



EDITORIAL

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Special issue: Legal education and curriculum renewal

Welcome to this special edition of the *Journal of Learning Design* which focuses on legal education and curriculum renewal in law from the perspective of differing Law Schools in Australia. At the outset, we would like to thank the editors of the Journal, Margaret Lloyd and Nan Bahr for agreeing to host this special edition. The special edition is timely as legal education in Australia is enjoying a lively period of renewal.

Traditionally, undergraduate law curriculum in Australia has heavily emphasised doctrinal knowledge due to the requirement of the professional admitting authorities for law degrees to cover the content required by the “Priestley 11.” This emphasis on content is shifting as a result of the international trend towards an increasingly standards-based approach to higher education and the resultant focus on the assurance of learning. In Australia, this is at least partly a result of the advent of the new standards-based regulation of the higher education sector, including the strengthened Australian Qualifications Framework (2013), and the Threshold Learning Outcomes for Law (Kift, Israel, & Field, 2010). Law curriculum in Australia is also influenced by international developments, including, for example, the *Legal Education and Training Review* (2013) in the United Kingdom, and in the United States, the publication in 2007 of the report by the Carnegie Foundation, *Educating Lawyers: Preparation for the Profession of Law* (Sullivan, et al., 2007), and the report by the United States Clinical Legal Education Association, *Best Practices for Legal Education: A Vision and a Road Map* (Stuckey, et al., 2007). In addition to these drivers for change at a national and international level, Australian Law schools have also responded positively to the challenge of addressing the high levels of psychological distress experienced in law school and promoting wellness of law students and the Wellness Network for Law¹ has been established to support these aims.

Our objective in producing this special edition is to provide a forum for legal educators to discuss how legal education is responding to this impetus for reform. This special edition offers readers interested in innovative, diverse and varied approaches to legal education in Australia six articles focusing on investigating and articulating effective pedagogy and learning design. The articles range from subject and unit specific enquiries to the consideration of broader legal education policy issues, covering areas of student well-being, sustainability as a contextual lens for the design of the law curriculum, capstone experience design, and the internationalisation of legal education. Aspects of legal education from the undergraduate law qualification, practical legal training and post-graduate legal education are covered.

¹ <http://wellnessforlaw.com>

The special edition commences with a focus on student well-being in three articles. First, Rachael **Field**, James **Duffy** and Anna **Huggins** from the Queensland University of Technology consider the teaching of independent learning skills in the first year for promoting student well-being. These authors argue that deliberate instruction in the development of independent learning skills in the first year curriculum – grounded in the evidence-based theory of positive psychology – is supportive of student autonomy and can provide a strong foundation for students’ academic and personal success at Law School.

Further developing the theme of student well-being in the first year of law school, Kate **Lindsay**, Dianne **Kirby**, Teresa **Dluzewska** and Sher **Campbell** from the Newcastle Law School (University of Newcastle) present initiatives designed to reduce performance anxiety around a compulsory first year mooted assessment item and explain the implementation of a self-management curriculum underpinned by self-determination theory. Their article evidences the importance of collegial partnerships between legal academics and professional colleagues in the provision of effective curriculum and co-curricular interventions that promote student well-being.

The third paper moves the focus on well-being to the context of practical legal training. In her article, Anneka **Ferguson**, from the Australian National University, considers the growing need in legal education to create successful, ethical, well-rounded and practice-ready legal professionals. She explains curricular innovations in the ANU (Australian National University) Legal Workshop’s Professional Legal Education program which answer this need in a responsive, creative, integrated, evidence-based and evaluated manner. She advocates integrating these aspects of professionalism throughout the practical legal training curriculum rather than covering them in a stand-alone subject.

The focus of the special edition shifts with the next three articles to specific issues of importance for contemporary curriculum design – (i) sustainability, (ii) the capstone experience, and (iii) internationalisation.

First of these (the fourth in this issue), Kate **Galloway**, from James Cook University, considers the issue of sustainability, presenting a way of understanding this concept as a part of the broader context for the design of law curriculum. Using the example of Land Law, Galloway offers a case study of how Land Law might be taught within the broader context of sustainability.

Next (and fifth in this issue), Jacqueline **Mowbray**, from the University of Sydney, considers the issue of the capstone experience from the postgraduate perspective. Mowbray then presents some of the tensions in the design of postgraduate capstone experiences that need to be negotiated and managed, using a case study of a postgraduate capstone unit in international law. She argues that the existing undergraduate work on capstone experiences can be successfully applied to the postgraduate context and concludes that postgraduate units may offer particularly useful vehicles for exposing the pedagogical tensions involved in designing a capstone experience and experimenting with techniques for managing those tensions.

This section on curriculum design concludes with a consideration by Carmel **O’Sullivan** and Judith **McNamara**, from the Queensland University of Technology, of the arguments in favour of more substantial internationalisation of the law curriculum and the current approaches taken by three selected Australian law schools to the internationalisation of the curriculum. In

this paper, the sixth and final in this special issue, the authors suggest strategies that may be adopted for the increased integration of international law, foreign law, and a comparative perspective into core subjects with a view to enhancing the ability of graduates to succeed as legal professionals in a globalised world.

We would like to thank the referees who have provided valuable feedback on the articles in this special edition. Their time and effort are greatly appreciated. We would also like to acknowledge and thank Dr Sandra Coe who acted as our production editor and ensured all articles meet the requirements of the Journal.

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