

# Changing context and delivery of legal education

Sally Kift, ALTC Discipline Scholar: Law  
Queensland University of Technology

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*Internationalising the Australian Law Curriculum  
for Enhanced Global Legal Education and Practice*

## **National Symposium**

National Portrait Gallery, Canberra

Friday, 16 March 2012



Australian  
National  
University



Supported by the  
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Office for Learning and Teaching

# Overview

- Dynamic agenda
- What law students should know, understand and be able to do
  - Inputs and Outputs
  - Academic Standards
  - Law's 'Threshold Learning Outcomes' ('TLOs')
- **What** of internationalisation
  - Knowledge, skills and attitudes
  - Relationship with the TLOs

Sally Kift

<http://www.hcourt.gov.au/assets/publications/speeches/current-justices/frenchcj/frenchcj04july11.pdf>

Australasian Law Teachers' Association Conference

Legal Education in Australia – A Never Ending Story

Chief Justice Robert French AC<sup>9</sup>

4 July 2011, Brisbane

## Introduction

The objectives and content of legal education and how it should be undertaken have been much discussed in Australia and in other countries with which we share our legal heritage. A lot of that discussion in recent times has focussed upon the relative emphasis to be given to such elements as the contents of the positive law, its social and historical context, the dynamics of its change, the skills and ethical sensitivities needed for legal practice, and the role of the lawyer in society as agent of the rule of law and social justice. Related to that discussion are concerns about the effect of legal education upon law students. An incidental and important question is the extent to which the diversity of law jobs makes generalisations about the desirable outcomes of legal education more difficult.

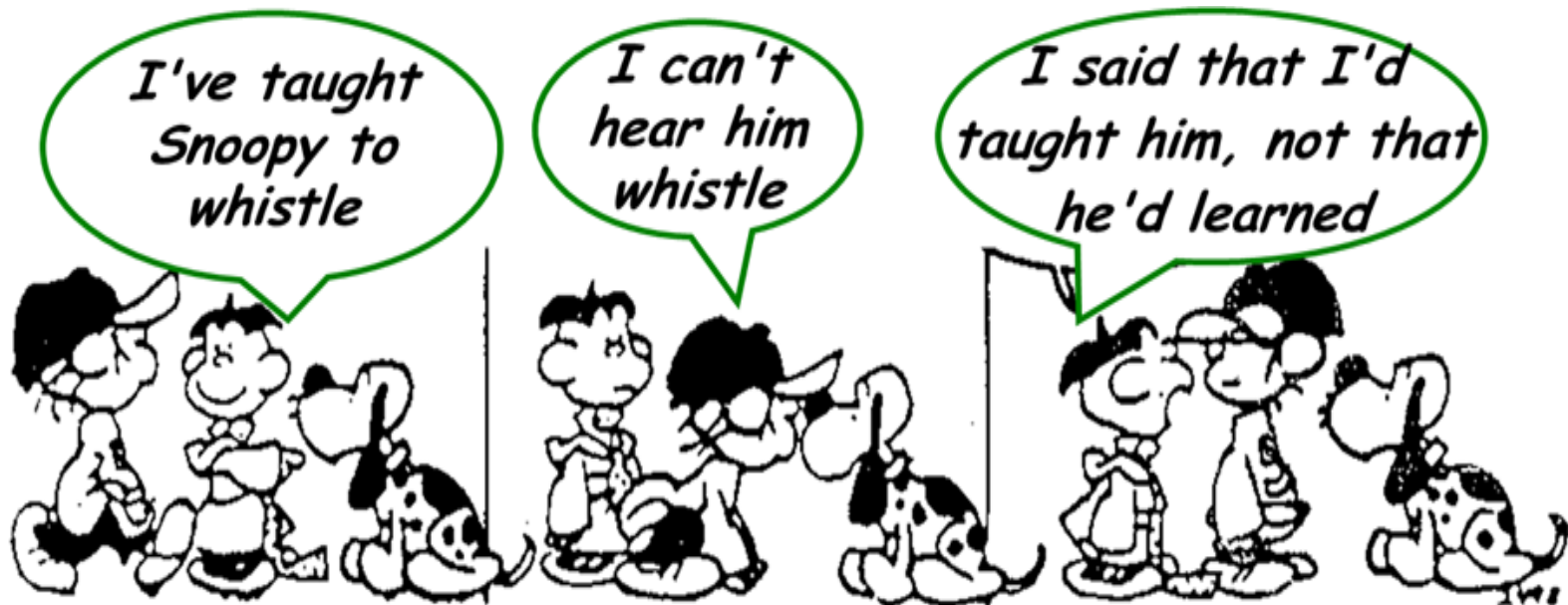
Dicey wrote in 1883 that nothing 'can be taught to students of greater value, either intellectually or for the purposes of legal practice than the habit of looking on the law as a series of rules'.<sup>1</sup> Another view was expressed by Max Radin 50 years later, writing in the *California Law Review* that 'the lawyer's task is ultimately concerned with justice and ... any legal teaching that ignores justice has missed most

# Legal Education in 2012

- 1982 Priestley 11 – ‘light hand’/ ‘dead hand’
- 2000 PLT Competencies for entry-level lawyers
- Numerous Aust and international reports on legal education
  - Most recently: Stuckey ‘Best Practices’ (2007) and Carnegie (2007) Reports
- 2009 CALD Standards for Australian Law Schools
- 2010-12 LLB & JD: Threshold Learning Outcomes

# Teaching and Learning; Inputs and Outputs

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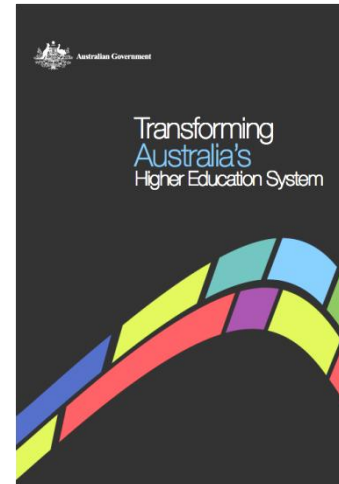


# Australian Learning & Teaching 2012

## A perfect storm

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- A new Tertiary Education Quality & Standards Agency (TEQSA)
- Quality of student experience & engagement
- ‘Quality, attainment and participation’
- Recruitment & retention of non-traditional students: 40/20 targets
- ‘Academic standards’; ‘Brand Australia’



<http://www.deewr.gov.au/HigherEducation/Pages/TransformingAustraliasHESystem.aspx>

# 'Academic Standards'

## DEEWR Discussion Paper (June 2011, 4-5)

DISCUSSION PAPER  
June 2011

This paper initiates a process of discussion on possible approaches to articulating, reviewing and reporting on teaching and learning standards in Australian higher education. It presents the policy context, including the role of the Tertiary Education Quality and Standards Agency (TEQSA); incorporates an analysis of relevant developments as background; and proposes a way forward.

The TEQSA legislation introduced into the Parliament of Australia in March provides, among other things, that a Higher Education Standards Panel (Standards Panel) will be responsible for developing the Higher Education Standards Framework, including teaching and learning standards. The Standards Panel must consult with interested parties when developing the standards.

The Standards Panel will be independent of the TEQSA Commission and will provide advice and recommendations directly to the Minister for Tertiary Education and the Minister for Research. This will ensure the separation of standard setting from the monitoring and enforcement functions carried out by TEQSA.

The interim TEQSA Commission seeks feedback from higher education providers, professional associations, industry bodies and government agencies about directions for development before detailed work begins. The outcomes from this discussion process will be provided to the Standards Panel for further consideration once the Commission is formally established.

The contribution of Professor Richard James and Dr Kerri-Lee Harris of the University of Melbourne's Centre for the Study of Higher Education to the preparation of this paper is gratefully acknowledged.

There are three sections in the paper, each with associated discussion points:

***“...student achievement or attainment is the ultimate goal of higher education.*** The reasons for the **international interest** in defining and measuring student outcomes lie partly in the diversification of higher education providers, course objectives and modes of course delivery. This has led to **concerns about the preparedness of graduates and the comparability of graduates** from different courses and similar courses offered by different institutions... Australia must be confident that all graduates meet national **minimum levels of attainment** appropriate for the... **discipline...and...the level of the award”**

# International standards agenda

## Tuning Europe (since 1999)

- 46 countries; 29 subjects; no law

## Tuning Latin America (since 2003)

- 19 countries; law

## UK



- 57 subjects – law 2000, 2007

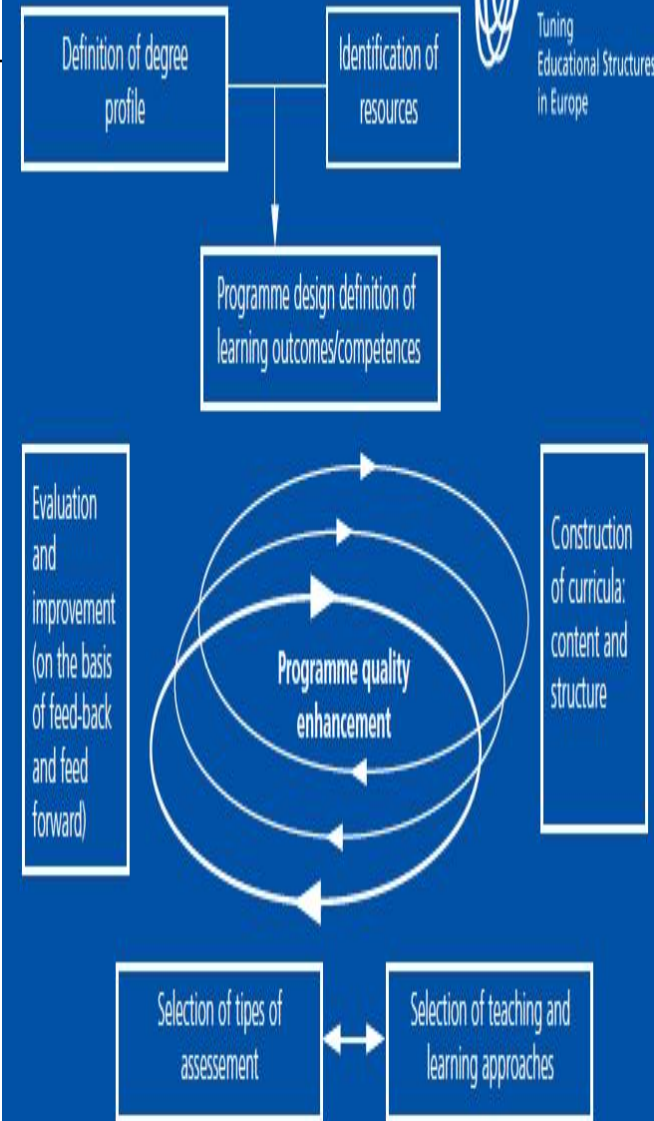
## Law Standards Statements: eg

- ABA, Canadian Taskforce, UK Joint Statement, Scotland

## Standardised testing – OECD et al

Sally Kift

### THE TUNING DYNAMIC QUALITY DEVELOPMENT CIRCLE



## Business takes dim view of academe

Julie Hare, The Australian March 30, 2011 12:00AM

Recommend One person recommends this to the first of your friends

Share



Michael Andrew, chairman of the Business Council of Australia's education taskforce, briefs journalists from The Australian. Picture: Alan Fryke. Source: The Australian

AUSTRALIA'S business leaders say "suede patch tenured academics" are more interested in preserving the status quo than working to produce graduates with the skills necessary to succeed in business.

Launching its higher education policy exclusively to The Australian on Monday, the Business Council of Australia's education taskforce said graduates still lacked essential attributes, especially in leadership, teamwork and communication, but universities were failing to heed the call.

**March 30 2011, HES AUSTRALIA'S business leaders say "suede patch tenured academics" [aren't producing] graduates with the skills necessary to succeed in business... the Business Council of Australia's education taskforce said graduates still lacked essential attributes, especially in leadership, teamwork and communication, but universities were failing to heed the call.**

<http://www.theaustralian.com.au/higher-education/business-takes-dim-view-of-academe/story-e6frgcjx-1226030289897>

Sally Kift



The Australian Financial Review  
www.afr.com • Friday 20 May 2011

# Career focus for uni courses

Samantha Bowers

University law schools are revamping their courses to better equip graduates for the work environment.

The University of NSW is reviewing the curriculum in its undergraduate and juris doctor law courses, which it plans to implement by 2013.

It has consulted widely in the profession, seeking feedback from law firms such as Freehills, DLA Piper, Corrs Chambers Westgarth and Baker & McKenzie.

The University of Technology Sydney and Queensland University of Technology have made changes to their undergraduate courses in recent years, and other universities are expected to follow suit after the completion last year of a project on graduate academic standards by the Australian Learning and Teaching Council (ALTC). In March, the Business Council of Australia also encouraged universities to engage more with business to improve the relevance of courses to the workplace.

UNSW dean of law David Dixon said the review was partly a reaction to the purely academic way of teaching law that had become prevalent in Australian universities.

UNSW was trying to "connect the

in all its different forms, so [when] our students go out . . . they're much more ready to do work," he said.

UNSW planned to use more practising lawyers to teach students how legal principles worked in practice; expand the range of internships students could do for course credit; and thread core skills, such as ethical considerations, through each compulsory black-letter law subject.

The review would also incorporate feedback from firms about what they wanted to see in their graduates, which included better communication and teamwork skills, and "the ability to work overseas and to work with international clients", Professor Dixon said.

Chris Pagent, head of Corrs' Sydney litigation practice and former national recruitment partner, said this was very important for firms helping clients compete in Asia.

Last year, the ALTC – funded by the federal government – developed six "threshold learning outcomes" (TLOs) for law students, as part of its multi-disciplinary review.

The Legal Admissions Consultative Committee has recommended the outcomes be adopted as prerequisites for admission into legal practice, in addition to the 11 content-based subjects – known as the



Australian law schools are changing their courses to make them more relevant to the workplace.

Photo: ERIN JONASSON

"Priestley 11" after former committee chair and former NSW Court of Appeal judge Lancelot Priestley.

Sally Kift, a QUT law professor involved in the ALTC project, said while students may already pick up these skills in their law degrees, this would give them greater focus by requiring universities to teach, learn and assess them.

QUT dean of law Michael Lavarch said QUT revised its undergraduate law curriculum three years ago to offer students more career-focused electives, including subjects from the business faculty for students wanting

to work in commercial firms or company legal teams.

Jill McKeough, UTS dean of law and deputy chair of the Council of Australian Law Deans, said firms wanted more commercially-minded graduates. UTS overhauled its law curriculum four years ago, and now assesses "soft" skills such as teamwork, communication and research, as well as legal principles. It has also introduced a compulsory subject focusing on the commercial aspects of law.

"But this is never at the expense of intellectual rigour, that's the thing.

People tend to think they're a trade-off but they're not," she said.

Mr Pagent said that while Corrs had always wanted graduates who were "technically excellent lawyers", it was now also looking for those who were "commercially astute".

Allens Arthur Robinson partner Ross Drinnan said black-letter legal knowledge was still "the most important" thing graduates learnt at law school. "A lot of these other skills that are being talked about, frankly I think are ultimately skills that evolve along the way," he said. "I'm not sure all of them can be taught."

**'commercially astute' 'better communication and teamwork skills'  
'ability to work overseas and to work with international clients'**



# An Australian HE focus on Graduate Attributes

Seven broad areas [in addition to discipline knowledge]

- **COMMUNICATION:** written & oral
- **THINKING:** critical, analytical, creative & reflective
- **PROBLEM SOLVING:** generating ideas & innovative solutions
- **INFORMATION LITERACY:** to find, evaluate & create information
- **SELF-MANAGEMENT:** learning and working independently
- **TEAMWORK:** learning and working collaboratively
- **CIVIC ENGAGEMENT:** Ethical and inclusive engagement with communities, cultures and nation

# 'Graduate Attributes' (GAs)

## 'employability skills'

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- Employability skills are a 'subset' of GAs
- Employability skills:

- **[Aust] *Graduate Employability Skills* (2007)**

<http://www.dest.gov.au/NR/rdonlyres/E58EFDBE-BA83-430E-A541-2E91BCB59DF1/20214/GraduateEmployabilitySkillsFINALREPORT1.pdf>

(2002): communication, teamwork, problem solving, self-management, planning & organisation, technology, lifelong learning, initiative and enterprise

Similar to

- **US Partnership for 21<sup>st</sup> Century Skills (2002)**

[http://www.21stcenturyskills.org/index.php?option=com\\_content&task=view&id=29&Itemid=42](http://www.21stcenturyskills.org/index.php?option=com_content&task=view&id=29&Itemid=42)

- **UK Leitch *Review of Skills* (2006)**

# Graduate Attributes

## Eg, UTS: Law



### Intellectual Attributes

1. Critical Thinking
2. Analysis and Evaluation
3. Spoken and Written Communication
4. Legal Research and Technological Literacy

### Professional Attributes

5. Disciplinary Knowledge
6. Lifelong Learning
7. Ethics

### Personal Attributes

8. Self and Cooperative Work Management
9. Cultural Awareness and Global Outlook
10. Social Justice

### Graduate Attributes Table

The table shows where each attribute will be targeted throughout your course.

The attribute numbers relate to the numbered sections of this workbook.

#### Stage 1: Foundations

- 70115 Perspectives on Law (lcp)
- 70120 Legal Method and Research (lcp)
- 70218 Criminal Law (lcp)
- 70211 Contracts (lcp)
- 70311 Torts (lcp)
- 70616 Australian Constitutional Law (lcp)

#### Stage 2: Essentials

- 70317 Real Property (lcp)
- 70327 Commercial Law (lcp)
- 70616 Equity and Trusts (lcp)
- 70417 Corporate Law (lcp)
- 70617 Administrative Law (lcp)
- 75421 Civil Litigation (lcp)
- 70717 Evidence and Criminal Procedure (lcp)
- 75420 Ethics and Professional Conduct (lcp)

#### Stage 3: Options

- 75402 Property Transactions or Elective (lcp)
- 75403 Commercial & Estate Practice or Elective (lcp)

- 75412 Legal Skills or Elective (lcp)
- 75413 Advocacy or Elective (lcp)

	Intellectual Attributes				Professional Attributes			Personal Attributes		
	1	2	3	4	5	6	7	8	9	10
70115 Perspectives on Law (lcp)	✓	✓	✓		✓	✓	✓	✓	✓	✓
70120 Legal Method and Research (lcp)	✓	✓	✓	✓	✓			✓	✓	
70218 Criminal Law (lcp)	✓	✓	✓		✓		✓	✓	✓	
70211 Contracts (lcp)	✓	✓	✓		✓		✓	✓	✓	
70311 Torts (lcp)	✓	✓	✓		✓		✓	✓	✓	
70616 Australian Constitutional Law (lcp)	✓	✓	✓		✓		✓	✓	✓	
70317 Real Property (lcp)	✓	✓	✓		✓					
70327 Commercial Law (lcp)	✓	✓	✓			✓		✓		
70616 Equity and Trusts (lcp)	✓	✓	✓							
70417 Corporate Law (lcp)	✓	✓	✓	✓	✓		✓			
70617 Administrative Law (lcp)	✓	✓	✓		✓		✓			
75421 Civil Litigation (lcp)	✓	✓	✓		✓		✓			
70717 Evidence and Criminal Procedure (lcp)	✓	✓	✓		✓		✓	✓		
75420 Ethics and Professional Conduct (lcp)	✓	✓	✓		✓		✓		✓	✓
75402 Property Transactions or Elective (lcp)	✓	✓	✓			✓				
75403 Commercial & Estate Practice or Elective (lcp)	✓	✓	✓			✓				
75412 Legal Skills or Elective (lcp)	✓	✓	✓			✓		✓	✓	
75413 Advocacy or Elective (lcp)	✓	✓	✓			✓		✓	✓	

# Drafting of 2010 Law TLOs influenced by:

**EG:**

Summary national and international comparison table: Knowledge TLO

Discipline-specific knowledge	CALD	ABA 2009	ABA 2010	QAA	Joint S	MacCrato	CanTF	Scot	LA Tun
The fundamental doctrines, concepts, principles, and values of law	▲	▲	▲	▲	▲	▲	▲	▲	▲
The fundamental areas of the substantive law	▲	▲	▲	▲	▲	▲	▲	▲	▲
The sources of substantive 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 context within which legal issues arise, including, for example, the political, social, historical, philosophical, and economic context	▲	▲	▲	▲			▲	▲	▲
International and comparative perspectives on law and of international developments in the law	▲							▲	
The principles of ethical conduct and the role and responsibility of lawyers, including, for example their pro bono obligations	▲	▲	▲				▲	▲	▲

Summary national and international comparison table: Skills TLOs

Discipline-specific skills	CALD	AQF	ABA 2009	ABA 2010	QAA	Joint S	MacCrato	Waldbrot	CanTF	Scot	LA Tun
Legal reasoning and analysis	▲	▲	▲	▲	▲	▲	▲			▲	▲
Problem solving	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲
Legal research	▲		▲	▲	▲	▲	▲		▲	▲	
Critical thinking		▲			▲					▲	
Independent learning		▲			▲					▲	
Communication	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲
Reflection			▲	▲	▲						
Collaboration (team work)		▲	▲	▲	▲			▲		▲	
Creative skills		▲									
Negotiation and ADR							▲	▲			
Professional judgment (including ability to recognise and respond to ethical issues)	▲	▲	▲	▲		▲	▲		▲	▲	▲
<b>Additional/generic transferable skills</b>											
Numeracy					▲	▲					▲
Information literacy					▲	▲					▲
Project management								▲		▲	



About TEQSA

Registration &  
Accreditation

Standards  
Framework

Quality Assurance

Publications

Training

Consultation

## Higher Education Standards Framework

TEQSA will register and evaluate the performance of higher education providers against a new Higher Education Standards Framework. The Framework will consist of the following domains:

- Provider Standards comprising:
  - The Provider Registration Standards
  - The Provider Category Standards
  - The Provider Course Accreditation Standards
- Qualification Standards
- Teaching and Learning Standards
- Research Standards, and
- Information Standards.

Must meet

<http://www.teqsa.gov.au/higher-education-standards-framework>

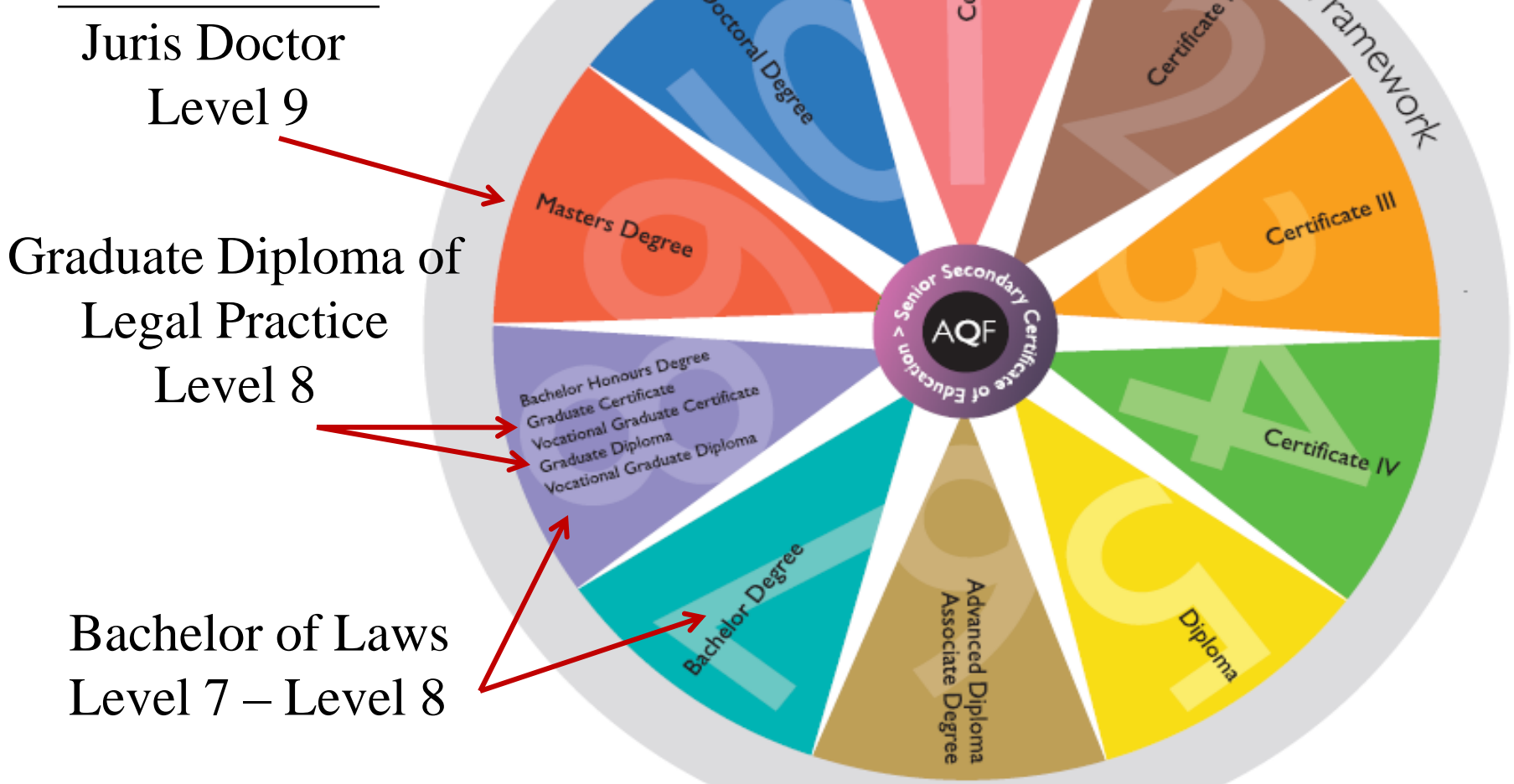
Quality Assurance

The Provider Standards and the Qualification Standards are collectively the Threshold Standards.



# Qualifications Standards = AQF

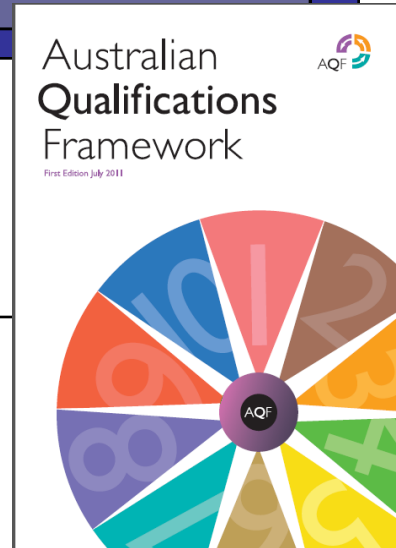
## Location of AQF qualification types in the levels structure



[http://www.aqf.edu.au/Portals/0/Documents/Handbook/AustQuals%20FrmwrkFirstEditionJuly2011\\_FINAL.pdf](http://www.aqf.edu.au/Portals/0/Documents/Handbook/AustQuals%20FrmwrkFirstEditionJuly2011_FINAL.pdf)

# Australian Qualifications Framework (AQF) Level/ Degree Descriptors

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Graduates at the **Bachelor degree**  
(AQF level 7) will have (p 45):

*...broad and coherent knowledge and skills for  
professional work and/or further learning*

Graduates at the **Masters degree**  
(AQF level 9) will have (p 57):

*...specialised knowledge and skills for research  
and/or professional practice and/or further learning*



# Nothing in the AQF about internationalisation!

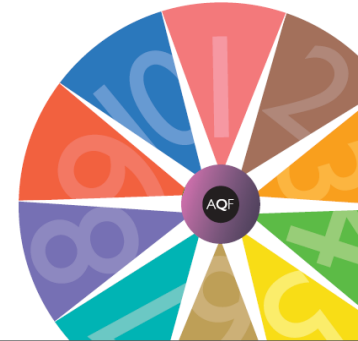
... other than that the 'Objectives of the AQF' include that it (at p 8)

... 'supports and enhances the national and **international mobility** of graduates and workers through increased recognition of the value and comparability of Australian qualifications

... enables alignment of the AQF with **international qualifications and frameworks**'.

Australian  
Qualifications  
Framework

First Edition July 2011



<http://www.aqf.edu.au/>

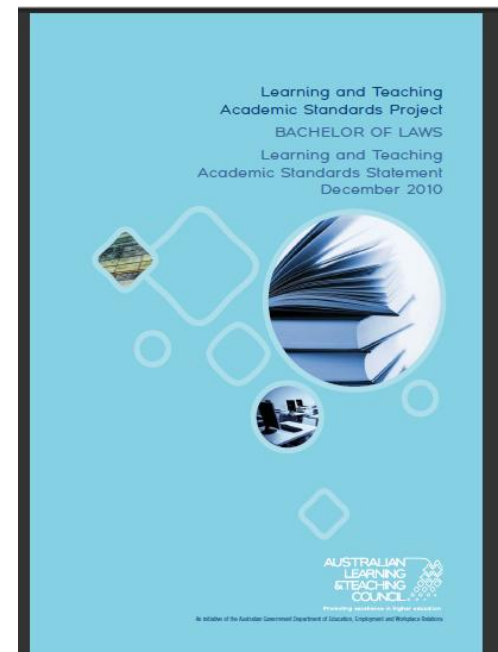
# Law TLOs : Bachelor of Laws

## Six (6) Threshold Learning Outcomes

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- Knowledge (Priestley 11 + some)
- Ethics and professional responsibility
- Thinking Skills
- Research Skills
- Communication and collaboration
- Self-management

<http://www.olt.gov.au/resource-law-ltas-statement-altc-2010>





# Law TLOs as possible program learning outcomes?

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## Broad disciplinary support for TLOs

- CALD has endorsed the TLOs
- TLOs satisfy LACC re Priestley 11
- TLOs align with AQF (TEQSA's minimum standard)

## TLOs capture good practice and

- sit with statements of graduate attributes
- resonate with other international statements.



# Internationalisation

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## Internationalisation and the TLOs

# International Association of Universities (IAU)(UNESCO based)

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## IAU Statement on Internationalization (2000):

- ...Whether in the economic, political, or social realms, higher education is expected to contribute to raising the overall quality of life, world wide. To fulfil its role effectively and maintain excellence, higher education must become far more internationalized; it must integrate an international and intercultural dimension into its teaching, research, and service functions.

[http://www.iau-aiu.net/sites/all/files/declaration\\_Internationalization\\_Policy\\_Statement\\_0.pdf](http://www.iau-aiu.net/sites/all/files/declaration_Internationalization_Policy_Statement_0.pdf)

## ALTC National Fellowship – AssPro Betty Leask

### Latest news

Prof Jo Mestenhauser's new book, *Reflections on the Past, Present, and Future of Internationalizing Higher Education—Discovering Opportunities to Meet Challenges*, is now available for order.

Read Elspeth Jones' article *Internationalisation: Aid, trade, pervade* in *University World News*.

### ALTC National Teaching Fellowship: Internationalisation of the curriculum in action

The focus of this fellowship is the active engagement of academic staff across different disciplines and institutions with internationalisation of the curriculum. The fellowship will develop and disseminate a framework for internationalisation of the curriculum in action illustrated by case studies and supported by a practical 'how-to' guide for academic staff seeking to internationalise the curriculum within their disciplinary and institutional context. The primary goal of the fellowship is to provide practical ongoing support for institutions and in particular, teams of academic staff and their support staff across disciplines. The key question that will be considered is *'How can we internationalise the curriculum in this discipline area in this particular institutional context and ensure that, as a result, we improve the learning outcomes of all students?'*



The focus of this fellowship is the active engagement of academic staff across different disciplines and institutions with internationalisation of the curriculum

### Internationalisation of the Curriculum with the QIC

#### A practical guide to internationalisation of the curriculum making use of the QIC (Questionnaire on the Internationalisation of the Curriculum)

The purpose of this guide is to assist teams of teaching staff evaluate the extent to which the curriculum in their program is internationalised and help them to identify, where appropriate, further action.

Internationalisation of the curriculum is 'the incorporation of an international and intercultural dimension into the content of the curriculum as well as the teaching and learning processes and support services of a program of study' (Leask, B. (2009). Using formal and informal curricula to improve interactions between home and international students. *Journal of Studies in International Education*, 13(2), 205-221.).

Download the QIC (Questionnaire on the Internationalisation of the Curriculum).

Download the guide for PROGRAM DIRECTORS or facilitators of the internationalisation team.

This latest version contains a number of significant changes compared with previous versions. Firstly a number of questions relating to internationalisation at the institutional level of your university have been removed. It was felt that these questions are best addressed at a later stage of process set out in this guide. Secondly the order of the questions has been changed, intending to reflect a progression from aspects which are most under the control of the teaching academic towards those which are less so.

The following steps are intended as a guide to making the most of the QIC. Please note that the purpose of the QIC is *not* to collect data or measure performance, but rather to stimulate discussion, understanding, and above all ideas.

- 📄 Step 1: Identifying the Team
- 📄 Step 2: Completing the Questionnaire
- 📄 Step 3: Discussing the responses
- 📄 Step 4: Developing the action plan

### Welcome



Welcome to the internationalisation of the curriculum in action website. This site is continually being improved. If you have some favourite articles which are not yet included, please let us know.

Associate Professor Betty Leask  
 ALTC National Teaching Fellow  
 University of South Australia  
 Betty.Leask@unisa.edu.au  
 Telephone: +61 8 83029093  
 Mobile: 0429 839 619  
 Homepage:  
<http://people.unisa.edu.au/betty.leask>

### Staff members

Christopher Bridge  
 Research Assistant  
 Christopher.Bridge@unisa.edu.au

### IoC in Action

### Forthcoming conferences & events

4th ACM International Conference on Intercultural Collaboration (ICIC'12), March 21-23, 2012, Bengaluru, India. Call for papers available here.



# Internationalisation – What

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- **International law students** into Aust law programs (on- & off-shore); international opportunities for **Aust law students** (on- (online) & off-shore)
- **International legal educators** & public figures to Aust; **Aust legal educators** & public figures go overseas
- **Internationalising** the legal education **curriculum**
- **Twinning arrangements** between Aust and international institutions
- Of **teaching, research** and **service**

# Possible foci for internationalised curriculum

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- ❑ Internationally focused subject content
- ❑ International & comparative perspectives
- ❑ Bijural/ multijural/ polyjural/ transsystemic/ transnational legal education (eg 'bijural' commonly used in Canada: students necessarily study both civil & common law); for more reflexive international practice
- ❑ International legal research skills
- ❑ Students as global citizens
- ❑ Intercultural competency
- ❑ Second (+) language acquisition



## Courses and Academic Programs

[Academic Calendar: 2011-12](#)

[Degree Programs](#)

### → Curriculum

- [Course Catalog](#)
- [Course and Schedule Updates](#)
- [Course Evaluation Guide](#)
- [Special Notice Regarding Course Textbooks](#)

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## Curriculum



Harvard Law School offers students a curriculum of unparalleled breadth: more than 400 courses, seminars, and reading groups that together reflect the remarkable range of the faculty's expertise and interests. More than half of these courses have fewer than 25 students enrolled, including more than 75 seminars in which small groups of students work closely with faculty. Also available to every student during their time at the Law School is our pathbreaking clinical program, in which students can develop real-world experience by practicing in one of the School's 29 in-house clinics or any number of outside organizations. Students also may engage in independent writing projects for academic credit, supervised by faculty at the top of their fields. Academic work of all kinds incorporates international perspectives, with Harvard offering the world's broadest and deepest set of opportunities in international, foreign and comparative law studies. And in everything done at Harvard Law, teaching and mentoring take place side by side, as faculty and students learn together and collaborate on projects that will change their communities and the world.

### RELATED LINKS

- [Registration Information](#)
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- [Academic Advising](#)
- [Programs of Study](#)
- [Course Catalog Archives](#)
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## Recent News and Spotlights

Spotlight at Harvard Law School

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# Law school deans from around the world discuss globalizing law education (video)



[L-R] Assistant Dean Chenying Zhang, Tsinghua Law School, China; Dean Joaquim Falcão, FGV Law School, Brazil; HLS Professor Duncan Kennedy (moderator); Dean Christophe Jamin, Sciences Po Law School, France; and Dean Daniel Jutras, McGill University, Faculty of Law, Canada

February 01, 2012

*The following story, by Juliet R. Bailin, originally appeared in the [Jan. 28 edition of The Harvard Crimson](#).*

Deans representing law schools in China, Brazil, Canada, and France gathered at Harvard Law School on Friday to discuss the pressures facing law schools to reform curricula in response to globalization.

The deans also focused on how the changing relationship between common and civil law will figure into the future of legal education.

According to Christophe Jamin, Dean of the Sciences Po Law School in France, there have



been no official changes in the way law is taught in France. But certain trends have emerged in legal education—more students than ever before are pursuing double

Sally Kift



**QUT/BABSEA CLE International Social Justice Internship Program**

*By Tina Cockburn, Associate Professor Queensland University of Technology Faculty of Law*

January 2011 marked the inauguration of the QUT/BABSEA CLE International Social Justice Program (ISJP). A team of nine undergraduate law students from the Queensland University of Technology (QUT), Brisbane, Australia went to Chiang Mai, Thailand. These students had the remarkable experience of making a real contribution to fighting the hardships and legal inequity in Southeast Asia while living and working in the region.

Participating students were enrolled in a QUT internship subject for academic credit – the three-week BABSEA CLE intensive internship

program in Chiang Mai comprised the social justice placement component of the subject. Program activities included orientation, training and cultural studies; community legal education; research and curriculum development; community service; and self-reflection.

Week One enabled students to develop an understanding of the legal and social justice challenges of the region and gave them an opportunity to work in a cross-cultural office setting and execute projects that span across the region. During Week Two, students learnt how to communicate legal ideas and principles to a

varied audience in a variety of social forums and gained an appreciation of legal differences and approaches to social justice from around the world. In Week Three, students completed their projects, evaluated and reflected on their progress in learning how to implement change.

The QUT/BABSEA CLE International Social Justice program builds on the successful QUT/BABSEA CLE Virtual Law Placement program (VLP), which has provided over 30 undergraduate QUT law students the opportunity to contribute to the important work of BABSEA CLE virtually from Australia since the program was established in 2008. The VLP utilises online communication technologies to overcome barriers to participation in international social justice projects that are posed by distance, visa restrictions, expense, family responsibilities and financial hardship, while providing law students with authentic international social justice placement opportunities.

The ISJP was developed to facilitate an international social justice placement study experience that educates Australian law students by raising awareness and understanding of the need for the provision of pro-bono legal services in Southeast Asia. The aim is to foster a culture of pro-bono service and hence promote long-term contact and cooperation between Australian lawyers and Southeast Asian stakeholders to assist marginalized groups and individuals and improve access to justice in the region.

This aligns with the strategic initiatives of the Australian law profession's governing bodies and leaders, including Federal and State Attorneys-General, who have recommended that law schools should encourage and provide



*"It has been a great experience to complete work that will benefit communities in Southeast Asia and it was fantastic to see the completed combined draft of the textbook. I have really enjoyed working with my team under the supervision of Bruce and Wendy, and felt that I gained a lot from this placement."*

Elizabeth Nettleton QUT LWB422 VLP student 2011; QUT/BABSEA CLE ISJP intern January 2012

opportunities to law students to undertake pro-bono and social justice initiatives as part of their academic or practical legal training requirements.

The ISJP also contributes to QUT's institutional goals to facilitate international study experiences and provide opportunities for work-integrated learning and transitions into professional practice while building a sense of community and further developing alumni networks and partnerships. Students who undertake the ISJP are expected to present on their experiences to other students, thereby raising awareness of the need for pro-bono and social justice initiatives in Southeast Asia and fostering an ongoing interest and desire to participate in the ISJP and other international social justice programs.

After a competitive application process, six of the nine students selected to participate in the ISJP in 2011 were awarded funding to cover BABSEA CLE program costs and travel, which was sourced from a QUT short-term outward mobility

grant and supplemented by financial and in-kind contributions from the QUT Faculty of Law, with the support of the Dean, Professor Michael Lavarch, and Head of the Law School, Professor Rosalind Mason. Selection criteria included: interest in and/or demonstration of work experience in the area of civil rights, access to justice and community service; strong academic record; cultural awareness and sensitivity; and willingness to commit to the time requirements of the internship program. Previous experience with BABSEA CLE by completing the VLP was highly regarded.

Each participating student was required to fund raise and make a donation to a BABSEA CLE program. To enable greater participation by equity students, one funded place was reserved for a student in equity target groups (including Aboriginal and Torres Strait Islander students, students from low socio-economic backgrounds and regional/remote areas) and equity considerations were included in the selection

criteria. Equity students were especially encouraged to apply and the Faculty of Law provided additional financial support in the amount of \$1,000 to equity students. Over 50 expressions of interest were received from law students to participate in the ISJP and receive grant funding.

Feedback from participating students has been overwhelmingly positive. Students appreciated this unique opportunity to make a difference: *Not only was I able to gain the practical experience I was expecting, but it also opened my eyes to the fact that there are less developed countries around the world that do not have a stable and developed legal system and lack clinical legal education to train lawyers. I feel very fortunate and proud to have worked alongside BABSEA CLE in an attempt to make a difference in the Vietnamese legal community and in the community as a whole, through my research reports... I have affirmed my interest in social justice because of this experience.*  
--Vinh Ho, QUT LWB422 VLP, 2011

In January 2012, a team of 13 enthusiastic QUT law students will undertake the ISJP, funded by a \$25,500 Department of Education, Employment and Workplace Relations (DEEWR) 2011 Study Overseas Short-term Mobility Program Grant. Catherine Campbell and I will join the students, funded by DEEWR and the QUT Law School. We are all looking forward to the privilege of working with the inspirational BABSEA CLE team in Chiang Mai!



# Internationalisation and the TLOs (1)

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[remembering the TLOs are minimum standards]

## □ TLO1 Knowledge –

- (a) the fundamental areas of legal knowledge, the Australian legal system, and underlying principles and concepts, **including international and comparative contexts**,...

## □ TLOs 2-6 –

- Skills and attitudes for internationalisation

## Internationalisation and the TLOs (2)

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[interpreting the TLOs broadly]

- TLO 2 for global citizenry
- TLO3 thinking skills for internationalisation
- TLO4 international & comparative research
- TLO5 intercultural competency in communication and collaboration
- TLO6 reflective and self-managing behaviours for international engagement

# International Legal Research

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<b>International treaties</b> <p>International treaties are a major source of international law. They are created by agreement between states and are sometimes referred to as conventions, covenants or protocols.</p> <p>See the Treaties tab in this guide for treaty collections and resources.</p> <p>Comments (0)</p>	<b>Customary international law</b> <p>Customary international law develops over time and emerges when the customary practice of states takes on the characteristics of legal rules.</p> <p>For a summary of identified documentary sources of customary law see Robert Watt and Francis Johns, R. <i>Concise Legal Research</i> (Federation Press, Australia, 6th ed, 2009)</p> <p>Comments (0)</p>	<b>Judicial decisions</b> <p>The decisions of international legal bodies can provide guidance as to the interpretation of international law and can be indicative of state practice</p> <ul style="list-style-type: none"><li>International Court of Justice</li><li>International Criminal Court</li></ul> <p>Comments (0)</p>
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*Gummow J: I think counsel should spend more time in law libraries and less time huddled over computers. It might assist us in our task.*

*Phonographic Performance Company of Australia Limited & Ors v Commonwealth of Australia & Ors [2011] HCATrans 118 (11 May 2011)*

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Help and Feedback

**Public international law bodies**

- United Nations**

The United Nations website is very broad, and contains links to a wide variety of organisations and resources.

The United Nations was established by the countries of the world in 1945 with the purpose of maintaining international peace and security and promoting friendly relations between states.
- General Assembly**

The General Assembly (GA) is the principal policy-making and representative body of the UN. It comprises all members of the UN and its declarations and resolutions are often indicative of state practice in a particular area.

GA declarations and resolutions (from 1981-current) can be found at [www.un.org/documents/resga.htm](http://www.un.org/documents/resga.htm)
- Security Council**

The UN system the Security Council has primary responsibility for maintaining international peace and security. Security Council resolutions with regard to enforcement, economic sanctions and collective military actions can be found by searching by year or document number.
- Economic and Social Council**

ECOSOC was established under the UN Charter and has responsibility for promoting economic, social, cultural, educational, health and related matters.
- Human Rights Council**

The Human Rights Council was created by the UN General Assembly and is a UN body responsible for promoting human rights around the world.
- Human Rights Committee**

The Human Rights Committee is a panel of experts created by the International Covenant on Civil and Political Rights (ICCPR) which is designed to monitor states' compliance with the ICCPR and to hear complaints of alleged violations or rights guaranteed by the covenant, including the right to life, the rights to freedom of religion, assembly and expression, the right to freedom from torture, the right to a fair trial and the right to vote.

Comments (0)

**Public international law bodies - Courts & Tribunals**

- International Court of Justice**

The ICJ is the principal judicial organ of the UN. Its roles are to settle disputes between States and to give advisory opinions on referred legal questions. The judgments of the ICJ are divided into contentious and advisory jurisdictions, and can be accessed via the ICJ website.
- International Criminal Court**

The International Criminal Court is an independent international organisation, and is not part of the United Nations system.

The ICC was created and is governed by the Rome Statute, and it is the first permanent international criminal court established to help end impunity for the perpetrators of genocide, war crimes and crimes against humanity.



# 21<sup>st</sup> Century Legal Education

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Changes in delivery  
Current areas of investigation

# Curriculum Delivery has changed

<http://qut.edu.au>



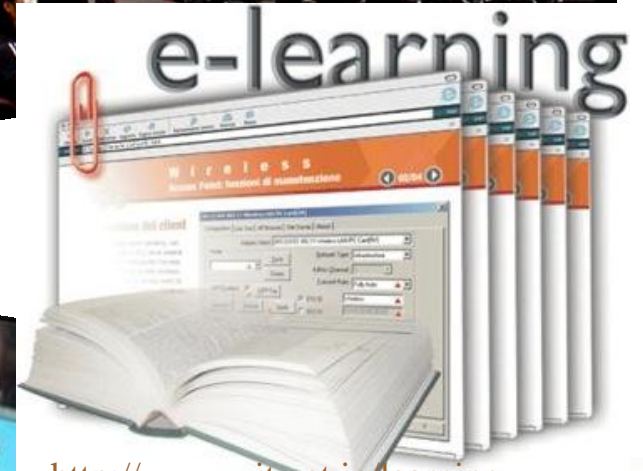
<http://www.youtube.com/watch?v=dGCJ46vyR9o>

Representation of a university class in the 1350s

<http://www.wuacademia.org/wuacademia-popular-university.html>

Sally Kift

<http://www.completemarketing.com/cms/web-2-0>



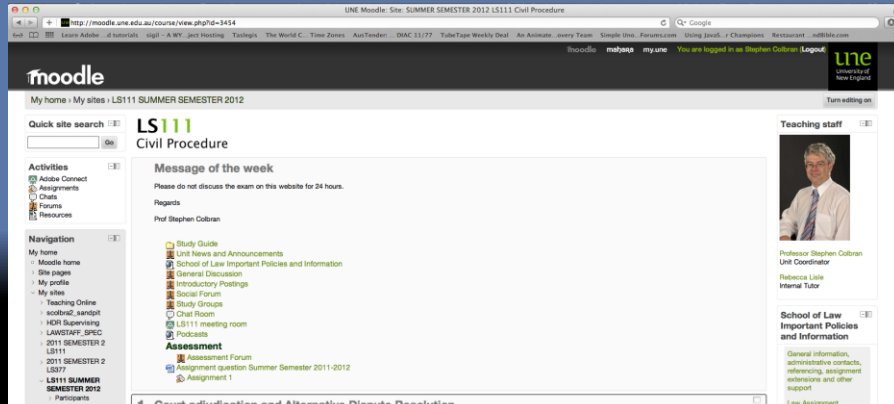
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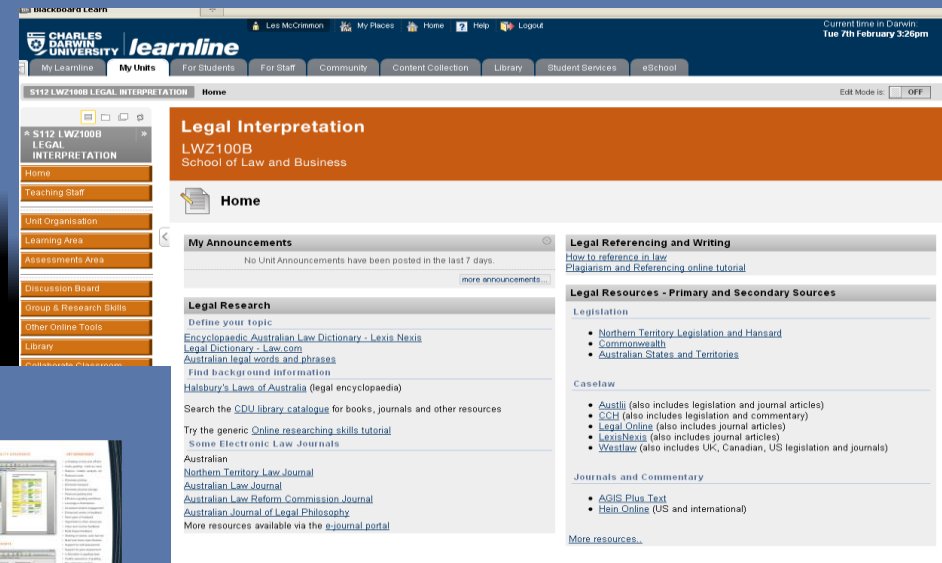


# Professors Stephen Colbran (UNE) and Les McCrimmon (CDU)

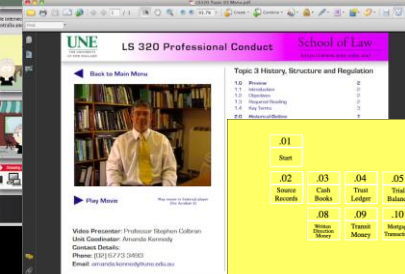
## Students' Moodle Site



## Students' Learnline Site



## Supporting resources



# Moira Murray (ANU): Online PLT



An example of an online course

The Professional Practice Core (PPC)

- 5 day intensive first
- Core courses integrated over 16 weeks
- “Virtual firms” in simulated legal office
- Practice Management
- Firm and individual assessment

ANU LEGW8142 - Professional Practice Core - Winter 2011

Navigation

- Virtual Office Space
- Wirreanda Wirreanda
- PPC Resource Library
- Communication Tools
  - Find your firm here!
  - Q&A Forums
  - Chat Rooms
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PPC Convenor  
Annika Ferguson  
FergusonA@law.anu.edu.au  
0420633749

PPC Course Outline Assessment Overview

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Welcome to Ma'at Dempster (Firm 25) - Civil

Manage Blueprints Manage Simulations Manage Users Manage User Groups Manage Plugins

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MA'AT DEMPSTER (FIRM 25) - CIVIL

STAFF TOOLS

Events  
Staff Resources  
Manage Simulation  
View Personal Logs

TOOLS

Firm Discussion  
Add Activity Log  
View Activity Logs  
Add Personal Log

Inbox

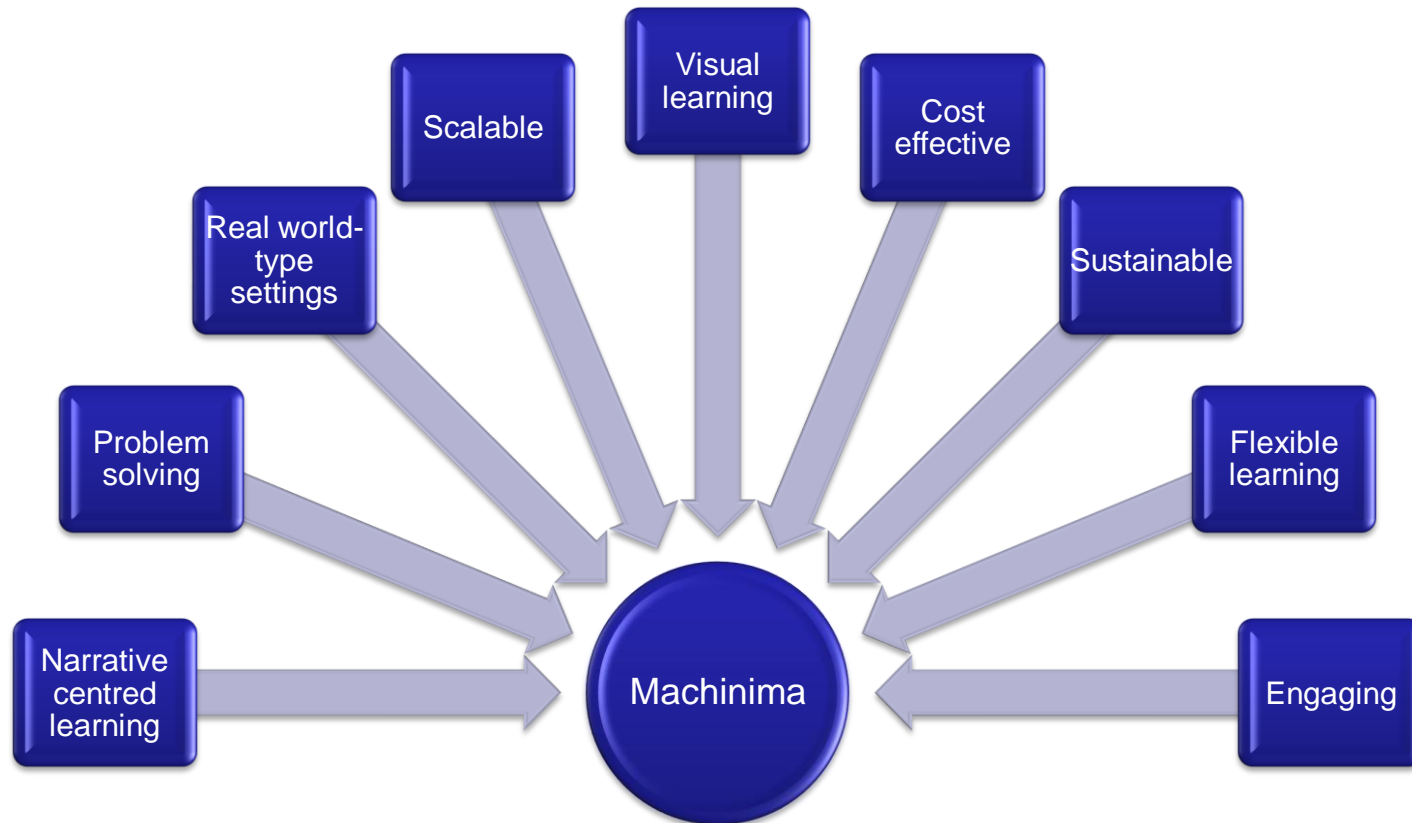
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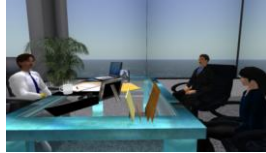
# Contextualising law through machinima



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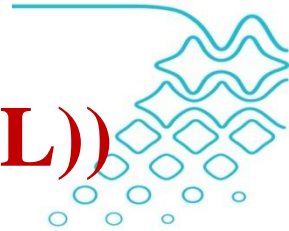
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# Capstone Experiences (including Work Integrated Learning (WIL))



## Final Year Curriculum Principles



Curriculum Renewal in Legal Education: Final Year Curriculum Principles



LAW CAPSTONE EXPERIENCE

*Curriculum Renewal in Legal Education: Articulating  
Final Year Curriculum Design Principles and Designing a  
Transferable Final Year Program*

- Transition
- Closure
- Diversity
- Engagement
- Assessment
- Evaluation

<https://wiki.qut.edu.au/display/capstone/Home;jsessionid=92CABC42B82D3479F5578251B487B435#>

# Strengthening Australian legal education by integrating clinical experiences



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Monash-Oakleigh Legal Service

Springvale Monash Legal Service

Family Law Assistance Program

Clinical Advisory Board

ALTC Project

▪ Project outcomes

[Monash University](#) > [Law](#) > [About Monash Law](#) > [Community Legal Services](#) > [ALTC-project](#)

## Project Outcomes

<http://www.law.monash.edu.au/about-us/legal/altc-project/project-outcomes.html>

This project will achieve the following outcomes:

1. Identify current practices in a powerful experiential method of legal education: clinical legal education (CLE)
2. Develop and disseminate national standards for effective CLE
3. Achieve strategic change needed to law curricula to incorporate clinical teaching

The research gathered across the next two years will be workshopped, compared and contrasted among key stakeholders, resulting in these deliverables:

- The production of recommended standards for current and new clinical programs
- A national conference
- An edited book

Progress reports will be uploaded to this site as they become available.

Sally Kift



# Student Mental Health and Wellbeing

National Summit on the Mental Health of Tertiary Students

About Program Registration Supporters Contact



## PROGRAM 4 - 5 AUGUST 2011

VENUE: Rydges on Swanston | 701 Swanston St | Carlton | Victoria  
Program (PDF 3.1MB)  
Discussion paper (PDF 397KB)  
Guidelines for Tertiary Education Institutions (PDF 308KB)  
Notes from Day 1 in preparation for Day 2 (PDF 850KB)

### KEYNOTE SPEAKERS:

Professor Elizabeth Harman >>  
Professor Patrick McGorry, University of Melbourne >>  
Dr Helen Stallman, University of Queensland >>  
Professor Simon Marginson, University of Melbourne >>

## Positive Curriculum Strategies to Address Psychological Distress in Law Students

Rachael Field  
ALTC Fellow 2010



Queensland University of Technology

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[http://www.cshe.unimelb.edu.au/nationalsummit/PT/Rachael\\_Field.pdf](http://www.cshe.unimelb.edu.au/nationalsummit/PT/Rachael_Field.pdf)



The Foundation's objective is to decrease distress, disability and the causes of depression and anxiety in the legal profession.

Since the Foundation's inception in August 2008, the organisation has strived to create greater awareness of depression and anxiety amongst the legal fraternity.

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Julie McCrossin  
Moderator, Freelance Journalist

NEWS RESOURCES VIDEO

### Video: 2011 Tristan Jepson Memorial Foundation Annual Lecture

October 19, 2011

The 2011 Tristan Jepson Memorial Foundation Annual Lecture was hosted by Julie McCrossin, freelance journalist and UNSW law alumna.

<http://www.cshe.unimelb.edu.au/nationalsummit/program.html>

<http://www.tjmf.org.au/>

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