

CALD Council Meeting Minutes of Meeting

3 July 2024

10:00 am – 3:00 pm

In Person and Via TEAMS

SA/NT: 10:00 – 3:00 pm; **ACT/NSW/VIC/TAS/QLD:** 10:30 - 3:30 pm **NT:** 8:30 am to 1:30 pm; **WA:** 8:30 – 1:30 pm

Attendees (IP = In Person, OL = Online)

Co-Chair and CALD Executive

Name	Law School	Attendance Mode
Professor Nick James, Executive Dean	Faculty of Law, Bond University	IP
Professor Tania Leiman, Dean of Law	College of Business, Government and Law, Flinders University	IP
Professor Andrew Lynch, Dean	Law and Justice, UNSW Sydney	IP
Professor Anita Stuhmcke, Dean	Faculty of Law, University of Technology Sydney	IP
Professor Therese Wilson, Dean of Law and Head of School	Griffith Law School, Griffith University	IP

Members or their nominees

Name	Law School	Attendance Mode
Professor Tony Connolly, Dean	ANU College of Law, Australian National University	OL
Associate Professor Kunle Ola, Interim Dean	Thomas More Law School Australian Catholic University	IP
Professor Alan Berman, Dean of Law	Faculty of Arts & Society, Law, Charles Darwin University	IP
Professor Mark Nolan, Director	Centre for Law and Justice, Charles Sturt University	OL

Professor Stephen Colbran, Dean of Law	School of Business and Law, CQUniversity Australia	OL
Professor Robert Cunningham, Dean and Head of School	Curtin Law School, Curtin University	IP
Associate Professor Joshua Aston, Associate Dean	School of Business and Law, Edith Cowan University	OL
Professor Lorne Neudorf, Dean	La Trobe Law School, La Trobe University	OL
Professor Lola Akin Ojelabi, Head of Department (Law)	Graduate School of Business and Law, RMIT University	IP
Associate Professor David Heilpern, Dean	Faculty of Business, Law and Arts, Southern Cross University	OL
Professor Amanda Scardmaglia, Dean	School of Business, Law and Entrepreneurship, Swinburne University of Technology	IP
Professor Judith McNamara, Dean	Adelaide Law School, The University of Adelaide	IP
Professor Michael Quinlan, National Head	School of Law & Business, The University of Notre Dame	OL
Professor Rick Bigwood, Dean	TC Beirne School of Law, The University of Queensland	OL
Professor Sharon Mascher, Dean	UWA Law School, The University of Western Australia	IP
Professor Mark Perry, Head of School	School of Law, University of New England	IP
Professor Vicki Waye, Dean	UniSA Justice & Society, University of South Australia	IP
Professor Jonathan Crowe, Head of School & Dean	School of Law and Justice, University of Southern Queensland	IP
Professor Jay Sanderson, Dean	School of Law and Society, University of the Sunshine Coast	OL
Professor Lidia Xynas, Dean	Victoria Law School, Victoria University	OL
Professor James Stellios, Head	ANU Law School, Australian National University	OL
Professor Marilyn McMahon, Dean	Deakin School of Law, Deakin University	OL
Professor Markus Wagner, Acting Law Dean (on behalf of Dilan Thampapillai, Dean)	School of Law, University of Wollongong	IP
Professor Anna Huggins (on behalf of Professor Sharon Christensen)	School of Law, Queensland University of Technology	OL
Professor Catherine Renshaw, Interim Dean	School of Law, Western Sydney University	IP
Professor Lise Barry, Dean	Macquarie Law School, Macquarie University	IP
Professor Marilyn Pittard, Interim Dean	Faculty of Law, Monash University	IP
Professor Belinda Bennett, Head of School & Dean	School of Law and Justice, University of Newcastle	IP
Professor Maree Sainsbury, Deputy Dean and Acting Head	Canberra Law School, University of Canberra	OL
Professor Heather Douglas (on behalf of Alison Duxbury)	Melbourne Law School, University of Melbourne	OL
Professor Rita Shackel, Interim Dean	The University of Sydney Law School, University of Sydney	IP

Apologies

Name	Law School	Delegate Attending
Professor Alison Duxbury, Interim Dean	Melbourne Law School, University of Melbourne	Yes
Gino Dal Pont, Interim Dean	School of Law, University of TasmaniaLyn	No
Professor Sharon Christensen, Head	School of Law, Queensland University of Technology	Yes
Professor Dilan Thampapillai, Dean	School of Law, University of Wollongong	Yes
Professor Jan McDonald	School of Law, University of Tasmania	No
Neil Dunbar, Head	College of Business, Law and Governance, James Cook University	No
Associate Professor Sonia Walker, Dean	School of Law and Criminology, Murdoch University	No

Guest

Name	Law School	Attendance
DR Marcelle Burns, Associate Dean Indigenous Leadership and Engagement	Faculty of Law, University of Technology Sydney	OL

Secretariat

Name	Law School	Attendance
Ms Nadia Singh	Faculty of Law, Bond University CALD EO	IP

Agenda Details

Agenda Item		Details	By	ATT
A. Welcome	A01	<p>Welcome to Law Deans and delegates</p> <ul style="list-style-type: none"> • NJ welcomed Council members, announced late apologies and welcomed new Deans/interim Deans. These included: <ul style="list-style-type: none"> ○ Professor Lorne Neudorf, Interim Dean at La Trobe Law School. ○ Professor Rita Shackel, Interim Dean at the University of Sydney. ○ Professor Markus Wagner, Acting Dean at the University of Wollongong. • TL delivered the acknowledged of country. • NJ thanked TL for hosting the Council meeting at the new Flinders University campus. 	NJ	
B. Formal matters	B01	<p>Apologies and housekeeping</p> <ul style="list-style-type: none"> • TL provided a summary of all housekeeping matters for the meeting space and provided an update about the ALAA Conference. 	NJ	
	B02	<p>Approval of CALD Council Minutes of Meeting</p> <ul style="list-style-type: none"> • The minutes of meeting for the 14 February 2024 were approved subject to the names of Vicki Waye and Marilyn Pittard being corrected. <p>Noting of CALD Executive Minutes of Meetings</p> <ul style="list-style-type: none"> • The Executive Minutes of Meeting for 12 April 2024 and 24 May 2024 were noted. 	NJ	EO to correct names.
	B03	Approval of current agenda	NJ	

<p>C. Executive reports</p>	<p>C01</p>	<p>CALD Co-Chairs Report</p> <p><i>Update re LACC/LSC</i></p> <ul style="list-style-type: none"> • NJ and AS attended the LACC/LSC meeting on 13 June 2024. • An update re the outcome of the LACC/LSC consultation re ‘Accreditation of Australian law courses and practical legal training providers – LACC guidance materials’ is provided under a separate agenda item. • The PLT Competency Standards are currently being reviewed with an interim report due in November 2024. • The new Chair of LACC and LSC is the Honourable Francois Kuntz. • Learning Intensives in PLT programs – APLEC asked LACC for a nationally consistent approach to admission authority approvals for GDLP Learning Intensives to be delivered online. LACC declined to make this decision until the current LACC/LSC consultation is concluded. As such, there is still an inconsistent approach to the delivery of the Learning Intensives nationally. • Dual JD Courses - AS reported on discussions re dual Juris Doctor programs. Proposed partnerships between international law schools and law schools in Australia would allow a law student to graduate with a law degree from both universities. The issue for LACC is whether Priestley 11 subjects can be delivered by a non-Australian law school. LACC would like to coordinate with CALD to collate the arguments as to the delivery of dual JD programs. (It was noted that one law school in India, OP Jindal Global, has already been teaching Priestley 11 subjects.) • The implications of the UK Free Trade Agreement are still being determined. • LACC/LSC have approved amended disclosure guidelines for those seeking admission. These changes can be reviewed on the local admission authorities’ websites. <p><i>CALD Executive Vacancies</i></p> <ul style="list-style-type: none"> • CALD Treasurer: Simon Bronitt had completed his term and Therese Wilson has replaced him in the position. • Vice Chair Research: Belinda Bennett was appointed unopposed to the position. <p><i>Changes to CALD Executive Portfolios</i></p> <ul style="list-style-type: none"> • Vice Chair Standards, Accreditation and the Legal Profession: The portfolio is no longer needed due to discontinuation of the ALSS certification process and the fact that NJ and AS sit on LACC. It is proposed that this portfolio be discontinued. 	<p>NJ/AS</p>	<p>EO to arrange for letter of appointment to be sent to BB.</p>
------------------------------------	------------	--	--------------	--

		<ul style="list-style-type: none"> It is proposed that a new CALD Executive portfolio be created: Vice Chair First Peoples Partnerships. This position will serve as CALD liaison with the First Peoples Partnerships Working Party (FPPWP). Professor Mark Nolan is currently co-Chair of the FPPWP and was appointed to this new position. <p>CALD incorporation</p> <ul style="list-style-type: none"> CALD has incorporated. The CALD Co-Chairs and the Deputy Chairs are the Directors. The Deputy Director is the Secretary. The CALD Treasurer is the Public Officer. The final task is currently underway which is to change CALD's tax status to a charity. <p>CALD website</p> <ul style="list-style-type: none"> The CALD website has been updated. Members should connect with the CALD EO if any information needs to be amended. MN requested that the FPPWP Terms of Reference be removed from the website as they are currently under review. <p>New member induction manual</p> <ul style="list-style-type: none"> A new Induction Manual for new CALD members has been created which will provide an overview of CALD's operations. 		<p>EO to arrange for letter of appointment to be sent to MN.</p> <p>EO to remove the FPPWP Terms of Reference from the First Nations page of the CALD website.</p> <p>EO to send the Induction manual to new members.</p>
	C02	<p>Treasurer Report</p> <ul style="list-style-type: none"> TW provided an overview on the financial position of CALD and reported that we are working with Biggerfish on the types of reports that are sent to us monthly. A draft reimbursement protocol has been developed and will initially be sent to the CALD Executive for approval. The protocol will ensure that members are aware of the process required for reimbursement by CALD. Once approved by the Executive, the protocol will be shared with relevant groups. TW thanked Simon Bronitt for all his work as Treasurer, and thanked Nadia Singh for excellent support. 	TW	<p>EO to follow up Biggerfish on reports.</p> <p>EO to include draft reimbursement policy on the agenda for the next Executive meeting.</p>

	C03	<p>Vice Chair Legal Education</p> <ul style="list-style-type: none"> Update re 'Australian Legal Education 2030 and Beyond': <ul style="list-style-type: none"> TL provided an overview of the last meeting held in April with the key stakeholders. The group has settled the list of questions that each will submit to their constituents. CALD will now have to prepare its own answers. TL will continue as the facilitator. The next meeting is scheduled for November, but the responses will need to be completed by October to allow members of the group time to review the responses. Review into the use of Legal Professional Privilege in Commonwealth Investigations <ul style="list-style-type: none"> AS and TL met with the Commonwealth Attorney General's Office to discuss the teaching of legal professional privilege. TL provided an overview to the AG Office on the Priestley 11 subjects, academic requirements, and the fact that law schools deliver content differently. No follow-up was suggested. 	TL	
	C04	<p>Vice Chair International</p> <ul style="list-style-type: none"> Update re collaboration with NZ/Pacific Island Law Deans and Indonesian Deans <ul style="list-style-type: none"> AL reported that with the assistance of Marcelle Burns and Mark Nolan, he has connected with Professor Khyle Quince, Dean and Shelley Griffiths, Dean at the Faculty of Law at the University of Otago regarding presenting to Council members in November regarding their experience embedding First Nations content into the curriculum. He confirmed that the invitation has been accepted by both Professor Quince and Professor Griffiths. The working group has met to discuss collaboration with the Indonesian Law Deans. AL reported that he has contacted DFAT to check if they may have any suggestions and is yet to hear back. The group recommends that CALD Co-Chairs and Deputy Chair be part of the visit to Indonesia. Currently the list of Indonesian Law Deans is being reviewed and updated. Student Visas (485 visa) <ul style="list-style-type: none"> CALD has sent a letter to Ministers regarding the altering of the rights of study age from 50 to 35 years old. The letter asked for any changes to be grandfathered. No response to the letter has been received. It was noted that this week the cost of visa applications has increased significantly. International Student Cap <ul style="list-style-type: none"> It was noted that the cap imposed by government on the number of international students will impact all universities. Universities will be de-registered if they disregard the cap. 	AL	<p>CALD to organise visit for guests and arrange flights, accommodation, etc.</p> <p>NJ/AS to contact ALSA.</p>

		<ul style="list-style-type: none"> It was proposed that CALD engage with the Australasian Law Students Association (ALSA) about better supporting international students at this time. It was noted that the capacity for CALD to lobby the government about the visa issue is limited and it remains primarily an issue for the University leadership. 		
D. Items for discussion	D01	LADRN project on assessment of legal research <ul style="list-style-type: none"> CR reported that as requested by CALD, a review of the existing 2005 statement on research and its impact is currently being undertaken by LADRN. The current statement is out of date and does not speak to current issues and concerns around measure metrics. LADRN will work on updating the current statement and submit it to the CALD Research Working Group initially prior to distributing it to the CALD Executive for discussion and approval. Lyria Bennett-Moses has agreed to remain involved. NJ thanked LADRN on the work that they are doing in ensuring the research and impact statement is updated. 	CR	
	D02	CALD Executive Portfolios <i>Vice-Chair, Standards, Accreditation and Legal Profession</i> <ul style="list-style-type: none"> NJ formally acknowledged the work that Professor Jenny Lightowlers has done on the CALD Executive. It was agreed to address Agenda item D06 now. NJ on behalf of the CALD Executive put forward two motions: to discontinue the ALSS certification process and to discontinue the CALD Executive Standards, Accreditation and the Legal Profession portfolio. The first motion was passed unanimously by CALD Council. CALD formally discontinued the Australian Law School Standards certification process. It was noted that: <ul style="list-style-type: none"> CALD will need to communicate with the ALSS Committee and advise of the outcome of the vote. All Council members are to remove reference to certification from their website. CALD will write to each law school that has a current application and advise that the certification process will no longer be continued. The ALSS will be reviewed to determine whether they should be (1) abolished, (2) retained as a condition of membership of CALD, (3) retained as merely an aspirational statement, and/or (4) updated and streamlined. A Working Group was created with Marilyn Pittard (Monash) as Chair with David Helipern (SCU), Mark Perry (UNE), Belinda Bennett (Newcastle), Amanda Scardmaglia 	NJ	<p>CALD to communicate with the Law School Standards Committee.</p> <p>All Council members to ensure that reference to accreditation is removed from their website.</p> <p>Working Party to arrange meeting and start review of the ALSS.</p>

		<p>(Swinburne) and Lola Akin Ojelabi (RMIT). The Working Group will report back to the Council at the November 2024 meeting.</p> <ul style="list-style-type: none"> The second motion was passed unanimously. CALD has discontinued the portfolio of Vice-Chair Standards, Accreditation and Legal Profession. <p><i>Vice Chair – First Peoples’ Partnership</i></p> <ul style="list-style-type: none"> It was proposed that CALD establish a new portfolio, Vice Chair First Peoples Partnerships. The motion was passed unanimously. Professor Mark Nolan was appointed as the new Vice Chair. The FPPWP Terms of Reference will need to be updated to reflect the changes ensuring that the CALD Vice Chair FPP will need to be a member of the FPPWP. <p><i>2023 International Guidelines for Wellbeing in Legal Education</i></p> <ul style="list-style-type: none"> It was proposed that CALD endorse the IBA 2023 International Guidelines for Wellbeing in Legal Education and recommend their adoption by Australian law schools. The motion was passed unanimously. 		
	D03	<p>First Peoples Partnerships Update</p> <ul style="list-style-type: none"> Proposed changes to Terms of Reference <ul style="list-style-type: none"> The current Terms of Reference are being reviewed by the FPPWP. While this is being done, it was requested that the currently Terms of Reference be removed from the CALD website. Proposal re artwork <ul style="list-style-type: none"> All First Nations resources are now on the CALD website. The FPPWP are currently working on sourcing artwork for the First Nations page and ensuring that the licensing permits the artwork to be used in a variety of ways. MN will report back to the CALD Executive on a proposal about the artwork. Proposal re First Nations Awards <ul style="list-style-type: none"> The FPPWP supports the new LADRN law research award for an indigenous researcher. FPPWP were supportive of the creation of an indigenous education award within the ALEAs. MN provided an overview of First Nations activities which included the IHEC conference by the University of Canberra, professional development scheduled for November, Bar events for law students and the upcoming conference hosted by Charles Stuart University. 	MN	EO to remove current Terms of Reference from the CALD website.
BREAK				

	D04	<p>LEAD and LADRN</p> <p>Memoranda of Understanding between CALD and LEAD and between CALD and LADRN</p> <ul style="list-style-type: none"> NJ clarified the relationship between CALD, LEAD and LADRN; the groups would remain independent, but CALD will administer the LEAD and LADRN finances and provide administrative support directly. A Memorandum of Understanding (MOU) with each network has been drafted and CALD has consulted with both LEAD and LADRN. The MOU allows the Co-Chairs of LEAD and LADRN an opportunity to report annually to CALD. The MOUs were approved and will be finalised with LEAD and LADRN. <p>Proposal to move ALEAs and ALRAs to bi-annual</p> <ul style="list-style-type: none"> NJ raised the possibility of making the ALRAs and ALEAs bi-annual. He noted that LEAD would like to retain the awards annually and not make any changes. CR confirmed LADRN's preference to make them bi-annual. (Note that at the later LADRN meeting members supported retaining the current timing.) It was noted that although the workload was significant for both Awards schemes, it was a useful tool to recognise academics. Overall, there was strong CALD support for making the awards bi-annual. 	NJ	<p>EO to finalise MOUs for LEAD and LADRN.</p> <p>CALD to write to LEAD and LADRN confirming timing of the Awards Scheme.</p>
	D05	<p>Australian Law Students Association (ALSA)</p> <p>Memorandum of Understanding between CALD and ALSA.</p> <ul style="list-style-type: none"> A Memorandum of Understanding (MOU) has been drafted by ALSA for CALD approval. NJ noted that there were no financial obligations. The MOU provides CALD Co-Chairs to attend the ALSA Conference (at CALD's expense) and provide ALSA an opportunity to present to CALD once a year. The MOU was approved and will be finalised. CALD will arrange for LEAD, LADRN, ALSA and FPPWP to present at one CALD Council meeting per year. 	NJ	<p>CALD to finalise MOU.</p> <p>EO to finalise date of CALD Council presentations by LEAD, LADRN, FPPWP and ALSA.</p>
	D06	<p>Australian Law School Standards - Proposal to discontinue the ALSS Certification process.</p> <ul style="list-style-type: none"> As noted above, the motion to discontinue the ALSS Certification process was passed unanimously. 	NJ/AS	

	D07	<p>Law Admissions Consultative Committee</p> <ul style="list-style-type: none"> Regarding the CALD response to the LACC/LSC Consultation Paper ‘Accreditation of Australian law courses and practical legal training providers – LACC guidance materials’, NJ thanked those Deans who responded for their participation. LACC/LSC has extended the deadline in response to a request from certain admission authorities. LACC/LSC confirmed that if changes are made to the regulation of modes of delivery of law programs, law schools would be given time to make changes. It was suggested that some schools would need up to 5 years to make the changes. The Executive Summary provided to all Council members can be shared. Professor David Helipern thanked the CALD Executive for putting the summary together and reported that Southern Cross University is currently dealing with an accrediting authority that is insisting that 100% student attendance be required for all Presley 11 subjects. 	NJ	Council Members can share the LACC Survey Executive Summary as needed.
	D08	<p>Australian ‘Legal Education 2023 and Beyond’</p> <ul style="list-style-type: none"> NJ reported that as CALD is a key stakeholder of the working group reviewing ‘Australian Legal Education 2023 and Beyond’, a response is needed from Council members regarding the substance questions. The CALD Executive will deal with the process questions. After a discussion about how best to collate individual law school answers to the questions, it was resolved to set up a document that can be edited by all (i.e.: Teams or SharePoint). CALD EO will circulate the substance questions, a copy of the notes from the first meeting of the working party and a copy of the Kift and Nakano Paper to all Council members. Law Deans can engage with the academics in their own schools when answering the questions. It was noted that the questions could not be changed as these were developed by the working group. It was suggested that a consultant be hired to collate the responses. CALD Executive to consider this option. Responses must be collated by mid-October 2024 for distribution to the working party members in October 2024. 	NJ	<p>EO to distribute questions, discussion notes and Kift and Nakano Paper to all Council members. CALD Executive to consider mode of input and action accordingly.</p> <p>CALD Executive to consider hiring a consultant to collate the feedback.</p> <p>CALD to finalise and distribute feedback by mid-October.</p>
BREAK				

E. Professional development	E01	Presentation re CALD Statement on Racism <ul style="list-style-type: none"> Professor Mark Nolan and Associate Dean Marcelle Burns presented to the Council on the FPPWP Racism Statement that was endorsed by CALD in January 2024 with a focus on working on ensuring culturally safe environments, adhering to the Statement and support for First Nations academics. The presentation will be distributed to all Council members. There was support for including as a standing agenda item each November a discussion about law school progress towards complying with the undertakings in the Statement and identifying best practices. NJ thanked Professor Nolan and Associate Dean Burns for their presentation. 	MN MB	EO to distribute the slides to all Council members.
	E02	'Managing political debate, conflicts and campus demonstrations in the context of freedom of speech' <ul style="list-style-type: none"> Due to time restraints, this discussion was not held. 	AS	
F. Correspondence for noting	F01	<ul style="list-style-type: none"> 240408 CALD to Legal Education Stakeholder group 240411 ASIC to CALD re Registration of Company Certificate 240425 ATO to CALD re FBT Eligibility. 240425 ATO to CALD re Tax File No. 240614 Email from LEAD to CALD re ALEAs 240620 Letter from CALD to Minister to Home Affaires re visa issues 240601 CALD to LEAD 240603 CALD to ALRA 	NJ	
G. Other business	G01	<ul style="list-style-type: none"> There was no other business. 		
H. Next meeting	H01	<ul style="list-style-type: none"> The next CALD Council meeting will be held on 15 November 2024 from 10:00am to 3:00pm (AEST) at Macquarie University in Sydney, Michael Kirby Building, 17 Wally's Walk, North Ryde Campus. 	NJ	EO to distribute details.
Close of meeting		<ul style="list-style-type: none"> The meeting closed at 2:50 pm 		

Distribution list:

Co-Chair
Co-Chair
Deputy Chair/Treasurer
Vice-Chair International Matters
Vice-Chair Legal Education
Vice-Chair Research
All CALD Council Members

Professor Nick James
Professor Anita Stuhmcke
Professor Therese Wilson
Professor Andrew Lynch
Professor Tania Leiman
Professor Belinda Bennett