STUDYING LAW WITH THE LEC

CONTEXT

The cooperative venture between the Supreme Court, Legal Profession Admission Board, and the University of Sydney’s Law Extension Committee, provides a unique environment for the study of law. From the University we draw on its commitment to its three stated overarching attributes for students: the development of scholarship, of lifelong learning, and of global citizenship. From the Court and the Admission Board we inherit and teach to a curriculum that has a distinct professional orientation, while satisfying the academic requirements for admission as a lawyer. With that we derive a fundamental commitment to the recognition, adoption and enhancement of professional characteristics that are essential in a good lawyer. To practise law a candidate must be able to demonstrate good character. In our studies of legal ethics, specifically and through the curriculum, there is a strong emphasis on the duties that accompany the privileges of being a lawyer.

The LEC’s teaching program is available in outline on the Webcampus. The Subject Guides also contain the LPAB curriculum. They are available to all who wish to read and study them. As a whole the curriculum demonstrates the emphasis on the professional life of a lawyer. That is reflected in the teaching, where we employ a range of expert practitioner-teachers, backed by a very strong group of academic teachers. We maintain the primacy of classroom or face-to-face teaching, in the belief that this provides the most meaningful educational experience, putting role-models of legal analysis and practice in direct contact with students.

The profession of law requires very high standards of integrity, of honesty and diligence. Please read the following paragraphs carefully, each time you enroll.

CONDUCT

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.

CODE OF CONDUCT

By enrolling and registering to study with the LEC, you agree to comply with the Code of Conduct published on the Webcampus. Take time to read it carefully. It is amended from time to time, to take into account experiences and insights that may arise. Students are most welcome to make comments and suggestions on the Code of Conduct. The Code is also being developed as a document that bridges both the University requirements and those of the LPAB on expectations regarding conduct. It is further recognition that Diploma in Law students are affected by University policy and the requirements, which can be broader and also more specific, of the legal profession. As an example, 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.
CHARACTERISTICS

Throughout your studies with the LEC and the LPAB you should be conscious of the professional characteristics that we hope will be evident in a law graduate. There has been much discussion on formulating appropriate graduate attributes to guide curriculum development. Some of the more generic ones are mentioned above. Academic, practical training and professional bodies have produced more descriptive accounts, and the LEC is developing a set of graduate characteristics consistent with the objectives of each syllabus. We invite you to contribute, especially since the goal is to describe the desired characteristics of a graduate.

If we begin with integrity, how do we describe it in a way that reflects the requirements of the profession? There are the components of personal and professional honesty, existing together. Integrity can be viewed through the eyes of a student, a lawyer and a client. For a client, it will mean not just honesty, but competence, and candour. To achieve this, the ability to communicate is essential.

For the LEC formulation of characteristics, communication will be central. Effective communication covers abilities to explain and write clearly. It covers a capacity to understand a lecturer’s argument and client’s needs, and to be able to explain both. And most importantly it depends on an ability to listen. Coming to what tends to dominate a teaching and learning environment, a characteristic to which we devote much effort is the ability to process information. That too depends on listening skills. At its core it involves critical analysis: the ability to identify relevant issues, to apply appropriate law, to solve problems, and to communicate all that clearly and concisely. It also involves time management. The ability to arrange your time, as a student and as a practitioner, has a large impact on your effectiveness. From the start of your studies it is important to organise your work.

INTEGRITY IN STUDY

To be part of a profession, and part of a group of law students, is a privilege. Law can be liberating in terms of access to power and lifestyle. That type of freedom, in our society, carries responsibility. People rely on lawyers, often when the impact on their livelihood is very high. If there is one encompassing characteristic that we aim for, it might be put under the heading of integrity.

To take a relevant example: occasionally we have to make decisions in the interests of integrity that are not popular with students. We have to be sure that students reach the requisite standard to take the LPAB examinations. We have to ensure that we can be confident that the work presented to us is truly a student’s own work. One situation that can lead to complications is the outcome of collaborative learning. 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.

SUGGESTIONS AND COMPLAINTS

“Feedback” is a common word in education. It has come to mean a teacher’s comment on a student’s work. The original concept had more to do with sending a message to the source, in this case us. If you have a complaint or constructive suggestion to make in relation to the Law Extension Committee, we would like to hear it.

If you have a complaint about the Law Extension Committee Office or our program generally, please call us on (02) 9392 0320 to discuss the issue. If your concern is about an individual teacher you should first take the matter up with the teacher if you are able to do so. If not, you should contact the Director of the Law Extension Committee, Mr Frank Astill. Further information is available in the Code of Conduct.

ADVICE AND THE FUTURE

To the extent that our resources permit we are happy to give advice on your present and future studies and career options. If for any reason you encounter difficulties it is better to let us know sooner rather than later. Law is a living study and practice. It is likely that you will see changes. You should see yourself as an active participant in learning, and that learning will continue in formal and informal ways. Hence the emphasis above on lifelong learning, which requires adaptability, creativity and motivation. Make the most of your time with the LEC. Plan your schedules, work consistently through the semester, take responsibility for your study and performance, and be resilient. We wish you well in your studies and for the future.