



**Vice-Chancellor's Office**

Professor Stuart N. McCutcheon PhD  
Vice-Chancellor

19 September, 2016

---

The ClockTower  
22 Princes Street  
Auckland, New Zealand  
T +64 9 367 7196  
E s.mccutcheon@auckland.ac.nz  
W auckland.ac.nz  
**The University of Auckland**  
Private Bag 92019  
Auckland 1142  
New Zealand

---

Professor Andrew Stockley  
Dean, Faculty of Law

*By email: a.stockley@auckland.ac.nz*

Dear Andrew

**Increasing Law part II intake**

I am writing as a follow-up to my letter of 9 August 2016, having reviewed the papers you sent me: those circulated to the meeting of the Law Faculty held on 23 August; the draft minutes of that meeting; and papers that have been revised or circulated subsequent to that meeting. For the sake of completeness, I include here some of the issues raised in my earlier letter.

**Resource limitations**

By way of background, I note that the Education Act 1989 states at section 224(5):

*Where the council of an institution is satisfied that it is necessary to do so because of insufficiency of staff, accommodation, or equipment, the council may determine the maximum number of students who may be enrolled in a particular course of study or training at the institution in a particular year.*

In this regard, and as noted in my earlier letter, I am prepared to provide, through the budget process, what I understand will be the resources required to permit the Law Faculty to increase the intake into Law Part II to 400 students in 2017. That is:

- The resources required to enable academic staffing to grow with EFTS to maintain the current staff:student ratio, but also to allow new staff to be appointed ahead of the growth

in enrolments. At this stage I undertake that an additional 5 academic staff positions will be funded in anticipation of the growth in enrolments in 2017 with further "advance" appointments then to be agreed against future forecasts.

- The resources required to enable professional staff appointments to be made ahead of the growth in student numbers. An additional 4.3FTE can be justified, primarily in the areas of student support, career support and general administrative support.
- The provision of additional space for the growth in staff and activity.

It is my understanding that these additional resources will remove the constraints that currently require the Part II intake to be limited to approximately 330 students and will allow the limit to be raised to 400 students for 2017. For the reasons outlined below, I consider that priority for places should be given to students transferring from other universities who have a GPA no less than that of the current cohort (6.4) and 250 rank score in NZCEA (i.e. among the best school leavers). This will help ensure maintenance of the calibre of the student cohort while schools and applicants are informed that more places are being made available at the Auckland Law School.

### **Benefits and risks**

There are in my view, and that of others (including some of the faculty submissions), a number of benefits to students, to the Law School, and to the wider University of increasing the intake into Law Part II. There are also a number of risks, some of which have been identified by colleagues in the Faculty.

### **Benefits**

1. *Providing appropriate opportunities for high-achieving school leavers to pursue law with the University of Auckland.*

Data from the Ministry of Education's Tertiary Data Warehouse show that there were, in 2015, 325 school leavers from Auckland schools with a rank score greater than or equal to 250 (GPE of 5.1-5.2) who are studying Law Part I this year. Of them, 227 are at our University and 98 are studying elsewhere (VUW (58), Otago (26), AUT (10), Waikato (4)).

In the rest of New Zealand, there were a further 468 such students, of whom 69 are studying with us and the remainder (399) at other universities. Clearly, then, there is no shortage of top students wanting to study law (98+399=497 such students studying other than at our Law School). However, with only 330 Part II places currently at the University of Auckland Law School this means that the highest-achieving Auckland students have an approximately 1

in 1 chance (places: regional students =330:325) of studying with us, whereas for the rest of New Zealand, with a total of 1010 places available, this ratio is in excess of 2:1 (1010:468). Thus the current limit to our Law Part II, at approximately 330 per annum, has not kept pace with the overall demand for law places in New Zealand and in particular the growth in the number of high-achieving school leavers in Auckland seeking to study law. It follows that many very good Auckland students will have to (and do) leave the region in order to enhance their chances of getting into a Law School. I also note that in 2017, for the first time ever, we will be able to guarantee accommodation in our halls of residence to all first-year students originating in Auckland.

If we look at all students with a rank score of over 200 (GPE of 4.9) there is a similar picture with the ratios of places: regional students being 0.66 for the University of Auckland and 1.40 for the rest of NZ.

## *2. Equity of student access*

A related issue is that while some Auckland students may be able to leave the region in order to enhance their chances of getting into Law School, many will not be able to afford to do this. Mobile school-leavers tend to be the more affluent. The current limits are therefore likely to impact disproportionately on students of lower socio-economic background (and therefore Māori and Pasifika). Higher Part II numbers would reduce this inequity.

## *3. Support for Law School and overall University ranking strategy*

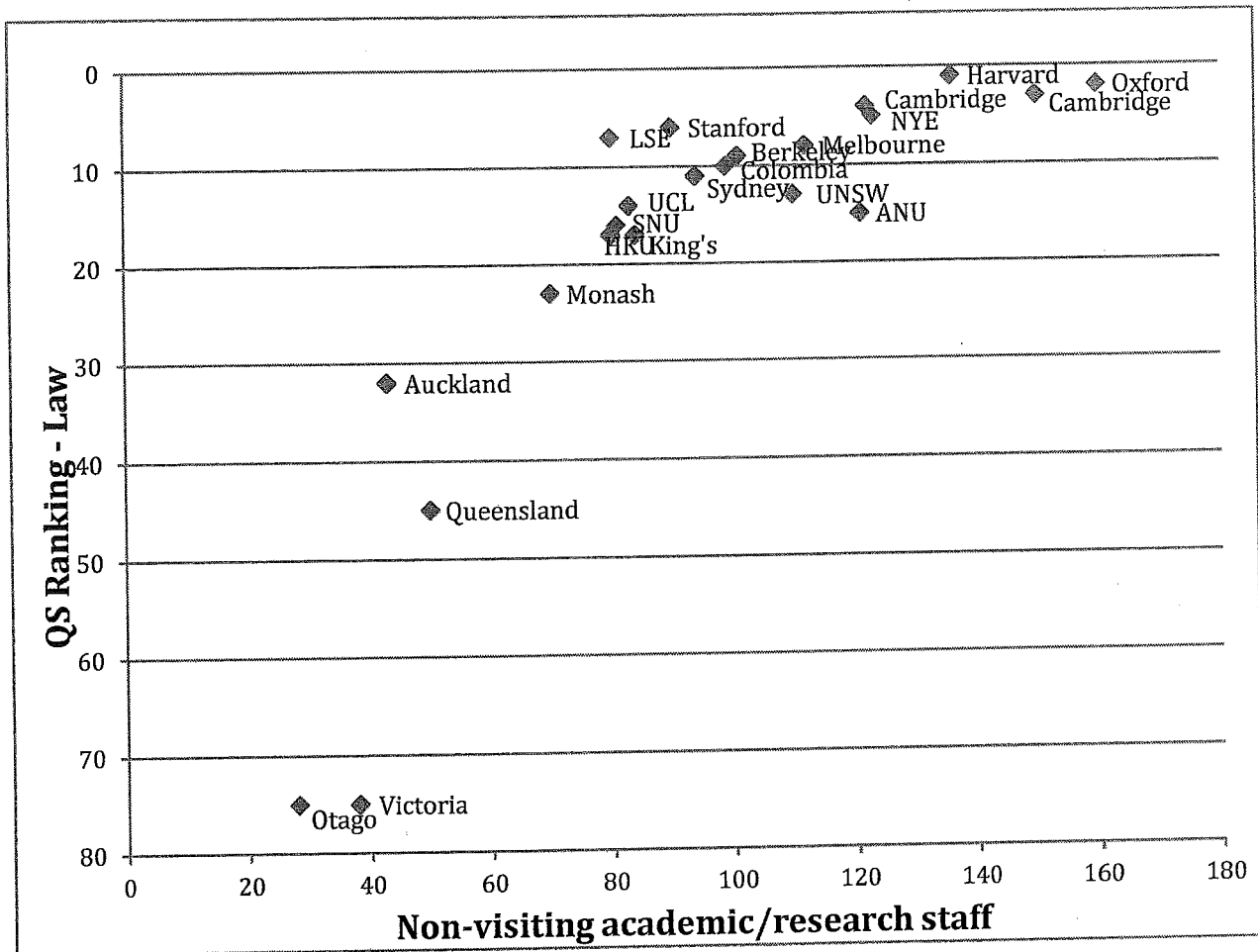
The data that have been provided to the Faculty, and which I have graphed below, indicate that there is a positive relationship between size of Law School and the university's international ranking in Law. While correlation is not necessarily causation, it seems reasonable to hypothesise that a larger faculty of productive academic staff will have greater opportunity to build reputation and a solid foundation for improvement in the various university ranking systems.

## *4. Supporting the aspirations of other faculties*

Other faculties, notably the Faculty of Arts and to a lesser extent the Business School, rely to some degree on law conjoints to retain high-achieving Auckland school leavers within the Auckland region and to attract high-achieving students from other New Zealand regions. Thus increasing our Part II limits would allow us to attract/retain greater numbers of top students,

many of whom would take conjoint programmes (particularly with Arts). This would have a collateral benefit for Arts enrolments at a time when they are under considerable pressure.

**QS rankings of Law discipline vs number of non-visiting academic/research staff in the Law School.** Note that Otago and Victoria were ranked in the 51-100 band and so are assumed to have a rank of 75 for this purpose.



## Risks

### 1. Loss of quality

A number of colleagues have, in their submissions, raised concerns about the potential loss of student quality. In this regard, I note three points: first, that did not occur when the intake into Part II was raised on previous occasions; second, as indicated above, there are many more high-performing students wishing to study Law than are currently admitted to our part

II; and third, my undertakings as to resources will ensure that the School can maintain its current class sizes (student: staff ratios) and provide appropriate additional support through professional staff and from the additional revenue it will derive.

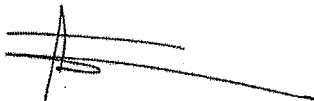
2. *Lack of employment prospects for graduates*

Several colleagues have also, in their submissions, expressed concern about the employment prospects for graduates should numbers be increased. As someone who has had a rewarding career in a role largely unrelated to his own first degree, and who meets successful law graduates in many walks of life all over the world, I do not agree that the number of jobs which currently exist for lawyers should be the only determinant of enrolment numbers in Law School. Rather, I have faith in the ability of clever young people, properly informed, to make their own investment decisions for their future careers, careers that will span the next 40-50 years and include many jobs not yet imagined.

**Beyond 2017**

I acknowledge the concerns expressed by some colleagues that they would like more time to consider these issues and, but would also note that our academic portfolio discussions have been underway for many months. However, I am prepared to give the Faculty until May 2017 to provide their views (including alternative ways of achieving the benefits listed above) on possible further increases (i.e. beyond 400) to the Part II intake. The increase to 400 students for 2017 will provide a basis on which the benefits, practical difficulties and timeframe for possible further increases can be assessed.

Yours sincerely



Stuart N. McCutcheon  
Vice-Chancellor

**From: The Dean of Law**

1 March 2017

**To: All Law Students**

**Welcome to the start of the new academic year.**

**I am writing to advise you of some of the changes that are occurring in the Law School.**

As many of you will know, the Auckland Law School is becoming larger following a decision of the University Council to provide 50 additional places in second year law from 2017. The University Council will then review this increase and decide if it has been successful before considering whether there should be any further increases in student numbers.

In recent years there have been up to 1500 students enrolled in first year law. The Faculty has admitted up to 330 students to Part II each year and this is now being increased to 380 students. The possibility of increasing this to as many as 500 students has been mooted but the University's Vice-Chancellor has noted that he is not wedded to any particular number but to what would best serve the interests of our students and the Faculty. There will be a full assessment of the benefits and practical difficulties resulting from increasing Part II Law to 380 students before deciding on whether there should be any further increases and, if so, the timeframe for this.

**Why has Auckland University decided to increase the number of second year law students?**

This will allow more very good students the opportunity to study law at Auckland. Auckland's population has significantly increased but the Law School has not increased its second year numbers in the last 10 years.

Only accepting 330 of our 1500 first year law students into second year has meant that it is much more difficult for high-achieving school leavers to study law at Auckland than at any other New Zealand law school.

This has an impact on equity of access. If students are not affluent and mobile they have a diminished opportunity to study law at a university they are eminently qualified to attend. It is much harder for a very good student from Auckland to complete a law degree at the Auckland Law School than it is for a very good student from the Wellington region to do the same at the Victoria Law School.

**How does this compare with other law schools?**

Other New Zealand law schools have been expanding while Auckland has remained static. For example, Victoria has recently increased its second year law intake to 300 students and has proposed increasing this to 330. If Auckland stayed the same, Victoria would have as many undergraduate law students despite being a vastly smaller university serving a much smaller city.

If good students feel they will not get into Law at Auckland and consequently enrol elsewhere, this affects other faculties. Arts and Business have large numbers of law conjoint students and will benefit from more high quality school leavers interested in double degrees feeling encouraged to study here.

This number of students is not unusual in the top Australian law schools. The Australian National University Law School admitted 500 new law students in 2016. The University of New South Wales Law School admits 600 to 650 new students each year.

#### **With more students, will the number of staff increase?**

The University is giving us the resources to appoint more student advisers and more academic staff. We will be able to make more senior as well as junior Faculty hires. This will give us a larger research footprint, which is critical for increased international attention, impact and rankings.

Auckland is uniquely placed among the New Zealand law schools to achieve the scale and impact of the very best Australian law schools. We are the only New Zealand law school ranked among the top 50 law schools in the world. But we have significantly fewer academic staff than the top Australian law schools. Growing the Law School in a careful, considered way will enable us to compete more effectively without compromising the quality of our students or the teaching and learning experience they receive. Having more staff as well as students means that class sizes need not be affected, while giving us the opportunity to rethink the teaching models we use and what works best for today's students.

More staff will help ensure that the Auckland Law School is a truly comprehensive law school, with strength in all major areas. Auckland achieves this to a greater extent than any other New Zealand law school but significantly less so than at many higher-ranked law schools. We are strong in public and international law and in corporate and commercial law but less so in some other major areas. Staff departures and illnesses can expose how stretched we are. A significantly larger number of staff will ensure depth in all major areas of the law and the ability to have a major impact on legal and policy debates.

Hiring on this scale can seek to be transformational. I am committed to maintaining the high calibre of recent appointments and to attracting more overseas hires. I have recently announced the appointment of six new members of the permanent academic staff and three junior faculty hires. These are Vincent Cogliati-Bantz (Associate Professor), Nicole Roughan (Associate Professor), Rob Batty (Senior Lecturer), Katherine Doolin (Senior Lecturer), Anastasia Telesetsky (Senior Lecturer), Fleur Te Aho (Lecturer), Nikki Chamberlain (Faculty Lecturer), Henry Kha (Faculty Lecturer) and Sophie Henderson (Doctoral Teaching Fellow). Their profiles can be found at [www.auckland.ac.nz](#). Three of these hires are focused on Criminal Law. I also expect to announce shortly the appointment of several junior faculty to assist with the Māori and Pacific academic programmes.

#### **How will the increase in student numbers affect our administrative staff?**

Our professional staff will increase by 20 percent, making an important difference to their workloads and how they can assist and support our students. The Faculty has a high performing team of general and administrative staff members but they have been extremely stretched. We have only had a third to a half the administrative staff numbers of the top Australian law schools. By taking more students into Part II, we have been able to employ more student advisers. This has allowed us to appoint a dedicated student adviser for Part I students and for our Pouawhina Māori and Pacific Student Adviser to be able to focus exclusively on assisting our Māori and Pacific students. We will have more administrative support for our co-curricular programmes, such as mooting and community placements, and for the new student well-being initiatives we have introduced. We will also gain more course work and examination processing capacity, which is important as we move to all written work being submitted electronically and anonymously and to students being able to sit examinations on computers.

**The Auckland Law School is known for the calibre of its students because it is more difficult to get into Part II Law than at other New Zealand universities. Will this be compromised?**

I don't believe so. The calibre of our students was not negatively affected on the previous occasions when the intake into Part II Law was increased. 30 years ago we took 200 students into Part II Law and they needed a B minus average to be admitted. We have subsequently increased the Part II intake on three occasions, most recently 10 years ago. On each occasion the grade point average (GPA) of students admitted into Part II Law increased over the long term.

In 2016 the GPA for admission into second year law was 6.4-- almost half-way between a B plus and an A minus average. It has in fact increased to 6.5 for students being admitted for 2017, despite our taking an additional 50 students. More good students seem to apply for places if they think there is a better chance of being admitted and the announcement of more places has assisted this.

Even if we took 500 second year students- and we have only increased to 380 students- the Auckland Law School would still be taking a lower proportion of its first year students into second year law than all other New Zealand law schools. We would still have a higher admission standard than anywhere else in the country.

**How will the number of Māori and Pacific students be affected?**

Increasing the second year intake also allows for more places under our Targeted Admissions Scheme. The Auckland Law School recognises that some students face barriers in their previous education and admits some Māori and Pacific students, and some students with disabilities, from refugee and low socio-economic backgrounds, and facing particular hardship, to second year law on a lower grade point average. These students comprise about 15 percent of the cohort and receive additional support and mentoring. They have gone on to very successful careers in the law and other areas.

As a result of the increase in student numbers, I have said that rather than have a fixed quota of places, any Māori student who meets the minimum requirement for second year law under the Targeted Admissions Scheme will be able to be admitted. We can also do a lot more for our Pacific students. The number of Pacific students admitted under the Targeted Admissions scheme had not been increased since 1993, despite a significant increase in the Pacific population in Auckland. We have now been able to double the number of Pacific students admitted. For 2017 there will be 30 Māori students and 33 Pacific students admitted into second year law (some under general admission and some under the Targeted Admissions Scheme).

The increased resources being allocated to the Law School means more support can be provided to Part I Māori and Pacific students and to Māori and Pacific students in later years. More Māori and Pacific students can be assisted to succeed.

**With more students, will the quality of the student experience be affected? Will students be taught in larger classes and have less contact with their teachers?**

This does not follow. The number of academic staff is being increased and more space and other resources are being provided. The front-loading of staff will mean an improved staff-student ratio, which the Faculty can then look to maintain through more postgraduate teaching. We could teach second year students in classes of 100 or less if we want.



The optimal size of second year classes is another debate. The smaller the classes are, the more possibilities there are for personalised teaching, student participation and interaction. Although it should also be noted that good teachers are often able to achieve this in larger class settings and poor teachers remain poor teachers whatever the size of the class. Having smaller classes at second year has resourcing consequences, including fewer staff being available for electives and Masters courses and can raise issues of consistency in teaching and assessment across a cohort. Larger classes can allow for more team teaching of courses, where several academics each contribute particular expertise and share responsibility for the whole cohort. Team teaching, by being more efficient, can free up blocks of time for academic staff to further their research and writing.

Personally, I do not believe there is any magic in having second year classes of 100 students. Canterbury has for a long time taught its Part II students in a single stream of 220 students and Otago in a single stream of 250 students with no detriment to those students being taught the core law subjects and the case method. Cambridge has a single stream of over 300 students for its lectures in the Law of Contract. Classes of over 40 students are, in reality, large group teaching.

In all of our Part II subjects, we have a small group tutorial programme to supplement the large group lectures. Each tutorial has 16 students. In 2016 we also introduced a new small group programme in legal research, writing and communication for all second year students. They are placed in groups of 10 to 12 students and attend two hour workshops once a fortnight, allowing for individual one-on-one assistance and mentoring and for getting to know and work with all the other students in the group.

Taking more students does not mean that classes have to become larger or that there will be no small group teaching. But it does force us to reconsider the teaching models we employ and the best ways to help our students learn. Some overseas universities and law schools are increasingly moving away from the traditional lecture and tutorial model on the basis that students' learning has significantly changed in the digital age. The 'flipped classroom model' being introduced at the Monash Law School involves students receiving pre-class content electronically, including video lectures, engaging with this in their own time, and then coming prepared to take part in small group workshops, before completing written and other assessments.

I favour the academic staff in each subject area being able to determine how to structure the teaching and learning in their area, subject to the available resources. This requires having to engage with the different teaching models that are possible and the trade-offs that are necessary- for example, that smaller classes in the compulsory subjects may mean having to employ more adjunct staff to assist with this or to have fewer electives or Masters courses. To my mind there is no necessity for a one size fits all teaching model and our students would benefit from different size classes and teaching approaches in the different Part II courses.

In 2017 there will be two streams for each of the four Part II courses. (Last year two of these courses were taught in two streams and two were taught in three streams.) Each of these streams will be smaller than the Part II classes at the Canterbury and Otago law schools. Two of the five leading Australian law schools have large lecture/ small tutorial models for some or all of their core subjects and teach some core subjects in larger classes than we have experienced. The same is true of some other leading overseas law schools.

As an experiment for 2017, several of our junior faculty hires will be acting as organising tutors in Part II courses (taking tutorials and helping provide consistency to the tutorial programmes in these subjects) and will be running second year workshops/ clinics (running through practice questions and answering student questions). By offering workshops/ clinics in some of the Part II subjects this

year, we will be able to experiment with how to provide more assistance to students through this sort of format and to survey how helpful this has been.

As a result of the appointments mentioned above and other adjunct teaching, we will be offering a number more LLB courses this year than advertised in the electives handbook, including Advanced Criminal Law, Law and Literature, and Law of the Sea. Our Aviation Law course is being taught by the world's leading authority, Professor Paul Dempsey (former Director of the Institute of Air and Space Law at McGill University). Partners of Meredith Connell, the Crown Solicitors in Auckland, are teaching courses in Trial Advocacy and Appellate Advocacy.

We will be using 2017 to re-examine our teaching models and how to use the extra staff and resources we are being allocated to provide the best possible teaching and learning experience.

Old Government House will no longer be used for any Law School classes. I am pleased that this has been achieved given the problems with this venue.

### **Will the Auckland Law School have enough space for the new academic staff and the increased number of students?**

The total space allocated to the Law School is being increased by a third, providing more study, common room and office space. This will give us a lot of flexibility for the next few years.

Two more floors have been made available to the Law School in the Short Street building, giving us four of the seven floors of this building. A very large room (over 200 square metres) has been set up on the fifth floor to provide more study space for law students. There is also an adjacent kitchen area where students will be able to sit to chat, eat and make a coffee.

There are another two large rooms on the fifth floor that have been allocated to Te Rākau Ture and the Pacific Island Law Students' Association. Both rooms are being partitioned to provide a large common room and a smaller study room. Our Māori and Pacific student leaders have, for some time, been concerned that the current common rooms are too small for our Māori and Pacific support programmes, and have advocated for dedicated study space for Māori and Pacific students, and these rooms will address these issues.

The rooms they occupied on the second floor are being re-assigned to the Mooting Society and to Rainbow Law. The Mooting Society's previous room in Building 801 (near the Student Common Room) is being made into a Parenting Room. Rainbow Law has requested a common room for LGBT+ students within the Law School and it is pleasing to have the space to make this possible. The Mooting Society and Rainbow Law will join AULSS and the Equal Justice Project on the second floor next to the Law School's Student Centre.

In addition, it has recently been announced that the Law School will move to the central campus in about five years' time. This is an exciting development as the Law School's new home will be Old Government House and the northern part of the Thomas Building, adjacent to it. The Law School will be occupying a landmark heritage building and, together with the complete refurbishment of the Thomas Building, will have the classrooms, offices and common spaces befitting a leading law school. The area in front of Old Government House and the Thomas Building is one of the most beautiful in the University with sweeping lawns, trees, and flower gardens.

### **Will there be enough jobs for more law students?**

Auckland Law School graduates do extremely well as lawyers in New Zealand and overseas and become leaders in government, business and a wide variety of other sectors, and I have no doubt that this will continue. Entry to second year law will still be the most competitive in the country. We will continue to provide a superior teaching and learning experience. No other law school in New Zealand has the intensive small group legal writing, research and communication programme we now offer, or has as many electives, or as extensive a mooting, community placement, and co-curricular programme.

One of my colleagues has noted that top law schools produce leaders not just lawyers. This is true when you look at the careers being pursued by our graduates. Many are leaders in the law. But just as many are leaders in government, business and a wide variety of other sectors. Our students find that their legal training helps them obtain and do well in a wide variety of other jobs. 90% of our law graduates take conjoint degrees and many of these are interested in and find good employment outside of the law but with the benefit of the analysis, writing, and reasoning skills their law degree has taught them. Our most recent student president is working for google, another is with a consulting firm. There is an enormous advantage to society in having law graduates who sit in Cabinet, head major banks and business, and are chief executives of city councils, health boards, and transport authorities.

The number of students we graduate is not matched to the number of lawyers in Auckland. If it was, the Auckland Law School should be half its current size and we should reduce staff numbers correspondingly. Arguably this would mean that as the AUT Law School has become significantly larger, we should have become significantly smaller and when the large law firms in Auckland reduced new hires due to economic conditions we should have done the same.

A large number of our students find very fulfilling careers in all sorts of other sectors but with the advantage of their legal training and skills. Some want to do this from the outset. Some choose to do this after finding they do not enjoy working in a law firm. Many students who obtain a BA/LLB or a BCom/LLB are competitive for better jobs outside the law than they would be with just a BA or just an LLB. There is large student demand to study law and high achieving students should be able to do so and to shape their careers in all sorts of ways that can benefit from having studied for a high quality law degree.

I fully acknowledge that some students want jobs in law firms and do not obtain them and this leads them into other types of work. But I do not believe in restricting their ability to study law, if they are of sufficient quality, because this might occur. I meet numerous graduates who have interesting and fulfilling jobs in other areas, despite having originally wanted to be lawyers (or having started as lawyers but left the profession). They often comment on how their law degrees helped them obtain other work and how they use the legal training and skills they acquired to the benefit of their employers and society.

New Zealand law schools have traditionally not seen it as their role to prepare students for the wide range of careers law graduates in fact move into. This has meant that the big New Zealand law firms have dominated careers marketing to our students. This suits some of our students very well but some others become despondent when they fail to obtain summer clerkships or when they start at a big firm and find that the areas of law and type of work there do not match their interests and outlook. In recent years we have initiated more one on one careers counselling for our students and a Careers Handbook to set out more of the career options that are available.

One great benefit of the increase in student numbers is that the additional resources will allow us to provide a substantial careers mentoring programme for law students, as occurs in many North

American law schools. This is already needed and the increase in student numbers will give us the staff and resources to make it happen. We will be able to assist and mentor students much better about the local and global opportunities for practising law and the non-law career opportunities so many of our graduates thrive in. Even within the law, there are a good number of opportunities our students currently do not pursue because of a lack of awareness- our alumni have highlighted summer clerkship opportunities in Australia, and banking and insurance opportunities in Hong Kong, where our graduates should be very competitive.

As a Law School, we can be more ambitious for all our graduates. With a better resourced and even stronger law school, with more intensive small group programmes (of which legal writing is a good example), with more first year law from 2018 and better selection into second year law, with more co-curricular opportunities for students, and a dedicated and effective careers service, we should be aiming for a higher proportion of our students to obtain the law jobs that are available in Auckland and New Zealand, and for more of them to take up other opportunities in other jurisdictions and in other fields of work.

**What are the main challenges of growing the Law School in this way?**

This is not a large increase compared with what has happened in other faculties and in other law schools. But it is the first time the Auckland Law School has grown its undergraduate cohort in ten years. There has been unhappiness at the speed of the decision-making and the extent to which the Faculty or University should control this process.

The University has been concerned about loss of market share of high-achieving school leavers and the need to adjust to the significant increase in Auckland's population. Change can be difficult and involves weighing up the disadvantages of staying the same against the risks of change, particularly when this will be implemented quickly. There are competing arguments on some matters and there are facts that can be marshalled in support of different perspectives. That said, there have been some comments on social media and in other forums that not bear scrutiny.

There are challenges and difficulties in growing any institution. There will be some problems and practical difficulties getting from where we are now to where will be in five or six years' time- with more students, new staff, new buildings, and more resources. My job as Dean is to try to cope with this and to highlight that there are opportunities and benefits as well as challenges. Auckland can be an even stronger and better law school.

**The University of Auckland**  
**Report to the University Council on Implementation of the Increase**  
**in Numbers of Students Enrolled in Part 2 of the Law Programme**

**Professor Stuart McCutcheon, Vice-Chancellor**  
**Professor Andrew Stockley, Dean of Law**

## **Background**

By way of background, it is worth recalling that the regulation of programme limitations is an obligation placed on the Council by statute. Section 224(5) of the Education Act 1989 states:

*Where the council of an institution is satisfied that it is necessary to do so because of insufficiency of staff, accommodation or equipment, the council may determine the maximum number of students who may be enrolled in a particular course of study or training at the institution in a particular year*

The basis on which restrictions may be applied is thus very clear – *insufficiency of staff, accommodation or equipment* - and the default option, if these resources are not “insufficient”, is that students must be admitted. Issues such as whether graduates will be able to get jobs in their chosen field are not matters on which restrictions may be applied. The question is solely one of resources.

## **Report**

The Minutes of the 19 October 2016 meeting of the University Council record the following resolution:

“That the restriction on the maximum number of students who may be enrolled in Part 2 of the Law programme be increased to 380 students in 2017 and that the Vice-Chancellor and the Dean be required to report to Council in May 2017 on implementation.”

Because the meeting schedule subsequently agreed to by Council did not include a May meeting, this report is submitted to the 19 June meeting.

In reporting here we have addressed the implementation issues referred to in the Act – staff and accommodation (equipment is not an issue). We then address related issues to do with entry standards and the support of Māori and Pacific students. Together, these are the main issues that arose during discussions and consultation within the Law School between June and October 2016 and in the Council discussion on 19 October 2016.

During the preparation of this report, we asked all members of staff for any comments related to the implementation of the increase in Part 2 student numbers that they would like us to consider. We received 13 individual submissions, the great majority of them very positive about the implementation. We also received a paper prepared by five members of the academic staff (Teresa Dunworth, Anna Hood, Amokura Kawharu, Jo Manning, Janet McLean) and signed by 26 others. This paper was generally negative about the implementation. Although signed by 31 staff members, it contained statements that were plainly incorrect (e.g. an assertion that the student:staff ratio had

increased from 30:1 in 2016 to 41.5:1 in 2017 - a mathematical impossibility from a 15% increase in Part 2 numbers in a single year).

The authors of the submission signed by 31 staff requested that it be provided to Council. That request was declined by the Vice-Chancellor, for the following reasons.

The resolution of the 19 October 2016 meeting of Council specified that it was the Vice-Chancellor and the Dean who were to report to Council. Although we were not required to do so, we sought the views of staff in the Faculty. As noted below, we have taken those views into account in preparing our report.

In total, we received 14 sets of comments from staff. It would be procedurally improper for only one of those responses to be provided to Council. However, if, having received our report, Council wishes to see all the responses then it will be in a position to ask for them. We will then need to communicate with each person who provided a response to determine whether or not they wish that response to be provided to Council.

We have read all the submissions carefully and taken account of them in preparing this report. However, it is our report and in preparing it we have relied on what we believe to be verifiable facts about the implementation of the increase in Part 2 numbers. We have not addressed matters included in submissions that were not relevant to the implementation of the increased Part 2 numbers (e.g. changes that have occurred in Law unrelated to the increase in numbers, speculation about what might happen in the future).

## **Sufficiency of Staff**

### **Appointment of academic staff**

Because the Law School had at the time a number of vacancies arising due to retirements and staff being appointed to chairs and other positions elsewhere, and the increased number of students would require additional staff, there was concern about whether the required staff appointments could be made in time.

The Vice-Chancellor agreed to front-load the additional staffing positions, something that has not been done in any other faculty (where budgets and therefore staffing positions grow with the increased numbers of students).

Six new members of the permanent academic staff were appointed at the end of 2016. They are listed below, with further details provided in the first appendix to this document.

Associate Professor: Vincent Cogliati-Bantz

Associate Professor: Nicole Roughan

Senior Lecturer: Rob Batty

Senior Lecturer: Katherine Doolin

Senior Lecturer: Anastasia Telesetsky

Lecturer: Fleur Te Aho

Seven fixed-term junior faculty hires have also been made, the first two on a full-time basis and the others on a significant part-time basis. They are listed below, with further details provided in the first appendix to this document.

Fixed-Term Lecturer: Nikki Chamberlain  
Fixed-Term Lecturer: Henry Kha  
Doctoral Teaching Fellow: Sophie Henderson  
Teaching Fellow Nga Kai Whakaako: Jayden Houghton  
Teaching Fellow Nga Kai Whakaako: Tracey Whare  
Teaching Fellow Susuga Faiako: Dylan Asafo  
Teaching Fellow Susuga Faiako: Lotu Fuli

Fixed-term positions provide a good starting point for lawyers and law graduates interested in pursuing an academic career, as well as bringing a range of experiences and teaching specialities into the Law School.

As an experiment for 2017, the first two of these junior faculty hires are acting as organising tutors in two of the three Part 2 courses where student numbers have increased (taking tutorials and helping provide consistency to the tutorial programmes in these subjects). They are also running workshops/ clinics (including running through practice questions and answering student questions) in these courses. These are new innovations. By offering workshops/ clinics in two of the three Part 2 subjects where student numbers have increased, the Law School will be able to experiment with how to provide more assistance to students through this sort of format and to survey how helpful this has been.

A working group has been established in the Law School to re-examine teaching delivery and assessment during the course of the year.

The Teaching Fellow Nga Kai Whakaako and Teaching Fellow Susuga Faiako positions are respectively specialist academic support positions for Māori and Pasifika students.

As a result of the appointments mentioned above and other adjunct teaching, the Law School is offering a full range of law courses, including a number more LLB courses than advertised in the electives handbook. An Aviation Law course is being taught by the world's leading authority, Professor Paul Dempsey (former Director of the Institute of Air and Space Law at McGill University). Partners of Meredith Connell, the Crown Solicitors in Auckland, are teaching courses in Trial Advocacy and Appellate Advocacy.

Teaching in all compulsory courses is covered for 2017, and for 2018 can already be covered by existing staff and the new hires made in 2016.

The University's official calculation of student:staff ratios shows that as of 1 May 2017 the Law School has an SSR of 28.8 as compared to a ratio of 29.5 in 2016. This will further improve in July with three new permanent staff starting (against one retirement then).

A recruitment round is underway for further permanent academic staff. This will also take account of retirements occurring during the next 18 months.

Several of the individual submissions from staff commented favourably on the new academic staff appointed. One submission argued that the fixed term academic staff do not contribute as much as permanent staff and require a lot of support. The first point is true of any early career staff member, fixed-term or permanent. There has been extremely positive feedback on the teaching provided by the new full-time fixed term appointees and the two staff mentoring them say that they do not require unusually high levels of support.

One submission claimed that there has been a net loss in academic staff numbers in recent years and there are consequently academic staff shortages. In fact, since 2011 33% more permanent academic staff have been employed than have retired or left to take up other positions, despite the fact that EFTS have stayed relatively constant.

The same submission claimed that the Law Faculty has struggled for a long time to appoint academics in the Council of Legal Education subjects lists. This is not true. Very good teachers have been hired into all these areas as needed.

The listed subjects and staff employed since 2011 are:

- Criminal Law – two permanent staff in 2016
- Public Law - there has not yet been a need to employ more academics in this field
- Torts - one new permanent staff member and one junior faculty member in 2011; one new permanent staff member able to teach into Torts hired in 2016
- Contract Law – all four current professors and lecturers in this field were hired in 2011, 2012 and 2014
- Land Law - one junior faculty hire made in in 2015
- Equity - two new permanent staff were hired in 2011 and 2014 and a further two permanent staff able to teach into Equity were hired in 2016
- Legal Ethics - one new permanent staff member able to teach in this field was hired in 2016.

### **Appointment of professional staff**

Concern was expressed that there would be insufficient professional staff to support the increased numbers of students.

Again, as with academic staff appointments, the Vice-Chancellor agreed to front-load additional professional staffing positions, something that has not been done in any other faculty.

Four new professional staff positions have been created. This represents a 20 percent increase in general and administrative staff support for the Law Faculty. The new positions are:

Student Academic and Support Adviser: Jemimah Khoo

(This provides the Law School with a dedicated student adviser for Part 1 students, freeing up the Pouawhina Māori and Pacific Student Adviser to be able to focus exclusively on assisting Māori and Pacific students in the Law School.)

Student Support and Experience Adviser: Tessa Sillifant

(This position provides the Law School with more administrative support for its co-curricular programmes, such as mooting and community placements, for the new student well-being initiatives it has introduced, and for special test arrangements.)

Academic Services Coordinator: Nancy Wong

(This position provides the Law School with more course work and examination processing capacity, which is important as it moves to all written work being submitted electronically and anonymously and to students being able to sit examinations on computers.)



Employer Engagement Manager: Clodagh Higgins

(This is currently a fixed-term position charged with scoping the provision of better careers assistance, and mentoring for law students about the local and global opportunities for practising law and the non-law career opportunities available.)

We have received very positive feedback about the new professional staff who have been appointed and what they are already achieving in the new positions created, including the new careers support service, weekly student newsletter and the improved support now available for disadvantaged and at-risk students. Academic staff have commented on the benefits they receive from the additional functions undertaken by professional staff colleagues in consequence of their greater number, freeing up academic time for teaching and research.

### **Sufficiency of Accommodation**

Concern was expressed that there would not be sufficient space to accommodate the additional 50 students and additional staff.

The Vice-Chancellor agreed to address this issue by front-loading space (i.e. providing it ahead of the increase in numbers). The Law School has been allocated an additional 814 square metres of space, providing more study, common room and office space, and giving a lot of flexibility for the next few years.

This has occurred by making two more floors available to the Law School in the Short Street building, giving it four of the seven floors of this building.

A very large room (over 200 square metres) on Level 4 has been set up to provide more study space for law students. It has tables, study carrels, and library computers. Students can bring their laptops to work there. There is also an adjoining printing room and an adjacent kitchen area.

There are another two large rooms on the fourth floor that have been allocated to Te Rākau Ture (the Māori Law Students Association) and the Pacific Island Law Students' Association. Both rooms provide large common areas and study spaces. The smaller rooms these societies occupied on the second floor have been re-assigned to the Mooting Society and to Rainbow Law. The Mooting Society's previous room in Building 801 (near the Student Common Room) is being made into a Parenting Room. Rainbow Law had requested a common room for LGBT+ students within the Law School and this has now been possible.

Level 5 has 21 academic and other offices, a staff kitchen, 2 technology rooms, and an internal larger room. Not all this area has yet been occupied but it has meant the Law School has sufficient space for all the new academic and professional staff for the next few years and for academic visitors. The total amount of additional space allocated is greater than that which would be justified by the increase in student numbers.

Many of the individual staff submissions commented very favourably on the additional space provided, noting that many students had been extremely positive about the new study and student society spaces. One submission commented that the new student study space is a long way from the Davis Law Library and lecture theatres on the main campus, meaning this space is frequently under-utilised. This does not reflect student and other feedback received and the 3 to 4 minute walk from the Davis Law Library does not seem to have been a barrier to access. The new student study space is above the

Law School's Student Centre, adjacent to the common rooms for Māori and Pacific students, and close to many staff offices. Good numbers of students have been using it.

## **Other matters (not addressed in s.224 Education Act 1989)**

### **Student entry standards**

There were claims that increasing the Part 2 intake would lower the standards of students entering the programme.

In fact, the Grade Point Average of the 380 students admitted to Part 2 this year (6.5) is slightly *higher* than that of the 330 admitted last year (6.4). In statistical terms the difference is not real, but the point is that the GPA of the larger cohort is no lower than that of the smaller cohort last year. 6.5 is half-way between a B plus and an A minus average and is considerably higher than the GPA required to enter Part 2 law at the other New Zealand law schools.

The fact that the Grade Point Average for admission to Part 2 Law has not declined was commented on favourably in staff submissions. One submission noted that 480 students received a GPA of B+ or better.

### **Support of Māori and Pacific students**

Finally, there was concern that resource pressures associated with the increased numbers would lead to Māori and Pacific students being disadvantaged. This is not the case.

Increasing the second year intake has allowed for more places under the Targeted Admissions Scheme. The Dean has agreed with Te Tai Haruru (Māori staff and student leaders in the Law School) that rather than have a fixed quota of places, any Māori student who meets the minimum requirement for second year law under the Targeted Admissions Scheme will be able to be admitted. The number of Pacific students admitted under the Law School's Targeted Admissions scheme has almost doubled (having not been increased since 1993, despite a significant increase in the Pacific population in Auckland).

For 2017 there were 30 Māori students and 33 Pacific students admitted into second year law (some under general admission and some under the Targeted Admissions Scheme). The respective figures in 2016 were 30 and 20 (see Table below).

	<b>2016</b>	<b>2017</b>
Māori student offers under general admission	4	11
Māori student offers under TAS	26	19
<b>Total number of Māori students offered places</b>	<b>30</b>	<b>30</b>
Pacific student offers under general admission	3	3
Pacific student offers under TAS	17	30
<b>Total number of Pacific students offered places</b>	<b>20</b>	<b>33</b>

More support is being provided for Māori and Pacific students, including the provision of better common room and study space, as mentioned above, the Māori and Pacific student advisers being able to focus exclusively on these roles with the creation of a Part 1 student adviser, and the two Nga Kai Whakaako and two Susuga Faiako half-time teaching fellowships being created to provide more academic support and mentoring for Māori and Pacific law students and to help maintain and improve the quality of the Māori and Pacific academic programmes.

Staff submissions reported that Māori and Pacific student leaders have commented very favourably on the new study and community spaces provided. There has been very positive feedback about the appointment of the two Nga Kai Whakaako and two Susuga Faiako half-time teaching fellows, the academic assistance they are giving to students, and the improvements they are leading in the Māori and Pacific academic tutorial programmes. One submission claimed that these appointments were not contingent on the increase in student numbers. That is not correct.

The same submission expressed concern that Pacific students are being admitted to Part 2 Law under the Targeted Admissions Scheme on a significantly lower Grade Point Average than previously and that there is insufficient support for the large increase in Pacific student numbers. The lower Grade Point Average for admission is an expected consequence of almost double the number of places being made available to Pacific students under this scheme. The Grade Point Average cut-off is now similar to that of Māori students admitted under the scheme. The Pacific student programme has the same level of professional staff support as the Māori student programme and the academic support provided for Pacific students has been significantly boosted by the appointment of the two Susuga Faiako half-time teaching fellows. We can consider the Grade Point Average cut-off and how to provide more support if needed.

## **Conclusion**

As this report demonstrates, we have been able to provide additional staff and accommodation to meet the requirements of the additional 50 students (indeed, the front-loading of academic positions and space has been ahead of the growth in student numbers). Student:staff ratios have improved. The matters relevant to s.224(5) of the Education Act have therefore been addressed.

In addition, entry standards have been maintained, there has been a significant increase in numbers of Pacific students and Māori and Pacific students have received improved support. Overall, the implementation of the increase has been very successful.

Stuart McCutcheon  
Andrew Stockley

12 June 2017



**Vice-Chancellor's Office**

Professor Stuart N. McCutcheon PhD  
Vice-Chancellor

18 July 2017

---

The ClockTower  
22 Princes Street  
Auckland, New Zealand  
**T** +64 9 367 7196  
**E** s.mccutcheon@auckland.ac.nz  
**W** auckland.ac.nz  
**The University of Auckland**  
Private Bag 92019  
Auckland 1142  
New Zealand

---

Professor Andrew Stockey  
Dean, Faculty of Law

*By email: a.stockley@auckland.ac.nz*

Dear Andrew

As you know, the Long Term Academic and Capital Plan (LTACP) approved by the University Council signals an intention to relocate the Faculty of Law on to the main part of the City Campus (Old Government House and the northern part of the Thomas Building) from the early to mid 2020s.

As a first step in planning for such a move, I request that you develop a 10-year Academic Plan for the Faculty. This is the same process that we have used in advance of previous capital works programmes so you may like to discuss it with Professor Nic Smith in relation to the new Engineering Building 405, Professor John Hosking in relation to Science 302, or Professor John Fraser in relation to Grafton.

Essentially the Plan should signal, with justification, how you see the academic activities, size and scope of the Faculty developing over the next decade. It should thus address such issues as:

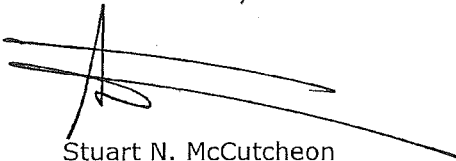
- The nature of the Faculty's academic programmes, including expected numbers of undergraduate students, taught postgraduates and research postgraduates
- Particular aspects of those academic programmes that might impinge on space considerations (e.g. the need for moot court teaching) – but note that we are not at this stage specifying or designing particular spaces
- Expected numbers of academic staff, based on benchmark student:staff ratios, and of professional staff
- The nature of staff research and any space considerations that arise from that (but again not specifying or designing spaces).

It would be helpful to have the Plan available by early 2018. While you will obviously wish to consult with your colleagues (on previous occasions I believe Deans have formed working groups to assist with the process), this is a strategic leadership and resourcing matter and ultimate accountability for the Plan will therefore rest with you as Dean.

Once we have received the Plan we will want to interrogate it to ensure that we are comfortable with the proposals and underlying assumptions/arguments before settling on it as the basis for future space planning.

I am happy to discuss this further with you should you wish.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stuart N. McCutcheon', written over a horizontal line.

Stuart N. McCutcheon  
Vice-Chancellor

27 July 2017

### Staff Forum

The Staff Forum comes after a letter from the Vice Chancellor was circulated to all staff requesting that the Dean produce a 10-year Academic Plan for the future of the Law School.

A Consultative Committee is to be formed that is representative of the diversity of views within the Faculty.

Proposed agenda for the Forum:

1. To discuss ideas on alternative methods of growth in student numbers.
2. What factors are to be considered to ensure responsible growth?

#### **Preliminary Discussion around the 10-year Academic Plan:**

- The plan is to be submitted to the Vice Chancellor by early 2018. It is expected that this will be around April/May 2018.
- Whether VC's letter replaces any immediate increases in the future? It was the Dean's understanding that there will be no increase in 2018.
- 'Year One' of the plan is expected to be 2019. Given the timing of the proposed plan submission and time constraints on processes, it would be too late for 2018 to be 'year one'.
- There is no press for an increase in student numbers for 2018. There is to be a pause in the increase to allow planning to commence.
- Staff question if there will be an opportunity to comment on any changes that are made to the 10-year plan after its submission. This is to be clarified with the VC. It is felt that it would be best practice, given that consultation will have taken place to formulate the plan.
- There needs to be some clarity on parameters (i.e. Funding, university expectations etc.) and information on where such parameters are drawn from in order to distinguish if they are contestable and to forecast potential kickback or resistance to ideas. Discussions can be had with Director of Planning, Deputy Vice-Chancellor of Operations, etc.
- Will the 10-year plan build on the Report of the Department Review, or is it to be set aside? Thought it would be included as part of the Plan.
- Suggested that the Dean seek clarity from the VC about the above questions and about any immediate increases in the future.
- This is an opportunity for the Faculty to state where it wants to be in a wider frame rather than planning reactively year on year to changes within the university. It is a chance to distinguish who we are and who we want to be given parameters to work with.
- Reports from the review and working groups can feed into the ideas put forward in the 10-year plan.
- Many staff have a lot of work to do before October (some December) for internal reviews and PBRF. The timeframe for early 2018 is worrying for some.
- Important to ensure that the Consultative Committee is diverse in its members. VC has a clear view as to how this is to be achieved. It will be the Dean's responsibility to make the decision on who is to be included. It is hoped that the group will represent the diversity of

opinions within the faculty, and that all staff will be happy to sign off on the report based on a shared vision once complete, despite some differences in perspectives.

- We must talk about 'vision' in a broader way rather than focusing on details such as teaching, learning and other subheadings. This will be a good foundation to build all other details.
- What is the institutional process to be adopted in the 10-year Academic Plan? VC regards it as a matter of strategic leadership and resourcing, however there are academic matters within it. Academic matters require that constitutional processes of the university are followed. Faculty and Senate are advisories to the Dean and VC, and ideally their visions should align.
- The initial 10-year Academic Plan will go straight to the VC, matters within it will need to go through Faculty and Senate.
- It is a concern as to whether a draft submission would be accepted as an opportunity for feedback and to refine the plan. It would be disheartening if staff were to put time and effort into a plan, or large sections of a plan, that could potentially be rejected. A solution would be to put initial thoughts and ideas to the VC before finalising.

Given the discussion, the agenda was altered to share/reflect/discuss a vision for the Law School. The vision should be aspirational in nature, of what the Law School would like to be, acting as a clear guide for courses of action in the future.

Thoughts and ideas have been categorised under the subheadings:

1. Values
2. Social responsibilities
3. Student experience
4. Academic teaching and research

#### **1. Values**

- Collegiality
- Capturing passion
- Excellence in everything we do
- Community of scholars, professional staff and students
- Produce a vision statement that isn't a stream of buzzwords
- Faculty to earn the title of a vibrant leadership role within the nation
- Respect to each other and professional staff
- Strength in diversity of staff
- Strong leadership, however it is expressed
- Creativity and forward thinking
- Reflect on statements and ask questions to formulate how decisions are to be made
- Critical reflection
- Feeling of collectiveness in law school decision making, respecting disagreements

## **2. Social Responsibilities**

- Outward responsibilities, particularly to Pacific
- Contributions to New Zealand legal and political systems
- Social responsibility in running clinics and research projects that are relevant to social issues
- Auckland is a special place for Maori and Pasifika students
- Responsibility to prepare people for work outside of New Zealand, finding a balance between focusing on local issues
- Actively encourage early and mid-career scholars to find their voice and independent scholarship
- Training the leaders of New Zealand to be critical and ethical thinkers (Judges, politicians, policy makers)
- Recognising that we are funded by the tax payer and must be socially useful, rooted in New Zealand
- Scholarship range focused on an outreach, not just domestic
- Clearly articulate commitment to the Treaty of Waitangi
- Commitment to key Pacific and Asian stakeholders
- Question the role that universities play on societies and influencing long term social change
- The world is changing, we need to change with it
- Be the leading law school in New Zealand and Pacific, provide a service to community and society in which all are valued
- Be a sustainable law school that is a national and international leader in research
- Share the value of ideas publically and globally

## **3. Student Experience**

- Commitment to quality not quantity
- Focus on improving the student experience
- Empowering each other to deliver excellent outcomes
- Ensure inclusiveness in all forms
- Providing a broad education
- Safe, small and friendly (like Denmark). Commitment to the Treaty of Waitangi internally as well as through outreach.
- Ensure graduates feel empowered and respected to go into whatever field they wish to
- More electives offered and students to be given choice
- Sufficient range of programmes and spaces available for students to undertake and successfully complete legal studies
- Identify a feeling of belonging
- Embrace and celebrate diversity
- Celebrate all successes, no matter what they look like
- Share passions. Make students feel inspired and valued, instilling enthusiasm for law
- Think about students as future leaders
- Introduce more opportunities for students' development and engagement



#### 4. Academic teaching and research

- Maintain an equilibrium between academic and vocational teaching. It is unique to Auckland that a balance between legal doctrine and theory is achieved. We do this well in comparison to other law schools. E.g. In the UK and US.
- Continue to think of ourselves as a community of scholars
- Commitment to excellence in research, being national and international leaders
- National and global reach of research
- Respecting everybody's area of teaching and research
- Collaborations with other law schools
- We are the principal law school in the country because we teach well and have excellent scholarship. Central components should be core subjects, producing students that think like lawyers
- Taking the time to learn the power of argument
- Develop strengths in research and teaching, maintaining a strong international reputation
- Support for world class and innovative research
- Be a modern law school – Innovative teaching, research, aware of where students are going and what we are preparing them for
- More collaboration, incubator sessions and faculty lunches
- Share passion for research and ideas with students

## **Staff Forum, 27 July 2018**

### **(i) The pros and cons of a further increase to LLB numbers**

#### Pros

- More staff provides a critical mass of scholars
- More staff assists international profile and visibility
- More staff assists having multiple centres of excellence
- More scholars working in the same area
- Easier to cover core teaching needs when people away
- Allows more electives, for staff to teach in research areas
- More staff to cover administrative responsibilities
- Reduces burdens on a small faculty (eg more professional staff to share these)
- Avoids merger with another faculty, more economies of scale
- More space and new law school premises
- More resources to support teaching, research, student experience
- Helps avoid loss of qualified students to other law schools
- Incentive to rethink the legal education provided, the opportunity to make significant changes

#### Cons

- Reduction of quality in staff and students
- Reputation of Auckland LLB
- Insufficient long-term student demand
- Loss of community, collegiality, cohesiveness, work experience
- Larger class sizes
- Worse staff-student ratio
- Increased staff workload
- Reduced teaching quality
- Worse student experience
- Equity obligations compromised
- Inadequate space, library space and resources
- Physical dispersal bringing fragmentation
- Oversupply of law students, increased competition
- Losing connections with the profession
- Over-reliance on junior academic staff and adjuncts
- Inability to attract teachers in core areas
- Poor hiring decisions
- Staff turnover
- Losing commitment to the domestic legal system

### **(ii) The factors that determine the size, timing and conditions for responsible growth, if any**

- Hiring quality staff and time to do this
- Monitoring staff-student ratio
- GPA minimum for Part II Law
- Research on class sizes including maximums
- Marking quality
- Quality of the student experience
- Opportunities for graduates
- University budget commitments to the Law School
- Quality facilities including teaching space
- Well-being support for staff and students
- Evaluating growth to date including completion rates
- Evaluating Maori and Pacific programmes
- Creating smaller communities to feed into the larger community
- Phasing over time, monitoring and reviewing as proceed
- Considering what has worked and not worked at other law schools

**(iii) The pros and cons of alternative means for increasing numbers and/or revenue, such as the JD or an increased proportion of LLB students invited into the Honours programme**

- More GenEd offerings
- Law for non-lawyers at undergraduate level (eg BA in legal studies); conversion course
- More cross-disciplinary degrees, eg law-philosophy-politics, law-economics-politics, law-science-geography
- New degree, eg interfaculty
- Distance learning, on-line
- More evening and weekend courses
- More intensive undergraduate courses, eg in breaks
- Continuing legal education
- CLE requirements for foreign lawyers
- Police training
- Offering professional legal studies
- Increase Honours intake, integrate with LLM courses
- Growth of postgraduate and PhD programmes
- More international students, from Australia
- Introducing JD
- Teaching law elsewhere in the University (eg planning law, commercial law), Criminology
- Overseas campus, eg Asia, Pacific
- More philanthropic revenue
- More external research income
- More consultancy work payable to the Law School, eg government and public sector

## Andrew Stockley

---

**From:** law-academic-confidential-ebook-request@list.auckland.ac.nz on behalf of Law Dean <LawDean@auckland.ac.nz>  
**Sent:** Friday, 18 May 2018 2:28 PM  
**To:** law-academic-confidential-ebook Mailing List; law-admin Mailing List  
**Subject:** [Law-academic-confidential-ebook] ACADEMIC PLAN and ACADEMIC STAFF UPDATES

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Colleagues,

Academic Staff [out of scope]

### Academic Plan

I am sorry to advise that the next phase of the consultation for the 10 year Academic Plan has been delayed and amended.

As previously advised, I have been working on preparing the Academic Plan for the Vice-Chancellor, taking into account the matters Faculty members see as important and the matters the Vice-Chancellor sees as important (including the resources and parameters in which we can operate). The Vice-Chancellor wants to receive the full text I am writing (rather than an outline) before the next phase of consultation with Faculty members. I am therefore going to endeavour to complete the text as soon as possible so that I can provide him with this. There will then be full opportunity for feedback, comment and dialogue.

If you wish to read any of the background information considered by members of the Consultative Committee, the documents are available for staff on the Share (Z) folder. **Mac users** can access the shared drive via this link: <smb://lawdataprd01.uoa.auckland.ac.nz/share> The **Consultative Committee folder** should be visible after clicking on the link. **For PC users**, access is via opening Share (Z:) under Network Location under Computer, and then the **Consultative Committee folder** will be visible.

I have also made available (in anonymised form) the draft outline plans sent to me by twelve members of the Consultative Committee when I asked them to put themselves in my shoes and think about what are the most important things to cover in a 10 year Academic Plan. As previously mentioned, these have been very helpful to me in working on the Academic Plan. They are in the subfolder labelled 'Draft Plans from Consultative Committee members'. Could I note that these and the other Consultative Committee documents are confidential to Auckland Law School staff.

I will look to provide a further update at the meeting of Department. If you have any questions or concerns in the meantime, please do not hesitate to come and see me.

Regards,  
Andrew

Dean of Law  
University of Auckland

Private Bag 92019  
Auckland 1142  
New Zealand  
Tel: +64 9 9238027

**The University of Auckland**

**Confidential**

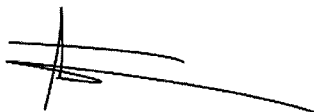
Memorandum to: Staff of the Faculty of Law  
From: Vice-Chancellor  
Date: 21 June 2018  
Subject: Ten-Year Academic Plan

As you will be aware, I wrote to the Dean of Law on 18 July 2017 requesting that he prepare a 10-Year Academic Plan for the Faculty. This is required, among other things, to assist in the development of the University's Long Term Academic and Capital Plan which informs Council decisions about new buildings and building refurbishments.

Attached is a copy of the Plan as provided to me by the Dean. I draw your attention to the fact that this is being provided to you in confidence as it relates to the Law School's competitive position, including in the recruitment of domestic and international students.

The Dean was charged with preparing the 10-Year Academic Plan as part of his strategic leadership responsibilities. He has consulted with staff in developing the Plan and I am now inviting you to send me any further comments you wish to make after reading it. I should make it clear that I am interested in the perspectives and views of individual staff not in "Faculty votes". This is so that I receive the full diversity of views and that I can hear the views of both academic and professional staff members.

If you wish to provide me with comments on any aspects of the 10-Year Academic Plan, please send them to me by Friday, 20 July 2018.



Stuart McCutcheon

Vice-Chancellor

## Andrew Stockley

---

**From:** law-staff-request@list.auckland.ac.nz on behalf of Law Dean  
<LawDean@auckland.ac.nz>  
**Sent:** Tuesday, 31 July 2018 10:39 AM  
**To:** law-staff Mailing List  
**Subject:** [Law-staff] Senate Meeting of 30 July 2018

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Colleagues,

I have been asked about yesterday's Senate meeting given the reference to it in an email to academic staff this morning.

At the Senate meeting the Vice Chancellor mentioned that he had received 44 submissions on the Ten Year Academic Plan.

He said that 23 staff members (including 5 or 6 professional staff) were broadly in favour of the Plan and particularly recognising the benefits of further growth (although some of these had different views about how that might be best achieved). Of these 23 submissions, he noted that five were explicit in stating that the Plan was not sufficiently ambitious with respect to growth. He said that 8 staff were strongly opposed to the Academic Plan and particularly the issue of growth in student numbers. He said that the remaining 13 staff were neutral in the sense that they could see both positives and negatives in the Plan.

The Vice-Chancellor made these comments in the context of one of the professors saying that the large majority were opposed. His comments were quite brief and I am sure he will in due course provide a more detailed response to the feedback he has received on the Ten Year Academic Plan.

One of the professors moved a motion that Senate delay considering whether the limitation of Law Part II student numbers should be raised from 380 to 410 in 2019. The motion was lost and the Senate approved Education Committee's recommendation that this be the limitation of student numbers for 2019.

Regards,

Andrew

Dean of Law  
University of Auckland

Private Bag 92019  
Auckland 1142  
New Zealand  
Tel: +64 9 9238027



**Vice-Chancellor's Office**

Professor Stuart N. McCutcheon PhD  
Vice-Chancellor

2 August 2018

---

The ClockTower  
22 Princes Street  
Auckland, New Zealand  
**T** +64 9 367 7196  
**E** s.mccutcheon@auckland.ac.nz  
**W** auckland.ac.nz  
**The University of Auckland**  
Private Bag 92019  
Auckland 1142  
New Zealand

---

Dear colleagues

I am writing to thank you for your comments on the proposed 10-Year Academic Plan for the Faculty of Law. I have accepted two submissions that were delivered just after the closing date.

As a general overview, of the 46 submissions I received from both academic and professional staff:

- Some 24 members of staff were broadly in favour of the Plan and recognised benefits of the proposed further growth (though there were different views about how that might be best achieved and the "conditions" under which growth might or might not be desirable). Of those, five were explicit in stating that the Plan was not sufficiently ambitious with respect to growth in student numbers
- Nine were significantly opposed to the Plan and particularly the issue of growth in student numbers
- The remaining 13 were "neutral" in the sense that they could see both positives and negatives in the Plan or addressed only a small section of the Plan

The submissions process is not a vote, of course, but I take from it the sense that a majority of staff can see benefits from continued growth in student numbers (as proposed in the Plan) provided that is managed appropriately. Those who oppose growth have not provided arguments that are in my view particularly compelling, especially if growth is managed carefully.

There were some concerns expressed about the mixing of academic and resource issues in the Plan. I would simply reiterate two points that I have already made to you: first, it is not possible to plan for physical and other resources unless one has a "best estimate" of the likely future size and shape of the Faculty (and those best estimates become important inputs to the University's Long Term Academic & Capital Plan, which drives future capital investment); second, any developments requiring academic approval, whether as a consequence of the Plan or otherwise, would have to go through the normal process (including via Faculty, Senate and Council).



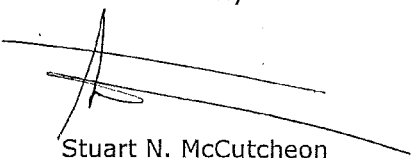
While I am minded to approve the Plan in broad terms as the basis for our resource planning, there are a number of issues arising from the submissions that I will need to discuss with the Dean. These include:

- Matters related to the staging of the growth, the need to maintain appropriate student: staff ratios and class sizes and issues relating to the employment of the new academic staff, particularly in those areas that may be difficult to fill (and related to this the appropriate balance of permanent and fixed term staff)
- Related to this, issues to do with the balance of New Zealand- and overseas-trained academics; there were a variety of views expressed in the submissions about what the appropriate balance of appointments might be along with the extent to which research in the Faculty should be relevant to New Zealand as opposed to (if indeed the two things are in opposition) internationally relevant
- The equitable distribution of workload - some contributors suggested that they were overworked while others suggested that some members of the Faculty had unreasonably light loads; related to this are matters concerning the proposed greater flexibility around the 40:40:20 model (although this has always been a guideline in the University and variations on it can be and have been negotiated)
- Support and involvement of Māori and Pasifika students and staff
- The opportunities that could be provided by increased numbers of professional staff positions consequent upon growth in student numbers and revenue
- Issues related to the potential loss of intimacy and collegiality in a Faculty as it grows
- The role of the Honours programme and potential role of a JD programme; also the number and nature of the electives
- Equity issues relating to the admission of a large number of Part 1 students, many of whom will not go on to Part 2
- Issues to do with the role of technology in teaching and with development of teaching and other facilities for the Faculty
- Opportunities to better promote some of the Faculty programmes to international students

It would be useful if the submissions could be shared with the Dean, since you will be able to make your points to him more directly than I can "translate" them. However, since I asked you for your views in confidence, I will not share them with him (or anyone else) directly. Nevertheless, if you felt able to provide to the Dean your submissions (or parts thereof) then that would be helpful. It is, however, a matter entirely up to you.

Thank you for the time you have taken to make these submissions – they have been very helpful in raising important issues and in giving me a better picture of the diversity of views in the Faculty.

Yours sincerely



Stuart N. McCutcheon  
Vice-Chancellor