

**THE UNIVERSITY OF MELBOURNE**  
**COMMITTEE OF CONVOCATION**

**MEETING 3/09**

**MINUTES**

A Meeting of the Committee of Convocation was held on Wednesday 3 June 2009 at 5.30pm at Graduate House, 220 Leicester Street, Carlton..

**Present**

Dr L Simpson (Chair), Mr A Abbott, Ms A Ada, Mr E Bellchambers, Ms B Chan, Dr C Close, Ms C Cummins, Mr B Dance, Mr B Fitt, Dr J Flesch, Mr D Ford, Dr A Gibbs, Dr T Gould, Dr JK Harcourt, Mr G Israel, Ms I Jablonka, Mr F Lees, Dr R McMillan, Dr J Nelson, Dr R Otzen, Dr D Parbery, Ms B Perry, Dr I Rechtman, Dr B-A Rodan, Mr L Rowe, Dr J Stillman, Mr G Thomas, Mr N Whiting

**In Attendance**

Professor James Hathaway (Dean of Melbourne Law School), Ms J White (University Secretary), Mr S Halliwell (Minute Secretary)

**SECTION 1**

**1 Welcome, Apologies and Leave of Absence**

Dr Simpson welcomed members to the meeting. He noted that Mr McGauran will formally introduce Ms Chiew at the July meeting.

Apologies were received from Ms J Chiew, Mr R McGauran, Mr M Warwick Ms Anna Burgess, Ms Lesley Adams, Mr C Middleton, Mr P Davies, Ms H Fitzpatrick, Dr V McRae, and Mr J Meehan.

Ms L Boston and Ms J Crowe were on Leave of Absence.

Leave of Absence requests were received as follows.

1 July: Mr N Whiting, Mr J Meehan, D I Rechtman, Mr G Thomas

29 July: Mr A Abbott, Dr R Otzen, Mr N Whiting

26 August: Dr R McMillan

**7 Guest Speaker**

At this point in the meeting, Dr Simpson welcomed Professor James Hathaway, Dean of Melbourne Law School ('MLS'). Professor Hathaway came to the University from an academic career in Michigan and has excellent credentials in special needs law, particularly in refugee and human rights law.

Professor Hathaway thanked the Committee for the opportunity to speak and apologised for having to leave early as he had to host a key Dean's Lecture at 6-00pm. Professor Hathaway proposed to outline some recent developments in MLS and then respond to members' questions.

MLS was the first graduate school under the Melbourne Model. For the next 2-3 years, MLS will be teaching out the LLB, but now no longer takes undergraduate students but admits to only the new Juris Doctor ('JD') and other postgraduate programs. Professor Hathaway noted that this move to the Melbourne Model was a bold move. For MLS, it essentially represented a message to potential students that:

- A law degree will now take six years compared with five at comparable schools;
- There is no enrolment at 18; and
- Only 50% of place will be Commonwealth Supported Places ('CSP'): the other 50% will be full-fee at approximately \$30,000.

In order for this model to work, it is necessary for MLS to "invest in excellence" – to be superior to every other law school in the country. In Professor Hathaway's view, MLS was already the best in Australia and now the challenge was to compete with the best law schools internationally.

Professor Hathaway outlined what he considered the main achievements of MLS since embarking on the Melbourne Model:

- For the second year running, MLS is the top research law school in Australia – some 50% ahead of its nearest competitor in ARC Discovery Grants;
- MLS runs the most comprehensive Masters program in the country;
- Although being taught out, the LLB remains an attractive program as evidenced by recent surveys of student satisfaction;
- Having recently taken control of its own marketing, MLS now has enrolled a full complement of 120 JD students
- MLS has re-organised its professional staff for greater efficiency and better service to academic staff and students – for example by doubling the size of the Careers Office;
- MLS has doubled the Alumni participation rate; and
- MLS is on the verge of announcing significant international partnerships.

Professor Hathaway noted that along with the achievements come some significant challenges:

- CSP funding is worse for Law than for any other discipline with the combined CSP and student HECS amounts contributing only about 50% to the actual cost of educating a Law student;
- While becoming globally famous is a benefit, it also leads to the poaching of key staff who can attract salaries overseas some two or three times higher than are paid at UoM;
- The University wants eventually to have 300+ JD students and this will be impossible without recruiting out-of-state and off-shore: students need to be persuaded to move; and
- There is work to be done in marketing to counter the spurious claims of other law schools in respect of their JD programs which are often simply modified LLB programs.

In closing, Professor Hathaway said that he was enjoying the challenges of being Dean of MLS and that the School's success was aptly demonstrated by the fact that the Jessup Moot team had won the regional final and the World Trade Moot team had won the international final with a unanimous decision over the prestigious Duke University.

In answering questions, Professor Hathaway provided the following responses.

- MLS uses grades, LSAT results and a personal statement to vet for enrolment and because of this the Melbourne Model now has a broader demographic.

- Despite the current economic down-turn, law firms seem less inclined to shed staff and there seems to be no serious problem for MLS graduates in getting employment.
- Notwithstanding the rumours, there had been no reduction in the subjects offered as the LLB was taught out.
- The value of work and life experience is accepted, but MLS JD students will get the same demanding program. The Melbourne Model reflects to some extent the US model, and US law students are widely employed.

In closing, Professor Hathaway thanked the Committee once again for the opportunity to speak and suggested that members might like to visit the School in the near future to get a first-hand glimpse of the quality of the programs and the teaching.

## **2 Returning Officer's Report**

There was no report.

## **3 Starring of Additional Items**

Items 10.1 and 10.2 were starred.

## **4 Receipt of Unstarred Items**

The Committee received the unstarred items.

## **5 Minutes of Meeting 2/09 (6 May 2009)**

The minutes were approved.

## **6 Matters Arising**

Dr Simpson advised that the meeting with the Provost that had been proposed for the Melbourne Model sub-committee (see minute 9.4) would not now go ahead.

### **6.1 Action Sheet 2/09**

#### **6.1.1 Tours before Committee meetings**

Suggestions for tours are to be forwarded to Dr Valda McRae.

#### **6.1.2 Suggestions for template letters**

Dr Stillman will liaise with the minute secretary in the drafting of a letter for faculty representatives to send to deans when new faculty representatives are appointed.

#### **6.1.3 Ballot for the faculty of Science representative**

Dr Douglas Parbery was elected in the electronic ballot conducted via email on 13 May.

#### **6.1.4 Request a copy of the template model University bill**

A letter was sent to the Acting General Manager, Higher Education Division on 7 May. No copy of the draft legislation has been provided.

#### **6.1.5 Re-convene the University Acts review working group**

The working group met on 20 May. Notes of the meeting were attached under Item

11.1 and a copy of the letter sent by the working group on behalf of the Committee was a tabled paper also headed Item 11.1.

## 8 President's Report

Dr Simpson reported briefly on the meeting of the University Acts review working group which met on 20 May. The template UoM bill is unlikely to include any reference to Convocation and its Committee and although several letters have been sent to the government, there has been no reply. The working group decided to send a further letter on behalf of graduates, and a copy was among the tabled papers.

Dr Simpson also reported on the 25 May meeting of Council that he had attended in place of Ms Boston. Council had heard a report on the recent federal budget which will no longer limit the number of enrolments and which had increased student support funding. In response to the Bradley and Cutler reports, the government will be taking no immediate action, but research will be separately funded from 2014. The state government has agreed to build a rail-line to the Medical Precinct and this will benefit the University. The Vice-Chancellor had reported on the recent announcement concerning a major new Cancer Centre to be established on the site of the old Dental Hospital, involving a consortium of research institutes and the Peter Mac., which would relocate to the new site when completed.

In relation to the new library storage facility that will be developed at Bundoora (CARM), Mr Israel noted that although it was good to hear about the proposed new research library, it was disappointing that there was such enthusiasm for putting more books into storage. Dr Flesch echoed these comments noting that "Low-use" texts are mainly what researchers need to be able to browse. It was agreed that the Libraries and Information Access sub-committee would meet and would initially seek clarification from the Librarian as to what is intended for the increased storage facility.

In relation to the underground railway link, Ms Jablonka reported to the Committee on correspondence between herself and the Vice-Chancellor about the possibility of a pedestrian mall or of pedestrian carriageways either over or under Grattan Street. She also mentioned a recent public meeting she had attended that discussed, among other things, the potential move of the tram shunting facility in Swanston Street. Ms Jablonka will email relevant material to the minute secretary for circulation to the Committee.

Dr Simpson reported that Council had received a demonstration of a new web site for their agenda and meeting papers. Ms White reported on recent moves by her department to save on the amount of paper circulated for committee meetings. The department has developed a new system called "Meeting Information Manager" ('MIM'). This would be available to the Committee as a means of distributing their papers electronically, but is not likely to be imposed on the Committee.

Dr Simpson reported on the "Refining Our Strategy" ('ROS') document that was an attachment to the Vice-Chancellor's report to Council and which can be found at [http://growingesteem.unimelb.edu.au/about/refining\\_our\\_strategy](http://growingesteem.unimelb.edu.au/about/refining_our_strategy) Section 9 of the document notes that responses are to be submitted by 31 July and can be emailed to [growing-esteem@unimelb.edu.au](mailto:growing-esteem@unimelb.edu.au). Mr Ford advised that he had been collating relevant sections and that he would send these to the minute secretary for circulation.

**The Committee resolved** that detailed discussion of the ROS document and the issues it raises would form the major part of discussion at the 1 July meeting of the Committee.

Dr Simpson reported that at the Council meeting, the Vice-Chancellor had also commented on the

University's research performance with showed that around 51% of academic staff were "research inactive" according to formal definitions. The Committee noted that the measures used for international rankings of research performance may produce skewed results.

Dr Simpson congratulated Dr Parbery on his election as the Committee's representative on the faculty of Science.

Finally, Dr Simpson read the tabled document "Preparation for meeting of the Convocation" that he had prepared to summarise the comments of the Chancellor at the 23 April AOM and to advise of a recent meeting that he and the President had attended with the Chancellor and the University Secretary to discuss issues around the disparate graduate and alumni groups within the University.

The Committee discussed various issues arising from these developments including:

- whether to be proactive in the development of any new body;
- the need to find out more about the aims and objectives of any new body before making commitments;
- the relationship between Alumni and the Committee and graduates as a whole;
- the essentially different roles of Advancement and Alumni Relations and the Committee;
- the need to involve the faculty graduate groups more fully in the work of the Committee and at election time;
- the potential for the continued existence of the Committee in any new body;
- what perceived problem or issues are being addressed by this move to a new body; and
- whether in fact a new body is being proposed or whether it is more a question of greater co-operation between the current disparate groups.

Ms White advised that there have been no firm decisions. Any developments would certainly involve consultation with the Committee who should be consulted in determining the nature and role of any new body.

*Mr Halliwell advised that the term "Greater Graduate Council" was a phrase that Dr Simpson had coined to facilitate discussion of the issues. There is no Greater Graduate Council nor has this title been suggested by anyone in the University.*

**The Committee resolved** that this matter would be a major focus of attention at the extended meeting.

### **8.1 Report to Council**

The report to Council on 25 May of meeting 2/09 of the Committee was noted.

## **9 University Secretary's Report**

Ms White reported that at its meeting on 4 June, the Academic Board would be discussing the important topic of academic freedom. It is proposed that the new University statute on Governance will have a section on academic freedom. Ms White noted that recent analysis of UoM Council members shows that 65% are UoM graduates. The Library and Archives staff have recently completed a project to digitise the University Calendar – first published in 1858.

## **10 Reports from Sub-committees and Working Groups**

### **10.1 Library and Information Access**

As the CARM storage facility was discussed under Item 8, this matter was unstarred.

### **10.2 Strategic Plan**

Mr Abbott reported that the Melbourne Business School ('MBS') was again available for

the proposed extended meeting as last year, but that it was only available at the weekend. The Committee revisited the vote taken at meeting 2/09 on 6 May (see Minute 8). The majority of members voted to have the extended meeting on a Saturday. Given the urgency of matters to be discussed and relevant deadlines for responses in respect of ROS, the most suitable dates are 4 and 11 July. The minute secretary will organise an email vote as to which is preferred, noting that 11 July is probably best in relation to other timelines.

**10.3 Membership**

There was no report

**10.4 Melbourne Model**

There was no report

**11 Issues of Concern to Members**

**11.1 Review of the University Act**

Mr Thomas reported that the working group convened by Mr Meehan had met on 20 May. A letter had been sent on 21 May (a copy of the letter was one of the tabled papers) to Mr Brendan Sheehan, Acting General Manager, Higher Education and Regulation Division, DIIRD expressing the Committee's disappointment at not being provided with a copy of the template bill and proposing again that graduates be recognised in University Acts and that a certain percentage of seats on Councils be occupied by graduates of the relevant university.

**The Committee resolved** that the Deputy President would draft a letter to be sent to the Minister and to Victorian parliamentarians. The letter will contain the substance of the letter sent to Mr Sheehan on 21 May but will not enclose an actual copy. The letter will request action in relation to the lack of response to the Committee's submission of April 2008 and further correspondence since that time. The letter will note the mention of Convocation in other University Acts in Australia.

**12 Vice-Chancellor's Report to 25 May Council.**

The report was noted.

**13 Provost's Report to 25 May Council**

The report was noted.

**14 Senior Vice-Principal's Report to 25 May Council**

The report was noted.

**15 Legislation and Trusts Report to 25 May Council**

The report was noted.

**16 Academic Board Report to 25 May Council**

The report was noted.

**17 Building and Estates Committee Report to 25 May Council**

No report was provided as there had been no meeting of the committee.

**18 Reports of Faculty and Committee meetings**

**18.1 Arts**

The reports – one circulated and one tabled – were noted.

**18.2 MDHS**

The report was noted.

**19 Other Business**

**19.1 Victorian College of the Arts**

Dr Gould and Dr McMillan reported on the “climate of fear” currently existing at the VCA in relation to the potential implications of the merger with the faculty of Music. Dr Gould noted the inappropriateness of the current curriculum and reported that he had heard from students who were contemplating leaving the University to study elsewhere.

**The Committee resolved** that this matter would be discussed further as part of the ROS discussions.

**The Committee resolved** that Dr Gould and Dr McMillan should contact relevant parties and that they should develop material for the Committee that could form part of a recommendation to Council.

Meeting closed at 8-00pm.

Next Meeting is on Wednesday 1 July 2009 at 5-30pm in the Council Chambers.