



Minutes

College Education Committee

Meeting No: 2/2023

Date/Time: 22 March 2023, 2pm

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

Attended	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
Observers	Tristan Yip	PARSA Representative
	Akshaya Kamalnath	Associate Professor (representing Director, PG Programs)
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

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.		
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*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 convenor 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 Convenor 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 convenor 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)