

CONDUCT, CHARACTER AND THE STUDY OF LAW

Now that you have read about the teaching program, the Webcampus, library facilities and assignments and assessment, it is appropriate to consider the environment of professional study in which we work.

Law demands a heightened awareness of proper conduct in a variety of circumstances. Unique features of our program include our relationship with the Legal Profession Admission Board and our close connection to practice through our practitioner-teachers. This is one reason why an allegation of plagiarism can have such serious consequences. Lawyers have the trust of their clients. They must be honest and be seen to be honest. It is not always obvious to students that cheating in assignments is doubly dishonest – there is the plagiarism and the false declaration that accompanies the assignment.

The personal traits required of a lawyer are traditionally described as “good fame and character”. While cheating gets all the publicity in the context of academic conduct, there are standards of behaviour that underpin a profession centred on representing clients and advising on their problems. Impartiality and civility are hallmarks of a good lawyer. A lot rides on the way we communicate, as well as what we communicate. Much of our work is done by telephone and email. Practice client communication skills at every opportunity, whether dealing with us, your employers or your colleagues. Make abuse unacceptable from the beginning, whether it is directed to you or you are tempted to use it. It doesn't do anybody any good, and importantly from a lawyer's perspective, reduces the chances of a mutually beneficial outcome.

The internet and mobile phones have forced new considerations of communication etiquette. Web forums are particularly vulnerable. It is easy to attack through them, but slander is not just personally injurious, it may be defamatory. There are very good reasons for insisting that comment on forums, for example, is never personal, but focuses on issues, concepts and constructive exchange of ideas. Similar sensitivity should apply to email and text messaging. As a practitioner, issues of confidentiality will also arise when using these media.

Aspiring lawyers should also be especially aware of property rights as they affect web usage and transmission of lectures and resource material, and with using the library and its resources. Lectures and materials provided by the LEC are for private study by enrolled students. Nothing spoken by teachers or material made available on or through the Webcampus should be reproduced anywhere else.

In the library and the classroom, respect the needs and rights of others. If students wish to make audio copies of lectures they should seek the permission of the teacher and make a copy on the understanding that it is for their use only. It is understandable that

occasionally a friend might seek your notes to fill a gap, but it is important not to become complicit, even innocently, in what can amount to an appropriation of the property of others. You should be very wary if lectures or a series of lectures are offered to you, in any form, and on no account should you be tempted to purchase lectures.

You will have read that we encourage study groups. These, and the ready availability of comment and opinion on the web, make it imperative that you are able to present and argue your own views on issues and assignment problems. It is easy for someone to appear to be expert. Many are genuinely generous in offering advice. Too often in assignments we see a group of people adopting a particular line without their own critical evaluation of it, to their detriment. Sadly, similar stories have emerged from people who have paid a substantial amount of money for private tutoring from fellow students. Whether you are tempted to part with money or take it, evaluate the situation carefully.

Good conduct, then, also demands an independence of thought. Here education and character reinforce each other. A lot of what is said above accompanies sound study habits. Maintain and develop these attributes from the beginning and your study of law will not only be in keeping with the aims of the profession, it will be satisfying and increase the likelihood of success.

Web Conduct: Voices of Experience

We are all still learning about the impact of the web on our lives. Its vast potential must be treated with care and respect.

- Anything you post to the web should be regarded as permanent. Make sure it is constructive and polite. Attack issues, not people. Be humble and questioning, not dogmatic or arrogant.
- Do not copy notes or resources from the LEC, LPAB or Law Library website to other websites. This includes lecture notes and handouts, material held in electronic reserve and in subscription services.
- Do not attempt to sell or purchase lecture notes or resources where someone else owns the intellectual property. Note that copyright exists whether or not the owner asserts it.
- Do not transmit electronic versions of your assignment files except when you are submitting your assignment to the LEC.
- Do not post personal advertisements from employers such as positions vacant or advertisements seeking room mates.

The LEC is still being alerted to infringements in these areas. There is potential for serious and career-jeopardising misconduct in each area. If in doubt about appropriate conduct, call to discuss it.