and traditions of Australian law,
 - the fundamental areas of the substantive law,
 - the sources of that law and how it is made and developed, and of the institutions within which that law is administered,
 - the theory, philosophy, and role of law, and the dynamics of legal change,
 - the broader contexts within which legal issues arise, including, for example, the political, social, historical, philosophical, and economic contexts,
 - international and comparative perspectives on Australian law,
 - international developments in the law,
 - the principles of ethical conduct and the role and responsibility of lawyers, including, for example, their pro bono obligations, and
 - Aboriginal and Torres Strait Islander perspectives on and intersections with the law;
 - (b) the intellectual and practical skills needed to research and analyse the law from primary sources, and to apply the findings of such work to the solution of legal problems;
 - (c) the ability to communicate these findings both orally and in writing; and
 - (d) awareness of and commitment to principles of ethical conduct, professional responsibility, and community service.

Explanatory note

As stated above, Standard 2 incorporates and should be read in conjunction with the TLOs for the LLB and JD, which are concerned only with the curriculum content aspects of the Standards (Standards 2.3.2 and 2.3.3). The TLOs are not addressed in the Law School certification process at any other stage, and so Standard 2 is of particular importance.

While a law course provides graduates with the required skills for the purpose of admission to practise as a lawyer (Standard 2.3.1), not all students pursue study with this purpose in mind. Consequently, the Standards aim to be sufficiently expansive in order to capture a diversity of motivations for studying law.

The Standards have been revised in 2020 to include an additional area of curriculum content. Standard 2.3.3.a now includes a direct statement that the curriculum will seek to develop knowledge and understanding of Aboriginal and Torres Strait Islander perspectives on and intersections with the law. This means that the Law School curriculum should be designed with a view to fostering Indigenous cultural competency, and that the Law School will need to show evidence of this.

This inclusion is in part informed by the Behrendt Report (2012), which recommends that universities develop Indigenous cultural competency in staff and students. The Indigenous Cultural Competency for Legal Academics Program ('ICCLAP') responds to this in a

recent report (Burns et al. 2019), and offers resources that promote the inclusion of Indigenous cultural competency in legal education and that build Indigenous cultural competency among students. Additionally, as raised above, Universities Australia has been instrumental in ensuring Aboriginal and Torres Strait Islander content becomes part of the law curriculum.

Aboriginal and Torres Strait Islander content may also find expression elsewhere in Standard 2.3.3.a. The reference to 'comparative perspectives on Australian law' may include those drawn from the experiences of Aboriginal and Torres Strait Islander peoples.

How can the Law School show that it has met these Standards?

The Law School needs to demonstrate how its curriculum addresses each of the TLOs and each of the elements of the requirements. This will ideally take the form of a curriculum map or spreadsheet.

In states or territories where the LACC Accreditation Standards apply, the Law School needs to show that its law course has been accredited by LACC.

Standard 2.4 Course duration

2.4.1 The law course requires the completion of the academic equivalent of at least three years of full-time study of law, as provided in the Australian Qualifications Framework.

Explanatory note

As a Bachelor Degree, the LLB corresponds to Australian Qualifications Framework ('AQF') Level 7, which specifies that the volume of learning required at this level is typically an equivalent full-time student load ('EFTSL') of 3-4 years.² The JD is the equivalent of AQF Level 9, or Masters Degree (Extended), which specifies a duration of 3 years.

The HES Framework requires that the design of a course of study specifies a number of details, including the structure, duration and modes of delivery (Standard 3.1.1.b).

The LACC Accreditation Standards address some of these requirements, including course duration in Standard 4.2, which provides that '[t]he law course includes the equivalent of at least three years' full-time study of law.' The LACC's Statement on Duration of Legal Studies (2013) explains that this requirement refers to three calendar years, and that a law course that can be completed in fewer than three years may be accredited if the relevant Law School satisfies the admitting authority that the course is the equivalent of a three calendar year full-time course.

The approach to duration taken in Standard 2.4 is similar to that taken by LACC. The total credit points for the law subjects in a law course must equal or exceed an EFTSL of 3.0.

Under the guidance of the Dean, the Law School has discretion as to how to meet this requirement. For example, the law course may be offered in a full-time, part-time or accelerated mode. The law course may also be organised around a certain number of trimesters, semesters, or terms.

² It is noted that the 2019 review of the Australian Qualifications Framework recommended that in future the unit of measurement for volume of learning be specified in hours only, instead of years and hours (Department of Education, Recommendation 15, p. 15).

How can the Law School show that it has met this Standard?

The Law School needs to provide evidence that the credit points allocated for the law course are equal to or exceed an EFTSL of 3.0.

Standard 2.5 Curriculum dissemination

2.5.1 The Law School has published a description of the content and structure of the curriculum and duration of the course that guides staff, students and prospective students on the level of knowledge and understanding, skills and attributes expected of students at each stage of the course.

Explanatory note

In parallel to Standard 2.1.1, which requires the Law School to articulate and make known the specific attributes that law students should exhibit on graduation, this Standard recognises the importance of making known what is expected of students progressing through the law course.

Some Law Schools publish inherent requirements documents, which may relate to behavioural stability or character attributes, which can assist to guide current and prospective students. It is becoming increasingly important that Law Schools consider fitness to study, and in the longer term, fitness to practise, at the time prospective students first register their interest in studying law.

How can the Law School show that it has met this Standard?

The Law School needs to give evidence that information concerning the curriculum content, structure and course duration is published and available to staff, students and prospective students, for example, in the course handbook.

Standards 2.6 Granting of credit and recognition of prior learning

2.6.1 The Law School or university or both has published policies in regard to the granting of status or credit and the recognition of prior learning.

2.6.2 The policies are consistent with the integrity of the law course and the capacity of the Law School to comply with these Standards.

Explanatory note

This Standard intersects with HES Framework Section 1.2 ('Credit and Recognition of Prior Learning'), which requires credit transfer and recognition of prior learning to be policy-based to ensure the integrity of courses and qualifications.

Granting credit and recognition of prior learning are areas where it is essential that the Law School retains local responsibility for implementation of any university-wide standards. This is because law is a discipline accompanied by external professional accreditation requirements.

How can the Law School show that it has met these Standards?

The Law School needs to show that it has policies published that concern granting credit or recognition of prior learning. Where the Law School does not publish its own policies, it needs to show that the university in which it is situated publishes such policies.

It is sufficient to comply with this Standard that the Law School demonstrates that these policies have been approved by the relevant accrediting authority.

Standards 2.7 Course management

- 2.7.1 The Law School has the responsibility and capacity to plan, implement and review the curriculum to achieve the objectives of the law course.
- 2.7.2 In respect of the curriculum, the Law School consults widely in the legal profession.

Explanatory note

Standard 2.7.1 signals an area of tension in the higher education landscape. Increasingly, Law Schools must negotiate their autonomy within a centralised university system that seeks to administer decisions from one location. It is essential that the Law School retains independence from other disciplines and central decision-making in terms of course management, in order to meet professional accreditation requirements. Standard 2.7.1 can only be met by having a person with a legal qualification providing oversight.

Standard 2.7.2 requires Law Schools to consult widely in the legal profession, at a minimum. The legal profession is broad in scope and includes emerging workplaces, such as those within the entrepreneurial sector and the digital economy. The Law School may also benefit from consulting in other environments in which graduates will work, which may be diverse and fall outside a strictly legal field. Consultation ideally will involve a diverse range of stakeholders, including Aboriginal and/or Torres Strait Islander knowledge-holders and organisations. A School advisory board may be a convenient method of undertaking stakeholder consultation.

It is desirable that Law Schools publish stakeholder consultation processes.

In addition to the consultation specified in Standard 2.7.2, all Law Schools are required to interact with the relevant professional accrediting body.

How can the Law School show that it has met these Standards?

The Law School needs to show that it has a person with a legal qualification managing the law course, and needs to satisfy the ALSSC that it retains sufficient autonomy in its decision-making concerning the law course.

The Law School needs to provide evidence of how the curriculum is planned, implemented and reviewed, and how this achieves the objectives of the law course. This evidence will ideally take the form of policy documents together with School reports on the curriculum.

The Law School needs to demonstrate that it consults among a variety of stakeholders in the legal profession.

Standard 2.8 Postgraduate legal education

2.8.1 So far as the Law School offers educational programs in addition to the course or courses that satisfy the academic requirements for admission to legal practice, the requirements of these Standards shall apply, to the extent that they are applicable and appropriate.

Explanatory note

While the certification process and thus the Standards apply to undergraduate and JD courses only, Law Schools may offer a range of other education programs, the development of which may be guided by the Standards. Postgraduate courses are one example of a program which may benefit from guidance from the Standards. The Law School has discretion as to whether the Standards are relevant to its offering of other educational programs.

How can the Law School show that it has met this Standard?

The Law School may choose whether the Standards are applicable and appropriate to any educational programs it offers, other than those course(s) that satisfy the academic requirements for admission to legal practice.

Standard 2.9 Pastoral responsibility

2.9.1 The Law School's commitment to sound educational methods and outcomes includes a commitment to, and the adoption of practical measures to promote and support student well-being, with particular reference to mental health and awareness of mental health issues.

Explanatory note

Student well-being and mental health are areas of increasing significance across all university disciplines.

The Law School's commitment to and adoption of measures to promote and support student well-being should include measures appropriate for students across the range of learning contexts. A student engaged in face-to-face learning will have different needs and require a different approach to a student learning in a virtual setting.

The Law School's responsibilities to student pastoral care are likely to be complemented by a centralised student support service, which is a feature common to many universities. It is noted, however, that the most effective responses tend to arise at the School level, and so it is necessary that the Law School retains clear responsibility for student pastoral care.

An important consideration in terms of the Law School's pastoral responsibility to students is the diversity among student populations, which may include students who identify as Aboriginal and/or Torres Strait Islander Australians or who come from diverse backgrounds. Issues of well-being and mental health will not arise uniformly among students, and may require an individualised response.

The HES Framework includes Section 2.3, 'Wellbeing and Safety', which provides useful guidance in terms of access to personal support services, including access to emergency services, health services, counselling, legal advice, advocacy, and accommodation and welfare services. Further, higher education providers must foster a safe environment, both on campus and online, and have a critical incident policy accompanied by relevant procedures to be taken in the event of a critical incident.

It is assumed that the practical measures undertaken by the Law School in relation to student well-being are publicised on the School website, so that students know of and can easily access them.

How can the Law School show that it has met this Standard?

The Law School needs to demonstrate that it has practical measures in place that promote and actively support student well-being. Where the Law School has a student cohort learning in a virtual setting, it will need to show how these measures are tailored appropriately.

STANDARD 3: ASSESSMENT OF STUDENTS

Standards 3.1 Assessment methods and standards

- 3.1.1** The Law School has documented and published the methods and criteria used for assessment, including the criteria for progression in the course.
- 3.1.2** The reliability and validity of assessment methods are evaluated and new assessment methods are developed where required.
- 3.1.3** The Law School in its assessments requires all students to achieve an appropriate academic standard.

Explanatory note

Standard 3.1 together with Standard 3.2 below is consistent with Standards 1.4.3 and 1.4.4 of the HES Framework, which require assessment to be consistent with the learning outcomes and capable of confirming that students have achieved those learning outcomes as measured by a grade.

In many cases, the assessment process for grading students' work and monitoring students' progression through the law course may be structured by the university within which the Law School operates. In these instances, the Law School will need to ensure the prescribed assessment regime is applied with rigour. This means that in some cases, meeting Standards 3.1.1 and 3.1.2 will involve more input from the central university and less from the Law School.

It is preferable, however, that Law Schools retain responsibility for designing assessments. Where a university favours a centralised assessment approach, the Law School should have sufficient autonomy to take a different approach in order to meet the Standards. For example, multiple choice final exams or final exams of less than three hours' duration may in some law subjects not be of appropriate type or length to meet the Standards.

In order to support graduate learning attributes, the development of Indigenous cultural competence may be reinforced at the assessment stage in a law course. For example, an assessment may take as its focus an issue of Aboriginal and/or Torres Strait Islander concern, or characters in a problem task may come from diverse backgrounds.

The evaluation of assessment methods required by Standard 3.1.2 may draw on the Law School's course and subject evaluation practices that are provided in accordance with Standard 4.1. New assessment methods may involve embedding legally relevant technology in particular subject areas. Further, Law Schools are encouraged to be innovative with their approaches to assessment, in recognition of changing learning environments and the skills needed in the profession.

Pertinent to the topic of student assessment in general, the Law School must also be able to show it has measures in place to address cheating and plagiarism.

How can the Law School show that it has met these Standards?

The Law School needs to show that it has set out assessment methods and assessment criteria, as well as criteria for progression through the course. Enrolled students need to be made aware of these methods and criteria through their publication in course outlines.

The Law School must satisfy the ALSSC that it evaluates its assessment methods on a regular basis and that new methods are developed as needed. This is most conveniently demonstrated through policy documents and reports.

The Law School needs to provide evidence that students are required to achieve a particular academic standard. This is most conveniently demonstrated through rubrics and processes for comparative marking, ideally cross-institutionally.

Standard 3.2 Relationship between assessment and learning

3.2.1 The assessment principles, methods and practices are aligned with the educational objectives of the law course.

Explanatory note

To meet Standard 3.2, the Law School will need to ensure its methods and practices of assessment in each subject accord with the overall objectives of the law course. This process of alignment ensures that the Law School can confirm a student has attained an appropriate understanding and competence in any given area. The Law School should aim to avoid gaps between educational objectives and actual assessment tasks.

It is expected that a Law School will take steps to satisfy itself that marks awarded for assessments accurately reflect the level of student attainment.

The assessment regime should also support the curriculum design and educational methods outlined in Standard 2.

How can the Law School show that it has met this Standard?

The Law School needs to demonstrate how its methods and practices of assessment are consistent with the educational objectives of the law course. This is most conveniently demonstrated via a curriculum map, which shows assessment items and their alignment with the subject and course learning outcomes.

STANDARD 4: COURSE AND SUBJECT EVALUATION

Standard 4.1

4.1 The Law School has course and subject evaluation procedures that regularly monitor the curriculum, quality of teaching and student progress, and identify and address concerns.

Explanatory note

Procedures of course and subject evaluation are often centrally administered by a university. Evaluation methods may also arise from sources external to the university such as via the Australian Government, using the Quality Indicators for Learning and Teaching ('QILT') suite of surveys. The Law School may also conduct a three- or five-year review of the law course in accordance with university or other requirements.

How can the Law School show that it has met this Standard?

The Law School needs to demonstrate that it has procedures in place for course and subject evaluation and that these take place on a regular basis. Ideally, any three- or five-year review report that has been undertaken should be provided to show compliance with this Standard.

The Law School needs to demonstrate that it has 'closed the loop' by acting on or reporting against evaluations and identified concerns.

Standard 4.2

4.2 Graduate attributes are mapped across the curriculum and used to inform course, subject and assessment development.

Explanatory note

This Standard takes the attributes required in Standard 2.1.1, and, in recognition of their importance, requires that they be mapped across the core curriculum. The process of mapping will necessarily entail using the graduate attributes to inform course, subject and assessment development.

How can the Law School show that it has met this Standard?

The Law School needs to demonstrate that graduate attributes are addressed in the curriculum. This is most conveniently demonstrated via a curriculum map.

STANDARD 5: ACADEMIC STAFF

Standard 5.1 Staff numbers, profile and duties

Standard 5.1.1

5.1.1 The Law School has sufficient members of academic staff to meet the needs of the law course and otherwise to fulfil its mission and the requirements of these Standards.

Explanatory note

Standard 3.2.1 of the HES Framework requires that '[t]he staffing complement for each course of study is sufficient to meet the educational, academic support and administrative needs of student cohorts undertaking the course.' The Law School is expected to have sufficient academic staff (whether continuing, on fixed-term contracts

or on casual contracts) to ensure that the teaching and assessment of the law course can be undertaken in accordance with Standards 2 and 3. The staff numbers must be sufficient to ensure that the compulsory subjects of the law course can be taught and assessed at least on an annual basis. Where the law course includes elective subjects, the staff numbers must be sufficient to ensure that the number of elective subjects available to students gives them a meaningful choice amongst the elective subjects: that is, the number of elective subjects offered is greater than the number of elective subjects that a student is required to take, and staffing is sufficient to enable this.

How can the Law School show that it has met this Standard?

The Law School needs to satisfy the ALSSC that the total number of staff, and their availability for teaching and administration, is sufficient to meet:

- the needs of the law course including assessment of students,
- its mission, and
- the requirements of the Standards.

Standard 5.1.2

5.1.2 The profile of the Law School's academic staff reflects an appropriate range of experienced members.

Explanatory note

Standard 3.2.2 of the HES Framework requires that '[t]he academic staffing profile for each course of study provides the level and extent of academic oversight and teaching capacity needed to lead students in intellectual inquiry suited to the nature and level of expected learning outcomes.' The Law School is expected to have an academic profile that includes academic staff at the most senior academic level that is possible within the university of which the Law School is part. This will usually mean that the Law School must include academics of professorial status. Further, the HES Framework implies that oversight of the law course will be exercised by senior academics. HES Framework Standard 3.2.3 requires that '[s]taff with responsibilities for academic oversight and those with teaching and supervisory roles in courses or units of study are equipped for their roles, including having:

- (a) knowledge of contemporary developments in the discipline or field, which is informed by continuing scholarship or research or advances in practice
- (b) skills in contemporary teaching, learning and assessment principles relevant to the discipline, their role, modes of delivery and the needs of particular student cohorts, and
- (c) a qualification in a relevant discipline at least one level higher than is awarded for the course of study, or equivalent relevant academic or professional or practice-based experience and expertise, except for staff supervising doctoral degrees having a doctoral degree or equivalent research experience.'

The use of the term 'appropriate' in this Standard 5.1.2 suggests:

- the Law School has a level of flexibility in the profile of the academic staff and is not expected to have the same proportion of senior academic staff as other Law Schools; and
- the number of senior academic staff must nevertheless not be disproportionately fewer than the number in other Australian Law Schools.

The requirement that the Law School have 'experienced' academic staff suggests that, the greater the number of academic staff or of students in the Law School, the greater the number of academics of professorial status it should have.

How can the Law School show that it has met this Standard?

The Law School needs to give evidence that its academic staff comprises a range of members with varying levels of experience, including sufficient numbers of staff at the most senior academic level that is possible within the university of which the Law School is part.

Standard 5.1.3

5.1.3 The profile of the Law School's academic staff reflects an appropriate number of full-time staff or an appropriate mix of full-time staff and those with other arrangements.

Explanatory note

The reference to full-time staff in this Standard should be taken as a reference to academic staff appointed on a continuing basis, whether working full-time or under fractional arrangements. The use of the term 'appropriate' in the Standard suggests that the Law School has a level of flexibility in determining the mix of continuing academic staff and those appointed under 'other arrangements' – such as fixed-term contracts or casual contracts. The appropriate mix of continuing academic staff and 'those with other arrangements' should be directed by the need to ensure high-quality teaching and assessment in the law course in accordance with Standards 2 and 3, and should take the following considerations into account:

- the numbers of continuing academic staff will be sufficient to ensure that continuing academic staff can undertake most of the academic oversight of the compulsory subjects of the law course;
- the Law School's academic staff (whether continuing, on fixed-term contracts or on casual contracts) meet the qualifications and experience of academic staff required by Standard 5.2.1;
- a subject in the law course that is directed towards the development of legal or business skills may need teaching or instruction by people with current experience in legal practice or business; and
- the Law School's academic staff on casual contracts will ideally receive induction and training in teaching processes, systems, technologies, and Indigenous cultural competence; resources relevant to the teaching of law; ongoing support from continuing academic staff; and supervision by academic staff who meet the qualifications set out in Standard 3.2.3 of the *HES Framework*.

How can the Law School show that it has met this Standard?

The Law School needs to demonstrate that the number of full-time staff is adequate to providing high-quality teaching and assessment in the law course, and that it has given consideration to the four matters listed above.

Standard 5.1.4

5.1.4 The teaching load expected of staff is consistent with the Law School being able to achieve its aspirations in regard to research and community engagement.

Explanatory note

This Standard does not affect the entitlement of the Law School to appoint academic staff to teaching-only or teaching-focused positions, nor to appoint to research-only or research-focused positions. However, ideally at least half of the continuing academic staff of the Law School should be appointed to teaching and research positions that require:

- a research workload of a minimum of 20 per cent of the academic's total workload; and
- a service workload (which may include work in relation to community and professional engagement) of a minimum of 10 per cent of the academic's total workload.

How can the Law School show that it has met this Standard?

The Law School needs to give evidence that it is able to achieve its research and community engagement activities while also providing high-quality teaching.

Standard 5.2 Staff Qualifications

Standard 5.2.1

5.2.1 Members of the Law School's academic staff have qualifications and experience appropriate to fulfil the mission of the Law School and to meet the requirements of these Standards.

Explanatory note

This Standard is governed by Section 3.2 of the HES Framework, 'Staffing'. As required by Standard 3.2.3.c of the HES Framework, academic staff are equipped for their roles in part by having 'a qualification in a relevant discipline at least one level higher than is awarded for the course of study, or equivalent relevant academic or professional or practice-based experience and expertise'.

The 'relevant discipline' for teaching into a law course is normally the field of law. However, this does not preclude academic staff teaching specialised or broader areas from having relevant qualifications in other fields. Without limiting the qualifications that might be considered relevant for teaching into specialised or broader areas of the law course, these may include accounting (for example, taxation law), sociology or psychology (for example, criminology), history (for example, legal history) or philosophy (for example, jurisprudence). It is preferable that teaching in subjects that require Indigenous knowledge is undertaken by an Aboriginal or Torres Strait Islander Australian.

If academic staff (whether continuing, on fixed-term contracts or on casual contracts) do not have a qualification in law or a relevant discipline at least one level higher than is awarded for study of the relevant law course, the Dean of the Law School must be satisfied that the person has academic or professional or practice-based experience and expertise that are equivalent to a higher-level qualification. Practice-based experience and expertise will include the Indigenous knowledge of an Aboriginal or Torres Strait Islander Australian. The Law School must keep written evidence that records the Dean's reasons for being satisfied that the person's academic, professional or practice-based expertise is equivalent to a higher-level qualification.

In states or territories where the LACC Accreditation Standards apply, the Law School must also ensure that:

- '[e]ach prescribed area of knowledge and any subject relating to Statutory Interpretation is taught by people qualified to teach that area of knowledge' (Accreditation Standard 4.5); and
- 'a complete list of teaching staff (continuing, fixed-term and any casual staff employed at the date upon which accreditation or reaccreditation is sought) and their relevant academic qualifications' has been provided to the relevant admitting authority (Accreditation Standard 4.5(b)).

How can the Law School show that it has met this Standard?

The Law School needs to provide a list of academic staff and their relevant academic qualifications or professional or practice-based expertise.

The Law School needs to demonstrate that academic staff have a qualification in law or a relevant discipline, at least one level higher than is awarded for study of the relevant law course into which they teach, and, where staff do not, the Law School needs to satisfy ALSSC that the person has academic or professional or practice-based experience and expertise that are equivalent to a higher-level qualification.

Standard 5.3 Staff appointment, promotion and development

Standard 5.3.1

5.3.1 The Law School has published appointment and promotion policies that recognise and reward meritorious achievement.

Explanatory note

It is sufficient to comply with this Standard that the Law School demonstrates that the university of which it is part has published appointment and promotion policies that recognise and reward meritorious achievement. Subject to university policies and the requirement that appointment and promotion policies be based on merit, the Law School will ideally:

- give priority to the appointment and promotion of Aboriginal and Torres Strait Islander Australians, as recommended by ICCLAP (Burns et al. 2019), and
- have a diverse staff profile which may include diversity of gender, ethnicity, faith, sexuality, and family status, but may also embrace other kinds of diversity.

How can the Law School show that it has met this Standard?

The Law School needs to show that it has published, or the university in which it is situated has published, appointment and promotion policies that recognise and reward the achievements of staff.

Subject to university policies and Standard 5.3.2, the Law School will demonstrate its support for the careers of Aboriginal and Torres Strait Islander staff and recognition of the importance of staff diversity.

Standard 5.3.2

5.3.2 The Law School's employment practices are non-discriminatory.

Explanatory note

It is sufficient to comply with this Standard that the Law School demonstrates that the university of which it is part has published policies that require employment practices that comply with federal and the relevant state or territory anti-discrimination law.

How can the Law School show that it has met this Standard?

The Law School needs to show that it is governed by policies, whether published by itself or by the university of which it is part, that require employment practices to be non-discriminatory.

Standard 5.3.3

5.3.3 Members of academic staff have the opportunity to engage in appropriate staff development.

Explanatory note

It is sufficient to comply with this Standard that the Law School demonstrates that the university of which it is part has opportunities for staff development. The use of the term 'appropriate' gives a level of flexibility to the Law School and university in the nature and extent of opportunities that are made available for staff development.

Ideally, whether employed on a continuing, fixed-term or casual basis, the Law School's academic staff will receive induction and training in teaching processes, systems, technologies, Indigenous cultural competence, and other professional development opportunities.

How can the Law School show that it has met this Standard?

The Law School needs to give evidence of opportunities for development that are available to staff. The ALSSC needs to be satisfied that opportunities available to staff are appropriate.

Standard 5.3.4

5.3.4 The Law School is committed to and promotes the well-being of its staff.

Explanatory note

The 'staff' referred to in this Standard includes any and all staff working within the Law School, including academic and professional staff.

How can the Law School show that it has met this Standard?

The Law School needs to show that, in order to promote, enhance and maintain the well-being of staff, it has systems, opportunities and events that make school-based pastoral care available to staff and that encourage a positive collegiate culture in the Law School.

The Law School may in part demonstrate that it meets this Standard by reporting how the university of which it is part has facilities and services that support staff well-being.

Standard 5.4 Academic freedom

5.4.1 The Law School has published policies, or is subject to its university's published policies, in regard to the maintenance of academic freedom.

Explanatory note

It is sufficient to comply with this Standard that the Law School demonstrates that the university of which it is part has published policies of academic freedom that are compatible with the mission of the Law School and objectives of the law course as provided for in Standard 1.3. If the university does not have published policies in regard to the maintenance of academic freedom, the Law School itself should have published policies of academic freedom that give effect to the standards set out in the *Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers* (Department of Education and Training 2019).

How can the Law School show that it has met this Standard?

The Law School needs to show that it is governed by policies relating to the maintenance of academic freedom, whether published by itself or by the university of which it is part, that uphold the mission and objectives of the law course.

Standard 5.5 Employment conditions

5.5.1 The Law School has published policies, or is subject to its university's published policies, in regard to fair and reasonable conditions of employment.

Explanatory note

It is sufficient to comply with this Standard that the Law School demonstrates that the university of which it is part has published policies in regard to fair and reasonable conditions of employment.

How can the Law School show that it has met this Standard?

The Law School needs to show that it is governed by policies, whether published by itself or by the university of which it is part, that require fair and reasonable conditions of employment.

Standard 5.6 Part-time and casual teaching staff

5.6.1 The Law School has defined the role and responsibilities of all part-time and casual teachers who contribute to the delivery of the law course, and the responsibilities of the Law School to those teachers.

Explanatory note

It is sufficient to comply with this Standard that the Law School demonstrates that the university of which it is part has published roles and responsibilities for part-time and casual teachers. The Law School needs to have set out its responsibilities to all part-time and casual teachers.

As set out in the guidance notes on Standard 5.1.3, the Law School should ideally discharge its responsibilities to academic staff on casual contracts by showing how they receive:

- induction and training in teaching processes, systems and technologies;
- Indigenous cultural competence;

- resources relevant to the teaching of law;
- ongoing support from continuing academic staff; and
- supervision by academic staff who meet the qualifications set out in Standard 3.2.3 of the *HES Framework*.

How can the Law School show that it has met this Standard?

The Law School needs to show that it has set out the roles and responsibilities of part-time and casual staff, whether these roles and responsibilities are set out in its own policies or in those of the university of which it is part.

The Law School needs to give evidence of its responsibilities to those part-time and casual teachers who contribute to the delivery of the law course, whether via its own policies or those of the university of which it is part.

STANDARD 6: THE NEXUS BETWEEN TEACHING AND RESEARCH

- 6.1 The Law School supports the production of high-quality research that contributes to the development of law and the justice system in line with the HERDC definition of research.
- 6.2 The Law School fosters the relationship between research and teaching.
- 6.3 The interaction between research and teaching encourages students to engage in legal research and contribute to the development of the law.

Explanatory note

The definition of research adopted by the Higher Education Research Data Collection ('HERDC') is: 'creative and systematic work undertaken in order to increase the stock of knowledge – including knowledge of humankind, culture and society – and to devise new applications of available knowledge' (Department of Education 2019, p. 5). It includes pure basic research, oriented basic research, applied research, and experimental development. In line with this definition, Law Schools need to ensure that their research is of a high-quality and contributes to the development of law and the justice system.

The nexus between teaching and research finds expression in educational enhancement research undertaken by students. As such, students are required to engage in research in the core curriculum. This is reflected in the LLB and JD TLOs 3(b) and 4, included below:

Bachelor of Laws:

'TLO 3: Thinking skills

Graduates of the Bachelor Laws will be able to:

[...]

(b) apply legal reasoning and research to generate appropriate responses to legal issues';

and

'TLO 4: Research skills

Graduates of the Bachelor of Laws will demonstrate the intellectual and practical skills needed to identify, research, evaluate and synthesise relevant factual, legal and policy issues.'

Juris Doctor:

‘JD TLO 3: Thinking skills

Graduates of the Juris Doctor will be able to:

[...]

(b) Apply legal reasoning and research to generate appropriate jurisprudential and practical responses to legal issues’;

and

‘JD TLO 4: Research skills

Graduates of the Juris Doctor will demonstrate the intellectual and practical skills needed to justify and interpret theoretical propositions, legal methodologies, conclusions and professional decisions, as well as to identify, research, evaluate and synthesise relevant factual, legal and policy issues.’

Standard 2.3.3 touches research training by requiring the curriculum to develop ‘the intellectual and practical skills needed to research and analyse the law...’.

In addressing this Standard, the Law School should have regard to *HES Framework* Section 4, ‘Research and Research Training’, which sets requirements about resources, ethics, supervision and admission for the conduct of research, and specifies the need to appropriately support research students.

How can the Law School show that it has met these Standards?

The Law School needs to demonstrate that in the past five years, staff have produced research that contributes to law and/or justice and/or the teaching of law in line with the HERDC definition of research.

It will be relevant to addressing this Standard that the Law School expresses expectations adapted to the discipline of law regarding research outputs for academic staff, and provides support, for example through workload allocation, for this endeavour. To meet this Standard, the Law School needs to show that at least half of its continuing academic teaching and research staff have contributed to the research output over the past five years and that research is related to teaching.

The Law School needs to show that students are supported to undertake research which forms part of the law course curriculum.

STANDARD 7: THE LAW LIBRARY OR LAW COLLECTION

The term 'law library' also refers to the 'law collection' where there is not a distinct law library but there is a distinctive and identifiable law collection in the university's library, and includes an online law collection to which there may be no physical space attached.

Standards 7.1 General provisions

The law library has a distinctive role in the university, and is appropriately described as 'the lawyer's laboratory'.

- 7.1.1 The law library is an active and responsive force in the educational life of the Law School, effectively contributing to and supporting the School's teaching, research and service programs.
- 7.1.2 The law library has sufficient financial resources to support the Law School's teaching, research and service programs.
- 7.1.3 The law library uses up-to-date information technology.
- 7.1.4 Adequate library and information technology provision is available to all students studying in the law course, whether full time, part time, or learning in a physical, virtual, or blended setting.

Explanatory note

The law library has a distinctive role in the university, and is appropriately described as 'the lawyer's laboratory' and can be regarded as similar to the need for scientists to have essential equipment in a laboratory setting. The vital role of the law library in the Law School's research, teaching and service can be achieved through the availability of active and engaged law librarian staff rather than a physical law library. The law library should ideally be a stand-alone facility, but it can also be a law collection, and need not be a physical space as it might be comprised of online resources. Of paramount importance is access to all relevant resources, dedicated and specialised law librarian staff and research support for both staff and students.

How can the Law School show that it has met these Standards?

The Law School must give evidence of how the law library actively engages with and responds to the teaching and learning activities and needs of the Law School. The Law School can provide examples of where and how the law library contributes to and/or supports the School's teaching, research and/or service programs.

The Law School must show that the law library has a budget sufficient to support the School's teaching, research and service programs.

The Law School must give evidence that the law library's information technologies are current, and that these information technologies as well as library resources are available and relevant to all students studying in the law course.

Standards 7.2 Administration of the law library

- 7.2.1 The Law School is able to participate effectively in the growth and development of the law library and the use of its resources.
- 7.2.2 The law library has a person who is appropriately qualified to manage a law library and whose responsibility is the management of the law library.
- 7.2.3 The law library has competent and appropriately qualified staff, sufficient in number to provide appropriate library and informational resource services and support for the Law School's programs.

Explanatory note

This Standard recognises the importance of having a law librarian and suitably trained staff who have legal subject matter expertise. It is necessary that these persons are well qualified not only to manage a law library, but also to support legal research and where possible, to contribute to teaching by, for example, teaching legal research skills to law students.

The person whose responsibility is the management of the law library may also have other responsibilities, or the responsibility for the law library's management may be shared. This may be particularly the case where a university has a series of library collections including a law collection, rather than having a distinct law library.

How can the Law School show that it has met these Standards?

The Law School needs to provide evidence that:

- the law library has a person or persons appropriately qualified to manage a law library, which means a qualification at the university level;
- the law library is managed by a person or persons with these qualifications; and
- there is interaction between the Law School and the law library such that the Law School benefits from library services, and the library responds to the Law School's changing needs.

Standards 7.3 Law library services and facilities

- 7.3.1 The law library provides an appropriate range and depth of reference, instructional, bibliographic and other services to meet the needs of the Law School's teaching, research and service programs.
- 7.3.2 The physical or virtual facilities for the law library are sufficient to provide an appropriate range and depth of legal research skills development, collection management, and other services to meet the needs of the Law School's teaching, research and service programs.

Explanatory note

This Standard recognises the need for law library services and facilities to adequately support the Law School's research, teaching and service programs.

One important aspect of this is the provision of facilities to enable students both to conduct private study and to collaborate with each other. In particular, having spaces which encourage potential and actual interaction between students is essential to student learning and in this sense, physical environments are especially valuable. These opportunities for interaction in physical environments have traditionally been made possible by facilities provided by law libraries.

How can the Law School show that it has met these Standards?

The Law School needs to provide evidence that the law library's services and resources, whether physical or virtual, are adequate to meet the Law School's needs.

Where there is a physical law library, the Law School needs to show that there are spaces designated for law students' study and interaction. Where there is not a physical law library, the Law School needs to outline the alternative designated spaces for law students, whether physical or virtual. Where these spaces are virtual, the Law School needs to provide clear detail of how this Standard is met.

It is sufficient if the Law School demonstrates that it provides the services and facilities detailed in these Standards in terms of a law library.

Standards 7.4 The collection

7.4.1 The collection of the law library is, as a minimum:

- (a) all public general Acts of the Commonwealth of Australia and of the jurisdiction in which the Law School is located, in official form;
- (b) all statutory instruments and other secondary legislation of the Commonwealth of Australia and the jurisdiction in which the Law School is located, in official form, relevant to the subjects taught;
- (c) all reported decisions of the superior courts of Australia and of the jurisdiction in which the Law School is located that are relevant to the subjects taught, together with such decisions of other courts as are necessary to the understanding of those subjects;
- (d) parliamentary materials of the Commonwealth of Australia and of the jurisdiction in which the Law School is located, including Bills, parliamentary papers, and reports of parliamentary proceedings, appropriate to the subjects taught;
- (e) such other official publications of the Commonwealth of Australia and the government of the jurisdiction in which the Law School is located as are necessary to support the teaching and research objectives of the Law School;
- (f) where teaching is provided in the law of any legal system other than that of Australia and of the jurisdiction in which the Law School is located, primary legal materials and official publications from that legal system, sufficient to support the objectives of such teaching;
- (g) such secondary works (including textbooks, monographs and periodicals) relating to the law of the Commonwealth of Australia and of the jurisdiction in which the Law School is located as are necessary to support the teaching and research objectives of the Law School;
- (h) primary and secondary comparative material from other legal systems, including oral artefacts from Aboriginal and/or Torres Strait Islander legal systems, which are the subject of study in the Law School and are adequate to support the School's teaching and research programs;
- (i) those tools, such as general law encyclopaedias, citators, periodical indexes, and current awareness services, which are necessary for the identification and updating of primary and secondary legal materials for the legal systems in which teaching and research are undertaken; and
- (j) practical content as appropriate for any work integrated learning units offered by the Law School.

7.4.2 The collection is accessible in printed form or electronically, or both.

Explanatory note

This Standard recognises the broad range of essential legal resources that a law library or collection needs to provide Law School staff and students. By noting that the collection

needs to be accessible in printed form or electronically, Standard 7.4.2 explicitly recognises the possibility that the collection may be in electronic form only, without a designated physical space.

The Standards are much more detailed in setting out the minimum requirements of the law library collection than either the *HES Framework* or the LACC Accreditation Standards. The LACC Accreditation Standards recognises this, stating that in assessing the resources of the Law School as part of Standard 4.5, '[i]t would be relevant for an Admitting Authority to know whether the law school's library has been independently assessed by the [...] Standards Committee and has been independently determined to have met, in this respect, the [...] Standards.'

How can the Law School show that it has met these Standards?

The Law School needs to give evidence that the law library has a collection comprising those resources listed in the Standard.

The Law School needs to demonstrate that the collection can be accessed either in print or electronically, or both.

STANDARD 8: RESOURCES AND INFRASTRUCTURE

Standard 8.1 Generally

8.1.1 The Law School has adequate resources and infrastructure to enable it to fulfil its mission.

Explanatory note

By linking resources and infrastructure to the Law School's mission, this Standard seeks to allow for variance between the missions that particular Law Schools may pursue. For example, some Law Schools may seek to ensure access to education for disadvantaged groups, which will not form part of the mission of other Law Schools, and may have particular resource implications. Similarly, there will be different resource implications for a Law School that aims to provide high-quality, fully virtual programs as compared with a Law School committed to maintaining a physical learning environment.

The resources and infrastructure available to the Law School must reflect the fact that teaching will often need to take place in smaller classes and with a focus on skills integration, for example, during clinical legal education, practical training programs and skills-based courses.

How can the Law School show that it has met this Standard?

The Law School needs to demonstrate that the resources and infrastructure available to it are adequate to fulfilling its mission and the objectives of the law course. This requirement will be satisfied where the Law School provides appropriately detailed annual reports or budget documents.

Standards 8.2 Physical or virtual facilities

- 8.2.1 The Law School has sufficient physical or virtual facilities, for both staff and students, to ensure that its educational, research and outreach objectives can be achieved.
- 8.2.2 The Law School has sufficient facilities in its physical or virtual campus to enable effective study and research by students and staff.
- 8.2.3 The learning environment for students, whether on campus or virtual, is reviewed and updated regularly to reflect developments in educational practices.

Explanatory note

This Standard recognises the importance of physical and/or virtual facilities and resources which support high-quality learning and teaching. Those facilities and resources can be part of physical campuses at which face-to-face classes are taught, or virtual campuses through which online learning occurs, or a combination of both in a blended learning format.

Where applicable, it will be relevant to addressing this Standard to outline whether there are designated spaces for law students to study on campus, as student study space has traditionally been a facility provided by libraries, which increasingly exist only in online form.

The Law School should consider in relation to meeting Standard 8.2.3 how the learning environment incorporates spaces, whether physical or virtual, which enable students to interact outside of formal teaching and to collaboratively reflect on and extend their understanding of legal and related issues.

How can the Law School show that it has met these Standards?

The Law School needs to show that there are physical or virtual facilities sufficient to the needs of both its staff and students, with a view to achieving its educational, research and community outreach objectives. This includes giving evidence of how the physical or virtual facilities enable effective study and research by staff and students, both within and outside of formal teaching and learning.

The Law School must show that it regularly reviews and updates its learning environment.

Standard 8.3 Information technology

- 8.3.1 The Law School has sufficient information and communication technology facilities, for both staff and students, to ensure the law course can be delivered adequately, and to support its educational, research and community outreach programs.

Explanatory note

This Standard requires that the Law School makes available to staff and students all the technology necessary to support its learning and teaching, whether in physical classes or through virtual or blended learning environments. The technology should be of such quality as to ensure optimal learning outcomes for law students. Where learning and teaching activities take place in a fully or even partly virtual environment, it is particularly important that technology is up-to-date and used effectively.

How can the Law School show that it has met this Standard?

The Law School needs to show that its information and communication technology platforms, equipment and support are sufficient to meeting the needs of staff and students engaging with the law course.

The Law School needs to show how these information and communication technologies support, where applicable, its educational, research and community outreach programs.

STANDARD 9: GOVERNANCE AND ADMINISTRATION

Standard 9.1 The institution in which the Law School is situated

9.1.1 The Law School is part of a university which has power to award degrees.

Explanatory note

These Standards apply to Australian Law Schools situated within a university.

How can the Law School show that it has met this Standard?

The Law School needs to show that it is situated within an Australian university that is registered with the Tertiary Education Quality Standards Agency.

Standard 9.2 Governance

9.2.1 The Law School's governance structures and functions are defined, including the School's relationships within the university.

Explanatory note

The *HES Framework* contains in Section 6.3 ('Academic Governance') standards which require the entity in question to have processes and structures established and responsibilities assigned in relation to academic oversight to ensure the quality of teaching, learning, research and research training. While the Standards for Australian Law Schools do not contain similar requirements, Standard 9.2 does provide that the Law School has defined governance structures and functions. These include the School's relationship with the university, but could also include matters of academic oversight.

The law course should be administered within a Law School that has sufficient autonomy to adhere to and meet the Standards. This sentiment is echoed in Standard 1.1.

How can the Law School show that it has met this Standard?

The Law School needs to detail its governance structures and functions. It must include an account of the School's relationships with the rest of the university.

Where the Law School is situated within a broader administrative context, the Law School needs to describe how this wider context impacts on the area of governance and to demonstrate how it is able to achieve the Standards.

Standards 9.3 Academic leadership

- 9.3.1 Ideally, the title of the academic head of the Law School is the 'Dean'.
- 9.3.2 The responsibilities of the academic head of the Law School are clearly stated.
- 9.3.3 The academic head of the Law School has the authority and support needed to discharge the responsibilities of the position and those necessitated by these Standards.

Explanatory note

Academic leadership is an important aspect captured by the Standards that is not touched by other regulatory frameworks. Deans have the capacity to set aspirational standards for Law Schools, informed by an awareness that the future legal profession will largely be comprised of their graduates, and thus also of the importance of those graduates being well-equipped to serve the broader community as good lawyers. As such, the Dean occupies a vital position and performs an important role within the Law School.

This Standard is underpinned by a recognition that the Dean also plays an important role in setting the tone and character of the Law School. How issues such as the welfare of staff and connections with the professional community are addressed by the Law School are basic matters of leadership that go to the values of the School, and in turn, to the values that it implicitly imparts to its students.

The Law School should operate under the leadership of a Dean who has the support of the university to discharge the responsibilities of their position with autonomy, and to a degree necessitated by these Standards.

How can the Law School show that it has met these Standards?

The Law School needs to show that it has a Dean and detail the responsibilities of the Dean, and give direction to where these are stated – for example, the relevant policy or position description.

The Law School needs to explain the relationship between the Dean and governance structures of the wider university, and describe how the Dean undertakes decision-making and leadership tasks in line with the responsibilities of the position and those entailed by the Standards, with authority, support, and sufficient autonomy.

Standards 9.4 Budget and resource allocation

- 9.4.1 The Law School has a dedicated operational budget and the primary responsibility for managing it.
- 9.4.2 The Law School has sufficient autonomy to direct resources in order to achieve its mission.

Explanatory note

Whether or not the Law School is nested with other disciplines, it needs to have its own budget, dedicated to enabling its essential activities. For its successful operation, the Law School needs to have primary responsibility for, and autonomy over, budgeting decisions, such that its mission can be realised.

The Law School requires sufficient autonomy, budget and resources to ensure that the requirements of both these Standards and professional accreditation can be met.

How can the Law School show that it has met these Standards?

The Law School needs to provide details of its financial allocation within the university and to show that it has the primary responsibility for managing its budget.

The Law School needs to give specific examples from past financial years of its ability to manage the distribution of its budget and resources in pursuit of its mission.

Standard 9.5 Administrative staff and management

9.5.1 The Law School has appropriate administrative staff to support the implementation of the School's educational programs and other activities, and to manage and deploy its resources.

Explanatory note

Without administrative staff adequate in number and skills, the Law School cannot sustain its teaching, research, and service activities.

The support of administrative staff for the Law School's activities is vital. Examples include administrative support for:

- teaching activities, through facilitating its educational programs;
- research activities, through the administration of research grants; and
- service activities, through liaison with the profession and community stakeholders.

Administrative staff bring financial and management skills that are essential to the Law School's successful operation.

How can the Law School show that it has met this Standard?

The Law School needs to show that it has a sufficient number of appropriately skilled administrative staff to support its educational programs, and to manage and deploy its resources, and that it has the ability to call on the support of central staff for issues that it is not locally resourced to provide.

Standards 9.6 Interaction with the legal profession and the wider community

9.6.1 The Law School seeks to engage with the legal profession and the legal sector generally.

9.6.2 The Law School seeks to engage with the wider community by encouraging its staff and students to use their knowledge and skills for the benefit of the community in outreach programs, including, for example, and so far as is practicable, clinical programs, law reform, public education, and other forms of pro bono community service.

Explanatory note

The ideal of the ethical lawyer committed to community service is a powerful notion that is reflected in the Standards (Black 2018, p. 131). It is sufficient to comply with this Standard that the Law School demonstrates a variety of connections with the legal profession and the wider community. Demonstrating the importance of these connections, the Standards explicitly make these interactions a requirement on a number of occasions, that is, in Standards 2.2.4, 2.7.2 and 9.6.

It is desirable that the Law School as part of its engagement with the wider community establish connections with Aboriginal and/or Torres Strait Islander stakeholders.

How can the Law School show that it has met these Standards?

The Law School needs to show that it has a variety of connections with the legal profession and the wider community.

STANDARD 10: CONTINUOUS RENEWAL AND IMPROVEMENT

Standard 10.1

10.1 The Law School has procedures for regular reviews and updating of its structure, functions, policies and practices, to rectify deficiencies and to meet changing needs.

Explanatory note

The Law School is normally subject to periodic external, university, and internal reviews of its structure, functions, policies and practices. Such reviews are fundamental to the updating and renewal of the School's offerings and operations. They are ideally undertaken at regular intervals, with a view to addressing changing needs and rectifying deficiencies.

How can the Law School show that it has met this Standard?

The Law School needs to show that it has a published timetable of reviews, whether internal or external, or both.

The Law School needs to satisfy the ALSSC that it is capable of acting on such reviews in order to update its structure, functions, policies and practices as needed.

Standard 10.2

10.2 The Law School's teaching, research and outreach programs are responsive to legal, social and technological change.

Explanatory note

The Law School is necessarily part of a dynamic legal and social environment. To respond to legal, social and technological changes, the Law School will ideally consult with relevant stakeholders. In particular, it will consult with the profession in relation to legal developments and with key partners on new technologies. It is in this way that the Law School's teaching, research and outreach programs will remain relevant and flexible, and will meet the Law School's mission and objectives of the law course.

How can the Law School show that it has met this Standard?

The Law School needs to show that it has formal and informal mechanisms to consult with relevant stakeholders in relation to legal, social and technological changes.

The Law School needs to demonstrate that its teaching, research and outreach programs respond to changes in each of the legal, social and technological fields.

PART B: APPLICATION OF THE STANDARDS

STANDARD 11: PUBLICATION AND ALTERATION OF THE STANDARDS

- 11.1 The Council of Australian Law Deans (CALD) shall publish a set of standards for Australian law schools, called the Australian Law School Standards (“the Standards”).
- 11.2 The Standards may be altered only by CALD at a meeting at which there is a quorum and for which adequate notice of the proposed alteration has been given.
- 11.3 The Standards may be altered by CALD only after the proposed alteration has been considered by the Law Schools Standards Committee.
- 11.4 Commentaries to the Standards may be developed and amended by CALD. All commentaries or their changes shall be approved by CALD at a meeting for which adequate notice has been given of the proposed commentary or change of commentary.

STANDARD 12: LAW SCHOOLS STANDARDS COMMITTEE

- 12.1 CALD shall establish a committee, to be known as the Australian Law Schools Standards Committee (“the Standards Committee”).
- 12.2 The Standards Committee shall comprise at least five persons of whom at least two shall be from outside the law school sector.
- 12.3 Members of the Standards Committee shall normally hold office for five years, and are eligible for re-appointment.
- 12.4 CALD shall provide secretariat and administrative support to the Standards Committee.
- 12.5 The Standards Committee may establish panels, normally comprising at least one member of the Committee and augmented by other suitably qualified persons as appropriate.

STANDARD 13: FUNCTION OF THE LAW SCHOOLS STANDARDS COMMITTEE

- 13.1 The Standards Committee, in its deliberations and decisions, will operate independently of direction from CALD.
- 13.2 The Standards Committee’s functions are –
 - (a) To consider and determine applications from law schools for certification as compliant with the Standards; and
 - (b) To keep the Standards under review and to propose to CALD amendments from time to time.
- 13.3 The Standards Committee may –
 - (a) Certify a law school as compliant with the Standards;

- (b) Provisionally certify a law school as compliant with the Standards, with that certification to be confirmed on the satisfaction of any appropriate conditions imposed by the Committee;
 - (c) Hold over an application at any time, of its own volition or at the request of the applicant; or
 - (d) Decline to certify a law school as compliant with the Standards.
- 13.4 A decision of the Standards Committee pursuant to clause 13.3 is not reviewable by CALD. However, the Standards Committee shall report its decisions in regard to applications for certification to the next meeting of CALD held after its decision has been made, and the report shall include its reasons for the decision. The report shall also note the applications that are under consideration.

STANDARD 14: CERTIFICATION OF LAW SCHOOLS AS COMPLIANT WITH THE LAW SCHOOLS STANDARDS

- 14.1 A law school may of its own volition apply to the Standards Committee for certification as compliant with the Standards. A law school is not obliged to seek certification, and may withdraw its application at any time.
- 14.2 Best endeavours will be made to coordinate any application to the Standards Committee with other relevant intra-university or externally- imposed reviews.
- 14.3 The Standards Committee shall normally appoint a panel to consider and advise the Committee on the application. The panel shall normally comprise at least one person from outside the law school sector.
- 14.4 A law school seeking certification shall provide to the Standards Committee such documentation and assistance as is required by the Committee. This documentation shall include the law school's self-assessment against the Standards.
- 14.5 The panel appointed by the Standards Committee shall normally, as part of its consideration of an application for approval, visit the law school and meet with members of staff and other appropriate people.
- 14.6 The panel shall provide to the law school a draft of its report and recommendations, and shall consider any response from the law school, before making its recommendation to the Standards Committee in regard to that law school.
- 14.7 The cost of processing an application for certification shall be borne by the law school seeking certification.
- 14.8 Normally, certification shall be for a period of five years.

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