

# Onderwijsvisitatie Rechten

Een onderzoek naar de kwaliteit van de Master of Laws in International and European Law, Master of Laws in EU Law and the Master of Laws in International Business Law van de Universiteit Gent

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# Master of Laws in International and European Law, Master of Laws in EU Law and the Master of Laws in International Business Law - Universiteit Gent

## Introduction

This report concerns the Master of Laws in International and European Law, the Master of Laws in EU Law and the Master of Laws in International Business Law, all at the Universiteit Gent (UGent). The assessment panel visited the study programmes on 1 and 2 December 2014.

The panel assesses the study programmes on the basis of the three generic quality standards (GQSs) of the VLUHR programme assessment framework. This framework is designed to fulfil the accreditation requirements applied by the NVAO. For each generic quality standard the panel gives a weighted and motivated judgment on a four-point scale: 'unsatisfactory', 'satisfactory', 'good' or 'excellent'. In the assessment of generic quality assurance, the concept of '*generic quality*' indicates that the particular GQS is in place and that the programme - or a specific mode of the programme - meets the quality level that can reasonably be expected, from an international perspective, of a Master's programme in higher education. The score 'satisfactory' indicates that the programme demonstrates an acceptable level for the particular GQS. If the study programme scores 'good', the programme systematically exceeds the generic quality for that standard. If the programme scores 'excellent', its level of achievement is well above the generic quality for the particular GQS and serves as an (inter)national example. The score 'unsatisfactory' indicates that the programme does not attain the generic quality for that particular GQS.

The panel's opinions are supported by facts and analyses. The panel makes clear how it has reached its opinion. It also expresses a final opinion on the quality of the programmes as a whole, also according to the same four-point scale. Judgements and recommendations made relate to the programmes with all subordinate modes or majors, unless stated otherwise.

The panel assesses the quality of the programmes as it has been established at the time of the site visit. The panel has based its judgement on the self-evaluation report and the information that arose from the interviews with the programme management, with lecturers, students, alumni and personnel responsible at programme level for internal quality assurance, internationalisation, study guidance and student tutoring. The panel has also examined the course materials, master's theses, assignments and standard answering formats and numerous relevant reports available. For the student success rate, the panel called on data provided by the Datawarehouse Hoger Onderwijs (DHO). The panel has also visited specific educational facilities such as classrooms and the library.

In addition to its judgement, the panel also formulates recommendations with respect to quality improvement. In this manner, the panel aims to contribute to improving the quality of the programmes. The recommendations are included in the relevant sections of the respective generic quality standards. At the end of the report an overview is given of improvement suggestions.

The LLM programme in European Law was an international advanced Master's degree in law embedded in the Law School. The programme was first established as an LLM in European and Comparative Law in the academic year 2001-02. In 2012, the LLM programme management

conducted a reflection on the status and future on the programme. From its conclusions sprang the decision to offer three LLM programmes instead of one: an LLM in EU Law, an LLM in International Business Law, and a general LLM in European Law (from 2014-15 on known as the LLM in International and European Law).

All three programmes share the common core of what was the original LLM in European Law. For this reason, it was decided to fit all three LLM programmes in a single assessment report.

The LLM programmes are primarily coordinated by the LLM Educational Committee, whose responsibility includes curriculum, appointment of professors, LLM paper rules, etc. The Faculty Council has final decision-making power over the LLM annual budget, educational curriculum and appointment of professors. It also appoints the LLM programme management.

During the academic year 2012-2013, 13 students were enrolled in the LLM in European Law, although the programme attracted on average about 30 students a year.

## Generic quality standard 1 - Targeted Outcome Level

The assessment panel evaluates the targeted outcome level of all three programmes as satisfactory.

All LLM programmes share the Law School's overall **educational vision** of training 'competent, independent, critical and versatile lawyers who dare to communicate, demonstrate societal commitment and have respect for diversity'. The three LLM programmes aim to develop and emphasise these values within the setting of a diverse international LLM class, and within the academic context of a programme dedicated specifically to the study of EU law (*LLM in EU Law*), EU and/or international law (*LLM in International and European Law*) or international (business) law (*LLM in International Business Law*).

The formal framework of reference for the LLM's competences is the overall UGent **competence model**, which itself is based on the Flemish qualification structure, the Dublin descriptors and the European Framework for Lifelong Learning. The general profile of all three programmes has been translated into a series of competences, grouped into five areas that cover the five dimensions of the UGent competence model ('competence in one or more sciences', 'scientific competence', 'intellectual competence', 'competence in cooperation and communication', 'societal competence').

The LLM programmes strive for an educational experience that not only offers the appropriate level of academic expertise, but also enables students to acquire a skill set of professional value and a degree of '**multinational societal awareness**' as mature (EU-specialised) lawyers in an internationalising legal order. Given the emphasis on (among other things) *advanced* and *in-depth* scientific knowledge, the panel finds that the programme learning outcomes comply with the Flemish qualification framework.

The assessment panel finds that there is a high degree of coverage guaranteeing that all programme learning outcomes comply with the **domain-specific learning outcomes**. The panel acknowledges that the programme managers have carried out a comparison exercise with similar programmes abroad. However, no explicit or formal international benchmarking has yet been implemented. The panel finds that this should be encouraged, although it stresses that the learning outcomes of each programme comply with current requirements from an international professional perspective.

The competences are, with a few exceptions, identical for all three LLM programmes. This is not problematic in the panel's view, as the differences between the programmes purely relate to their respective content.

Regarding International and European Law, the panel wishes to draw attention to a slight discrepancy between the degree title and the programme competences: the latter refer to 'advanced knowledge of the European *and/or* international law', while the degree name implicitly assumes knowledge of both domains.

In conclusion, the panel finds that the programme learning outcomes comply with all formal requirements. Competences are almost identical among all three programmes, but this is not a problem in the view of the assessment panel.

## Generic quality standard 2 - Learning Process

The assessment panel evaluates the learning process of all three programmes as satisfactory.

All three programmes count 60 ECTS and consist of one year. They all share the same two **mandatory courses** representing 6 ECTS: 'Foreign chair' and 'Skills for lawyers'. The 'Foreign chair' seminar is used as a platform for top visiting professors. 'Skills for lawyers' teaches writing, presentation, negotiation and research skills that are essential for any future lawyer, irrespective of specialisation. It also familiarises students, especially from outside the western European legal tradition, with writing and research approaches and attitudes. Students told the assessment panel that they find the introductory part of this course useful, but the part about negotiation skills too theoretical.

A course called 'European Law: the basics', taught at the very start of the year, is compulsory for students without a background in EU law, allowing them to 'get up to speed' in this area. This 3 ECTS **crash course** is not an extension of the curriculum, but part of the Master's programme. However, as the self-evaluation reports that this course is not at an advanced level, it should be part of a preparatory programme, not of the Master's itself.

Apart from the two (in case of the crash course three) common courses and the Master's thesis, the **International Business Law** programme has five compulsory courses in the field of international business law (22 ECTS). The remaining 17 ECTS can be chosen from a (selected) number of elective courses, all of which are business-law-related. The **EU Law** programme has four additional compulsory classes in the first semester (24 ECTS), covering four main areas of EU law. The remaining 15 ECTS can be chosen from a (selected) number of elective courses. The **International and European Law** programme has no additional compulsory courses: the students have to choose elective classes for a total of 39 ECTS.

Students appreciate the **freedom of choice** in all programmes. The assessment panel observed that the programme directors have deliberately opted to support a wide freedom of choice, as they want to grant the students a lot of independence and do not want to be seen as 'paternalistic'. It has to be acknowledged that the programme coordinators do discuss the curricula with each student, to streamline their choice if necessary. The coordinators, however, can only give advice - they admit that students are becoming assertive and often come with a premeditated choice to Ghent. The assessment panel respects the choice of granting the students a lot of freedom, but also recommends that a number of 'obligatory' optional courses should be earmarked, in order to bring more structure to the students' learning progress. This is particularly the case for International and European Law, where students can build a curriculum that focuses almost entirely on international law or European law, which is somewhat inconsistent with the name of the degree. The programme management assured the panel that in practice almost no student makes such an exclusive choice, although it cannot be formally excluded. The panel recommends that in the International and European Law programme one or more compulsory courses that integrate both European and international law should be introduced.

According to the self-evaluation report, the LLM programmes attach great importance to **teaching methods** that ensure students 'are not passive absorbers of knowledge, but are instead encouraged to do independent research and to think critically through class preparation assignments, small papers throughout the semester, essay questions and the like'. Lectures are still the dominant

teaching method, but several include teacher-student interaction based on preparatory reading assignments. Seminars are the second most prevalent teaching method, entailing permanent evaluation of a relatively small group of students based on classroom participation and the writing of at least one paper. Students appreciate the presentations and debating a lot, but also notice that these are not yet general. They described various classes as 'too classic', 'old fashioned' and merely ex cathedra. It was also noticed that the reading load is too extensive (compared to what can be dealt with in the classes) and that some classes take 4-5 hours without any break.

The majority of courses offered in all three programmes are also accessible to regular Master's students and to exchange students. The LLM students, while not a priori against mixing with other students, complained that classes are becoming too big (in some 'popular' classes an attendance of about 50-70 students has been reported). It is not necessarily the presence of other student groups that bothers them, but the fact that the group as a whole is too large to allow real interaction. The assessment panel takes note that students from all three programmes expressed a wish for smaller classes and more exclusive teaching.

The programme managers are aware of this problem: from the academic year 2014-2015 the majority of LLM programme courses that are also accessible to other students contain a **component designed for LLM students alone**. Depending on the course, they take the form of, e.g.: separate meetings in which LLM students have to give oral presentations, the writing of one or more short additional papers or extra reading assignments of advanced scholarly literature. The assessment panel has seen some promising examples of such additional LLM didactical instruments within existing Master's courses. The panel recommends monitoring these additional didactical instruments and seeing which ones stand out from the point of view of best practices. At the same time, given the explicit complaints of so many students, an extension of the 100% exclusive LLM courses should be considered. For current non-exclusive classes it may also be suggested that specific tutorials should be organised for LLM students alone.

All three programmes have a **Master's thesis** representing 15 ECTS. Students can choose a subject by agreement with a professor and under the coordination of an LLM assistant. A list of suggested topics is published on the electronic learning platform Minerva early in the academic year. Students may also choose a topic of their own. After the choice of subject, students and promoters organise a kick-off meeting to determine expectations and a work plan. Right from the start students receive detailed information on the Master's thesis, including lectures on research and writing. A document with guidelines and requirements relating to the preparation and submission of the Master's thesis is available. By the end of December students submit a draft outline with a tentative bibliography and a time-line. Progress is discussed with the promoter and the LLM assistant.

13 ZAP members (lecturers) and 5 assistants are involved in the LLM programmes. Besides personal research, assistants also play a supportive role, notably towards the students in the context of class organisation and reading and writing assignments. Classes are the responsibility of the lecturers. Many professors who teach an LLM course are prominent experts in the particular field, with international exposure. Most lecturers have followed one or more training sessions, while newly appointed professors are helped by tailored programmes of introduction and support. All visiting professors are recruited on the basis of their special educational and/or professional experience.

According to the assessment panel, the staff are highly qualified and overall have an adequate didactic sensitivity. Students emphasised that the professors are dedicated and passionate about what they teach. The student-staff ratio is adequate.

**Facilities** include auditoria technically equipped for interactive education. The so-called 'LLM room' is dedicated to the LLM programmes. It serves as a focal point and is often used for evening public lectures on the margin of the curriculum. LLM students have access to the Law School's extensive library and ICT facilities, to the university's central library and other libraries, as well as to the online platforms and research sites. Within the Law School, there is a separate library devoted to European Law. Some students complained about excessively restricted library opening hours.

The **admission policy** is transparent. The LLM programmes' Admission Committee selects students whose educational and/or professional credentials, English language proficiency, and personal motivation indicate sufficient academic potential. Students without a law background can be admitted too, after an examination of their educational record and in view of their acquired competences. Most students come from Europe and Asia.

Prior to arrival, students are assisted with all practical aspects through a Fact Pack and through personal guidance from the LLM staff. All incoming LLM students benefit from intensive **Orientation**, the purpose of which is to provide maximum support at the time that is the most critical for their integration. During Orientation, the LLM group bonds together, personal support is given, potential academic or non-academic issues are identified which can be addressed immediately, students are given personal advice as they finalise their curriculum, and clear instructions are given on the facilities, rules and practices for studying at the Law School. At mid-term after the examinations for the first semester, a collective **feedback meeting** is organised to gather input from students, give advice and address any personal issues.

The **study load** is perceived as high - or at least higher than in a regular Master's programme - but not excessive. The panel witnessed some mixed opinions as to information and guidance. While alumni merely praised the support provided, current students were more negative, signalling a lack of administrative support and communication. When confronted with this, the programme management acknowledged some recent problems, but at the same time stressed that students are also expected to take responsibility themselves. The panel urges the management to be more aware of particular expectations of incoming students. Without such '**expectation management**', students may become disgruntled, ultimately to the detriment of the reputation of the programmes.

The LLM programme managers meet weekly to monitor progress and take measures if needed. According to the self-evaluation report, 'contacts with the current LLM class and their representatives are frequent and direct'. Occasional special meetings for feedback and reflection are held. The formal rhythm of LLM Educational Committee meetings ensures follow-up with all responsible actors, including professors, administrative staff and a representation of the LLM students. **Internal quality assurance** is further based on regular student evaluations and alumni surveys that are organised at central university level. Finally, the programme as a whole was the subject of a survey in 2014, dealing with topics such as course material, workload, logistics, etc., and leaving space for additional comments and suggestions for improvement. Notwithstanding, the panel observed that in practice **student involvement** does not run very smoothly. The assessment panel was told that the student representative is seen as 'a purely formal function', and his/her input in the Educational Committee as 'very limited'. The panel also heard some negative feedback

from students, feedback that might or might not be justified, but should in any case have been known to the programme managers. It is therefore recommended that focus group interviews dealing with all aspects of the programmes should be organised on a more regular basis.

The LLM programme has tried to address shortcomings identified/recommendations made during the previous assessment. The recommendation to establish an **alumni association** resulted in the launch of the Ghent LLM Alumni Association in 2013. According to the SER - and similar comments made during the on-site visit - alumni involvement in internal quality assurance is 'still in the early stages'.

In conclusion, the panel finds that there is an adequate variation in teaching methods, that the staff are well qualified and that a roadmap for the Master's thesis has been laid out. The high degree of freedom of choice is appreciated overall, but the panel fears that without any monitoring some programmes, in particular International and European Law, might lose focus. The fact that many courses are taken by both regular Master's as well as exchange students is something that bothers almost all LLM students, especially because they were not informed about it. The panel takes note of various student complaints regarding communication, organisation and their involvement in the Educational Committee.

## Generic quality standard 3 - Outcome Level Achieved

The assessment panel evaluates the outcome level achieved of all three programmes as satisfactory.

The LLM Educational Committee has developed a **testing vision** within the regulatory framework of the university's Education and Examination Code. There is no separate 'evaluation commission' because the various aspects of the educational policy and quality assurance are inherently linked. Evaluation methods and the calculation of the final examination remarks are discussed within the Education Committee. The Educational Quality Care Unit (EQCU) monitors the testing practice and comes up with proposals for improvement. The assessment panel values this approach, but stresses that the evaluation policy within the programmes should not remain only retroactive. The programme managers have to guarantee that the testing vision is adopted by all teachers.

The LLM programmes use various **evaluation methods** including oral exams, written exams and non-periodic evaluations. Within these three broad categories, more specific forms of assessment can be distinguished. For instance, written exams can be open-book and can include a combination of multiple choice questions and open/essay questions or case analysis. Non-periodic evaluations can take different forms such as assessment of class participation, presentations, assignments and reports. Written exams with open questions account for approximately 30% of all evaluations. Other frequently used evaluation methods include oral exams (15%), case analysis (13%), assignments (12%) and class participation (10%). Assignments usually involve the writing of a paper.

Courses that are taken with other students (see GQS 2) provide not only extra assignments, but also **separate exam questions** for LLM students (corresponding to an advanced Master's level). The panel values this approach, but finds that it should be better monitored from the point of view of best practices.

There is an oral defence of the **Master's thesis**, in which the students are encouraged to give a PowerPoint presentation emphasising the key insights and conclusions of their work. The jury is composed of the promoter and one co-reader. Where possible, a collective defence of all theses is held to - according to the SER - ensure the presence of, and interaction with, an educated audience. The panel appreciates that a standardised grading sheet is used for the validity and reliability of thesis evaluations.

Prior to the on-site visit, the assessment panel read a relevant sample of Master's theses. Overall, the quality is satisfactory and corresponds to the grades that were given.

In order to support students in finding a job, the Law School organises an annual law job fair, in which more than 50 companies, firms and institutes are represented. Graduates from the original European Law programme are often **employed** in (international) law firms, research institutes or (international) public institutions. A recent survey among alumni revealed a high level of satisfaction with the programme and acknowledgment that the LLM degree had helped them find or secure a job. The survey also confirmed that alumni consider the LLM programme successful in achieving its competences.

Regarding the **study yield**, statistics are only available about the International and European Law programme. It turns out that in recent years the great majority of students (up to 90% and more) who have graduated have managed to do so within one academic year. Some students are already working during their studies, which explains why an additional year may be needed, while others

deliberately spread the programme over two years. Almost all students who do not quit the programme do graduate from it.

In conclusion, the assessment panel finds that the learning outcomes in all three LLM programmes are achieved. The programmes have an appropriate system of assessment, testing and examination. The panel is satisfied that the programmes aim to evaluate LLM students at a more advanced level than the regular *Master's* students. This should however be better monitored.

## Final judgement of the assessment panel

Generic quality standard 1 - Targeted Outcome Level	S
Generic quality standard 2 - Learning Process	S
Generic quality standard 3 - Outcome Level Achieved	S

As generic quality standard 1 is evaluated as satisfactory, generic quality standard 2 is evaluated as satisfactory, and generic quality standard 3 is evaluated as satisfactory, according to the decision rules, the final judgement of the assessment panel on the Master of Laws in International and European Law is satisfactory. (het Engels nakijken)

Generic quality standard 1 - Targeted Outcome Level	S
Generic quality standard 2 - Learning Process	S
Generic quality standard 3 - Outcome Level Achieved	S

As generic quality standard 1 is evaluated as satisfactory, generic quality standard 2 is evaluated as satisfactory, and generic quality standard 3 is evaluated as satisfactory, according to the decision rules, the final judgement of the assessment panel on the Master of Laws in EU Law is satisfactory.

Generic quality standard 1 - Targeted Outcome Level	S
Generic quality standard 2 - Learning Process	S
Generic quality standard 3 - Outcome Level Achieved	S

As generic quality standard 1 is evaluated as satisfactory, generic quality standard 2 is evaluated as satisfactory, and generic quality standard 3 is evaluated as satisfactory, according to the decision rules, the final judgement of the assessment panel on the Master of Laws in International Business Law is satisfactory.

## Summary of the recommendations for further improvement of the study programme

### Generic Quality Standard 1 - Targeted Outcome Level

- Benchmark the programme profile and learning outcomes with comparable programmes abroad.
- Reflect on the discrepancy between the degree name 'International and European Law' and the programme-specific competences of this programme.

### Generic Quality Standard 2 - Learning Process

- Make sure that the 'Skills for lawyers' course is not too theoretical.
- Reclassify the crash course 'European Law: the basics' as a preparatory programme.
- Consider earmarking a number of 'obligatory' optional courses, in order to bring more structure to the students' learning progress.
- Introduce one or more compulsory courses in the Master's in International and European Law that integrate both European and international law.
- Ensure that classes are not too classic and ex cathedra, and that the good practices in teaching methods are adopted by teachers with less interaction in their classes.
- Deal with the students' complaints about excessively large classes; consider extending the number of exclusive classes or organising tutorials for LLM students in non-exclusive classes.
- Be more aware of particular expectations of incoming students and ensure that administrative support and communication are adequate.
- Increase student and alumni involvement in internal quality assurance and organise focus group interviews on a regular basis with students.

### Generic Quality Standard 3 - Outcome Level Achieved

- Guarantee that the testing vision is adopted by all teachers involved.
- Monitor how LLM students in non-exclusive classes are evaluated from the point of view of best practices.