

# Final Report on the “Melbourne Model”

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## **1. INTRODUCTION**

Since the announcement of the Growing Esteem Strategy by Melbourne University in November 2005, there have been many discussions and debates amongst the higher education community on the implementation and influence of the “Melbourne Model” on the Australian tertiary sector.

Given the significant potential impact of the Model on legal education, it is no surprise that this topic also became the centre of attention over the last few ALSA Council meetings. In the 2006 Australian Legal Education Forum in Melbourne, the session on the Melbourne Model attracted substantial interest from law students and legal educators around the country.

This interest has prompted the current ALSA Executive to prioritise the issue in its 2006/7 strategic plan. Specifically, the Education Committee will be assessing further developments in Melbourne University’s Growing Esteem plan, and monitoring degree restructures at other law schools following in the same direction.

At the Council meeting of September 2006, Council passed a motion that a draft briefing paper on the Melbourne Model is to be circulated so that LSS/LSAs may discuss its content with their councils/universities and give feedback to the Vice-President (Education) by 31 March 2007. A formal briefing paper was presented at April Council 2007, where ALSA acknowledged several potential pedagogical benefits of the Model but believed the issues of equity and funding were concerns to Law Students. A motion was passed at April Council that ALSA will adopt an official position on the Melbourne Model following the presentation of the final report in July 2007. This report provides additional information based on the feedback from LSS/LSAs at April Council as well as news and updates on the Model since April 2007.

In preparation for this Report, ALSA President Faraz Maghami and Vice-President (Education) Mimi Zou met with Deputy Vice-Chancellor (Academic) of Melbourne University Professor McPhee and Dean of Melbourne Law School Professor Crommelin to obtain an update on the Model as well as express some of ALSA's views and concerns. Other stakeholders such as the Law Council of Australia and the Australian Young Lawyers Committee were also consulted in the process.

*This report is to be read along with ALSA's most current Higher Education Policy, as the Policy represents ALSA's position on a variety of education issues. This paper has been prepared in accordance with our Policy. For a copy of the Policy, please email Vice-President (Education) – [education@alsa.asn.au](mailto:education@alsa.asn.au)*

## **2. EXECUTIVE SUMMARY**

- From 2008, Melbourne University will be replacing its undergraduate Bachelor of Laws (LLB) program with a graduate Juris Doctor (JD) program, as part of its “Growing Esteem” Plan. The Melbourne JD will be the only option for students pursuing their first degree in law at the University of Melbourne.
- In line with the Federal Government’s agenda for diversity in higher education, the Minister for Education, Julie Bishop, has given unprecedented and necessary support to the implementation of the plan by moving Commonwealth Supported Places (CSP) from undergraduate to graduate degrees.
- Melbourne’s Growing Esteem strategy should be placed in the context of shrinking government funding of universities over the last two decades. The Model appears to be a promising, alternative source of non-government revenue for the University, as the focus on the graduate scheme is predicated on reducing student numbers and increasing the number of students paying for their degrees.
- The potential benefits of the Model include an increase in the quality of teaching and learning resources and academic staff, and decrease in class sizes.
- There are at least three interdependent advantages to offering law as a graduate degree. First, it allows for the introduction of a more equitable selection process. Secondly, it encourages students who have made an informed choice as to whether graduate study in law is appropriate or desirable. Thirdly, it is likely to consist of a higher quality of students entering the degree, in terms of experience and motivation.

- The degree restructure would bring Melbourne University more in line with international higher education frameworks.
- On the equity side, the high cost of a Melbourne JD may result in students finding themselves in debt the size equivalent to a mortgage when they finish their degree. While government FEE-HELP loans and scholarships may alleviate this problem to some extent, students from lower socio-economic backgrounds are likely to be more averse to incurring large study debts, which unfavourably impacts on their participation rates in higher education.
- Due to the high costs of a Melbourne JD and an interest-accruing debt, graduates may be compelled to take careers in the most lucrative areas of the law (such as commercial and corporate) and dissuade students from pursuing more low paying community or public interest based practices. An option which Melbourne Law School has looked into is the opportunity of debt remission for graduates who pursue a career in public-interest practices.
- A lack of income support for students who are unable to support themselves or whose family is unable to support them, whilst engaged in higher education is a significant barrier to equity of access. However, recent changes in the 2007/2008 Federal Budget have extended the eligibility for government assisted income support (Youth Allowance and Austudy) to students undertaking approved Masters by coursework, which is intended to include the Melbourne JD.
- The Melbourne Model may also result in a greater spread of inequity amongst Australian universities, and develop a two-tier education system of largely private elite and public mass-education universities.

### **3. BACKGROUND**

#### **3.1. The Melbourne Model**

From 2008, Melbourne University will be replacing its current undergraduate Bachelor of Laws (LLB) program with a graduate Juris Doctor (JD) degree, as part of its plans to introduce a new model of curriculum under its “Growing Esteem” Strategy. As the first of its kind in Australia, the “Melbourne Model” will reduce the number of the University’s undergraduate programs to six generalist degrees including arts, commerce and science. The core of the model is graduate entry into specialist professional programs such as law, education and nursing.

According to Melbourne University Vice-Chancellor Professor Glyn Davis<sup>1</sup> who released the plan in November 2005, the move is putatively aimed to strengthen Melbourne University’s research credentials and international standing:

*“In a changing environment of shrinking government funding, international rankings, increased global competition and changes to higher education, Growing Esteem sets a new benchmark in higher education and a pioneering model in Australia. It signals the University's intention to remain a leading education provider in the 21st century...”*

*Growing Esteem reaffirms Melbourne's intention to be one of the finest universities in the world, highly regarded for making distinctive contributions to society in research, learning and teaching and knowledge transfer...*

*The degree restructure would bring Australia much more in line with international higher education frameworks. It would enable Australian*

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<sup>1</sup> The Age, ‘Top uni to adopt US system’, 16 November 2005, p1.

*graduates to obtain qualifications that are more readily recognised internationally and compete with their international counterparts in a global employment market.”<sup>2</sup>*

The model is supposedly a hybrid of the United States graduate-school system where specialised professional courses like law are taught at the graduate level and the European Bologna Model which is currently being phased in through Europe and consists of three year undergraduate degrees followed by two-year professional masters.<sup>3</sup> The Melbourne Model also entails the reduction of number of subjects and the number of its student population by up to 10% over the next ten years.

The Melbourne Model has attracted a diverse spectrum of responses so far- from staunch criticism to high acclaim. While some prominent VCs and legal educators around the country have already avowed that they will not be following Melbourne,<sup>4</sup> others such as Ian Chubb at the Australian National University and Alan Robson at the University of Western Australia would consider looking into the virtues of the model.<sup>5</sup> The Federal Education Minister Julie Bishop has also shown her support for the model, describing the Melbourne Model as:

*“An example of a university which has looked at its strategic direction and decided that to differentiate itself it would go down a particular path.”<sup>6</sup>*

In June 2006, the plan received crucial Federal Government approval when the Minister took the unprecedented step of allowing the plan to move government-funded undergraduate places to graduate degrees.<sup>7</sup>

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<sup>2</sup> Melbourne University, *Growing Esteem Summary*, 2006 <http://growingesteem.unimelb.edu.au> accessed: 30 January 2006.

<sup>3</sup> *Ibid.*

<sup>4</sup> David Rood & Adam Morton, ‘A New Way of Learning’, *The Age*, 10 June 2006 <http://www.theage.com.au/news/national/a-new-way-of-learning/2006/06/09/1149815316617.html> accessed: 1 September 2006.

<sup>5</sup> *Ibid.*

<sup>6</sup> Christina Buckridge, ‘Minister backs the Melbourne Model’, *UniNews* Vol. 16, No. 2, 19 February – 5 March 2007 [http://uninews.unimelb.edu.au/unarticleid\\_4004.html](http://uninews.unimelb.edu.au/unarticleid_4004.html) accessed: 19 February 2007.

### 3.2 Current funding situation of Australian Universities

Melbourne's Growing Esteem strategy should be placed in the context of chronic funding shortages in Australian universities over the last 20 years, due to a rapid diminution in public expenditure in real terms on higher education. This funding crisis has led to a significant decline in the quality of teaching and research at Australian universities, and has prevented the development of world class, internationally competitive universities capable of effectively tackling the economic and social challenges of the 21<sup>st</sup> century.<sup>8</sup>

The funding cuts have impacted on resources for teaching and learning, research and administrative support of Australian universities, including Melbourne University. Vice-Chancellor Professor Davis comments:

*"We say in the paper that we are public spirited. We can't really call ourselves a public university any more, when only 23 per cent of our income is guaranteed by the Federal Government."*<sup>9</sup>

Davis argues that the university must find an alternative source of revenue in the face of declining government funding:

*"The Australian electorate has clearly shown no appetite for significant additional public funding for universities. We have to take that message on board. We've heard loud and clear what has been said through multiple elections that we have to look after ourselves"*<sup>10</sup>

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<sup>7</sup> *Ibid.*

<sup>8</sup> See Senate Employment, Workplace Relations, Small Business, and Education References Committee, *Universities in Crisis – A Report into the Capacity of Public Universities to meet Australia's Higher Education Needs*, Canberra: The Senate, 2001.

<sup>9</sup> The Age, 'Top uni to adopt US system', 16 November 2005, p.1.

<sup>10</sup> 7.30 Report, 'Melbourne University flags degree restructure', 16 November 2005. <http://www.abc.net.au/7.30/content/2005/s1508490.htm> accessed: 30 January 2007.

In this context and the recognition of “shrinking government funding”,<sup>11</sup> the Melbourne Model appears to be a promising, alternative source of non-government revenue for the University. However, the University wants to:

*“make clear that we have adopted the Melbourne Model for pedagogic and access reasons rather than just for revenue and resource reasons.”<sup>12</sup>*

### **3.3 The current federal government’s push for diversity in higher education**

The timing of the Melbourne Model coincides with the Federal Minister for Education, the Honourable Julie Bishop MP’s, push for university diversification. The Minister recently announced that the Dawkins model endorsing the “one size fits all” university is over,<sup>13</sup> and diversity is now the goal.<sup>14</sup>

*“I want to see the development of a diversified higher education sector, made up of universities which differ from each other in terms of mission, discipline mix, course offerings, modes of delivery, management and in academic structure.*

...

*Melbourne University has embarked upon the most ambitious plan of all... However, I would not want all, or indeed, any university to simply copy this model. Melbourne enjoys a particular place in the*

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<sup>11</sup> Melbourne University, *Growing Esteem Summary*, 2006, <http://growingesteem.unimelb.edu.au> accessed: 30 January 2006.

<sup>12</sup> Melbourne University, *Growing Esteem 2015 Strategic Plan*, 2007. <http://growingesteem.unimelb.edu.au/strategicplan/2015.html> accessed: 30 January 2007.

<sup>13</sup> The Hon. Julie Bishop, Speech at the Curtin Institute Public Policy Forum, Curtin University, 24 July 2006.

<sup>14</sup> Department of Education Science and Training, *Building University Diversity: Future approval and accreditation processes for Australian Higher Education*, 2005. [http://www.dest.gov.au/archive/sectors/higher\\_education/policy\\_issues\\_reviews/reviews/building\\_diversity/building\\_university\\_diversity.htm](http://www.dest.gov.au/archive/sectors/higher_education/policy_issues_reviews/reviews/building_diversity/building_university_diversity.htm) accessed: 30 January 2007.

*higher education market. It aims to be one of the best universities in the world. It sees this plan as a way to do it.”<sup>15</sup>*

Therefore, in line with her Government’s agenda for diversity in higher education, the Minister supports the Melbourne Model not as a template for the sector, but according to the University -“*because it breaks the homogeneity of universities in Australia*”.<sup>16</sup> It is in this context that Melbourne University has received unprecedented and necessary support from the Federal Government to implement its Growing Esteem strategy.

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<sup>15</sup> The Hon. Julie Bishop, *Speech at the Curtin Institute Public Policy Forum*, Curtin University, 24 July 2006.

<sup>16</sup> Christina Buckridge, ‘Minister backs the Melbourne Model’, *UniNews* Vol. 16, No. 2, 19 February – 5 March 2007, [http://uninews.unimelb.edu.au/unarticleid\\_4004.html](http://uninews.unimelb.edu.au/unarticleid_4004.html) accessed: 19 February 2007.

## **4. FACTS AND FIGURES ABOUT THE MELBOURNE MODEL**

### **4.1 The Growing Esteem Strategy- the Melbourne Model**

The name of Melbourne's new strategy, "Growing Esteem", is derived from its Latin motto *Postera Crescam Laude*, which means 'to grow in the esteem of future generations'.<sup>17</sup>

The strategy sets three priorities for the University –

*"a continuing focus on research, learning and teaching and an expanded focus on knowledge transfer - and envisages a 'triple helix' in which the three strands of research, learning and teaching and knowledge transfer are closely bound, each reinforcing the other."*<sup>18</sup>

As part of the strategy, the Melbourne Model involves a far-reaching curriculum reform-

*"aimed at creating an outstanding and distinctive 'Melbourne Experience' for undergraduate and postgraduate students."*<sup>19</sup>

In 2008 the University of Melbourne will introduce a suite of 'New Generation' undergraduate courses "designed to combine disciplinary specialisation with educational breadth". These courses are: Bachelor of Arts, Bachelor of Bioscience,

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<sup>17</sup> Melbourne University, *Growing Esteem Summary*, 2006 <http://growingesteem.unimelb.edu.au> accessed: 30 January 2006.

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

Bachelor of Commerce, Bachelor of Environments, Bachelor of Music and Bachelor of Science.<sup>20</sup>

As well as the New Generation degrees, the University will continue to offer a range of other undergraduate degrees in 2008 including: Agriculture, Computer science, Education, Engineering, Health sciences (including Medicine, Dentistry & Physiotherapy), Information systems, Media and communications, Optometry, Veterinary science and Victorian College of the Arts (VCA).<sup>21</sup> Many of these degrees will gradually become graduate school programs from 2009 onwards.

From 2008, the University will introduce the first of its new graduate schools including: Law, Nursing, Architecture, Building and Planning and Education.<sup>22</sup>

The Growing Esteem strategy will see the full implementation of the Melbourne Model by 2015, when

*“professional programs will overwhelmingly be offered at graduate level, and undergraduate programs will offer a more coherent general education with fewer courses and subjects, and a range of well-defined pathways into graduate study.”<sup>23</sup>*

The strategy will also aim to reduce the expected peak projection of 50,000 students back down to current level of 42,000 or below. It is anticipated that the Model will have around 20 per cent of these students in the new graduate schools and a further 10–15 per cent engaged in postgraduate research. Undergraduate programs will

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<sup>20</sup> Melbourne University, Future Students Website, 2007  
[http://www.futurestudents.unimelb.edu.au/courses/melbmodel/new\\_generation.html](http://www.futurestudents.unimelb.edu.au/courses/melbmodel/new_generation.html) accessed on 30 January 2007.

<sup>21</sup> Melbourne University, Future Students website, 2007  
<http://www.futurestudents.unimelb.edu.au/courses/melbmodel/continuing.html> accessed: 30 January 2007.

<sup>22</sup> Melbourne University, Future Students Website, 2007  
[http://www.futurestudents.unimelb.edu.au/courses/melbmodel/new\\_generation.html](http://www.futurestudents.unimelb.edu.au/courses/melbmodel/new_generation.html) accessed on 30 January 2007.

<sup>23</sup> Melbourne University, Growing Esteem 2015 Strategic Plan, 2007  
<http://growingesteem.unimelb.edu.au/strategicplan/2015.html> accessed on 30 January 2007.

feature smaller student cohorts, more team-based teaching, and greater online support.<sup>24</sup>

Several University review bodies have been established to take forward more detailed work on implementing Growing Esteem. The Curriculum Committee assumes the largest task of working with faculties to review current programs and plan the future profile of their undergraduate and graduate offerings. A Research and Research Training Quality Taskforce has also been set out to undertake a review of research impact and quality across the University, to identify its strengths and weaknesses. In addition, a Cross-Disciplinary Research Working Group will identify priorities for cross-disciplinary research investment, and funding criteria. Meanwhile, the Knowledge Transfer Taskforce will focus on developing a strategic framework to leverage both University research and teaching expertise, and wider relationships with external partners.<sup>25</sup>

#### **4.2. Funding of the Melbourne Model**

Under the Model, the focus on the graduate scheme is predicated on reducing student numbers and increasing the number of students paying for their degrees. Full-fee graduate courses will be one of the primary sources of the university's non-government revenue.

*“Though Growing Esteem envisages more fee-paying graduate students in professional courses (our emphasis), overall most students at the University of Melbourne will remain as undergraduates in Commonwealth Supported Places. Many students – undergraduate and graduate – will be supported by University scholarships.”<sup>26</sup>*

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<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

<sup>26</sup> Melbourne University, *Growing Esteem Summary*, 2006, <http://growingesteem.unimelb.edu.au> accessed: 30 January 2007.

The Commonwealth Government has given in principle support for the transfer of some Commonwealth Supported Places (CSPs) to graduate programs.<sup>27</sup> However, it is likely that the number of CSPs will be small compared to the number of full-fee places:

*“From 2008, a number of Commonwealth-supported places will be offered at graduate level. Entry for these places is expected to be highly competitive (our emphasis).”<sup>28</sup>*

The Federal Government has also allowed an increase in the maximum amount students can borrow through FEE-HELP, the income-contingent loan system for full-fee students. The FEE-HELP limit was considerably increased from \$50,950 in 2006<sup>29</sup> to \$80,000 in 2007.<sup>30</sup> The normal 20% loan fee applicable to undergraduate FEE-HELP students will also not apply to postgraduate courses.

The Growing Esteem strategy will seek a major expansion of the University’s existing scholarship scheme through fund-raising initiatives, and extend the Access Melbourne (a combined special entry and access scholarships scheme) program to professional graduate programs such as the JD from 2008.

According to the University’s Strategic Plan for 2015, at the undergraduate level, around 5–10 per cent will be domestic fee-paying students, 20 per cent international fee-paying students and a majority of domestic students on CSPs. In the new professional graduate schools, it is hoped that the government will agree to support around one third of the places with Commonwealth subsidies. The remainder of the

<sup>27</sup> Melbourne Law School, *Tuition Fees*, <http://jd.law.unimelb.edu.au/go/how-to-apply/tuition-fees/index.cfm>, last accessed: June, 2007.

<sup>28</sup> Melbourne University Future Students Website, *About the Melbourne Model*, 2007 [http://www.futurestudents.unimelb.edu.au/courses/melbmodel/new\\_generation.html](http://www.futurestudents.unimelb.edu.au/courses/melbmodel/new_generation.html) accessed: 30 January 2007.

<sup>29</sup> Department of Education, Science and Training, *Going to Uni Website*, <http://www.goingtouni.gov.au/Main/Resources/FEEHELPinformation/EntitlementToFEEHELP/HowMuchCanIBorrow.htm> accessed on 30 January 2007.

<sup>30</sup> Department of Education, Science and Training, *Going to Uni Website*, <http://www.goingtouni.gov.au/Main/FeesLoansAndScholarships/Undergraduate/FullFeesAndFEE-HELP/Default.htm> accessed on 30 January 2007.

graduate student body will be split between domestic and overseas fee-paying students.<sup>31</sup>

### **4.3 The Melbourne JD**

From 2008, Melbourne Law School will become a graduate school of law with all learning and teaching programs offered at the graduate level. The Melbourne JD will be the only option for students pursuing their first degree in law at the University of Melbourne.

The JD is a graduate law qualification that meets the academic requirements for admission to legal practice in all Australian jurisdictions. As such, the curriculum is not dissimilar to that of a Bachelor of Laws (LLB) offered at the majority of Australian universities. It has been stated that the motivation for launching the Melbourne JD is to align Melbourne Law School with the North American model of legal education, which is postgraduate and generally very expensive.

The final intake for the LLB program will take place in 2007, with intakes into the Melbourne JD program increasing in planned stages between 2008 and 2011. The Law School will continue to teach the LLB in parallel to the JD, to allow existing LLB students and those admitted in 2007 to complete their studies.<sup>32</sup>

#### **4.3.1 Course Duration, Structure and Flexibility**

The Melbourne JD will be offered on a standard semester based academic year, with a normal duration of three calendar years. It will be possible for students to accelerate their studies (subject to the application of rules regarding prerequisites, the management of fails and progress issues) by undertaking specified subjects in one or

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<sup>31</sup> Melbourne University, Growing Esteem 2015 Strategic Plan, 2007  
<http://growingesteem.unimelb.edu.au/strategicplan/2015.html> accessed on 30 January 2007.

<sup>32</sup> Melbourne Law School, *Information on the Melbourne Model 2008*, November 2006  
<http://www.law.unimelb.edu.au/go/about-us/the-melbourne-model-2008/index.cfm> last accessed: January 2007.

more of the summer and winter intensive teaching periods, and complete the JD within two calendar years.<sup>33</sup>

Students will be required to undertake 24 subjects (17 compulsory subjects and 7 optional subjects). The compulsory subjects include: Legal Method and Reasoning, Principles of Public Law, Torts, Obligations, Dispute Resolution, Constitutional Law, Contracts, Property, Legal Theory, Administrative Law, Trusts, Criminal Law, Corporations Law, Remedies, Evidence and Proof, Legal Ethics and Legal Research. The optional subjects have been organised into a series of broad subject suites or groupings, which include: Asian Law, Corporate & Commercial Law, Criminal Law & Justice, Dispute Resolution, Indigenous Issues in Law, Intellectual Property, Media & Information Technology Law, Interdisciplinary Law, International & Comparative Law, Labour Law, Law & the Family, Legal Theory, Practical, Property, Land & Resources Law, Public Law and Taxation.

The Melbourne JD does not include the opportunity to graduate with Honours. However all graduates will be ranked on their academic performance within the graduating class.

Initially the Melbourne JD will only be offered on a full-time basis. There is only one entry point each year in February. Once accepted, it is possible to defer studies until the following year. Upon successful completion of a semester of study, it will also be possible to apply to the Law School to take leave of absence for a maximum of one year.

The Melbourne JD is also available as a 3-year combined course with the MBA program offered by the Melbourne Business School.

In relation to credit transfers, there are limited circumstances in which the Faculty may credit subjects passed in another institution towards the Melbourne JD. No credit

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<sup>33</sup> Melbourne Law School, *Structure of Melbourne JD*, <http://jd.law.unimelb.edu.au/go/structure-of-the-melbourne-jd/index.cfm>, last accessed: June, 2007.

will be awarded towards the compulsory subjects of the Melbourne JD, which are designed to be taken as an integrated whole. As for the optional component of the JD, the Faculty may exercise its discretion to grant credit for a maximum of 7 subjects. Subjects completed as part of a degree that has been conferred will not normally be credited to the JD. However, the Faculty may waive this restriction for applicants who have completed a law degree overseas and are intending to complete the JD for admission to practice in Australia.<sup>34</sup>

#### **4.3.2 Selection into the JD Program**

Currently, school leavers' admission into the Melbourne LLB program is solely based on entry scores (Tertiary Entrance Rank). Under the new JD admissions policy commencing from 2008, a Selection Committee will evaluate an applicant's ability to successfully pursue the course using the following criteria:

1. Results on the Law Schools Admission Test (LSAT), including the essay component. The LSAT is an international test administered by the Law School Admission Council (LSAC), and required for entry into all law schools approved by the American Bar Association (and most Canadian law schools). The test is designed to measure aptitude for legal study, and focuses on reading and verbal reasoning skills; no knowledge of law is required. The registration cost of LSAT is US\$123.<sup>35</sup>
2. Grade point average on the basis of all tertiary study undertaken, with all subjects weighted independently of year level or discipline.
3. Personal statement by the applicant relating to personal circumstances, work and life experience.<sup>36</sup>

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<sup>34</sup> Melbourne Law School, Credit Policy, <http://jd.law.unimelb.edu.au/go/how-to-apply/credit-policy/index.cfm>, accessed: June, 2007.

<sup>35</sup> Melbourne Law School, *JD Application*, <http://jd.law.unimelb.edu.au/go/how-to-apply/index.cfm>, last accessed June, 2007. Also see Law School Admission Council website, [www.lsac.org](http://www.lsac.org) for more information.

<sup>36</sup> *Ibid.*

Applicants without a university degree from an institution in which English is the language of instruction and assessment must have obtained a score of 610 or more in the American TOEFL, or an overall band score of 7.0 or more in the IELTS, both requiring a relatively high score in the component of essay-writing.<sup>37</sup>

As a transitional measure, Melbourne Law School will still offer a special option of guaranteed pathway for high achieving school leavers who obtain a sufficiently high ENTER score, subject to the successful completion of a University of Melbourne undergraduate degree at a grade point average of at least 75%. The minimum ENTER score required for a guaranteed full-fee place is 99.0, and 99.9 for a Commonwealth-Supported Place. Such applications are made in the final year of the undergraduate program, and there is no further entry requirement for eligible students to undertake the LSAT.

All applications for the Melbourne JD will be submitted directly to the Law School for consideration by the Law School's Selection Committee.

#### **4.3.3 Degree costs, Commonwealth Supported Places and Full-fee Places**

According to Melbourne Law School's website, the indicative total course fee for students commencing the Melbourne JD in 2008 will be \$81,900.<sup>38</sup> This fee will continue to be reviewed on an annual basis as per current University policy. From 2008, 50 percent of places available to Australian students in the Melbourne JD will be Commonwealth Supported Places. Of these, a minimum of 20 percent will be awarded on access and equity grounds. The remaining CSPs will be awarded on the basis of published selection criteria. The student contribution amount is yet to be finalised for 2008. All other places, including those for international students, are available on a full-fee basis.

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<sup>37</sup> *Ibid.*

<sup>38</sup> Melbourne Law School, *Tuition Fees*, <http://jd.law.unimelb.edu.au/go/how-to-apply/tuition-fees/index.cfm>, accessed: June, 2007.

For the purpose of comparison, the current full fee for undergraduate LLB combined with another undergraduate degree at the University of Melbourne is around \$25,000 per annum<sup>39</sup> and \$8,333 per annum for a CSP (HECS).<sup>40</sup>

#### **4.3.4. Access and equity measures**

As mentioned above, the University has committed to extending its current Access Melbourne program to professional graduate courses including law from 2008. The University-wide scholarship scheme will be expanded with additional scholarships for students enrolled in graduate programs such as the Melbourne JD. A recently unveiled \$100 million scholarship program will give cash scholarships (up to 100% of the degree costs) the best performing students at Victorian schools. It is expected to benefit about 8,000 students over three years.<sup>41</sup>

The Law School will also provide faculty-specific scholarships to students enrolled in all law programs, including the Melbourne JD. Being one of the new Melbourne Model professional graduate programs, JD students who meet the Graduate Access Melbourne criteria will also be eligible to receive one of 100 Melbourne Graduate Bursaries which provide a \$5,000 allowance for the first year. From 2011, the number of bursaries will increase to 200 a year.<sup>42</sup>

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<sup>39</sup> Melbourne University Future Students Website, *2007 Faculty of Law typical undergraduate course tuition fees for Australian students*,

<http://www.futurestudents.unimelb.edu.au/aust/fees/typical/lawug.html> accessed 1 February 2007.

<sup>40</sup> Melbourne University Future Students Website, *2007 Commonwealth supported places*,

<http://www.futurestudents.unimelb.edu.au/aust/fees/2007csp.html> accessed 1 February 2007.

<sup>41</sup> Lisa Martin, "Degrees of Doubt", *The Age*, Monday May 21, 2007

<http://www.education.theage.com.au/pagedetail.asp?intpageid=1813&strsection=students&intsectionid=0>, accessed: June, 2007.

<sup>42</sup> Melbourne Law School, *Graduate Access Melbourne*, <http://jd.law.unimelb.edu.au/go/how-to-apply/graduate-access-melbourne/index.cfm>, accessed: June, 2007.

## CHAPTER 5- PEDAGOGICAL ANALYSIS

### 5.1 Key differences between teaching Law as an Undergraduate and Postgraduate Degree

Many of the advantages that Melbourne University will see as a result of its Growing Esteem strategy will be directly derived from the funding gained due to increased full-fee paying positions for graduate programs. These benefits will include quality of resources, reduced class sizes, and possibly the quality of academic staff. However, there are at least three interdependent advantages to offering law as a graduate degree. First, it allows for the introduction of a more equitable selection process. Secondly, it encourages students who have made an informed choice as to whether graduate study in law is appropriate or desirable. Thirdly, it is likely to consist of a higher quality of students entering the degree, in terms of experience and motivation.

Graham Hastings<sup>43</sup> claims an expanded selection process for graduate study could result in a more equitable system:

*“The professional upper-middle class use part of their higher incomes to put their children in elite private schools that have a track record of coaching their students into getting the very high marks needed to guarantee entry into courses like law and medicine. A longitudinal study by the Australian Council of Educational Research found that 31% from government schools entered higher education directly, compared with 48% from catholic and 59% from other non-Catholic private.”<sup>44</sup>*

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<sup>43</sup> NUS research co-ordinator.

<sup>44</sup> Graham Hasting, *Growing Elitism - Discussion Paper on the University of Melbourne Graduate School Growing Esteem Proposal*, National Union of Students, November 2005 (unpublished).

The selection criteria for graduates at Melbourne will be based on university marks, LSAT results and a personal statement.<sup>45</sup> University marks which are achieved in a generalist degree would be achieved on a level playing field for private and public school students alike and is therefore more likely to allow an equitable analysis of academic success on a level playing field. However, whilst some equality may be gained by the new selection criteria two criticisms arise. A lower standard of success will be required for those taking full-fee paying positions, which will give an 'easy' way in for those from privileged backgrounds. Furthermore, Melbourne will still offer guaranteed graduate spots for school leavers with high grades.<sup>46</sup> A study made by Monash University has found that only 11 percent of Victorian public schools students receive ENTER scores of more than 90.<sup>47</sup> Considering the proportion of these high achievers is largely students of private schools, this will naturally continue the inequality that Graham Hastings recognised as a problem with the current university entry schemes.

Another potential advantage to teaching law as a graduate degree is that it encourages students to make a more informed choice whether to study law. Instead of deciding straight out of school, the decision can be made after experiencing tertiary studies through a generalist degree. Proponents of the Model argue that students are more aware of the range of options available to them, both for graduate study and a future career. They have had the time and opportunity to find out more about law, to decide whether it suits their interests and abilities and to think about career directions. Experiences with graduate medical programs have suggested that the motivation of students is greatly improved by both their experience and the fact they have recently

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<sup>45</sup> Melbourne Law School, *Information on the Melbourne Model 2008*, November 2006  
<http://www.law.unimelb.edu.au/go/about-us/the-melbourne-model-2008/index.cfm> last accessed:  
February 2007.

<sup>46</sup> Melbourne Law School, *Information on the Melbourne Model 2008*, November 2006  
<http://www.law.unimelb.edu.au/go/about-us/the-melbourne-model-2008/index.cfm> last accessed:  
February 2007.

<sup>47</sup> Lisa Martin, "Degrees of Doubt", *The Age*, Monday May 21, 2007  
<http://www.education.theage.com.au/pagedetail.asp?intpageid=1813&strsection=students&intsectionid=0>, accessed: June, 2007.

chosen to study medicine, having an informed idea of what they are embarking upon.<sup>48</sup>

Instead of commencing legal education at the age of 17 or 18, with no experience of tertiary studies, graduates will be at least 20 and have completed (with a high degree of success) an undergraduate degree. Thus the quality of students, in terms of proven success at university and readiness for legal education will undoubtedly be improved by offering law exclusively as a graduate program. Advocates of the Melbourne Model have claimed that professional courses are becoming too narrow and specialised, therefore offering broader undergraduate courses before professional degrees will make graduates better rounded and adaptable.<sup>49</sup> Furthermore, they argue that graduate law students possess greater maturity and experience which enables them to engage more deeply with the study of law from the outset and to acquire the basic skills more quickly, thus gaining more from their law degree.<sup>50</sup>

Whilst a number of potential pedagogical advantages of the system have been outlined above there is still staunch criticism as to the real effect of these changes. It has been argued for example that the move is more about market position than quality of education.<sup>51</sup> However, as outlined above there are a number of pedagogical advantages that will, or could potentially, be derived from the Melbourne Model.

## **5.2 Pros and Cons of the Melbourne Model**

*(Note: this section weighs the pedagogical pros and cons of the Melbourne model and does not consider equity issues.)*

### **Pros**

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<sup>48</sup> BMJ Career Focus, 'Experience of Teaching in Both Systems', <http://careerfocus.bmj.com/cgi/eletters/328/7434/s49#48758>, accessed: February 2007.

<sup>49</sup> Lisa Martin, "Degrees of Doubt", The Age, Monday May 21, 2007 <http://www.education.theage.com.au/pagedetail.asp?intpageid=1813&strsection=students&intsectionid=0>, accessed: June, 2007.

<sup>50</sup> Melbourne Law School, <http://jd.law.unimelb.edu.au/go/why-take-a-graduate-law-degree/index.cfm>, accessed: June, 2007.

<sup>51</sup> Larvatus Prodeo, *The Melbourne Model*, 7 July 2006, <http://larvatusprodeo.net/2006/07/07/the-melbourne-model/>, accessed: February 2007.

Julie Bishop has claimed that the Melbourne model is a positive step forward for Australian higher education as it offered more diversity in the system.<sup>52</sup> According to the Minister, diversity is advantageous to Australian students as it offers them more choice as to how and what they study:

*“It's a question of choice. Not all students will go down that path, nor would they want to, and I think that in Australia we need to see greater diversity in the education sector. We are playing on an international stage and we do have a very good reputation in our international education services. But we have to be competitive. We have to remain ahead of the pack, and so not only do we want to attract overseas students to a diverse range of institutions within Australia, we also want Australian students to have choices in their higher education experience.”*<sup>53</sup>

Another advantage of the system is that it will allow more compatibility with Europe and the United States. This of itself could result in more accessibility for Australian students to international education and more recognition by the international profession. By aligning Melbourne's course structure with that of the United States and Europe, Australian graduates could obtain qualifications that are more readily recognised internationally and compete with their international counterparts in a global employment market. ALSA recognises that it is in the interests of students to have more opportunities for future employment within Australian and internationally, and that a move to align our legal education with international practice has the potential to open, rather than close doors.

The requirement of a generalist undergraduate degree may lead to more all rounded graduates that will alleviate the perception that many professional degrees are too narrow and specialised.<sup>54</sup>

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<sup>52</sup> ABC Television, 'Higher Education Debate', *Lateline*, 06/07/2006.

<sup>53</sup> ABC Television, 'Higher Education Debate', *Lateline*, 06/07/2006.

<sup>54</sup> Graham Hasting, *Growing Elitism - Discussion Paper on the University of Melbourne Graduate School Growing Esteem Proposal*, National Union of Students, November 2005 (unpublished).

### Cons

The requirement of a generalist undergraduate degree leads to a number of disadvantages. The introduction of a generalist undergraduate degree is aimed at making a better professional graduate, with both broad and specific knowledge. However, if a student decides not to pursue graduate study (or simply fails to qualify) they will only have general knowledge and may not be suitable for employment in any professional field. Furthermore to gain a professional degree will take substantially longer under the Melbourne model than in most Australian universities. This will also include an increased HECS debt.

### **5.3 Overseas experience of the Bologna and US Model**

The Bologna model based upon an agreement between European education ministers reached during a meeting at Bologna University.<sup>55</sup> It includes six objectives that will make the European higher education more consistent and transferable. These objectives seek to unify the undergraduate and postgraduate structures in Europe. There was much debate at the federal level over the last two years over the possible implications of Australia's compliance to the Bologna process. This debate has recently concluded with the Minister's announcement that while we must remain abreast of developments in Europe, Australian higher education system will not be adopting the Bologna model.<sup>56</sup>

Whilst the United States system is a combination of public and private institutions, law and medicine are not offered at an undergraduate level. It is common for a student wishing to study law to undertake a generalist degree such as a bachelor of arts before applying for law school.

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<sup>55</sup> DETYA, *Bologna Process and Australia: Next Step*, Occasional Paper Series, Higher Education Division, March 1999.

<sup>56</sup> Elson-Green, J. 'Australia not jumping on Bologna bandwagon', *Campus Review*, Vol.16, 13 September 2006, p.3.

## CHAPTER 6- EQUITY ISSUES

### 6.1 Impact of High Debt on Students

The use of full-fee paying places is nothing new within the Australian tertiary education sector; 27 of Australia's 38 publicly funded higher education providers offer full fee paying places.<sup>57</sup> In recent times we have seen a rapid rise in the numbers of full-fee paying students attending university, indicative of the high value society places upon university education.

In the case of the University of Melbourne it is possible to argue that the institution is already aligned towards the upper middle class, and these changes are unlikely to have a significant impact on its demographic. An examination of the 2005 intake into the law degree shows more than half of all new students are now full fee paying, forking out just under \$100,000 for their degree.<sup>58</sup> As a result, less than half of the domestic students admitted into the law program enjoy a Commonwealth Supported Place.

Under the Melbourne Model the law program will be offered as a post-graduate degree. If students are to follow the process envisaged by Growing Esteem, they will enter into the graduate program fresh from an undergraduate degree. Most of these students, having spent their previous three or four years studying full time are very unlikely to have accumulated any savings and indeed are likely to have an accumulated HECS or FEE-HELP debt.

There is little doubt that loans in some form or another will be available to meet the costs associated with the new degrees. However this alone does not address the equity

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<sup>57</sup> Department of Education, Science and Training, Backing Australia's Future website, [http://www.backingaustraliasfuture.gov.au/fact\\_sheets/3.htm](http://www.backingaustraliasfuture.gov.au/fact_sheets/3.htm) accessed: 30 January 2007.

<sup>58</sup> The Age, 'Dramatic Lift in Full fee Uni Students', 23 February 2005, <http://www.theage.com.au/news/National/Dramatic-lift-in-fullfee-uni-students/2005/02/23/1109046987717.html> accessed: 30 January 2007.

implications of the Melbourne Model. Surveys conducted in the United Kingdom<sup>59</sup> have shown that different socio-economic groups have different attitudes towards debt. Debt aversion was strongest amongst disadvantaged groups. This is of concern when considered in light of other findings in the survey, namely that of those who decided not to attend university 72% stated that they wanted or needed a job and 61% did not want to build up debt. Thus, merely making the education 'free' at the point of entry is in itself insufficient to ensure a diversified social mix.

If we accept that different groups do respond differently to taking on large amounts of debt, this will have significant implications on the recruitment and retention of students, particularly from under-represented groups. Even where the loan is paid through a progressive income contingent repayment option, if individuals hold fundamental reservations towards debt generally a full fee system backed by loans will still have implications for equity.

The matter has also been tackled domestically by the Department of Education, Science and Training,<sup>60</sup> in a 1999 report which found that working class, regional and mature age students declined in their level of participation during the 1990s.<sup>61</sup> This period coincided with the original introduction of the Higher Education Contribution Scheme.

Chapman and Ryan<sup>62</sup> hold that the proportion of students from the lowest quartile family wealth backgrounds has increased from 20% in 1988 to just under 30% in 1998. The Department of Education, Science and Training<sup>63</sup> itself has held that the share of the lowest quartile of domestic enrolments has actually remained at a relatively mark of 15%.

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<sup>59</sup> Callender, C. *Survey of School and Further Education Students Attitudes to Debt and their Impact of Participation in Higher Education*, Student Debt Project, Universities UK, 2002.

<sup>60</sup> Known at the time as the Department of Education, Training and Youth Affairs (DETYA).

<sup>61</sup> DETYA, *Equity in Higher Education*, Occasional Paper Series, Higher Education Division, March 1999.

<sup>62</sup> Chapman, B and Ryan, C, *Income-contingent financing of student charges for higher education: assessing the Australian innovation. Discussion paper 449*. Centre for Economic Policy Research, Australian National University, Canberra 2002.

<sup>63</sup> DEST, *Higher Education Report for 2004-5*, AGPS, Canberra, 2005.

The two findings contradict each other, for either low SES enrolments have increased or they have remained constant. In any event, the findings are not without critics. As Hastings notes in a 2005 paper<sup>64</sup> the studies undertaken by Chapman and DEST “share a common methodological flaw in that they only look at those from the low SES who are at university, ignoring those who are not at university”. Hastings highlights that the number students’ successfully completing year 12 has increased in recent years, particularly those from low SES backgrounds. Taking the data collected by ACER, the figures actually show that the entry by such groups into tertiary education fell from 42% in 1989 to 32% in 2000.

The disparity in these research findings demonstrates that it may well be some time before the impact of the University of Melbourne’s new model is fully understood and appreciated. Yet, we can be confident that it is a step backward, not a step forward, for equity.

Further studies have shown that students are traditionally bad at calculating the time it will take to pay off the debt incurred, often being overly optimistic about the time to discharge the loan.<sup>65</sup> Whilst not a barrier to entry per se, this can lead to problems at a later date.

Work in a high paying job will be a necessity, resulting in graduates moving into top-tier law firms, management consultancy firms and investment banks. Alternative legal careers such as work in Community Legal Services and public interest practice have always been lower paying jobs. As the loan repayments fall due, graduates will simply be unable to survive on a low salary, and we can expect to see University of Melbourne graduates shy away from such careers.<sup>66</sup> Melbourne Law School has looked into the opportunity of debt remission for law graduates who pursue a career

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<sup>64</sup> Graham Hasting, *Growing Elitism - Discussion Paper on the University of Melbourne Graduate School Growing Esteem Proposal*, National Union of Students, November 2005 (unpublished).

<sup>65</sup> BBC News, “Students ‘misunderstanding debt’”, 19 October 2004, <http://news.bbc.co.uk/1/hi/education/3755892.stm>, accessed: February, 2007.

<sup>66</sup> Kathy Laster, ‘Session on the Melbourne Model’, *Australian Legal Education Forum*, Melbourne University 2006.

in community or public-interest practices. However, no further details on this option were available at the time of writing.

This model can have ramifications for gender equity. Women generally take longer to repay their debts as their average earnings tend to be lower than their male counterparts. The Australian Bureau of Statistics surveyed the average weekly earnings of male and female graduates over a 10-year period and found that women were consistently paid less than men.<sup>67</sup> Looking specifically at the legal profession, the inequality was no different.<sup>68</sup> The Law Society of New South Wales reported a gap ranging between \$4,000 and \$8,000 per annum for solicitors admitted for 10 years or less; increasing to a gap of almost \$20,000 per annum for those admitted for more than 30 years.<sup>69</sup> As a result, women graduating from law are in a substantially worse position to service large HECS or full-fee debts. Further, during their time in the work-force, women are more to take time out of the work-force or move to part-time work to manage raising young children or a family. With the prospect of being in debt over a long period of time, some women may be less inclined to take on debt.

The University of Melbourne has stated that some scholarships will be offered to students.<sup>70</sup> Given that the change to the new model is due in part of a lack of funding Governments, it remains to be seen how many such scholarships the university is willing and able to provide. The University of Melbourne does sit upon the largest endowment of all university's in Australia, at just over \$1 billion in 2005,<sup>71</sup> and should it choose to do so, is in a position to finance a large number of scholarships.

## 6.2 Income Support

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<sup>67</sup> See Australian Bureau of Statistics, *Higher Education Students Average weekly earnings of recent university graduates employed full-time – by sex (1991-2001)*, Cat No 4230.0 Education and Training Indicators, Australia, 2002.

<sup>68</sup> *Ibid.*

<sup>69</sup> The Law Society of New South Wales, 'After Ada: A New Precedent for Women in Law' (29 October 2002), p8.

<sup>70</sup> Melbourne Law School, *Information on the Melbourne Model 2008*, November 2006 <http://www.law.unimelb.edu.au/go/about-us/the-melbourne-model-2008/index.cfm> last accessed: January 2007.

<sup>71</sup> University of Melbourne, *Investment Report 2005*, [http://www.unimelb.edu.au/publications/docs/investment\\_report2005.pdf](http://www.unimelb.edu.au/publications/docs/investment_report2005.pdf) last accessed: February 2007.

An important aspect of equity of access is the financial barriers facing students who are unable to support themselves or whose family is unable to support them, whilst engaged in higher education. Income support for JD students, particularly those from lower socio-economic backgrounds, is important in two respects. First, it is highly likely that a majority of JD intake under the Model will be full-fee places. Despite the increase in the FEE-HELP limit,<sup>72</sup> students may still have to pay a proportion of their fees upfront. Second, the Melbourne JD will initially only be offered on a full-time basis.<sup>73</sup> Considering the high cost of the degree, this may place constraints on students who need to work substantially more to meet the ever-rising living costs and tuition fees.

When the Melbourne Model was first introduced, one of the equity concerns was regarding the lack of income support for students undertaking postgraduate degrees such as the JD. At that time, government assisted income support was not available for students undertaking studies for graduate level qualifications, which included the JD.<sup>74</sup> However, this changed with the 2007/8 Federal Budget announcing the extension of Youth Allowance and Austudy to students enrolled in a Masters coursework programme which is required for entry to a profession, or is the fastest pathway to professional entry. This provision will also extend to students enrolled in a Masters course-work programme where a university has diversified by restructuring its course delivery.<sup>75</sup> Such a change in policy will address one of the key equity issues entailed in the Melbourne Model.

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<sup>72</sup> Department of Education, Science and Training, *Going to Uni Website*, <http://www.goingtouni.gov.au/Main/FeesLoansAndScholarships/Undergraduate/FullFeesAndFEE-HELP/Default.htm> accessed on 2 February 2007.

<sup>73</sup> Melbourne Law School, *Information on the Melbourne Model 2008*, November 2006, <http://www.law.unimelb.edu.au/go/about-us/the-melbourne-model-2008/index.cfm> accessed: January 2007.

<sup>74</sup> This was confirmed in *Layt v Secretary, Department Of Family And Community Services* [2003] FCA 317, where the Federal Court agreed with the Administrative Appeal Tribunal's affirmation of a decision by the Department to refuse Austudy payments to the appellant on the basis that the course that she was undertaking, Juris Doctor, was properly characterised as a master's degree and therefore not a course qualifying for Austudy.

<sup>75</sup> The Hon Julie Bishop MP, *Budget 2007-08 Media Release*, [www.dest.gov.au/ministers/bishop/budget07/bud08\\_07.htm](http://www.dest.gov.au/ministers/bishop/budget07/bud08_07.htm), accessed: June 2007.

### 6.3 A Two-Tier Education System

Critics have argued that the Melbourne model will result in a greater spread of inequity amongst Australian universities, and develop a two-tier education system of largely private elite and public mass-education universities.<sup>76</sup> Melbourne has worn sharp criticism that it will become “*an enclave for the wealthy elite, shutting out the disadvantaged.*”<sup>77</sup>

Even Melbourne's current head of the English department Professor John Frow is candid about the dangers of the plan, fearing that Melbourne will become a precinct for those who are wealthy enough to buy their way in:

*"This is essentially a move towards a full-fee-based education system. The only way around this is if we can generate enough scholarship money to put a lot of people through."*<sup>78</sup>

The continual deregulation of higher education in Australia and the dramatic reduction in government funding for the sector over the last decade have meant that individual universities can determine what fees will be charged in order to raise their own revenues. ‘Sandstone’ universities are much better off under this model because their places are high in demand and thus able to charge higher full fees to students, particularly for highly sought-after degrees like law. On the other hand, universities (particularly smaller, regional ones) without the prestigious reputation of Melbourne are less likely to expand its full-fee places or increase the costs of their degrees, as they already struggle in competing with the ‘sandstone’ universities to attract students. As a result, smaller universities are placed in a more disadvantaged position when it comes to finding other ways of insulating against falling government funding.

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<sup>76</sup> David Rood & Adam Morton, ‘A New Way of Learning’, The Age, 10 June 2006  
<http://www.theage.com.au/news/national/a-new-way-of-learning/2006/06/09/1149815316617.html>  
accessed on 1 September 2006.

<sup>77</sup> *Ibid.*

<sup>78</sup> *Ibid.*

There has been a prediction that under the Model “*elite research-based institutions will turn into an antipodean Ivy League*”.<sup>79</sup>

As the Hobart Mercury’s editorial puts it:

*“Outer suburban and regional universities such as U Tas would be encouraged to offer general degree courses while the so-called sandstone universities in the major cities become elite ivy league, research orientated graduate schools”.*

Supporters of the Model, including Robson predicts:

*“In the American tradition, other Australian universities would develop as undergraduate liberal arts institutions serving as feeders to prestigious high reputation graduate schools such as Melbourne.”*

Furthermore, critics predict that:

*“The Model is likely to accelerate the shift of research resources to the four or five leading sandstones, which may well impact on the capacity of other universities to attract top academics, fee-paying international students in professional courses and philanthropic fundraising. Loss of funding and the teaching scholarship that arises from the research teaching nexus may well impact on the quality of teaching while trying to fit in the extra students. This isn’t going to help the bulk of students who won’t be getting into the graduate schools.”<sup>80</sup>*

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<sup>79</sup> *Ibid.*

<sup>80</sup> Graham Hasting, *Growing Elitism - Discussion Paper on the University of Melbourne Graduate School Growing Esteem Proposal*, National Union of Students, November 2005 (unpublished).

## 7. CONCLUSION

At this stage, the Melbourne Model promises a range of pedagogical benefits. However, such a fundamental move would only work if it is able to overcome significant equity and access issues associated with the high costs of the Melbourne JD and the implications of a large study debt for students. In the context of chronic funding shortages in Australian universities, any plans to reduce a university's reliance on public funding should not further shift the burden onto students in the form of higher fees. ALSA believes that there is no case for a further increase in student contributions. Law students already receive the lowest level of government funding and contribute the highest amount of HECS. In addition, ALSA believes that the further expansion of domestic full-fee places will impact negatively on the diversity, sustainability, and quality of the Australian legal education sector, with a particularly detrimental impact upon small, regional, or newly established Law Schools.<sup>81</sup> ALSA believes that equity must be a core principle in any shift in the structure of legal education.

With less and less reliance on public funding and the need to maintain the international competitiveness of the Australian higher education industry, the issue now is whether other universities feel the need to take the same step as the University of Melbourne. Vice-chancellors and academics from Ian Chubb at the Australian National University to Nobel Prize-winning scientist Peter Doherty expect other universities to follow Melbourne's lead. It has been reported that several university vice-chancellors in the Group of Eight universities are talking about the virtue of a model like Melbourne's.<sup>82</sup> The University of Western Australia will examine the Melbourne model as part of an upcoming wide-ranging review of its courses and curriculum.<sup>83</sup>

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<sup>81</sup> See ALSA's *Higher Education Policy 2006*, Chapter 3.

<sup>82</sup> David Rood & Adam Morton, 'A New Way of Learning', *The Age*, 10 June 2006  
<http://www.theage.com.au/news/national/a-new-way-of-learning/2006/06/09/1149815316617.html>  
accessed: 1 September 2006.

<sup>83</sup> Macnamara, L. 'Melbourne model goes west', *The Australian: Higher Education Supplement*, 1<sup>st</sup> ed., 2006, p.26.

So far, only a modest but growing number of law schools (including Bond, Monash, Melbourne, Queensland and RMIT) have launched full-fee JD law programmes as an alternative to the LLB.<sup>84</sup> However, most of these law schools offer JD programmes alongside the LLB. The degree of success of the Melbourne JD is likely to influence whether other Australian law schools will adopt similar changes.

In general, most universities are adopting a wait-and-see approach to Melbourne's strategy. "*There will be a lot of people watching to see how successfully Melbourne makes the transition,*" University of Western Australia's Vice Chancellor Alan Robson has commented.<sup>85</sup> However, there can be no doubt that the implementation of the Model will significantly change the landscape of Australia's higher education sector, not least because "*it loosens the ground for further deregulation*".<sup>86</sup> As a superpower in the Australian higher education landscape, Melbourne's actions always have consequences.

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<sup>84</sup> Refer to *ALSA's Higher Education Policy*, Chapter 3.7.3.

<sup>85</sup> David Rood & Adam Morton, 'A New Way of Learning', *The Age*, 10 June 2006  
<http://www.theage.com.au/news/national/a-new-way-of-learning/2006/06/09/1149815316617.html>

accessed: 1 September 2006.

<sup>86</sup> *Ibid.*