

The new curriculum for the Griffith Law School

When Griffith Law School was established in 1992, its approach to teaching and learning and curriculum design was state of the art, and established the Griffith Law School as a pioneer in the development of innovative law curricula and student-centred law teaching, and as a model for other law schools to emulate. In the 13 years since the founding vision was articulated, understandings of an appropriate model for legal education have advanced substantially and issues that barely featured in 1992 are now driving the legal education agenda.

During the same period, Griffith Law School has changed enormously. In 1992, the Law School saw itself as a ‘boutique’ single campus law school offering a limited number of integrated degrees and with a maximum quota intake of no more than 80 students per year at Nathan. Over the intervening years, Griffith Law School has grown into a complex multi-campus teaching and learning environment with a target annual intake of 150 at the Nathan campus and 80 at the Gold Coast campus, and a developing postgraduate presence at South Bank. Since 1999, Graduate Entry students have been enrolled. The number and range of combined degree programs offered by the Law School has expanded over the years, so that in 2004 the Law School administered 12 undergraduate combined degree programs and two graduate entry programs, on two campuses. In 2003 the Law School implemented the recommendations of the 2002 Stocktake Review to introduce guidelines for cross campus offerings, and to implement the Law School’s commitment to interdisciplinarity in a more cost effective and administratively flexible manner by requiring students to study at least one ‘law in context’ elective, rather than a specific joint theory course. In 2005, our target intake at the Gold Coast campus was 130 students, giving a total cross campus quota intake of approximately 280 students. A distinctive feature of the Griffith LLB is its emphasis both on legal theory and clinic-based learning. Griffith has the most diverse range of clinical offerings in Australia.

While annual CEQ scores show that the Griffith Law School excels in undergraduate teaching, the changed teaching and learning environment emphasises the need for a comprehensive review of the undergraduate curriculum. Major reports, for example the 2003 AUTC commissioned report, *Learning Outcomes and Curriculum Development in Law*, identified approaches to the incremental development of legal skills that can usefully be incorporated in the Griffith curriculum. A global shift in emphasis from knowing what to knowing how underscores the importance of a state of the art commitment to the skills area.¹

In 2004 the Griffith Law School embarked upon a curriculum review with particular emphasis upon the incremental and co-ordinated development of skills, ethics, group work, theory and interdisciplinarity, Indigenous issues and internationalization, and to redress the fragmented delivery of key doctrinal areas, for example Torts and Equity, to ensure that the School’s coverage of all areas of content required graduate eligibility for

¹ See also the Australian Law Reform Commission *Review of the Adversarial System of Litigation*, Issues Paper 21, 1997; *Review of the Federal Civil Justice System*, Discussion Paper 62, 1999; and *Managing Justice: A Review of the Federal Civil Justice System*, Report No 89, 2000.

admission to legal practice might become compromised because key aspects ‘fell between the cracks’ when core courses were revised on an individual basis.

From late 2003 the Curriculum Review Committee met frequently and consulted widely within the law School, and with law students, academics from other law schools, and with members of the profession. In January 2005 the Committee made the following recommendations.

1. The ordering and structuring of core courses and key areas of knowledge in the Griffith Law undergraduate curriculum

The Committee recommended a new structure and ordering for both the graduate entry program and the combined degree program. In brief, the Committee has recommended that teaching in Equity and Torts be consolidated in specialist courses, that the size of the Property Law courses be reduced from 40 credit points (CP) to 30CP, and that three new courses be introduced: *Legal Research* (5CP), *Legal Writing* (5CP) and *Transnational Law* (10CP). The structure ensures that there are no compulsory courses in the final semester of the graduate entry and combined degree programs, so that students are better able to undertake six-month international exchange programs.

The new structure is set out in Tables 1 and 2 below.

**Table 1
Graduate Entry Program**

	Semester 1	Semester 2
First Year	Contract & Civil Obligations 1 10 CP	Contract and Civil Obligations 2 10 CP
	Equity 10 CP	Trusts 10 CP
	Introduction to Public Law 10 CP	Constitutional Law 10 CP
	Legal Research 5 CP Legal Writing 5 CP	Negligence & Accident Comp 10 CP
	Law and the Modern State 10 CP	Introduction to Legal Theory 10 CP
	Total 50 CP	Total 50 CP
Second Year	Law of Associations 10CP	Corporate Governance and Regulation 10 CP
	Criminal Procedure and Sentencing 10 CP	Principles of Criminal Law 10 CP
	Civil Procedure 10 CP	Evidence 10 CP
	Transnational Law 10 CP	Intentional Torts & Remedies 10 CP
	Property 1: Nature & Principles 10 CP	Property 2: Regulation of Proprietary Int 10 CP
	Total 50 CP	Total 50 CP

Third Year	Semester 1	Semester 2
	Interdisciplinary Research Project 10 CP	Elective 10 CP*
	Legal Professional Practice 10 CP	Elective 10 CP
	Property 3: Transactions & Processes 10 CP	Elective 10 CP
	Administrative Law 10 CP	Elective 10 CP
	Jurisprudence 10 CP	Elective 10 CP
	Total 50 CP	Total 50 CP

Table 2
Combined Degree Program

First Year	Semester 1	Semester 2
	Contract & Civil Obligations 10 CP	Contract & Civil Obligations 2 10 CP
	Law & the Modern State 10 CP	Introduction to Legal Theory 10 CP
	Legal Research 5 CP	Legal Writing 5 CP
	Other Degree 20 CP	Other Degree 20 CP
	Total Law 25 CP	Total Law 25 CP
Second Year	Equity 10 CP	Trusts 10 CP
	Introduction to Public Law 10 CP	Constitutional Law 10 CP
	Transnational Law 10 CP	Negligence & Accident Compensation 10 CP
	Other Degree 20 CP	Other Degree 20 CP
	Total Law 30 CP	Total Law 30 CP
Third Year	Property 2: Nature & Principles 10 CP	Property 2: Regulation of Proprietary Interests 10 CP
	Law of Associations 10CP	Corporate Governance and Regulation 10 CP
	Jurisprudence 10 CP	Intentional Torts & Remedies 10 CP
	Other Degree 20 CP	Other Degree 20 CP
	Total Law 30 CP	Total Law 30 CP
Fourth Year	Criminal Procedure and Sentencing 10 CP	Principles of Criminal Law 10 CP
	Civil Procedure 10 CP	Evidence 10 CP

* One elective must be a Law in Context Elective, and one elective must be drawn from the list of international/comparative law electives.

	Property Law 3: Transactions & Processes 10 CP	Elective 10 CP*
	Other Degree 20 CP	Other Degree 20 CP
	Total Law 30 CP	Total Law 30 CP
Fifth Year	Administrative Law 10 CP	Law Elective 10 CP*
	Legal Professional Practice 10 CP	Law Elective 10 CP
	Interdisciplinary Research Project 10 CP	Law Elective 10 CP
		Law Elective 10 CP
	Other Degree 20 CP	Other Degree 10 CP
	Total Law 30 CP	Total Law 40 CP
	Total Law in Degree 300 CP	

Embedding legal theory and interdisciplinarity; group work, legal ethics, generic and legal skills, internationalization and indigeneity in the undergraduate curriculum

The Committee recommended a framework to ensure that each of these matters is incrementally embedded in the curriculum.

The Griffith Law Graduate

The framework begins by outlining the attributes of the Griffith Law Graduate. The Committee envisaged the Griffith Law Graduate to be both an ethical problem solver using the institutions of law, and a critical observer of the legal system. The following generic and discipline-specific attributes should characterise a Griffith Law Graduate. Griffith Law graduates should:

- i. have a broad and systematic knowledge and understanding of the main doctrinal principles in the core areas of law;
- ii. when faced with legal problems, be able to identify the central issues; use effective research strategies using current technologies to retrieve material; analyse, evaluate and apply relevant principles to address identified issues; and develop solutions to these issues and strategies to implement them;
- iii. have developed a generic expertise of critical analysis and evaluation, drawing on legal and interdisciplinary critical perspectives;
- iv. be able to research and write about law from the perspective of at least one other discipline;
- v. have developed self-reliance and the ability to undertake independent lifelong learning, and to assume responsibility and make decisions;
- vi. be able to work effectively and productively as a member of a cooperative group, including in leadership roles;

* A Law in Context Elective.

* One elective must be drawn from the list of international/comparative law electives.

- vii. possess personal and professional integrity and a well-developed capacity to exercise ethical judgment;
- viii. be a client-focused, reflective practitioner, competent in fundamental legal skills, including oral and written communication using the conventions of legal discourse;
- ix. be able to relate to, empathise and deal with a wide range of clients and co-workers;
- x. be a globally mobile graduate with a multi-jural mind,² understand what it takes to be a global citizen, and have developed skills in cross-cultural communication;
- xi. understand the interface between the white Australian legal system and Indigenous legal systems, and be aware of the historically privileged nature of white institutions and the impact of white law on Indigenous people;
- xii. be sensitive to gender, ethnic, cultural and religious differences, aware of the role of stereotypes and how they structure thought, and not hold stereotypical views of others;
- xiii. be committed to, and understand how to, use law as a tool for social justice;
- xiv. be able to take creative and innovative approaches to legal analysis and to resolving a broad range of legal problems; and
- xv. understand the importance of being actively engaged in the community, and understand how to become actively involved in community work.

The ‘Vertical Subjects’

The Committee recommended that graduate attributes in legal theory and interdisciplinarity, group work, ethics, legal and generic skills, internationalization and Indigeneity be developed incrementally in ‘vertical subjects’. In each vertical subject, students should be required:

1. in the early years of the undergraduate program to engage with the basic principles governing its subject matter and skills,
2. in later years to engage with more advanced principles and skills, and the relationship between these principles and skills and other principles and skills;
3. at all stages of the program to use and practice the principles; and
4. at all stages to undertake assessment tasks in relation to the skill and/or subject matter.

Each ‘vertical subject’ will be clearly articulated in prospectuses and program guides, and student achievement in each vertical subject will be reported on the student’s academic transcript. The Committee emphasised that the framework for the introduction of vertical subjects is dependent on these aspects being properly assessed in core courses.

The Committee recommended that the ‘internationalisation’ vertical subject be supplemented by structuring the undergraduate degree to leave space in the programs to enable students to embark on an overseas exchange program.

² The idea of a multi-jural mind is a development on the notion of a bi-jural mind. A multi-jural mind requires that the student knows the different legal systems of the world and can solve problems and work through issues whilst being aware of the possibilities and potentials that other legal systems present to them. For the idea of a bi-jural mind see the special issue of the *Journal of Legal Education*, Vol 52, 2002.

The Committee also recommended that *Legal Professional Practice* and *Interdisciplinary Research Project* become ‘capstone’ courses in the undergraduate program. The Committee outlined an evaluation strategy to ensure that the introduction of the new curriculum is properly monitored, and recommended that a staff development strategy be developed to support the implementation of the recommendations in the Review.

Undergraduate Curriculum Response to Student Diversity, including Indigenous and international students

The Committee acknowledged the overlap between respect for diversity and the specific issues associated with Indigenisation and internationalization. The Committee also recognised that diversity issues operate in two very different ways in the law curriculum. Respect for diversity identifies a set of values, attitudes and behaviours to be fostered through our approach to the curriculum, to law teaching and to legal institutions. It also places significant demands upon us as legal educators, as our student bodies are increasingly diverse. The Committee recommended that the Law School address student diversity both at the level of the curriculum, where diversity will be addressed through the structured incremental development of ‘vertical subjects’ in legal theory (issues of class, gender, sexuality and race), group work (sensitivity to others, team work etc), ethics, legal skills (prepare students to empathise with, and deal with the full range of diverse potential clients), internationalisation and Indigenous issues. Student diversity will also be addressed at the level of course design and teaching practice, through inclusive approaches to course design, and pedagogy.

Implementation

The innovations developed in the course of the curriculum review are all reliant on close attention to effective implementation. The new curriculum will be implemented over the 2006-2008 triennium with close attention to the transition arrangements required for those continuing students who have already completed part of their law studies.

The Curriculum Review Committee will continue to meet during the implementation period, paying particular attention to evaluation of the initiatives. Resources have been made available from both the Law School and the University to enable course convenors and teaching teams to implement the detailed recommendations of the Curriculum Review Committee.

Further details on the Griffith Law School Curriculum Review can be obtained from:

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