

GRADUATE DIPLOMA IN ADVANCED MILITARY LAW

1. Background

A specialist diploma is proposed, to be known as the Graduate Diploma in Advanced Military Law, in accordance with the Faculty's established format. Enrolment in the Graduate Diploma will be open to applicants with a bachelor's degree in law. The Selection Committee will evaluate the applicant's ability to successfully pursue the course with reference to the strength of the applicant's undergraduate degree and evidence of relevant practical experience after graduation. The Selection Committee may conduct interviews and call for referee reports and employers' references to help make the evaluation referred to above. The Graduate Diploma will be suitable for Australian Defence Force Legal Officers and other students interested in the role of Military Law within the ADF as well as in the broader Australian Government policy framework.

Students will be required to take 4 subjects to obtain the Diploma. Three subjects will be compulsory: "Advanced Military Discipline Law", "Advanced Military Administrative Law" and "Advanced Military Operations Law". The fourth optional subject will be chosen from among the Law School's existing Graduate Program subject offerings on the basis of the relevance of that fourth subject to the practice of Military Law.

All of the above-mentioned compulsory subjects were approved in 2000 for the then new Masters of Military Law course. The need for this proposed new Graduate Diploma was not foreseen at the time approval was sought for the Masters of Military Law. We expect that the Graduate Diploma will attract students interested in the strategic role of Military Law who do not wish to pursue a full Masters Degree. The Advisory Board established for the purpose of the new area of specialisation has approved these subjects as appropriate for the Graduate Diploma just as it has already done for the Masters of Military Law.

The Diploma subjects would be delivered in the form that has been used in the Law Faculty's graduate program for many years. There would be between 25-30 contact hours for each subject that would be principally taught on an intensive basis, utilising existing Faculty expertise but also drawing in specialist Defence Force legal officers as guest lecturers. The number of contact hours is consistent with current University of Melbourne intensive courses and other leading Australian Law Faculties. The intensive courses assume a heavy pre-course reading load (600 pages or their equivalent for each subject) and substantial assessment requirements.

The intensive format was pioneered by this Faculty 12 years ago and is used for some or all subjects in all its postgraduate courses. The Faculty's experience is that the intensive format is educationally effective, in terms of both teaching and learning outcomes. The assessment for intensive subjects is undertaken between six weeks and three months after teaching ends, involving a combination, or election from the options, of an exam or research paper. In preparing for the assessment students are able and encouraged to maintain contact with the lecturer in the subject.

This graduate diploma is designed for all students interested in Military Law – particularly in the strategic role of Military Law within the organisation of the ADF as well as more broadly within Australian Commonwealth Government policy and decision-making. The Diploma will also add further to the areas of specialisation in the graduate program of the Faculty of Law. Consultation with the Defence Department has identified a demand for post-graduate training in the expanding area of specialised law of direct relevance to the Defence Force. There is no comparable program in Australia. An advisory board comprising leading practitioners and other representatives from the Department of Defence has confirmed the strength of the demand for such a course.

The course will be commencing in Semester 2, 2003.

The course will be available to international students from regional military forces.

2. Entry Requirements

- Degree in law or an equivalent qualification resulting in admittance to the professional practice of law; and
- Graduate Diploma in Military Law or equivalent qualification, or at least four years documented relevant professional experience.

3. Course Structure

The Graduate Diploma in Advanced Military law is a 4 subject, 50 point program. The following three subjects are compulsory:

- Advanced Military Discipline Law;
- Advanced Military Administrative Law;
- Advanced Military Operations Law.

The fourth subject is selected from the subjects in the Graduate Studies Program.

The Diploma seeks to attract Australian Defence Force Legal Officers, Australian Defence Force Officers not working in the Legal Service but who wish to understand advanced principles of Military Law, and other graduates outside the Australian Defence Force who also wish to acquire an understanding of the strategic role of Military Law within the ADF and the Australian Commonwealth Government more broadly.

4. EFTSU and Budgetary Consequences

EFTSU will be within approved targets. The Diploma will be a full-fee paying course.

ACADEMIC BOARD RESOLUTIONS ON SELECTION

Graduate Diploma in Military Law

The Selection Committee will evaluate the applicant's ability to pursue successfully the course using the following additional criteria —

1. a degree in law or an equivalent qualification resulting in admittance to the professional practice of law; **and**
2. at least two years of documented, relevant professional experience.

The Selection Committee may conduct interviews and tests and call for reports from professional referees to elucidate any of the matters referred to above.