



# Minutes

## College Education Committee

MEETING NO. CEC 4/2022

DATE / TIME 20 July 2022, 2.00pm

VENUE Building 7, Law School, Room 7.3.9, Boardroom

ATTENDING	Wayne Morgan Anne Macduff Ron Levy Ntina Tzouvala Jennifer Estellore	Associate Dean (Education) Director, Teaching & Learning Director, LLB(Hons) and JD programs Director, Postgraduate Programs College Student and Education Support Representative (Alternate for Nicole King)
	Sharon Elliott Lajawn Moon Tristan Yip	Education Development PARSA Representative PARSA Representative
	Russell Atkinson	Secretariat
OBSERVERS	Josephine Kennedy Benjamin Kooyman	College Student and Education Support Representative Learning Adviser, ANU Academic Skills (Observer)
APOLOGIES	Henry Palmerlee Niamh Brazil Anthony Connolly Nicole King	LSS Student Representative LSS Student Representative Head of Law School Manager, Student and Education Support

# Part 1 Procedural Items & Chair Report

## 1. Apologies & Announcements

### 1.1 Apologies

- Henry Palmerlee LSS Student Representative
- Niamh Brazil LSS Student Representative
- Anthony Connolly Head of Law School
- Nicole King Manager, College Student and Education Support

### 1.2 Announcements

Nil.

## 2. Minutes and Matters arising

### 2.1 Minutes

The minutes of CEC 3/2022 were accepted

### 2.2 Action Items from CEC 3/2022

Reference	Action Item	Staff Responsible	Resolution
Item 4 CEC 5/2020	Wayne will coordinate a separate small working group to discuss what constitutes course content.	Wayne Morgan	<b>Ongoing</b>
Item 5 CEC 2/2022	Proceed with the creation of new internship courses and amendments to the existing internship courses.	Russell Atkinson	<b>Complete</b>
Item 8.1 CEC 2/2022	The College Student Education Services team will work on the whole of college model for student course representatives for implementation in Semester One 2023.	CSES team	<b>Ongoing</b>

### 3. Report from the Chair

#### **Second Semester 2022 Teaching Modes.**

The LLB program is now being largely delivered back on campus. Most classes in the compulsory and elective courses of the program are on campus. The exception remains for a small number of classes where the convenor or tutors are not able to be in Canberra.

There has been some email traffic from LLB students not wanting to return to campus. Generally, students are being advised that it is expected that they return to campus.

Where those LLB students are international students and are affected by border closures, we are providing alternative arrangements. Students in this position have been encouraged to contact the College Education Services team to explore options. This could include accommodation in a JD compulsory tutorial (still online) as an example.

There are a handful of LLB domestic students with exceptional circumstances that we have accommodated with enrolment access into the applicable online JD tutorial.

The AD(E) requested that the LSS reinforce the message for the student body, to the extent possible, to return to Canberra to continue their studies.

The JD Program will continue to have online teaching options for Semester Two 2022. However, note that all remote learning options for compulsory courses will conclude for this program entirely at the end of 2022 excepting the three remaining compulsory courses in the JD(O) teach out schedule.

Our postgraduate programs will continue to have remote learning options in place for 2023. There will be both on campus and online options available; however, note that some courses will only be available on campus, and some will only be offered online.

**COVID arrangements**, including mask wearing, remain in place.

Course Convenors have been emailed documents that outline the requirements for Semester Two 2022. The AD(E) has requested again this semester that Course Convenors record at least one tutorial per week to assist students who are unable to attend class due to quarantining.

#### **Program Reviews**

The JD Program Review has been approved by AQAC; pending final approval by Academic Board, the JD will be accredited until 2027.

The Graduate Certificate in New Technologies Law is due to be reviewed next year.

#### **University Projects**

There are several important university education projects currently underway:

##### **TEQSA Reaccreditation**

The ANU is being reaccredited by TEQSA this year.

TEQSA is the regulatory body at the federal level for all tertiary institutions and the university is currently working through this process to ensure compliance.

TEQSA may elect to individually review some programs and courses; potentially this many include ANU College of Law programs or courses.

#### **Student First Project**

This project focus is on reviewing and improving the university's digital infrastructure. Student and staff feedback is welcome and we expect further working groups will be formed once the project is formalised.

#### **Curriculum Reform Project**

The major impact that this project will have on the LLB degree is the potential requirements for transdisciplinary courses.

This is at the undergraduate rather than the graduate level, and it is expected that most undergraduate students will fulfil those requirements in the other side of their double degree. As most law students are in a double degree, we do not expect this project to have a significant impact on the LLB program. The final recommendations are yet to be finalised.

#### **Teaching and Learning Strategy.**

This project is also in the preliminary planning stage and currently, it is too early in the process for any recommendations.

The AD(E) will continue to brief the committee as this strategy takes shape.

## Part 2 Programs and Courses Accreditation

### 4 Programs and Courses Accreditation

#### 4.1 Program Amendments

##### Juris Doctor

The Juris Doctor Program Review has been approved by AQAC and pending endorsement by Academic Board. The review recommends the adoption of the following Program Learning Outcomes.

- Update to Program Learning Outcomes; nothing that this will be actioned once approval from Academic Board has been provided.
  1. Review and reflect on knowledge and contemporary developments in law and legal professional practice to design and justify solutions to complex legal and justice problems.
  2. Critically evaluate the nature of law and its current and predicted social and ethical impact on society, and propose legal, policy and practical initiatives and reforms in response.
  3. Undertake technical legal research to access a range of legal materials, literature databases, and other online sources to justify professional decisions.
  4. Interpret and communicate theoretical propositions, legal methodologies, conclusions, and professional decisions to a variety of legal and non-legal audiences in a range of oral and written formats.
  5. Develop insight into Aboriginal and Torres Strait Islander Peoples' diverse perspectives on law and society and evaluate their relationship and importance to contemporary Australian law and society.
  6. Work both with a high level of autonomy and collaboratively as required, and evaluate and reflect on feedback to develop personal, professional, and ethical capability across a range of legal disciplines.
  7. Plan and execute a substantial research-based legal or transdisciplinary project, capstone experience or professionally focussed project.

The committee has endorsed the Program Learning Outcomes. These will be updated and effective from 2023 onwards.

As a component of the review, the list of JD capstone courses was reviewed with the following courses listed:

- LAWS6010 Jessup Moot
- LAWS6230 Law Internship (Capstone)
- LAWS6267 Youth Law Clinic
- LAWS6268 Community Law Clinic
- LAWS6278 Indigenous Community Legal Clinic
- LAWS6281 Environmental Law Clinic
- LAWS6284 Public Interest Law Clinic
- LAWS6301 Law and Development Clinic
- LAWS6302 International Law Clinic
- LAWS6304 Prison Legal Literacy Clinic

- LAWS6307 Legal Education for True Justice: Indigenous Perspectives and Deep Listening on Country
- LAWS6700 Law Capstone Project
- LAWS6313 Kimberley Aboriginal Justice Clinic
- LAWS8301 Graduate Research Unit
- LAWS8458 International Organisations (Geneva)

### **Graduate Certificate of New Technologies Law**

The Graduate Certificate of New Technologies Law is an online degree program. The committee has endorsed the following courses to be included in the program. This review process has removed disestablished courses and added courses created over the last year. This list will be active for the 2023 program orders.

- LAWS8013 - Nuclear Weapons Law
- LAWS8035 - Cyber Warfare Law
- LAWS8077 - Cyber Law
- LAWS8101 - Blockchain & Legal Innovation I
- LAWS8102 - Blockchain & Legal Innovation II
- LAWS8131 - Commercial Drafting
- LAWS8237 - Health Law and Bioethics
- LAWS8340 - Space Law & Governance
- LAWS8341 - Work and the Gig Economy
- LAWS8401 - The Law of Weaponry and Targeting
- LAWS8405 - Artificial Intelligence, Law & Society
- LAWS8407 - Digital Economy and the Law
- LAWS8409 - Strategic Issues in the Law of Armed Conflict
- LAWS8445 - Information Technology Law
- LAWS8596 - Financial Crime Law
- LAWS8597 - Corporations, Law, and Technology

### **Bachelor of Laws (LLB)**

The committee has reviewed the research capstone courses offered in the Bachelor of Laws (Hons) resulting in the following list of courses. This list will be active for the 2023 program orders.

- LAWS4010 Jessup Moot
- LAWS4213 Contemporary Issues in Constitutional Law
- LAWS4218 Feminist and Critical Legal Theory
- LAWS4220 Human Rights Law in Australia
- LAWS4230 Law Internship (Capstone)
- LAWS4233 Advanced Issues in Torts
- LAWS4256 Law, Gender Identities and Sexualities
- LAWS4258 International Organisations (Geneva)
- LAWS4262 Advanced Administrative Law
- LAWS4300 Supervised Research Paper

- LAWS4302 International Law Clinic
- LAWS4315 Law and Development in the Contemporary South Pacific
- LAWS4700 Law Research Capstone Project

## 4.2 Course Amendments

The following course amendments have been approved and endorsed by the Committee:

- **LAWS8229 International Trade Law**  
Update of name from International Law of World Trade to International Trade Law. This will align the naming to the undergraduate version of the course.
- **LAWS8125 Law of Corporate Governance**  
Update to learning outcome one; from “Investigate and critically evaluate the theory, policy and principles of the law of corporate governance in Australia and in the OECD countries” to “Investigate and critically evaluate the theory, policy and principles of the law of corporate governance in Australia and in other major jurisdictions.”
- **LAWS8280 Land Water & Biodiversity Law**  
Update of name to include Law to better identify course names in the field of law.
- **LAWS8189 Environmental and Sustainability Law**  
Update of name (removing “Fundamentals of”) to broaden the appeal of the course to a wider audience.
- **LAWS8335 Equity and Contemporary Issues**  
Name change of the course to broaden the appeal of the course to a wider audience.

## 4.3 Course Disestablishment

The committee has endorsed the disestablishment of the following course.

- **LAWS4319 Rhetoric: The Art of Persuasion in the Ancient and Modern Worlds**  
The committee would like it noted that this course was excellent; however the CASS Convenor of this course has left the university so unfortunately, there is no one available to deliver this course.

## 4.4 Specialisation Amendments

The committee has noted the updates of specialisations for 2023. Minor additions recommended and approved by the committee have been included.

- **INTL-SPEC INTERNATIONAL LAW (PG Specialisation)**
  - LAWS8009 Transnational Anti-Corruption Laws

- LAWS8013 Nuclear Weapons Law
  - LAWS8023 International Law and United Nations Peace Operations
  - LAWS8035 Cyber Warfare Law
  - LAWS8077 Cyber Law
  - LAWS8136 International Intellectual Property Law
  - LAWS8144 Conflict of Laws
  - LAWS8177 International Internship
  - LAWS8178 International Law and Use of Force
  - LAWS8179 International Security Law
  - LAWS8182 Principles of International Law
  - LAWS8183 Advanced Principles of International Law
  - LAWS8229 International Trade Law
  - LAWS8234 International and Comparative Human Rights Law
  - LAWS8237 Health Law and Bioethics
  - LAWS8252 International Refugee Law
  - LAWS8253 Law of The Sea
  - LAWS8264 International Law of The Environment
  - LAWS8268 International Humanitarian Law
  - LAWS8297 International Law and Australian Government
  - LAWS8314 Post Conflict Situations and International Law
  - LAWS8315 Maritime Security Law
  - LAWS8316 Nuclear Security Law
  - LAWS8336 International Investment Treaty Law and Arbitration
  - LAWS8340 Space Law & Governance
  - LAWS8401 The Law of Weaponry and Targeting
  - LAWS8409 Strategic Issues in The Law of Armed Conflict
  - LAWS8458 International Organisations (Geneva)
  - LAWS8464 Advanced International Law
  - LAWS8474 Climate Law
  - LAWS8566 International Criminal Law
  - LAWS8567 International Dispute Resolution
  - LAWS8582 Global Health Law
  - LAWS8585 International Aviation Law
  - LAWS8595 Critical Approaches to International Law
- **PRCO-SPEC - PRIVATE COMMERCIAL LAW (PG Specialisation)**
    - LAWS8009 Transnational Anti-Corruption Laws
    - LAWS8072 Statutory Interpretation
    - LAWS8104 Legislation and Legislative Drafting
    - LAWS8125 Law of Corporate Governance
    - LAWS8131 Commercial Drafting
    - LAWS8140 Commercial Law
    - LAWS8142 Tort Liability and Public Authorities
    - LAWS8144 Conflict of Laws
    - LAWS8154 Competition Law
    - LAWS8218 Advanced Contracts
    - LAWS8220 Government Contracts
    - LAWS8229 International Trade Law



- LAWS8254 Business, Human Rights and Corporate Responsibility
  - LAWS8335 Equity and Contemporary Issues
  - LAWS8341 Work and The Gig Economy
  - LAWS8402 Media Law
  - LAWS8405 Artificial Intelligence, Law & Society
  - LAWS8407 Digital Economics and The Law
  - LAWS8418 International Commercial Arbitration
  - LAWS8421 Income Tax
  - LAWS8422 Intellectual Property
  - LAWS8428 Labour Law
  - LAWS8436 Succession
  - LAWS8437 Financial Markets and Takeovers
  - LAWS8445 Information Technology Law
  - LAWS8454 Restitution
  - LAWS8459 Consumer Protection and Product Liability Law
  - LAWS8584 Corporate Insolvency
  - LAWS8597 Corporations, Law, and Technology
- **HUST-SPEC - HUMAN SECURITY LAW (PG Specialisation)**
    - LAWS8001 Introduction to Law, Governance and Development
    - LAWS8006 Law and Development in the Contemporary South Pacific
    - LAWS8009 Transnational Anti-Corruption Laws
    - LAWS8013 Nuclear Weapons Law
    - LAWS8023 International Law and United Nations Peace Operations
    - LAWS8035 Cyber Warfare Law
    - LAWS8037 Sustainable Energy Law
    - LAWS8077 Cyber Law
    - LAWS8125 The Law of Corporate Governance
    - LAWS8146 Planning and Environmental Impact Assessment
    - LAWS8171 Kyoto Seminar: Japanese Law and Society
    - LAWS8175 Citizenship Law in Context
    - LAWS8178 International Law and Use of Force
    - LAWS8179 International Security Law
    - LAWS8182 Principles of International Law
    - LAWS8189 Environmental and Sustainability Law
    - LAWS8229 International Trade Law
    - LAWS8234 International and Comparative Human Rights Law
    - LAWS8237 Health Law and Bioethics
    - LAWS8243 Freedom of Information and Privacy
    - LAWS8252 International Refugee Law
    - LAWS8253 Law of The Sea
    - LAWS8254 Business, Human Rights and Corporate Responsibility
    - LAWS8264 International Law of The Environment
    - LAWS8268 International Humanitarian Law
    - LAWS8280 Land, Water and Biodiversity Law
    - LAWS8314 Post Conflict Situations and International Law

- LAWS8315 Maritime Security Law
  - LAWS8316 Nuclear Security Law
  - LAWS8328 Aust Responses to Nat Security & Counter Terrorism
  - LAWS8329 Gender, Law, and Development
  - LAWS8336 International Investment Treaty Law and Arbitration
  - LAWS8401 The Law of Weaponry and Targeting
  - LAWS8402 Media Law
  - LAWS8405 Artificial Intelligence, Law & Society
  - LAWS8409 Strategic Issues in the Law of Armed Conflict
  - LAWS8415 Environmental Law
  - LAWS8420 Human Rights Law in Australia
  - LAWS8428 Labour Law
  - LAWS8437 Financial Markets and Takeovers
  - LAWS8438 Indigenous Peoples and the Law
  - LAWS8458 International Organisations (Geneva)
  - LAWS8459 Consumer Protection and Product Liability Law
  - LAWS8471 Refugee Law
  - LAWS8474 Climate Law
  - LAWS8485 Australian National Security Law
  - LAWS8566 International Criminal Law
  - LAWS8567 International Dispute Resolution
  - LAWS8582 Global Health Law
  - LAWS8585 International Aviation Law
  - LAWS8594 Law and Society in South East Asia
  - LAWS8595 Critical Approaches to International Law
- **TECH-SPEC - NEW TECHNOLOGIES LAW (PG Specialisation)**
    - LAWS8013 Nuclear Weapons Law
    - LAWS8035 Cyber Warfare Law
    - LAWS8077 Cyber Law
    - LAWS8101 Blockchain & Legal Innovation I
    - LAWS8102 Blockchain & Legal Innovation II
    - LAWS8131 Commercial Drafting
    - LAWS8237 Health Law and Bioethics
    - LAWS8340 Space Law & Governance
    - LAWS8341 Work and The Gig Economy
    - LAWS8401 The Law of Weaponry and Targeting
    - LAWS8402 Media Law
    - LAWS8405 Artificial Intelligence, Law & Society
    - LAWS8407 Digital Economics and The Law
    - LAWS8409 Strategic Issues in The Law of Armed Conflict
    - LAWS8445 Information Technology Law
    - LAWS8596 Financial Crime Law
    - LAWS8597 Corporations, Law, and Technology
- **PUBL-SPEC - PUBLIC LAW (PG Specialisation)**

- LAWS8016 Comparative Constitutional Law
- LAWS8072 Statutory Interpretation
- LAWS8104 Legislation and Legislative Drafting
- LAWS8128 Contemporary Issues in Constitutional Law
- LAWS8141 Judicial Review of Government Action
- LAWS8142 Tort Liability and Public Authorities
- LAWS8175 Citizenship Law in Context
- LAWS8241 Executive Power
- LAWS8243 Freedom of Information and Privacy
- LAWS8271 Contemporary Issues in Administrative Law
- LAWS8420 Human Rights Law in Australia
- LAWS8462 Advanced Administrative Law
- LAWS8485 Australian National Security Law
- LAWS8522 Public Sector Employment Law
- 
- **PULA-SPEC - PUBLIC LAW (UG Specialisation)**
  - LAWS4212 Conflict of Laws
  - LAWS4213 Contemporary Issues in Constitutional Law
  - LAWS4215 Environmental Law
  - LAWS4219 Health Law, Bioethics and Human Rights
  - LAWS4220 Human Rights Law in Australia
  - LAWS4233 Advanced Issues in Torts
  - LAWS4238 Indigenous Peoples and the Law
  - LAWS4262 Advanced Administrative Law
  - LAWS4274 Climate Law
  - LAWS4275 Federal Judicial System
  - LAWS4283 Open Government
  - LAWS4285 Australian National Security Law
  - LAWS4312 The Law of Money
  - LAWS4314 Sentencing
  - LAWS4340 Space Law & Governance
  - LAWS4341 Law, Markets and Justice
  - LAWS4351 Judicial Reasoning
- **INTC-SPEC - INTL AND COMPARATIVE LAW (UG Specialisation)**
  - LAWS4010 Jessup Moot
  - LAWS4171 Kyoto Seminar: Japanese Law and Society
  - LAWS4223 International Dispute Resolution
  - LAWS4224 International Law of the Sea
  - LAWS4225 International Law of Human Rights
  - LAWS4226 International Trade Law
  - LAWS4227 Japanese Law and Society
  - LAWS4229 Law and Society in South East Asia
  - LAWS4239 Law and Armed Conflict
  - LAWS4247 Survey of United States Law
  - LAWS4248 Selected Topics in Aust-US Comparative Law (Alabama)
  - LAWS4257 Selected Topics in Aust-US Comparative Law (ANU)
  - LAWS4258 International Organisations (Geneva)

- LAWS4264 Advanced International Law
  - LAWS4266 Intl Arbitration and Neg Moot Competition in Japan
  - LAWS4271 Refugee Law
  - LAWS4276 Chinese Law and Society
  - LAWS4279 Law and Politics of European Integration
  - LAWS4301 Law and Development Clinic
  - LAWS4302 International Law Clinic
  - LAWS4306 International Investment Treaty Law and Arbitration
  - LAWS4315 Law and Development in the Contemporary South Pacific
  - LAWS4340 Space Law & Governance
  - LAWS4341 Law, Markets and Justice
- **LRES-SPEC - LAW REFORM, ENVIRONMENTAL AND SOCIAL JUSTICE (UG Specialisation)**
    - LAWS4215 Environmental Law
    - LAWS4218 Feminist and Critical Legal Theory
    - LAWS4219 Health Law, Bioethics and Human Rights
    - LAWS4220 Human Rights Law in Australia
    - LAWS4222 Intellectual Property
    - LAWS4225 International Law of Human Rights
    - LAWS4238 Indigenous Peoples and the Law
    - LAWS4245 Information Technology Law
    - LAWS4251 AI and Law
    - LAWS4256 Law, Gender Identities and Sexualities
    - LAWS4267 Youth Law Clinic
    - LAWS4268 Community Law Clinic
    - LAWS4271 Refugee Law
    - LAWS4274 Climate Law
    - LAWS4278 Indigenous Community Legal Clinic
    - LAWS4281 Environmental Law Clinic
    - LAWS4283 Open Government
    - LAWS4284 Public Interest Law Clinic
    - LAWS4286 Literature, Law & Human Rights
    - LAWS4301 Law and Development Clinic
    - LAWS4302 International Law Clinic
    - LAWS4304 Prison Legal Literacy Clinic
    - LAWS4307 Legal Education for True Justice
    - LAWS4309 Colonialism and the rule of law
    - LAWS4313 Kimberley Aboriginal Justice Clinic
    - LAWS4314 Sentencing
    - LAWS4315 Law and Development in the Contemporary South Pacific
    - LAWS4350 Law, Work and Technology
    - LAWS4351 Judicial Reasoning

- **COCOM-SPEC - CORPORATE AND COMMERCIAL LAW (UG Specialisation)**

- LAWS4202 Media Law
- LAWS4210 Commercial Law
- LAWS4221 Income Tax
- LAWS4222 Intellectual Property
- LAWS4226 International Trade Law
- LAWS4228 Labour Law
- LAWS4233 Advanced Issues in Torts
- LAWS4237 Financial Markets and Takeovers
- LAWS4254 Restitution
- LAWS4255 Competition Law
- LAWS4259 Consumer Protection and Product Liability Law
- LAWS4282 Corporate Insolvency
- LAWS4306 International Investment Treaty Law and Arbitration
- LAWS4312 The Law of Money
- LAWS4341 Law, Markets and Justice
- LAWS4350 Law, Work and Technology

## Part 3 Items for Discussion/Noting

### 5 Course Reviews

Each year the college is required to review 20% of the courses offered. These courses are identified so that a proportion of both compulsory and elective courses are reviewed every year. A course may be triggered for review based on a five-year cycle, SELT results and student feedback, or other strategic reasons such as aligning work integrated learning (WiL) with the college educational strategy.

The Committee approved the following courses for review in 2022:

- LAWS4274 Climate Law
- LAWS8474 Climate Law
- LAWS2202 Commonwealth Constitutional Law
- LAWS6202 Commonwealth Constitutional Law
- LAWS4268 Community Law Clinic
- LAWS6268 Community Law Clinic
- LAWS4255 Competition Law
- LAWS8154 Competition Law
- LAWS4281 Environmental law Clinic
- LAWS6281 Environmental law Clinic
- LAWS2207 Evidence
- LAWS6207 Evidence
- LAWS4218 Feminist and Critical Legal Theory
- LAWS4278 Indigenous Community Legal Clinic
- LAWS6278 Indigenous Community Legal Clinic
- LAWS4302 International Law Clinic
- LAWS6302 International Law Clinic
- LAWS8264 International Law of the Environment
- LAWS8001 Introduction to Laws, Governance and Development
- LAWS4313 Kimberley Aboriginal Justice Clinic
- LAWS6313 Kimberley Aboriginal Justice Clinic
- LAWS4202 Media Law
- LAWS8402 Media Law
- LAWS4304 Prison Legal Literacy Clinic
- LAWS6304 Prison Legal Literacy Clinic
- LAWS2204 Property
- LAWS6204 Property
- LAWS4284 Public Interest Law Clinic
- LAWS6284 Public Interest Law Clinic
- LAWS8522 Public Sector Employment Law
- LAWS4267 Youth Law Clinic
- LAWS6267 Youth Law Clinic

## Part 4 Reports

### 6. Reports and Issues raised by Student Representatives

#### 6.1 The committee to receive reports from Student Representatives

Postgraduate and Research Students' Association (PARSA)

- PARSA has created and shared the Class Representative Guide

The Committee noted the Guide.

### 7. Reports from College Directors and Heads of School

#### 7.1 Committee to receive a report from College Directors and Heads of School

Director - LLB/JD

- No reports or issues raised.

Director - LLM

- No reports or issues raised.

## Part 5 Any Other Business / Forward agenda items

### Next Meeting

CEC 5/2022 – 31 August 2022

### Action Items

Reference	Action Item	Staff Responsible
<b>Item 4 CEC 5/2020</b>	Coordinate a separate small working group to discuss what constitutes course content	Wayne Morgan
<b>Item 8.1 CEC 2/2022</b>	The College Student and Education Services team will implement a whole of college model for student course representatives for implementation in Semester One, 2023.	CSES team
<b>Item 4.4 CEC 4/2022</b>	Review courses for addition to specialisations.	Russell Atkinson





# Minutes

## College Education Committee

MEETING NO. CEC 5/2022

DATE / TIME 7 September 2022, 2.00pm

VENUE Building 7, Law School, Room 7.3.9, Boardroom

### ATTENDING

Wayne Morgan	Associate Dean (Education)
James Stellios	Head of School
Anne Macduff	Director, Teaching & Learning
Ron Levy	Director, LLB(Hons) and JD programs
Nicole King	Manager, Student and Education Support
Sharon Elliott	Education Development
Lajawn Moon	PARSA Representative
Tristan Yip	PARSA Representative
Henry Palmerlee	LSS Student Representative

Russell Atkinson	Secretariat
------------------	-------------

### OBSERVERS

Benjamin Kooyman	Learning Adviser, ANU Academic Skills (Observer)
Ben Yates	ANUSA General Secretary

### APOLOGIES

Niamh Brazil	LSS Student Representative
Ntina Tzouvala	Director, PG Programs

## Part 1 Procedural Items & Chair's Report

### 1. Apologies & Announcements

#### 1.1 Apologies

- Ntina Tzouvala Director, PG Program
- Niamh Brazil LSS Student Representative

#### 1.2 Announcements

The Chair welcomed Professor Stelliou to his first meeting as Head of School and noted the ANUSA General Secretary had been invited to attend to speak to item 7.2.

### 2. Minutes and Matters arising

#### 2.1 Minutes

The minutes of CEC 4/2022 were accepted.

#### 2.2 Action Items from CEC 4/2022

Reference	Action Item	Staff Responsible	Resolution
Item 4 CEC 5/2020	Wayne will coordinate a separate small working group to discuss what constitutes course content.	Wayne Morgan	<b>Ongoing</b>
Item 8.1 CEC 2/2022	The College Student Education Services team will work on the whole of college model for student course representatives for implementation in Semester One 2023.	CSES team	<b>Ongoing</b>
Item 4.4 CEC 4/2022	Review courses for addition to specialisations. Add the following to PULA-SPEC <ul style="list-style-type: none"><li>• LAWS8144 Conflict of Laws</li><li>• LAWS8474 Climate Law</li><li>• LAWS8415 Environmental Law</li></ul> To be recorded in the specialisation update for 2024	CSES team, Program Directors and AD(E)	<b>Completed</b> – Noting that this will be reviewed periodically on an ongoing basis

### 3. Report from the Chair

Our return to campus this semester, particularly in the undergraduate space, has gone very well.

Student attendance in classes has not yet reached the pre COVID level and hopefully over time, attendance will pick up. There have been some COVID cases, both among academic staff and students, which has meant that a small number of classes have had to revert to online delivery.

Interestingly, a common question from parents on open day concerned whether we were teaching back on campus. It appears there is dislike of university classes remaining online.

There are some big projects currently underway across the university. Each of the three working groups focused on the graduate attributes have now sent a report to the DVC(A).

The curriculum reform working group will continue to work through the proposed reforms to the undergraduate programs here at the university, including the LLB program. Professional degrees are producing some difficulties fitting the university's plans. Working groups have not yet discussed professional degrees so it's not yet clear what impacts the graduate attributes and curriculum reforms will have for the college.

The Council of Australian Law Deans (CALD) periodically has a process whereby all law schools in Australia can receive accreditation with CALD in terms of satisfying the CALD Standards for Legal Education. These standards relate to a broad range of matters, including our facilities (including classrooms), our library and library collection, through to our educational programs. The college is currently going through this CALD accreditation process. This involves organising the necessary documentation and our accreditation report will be submitted to CALD in November.

The Chair thanked all those involved in the work for CALD accreditation: professional staff overseen by Nicole King as College Student and Education Support Manager, Sharon Elliott as Senior Education Developer, who have both done an enormous amount of work with respect to the report. In addition, the College Finance and HR teams and the Executive Officer have assisted in providing material for the report.

## Part 2 Programs and Courses Accreditation

### 4 Programs and Courses Accreditation

#### 4.1 Course Amendments

The Committee approved the following Course amendments.

##### **LAWS8407 Digital Economies and the Law**

- Reverting to 2020 version to take effect in 2023 because of staff changes.
- Will be removed from the International Law specialisation, though that will not be updated until 2024.

s22 - Access to edited copies with exempt or irrelevant matter deleted

##### **LAWS4276 Chinese Law and Society**

- Update of learning outcomes to take effect in 2023.

s22 - Access to edited copies with exempt or irrelevant matter deleted

##### **LAWS8405 Artificial Intelligence, Law and Society**

- Update of learning outcomes to take effect in 2023.

s22 - Access to edited copies with exempt or irrelevant matter deleted

##### **Compulsory Course Amendments**

Update to learning outcomes following recommendations from the LLB (Hons) and JD Review and the addition of a statement providing coverage of the Academic Requirements for Admission to Practice in each P&C description.

- LAWS1201 Foundations of Australian Law
- LAWS6101 Foundations of Australian Law
- LAWS1203 Torts
- LAWS6103 Torts
- LAWS1204 Contracts
- LAWS6104 Contracts
- LAWS1205 Australian Public Law
- LAWS6105 Australian Public Law
- LAWS1206 Criminal Law & Procedure
- LAWS6106 Criminal Law & Procedure
- LAWS2201 Administrative Law
- LAWS6201 Administrative Law
- LAWS2202 Commonwealth Constitutional Law
- LAWS6202 Commonwealth Constitutional Law
- LAWS2203 Corporations Law
- LAWS6203 Corporations Law
- LAWS2204 Property

The Australian National University

- LAWS6204 Property
- LAWS2205 Equity & Trusts
- LAWS6205 Equity & Trusts
- LAWS2207 Evidence
- LAWS6207 Evidence
- LAWS2244 Litigation & Dispute Management
- LAWS6244 Litigation & Dispute Management
- LAWS2249 Legal Theory
- LAWS6249 Legal Theory
- LAWS2250 International Law
- LAWS6250 International Law

#### **Clinical Course Amendments**

Update to learning outcomes of the clinical courses to align to the 2022 course review recommendations.

- LAWS4302 International Law Clinic
- LAWS6302 International Law Clinic
- LAWS4304 Prison Legal Literacy Clinic
- LAWS6304 Prison Legal Literacy Clinic
- LAWS4268 Community Law Clinic
- LAWS6268 Community Law Clinic
- LAWS4284 Public Interest Law Clinic
- LAWS6284 Public Interest Law Clinic
- LAWS4313 Kimberley Aboriginal Justice Clinic
- LAWS6313 Kimberley Aboriginal Justice Clinic
- LAWS4267 Youth Law Clinic
- LAWS6267 Youth Law Clinic
- LAWS4278 Indigenous Community Legal Clinic
- LAWS6278 Indigenous Community Legal Clinic
- LAWS4281 Environmental Law Clinic
- LAWS6281 Environmental Law Clinic

## Part 3 Items for Discussion/Noting

### 5. Council of Australian Law Deans (CALD) Certification

The ANU College of Law is currently working towards the CALD certification process in the second half of 2022.

The intention underlying the certification process is to encourage Law Schools to pursue excellence in their operations, culture, mission and vision. The CALD support this, in part, by providing a set of Standards against which Law Schools can measure their performance.

In recognition of 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.

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 Committee noted the substantial work being completed by College Student and Education Support, and other professional staff of the college under the co-ordination of the AD(E).

### 6. Minimum course enrolment numbers for application of scaling

The University's [Student Assessment \(Coursework\) Policy](#) details the policy framework for assessment and grading at the ANU. The grades, numerical marks and standards set out in Table 1 of the Policy apply to ANU College of Law coursework programs.

Clause 65 of the Policy sets out an obligation to review/moderate student results before they are finalised. That clause states:

*The assessment tasks and the judgements made of student learning in a course are reviewed before the final mark or grade is approved to ensure that the judgements of student performance are appropriate, consistent, transparent, reliable and valid.*

The method of moderation in the ANU College of Law involves the application of a mandatory distribution of grades guideline for all LLB/LLBHons and JD law courses.

#### **ANU College of Law Grading Distribution Policy**

The ANU College of Law will continue to work with a statistician and educational experts to advise on scaling practices and the development of a final scaling policy consistent with the use of criteria-based assessment.

## Scaling Guideline

Grades awarded for all LLB (Hons), and JD law courses are currently governed by the College's Scaling Guideline (SG).

The Scaling Guideline has been effective from Winter Session 2018 as an Interim Scaling Guideline and formalised from 2020. This Guideline applies to all LLB (Hons) and JD courses, unless very small numbers of students in a course makes application of the Guideline not viable. It provides that the following guidelines apply to all scaling for law courses within the LLB (Hons) and JD programs (not applicable to LAWS8xxx courses undertaken in the JD).

### Effective from Semester 2 2019

High Distinction 90+	At least 6% of students in the course.
High Distinction 80+	At least 6% of students in the course.
Distinctions	At least 32% of students in the course.
Credits/Passes	Not specified.

The Committee noted that some convenors had raised an issue regarding courses with small numbers to which the scaling guideline should not be applied, seeking clarification concerning what the minimum enrolment was. The committee discussed the issue and decided to seek the advice of the statistician who originally advised on the scaling guideline.

## 7. AQAC Feedback items

### 7.1 Recording of Teaching Activities Policy and Procedure Review

The Recording of Teaching Activities Policy and Procedure were endorsed by AB 2/2016 (3 May 2016), approved by the Vice-Chancellor and published on 11 May 2016. At the time, the Education Standards and Quality Committee (ESQC) discussed the creation of the policy and procedure and noted in particular that "feedback from students highlighted the importance of recording activities to avoid students from being disadvantaged if they are unable to attend the class. Equally, staff identified that the policy needs to be balanced by a clear catalogue of acceptable reasons for opting out of recording yet being aware that the University has accessibility obligations for students from varying backgrounds and levels of ability".

As per the policy governance framework and in line with the expectations from our regulator the Tertiary Education Quality and Standards Agency (TEQSA) and the Higher Education Standards Framework 2021, policy documents are required to undergo regularly review. The Recording of Teaching Activities policy documents were due for review in 2019. As part of a university wide initiative to address overdue policy documents, this policy was assigned to the Pro Vice-Chancellor (Education and Digital) in AQAC 1/2022 (16 February 2022 - item 28) to lead the review.

In August 2022, with consultation and input from the Centre for Learning and Teaching (CLT), the Information Technology Services (ITS) and the Division of Student Administration and Academic Services (DSAAS), the review of the policy and procedure was undertaken.

The proposed amendments are included in the agenda for AQAC5/2022 for the Committee's review. Feedback is to be sent through by 29 September 2022. A final version of the policy and procedure will be tabled at AQAC6/2022 seeking the committee's endorsement to send the policy documents to Academic Board for approval at 6/2022 (29 November 2022).

The committee noted that the proposed amendments were technical in nature and did not substantively change the policy. The committee discussed the fact that the policy remained one of crucial interest to both law academic staff and students, with many staff seeing a link between the recording policy and a lack of student attendance and engagement. There were increasing requests from academic staff that the AD(E) exempt specific courses from recording.

Student representatives noted the importance of recording to students.

The Chair noted that a University Working Group would be convened in 2023 to further review the policy. The Chair would represent the college on that Working Group and convey the views of the college.

## 7.2 Standardisation of word limit penalties in Student Assessment (Coursework) Policy and Procedure

The Chair invited the ANUSA General Secretary to speak to this item.

ANUSA has received feedback that dramatically divergent approaches to word limit penalties across different areas of the University confuses students and has, at least in some circumstances, led to students receiving penalties because of misunderstandings as to what policy applied. Students are also reporting that some staff members share this confusion.

As there is no standardised policy position on word limit penalties, ANUSA is of the view that a policy position is needed for consistency. A consistent policy on word limits and penalties could be clearly communicated and would ease the transition for first year students, rather than being obliged to learn a range of policies and navigate courses where no obvious policy applies. Amendments could be made to the Student Assessment (Coursework) policy and procedure.

ANUSA investigated what policies are in use across the University. Two key college-wide policies were obvious: the CASS policy and ANU CoL policy. The CASS policy is that students may write 10% more or less than the set word limit. A paper falling outside this bracket is penalised 10%. The ANU CoL policy provides that "the mark which is awarded initially will be reduced by half the proportion by which the word limit has been exceeded, e.g. if the word limit is 2,000 words, and the paper submitted is 3,000 words long, then the initial mark would be reduced by 25% of that mark".

The CASS policy has the advantage of simplicity; however students were concerned that there is something of a harsh arbitrariness to the flat penalty imposed on the word that goes beyond 110% of the word limit. However, the policy is, anecdotally, applied in a number of other Colleges and disciplines and is the policy with which students are most familiar. The College of Law policy produces the most proportional result by keeping a smooth 'marginal penalty' for each extra word over the word limit. However, it is technical and may be confusing for some convenors to apply. It would also be more difficult to communicate to students.

ANUSA has consulted with students in different discipline areas in producing a recommendation that ANU should harmonise penalty policy. ANUSA believes that a standardised policy would reduce



confusion, especially for students studying across multiple disciplines (e.g. Flexible Double Degrees). Moreover, ANUSA notes that a standardised proportionate policy would avoid outlier cases of students being excessively penalised.

ANUSA seeks feedback by 29 September with a view towards bringing drafted policy to AQAC 6/2022, depending on feedback.

The committee discussed the proposal and the Chair noted that he would provide feedback to AQAC that, should the University adopt a standardised policy, the current policy of the ANU College of Law should be adopted.

## Part 4 Reports

### 8. Reports and Issues raised by Student Representatives

#### 8.1 The committee received reports from Student Representatives

##### **Law Students' Society (LSS)**

- Feedback received from students applauding the decline in problem based COVID scenarios in Exams. Students have been overwhelmed by these scenarios and are grateful for the decline.
  
- Some students are tentative about paying hundreds of dollars for textbooks and would appreciate a reason being provided as to why a Convenor has selected a certain textbook.
  - The committee will pass along this feedback to Convenors.
  - The college has advised that the textbook bursary was undersubscribed this year with low student uptake. This bursary has been advertised in multiple channels and will assist with the cost of textbooks.

##### **ANU Students' Association (ANUSA)**

- No report received

##### **Postgraduate and Research Students' Association (PARSA)**

- Recurring complaints have been received from students regarding discrepancies in some Courses regarding word limits.
  - Two separate word limits are being posted for a course (assuming a copy and paste between LLB and JD Course versions).
  - PARSA will find out what courses were affected and notify the College for review in the future.

### 9. Reports from College Directors and Heads of School

#### 9.1 The Committee received a report from College Directors and Head of School

##### Head of School

- Nothing to report

##### Director - LLB/JD

- Nothing to report

##### Director - LLM

- Nothing to report

## Part 5 Any Other Business / Forward agenda items

### Next Meeting

Next Meeting CEC 6/2022 30 November 2022

### Action Items

Reference	Action Item	Staff Responsible
<b>Item 4 CEC 5/2020</b>	Coordinate a separate small working group to discuss what constitutes course content	Wayne Morgan
<b>Item 8.1 CEC 2/2022</b>	The College Student and Education Services team will implement a whole of college model for student course representatives for implementation in Semester One, 2023.	CSES team
<b>Item 6 CEC 5/2022</b>	Chair to contact statistician regarding Scaling Policy.	Wayne Morgan



# Minutes

## College Education Committee

**Meeting No:** 6/2022  
**Date/Time:** 30 November 2022, 2pm  
**Location:** Building 7, Law School, Room 7.3.9, Boardroom  
Zoom

<b>Attended</b>	Wayne Morgan	Associate Dean (Education)
	James Stellios	Head of School
	Anne Macduff	Director, Teaching & Learning
	Ron Levy	Director, LLB(Hons) and JD programs
	Nicole King	Manager, Student and Education Support
	Sharon Elliott	Education Development
	Leonard Ho	PARSA Representative
Eweha (Ellie) Jeong	PARSA Representative	
	Russell Atkinson	Secretariat
<b>Observers</b>	Benjamin Kooyman	Learning Adviser, ANU Academic Skills
	Elaine Ee	Deputy Manager, Student and Education Services
	Tristan Yip	PARSA Representative
<b>Apologies</b>	Ntina Tzouvala	Director, PG Programs
	William Carey	ANUSA Representative

# Part 1 Procedural Items & Chair's Report

## 1. Apologies & Announcements

### 1.1 Apologies

- Ntina Tzouvala Director, PG Programs
- William Carey ANUSA Representative

### 1.2 Announcements

N/A

## 2. Minutes and Matters arising

### 2.1 Minutes

CEC accepted the minutes of CEC 5/2022.

### 2.2 Action Items from CEC 5/2022

Reference	Action Item	Staff Responsible	Resolution
Item 4 CEC 5/2020	Wayne will coordinate a separate small working group to discuss what constitutes course content.	Wayne Morgan	<b>Ongoing</b>
Item 8.1 CEC 2/2022	The College Student Education Services team will work on the whole of college model for student course representatives for implementation in Semester One 2023.	CSES team	<b>Ongoing</b> PARSA has advised that they are available in February 2023 to assist with communications.
Item 6 CEC 5/2022	Chair to contact statistician regarding Scaling Policy	Wayne Morgan	<b>Ongoing</b> Wayne has made initial contact; however, January 2023 is the earliest availability for a meeting.

### 3. Report from the Chair

#### Teaching

The Chair noted the successful completion of the academic year for all our programs.

The LLB program has seen a return to campus in all courses with the exception of online facilitation for the very few LLB students who, for legitimate reasons, could not return to Canberra. Most of those students were put into JD tutorials for the compulsory courses as that program did remain online.

Attendance continues to be an area of concern as we are noting fewer student attending now than in pre-COVID times. This will be raised with the LSS in the early months of next year.

Under the amendments that came out of the LLB program review in 2019, we have just completed our first iteration of the new compulsory course, Legal Research and Writing. We will review this course to see how the course is tracking by looking at student and convener feedback and continue to make improvements to the course where appropriate.

Both the LLB and JD programs will be back on campus to commence 2023. This may cause some consternation for some JD students. Lectures will continue to be recorded with tutorials returning to campus.

The only exception to on-campus delivery will be the three remaining compulsory courses which are still subject to the JDO teach out schedule.

The Masters and Graduate Certificate programs will remain largely online. The exception will be for courses that are co-delivered with undergraduate courses and most of these will be delivered on campus.

TEQSA has recently published advice with respect to compliance with the ESOS framework. All higher education providers that have CRICOS registered courses with international student enrolments, must return to compliance with the ESOS National Code by 30 June 2023. We will need to recommence monitoring international student online enrolments in both the LLM program and for the JD electives.

#### Council of Australian Law Deans (CALD)

This year there has been substantial work by the college in preparing a submission to the Council of Australian Law Deans for the college's reaccreditation with the Council as a provider. Reaccreditation with CALD is particularly important for our college, and more so than some of the law faculties in other states and territories because we do not go through any accreditation process with local admission authorities. As such, it is always useful to have this exercise so we can reflect on whether we are meeting CALD standards.

The Chair thanked Sharon Elliott, Senior Education Developer, and Nicole King, CSES Senior Manager for their substantial work in putting this report together, as well as all

members of the college, both academic and professional, who contributed to the final documentation.

This report was sent earlier today (30 November).

Unfortunately, we have little information about how the submission will be assessed, or what the timelines will be. CALD has an ambitious project of reaccrediting all 40 Australian law schools over the next three years. With 15 schools per year we imagine it will take some time.

## University Projects

### *Graduate Attributes*

On 29 November 2022, Academic Board approved the DVCA's plans for the curriculum reform project. For this college, this concerns graduate attributes that apply to the LLB program.

Two of the three attributes are written into the LLB program learning outcomes, so we do have a head start.

The third attribute, Transdisciplinary Problem Solving, and indeed some of the work in mapping the first two (Critical Thinking & Indigenous Perspectives) will require increased work for the college in 2023. The mapping will show what we currently do, and how we will meet the graduate attributes in the future.

A number of the Associate Deans and others expressed concerns about timelines for completion by the end of 2023. As we only have one undergraduate program, it will be more than likely we will need to meet this deadline, even if other colleges are given more leeway.

### *Student First*

This program is still in its early stages but has foreshadowed both a new Client Relationship Management system and a new Learning Management system.

### *Learning and Teaching Strategy*

The Learning and Teaching Strategy is in place, although the practical consequences of this are not yet clear. 2023 will see a number of working parties on a number of aspects of the Strategy, and it may then become clear as to what any practical consequences will be for our degrees.

## Part 2 Programs and Courses Accreditation

### 4 Programs and Courses Accreditation

#### 4.1 Course Proposal

##### *LAWS8338 Cryptoassets and the Law*

- This course is being trialled as LAWS8148 Special Topic in Law for 2022 and 2023.
- The 2022 iteration is currently set to run online and will commence on 5 December. There are currently 24 enrolments, however, this is likely to change leading up to the census date. The 2023 iteration will also run as a Special Topic and is scheduled to commence online on 27 March 2023.
- This course will fit into the New Technology Specialisation.

CEC endorsed this course pending the correction of minor typographical errors.

#### 4.2 Course Amendments

##### *LAWS8800 Advanced Legal Methods and Legal Writing*

- Change of Name from Advanced Introduction to Legal Methods and Legal Writing to Advanced Legal Methods and Legal Writing.
- Amendments to learning outcomes.
- Update the indicative assessment.

CEC endorsed the amendments pending the removal of all specialisations.

##### *LAWS9800 Advanced Legal Methods and Legal Writing*

- Change of Name from Advanced Introduction to Legal Methods and Legal Writing to Advanced Legal Methods and Legal Writing.
- Amendments to learning outcomes.
- Update the indicative assessment.

CEC endorsed the amendments, noting that the course name will need to be amended in the appropriate HDR Program Orders.

##### *LAWS8316 International Nuclear Energy Law*

- Change of Name from Nuclear Security Law to International Nuclear Energy Law.
- Amendments to learning outcomes.

CEC endorsed the amendments pending a quick review of the course indicative assessment. The committee also noted that a clarification on teaching staff was required. The course description notes “teaching with colleagues from Nuclear Sciences.” If this course is now co-taught with Science, the Head of School may need to investigate course financial arrangements further.

##### *LAWS4228 Labour Law*



- Amendments to Learning Outcomes.
- Removal of co-taught postgraduate course as this has now been disestablished.  
Update the indicative assessment.

CEC endorsed the amendments pending a review of learning outcomes as it was noted that LOs one, two and three are similar.

#### *LAWS8436 Succession*

- Update to course requisites
  - Juris Doctor (MJD) and have completed or be completing five 1000 or 6100 level LAWS courses and *have completed or be completing LAWS2205/LAWS6205 Equity & Trusts and have completed LAWS2204/LAWS6204 Property.*
  - *This course requires students to have completed an Australian or equivalent Undergraduate Law Degree. Students undertaking any ANU College of Law graduate program may apply for this course if they have the required law background. You will need to contact the ANU Law School to request a permission code to enrol in this course.*

CEC endorsed the amendments pending a small amendment to the statement to “completed an Australian or equivalent Undergraduate or Postgraduate Law Degree.”

#### *LAWS8454 Restitution*

- Update to course requisites
  - Juris Doctor (MJD) and have completed or be completing five 1000 or 6100 level LAWS courses and *have completed or be completing LAWS2205/LAWS6205 Equity & Trusts and have completed LAWS2204/LAWS6204 Property.*
  - *This course requires students to have completed an Australian or equivalent Undergraduate Law Degree. Students undertaking any ANU College of Law graduate program may apply for this course if they have the required law background. You will need to contact the ANU Law School to request a permission code to enrol in this course.*

CEC endorsed the amendments pending a small amendment to the statement to “completed an Australian or equivalent Undergraduate or Postgraduate Law Degree.”

The following courses have been reviewed by the committee as a result of the 2021 course reviews.

*LAWS8586 Law & Legal Institutions*

The CEC has re-accredited this course for 5 years.

*LAWS8234 International and Comparative Human Rights Law*

The CEC has re-accredited this course for 5 years.

*LAWS8182 Principles of International Law*

The CEC has re-accredited this course for 5 years.

*LAWS8329 Gender, Law and Development*

The CEC has re-accredited this course for 5 years.

*LAWS6700 Law Capstone Project*

The CEC has not endorsed this course. Further work is required between the AD(E) and course convenor.

*LAWS4245 Information Technology Law*

The CEC has re-accredited this course for 5 years.

*LAWS4210 Commercial Law*

The CEC has re-accredited this course for 5 years.

*LAWS4238 Indigenous Peoples and Law*

The CEC has re-accredited this course for 5 years.

*LAWS4225 International Law of Human Rights*

The CEC has re-accredited this course for 5 years.

## Part 3 Items for Discussion/Noting

### 5. 2023 CEC Dates

The committee has confirmed the 2023 College Education Committee dates ensuring they align with wider university committee dates and deadlines.

The secretariat will send calendar invitations prior to the end of 2022.

#### CEC 1/2023

- Wednesday 22 February 2023
- Aligns with AQAC 1 and Academic Board 2

#### CEC 2/2023

- Wednesday 22 March 2023
- Aligns with AQAC 2 & 3 and Academic Board 3
  - *Program/Plan variations for following year (2024)*
  - *Course Variations 2023 Final (2nd Half of Same Year)*
  - *2024 Course Proposals*

#### CEC 3/2023

- Wednesday 14 June 2023
- Aligns with AQAC 4 and Academic Board 4
  - *Specialisation Amendments*

#### CEC 4/2023

- Wednesday 19 July 2023
- Aligns with AQAC 5 and Academic Board 5
  - *Program Review*

#### CEC 5/2023

- Wednesday 9 August 2023
- Aligns with AQAC 6 & 7 and Academic Board 5
  - *Program/Plan – New or Disestablished UG for 2025*
  - *Course Variations 2024 Final (1st Half of following Year)*

#### CEC 6/2023

- Wednesday 4 October 2023
- Aligns with AQAC 8 and Academic Board 6

## Part 4 Reports

### 6. Reports and Issues raised by Student Representatives

#### 6.1 The committee received reports from Student Representatives

##### **Law Students' Society (LSS)**

- No Report

##### **ANU Students' Association (ANUSA)**

- No Report

##### **Postgraduate and Research Students' Association (PARSA)**

- PARSA have recommended adding the International Law specialisation to LAWS8254 Business and human rights.
  - The committee agreed, noting that specialisations can only be updated once a year and this change is already on the proposed updates for 2023.
- PARSA has offered to assist in communicating with postgraduate students for course representative implementation in Semester One, 2023.
- PARSA have asked the college to monitor JD timetabling, specifically to ensure there are tutorials scheduled after hours. There was also a request for hybrid teaching options.
  - The committee noted that we will continue to keep a watching brief on JD timetabling.
  - The chair explained that hybrid teaching options are currently not viable as the technology in teaching spaces is not yet suitable and that we also must be mindful of international student visa conditions around online learning limits.
- Concerns were raised around international student employability in Canberra. As a public service city, many jobs require citizenship, or at the very least, permanent residency.
  - The committee noted these concerns and recommended that students contact the Career and Employability team through [enquiries.law@anu.edu.au](mailto:enquiries.law@anu.edu.au). This team can assist with internship, clinical courses and employment opportunities as well as providing resume and career advice.

### 7. Reports from College Directors and Heads of School

#### 7.1 The Committee received a report from College Directors and Head of School Head of School

- Noted we have come to the end of a successful year and thanked the College Student and Education Support team for the support provided to academic staff and students during the recent examination and results finalisation period.

- Recent changes in circumstances have resulted in some changes to course scheduling for 2023. These changes have now been largely completed.

**Director - LLB/JD**

- Seeking feedback on implementing a Research Specialisation. This specialisation would be designed to assist students who want a career in law academia. Further discussion and consultation will be held.

**Director - LLM**

- Nothing to report.

## Part 5 Any Other Business / Forward agenda items

### Next Meeting

Next Meeting CEC 1/2023. 23 February 2023

### Action Items

Reference	Action Item	Staff Responsible
Item 4 CEC 5/2020	Wayne will coordinate a separate small working group to discuss what constitutes course content.	Wayne Morgan
Item 8.1 CEC 2/2022	The College Student Education Services team will work on the whole of college model for student course representatives for implementation in Semester One, 2023.	CSES team
Item 6 CEC 5/2022	Chair to contact statistician regarding Scaling Policy	Wayne Morgan
Item 4.1 CEC 6/2022	LAWS8338 Cryptoassets and the Law Correction of the CMS -Course Structure, point 3: Incomplete sentence.	CSES team
Item 4.2 CEC 6/2022	LAWS8800 Advanced Legal Methods and Legal Writing Removal of all specialisations	CSES team
Item 4.2 CEC 6/2022	LAWS9800 Advanced Legal Methods and Legal Writing	CSES team HDR

	Amend course name in HDR Programs, Program orders.	
Item 4.2 CEC 6/2022	LAWS8316 International Nuclear Energy Law Update the indicative assessment.	CSES Team
Item 4.2 CEC 6/2022	LAWS8316 International Nuclear Energy Law Clarification on “teaching” split between Law and Science	HoS
Item 4.2 CEC 6/2022	LAWS4228 Labour Law Amendments to learning outcomes. Removal of co-taught postgraduate course as this has now been disestablished. Update the indicative assessment.	CSES Team
Item 4.2 CEC 6/2022	<i>LAWS8436 Succession</i> Amend statement to “completed an Australian or equivalent Undergraduate or postgraduate Law Degree.”	CSES Team
Item 4.2 CEC 6/2022	<i>LAWS8454 Restitution</i> Amend statement to “completed an Australian or equivalent Undergraduate or postgraduate Law Degree.”	CSES Team
Item 4.2 CEC 6/2022	<i>LAWS6700 Law Capstone Project</i> Further work is required between the AD(E) and course convenor.	ADE
Item 5 CEC 6/2022	Send out meeting invitations to committee members for 2023 meetings.	CSES Team



# Minutes

## College Education Committee

**Meeting No:** 1/2023

**Date/Time:** 22 February 2023, 2pm

**Location:** Building 7, Law School, Room 7.3.9, Boardroom

<b>Attended</b>	Wayne Morgan	Associate Dean (Education)
	James Stellios	Head of School
	Ntina Tzouvala	Director, PG Programs
	Nicole King	Manager, Student and Education Support
	Sharon Elliott	Education Development
	William Carey	ANUSA Student Representative
	Suzie (Wangshu) Ma	ANUSA Student Representative
	Alex Bako	LSS Student Representative
	Neha Kalele	LSS Student Representative
	Russell Atkinson	Secretariat
<b>Observers</b>	Jennifer Estellore	Education Development
	Tristan Yip	PARSA Representative
<b>Apologies</b>	Benjamin Kooyman	Learning Adviser, ANU Academic Skills (Observer)
	Anne Macduff	Director, Teaching & Learning
	Ron Levy	Director, LLB(Hons) and JD Programs
	Eweha Jeong	PARSA Representative
	Leonard Ho	PARSA Representative

# Part 1 Procedural Items & Chair's Report

## 1. Apologies & Announcements

### 1.1 Apologies

- Benjamin Kooyman Learning Adviser, ANU Academic Skills (Observer)
- Anne Macduff Director, Teaching & Learning
- Ron Levy Director, LLB(Hons) and JD Programs

### 1.2 Announcements

Welcome to the student representatives for 2023.

ANU Postgraduate & Research Students Association (PARSA)

- Ellie (Eweha) Jeong
- Leonard Ho
- Tristan Yip, President of PARSA will remain an observer for 2023

ANU Student Association (ANUSA)

- William Carey
- Suzie Ma

Law Student Society (LSS)

- Alex Bako
- Neha Kalele



## 2. Minutes and Matters arising

### 2.1 Minutes

CEC (College Education Committee) accepted the minutes of CEC 6/2022.

### 2.2 Action Items from CEC 6/2022

Reference	Action Item	Staff Responsible	Resolution
Item 4 CEC 5/2020	Wayne will coordinate a separate small working group to discuss what constitutes course content.	Wayne Morgan	In consultation with the Head of School, this item will be removed from future CEC agendas. Separate small working groups will be set up for discussion and implementation.
Item 8.1 CEC 2/2022	The College Student Education Services team will work on the whole of college model for student course representatives for implementation in Semester One 2023.	CSES team	<b>Completed</b> Communications have been sent through college communications and student groups.
Item 6 CEC 5/2022	Chair to contact statistician regarding Scaling Policy	Wayne Morgan	<b>Completed</b> The Chair has met with the statistician with discussions amounting to minor changes.  We will continue to scale large cohorts, at this point over 50 students. Scaling of smaller cohort may occur but would be done case by case.  The statistician advised that a better option may be to scale smaller cohorts by comparing with the same class over the past 3 years.
Item 4.1 CEC 6/2022	LAWS8338 Cryptoassets and the Law	CSES team	<b>Completed</b>

	Correction of the CMS (Curriculum Management System) - Course Structure, point 3: Incomplete sentence.		
Item 4.2 CEC 6/2022	LAWS8800 Advanced Legal Methods and Legal Writing  Removal of all specialisations	CSES team	Completed
Item 4.2 CEC 6/2022	LAWS9800 Advanced Legal Methods and Legal Writing  Amend course name in HDR (Higher Degree Research) Programs Program Orders.	CSES team HDR	Completed
Item 4.2 CEC 6/2022	LAWS8316 International Nuclear Energy Law  Update the indicative assessment.	CSES Team	Completed
Item 4.2 CEC 6/2022	LAWS8316 International Nuclear Energy Law  Clarification on “teaching” split between Law and Science	HoS	Completed
Item 4.2 CEC 6/2022	LAWS4228 Labour Law  Amendments to learning outcomes.  Removal of co-taught postgraduate course as this has now been disestablished.  Update the indicative assessment.	CSES Team	Completed
Item 4.2 CEC 6/2022	LAWS8436 <i>Succession</i>  Amend requisite statement to “completed an Australian or equivalent	CSES Team	Completed  This course requires students to have completed an Australian or equivalent Undergraduate or

	Undergraduate or postgraduate Law Degree.”		Postgraduate Law Degree. Students undertaking any ANU College of Law graduate program may apply for this course if they have the required law background. You will need to contact the ANU Law School to request a permission code to enrol in this course.
Item 4.2 CEC 6/2022	<i>LAWS8454 Restitution</i> Amend requisite statement to “completed an Australian or equivalent Undergraduate or postgraduate Law Degree.”	CSES Team	<b>Completed</b> This course requires students to have completed an Australian or equivalent Undergraduate or Postgraduate Law Degree. Students undertaking any ANU College of Law graduate program may apply for this course if they have the required law background. You will need to contact the ANU Law School to request a permission code to enrol in this course.
Item 4.2 CEC 6/2022	<i>LAWS6700 Law Capstone Project</i> Further work is required between the AD(E) and course convenor.	ADE (Associate Dean Education)	<b>Completed</b>
Item 5 CEC 6/2022	Send out meeting invitations to committee members for 2023 meetings.	CSES Team	<b>Completed</b>

### 3. Report from the Chair

#### Welcome to Country

The 2023 Welcome to Country event was held earlier today. This year, the event was expanded to include all law students. An impressive number of students attended.

Ngambri-Ngunawal elder Paul House delivered the welcome to country in both English and the language of his ancestors, the traditional custodians of the land on which Parliament House and Canberra have been built. It is important to continue to acknowledge and appreciate the traditional custodians of the land and their culture.

It is encouraging to be reminded of the college's commitment to law reform in indigenous rights and legal matters. Such efforts are crucial in promoting greater equity and justice for Aboriginal and Torres Strait Islander peoples.

The college notes that this will be an annual event going forward, providing an opportunity to continue raising awareness and promoting greater understanding of indigenous cultures and issues among law students and the broader community.

#### Graduate Attributes

On 29 November 2022, Academic Board approved the DVC(A)'s proposal for the curriculum reform project. For this college, this concerns graduate attributes that apply to the LLB program only.

Two of the three attributes are already written into the LLB (Hons) Program Learning Outcomes, so we have a head start.

The third attribute, Transdisciplinary Problem Solving, and some of the work in mapping the first two, Critical Thinking and Indigenous Perspectives, will require increased work for the college in 2023. The mapping will show what we currently do, and how we will meet the graduate attributes in the future.

At Academic Board, several of the Associate Deans (Education) and others expressed concerns about timelines for completion by the end of 2023. As we only have one undergraduate program, it will be more than likely that we will need to meet this deadline, even if other colleges are provided more leeway.

These will not affect any current LLB (Hons) students, only those commencing from 2025 onwards.

#### TEQSA (Tertiary Education Quality and Standards Agency) University Re-registration

In late 2022 the university submitted its re-registration to TEQSA.

TEQSA is the regulatory body with which all tertiary institutions must be accredited.

We do not know how long it will take to receive the outcome of that re-registration process; however, we expect at least six months.

The ANU does not anticipate that there will be any issues with reaccreditation; however, we note, quite appropriately, that TEQSA did raise questions with the university about

our sexual assault and sexual harassment policies. This is an area where student feedback is always welcome.

### **University Working Groups**

We are anticipating that several working groups will be implemented under the university Teaching and Learning Strategy, which the ANU promulgated last year.

One of the first strategies that will require a working group is assessment. We will likely be giving the opportunity to have a law member of staff on that working group and the student associations usually also have representatives.

## Part 2 Programs and Courses Accreditation

### 4. Program and Courses Accreditation for endorsement

#### 4.1 Course Amendments

##### *LAWS8422 Intellectual Property*

The committee has approved amendments to the course overview, learning outcomes and other minor updates.

##### *LAWS6700 Juris Doctor Capstone Project*

The committee has approved amendments to the course overview, learning outcomes and other minor updates.

##### *LAWS4212 Conflict of Laws*

The committee has approved amendments to the course overview, learning outcomes and other minor updates.

##### *LAWS8144 Conflict of Laws*

The committee has approved amendments to the course overview, learning outcomes and other minor updates.

##### *LAWS2202 Commonwealth Constitutional Law*

The committee has approved minor updates to the indicative assessment.

The committee has re-accredited this course for five years under the 2022 course review cycle.

##### *LAWS6202 Commonwealth Constitutional Law*

The committee has approved minor updates to the indicative assessment.

The committee has re-accredited this course for five years under the 2022 course review cycle.

##### *LAWS4274 Climate Law*

The committee has approved amendments to the course overview, learning outcomes and other minor updates.

The committee has re-accredited this course for five years under the 2022 course review cycle.

##### *LAWS8474 Climate Law*

The committee has approved amendments to the course overview, learning outcomes and other minor updates.

The committee has re-accredited this course for five years under the 2022 course review cycle.

##### *LAWS4251 AI and the Law*

The committee has approved amendments to the course overview, learning outcomes and other minor updates.

The committee has re-accredited this course for five years under the 2022 course review cycle, subject to the course title being revised to better reflect the course content.

As the LLB (Hons) Program has now largely returned to on campus delivery, compulsory courses and clinical courses will be reverted to “In Person” mode of delivery at the course level. This will be actioned out of session.

The LAWS4000 elective courses will remain at “Online or In Person” at the course level so we are able to switch the mode of delivery at the class level as required.

The JD Program LAWS6000 courses will remain at “Online or In Person” at the course level until the conclusion of 2023 as at this time, the JDO teach out will have concluded.

All LAWS8000 courses will remain at “Online or In Person” at the course level and clarified at the class level for each iteration.

#### 4.2 Course Disestablishment

The [Policy: Academic programs and courses accreditation](#) states at clause 23:

*Each taught course (that is, excluding administrative codes, codes for exchange, etc), other than “special topic” courses, must be taught at least once over each three-calendar year period.*

As of 1 January 2023, any course that has not been taught at least once during the period of 2020-2022, is to be disestablished as of 01 January 2024 unless the College Education Committee, in rare instances approves a case as to why the course should not be disestablished.

The following courses have been identified by Planning and Service Performance (PSP) to be disestablished with our recommendations.

The committee has reviewed and agrees with the recommendations below.

Australian National Security Law	LAWS8485	Retain  This course has been reviewed and will be taught in 2024. This course is scheduled to run biennially; however, the course convener has been significantly impacted by COVID and this has not possible.
Citizenship Law in Context	LAWS8175	Retain  Scheduled in Autumn 2023
Commercial Drafting	LAWS8131	Disestablish
Environmental Law	LAWS8415	Disestablish

Health Law, Bioethics and Human Rights	LAWS4219	Retain The HoS has committed to delivering this course in 2024.
Human Rights Law in Australia	LAWS8420	Disestablish
Indigenous Community Legal Clinic	LAWS4278	Retain Scheduled for S2 2023
	LAWS6278	Retain Scheduled for S2 2023
Indigenous Peoples and the Law	LAWS8438	Retain Scheduled for Winter 2023
Intellectual Property	LAWS8422	Retain The regular course convenor departed the university in 2021. The ANU CoL (College of Law) has a Grand Challenge Fellow who has reworked this course and it will be taught in 2024.
International Humanitarian Law	LAWS8268	Retain Scheduled for Winter 2023
International Intellectual Property Law	LAWS8136	Disestablish
International Law and United Nations Peace Operations	LAWS8023	Disestablish
Public Interest Law Clinic	LAWS4284	Disestablish
	LAWS6284	Disestablish
Selected Topics in Australian-United States Comparative Law (ANU)	LAWS8457	Disestablish
Corporate Insolvency	LAWS4282	Retain A newly hired academic will teach this course in 2024.



## Part 3 Items for Discussion/Noting

### 5. Student Assessment (Coursework) Policy and Procedure - Extenuating Circumstances

In 2022, the Special Assessment Consideration Working Group recommended that the University changes from the current processes for assignment extensions, deferred examinations, and special assessment consideration, to a new process titled Extenuating Circumstances Application (ECA), as outlined in Attachment A.

The 16 recommendations will significantly change and vastly improve the University's response to students who experience extenuating circumstances. The recommendations will: improve the academic integrity of the process; improve the student and staff experience and reduce stress; improve consistency and reduce administration; and increase alignment with the Higher Education Standards Framework.

For students experiencing extenuating circumstances, the new ECA will shift the focus from requests for adjustments to their marks as a form of compensation, to supporting them to complete assessments and demonstrate their capabilities.

As a general 'rule of thumb' under the new ECA process, requests for a short-term extension to an assessment due date will be continuing to be submitted locally to the course convenor or delegate. Longer term requests, or requests where the marked assessments have already been returned to other students, will be submitted via an ECA, and recorded centrally via a new e-form to the Registrar's Office for processing. Requests for deferred examinations or other significant extenuating circumstances will all be submitted centrally via the same new e-form.

The Working Group recognises that implementation of the ECA recommendations will require modifications to the Assessment Rule, the ANU Policy: Student Assessment (coursework), and Procedure: Student Assessment (coursework); all of which have dedicated sections on special assessment consideration and deferred examinations. Further, the development and wide dissemination and communication of guidelines will support implementation.

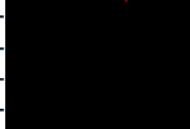
The University will need to establish business solutions, for example automatic email notifications and a new e-form to address workflow changes. Moreover, there will need to be significant changes to business practices in both college and the central teams. As such, the Working Group recommends that the new Rule, policy, procedure, and guidelines are adopted after the new systems and business processes have been developed and tested.

The committee noted the changes, requesting more information on the process when available.

#### Attachments

AQAC 6\_2022 – Item 34 -  
AQAC 6\_2022 – Item 34 -  
AQAC 6\_2022 – Item 34 -  
AQAC 6\_2022 – Item 34 -

622 - Access to edited copies w th extenu



## 6. ChatGPT - CLT (Centre for Learning and Teaching) Paper

The emergence of ChatGPT, a form of generative artificial intelligence (AI), has sparked a whirlwind of discussion in the media about the ethics and implications of the use of this tool in higher education. ChatGPT is the most sophisticated natural language AI chatbot to date, growing to reach 1 million registered users in just 5 days of launch. ChatGPT can create original text based on a prompt and joins a growing array of emerging generative AI technologies that use algorithms to create novel content in a wide range of media formats including code, music, and images.

This document aims to present an overview of the salient points on ChatGPT as they relate to learning and teaching at The Australian National University (ANU) and provides information on how the ANU is working towards a position on the use of AI tools such as ChatGPT. This is a first step and will be followed by more detailed advice on policy and practices. It summarises the potential negative impacts that generative AI tools may have on assessment and academic integrity, as well as the opportunities for incorporating such tools to support learning.

The University has committed to updating the relevant policies and procedures and in the interim, the LLB/JD Director and AD(E) have updated our website information to provide some guidance to law students and are providing advice to academic staff as needed.

The committee noted this information and agreed to monitor going forward.

Communication to students from the college will emulate the following.

- Most importantly: Uncited use of source material, whether human or machine generated, is plagiarism and will be treated as serious misconduct. Like contract cheating sites and other forms of fraudulent authorship, using AI-based tools to generate university work is a direct violation of the Student Code of Conduct and the university's Academic Integrity Policy. Any examples of this which are found should be handled under the existing academic integrity process.
- Even when a student cites the use of AI, if there is evidence that this forms the majority, or all of an assessment response, absent evidence of independently themselves meeting the criteria as outlined in the relevant rubric, then the student cannot be said to have met the assessment task or the learning outcomes of the course. Citation therefore is not in itself enough. It is still beholden on the student to demonstrate skills themselves, independently of the AI or any other support they have had. An essay that was derived from ChatGPT and dutifully referenced as being so, would still therefore be a fail as it cannot be said to be the student's own work.
- Independent research and critical thinking are the key skills we seek to develop in our students. AI products should be subjected, just as other sources should be, to the critical thinking skills of the student and not used as a substitute for those skills. Because the critical skills of students are central, AI cannot be a substitute for reading, attending, discussing and reflecting.

- AI is a resource that can be used to help understanding, organising, and collating content, but you need skills to use AI in responsible ways. The expertise you learn in courses about the subject and how to approach material should be applied, actively and consistently, to using AI products. Subject the products of AI to critical analysis, and do not simply assume they are correct, accurate, or even automatically helpful.

## Part 4 Reports

### 6. Reports and Issues raised by Student Representatives

#### 6.1 The committee received reports from Student Representatives

##### **Law Students' Society (LSS)**

The LSS are focussing their attention on the education portfolio and are investigating a resource that will assist students to replace the old Exams Database. This resource will not provide examinations, nor provide answers, but will assist students with information on common issues within a course, analogies, and common mistakes.

In the past, there has been some discussion with academic staff. The LSS will discuss this further with the LLB/JD Director to get this back on track.

The LSS has been in discussions with PARSA and the college on being involved in the class representative training that will be held on 16 March 2023. This is an ANU College of Law training session and representation from all three student groups is anticipated.

##### **ANU Students' Association (ANUSA)**

ANUSA is planning to strengthen engagement for students through the class representative process. With the new college process in place, ANUSA and the college are working with students within compulsory courses.

The targeted focus for student engagement will be upskilling, giving students access to surveys, past SELT surveys, and how to assess and provide valuable feedback to their classmates.

ANUSA will be expanding communication channels to more media including messaging apps and other means not currently used by the university. ANUSA would also like to look more into feedback mechanisms, unpacking SELT reviews etc.

ANUSA is supportive of the college's stance on recordings; one of the primary student concerns was that as the college moved back to in person classes, recordings would start to disappear.

ANUSA would like to see more digital textbooks made available through the library. Larger compulsory courses require more than two copies. If that is not possible, at least make the first couple of chapters available as delays are being experienced due to a delay in hard copy text deliveries. ANUSA will contact library staff directly to discuss this further.

The Chair noted that digital textbooks are incredibly expensive so this may be cost prohibitive.

##### **Postgraduate and Research Students' Association (PARSA)**

The class representative training will be conducted on 16 March with an invitation for the LLB/JD director to speak on behalf of the AD(E). Invitations have been sent out to the postgraduate mailing list.

## **7. Reports from College Directors and Heads of School**

### **7.1 The Committee received a report from College Directors and Head of School**

#### **Head of School**

Discussions around 2024 course offerings have been conducted. Focus has been to try to have a good range of electives that take into account prior enrolment numbers, staff availability and specialisations.

#### **Director, LLB(Hons) and JD Programs**

No Report.

#### **Director – PG Programs**

An update on teaching modes was provided. In the past, master's courses were taught over a one-week intensive period on campus. During the pandemic, many different online models emerged. Post pandemic, a survey of the preferred mode of delivery was sent to students. The overwhelming response was to implement a six to nine week online teaching model, with the final assessment due date set at four weeks after the class end date.

Synchronous teaching was also the preference in the survey; however, the university will need to develop and provide increased dual delivery teaching spaces to accommodate in-person and online synchronous teaching.

We have also started to record class retention, recording the number of students who start a course vs. completing the course. This allows the college to track retention and make amendments to courses as required when low retention is evidenced.

## Part 5 Any Other Business / Forward agenda items

Next Meeting

Next Meeting CEC 2/2023: 22 March 2023

### Action Items

Reference	Action Item	Staff Responsible
Item 4.1 CEC 1/2023	Compulsory courses and clinical courses will be reverted to "In Person" mode of delivery at the course level.	CSES
Item 4.1 CEC 1/2023	LAWS4251 AI and the Law Discuss with convener name change. The committee does not feel the name of the course accurately reflects the course. This course appears to focus more on legislative drafting, not so much of Artificial Intelligence within law.	AD(E)



# Minutes

## College Education Committee

**Meeting No:** 2/2023

**Date/Time:** 22 March 2023, 2pm

**Location:** Building 7, Law School, Room 7.3.9, Boardroom

<b>Attended</b>	Wayne Morgan	Associate Dean (Education)
	James Stellios	Head of School
	Anne Macduff	Director, Teaching & Learning
	Nicole King	Manager, Student and Education Support
	William Carey	ANUSA Student Representative
	Alex Bako	LSS Student Representative
	Leonard Ho	PARSA Representative
	Jennifer Estellore	Education Development
	Russell Atkinson	Secretariat
<b>Observers</b>	Tristan Yip	PARSA Representative
	Akshaya Kamalnath	Associate Professor (representing Director, PG Programs)
<b>Apologies</b>	Benjamin Kooyman	Learning Adviser, ANU Academic Skills (Observer)
	Sharon Elliott	Education Development
	Ron Levy	Director, LLB(Hons) and JD Programs
	Eweha Jeong	PARSA Representative
	Neha Kalele	LSS Student Representative
	Ntina Tzouvala	Director, PG Programs
	Suzie (Wangshu) Ma	ANUSA Student Representative

# Part 1 Procedural Items & Chair's Report

## \*1. Apologies and Announcements

### 1.1 Apologies

- Benjamin Kooyman Learning Adviser, ANU Academic Skills (Observer)
- Sharon Elliott Education Development
- Ron Levy Director, LLB(Hons) and JD Programs
- Eweha Jeong PARSA Representative
- Neha Kalele LSS Student Representative
- Ntina Tzouvala Director, PG Programs
- Suzie (Wangshu) Ma ANUSA Student Representative

### 1.2 Announcements

No Items listed in Part 3 of the agenda for discussion/noting. This is partly because AQAC currently has no items out for college feedback.

Note we are adopting a new Agenda process whereby some items will be unstarred. These items will be approved by the Committee without discussion unless a member request they be starred.

## \*2. Minutes and Matters Arising

### 2.1 Minutes

The College Education Committee (CEC) endorsed and accepted the minutes of CEC 1/2023.

### 2.2 Action Items from CEC 1/2023

Reference	Action Item	Staff Responsible	Resolution
Item 4.1 CEC 1/2023	Compulsory and clinical courses for the LLB Program will be reverted to "In Person" mode of delivery at the course level.	CSES	Completed
Item 4.1 CEC 1/2023	LAWS4251 AI and the Law	AD(E)	Ongoing



	Discuss with the convener to change the name of the course to better reflect the course content.		
--	--	--	--

### \*3. Starred items

The Committee endorsed all unstarred items.

### \*4. Report from the Chair

#### ANU Open Day

ANU Open Day was held last Saturday (18 March). We had a great open day, with a number of staff and student ambassadors assisting.

It was pleasing to see that there was very good attendance, noting the change from previous years where open day was held in August.

Events were held both at the college and over in the Kambri precinct. Both locations were well attended with an enthusiastic crowd of potential students.

Thank you to all who were involved in open day.

#### University Projects

University projects, in particular, implementation of the Graduate Attributes and the Teaching and Learning Strategy are continuing.

## Part 2 Programs and Courses Accreditation

### 5. Program and Courses Accreditation for Endorsement

#### \*5.1 Program/Plan Amendments

##### *Juris Doctor (JD)*

Updates have been made to the Program Award Orders of the JD Program; specifically, the changes are to meet the requirement to list the current capstone courses.

- Removal of LAWS6284 Public Interest Law Clinic
- Amended Name LAWS6700 Juris Doctor Capstone Project
- Removal of LAWS8458 International Organisations (Geneva)
- Addition of LAWS8430 Law Internship

The committee approved the changes to the Program Award Orders.

##### *Graduate Certificate of New Technologies Law (CNTL)*

The CNTL is currently under review. Any amendments that are made as a result of this review will be tabled at a later College Education Committee meeting.

As the CNTL is an online program, any course listed in the Program Award Orders must be delivered online.

Updates have been made to the Program Award Orders of the CNTL Program; specifically, the changes are to meet the requirement to list the current course offerings.

- Removal of LAWS8131 Commercial Drafting
- Removal of LAWS8451 Legislative Drafting & Technology
- Addition of LAWS8338 Cryptoassets and the Law
- Addition of LAWS8340 Space Law & Governance
- Addition of LAWS8582 Global Health Law

The committee approved the changes to the Program Award Orders.

##### *Bachelor of Laws (Honours (LLB(Hons)))*

Updates have been made to the Program Award Orders of the LLB (Hons) Program; specifically, the changes are to meet the requirement to list the current capstone courses.

- Removal of LAWS4290 High Court of Australia

The committee approved the changes to the Program Award Orders.

## \*5.2 New Course Proposals

### *LAWS8662 Environmental Risk and Disaster Law*

In the context of increased awareness of the importance of effective governance of environmental risks and natural disasters, this new course integrates core concepts from two earlier courses that have been or are being disestablished. These two courses are:

- (1) LAWS8145 Environmental and Risk Assessment Law, which considered legal regimes for proactively preventing and developing precautions against environmental harms, and
- (2) LAWS8012: Australian Disaster Law, which considered the management of a range of harms after they arose.

The new course will provide a more holistic treatment of this subject area by bringing together regulatory design, governance and law relevant to the pro-active management of the potential risk of environmental harms with the consideration of the consequences of the failure of such regulatory action to effectively manage those risks.

The committee requested that Learning Outcome 1 be reconsidered.

Currently Learning Outcome One states, “Select relevant regulatory regimes relied on to address systemic and complex environmental risks and disaster responses.” The committee thought this lacked clarity. The education developers will consult with the convenor to make this clearer for students.

Pending the amendment of Learning Outcome One, this course was approved by the committee. This course will be reviewed in five years, or earlier if required under the course review cycle.

### *LAWS8661 Foundations of Private Law*

This course will introduce students to the core concepts and procedures of private law, namely the legal system that governs relationships between individuals and other legal persons beyond the state. These fields include property, contracts, trusts, and torts. It will familiarise students with modes of legal reasoning that are distinct to private law as well as with the different fora (courts, arbitral tribunals, mediation) where private law is interpreted and applied. The course will focus primarily on common law legal systems, while also incorporating comparative elements. This will enable students to understand the unique character of Australian private law as a common law system transplanted into a settler colonial context. This course will operate as a general introduction to private law and will prepare students to undertake further, more specialised study in the field.

The committee broadly supported this course, however, the committee also advised that it may pay to broaden the description in the future so as not to limit the options when allocating a course convenor.

This course is approved by the committee. This course will be reviewed in five years, or earlier if required under the course review cycle.

### *LAWS8660 Foundations of Public Law*

This course will introduce students to the core concepts, rules and procedures of public law, namely the legal system that governs relationships between the state on the one hand and individuals on the other as well as the interactions between different branches and levels of government. Traversing traditional divides, this course will examine together the basics of constitutional and administrative law with a view of drawing out both their similarities and differences. Students will focus on Australian public law as a unique system that combines elements of both the UK and the US systems of government (often referred to as ‘Washminster’). Students will examine the interactions between different levels of government (federal, state, territory) and different branches of government (legislative, executive, judicial) with a view of understanding the evolution and dynamic character of these relations. To do so, Australian public law will be contextualised both in relationship to competing philosophies that animate or seek to explain public law (liberalism, egalitarianism, feminism etc) and in relationship to the changing structure of Australian political economy.

Again, the committee broadly supports this course, however, the committee also advised that it may pay to broaden the description for this course in the future so as not to limit the content when allocating to varying course convenors with different expertise.

This course is approved by the committee. It will be reviewed in five years, or earlier if required under the course review cycle.

### *LAWS4321 Law & Social Movements*

Law and Social Movements considers the inter-relationship between law, lawyers, and socio-political struggles within Australia and beyond. This course aligns with the ANU College of Law’s commitment to law reform and social justice within the curriculum by allowing students to deepen their knowledge and understanding of the theoretical, historical, social, and political aspects of law reform and legal change.

The course will help students develop intellectual and professional skills of benefit to the College’s existing Law Reform and Social Justice programme (LRSJ). While it is not necessary for students undertaking this course to also take part in the LRSJ (or vice versa), key components of learning activities and assessment tasks have been designed to build competencies in students which will strengthen LRSJ initiatives. Some of the case studies in this course will draw from current and previous student contributions to LRSJ, providing opportunities to explore and critique the broader theoretical, political and social significance of these efforts.

Law and Social Movements both complements and expands on other existing courses in the College. For example, students who have studied LJE in first year will deepen their understanding of the role lawyers play in facilitating and/or inhibiting the pursuit of social justice and reflect on their future lives and careers in response.

The committee supported this course, noting that it will be an excellent addition to the suite of undergraduate elective options. The committee requested that the convenor be made aware of the necessity to check material in other social movement courses to ensure course material does not overlap with existing courses.

This course is approved by the committee. It will be reviewed in five years, or earlier if required under the course review cycle.

#### *LAWS4344 Environmental Justice Practicum*

This course proposes an interdisciplinary clinic with students from both the ANU Law School and the ANU Fenner School. The Environmental Justice Practicum was proposed as

- Environmental issues are multifaceted, and an interdisciplinary approach is essential.
- Previous experience has demonstrated the value of peer-to-peer learning, enthusiasm, passion, and understanding of the interrelationship between the two disciplines; and,
- As a national university, the ANU brings unique perspectives and expertise on national issues, and a unique opportunity for students to be working on those issues.

The committee supported this course, noting that it will be an excellent addition to interdisciplinary course options. The committee requested that the convener be made aware of the necessity to check material in other environmental courses to ensure course material does not overlap with existing courses.

The committee also requested that the Student and Education Support team liaise with the Course Convener to determine whether this course would be suitable for the Public Law Specialisation.

This course is approved by the committee. It will be reviewed in five years, or earlier if required under the course review cycle.

#### *LAWS4395 Critical Approaches to International Law*

This course was proposed and created as a co-badged course for undergraduate students to be delivered with LAWS8595 Critical Approaches to International Law. The subject matter for this course covers a broad overview of various critical perspectives on international law, including their respective concerns, critiques, principles, issues, and applications.

As a result, it does not require knowledge of Australian law and is accessible for both undergraduate and graduate cohorts. A requisite of the completion of LAWS2250 International law has been applied.

This course is approved by the committee, noting that the request for a cap on enrolment numbers has not been approved at the course level. The convener will be advised that any cap will need to be approved by the Head of School prior to each scheduling of the course.

The course will be reviewed in five years, or earlier if required under the course review cycle.

#### *LAWS4364 International Law of the Environment*

This course was proposed and created as a co-badged course for undergraduate students to be delivered with LAWS8264 International Law of the Environment. This course introduces students to the nature of transboundary environmental challenges and the development of international norms and institutions to address them. A requisite of the completion of LAWS2250 International law has been applied.

This course is approved by the committee, noting that the request for a cap on enrolment numbers has not been approved at the course level. The convenor will be advised that any cap will need to be approved by the Head of School prior to each scheduling of the course.

This course will be reviewed in five years, or earlier if required under the course review cycle.

### **\*5.3.1 Course Amendments – Significant Updates**

#### *LAWS8264 International Law of the Environment*

This PG version has had amendments as outlined below to align the two courses that are intended to be co-badged for future iterations.

- Co-Badge Course
- Updating the LO's to differentiate as well as align the PG and UG versions.
- Indicative Assessment Statement
- Assessment Rationale statement
- Workload update
- Prescribed Text update

#### *LAWS8595 Critical Approaches to International Law*

This PG version has had amendments as outlined below to align the two courses that are intended to be co-badged for future iterations.

- Update to LO's to better align with UG Offering
- Indicative Assessment Statement
- Assessment Rationale statement
- Workload update
- Indicative Reading update

#### *LAWS4233 Tort Liability and Public Authorities*

This course and the PG counterpart below (LAWS8142) have been updated to ensure alignment as these two courses are intended to be co-badged for future iterations.

- Name Change from Advanced Torts
- Learning outcomes/topic/assessment amendment to align with LAWS8142
- Co-Badged with LAWS8142 Tort Liability and Public Authorities
- Removal of Specialisation - COCOM

### *LAWS8142 Tort Liability and Public Authorities*

This course and its UG counterpart above (LAWS4233) have been updated to ensure alignment as these two courses are intended to be co-badged for future iterations.

- Course Description Update
- Learning Outcomes
- Indicative Assessment
- Assessment Rationale

### *LAWS8189 Environmental and Sustainability Law*

This course has been updated to ensure alignment with LAWS4215 Environmental Law as these two courses are intended to be co-badged for future iterations. There have been no changes to the UG version (LAWS4215).

- Course Description
- Learning Outcomes
- Indicative Assessment update
- Assessment Rationale update
- Specialisation addition - Public Law

### *LAWS8422 Intellectual Property Law*

This course has a new Convenor. Updates have been made to the course description. The learning outcomes will be updated under the course review process later this year.

- Update to Course Description

### *LAWS8582 Global Health Law*

This course has a new Convenor. Updates have been made to the course description. The learning outcomes will be updated under the course review process later this year. There have also been other minor updates as listed below to accommodate the addition of this course into the Graduate Certificate of New Technologies Law Program Orders.

- Delivery – Online
- Course Description
- Requisite – Addition of CNTL
- Specialisation Addition – New Technologies Law

### *LAWS4260 Law and Psychology*

This course has a new Convenor and there have been updates made as outlined below.

- Course Description
- Update to Learning outcomes
- Indicative assessment
- Specialisation Addition – Law Reform, Environmental and Social Justice

The committee was not able to review these courses during the scheduled meeting due to time constraints. The courses were provided to members via email for feedback and subsequent endorsement.

The committee approved out of session all courses under 5.3.1 for five years, or earlier if required under the course review cycle.

### 5.3.2 Course Amendments – Minor Updates

The following amendments were identified through the 2024 course scheduling process with minor amendments made to update each course.

#### *LAWS1206 Criminal Law and Procedure*

- Delivery - In Person

#### *LAWS4212 Conflict of Laws*

- Specialisation Addition – International and Comparative Law
- Specialisation Addition – Corporate and Commercial Law

#### *LAWS4223 International Dispute Resolution*

- Indicative Assessment
- Specialisation Addition – International and Comparative Law

#### *LAWS4228 Labour Law*

- Specialisation Addition - Public Law

#### *LAWS4237 Financial Markets and Takeovers*

- Specialisation Addition - Public Law

#### *LAWS4245 Information Technology Law*

- Delivery - Online (in line with Co-badged course)
- Specialisation Addition - Public Law
- Specialisation Addition - Corporate and Commercial Law

#### *LAWS4256 Law, Gender Identities and Sexualities*

- Specialisation Addition - Public Law

#### *LAWS4274 Climate Law*

- Specialisation Addition - Intl and Comparative Law

#### *LAWS4281 Environmental Law Clinic*

- Specialisation Addition - Public Law

#### *LAWS4302 International Law Clinic*

- Specialisation Addition - Intl and Comparative Law

#### *LAWS4304 Prison Legal Literacy Clinic*

- Specialisation Addition - Law Reform and Social Justice

#### *LAWS4309 Colonialism and the Rule of Law*

- Specialisation Addition - Public Law



*LAWS8006 Law and Development in the Contemporary South Pacific*

- Specialisation Addition - International Law

*LAWS8009 Transnational Anti-Corruption Laws*

- Requisite Update - Include MINLD
- LAWS8035 Cyber Warfare Law
- Delivery update – Online

*LAWS8077 Cyber Law*

- Delivery update – Online
- Requisite update - Include MINLD
- Requisite update - Include MFIML
- Specialisation Addition - Private Commercial Law

*LAWS8078 Common Law Reasoning*

- Indicative Assessment Statement
- Workload Statement
- Requisite update - Removal of MINLD

*LAWS8144 Conflict of Laws*

- Requisite – Addition of MINLD

*LAWS8229 International Trade Law*

- Requisite update - include MINLD

*LAWS8237 Health Law and Bioethics*

- Delivery Update – Online
- Indicative Assessment Statement
- Requisite update - Include MINLD
- Requisite Update - Include MFIML
- Specialisation addition - Private Commercial Law
- Specialisation addition - International Law

*LAWS8243 Freedom of Information and Privacy*

- Indicative Assessment update
- Requisite Update - Include MINLD

*LAWS8254 Business and Human Rights*

- Indicative Assessment update
- Assessment Rationale update
- Requisite Update - Include MINLD
- Specialisation addition - International Law

*LAWS8268 International Humanitarian Law*

- Indicative Assessment Statement
- Assessment Rationale Statement
- Prescribed Texts

*LAWS8297 International Law and Australian Government*

- Delivery Update - Online and/or in Person

- Indicative Assessment
- Assessment Rationale
- Specialisation Addition - Public Law

*LAWS8328 National Security and Counterterrorism*

- Indicative Assessment
- Specialisation Addition - Public Law

*LAWS8336 International Investment Law*

- Indicative Assessment
- Requisite Update - Include MFIML
- Specialisation addition - Private & Commercial Law

*LAWS8340 Space Law and Governance*

- Indicative Assessment
- Requisite Update - Include MINLD

*LAWS8341 Work and the Gig Economy*

- Delivery – Online
- Requisite Update - Removal of MINLD

*LAWS8402 Media Law*

- Indicative Assessment
- Requisite Update - Removal of CNTL

*LAWS8405 AI, Law & Society*

- Delivery - Online

*LAWS8407 Digital Economies and the Law*

- Specialisation Addition - Human Security

*LAWS8418 International Commercial Arbitration*

- Indicative Assessment
- Requisite Update - Include MINLD
- Specialisation Addition - International Law

*LAWS8437 Financial Markets and Takeovers*

- Specialisation Addition - Public Law

*LAWS8445 Information Technology Law*

- Delivery - Online
- Specialisation Addition - Public Law

*LAWS8458 International Organisations (Geneva)*

- Requisite update - addition of MINLD

*LAWS8459 Consumer Protection*

- Delivery - Online and/or in person
- Specialisation Addition - Public Law

*LAWS8567 International Dispute Resolution*

- Indicative Assessment

*LAWS8587 Legal Framework of Regulation*

- Requisite Update - Addition of MFIML
- Specialisation Addition - Private Commercial Law

*LAWS8596 Financial Crime Law*

- Delivery - Online
- Requisite Update - Addition of CLAW
- Requisite Update - Addition CNTL
- Requisite Update - Addition MFIML
- Specialisation Addition - Private Commercial Law

*LAWS8001 Introduction to Law, Governance and Development*

- Course title change to Global Law, Justice and Development

The committee approved these minor amendments.

### 5.3.3 Course Amendments – Minor Updates to Courses Currently under Review

The following courses are currently under review for 2023. Immediate amendments have been listed below for 2024 implementation.

Further work on these and the remaining courses under review will be tabled at a later College Education Committee meeting.

*LAWS4212 Conflict of Laws*

- Specialisation Addition - Intl and Comparative Law
- Specialisation Addition - Corporate and Commercial Law

*LAWS8144 Conflict of Laws*

- Requisite Update - Include MINLD
- Specialisation addition - Public Law

*LAWS8584 Corporate Insolvency*

- Delivery - Online and/or in person
- Requisite update - removal of CNTL

*LAWS8035 Cyber Warfare Law*

- Delivery update - Online

*LAWS4260 Law and Psychology*

- Specialisation Addition - Law Reform and Social Justice

*LAWS8594 Law & Society in Southeast Asia*

- Specialisation Addition - International Law

*LAWS8401 Law of Weaponry and Targeting*

- Delivery - Online

*LAWS8013 Nuclear Weapons Law*

- Delivery Update – Online
- Requisite update - Include MINLD

### *LAWS8409 Strategic Issues in the Law of Armed Conflict*

- Delivery – Online

The committee approved these amendments, noting that these courses are still under review and future amendments will be tabled at a future College Education Committee meeting.

## Part 3 Items for Discussion/Noting

No items for discussion

## \*Part 4 Reports

### \*6. Reports and Issues raised by Student Representatives

#### 6.1 Law Students' Society (LSS)

The LSS has received questions from the student body regarding the return to in-person exams.

The Chair advised that compulsory course end of semester exams would revert to in-person, most likely in Semester Two, 2023. The exception will be for the two first year first semester courses where their end of semester examinations will be back on campus for semester One, 2023.

The two first year courses will have in class preparation material to assist them prepare for university in-person examinations.

All students will be informed of these arrangements and advised on what to expect in the transition back to in-person examinations. The AD(E) will hold a forum for all students at a time and date yet to be determined.

The committee encouraged the student groups to continue to advocate for the appropriate examination software so students may continue to use a laptop, instead of reverting to handwritten script books.

The AD(E) will contact first year convenors to discuss any possible crossover with the proposed exam education sessions that will be conducted by the LSS.

#### 6.2 ANU Students' Association (ANUSA)

The Class Representative training was conducted on 16 March 2023. Attendance was much improved on previous years. However, there are still vacancies in some courses. ANUSA will investigate further ways to engage students to promote the Class Representative process, with a focus on removing any anxiety or reluctance to become involved in the process.

### 6.3 Postgraduate and Research Students' Association (PARSA)

PARSA advised that postgraduate students do not usually engage with the class representative process. Rather, and possibly due to busy careers and life experience, postgraduate students have no objection to contacting and engaging with the convenor directly. The PARSA component of the class representative training focussed on the best ways to engage with a convenor and how best to provide appropriate feedback.

PARSA has been organising some research skills classes with the law library. These are weekly/fortnightly catered sessions, designed to assist students to correctly source material, "tips and tricks" and using various relevant systems.

With the pending cessation of PARSA, the Chair and Committee will need to think about new and appropriate postgraduate committee representation under the ANUSA framework.

The Committee's intention is to retain the current postgrad reps until elections occur in the new ANUSA structure.

## \*7. Reports from College Directors and Head of School

### 7.1 Head of School

Open Day was a fabulous event. The Head of School extended his thanks to staff and student reps for their assistance throughout the day.

### 7.2 Director, LLB (Hons) and JD Programs

This report was tabled at the meeting in the absence of the Director, LLB (Hons) and JD Programs.

#### *Research Pathways Mentoring within the Momentum Mentoring Program.*

In addition to mentoring geared to traditional post-law school jobs (e.g. commercial firms and government), we are making available mentoring for students who anticipate research-focused careers such as in academia, think tanks or 'pracademic' work (ie legal practice with a side of academia). After a call for expressions of interest from students, we had a stronger response than anticipated: 32 students signed up, and five staff have thus far agreed to mentor these students in meetings of 3-5 students at a time, every 8 weeks or so, throughout 2023. This program is open to students in all degrees.

#### *Research Concentration for JD Students.*

At the June CEC I will have a 1-2 page document outlining a proposal for a new 'research' specialisation, alongside our existing ones. I have spoken with a number of you about this and note that feedback on it has been very positive.

#### *AI Developments*

Discussions about our responses to the advent of powerful AI programs, and contributions toward the new published policy.

#### *Recruitment*

JDs: In consultation with various people including Tom Fearon (marketing) and Esther Armonious (recruitment), I have been discussing recruitment methods for the JD program. These methods include targeting graduating ANU bachelor students with advertising information, or invitations, regarding the JD as a second degree. In addition, I am leading a 'masterclass' on a public law subject in April or May for prospective students.

#### *Course Representatives*

With Elaine Ee I recently met with the new batch of student course representatives for a training session which doubled as a wide-ranging discussion of students' experiences at the law school. The students are uniformly highly engaged. It appears that the course representative program is being reinvigorated (not least by Elaine and the LSS).

#### *Jess Hambly and Susan Bartie's new Social Movements course*

With James I met Jess and Susan about their course and had a relatively minor suggestion re: clarifying the scope of 'social movements' and 'social justice' with definitions in the opening paragraph. Apart from that, I am happy to vote in favour of the creation of this course.

### 7.3 Director, PG Programs

No Report

## Part 5 Any Other Business / Forward agenda items

Next Meeting: CEC 3/2023: 14 June 2023

### Action Items

Reference	Action Item	Staff Responsible
Item 5.2 CEC 2/2023	LAWS8662 Environmental Risk and Disaster Law Amendment to first LO. Education developers to work with convener to clarify.	CSES
Item 5.2 CEC 2/2023	LAWS4344 Environmental Justice Practicum Education support team to investigate whether this course would be suitable for the Public Law Specialisation.	CSES
Item 6.1 CEC 2/2023	The AD(E) will discuss exam preparation with first year convenors.	AD(E)