

The Research and Scholarship schema. Please take some time to familiarise yourself with eResearch & Scholarship Schema

First Created 2016, Last Revised December 2023

This document describes the way research and scholarship inform teaching and learning at the College of Law.

There is some research undertaken at the College, mainly SOTL for the APLEC Conference and related internal uses, presentations at the International Bar Association (IBA), and the activities of the Centre for Legal Innovation. There are also occasional pieces of research done by individuals (such as the Resilience (wellbeing) project and the Successful Graduates project.

The College tends to be more active in scholarship – the advancement of knowledge – than the generation of new knowledge.

Types of Scholarship

Scholarship at the College of Law is informed by the Principles in Research & Scholarship (part of the Academic Board Charter) and mainly focussed on applied law – legal practice, the scholarship of teaching and learning legal practice and the ethical frameworks of legal practice.

The practical nature of the applied law discipline requires a blend of technical knowledge with professional experience – meaning that an important form of scholarship at the College must be understood as ‘scholarship in action’. This does not mean that we are more focussed on the skills than the knowledge – instead it sometimes means that the knowledge *is* the skill, or about the skill. The practical effect for teaching and learning is that the professional experience of lecturers is regarded as a form of scholarship in itself and our ‘community of scholars’ are senior practitioners who engage with each other regarding applied law and how to teach it.

All scholarship at the College falls on a plane between the axes of Technical/Theoretical Knowledge and Professional Experience. There are nine broad categories of research and scholarship contributing to teaching and learning at the College and all can be plotted on that plane to show the relativity of technical knowledge to professional experience in each case – ultimately demonstrating the scholarly DNA that underpins College award courses. The categories are:

- Scholarship of course material / Practice Paper writing
- Professional experience (and reflection) of lecturer/mentors (scholarship in action)
- Research and scholarship of Applied Law teaching and learning (APLEC etc)
- Research and scholarship generated by the Centre for Legal Innovation (CLI)
- Research and scholarship of permanent, fixed term and casual staff generating papers for conferences and academic journals

- Research and scholarship projects generated by the Research & Scholarship Committee
- Scholarship of all professional staff generating and delivering Practitioner Education seminars
- Analysis of student outcome data
- Student scholarship

Course Material and Practice Paper Generation (Applied Knowledge & Skills)

The scholarship that most directly underpins our courses is that of the scholarly practitioners we engage to generate raw materials. These are both internal and external course writers whose work for the College is facilitated by their own scholarly narrative – typically generated mainly in legal practice but with usually some academe and other professional pedagogical or quasi-pedagogical input (eg, presenting CPD seminars).

Practitioners engaged to write course materials or Practice Papers are usually high profile with reputations as academics/writers/presenters. They represent a fusion of high level professional experience with theoretical/technical knowledge and the materials they generate are extremely valuable to the College and its reputation for providing quality learning experiences.

Professional Experience of Lecturers/Mentors (Applied Knowledge & Skills)

Another key form of scholarship underpinning College courses is the professional experience of the lecturer/mentors.

Lecturers apply their own technical knowledge and professional experience to help engage students in the learning process and guide them through the materials. This is a form of ‘scholarship in action’ which enhances both the student’s acquisition of learning outcomes and the lecturer’s development of insight into teaching and learning. It also embodies the link between the academy and the profession which professional schools like the College are established to provide.

It is important to note that **not all** professional activity or experience can be regarded as scholarship, but it becomes scholarship when drawn upon to inform teaching and/or to engage in scholarly discussion with peers. Discussion regarding praxis or SOTL is an important aspect of the College’s community of scholarship and practice.

Scholarship of Teaching and Learning

The College has been very active in the last five decades generating scholarship of teaching and learning as it pertains to the PLT Program. The Australasian Professional Legal Education Community (APLEC) runs an annual conference at which seminar papers are presented by academics involved in PLT covering all aspects of curriculum, delivery, academic quality and teaching and learning as it happens in a PLT context. (Such scholarship is also highly relevant to the Applied Law Program as PLT is also a form of applied law.)

College lecturers have always figured prominently in these conferences and have generated very significant scholarship in this area over the years. Articles are shared across the College community and are frequently used to inform teaching praxis or to replenish materials.

A recent innovation (2023) is the Sharing and Learning Series – a series of lectures and information sessions available to all academic staff (including casuals) on aspects of legal practice, SOTL or the scholarly activities of individuals. These have proven popular and have made a strong contribution to the extension of the College's scholarly network.

Research and scholarship generated by the Centre for Legal Innovation (CLI)

Since 2014 the Centre for Legal Innovation (CLI), led by Terri Mottershead, has been a major investment in the College's thought leadership within the legal (and allied) profession.

With a main focus on the evolution of legal work and legal technology, CLI has established itself as a significant global hub featuring (and sponsoring) the work of numerous world leaders in the field. CLI typically gets multiple thousands of participants to its conferences and seminars from all over the world.

The research and scholarship generated by CLI is at the forefront of legal innovation but is capable (in appropriate cases) of being used in curricula. Examples are the Business Skills module and AI Bot building module in Lawyers' Skills in the PLT Program.

Legal Conferences and Academic Journals (New Knowledge)

Beyond APLEC, College lecturers are regular attenders/presenters at conferences such as:

- International Bar Association
- CLEAA / ACLEAA

and occasional presenters at other legal or legal education conferences (eg, TEQSA Conference). The annual College Award is a teaching excellence award with a large financial prize enabling attendance at a relevant international conference.

College lecturers are also occasionally published in both refereed and non-refereed journals and have been involved in projects (eg Resilience; Law Society Journal articles) designed to aid students or the profession generally. This is all a contribution to new knowledge which helps keep our courses (and their delivery) refreshed. It helps to improve research and scholarly skills and inform our community of scholars.

Research & Scholarship Committee Projects

In an effort to improve our research and scholarship profile, the College created a Research & Scholarship Committee subordinate to the Academic Board to consider, approve and co-ordinate certain research and scholarship projects involving multiple lecturers and

investigating aspects of the legal profession and the College's role within it as the academy of the practising profession.

Scholarship generated by Research & Scholarship Committee projects is (sometimes) new knowledge which informs teaching and learning and helps develop the College's community of scholars both through the development of new knowledge and enhanced research and scholarship skills. Two recent major projects sponsored by the Research & Scholarship Committee were a survey of successful graduates to understand the knowledge, habits, skills and behaviours which helped to make them successful.¹ This research was shared both internally and externally to all College stakeholders. The other recent initiative was Prof Michael Adams' "Shut Up and Write" sessions which give insight into academic research and writing and have been embraced by numerous academic staff.

It is worth noting that the Research & Scholarship Committee was recently (2023) restructured to better facilitate this aspect of research and scholarship at the College.

Practitioner Education Seminars

Since inception, the College has engaged with the profession to create CPD seminars and materials. This is where the academy / practitioner interface is most clearly evident and effective and some of this up-to-date practitioner scholarship finds its way into College courses – partly through Applied Law and PLT lecturers being involved in practitioner education, and partly through practitioner education materials finding their way into ALP and PLT courses.

Judges and other senior lawyers are frequent presenters at these seminars which brings the scholarship of the very top of the profession in-house and is disseminated both to practitioners (many of whom are also Applied Law Program students) and staff. The resultant seminars are typically used in the CPD Component of the PLT Program.

Practitioner Education scholarship also finds its way into specific subjects of the Applied Law Program.

It is worth noting that simple attendance at such seminars **is not** regarded as scholarship. Such attendance **can** be regarded as scholarship when it informs discussion with colleagues or students.

Analysis of Student Outcome Data

Student outcome data is regularly analysed at the College – featuring at all meetings of both the corporate and academic boards. A semi-regular analysis is produced every one or two years called the Academic Baseline Report which triangulates data sets for confirmation of academic quality. The Academic Baseline Report can also identify areas worthy of attention within the award programs so makes a contribution to course replenishment, delivery or assessment.

¹ *The Values, Skills and Competencies of Successful Early Career Lawyers*, Adrian Deans (Dec 2021)

College staff have presented on College outcome data externally, including at AUQA, IHEA and TEQSA Conferences.² In 2017, Adrian Deans gave a presentation at the TEQSA Conference regarding the way (in the Academic Baseline Report) cognate data sets are used to cross-validate the vertices of student; lecturer; employer around grades as indicators of quality, to demonstrate that what we are doing is effective.

Student Scholarship

Student scholarship is most manifest in the Major Project papers written as an elective by some Applied Law students, and also in the (occasionally run) Student Essay Prize open to all students.

Applied Law students tend mostly to be already in practice and developing their own 'scholarship in action'. The Major Project is a means of demonstrating such scholarship in a more formal sense which also informs the scholarship of the faculty. The students are supervised by a lecturer and also the Director, Academic Quality or Manager, Teaching & Learning.

The Student Essay Prize is an invitation to all students (PLT and ALP) to write a short piece on a current issue with regard to legal practice which again both develops the student's own scholarship as well as informing the College's community of scholars. All shortlisted entries are published on the College's website. It is worth noting that the Student Essay Competition is sponsored (and judged) by the College's Alumni Association which further demonstrates the link between the academy and the profession which the College itself embodies.

Scholarship Matrix

The diagram below attempts to plot categories of College scholarship on a graph with axes denoted as 'Professional/Experiential' and 'Technical/Theoretical'.

University law school scholarship would typically fall into the upper left quadrant.

We believe that most College scholarship falls into the upper right quadrant where technical knowledge and professional experience blend at their upper levels.

² *Triangulation of Data Sets for Quality Validation*, TEQSA Conference 2017, Adrian Deans

Scholarship Matrix

