

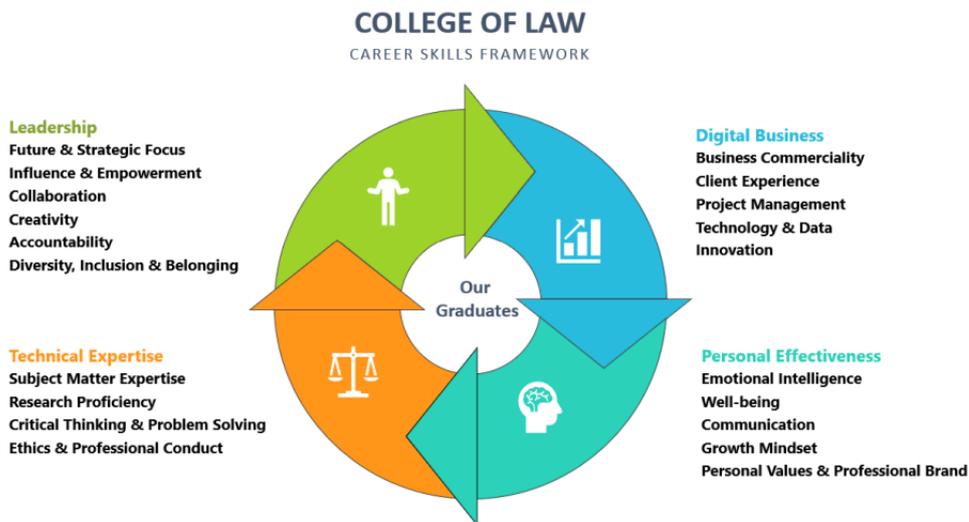


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External Evaluation and Review Report

College of Law New Zealand Limited
Te Whare Kura Ture o Aotearoa



Date of report: 5 July 2022

About College of Law New Zealand Limited

College of Law New Zealand is one of five colleges of law established by the legal profession in Australasia, and is a wholly owned subsidiary of The College of Law Ltd. The New Zealand and Australian colleges share numerous technical support and academic systems within a shared service model. College of Law provides formal and informal, continuing professional education, and the mandatory Professional Legal Studies Course (a focus area in this evaluation). This course is provided to law graduates wishing to practise as a solicitor or barrister, and is offered under accreditation to the New Zealand Council of Legal Education (NZCLE).

Type of organisation:	Private training establishment (PTE)
Location:	Level 8, 3 City Road, Auckland
Code of Practice signatory:	Yes
Number of students:	Domestic: 742 (301 equivalent full-time students) at the time of scoping this EER; 63 per cent of students are female; 65 per cent are under 25 years. Ethnicity: 11 per cent Māori, and 5 per cent Pacific Island peoples. International: fewer than 10 enrolments annually
Number of staff:	Full-time 14, part-time 35
TEO profile:	College of Law New Zealand Limited
Last EER outcome:	College of Law was last evaluated by NZQA in November 2016, when NZQA was Highly Confident in educational performance and Confident in capability in self-assessment.
Scope of evaluation:	Professional Legal Studies Course: Online (PLSCO) No. 120705; an NZQA-approved and Tertiary Education Commission-funded Training Scheme. Commonly known as the 'Profs course'. Duration: 13 weeks full-time, 18 weeks part-time.
MoE number:	7637
NZQA reference:	C47919
Dates of EER visit:	Virtual visit 22 and 23 March 2022

Summary of results

College of Law continues to play an important role in supporting high quality professional development for the legal profession within New Zealand. The PTE's identification of stakeholders' needs, and its understanding of regulatory and technical delivery requirements are being consistently well met. There are some opportunities to enhance analysis of achievement. There is also a need to better assure conformity with NZQA requirements in relation to the small number of international students if the PTE is to continue to enrol them in the future.

Highly Confident in educational performance

- Most students complete their mandatory course and gain professional recognition. This is of high value to these individuals, and also to the wider sustainability of the legal workforce.
- The Professional Legal Studies Course (PLSC) training scheme is being offered as approved, in a comprehensive and professionally informed way. Stakeholders confirm the rigour, quality and flexibility of this course.

Highly Confident in capability in self-assessment

- Course design, teaching, quality assurance, monitoring and review processes are of a high standard. Content relevance is well maintained.
- There is clear evidence that support staff and instructors deploy time and resources in a purposeful way to understand students' learning needs and challenges, and to support them to complete successfully.
- The PTE is well governed, managed, resourced and operationalised to meet the requirements of an audience with high expectations in terms of content and instructor professionalism.
- Developing the organisational capability to more explicitly meet and match Māori student needs is now being prioritised, as it needs to be (see Recommendations).
- High quality documentation and ongoing interaction with the Australian partner organisation, and with NZCLE, continues to shape and refine self-assessment.

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- A lack of internal clarity and evidence available for external evaluation relating to International Students, in and of itself, failed to meet the requirements of the Code of Practice.¹ This leads to a requirement by NZQA as one outcome of this evaluation (see Requirement).

¹ [The Education \(Pastoral Care of Tertiary and International Learners\) Code of Practice 2021](#), which the PTE self-reviewed in 2021, somewhat ineffectively.

Key evaluation question findings

1.1 How well do students achieve?

Performance:	Good
Self-assessment:	Good
Findings and supporting evidence:	<p>The entry criteria for the PLSC is a Bachelor of Laws (or equivalent), and most students enrol within a year or two of graduating university. Pass rates in this mandatory 48-credit, level 6 course have averaged between 95 and 97 per cent since the last EER.</p> <p>There is a small but persistent differential between ākongā Māori retention and completion and other students' ethnic groups, and this does not appear to have been a focus for self-assessment. NZQA believes it should be, and this links to a recommendation (see Recommendations).</p> <p>The course is skills based and uses an appropriate competency-based assessment model, with a merit grade available to recognise excellence.</p> <p>All students complete a practical skills checklist at the start of the course, and again at its conclusion. From the 2021 results of the practical skills checklist², students self-reported substantial improvements in five practice areas, and modest improvements in four others. The highest rating area was for advocacy, the lowest rating was in legal research. There is a constant evaluative focus on key skills.</p>
Conclusion:	Overall, achievement and academic quality has been well monitored and maintained, and students report high satisfaction with the content and the teaching.

² Graduates' reported improvements in confidence/competence for: Fact investigation and analysis (32 per cent); Practical legal research (26 per cent); Problem solving (37 per cent); Writing and drafting (58 per cent); Professional conduct (31 per cent); Office and personal management (30 per cent); Interviewing and advising clients (64 per cent); Negotiation and mediation (70 per cent); Advocacy (92 per cent).

1.2 What is the value of the outcomes for key stakeholders, including students?

Performance:	Excellent
Self-assessment:	Excellent
Findings and supporting evidence:	<p>The key value proposition of the PLSC is that completing it achieves the mandatory NZCLE pre-admission training for university graduates wishing to practise as a solicitor or barrister. Over 90 per cent of those who enrol succeed in completing this requirement successfully.³</p> <p>End-of-course surveys yield a net promoter score, and the PTE sets two benchmarks for itself: the target benchmark is a score of 40, while a score above 30 is deemed 'sustainable but below benchmark'. In 2021, three of the six PLSC courses exceeded the benchmark, and so improvement efforts focused on the three courses rated 'sustainable but below benchmark'. These are solid ratings in a pandemic-disrupted, fully online teaching year.</p> <p>The PTE is also involved in deep consideration of the internationally aligned capabilities (including digital) required for legal practice in the 21st century, and has also developed an internationally aligned digital capability framework. There is also an enduring and valued continuing professional education offer to the wider community.</p> <p>Stakeholders contacted by NZQA described positive relationships with a trusted and reliable PTE. There are ongoing conversations to maintain alignment with the changing needs of the legal profession, all framed within the NZCLE regulatory framework. The PTE is subject to regular reaccreditation reviews and has active links to the Australian partner organisation's quality assurance framework, which leads to a unique, preferred way of working when it comes to active self-assessment.</p>
Conclusion:	Self-assessment focuses on students achieving desired practice competencies and ensuring the alignment of course delivery to match stakeholder and student needs. Although not seen as a gap, additional focus on researching the post-course transfer of learning, and its impacts on early-career progress, would be a worthwhile and realisable goal (see Recommendations).

³ There is some expected and reasonable attrition, for example some students do not succeed on their first attempt at the course and some leave to pursue other options.

1.3 How well do programme design and delivery, including learning and assessment activities, match the needs of students and other relevant stakeholders?

Performance:	Excellent
Self-assessment:	Excellent
Findings and supporting evidence:	<p>College of Law accurately describes the training scheme in the information provided to students as follows: ‘Professional Legal Studies Course is a competency skills-based course, developed and taught by experienced lawyers. The course has practical activities, research tasks, and assessments based on “real-life” legal practice scenarios to help [graduate students] acquire the skills necessary to work effectively as an entry level lawyer’. This evaluation found a suitably resourced, well-structured and actively reviewed and refined training programme, underpinned by a clear regulatory framework.</p> <p>There are three key components to the PLSC: Civil Litigation, Commercial and Property. These are complemented by three practical skills workshops in Negotiation and Mediation; Interviewing and Advising; and Advocacy. Students must also select and complete one specialist subject. Students interviewed found this a useful course design feature.</p> <p>The students benefit from getting instruction not only from highly experienced, full-time staff, but also from a roster of adjunct lecturers who are working as lawyers or judges in practice.</p> <p>Stakeholders contacted by NZQA indicate a positive and constructive relationship with the PTE. There is an ongoing conversation to maintain alignment with the ever-evolving needs of the legal profession, students and client companies (legal firms). This self-assessment is all framed within the clearly documented NZCLE regulatory framework.</p> <p>The PTE is part of a multi-faceted, wider process for gathering and analysing data on achievement and student feedback. The college’s Sydney-based statistician analyses the results and reports against the PTE’s key performance indicators; these evaluation scores help with monitoring trends in performance. Course evaluations across the wider group of colleges are monitored through the group course committee (which includes the course head for each college) which meets bi-monthly. Records of purposeful meetings and tracked action points arising are evident and of a high quality and utility.</p>

	<p>Normally, the course is delivered in a blended learning mode, comprising online activities supplemented by 14 days of face-to-face sessions, where skills are workshopped and there is significant coaching and simulation of legal practice scenarios. This effective, well-honed model has been somewhat disrupted by the pandemic and completely online delivery. This may have affected the students' experience and hence satisfaction with a few course elements. There was evidence of tweaks and improvements to the course in response after teacher reflection.</p>
Conclusion:	<p>Course design, teaching, quality assurance, monitoring and review processes are of high quality and help ensure content relevance is maintained. There are well-documented processes for assuring consistency of delivery and for tweaking aspects of the focus area content and its teaching to maintain alignment with current practice. Student and stakeholder feedback is positive.</p>

1.4 How effectively are students supported and involved in their learning?

Performance:	Excellent
Self-assessment:	Excellent
Findings and supporting evidence:	<p>Students are very well supported, not only by support staff who monitor each student's progress from enrolment to completion, but also by the course instructors who described to the evaluators how they employ a range of follow-up processes and direct support (such as 1:1 coaching). There is purposeful monitoring of students who are struggling, and constant refinement of mechanisms for support. Most recently, this has included working to improve the online experience, reflecting on the most effective way to deliver the high-activity, face-to-face workshops, and successfully facilitating rigorous online learning.</p> <p>Students are encouraged to reflect on their own capabilities, and they receive in-depth formative and summative feedback during the course. One student interviewed described this: 'you get feedback on what to work on and what to improve ... marking of work is thorough and detailed ... and complex ... tiny details to work on are pinpointed'. Others described similar experiences. The focus of all this is practical application of the skills and knowledge and professional attributes required in contemporary legal settings.</p>

	<p>The PTE has multi-faceted ways of gathering, analysing and reporting data relating to the student experience, skills development and satisfaction. For example, the end-of-course student evaluation questionnaire is designed so that the results can be aggregated into the six key performance indicators referred to in 1.3: 1. Overall learning; 2. Useful materials; 3. Appropriate assessments; 4. Learning portal; 5. Role of lecturer; 6. Net Promoter Score. This allows for ongoing benchmarking across courses, locations and internationally across the wider group of colleges.</p>
Conclusion:	<p>Within the reasonably limited scope of student support required in this type of educational offering, there is clear evidence that both the PTE support roles and course instructors deploy time and resources in purposeful ways to understand students' needs and challenges, and support them to complete successfully. Self-assessment is ongoing, methodical and used to further enhance the learners' experience and learning.</p>

1.5 How effective are governance and management in supporting educational achievement?

Performance:	Excellent
Self-assessment:	Excellent
Findings and supporting evidence:	<p>College of Law's governing board includes representation from Australian members of The College of Law Ltd, as does the PTE's course committee. College of Law reports to a chief academic officer based in Sydney. There has been refreshment and change of the board membership since the last EER. The board has considerable law, business and education expertise to help fulfil its role.</p> <p>Self-assessment practices sit within a clear set of regulations, requirements and expectations set by NZCLE, the New Zealand Law Society, the larger Australia-located entity, the Tertiary Education Commission and NZQA. There is extensive evidence of planning, effective oversight and monitoring, and investment and strategy setting. The formal committees are insightful and thorough in their work, as evidenced in the quality of their records and improvement action plans. This all clearly links to a sustainable business model, maintaining market share or growth and maintaining both academic quality and course currency. There has been a steady increase in self-funded students, and</p>

	<p>the annual enrolment target is routinely achieved, indicating consistent interest and 'repeat business'.</p> <p>Consultation with the sector and local research has yielded a capability framework, and also an impressive digital strategy: these are good examples of thought leadership that is internationally aligned to the current and future workplace. The planning/operations and recording aspects of the various operational/academic committees reflect academic rigour.</p>
Conclusion:	<p>College of Law PTE is well governed, managed, resourced and operationalised to meet the requirements of an audience with high expectations in terms of content and professional expertise. Self-assessment is ongoing, involves all staff, is well documented and reflective, and leads to ongoing changes and improvements to maintain alignment and relevance with student needs, and most of the needs of key stakeholders. There are two recommendations and one requirement arising from this evaluation, but student achievement remains strong and the PTE continues to have the full confidence of NZQA.</p>

1.6 How effectively are important compliance accountabilities managed?

Performance:	Good
Self-assessment:	Marginal
Findings and supporting evidence:	<p>Compliance accountabilities to the key regulatory body, the New Zealand Council of Legal Education (NZCLE), have been well met since the last EER. Evidence for this includes detailed self-reviews against the course regulations, and confirmation of reaccreditation and course advice from the regulatory body.</p> <p>The primary funder of the training scheme is the Tertiary Education Commission. Based on the commission's letter of November 2021, they have continued to fund the provider. Their audit of the PTE (2017) stated that they discovered 'no significant issues' and made three improvement recommendations.</p> <p>The PTE has mostly maintained obvious conformity with NZQA requirements. A potential issue identified by NZQA relating to course advertising was promptly responded to when NZQA pointed out an anomaly to them. Both the programme change (2015) and site application information (2016) are now</p>

	<p>somewhat dated, and once face-to-face delivery resumes (if not before) the PTE may do well to self-review and update NZQA on all permanent or temporary sites in use.</p> <p>College of Law enrolls a very small number of international students annually. A file audit of five students enrolled at the time of the EER found that the PTE had no information immediately at hand on the visa status, insurance cover for any of those within the audit. Consulting with those students, the PTE identified that two of those enrolled were on work visas and employed in legal roles, and one other had recently moved from a student visa to a work visa.⁴ Of the remainder, one had returned to Tuvalu (but was continuing with online study on 'compassionate circumstances' grounds). This lack of internal clarity and evidence available for external review, in and of itself, fails to meet the requirements of the Code of Practice. This leads to a requirement by NZQA as one outcome of this evaluation (see Requirements).</p>
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⁴ students on work visas would still be considered as international students.

Focus areas

This section reports significant findings in each focus area, not already covered in Part 1.⁵

2.1 Focus area: Professional Legal Studies Course: Online (PLSCO) No. 120705

Performance:	Excellent
Self-assessment:	Excellent

Recommendations

Recommendations are not compulsory but their implementation may improve the quality and effectiveness of the training and education provided by the tertiary education organisation (TEO). They may be referred to in subsequent external evaluation and reviews (EERs) to gauge the effectiveness of the TEO's quality improvements over time.

NZQA recommends that College of Law New Zealand Limited:

1. Consider conducting research around the transfer and application of the intended professional competencies to early career professionals, perhaps in conjunction with the NZCLE and the other PTE delivering 'Profs'. (This echoes a recommendation made in the 2016 EER, and relates mostly to key evaluation questions 2 and 5.)
2. Undertake a thorough review alongside Māori students and stakeholders from the profession as to how ākonga Māori (Māori learners) are experiencing the course, and what more – if anything – could be done to better support their learning journey and aspirations. (This relates mostly to key evaluation questions 1 and 3.)

Requirements

Requirements relate to the TEO's statutory obligations under legislation that governs their operation. This include NZQA Rules and relevant regulations promulgated by other agencies.

NZQA requires College of Law New Zealand Limited to:

- Ensure student files for all international students enrolled by the PTE contain evidence of visa currency, student fee protection and current insurance. This

⁵ The findings in this report are derived using a standard process and are based on a targeted sample of the organisation's activities

relates directly to the processes under Outcome 10 of The Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021. It also relates to Rule 4.1 of the PTE Enrolment and Academic Records Rules 2021.

Appendix

Conduct of external evaluation and review

All external evaluation and reviews are conducted in accordance with NZQA's published rules. The methodology used is described in the web document <https://www.nzqa.govt.nz/providers-partners/external-evaluation-and-review/>. The TEO has an opportunity to comment on the accuracy of this report, and any submissions received are fully considered by NZQA before finalising the report.

Disclaimer

The findings in this report have been reached by means of a standard evaluative process. They are based on a representative selection of focus areas, and a sample of supporting information provided by the TEO under review or independently accessed by NZQA. As such, the report's findings offer a guide to the relative quality of the TEO at the time of the EER, in the light of the known evidence, and the likelihood that this level of quality will continue.

For the same reason, these findings are always limited in scope. They are derived from selections and samples evaluated at a point in time. The supporting methodology is not designed to:

- *Identify organisational fraud⁶*
- *Provide comprehensive coverage of all programmes within a TEO, or of all relevant evidence sources*
- *Predict the outcome of other reviews of the same TEO which, by posing different questions or examining different information, could reasonably arrive at different conclusions.*

⁶ NZQA and the Tertiary Education Commission (TEC) comprehensively monitor risk in the tertiary education sector through a range of other mechanisms. When fraud, or any other serious risk factor, has been confirmed, corrective action is taken as a matter of urgency.

Regulatory basis for external evaluation and review

External evaluation and review is conducted under the Quality Assurance (including External Evaluation and Review (EER)) Rules 2016, which are made by NZQA under section 253(1)(pa) of the Education Act 1989 and approved by the NZQA Board and the Minister authorised as responsible for Part 20 of the Education Act.

Self-assessment and participation and cooperation in external evaluation and review are requirements for:

- *maintaining accreditation to provide an approved programme for all TEOs other than universities, and*
- *maintaining consent to assess against standards on the Directory of Assessment Standards for all TEOs including ITOs but excluding universities, and*
- *maintaining training scheme approval for all TEOs other than universities.*

The requirements for participation and cooperation are set through the Programme Approval and Accreditation Rules 2018, the Consent to Assess Against Standards Rules 2011 and the Training Scheme Rules 2012 respectively. These rules were also made by NZQA under section 253 of the Education Act 1989 and approved by the NZQA Board and the Minister.

In addition, the Private Training Establishment Rules 2018 require registered private training establishments to undertake self-assessment and participate in external evaluation and review as a condition of maintaining registration. The Private Training Establishment Registration Rules 2018 are also made by NZQA under section 253 of the Education Act 1989 and approved by the NZQA Board and the Minister for Tertiary Education, Skills and Employment.

NZQA is responsible for ensuring non-university TEOs continue to comply with the rules after the initial granting of approval and accreditation of programmes, training schemes and consents to assess and registration. The New Zealand Vice-Chancellors' Committee (NZVCC) has statutory responsibility for compliance by universities.

This report reflects the findings and conclusions of the external evaluation and review process, conducted according to the Quality Assurance (including External Evaluation and Review (EER)) Rules 2016. The report identifies strengths and areas for improvement in terms of the organisation's educational performance and capability in self-assessment.

External evaluation and review reports are one contributing piece of information in determining future funding decisions where the organisation is a funded TEO subject to an investment plan agreed with the Tertiary Education Commission.

External evaluation and review reports are public information and are available from the NZQA website (www.nzqa.govt.nz). All rules cited above are available at <https://www.nzqa.govt.nz/about-us/our-role/legislation/nzqa-rules/>, while information about the conduct and methodology for external evaluation and review can be found at <https://www.nzqa.govt.nz/providers-partners/external-evaluation-and-review/>.

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