

Periodic Review of LLM in Advanced Legislative Studies 2009

External Assessor's Report

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Introduction

This review of the LLM in Advanced Legislative Studies at the Institute of Advanced Legal Studies is presented in furtherance of the University of London's Quality Assurance framework. In the course of the Review I received comprehensive documentation on all aspects of the programme (see Annex 1) and visited the IALS and met with the programme Directors Dr Helen Xanthaki and Dr Constantin Stefanou on 24th March 2009. The programme is part of the William Dale Centre for Legislative Studies within the Institute of Advanced Legal Studies. In 2007/8 the programme changed its designation from MA to LLM.

Academic Standards and Quality Assurance (QA Framework Section I)

Overview of the programme in relation to its aims, content and approach

This is an innovative and imaginative programme which fulfils a very important role in the delivery of a rigorous academic programme for a vital area of governance and its development. Legislative drafting is central to legislative reform for which this programme provides a rare and invaluable opportunity to understand the knowledge, skills and context for implementing law reform and to subject its processes and theoretical approaches to critique.

The aims of the programme are broadly expressed in the Programme Specification as examining the process of legislating, encompassing theoretical analysis and practical application. The programme effectively achieves these aims by examining the issues relating to the legislative process, constitutional law, legislative ethics, law reform and drafting methods in a modern democratic context. The learning outcomes of the programme are clearly identified in the Programme Specification and Handbook.

The programme offers a common course, *Themes of Legislative Drafting*, and two streams – a Common Law emphasis and a European Union direction – each offering two modules. The range of courses reflects current issues and the content of the programme matches the main demands of potential candidates, employers and the professions, and balances Common Law, EU and comparative issues. A major attraction of the programme is the participation of senior practitioners and civil servants (Parliamentary Counsel and Law Commission staff) ensuring immediacy, authority and topicality. The involvement of practitioners ensures that knowledge and critical awareness is at the forefront of professional practice.

Appropriateness of teaching methods for achievement of learning outcomes

Students attend a programme of weekly lectures, seminars and practical exercises (2 hours). The relatively small number of students on the programme (12-18) enjoys a healthy staff student ratio. One to one sessions are also available on a regular basis.

Assessment is by two essays (3,500 words) for all modules except EU Direction (1 x 5,000 words) and a Dissertation (10,000 – 15,000), and are sufficient for students to demonstrate their achievement of the module outcomes. External examiner reports and student performances consistently confirm the appropriateness and effectiveness of the programme and recognise the strength of the best performing candidates. The number of students failing or deferring completion is similar to comparable programmes. Student evaluations are consistently appreciative of teachers and feedback to students is acknowledged by external examiners and students.

Resources and support services

Course documentation is comprehensive and sympathetic to students' concerns (see below). It is clear from SSLC minutes and student evaluations that students are very appreciative of the support that they receive from programme staff.

The Institute of Advanced Legal Study's library is a major benefit for students. It has the most comprehensive national and international collection in the UK and provides a major resource for students at all levels. The support from the librarian is singled out by students who also welcomed the increased access that was afforded as a result of their being registered as research students. Students have expressed their appreciation of greater provision of materials on-line and acknowledge efforts that have been made to develop an informative website that was only introduced two years ago. Its continued growth will be an increasing priority. The materials already available would provide a sound basis for expanding the course with a Distance Learning Programme, which I understand is currently being under consideration.

The website was imaginative and an invaluable source of information and materials for students. From the visits made the Programme pages appear to be up to date although the frequent review of website materials is a challenge throughout higher education for the demands that it makes upon staff.

The programme Directors were highly appreciative of the support that the programme receives from the Director of the Institute of Advanced Legal Studies, the Library and the School's administrative staff.

Aspects of the programme that are particularly innovative or which represent good practice.

A signal innovative strength lies in its focus on legislative drafting as a subject for postgraduate scholarship. It is probably unique in Europe and beyond for its blend of academic and practitioner concerns in this area of critical constitutional importance. As already noted the collaboration with Parliamentary Counsel is particularly impressive and the emphasis upon practical exercises is a further strength that is popular with students. There

may be scope for affording greater exposure to these, possibly extending to consideration of including a drafting exercise within the assessment framework. Students would also appreciate more handouts to accompany lectures by visiting practitioners.

The Centre serves the wider community in significant initiatives, including the organisation of the annual Sir William Dale Lecture, evening seminars and lectures in collaboration with the Statute Law Society and a valuable month long intensive course for legal officers of the Commonwealth.

The encouragement of students on the programme to contribute to academic journals, particularly the European Journal of Law Reform, is also appreciated.

In the course of this review I was very impressed by the commitment and enthusiasm of the Co-Directors on the programme, Dr Xanthaki and Dr Stefanou.

Conclusions on quality and standards

The intended learning outcomes are being achieved very successfully and appropriate structures exist for the monitoring and maintenance of quality and standards. Beyond the evidence of success provided by student results, the minutes of the Staff-Student Liaison Committee and the comments of the External Examiners more than adequately substantiate the claims made in the Self-Evaluation Document.

I would observe generally that the LLM in Advanced Legislative Studies is a model of what one would expect to find in terms of the documentation provided to students, the transparency of its assessment criteria, the quality of student support, the structures and processes designed to support the course as a whole etc

Provision of Information (QA Framework Section III)

The documentation provided in accordance with the School of Advanced Study guidelines offers a clear explanation of the programme's aims and objectives, the course syllabus, teaching methods; assessment framework, the intended learning outcomes and the adequacy of the resources to support students taking this course. The Programme Handbook contains guidance for students about the syllabus of each module, good study practices, assessment matters, complaints procedures, and admissions within the wider provision of support from the Institute of Advanced Studies. Appendices in the Handbook include Staff:Student Liaison Committee and Examination Board Minutes and Evaluation Reports provide good evidence of transparency. Whilst programme documentation is comprehensive and coherent, further reflection is advisable, and there is scope for a stronger description of the Programme's aims in the Programme Specification and Handbook.

Compliance with School of Advanced Study's Quality Assurance (QA Framework IV)

From the documents provided the governance of the LLM in Advanced Legislative Studies complies with the School's Quality Assurance Framework as supervised by the Board of the School. Management of the programme maintains academic standards, monitors performance, implements change and provides comprehensive information for students and others in a supportive and transparent environment.

Contributions to research and scholarship

The capacity of the programme to advance knowledge and promote understanding of the techniques applicable to research and professional practice is evidenced in a variety of outcomes. Firstly, the teaching staff are leading scholars in their field and actively contribute through their research to the development of our understanding of the importance of a critical appreciation of legislative reform, its techniques and complexities. Their encouragement of student publications emerging from their studies is further evidence of the research value of the programme. Finally the small but steady number (4) of doctoral students ensure that a scholarly contribution is being made by the programme at an advanced level.

The academic emphasis upon this important area of legal development extends to the promotion of the practical knowledge, skills and techniques involved in legislative drafting. There may be opportunities to promote these achievements more widely as an example of postgraduate engagement with practical governance and law reform, in a competitive environment.

Recommendations for action to remedy any identified shortcomings, and the further enhancement of quality and standards.

As has been made clear throughout this report, I did not detect any substantial shortcomings in any aspect of the course content, delivery or provision. Overall, it appears to be a well conceived, robustly structured and well taught programme which has achieved good results in terms of student progression and outcomes in terms of publishing and some doctoral research. Students clearly valued the personal support offered by the course team and the thriving intellectual community provided by permanent staff within the Institute of Advanced Legal Studies as a whole. Scope for addressing shortcomings are therefore limited (no major issues have emerged) and I will concentrate on suggestions for improving students' experiences and of enhancing the quality and standards achieved.

1. The scholarly achievements of staff and students deserve greater emphasis. Postgraduate recruitment is heavily influenced by staff research reputation, and staff involved should ensure that their own and the programme's research outcomes are more effectively promoted.
2. The practical exercises are generally much appreciated. There appear to be more emphasis upon practical issues in the European Union stream. Further consideration could be paid to the role of practical exercises including an SSLC suggestion that they be made compulsory, (or even included in the assessment framework). More emphasis might also be considered upon the practical benefits of the programme in programme documentation and on the website.

3. The Programme handbook would benefit from periodic review and greater clarity in the aims of the programme would be beneficial.
4. One of the strengths of the programme is the involvement of practitioners and visitors. The engagement of 'outsiders' who are unfamiliar with an education environment can leave students challenged by the immediacy and excitement of exposure to practice but eager to receive more structure from the presentations. Efforts to support visitors and encourage the provision of handouts to accompany visitors' presentations would be appreciated.
5. Mention was made during the review of the subsequent careers of successful students. There is scope for maintaining a data base of graduates and developing a network of alumni.
6. Students and external examiners appreciated responses by staff to suggestions. Feedback is constantly sought by students and efforts have been made to increase responses to students. Further monitoring and the development of procedures for engaging with students will always be appreciated. The website is a suitable vehicle for collective comment and may offer further scope for feedback and sharing student discussion. If widespread student participation is a problem (it often is), students might be invited to take more responsibility for the organisation of SSLC events. In one SSLC meeting I noted that students requested a dedicated space for meeting – an aspiration which I understand that School has already met.
7. Further consideration could usefully be given to plans to develop a distance learning delivery of the programme for busy practitioners who may not be able to leave their desks to attend regular classes.

Notwithstanding these suggestions, however, I would like to emphasise strongly that the overall conclusion of this review is that the LLM in Advanced Legislative Studies is a very sound programme which meets all the requirements specified by the Quality Assurance Framework for postgraduate teaching.

Professor Roger BurrIDGE
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Documents provided by IALS:

1. MA in Advanced Legislative Studies Programme Specification
2. University of London, School of Advanced Study, Quality Assurance Framework
3. Periodic Programme Review Self Evaluation Document, May 2008
4. Programme handbook 2008/9
5. Themes in Legislative Studies syllabus
6. Student Staff Liaison Committee Reports for 2005/6; 2006/7 and 2007/8
7. MA Evaluation Report 2006/7
8. External Examiners Reports 2004/5; 2005/6; 2006/7 and 2007/8
9. Exam grades for 2005/6; 2006/7 and 2007/8
10. Examination Board Minutes 10/11/2005, 6/11/2006 and 22/10/2007

During the course of my visit I was shown the programme website, assessment documents and examples of student work. I subsequently visited the IALS website and viewed the pages relating to the programme.