Questions and comments were shared out to allow everyone a chance to perform in the time available. The confravision discussion thus had some of the flavour of two debating teams. It does not follow that because this was so on this occasion a confravision session must be structured in this way. In fact, we would not recommend that the topic be divided in this way. Rather we would suggest that both groups discuss the same topic in their own way during the concurrent sessions. Each group should then spend an extended period of time — perhaps even a day or half day — developing a summary which could be put in print and/or videotape form. After exchange of summaries and time for their consideration by the other group, a brief confravision link could be used to familiarize participants with the medium and to enable the theme for later discussion to be narrowed down. The conference could then reform into the concurrent sessions before selected members of each group come together again on camera for in-depth discussion in a confravision link over an extended period. Alternatively, small teams could be established to deal with different aspects of the theme with change-over of personnel taking place periodically during the confravision link.

These alternative procedures are of course only examples of the variety of ways in which a confravision link might be utilised. In summary, given that (1) the number of persons involved was suitable to the confravision facilities, (2) time was available for argument and counter-argument, and (3) confravision links were placed strategically in the overall conference program, fruitful academic discussion could take place.

The cost of a two-hour confravision link is two hundred and fifty dollars: this compares favourably with the thousands of dollars involved in transporting and accommodating twenty or more interstate participants. This fact taken into account with the pilot study we have described indicates that further development and evaluation are warranted.

ADMISSION TO LAW COURSES IN AUSTRALIA[1]

John Goldring*

Most Australian tertiary institutions offering courses leading to a professional qualification in law have now imposed quotas upon entry, so that entry to those courses is restricted to the upper fifteen percent of school leavers, as measured by academic achievement tests.

This paper will attempt to examine the question whether entry quotas for law courses are justified, and if so, whether the manner of selection presently used by Australian University Law Faculties is the best available.

These questions can only be determined in the light of the objectives of legal education. There is no unanimity among law teachers or within the whole of the legal profession as to the specific aims of legal education. Law teachers are part of the community of scholars within the Universities. As such, they would agree that the aim of a law course should be to make available a general education, and at the same time a training which provides the foundation for a qualification to practise law. There is disagreement about the way in which these two aspects can be reconciled, but reconciliation there must be. Most law teachers also accept that the law faculties are not fulfilling their responsibilities to the community in general, nor to the profession of which they are a part, if law graduates are not both technically skilled in legal studies, and also sensitive to the social and cultural environment in which the law operates[2]. This does not require in the student greater ability than is required in other academic disciplines, but merely a high degree of academic ability. Students whose academic achievement at school would barely enable them to gain entry to the least demanding faculty in some universities can enter law faculties in Queensland or Tasmania and obtain a law degree.

The imposition of quotas on entry to law courses flows from the need to establish a system of priorities of social needs, and the allocation of available resources in accordance with those priorities. Developments in legal aid enable the provision of legal services to a large proportion of society whose needs for such services have long remained unsatisfied. These services require trained lawyers. In addition, lawyers now find that legal skills provide an excellent grounding for administrative careers in public or private bureaucracy. Though most law graduates wish to obtain a professional qualification and spend some part of their career in professional practice, many find either that they are compelled to find employment outside the practising profession, or that it is attractive to do so.

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Nevertheless, since 1960, new law faculties have been established at the ANU, Monash University, the University of New South Wales (all of which have now awarded first degrees in law) and Macquarie University. In addition, law degree courses are in the advanced stage of planning at the Queensland and New South Wales Institutes of Technology, and are proposed for the Royal Melbourne Institute of Technology. Students may qualify for admission to the practice of law without a University degree in all States except Western Australia, and in N.S.W., Queensland and Victoria, substantial numbers do so.

Studies of the legal profession suggest that some highly remunerative fields of work, e.g. conveyancing and administration of deceased estates, do not require the same degree of professional and academic training and skill as do others, for example Criminal Law, Family Law, Company and Revenue Law and the Law of Social Welfare.[3] Much work done by some members of the legal profession could probably be performed more efficiently by paraprofessional workers without a university degree.[4]

Although manpower predictions are notoriously unreliable, indications are that a substantial oversupply of lawyers is likely.[5] Should therefore, scarce educational resources be devoted to education for people who will not be able to apply that education for the benefit either of themselves or of the community?

It is a corollary to the development of a class of para-legal workers that lawyers, properly so-called, should be highly educated, in the sense that they should have had access to a substantial cultural background and the chance to develop a high social sensitivity as well as to a rigorous and thorough grounding in the study of law. Only lawyers with such an education will be able properly to serve the community and provide the services which their clients demand.

It is the maintenance of academic excellence, and indeed, the desire to improve standards of legal scholarship, that have led to the greatest pressures on the existing law schools. Although law faculties were among the first to be established in Australian Universities, it is only within the last ten or fifteen years that these faculties have been staffed predominantly by full-time academics. Prior to that most teaching was by practising lawyers, who, though usually competent, and often outstanding practitioners, were often able only to deliver two or three lectures per week to a group of two or three hundred students before rushing back to court, chambers, or office.[6] Tutorials and tutors were rare; there were many part-time students; and there was a

total absence of any continuous assessment or any other means whereby a student could obtain any idea of the progress of his or her study.

For this reason many non-law academics dismissed the study of law as totally vocational, and therefore unworthy of the dignity of an academic discipline within the University. More importantly, it led to the extremely high staff-student ratios, at virtually no capital or recurrent cost to the university. Law students swelled the numbers of WSUs, while the university did not have to provide accommodation or ancillary staff for its part-time teachers. So long as the law library (the largest item of capital expenditure) was barely adequate, those students (a relatively small proportion, by present standards) who managed to pass exams by regurgitating lecture notes and roneoed material were happy.

Belatedly, the universities and the profession realised that this situation was academically and professionally undesirable. Legal education of proper academic standards required full-time academic staff who have demonstrated outstanding ability either in research, in teaching or in professional practice, who were able to devote time to students and to teaching.

Law faculties faced great difficulties in achieving these ends. University administrations tended to resist claims for more staff and better staff-student ratios, by relying on the fact that, in the past, law faculties had managed to get by with a few full-time staff. The claims of the law schools were often resisted by those other academics who regarded legal education as purely "vocational". Academic salaries tended to be lower than the salaries which people of the calibre required could command in government service and substantially lower than most worthwhile academics could earn in private practice.

While these factors still apply to a greater or lesser extent, many law faculties, by resorting to relatively heavy staff teaching loads, have been able to reduce the sizes of most classes substantially, and to provide tutorials and staff-student contact which are necessary for the standards of academic excellence which the community and the profession demand. Had the universities paid more than lip-service to the aim of academic excellence, the present situation would have been reached decades ago.

Academic standards cannot be maintained unless staff-student ratios are kept at their present level, and desirably, reduced still further. Law libraries, which are the only substantial item of equipment required for the maintenance of proper academic standards, must also be expanded and maintained. More students mean more books in the library, and in present economic conditions, funds for substantial expansion of law libraries are unlikely to be found.

Thus the intake of law students must be restricted, for the maintenance of academic standards, and, in the future, for the allocation of resources so that the community does not waste resources of manpower. It is perhaps ironical that the practising profession has never attempted to limit the number of law students in order to preserve its monopoly; on the contrary, it is the practising profession (and, to a lesser extent, the public service) which has pressed for the maintenance of non-university law courses of markedly lower academic standards. These courses are inadequate to produce the type of practising lawyer which the community and the profession requires today.

Selection of Law Students — Present Policies

a. Demand for Places in Law Courses
There are far more applicants for entry to law courses than there are places available, and the number of applicants appears to be growing. In NSW and the ACT, where four universities offer about 1,000 places in law courses each year, there is no difficulty in filling places. Macquarie, the newest of the law schools, accepts only the upper fifteen percent of school leavers; ANU the upper six per cent. ANU, in 1976, had over 1,500 applicants for 125 places. The situation in the other universities was less marked but applications substantially exceeded places available. Over 800 students enrolled in 1975 in the law courses conducted by the Law Extension Committee for the Joint Examinations Board of the NSW Supreme Court. Presumably, a substantial number of these had failed to obtain entry to university law courses.

b. Admission of School Leavers
Table 1 shows a summary of the requirements for entry to all Australian University Law Faculties in 1976. It also shows the entry level (in terms of NSW Higher School Certificate marks or equivalent) and percentiles of those students accepted. All law faculties (except that in Tasmania) impose a numerical limit on the number of students accepted, and require a standard of achievement considerably higher than the minimum for entry into the university. In Tasmania and Western Australia, selection is based on performance in at least one year of tertiary studies. Elsewhere selection depends on achievement in secondary education, measured by performance in a final secondary examination, except in Queensland, and in the case of the 'early offer' scheme of the ANU, where it is measured by teacher assessment. Performance in such an achievement test appears to be a good predictor of success in tertiary studies (though not necessarily in law studies).[7]

Many students in fact drop their law studies after one or two years, and for this reason some test of motivation might be valuable. It is doubtful, however, if such a test would be of much use if applied before a student had any exposure at all to law studies.

c. Students who have completed some tertiary studies
In Western Australia, selection is based upon performance in such tertiary studies as the applicant has undertaken but most univeristy law schools permit a student who has completed the equivalent of a full time year of approved tertiary studies in another discipline to transfer to a 'straight' or 'combined' law course. Selection in such cases is based on academic performance at a tertiary level; some universities require such students, in practice, to have achieved grades of Credit or better in at least half their tertiary subjects.

ANU and the Universities of Sydney and NSW offer special 'short' (i.e. 3 year) courses for persons who already have a degree. A special sub-quota of places is reserved for students undertaking these courses. Selection is on the basis of performance in the previous degree. Monash University gives special recognition and some advanced status to students already holding a degree. Most Universities agree that selection on the basis of tertiary performance may tend to arbitrariness, and support the development of an appropriate aptitude test.

d. Performance in Legal Studies
Most Australian Law Schools accept that, within Australia, a student who has completed part of a law course in a law faculty should be free to transfer to another law school and complete the degree course there, with full credit for work in law already completed, provided that such a policy does not place undue strain on the resources of the faculty to which the student wishes to transfer. Personal reasons seem the main cause of transfer, but an increasing number of students seek transfer in order to take optional courses offered in some law schools which are not offered in others. Most law schools have encouraged portability, and assisted transferring students by granting the maximum advanced status. Law studies completed outside a recognised university law school are not generally given credit.

e. Non-academic performance; experience and motivation
UNSW, in selection of part-time and graduate students, and Macquarie University, in its selection for its external B.Leg.S. course, use non-academic selection criteria in a general way. Monash and Western Australia have special categories for a small number of students who can show that they are of mature age and have suffered special educational disadvantages. ANU may admit outside its normal quota students who can show that their background entitled them to special consideration.[8]

Macquarie University is obliged, under the conditions of its establishment, to provide an external course for NSW residents who have some work experience related to the law; in practice many B. Leg. S. students are clerks of petty sessions, police prosecutors, managing clerks, etc., although other students with a wide variety of experience are selected for this course.

UNSW selects its part-time students on the basis of interview, as well as on the basis of other material. Evidence of familiarity with legal work and of motivation for legal study are given considerable weight. The University considers that this process is of considerable academic value.

Several Australian universities have recently moved to facilitate entry of mature age students lacking formal educational qualification and some make special provision for this class of student to enter law schools. In general, academic merit is still the main criterion for selection.

While all law schools require proof of academic ability, some experiments with different forms of testing have occurred. This is most usually done in the case of mature students who are able to gain entry to the university, but lack the formal requirements required by law schools. This may be because they are 'early leavers', or because their educational qualification is foreign and therefore cannot give a fair basis of comparison with other applicants. Applicants who completed secondary schooling more than three years before applying to enter a law course also require special treatment, as there is convincing evidence that there is a negative correlation between school and university performance in the case of those who enter university more than three years after leaving school.[9]

In these cases the University of Melbourne, Monash University and ANU administer an ASAT-type aptitude test to assist in determining whether the applicant qualifies, in relation to other applicants, for admission to a law course. The use of the TEEP aptitude test at ANU has been the subject of a study which shows that while the TEEP test has some predictive value, it is certainly not as good a predictor of success in law studies as achievement tests such as the Higher School Certificate examination.[10]. Such aptitude tests as are administered by the law schools are regarded as a simple way of measuring ability, but their reliability is suspect. If any other indicators are available the weight given to performance in an aptitude test seems to be downgraded.

Where an applicant has received secondary education overseas, he may gain admission to a law school on the basis of overseas qualifications (e.g. English GCE 'A' levels or US SAT scores and high school records) if the university is familiar with those qualifications, and the level of achievement is comparable to that of Australian applicants who are admitted. In other cases, the existing, though inadequate, aptitude tests may be used, though that is one area where an aptitude test would assist greatly.[11]

Admission to Law Schools in Some Other Countries

a. The U.S.A.
In the USA, the law degree, awarded after three years of full-time internal study, is almost invariably a second degree, and assumes a broad background.

Academic performance in studies for the first degree play a significant part in selection for entry to a law school, which is competitive, especially in the more prestigious institutions.[12] Because of the large number of institutions awarding undergraduate degrees in the U.S., in order to have a basis for comparison, a number of U.S. law schools developed the Law School Aptitude test (LSAT).[13] Most U.S. law schools now require applicants to take the current version of this test, and to achieve a minimum score in it. The LSAT is not the sole means of selection. In all cases it is combined with the applicant's undergraduate record, and modified by a 'college profile', developed by the individual law school on the basis of performance of graduates of the institution in the law school. The better known the undergraduate institution, the more weight is given to undergraduate record and less to LSAT score.

For constitutional reasons, special preference is given to members of minority groups and women, though there has been some opposition to this.[14]

b. The United Kingdom
Law degrees in England and Wales are generally of three years' duration. There is less emphasis on practical subjects than in Australia, and the degree is not a requirement of admission to practice. Many law graduates do not practice law. The pressure of numbers does not appear to be as great as it is in Australia. Applicants are selected on the basis of performance at GCE 'A' level examinations and interviews.

Criticisms of Present Admission Policies

a. Academic Criticism
There is evidence that law students admitted under present policies do as well, if not better, than other university students. Given the standards of academic achievement required for entry to law courses, this is hardly surprising. Table 2 shows a comparison of performance in some first-year non-law subjects between students in combined law courses at ANU, compared with all students enrolled in those courses. Law students are, academically, at least as capable as other students.

b. General Educational Criticism
Some say that tertiary study should be available for all those who want it. There are convincing arguments that "law as social science", a study of certain basic institutions of society, (as opposed to "law as professional training") should be available to all those who want it, and the trend in many tertiary, and secondary, institutions is to provide courses in 'legal studies'. There is every reason to 'demystify' law; as it affects every member of society, every member should have the opportunity to study the law at an appropriate level. It is not practical, for academic and other reasons already mentioned, to offer a professional training in law to all those who want it. While there should be available 'resource centres' where any interested person should be able to get some degree of knowledge of the law, university law schools do not exist primarily as such.

Even though there may not be sufficient resources available within the community, to allow all those who want it to obtain a professional training in law, there certainly is a need for a much wider range of tertiary courses which afford training in law for people who will work in the legal profession, though not as lawyers in the traditional sense.[16] 'Para-legal workers' or legal executives, even today play a significant part in the delivery of legal services to the community, and have a far more important role to play, if legal services are to be made available to all those who need them. Studies in the U.S. suggest that people who have left school at an early age, but at some stage receive an intensive training in certain legal techniques, are most effective in providing communication between lawyer and client, especially where the client and the para-legal worker are drawn from some cultural minority group.[17] If legal services were not to expand, economic pressures within the legal profession would probably force the use of far more para-legal workers. At present, lawyers are under-employed, given the cost of their training. With the development of more specialised law courses — something increasingly seen as desirable by legal practitioners and educators — these economic pressures will become even more acute.

c. Social Criticisms
Lawyers have always been highly paid, and have a high social status. A study conducted in 1965 by Anderson and Western in four Australian law schools showed that a very high proportion of law students came from families where the father's occupation was described as 'professional or managerial', and father's income was very high.[18] Dr. Anderson kindly made available to me a copy of the 1965 questionnaire, and with some additions (notably questions relating to the income and background of the mother) a virtually identical questionnaire was administered to students entering the first year of law courses at ANU, Macquarie University, and the Universities of Sydney and NSW in 1976. The number of students responding to the questionnaire in each law school, with percentage of all first year students in that course shown in brackets, was as follows: ANU 101 (69%); Sydney 123 (36%); UNSW 227 (84%) and Macquarie 125 (52%). The results of the questionnaire, which appear in table 5 show very little change over 11 years in the background of law students; however, the percentage of females has increased from 11% in 1965 to nearly 30% in 1976.

As Anderson and Western stated in respect of the 1965 study, the figures on parents' income must be subject to some reservations, and may be unreliable because students are reluctant to state their parents' incomes.[19] It is noticeable that if the average wage in March 1976 is taken as $9,000, less than 20% of law students came from homes where income was less than average; but more than one quarter came from families where father's income exceeded $19,000.

The income, educational and occupational backgrounds of families of law students appears in tables 3-7. The change from the situation in 1965, even though a different group of law schools was studied, seems very slight.

These results are hardly surprising. Secondary students from low-income families have low occupational expectations; and they often do not expect to remain at school longer than required by law to do so.[20]

The effect is undesirable. The legal profession will tend to be even more of a self-perpetuating elite than it is at present. Those students who do not come from a professional or managerial background are likely, in any case, to be socialised during their studies in a law school so that their values and attitudes come to resemble closely those of most members of the legal profession.[21] It is difficult to see how this result could be avoided; but it emphasises both the need to demystify the law and to employ para-legal workers in order to improve communication between lawyer and client, if legal services are to be provided effectively to all those who need them.

Are There Any Solutions?

a. Unrestricted entry
The manpower problems mentioned previousiy suggest that there are reasons for restricting the total number of graduates in law from Australian universities. The reasons given there also suggest that unrestricted entry to law courses is not the answer. The first year of a law course is, in many ways, the most vital. It provides the basic research and writing techniques, and the keys of understanding the law both as an academic discipline, and as a tool for the provision of a vital community service. Experience has shown that this basic training, at least, is best conducted in small groups where 'Socratic' or discussion methods are used, and that the teachers be highly skilled. These optimum conditions could not be provided if entry were unrestricted; either first year classes would be conducted on the traditional lecture basis, which have proved to be unsuitable, or an undue proportion of the law school's resources would be devoted to the teaching of first year classes, thus restricting the number of courses in later years and preventing the degree of specialisation now considered desirable, or forcing large classes in later courses.

Most law students, who are not already graduates in some other disciplines, are enrolled either in combined courses, or in some non-law subjects which are required as part of the law course. Law students are competitive, and become more so during their courses.[22] If further progress in law studies depended on the result of assessment during the first year of the course, it is likely that the non-law component of the course would suffer; thus the whole object of requiring a broad education would be defeated. It would also mean that competition would lead to rivalry between students, and a decrease in the process of learning from peer-group discussion. The erection of a selection barrier at the end of the first year would also mean the imposition of artificially high academic standards; many students who had demonstrated what was, under normal circumstances, sufficient competence in the course, would be excluded from further study. A 'failure' would be recorded against them and this would give a false picture of their ability. It would also mean that they had wasted a year of valuable time on a course of study which led them nowhere. The disappointment at non-selection would merely be postponed.

b. Admission after study in some other discipline
While those who already have a degree, necessarily with grades of a fairly high standard, are usually well motivated to law study, to impose a requirement of a degree in another discipline is not at present a practical or political possibility. Students taking a second degree (although not two degrees as part of a combined course) are to some extent ineligible for tertiary assistance. Their course would be of a minimum of six years of full-time study, and the expense of this to family and community is unduly burdensome, especially to the small but valuable minority of students drawn from lower-income families.

c. Aptitude testing[23]
Except in the case of those who leave school within one or two years before applying for entry to law schools, and those who already hold a degree, there are no reliable predictors of success in tertiary studies available. It is unreasonable to expect mature applicants to return to secondary study, yet in the case of mature students there is a negative correlation between secondary school achievement results and success in tertiary studies where there is a lapse of three or more years between school and university.[24] Although UNSW has achieved reasonable success in selection of graduate students by using interviews, the interview method is a great strain on resources. For this reason, and in order to cover the case of students with secondary or other qualifications which are unfamiliar to the law school, some form of aptitude testing is desirable, though there are problems involved in the development of a suitable aptitude test.

The need for a change in the method of selecting mature students for admission to law courses is emphasised when one considers the class discrimination inherent in school-based assessment. Connell has shown that despite intelligence or ability, it is much more difficult for a student from a low-income background to remain at school, and such a student is unlikely to aspire to enter a law course.[25] Yet a person with maturity and experience, perhaps as a para-legal worker, may in fact turn out to be an excellent law student and ultimately an excellent lawyer. Some test which is as free as possible from cultural bias would help to overcome this problem.[26]

Conclusion

It is clear that in many respects, the present policies on admission to law courses in universities are unsatisfactory. Changes are necessary. However, there are several constraints upon the range of options open, and these make any radical change in the direction of admission policies rather remote. This should not stop law schools, the legal profession, and the community generally from examining the aims of legal education; from questioning the validity of reasons given for the maintenance of existing policies; or from suggesting improvements. The universities, and more importantly, the community, has a vital interest in the quality and resourcefulness of lawyers. If the present policies of selection for entry to law courses are not resulting in the fulfilment of academic and community needs, then the policies must be changed. It is most difficult to find both a new direction and a machinery of selection which will be satisfactory.

Table 1

Summary of Responses to Questionnaires on Admissions Policy

	U.Qld.	U.Syd.	UNSW	Macq.	ANU	U.Melb.	Monash	U.Tas.	U.Adel.	U.W.A.
Is there a quota on entry to Law courses?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
If so, what were the quota figures in:										
1974	none	350*	270	n/a	140	250	340	n/a	150	110
1975	350	350*	270	200	150	235	340	n/a	150	110
1976?	350	340*	270	250	125	235	320	n/a	150	110
When was a quota first imposed?	1975	1963	1971	1975	1971	1961	1964	-	1967	1973
Are there separate quotas for										
(a) different combined courses?	No	No	No	No	No	Yes	No	n/a	No	No
(b) graduates?	No	Yes	Yes	No	Yes	Yes	No	n/a	No	Yes
Is special consideration given to:										
(a) mature age students or		from	Yes	Yes	No	Yes	Yes	n/a	No	Yes
(b) disadvantaged students?		1977	Yes	Yes	Yes	Yes	Yes	n/a	No	No
What was the size of the Law School in										
1973	1005	1998	530	-	598	1258	1236	n/a	528	308
1974	1300	1934	850	-	613	1330	1348	n/a	558	316
1975	1095	2025	1100	240	631	1282	1481	n/a	607	397
What was the number of students enrolling in Law for the first time in										
1973	380	350	270	-	141	252	270	n/a	150	125
1974	530	350	270	-	144	254	244	n/a	150	130
1975	350	340	270	240	146	240	276	n/a	150	130
What was the entry level of students 1976										
- in terms of N.S.W. Higher School Certificate marks	538	law only 595 comb. course 637	614	581	630	645	594	n/a	584	n/a
- As a percentage of students completing secondary school	75 (approx)	law only 87.97 comb. course 95.53	91.00	85.84	94.00	95.61	86.60	n/a	86.55	n/a

Table 2

Comparative Study of Results of Combined Law Course Students and All Students completing First Year non-Law Courses at the Australian National University 1975

Name of Course	Result													
	High Dist.		Dist.		Credit		Pass with Merit*		Pass		Fail		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Economics I														
Total					1	0.43	46	19.74	116	49.79	70	30.0	233	100
Comb.Law							6	50.00	4	33.33	2	16.67	12	100
Econs. I (H)														
Total	2	4.17	10	20.83	5	10.42	14	29.17	17	35.42	0	0	48	100
Comb.Law	1	10.00	3	30.00	1	10.00	4	40.00	1	10.00	0	0	10	100
Pol.Science I														
Total			16	6.53	49	20.00			168	68.58	12	4.90	245	100
Comb.Law			3	11.11	11	40.74			13	48.14	0	0	27	100
Philosophy I														
Total	3	2.21	14	10.29	55	40.44			59	43.39	5	3.68	136	100
Comb.Law			2	15.38	6	46.15			5	38.47	0	0	13	100
English IA														
Total			23	11.00	54	25.84			125	59.81	7	3.35	209	100
Comb.Law			5	20.83	6	25.00			12	50.00	1	0.42	24	100

* Economics only.

Table 3

Father's Income of Entering Law Students
(Percentage)

	ANU	Sydney	U.NSW	Macq.	4 Universities
Less than $5,000 per year	6.9	4.9	4.4	3.2	4.69
$5,001-$7,000	4.0	4.9	6.2	3.2	4.86
$7,001-$9,000	13.9	11.4	5.3	14.4	10.07
$9,001-$11,000	5.9	10.6	9.7	10.4	9.38
$11,001-$13,000	7.9	19.8	9.3	11.2	10.07
$13,001-$15,000	12.9	9.8	7.9	12.0	10.07
$15,001-$17,000	7.9	7.3	8.4	5.6	7.47
$17,001-$19,000	5.0	5.7	5.3	5.6	5.39
above$19,000	17.8	29.3	26.0	18.4	23.61
No answer	17.8	6.5	17.6	16.0	14.93

Table 4

Mother's Income of Entering Law Students
(Percentage)

	ANU	Sydney	U.NSW	Macq.	4 Universities
Less than $5,000	44.6	49.6	41.0	44.8	44.3
$5,001–$7,000	12.9	14.6	10.6	12.8	12.3
$7,001–$9,000	11.9	5.7	4.8	8.8	7.1
$9,001–$11,000	2.0	4.1	3.1	3.2	3.1
$11,001–$13,000	3.0	3.3	5.7	2.4	4.0
$13,001–$15,000	1.0	2.4	0.4	1.6	1.2
$15,001–$17,000	1.0	0.8	2.2	0.8	1.4
$17,001–$19,000	—	—	—	—	—
above $19,000	2.0	1.6	2.2	0.8	1.7
No answer	21.8	17.9	30.0	24.8	24.8

Table 5

Last Occupation of Fathers of Students Entering Law School

	ANU	Sydney	U.NSW	Macq.	4 Universities	(1965)
No answer	2.0	1.6	3.5	3.2	2.78	(3)
Employers and Managers of large establishments	5.0	7.3	6.2	16.8	8.51	(18)
Employers and Managers of smaller establishments	8.9	21.1	22.0	17.6	18.58	(16)
Self-employed professional workers	7.9	10.6	12.8	10.4	10.94	(13)
Employed professional workers	36.6	17.9	16.3	13.6	19.62	(14)
Intermediate non-manual workers	9.9	20.3	8.4	12.8	12.15	(20)*
Junior non-manual workers	6.9	—	1.3	4.8	2.77	
Foremen, supervisors and skilled manual workers	4.0	3.3	9.7	8.8	7.12	(6)
Semi-skilled and unskilled manual workers	4.0	3.3	1.3	3.2	2.60	(5)
Own account workers	8.9	10.6	12.8	5.6	10.07	
Farmers	5.9	4.1	5.7	3.2	4.87	(5)
Total Managerial/Professional (including farmers)	64.3	61.0	63.0	61.6	62.52	(66)
(excluding farmers)	58.4	56.9	57.3	58.4	57.65	(61)
Total other	35.7	39.0	37.0	38.4	37.48	(33)

* These categories combined in 1965 survey.

Table 6

Fathers' Educational Standard of Students Entering Law Courses in 1976
(Percentage)

	ANU	Sydney	U.NSW	Macq.	4 Universities
No answer	4.0	—	1.8	1.6	1.73
Completed Primary School	4.0	8.1	7.9	6.5	6.94
Some Secondary Education	18.8	22.8	24.2	35.2	25.35
Completed Secondary Education	15.8	14.6	11.9	13.6	13.54
Post-secondary Diploma or Certificate	12.9	19.5	19.8	14.4	17.36
Attended University, without obtaining degree	6.9	4.9	7.0	4.0	5.9
University Degree	37.6	26.8	26.0	24.8	27.95
Other	—	3.3	1.3	—	1.21

Table 7

Mothers' Educational Standard of Students Entering Law Courses in 1976
(Percentage)

	ANU	Sydney	U.NSW	Macq.	4 Universities
No answer	2.0	—	0.9	1.6	1.0
Completed Primary School	3.0	8.9	4.4	7.2	5.73
Some Secondary Education	41.6	26.8	33.5	46.4	36.3
Completed Secondary Education	19.8	25.2	20.3	19.2	21.0
Post-secondary Diploma or Certificate	14.9	23.6	22.5	16.0	20.0
Attended University, no Degree	4.0	4.1	4.4	2.4	3.8
Completed University Degree	14.9	10.6	12.8	6.4	11.2
Other	—	0.8	1.3	0.8	0.8

FOOTNOTES AND REFERENCES:

1. The material in this article is based on research conducted in the course of preparing a discussion paper for the National Conference on Legal Education in Australia held in Sydney in August 1976. Many of the discussion papers prepared for this conference have been published in bound form by the Law Foundation of NSW as *Legal Education in Australia*. An edited version of the complete proceedings of the conference, including discussion and background papers should be published shortly. These papers provide the most comprehensive survey of legal education in Australia to date. Professor J. E. Richardson has also prepared a report on Legal Education in Australia for the Australasian University Law Schools Association. A draft was presented to the 1976 meeting of AULSA.
   The work was possible only with the assistance of Dr. D. S. Anderson and Ms M. Saltet of the Educational Research Unit A.N.U. Ms L. Davis of the School of Education, Macquarie University, Mr. M. Richardson, of the Faculty of Law, A.N.U. and the Faculties of Law of the Universities of Sydney, and N.S.W., Macquarie University and the Australian National University.
2. e.g. W. J. V. Windeyer, "Learning the Law" (1961) 35 ALJ 102; J. R. Peden, *Professional Legal Education and Skills Training for Australian Lawyers* (Sydney, 1972); H. Whitmore "Are the Needs of the Community for Legal Services Being Met by the Universities?" (1975) 49 ALJ 315; J. H. Wootten in D. Hambly and J. Goldring eds., *Australian Lawyers and Social Change* (Sydney, 1976) at 356-360.
3. Report by E. S. Knight & Co. to the Law Institute of Victoria, 1975, gives interesting data on the amount of time spent by a sample of practising solicitors on various types of work, and some indication of the relative remuneration for this work.
4. See F. C. Hutley, "Training of Paraprofessionals" in *Legal Education in Australia* (n.l. supra) at 260; Editorial, (1975) 1 Legal Service Bulletin 320.
5. J. E. Richardson, Report to A.U.L.S.A. on Legal Education in Australia (August 1976, unpublished).
6. See, e.g. R. J. D. Legg, "Trainiing for the Bar" in J. M. Bennett, ed. *A History of the N.S.W. Bar* (Sydney, 1969) 224-235.
7. Z. Cowen & P. Nickolls, "Admission Process in the Law School" (1963) 37 Law Institute Journal 186; D. E. Lavin, *The Prediction of Academic Performance* (New York, 1965) 52; D. S. Anderson, "Some Implications of competitive entry to the University" (1966) 4 *The Australian University* 210.
8. In practice, such students have been aborigines or from developing countries.
9. D. S. Anderson, "Access to Higher Education and Progress of Students" in G. S. Harman and C. Selby Smith, eds., *Australian Higher Education* (Sydney, 1972) 116,118.
10. Tertiary Education Entrance Project, *Evaluation of TEEP as a Predictor of Success in First Year Law Studies at the Australian National University 1971-1973* (Canberra, 1975); Ian G. Campbell, *Law Student Selection: The Need for a Law School Admission Test* (Sydney, 1975)
11. Campbell, Loc.cit. n.10.
12. P. W. Lunneborg and D. Radford, "The LSAT: A Survey of Actual Practice" (1966) 18 J.Leg.Ed. 313; S. P. Klein, D. A. Rock and F. R. Evans "Predicting Success in Law School with Moderators" (1969) 21 J.Leg.Ed. 304; see also the survey of U.S. admissions policies in S. J. Rosen "Equalizing Access to Legal Education" (1970) U.of Toledo L. Rev. 276.

13. W. L. M. Reese "The Standard Law School Admission Test" (1948) 1 J.Leg.Ed. 124.
14. Following the case of *De Funis v. Odegaard* (1974) 418 US 903; 41 L.ed. 2d. 1151; 94 S.Ct. 1704; where a Jewish student challenged the preferential admission given to Black and Spanish-speaking applicants for entry to the Law School at the University of Washington, there was a spate of academic comment about both the constitutional and academic aspects of policies of 'benign discrimination' in admission to U.S. law schools. The problem is described in W. R. Anderson "The Admissions Process in Litigation" (1973) 15 Ariz.L.Rev. 81. The issues discussed in the symposia to be found in (1974) 60 Va.L.Rev. 917 ff. and (1975) Col.L.Rev. 483 ff. concentrate on the constitutional aspects of the case which arose under the 'equal protection' provisions of the U.S. Constitution. However (1970) U.Toledo L. Rev. 276 ff., which appeared before the *De Funis case*, contains a number of articles dealing with educational factors which may affect preferential treatment of members of minority groups. See also K. J. Karst and H. W. Horowitz, (1974) 60 Va.L.Rev. 955; L.A. Graglia, "Special Admission of the 'Culturally Deprived' to Law School" (1970) 119 U.Pa.L.Rev. 351, and the reply by D. A. Bell (1970) 119 U.Pa.L.Rev. 364.
15. Information on the selection process in the U.K. is relatively scanty. See however, J. F. Wilson and S. B. Marsh "A Second Survey of Legal Education in the United Kingdom" (1975) 13 J.S.P.T.L. 239.
16. n.4 *supra*.
17. G. Cooper and M. Rosenberg, *Legal Service Assistants* (New York, 1970); W. P. Statsky "Paraprofessionals" (1972) 24 J.Leg.Ed.397. Experience with the Aboriginal Legal Service in Australia, and the Public Solicitor's Office in New Guinea have proved the value of paraprofessionals in bridging cultural gaps.
18. D. S. Anderson and J. S. Western, "Social Profiles of Students in Four Professions" (1970) 3 *Quarterly Review of Australian Education* No.3.
19. *ibid*, 10.
20. R. W. Connell, "Class Structure and Personal Socialisation" in F. J. Hunt, ed., *Socialisation in Australia* (Melbourne, 1972) 38, esp. 41. See also P. J. Fensham, "Tertiary Educational opportunity in Victoria" in P. J. Fensham, ed., *Rights and Inequality in Australian Education* (Melbourne, 1970), 143.
21. D. S. Anderson and J. S. Western, "What a Law School Does to You" (1974) *Oracle 74*, 22 (Monash Law Students Society), based on "What a Law Course does to Law Students" (unpublished).
22. *ibid*.
23. This subject is dealt with comprehensively by Ian Campbell, n.10 *supra*, and his "Admission Policy: Developed Ability Testing and Academic Record" in *Legal Education in Australia* (n.l. *supra*).
24. n.9 *supra*.
25. n.20 *supra*.
26. A summary of the criticisms may be found in Campbell, n.10, Chapter III; The principal criticisms of LSAT in the US are referred to by C. E. Consalus, "The Law School Admission Test and the Minority Student" (1970) U. Toledo L.Rev. 501; and D. A. Rock "Motivation, Moderators and Test Bias" (1970) U. Toledo L.Rev. 527.

THE UNIVERSITY OF ADELAIDE STAFF ASSOCIATION REVIEW OF DEPARTMENTAL GOVERNMENT

A. R. Stephens* and A. H. Winefield**

In 1973, following lengthy negotiations with U.A.S.A., the University of Adelaide introduced a new system of departmental government. All departments were invited to establish departmental committees "to participate in the management of departments and to express views on all matters pertaining to the University". Moreover, in most departments the tenurable members of the academic staff were given the opportunity to elect from among themselves a chairman to replace the appointed head. This did not apply in the case of professorial heads appointed as such prior to 1969 whose conditions of appointment included departmental headship and who declined, in accordance with their legal rights, to relinquish it. Nevertheless, many did in fact relinquish it at once, and others have done so since. Details of the new system were published in Vestes, *1974 XVII No.2, Notes and News, pp. 247-252.*

In 1976 the University appointed a committee to examine the workings of the new system and U.A.S.A. made a submission to the committee based on a survey of its members. The results of the survey are presented here.

This report gives the results of a questionnaire circulated to all members of U.A.S.A. to enable the Association to give the best information possible to the committee enquiring into the functioning of Departmental Government in the three years since its introduction. The questionnaire was a mixture of quantifiable and "open ended" questions. It intended to avoid identification of answers by faculty, department or individual, though in some cases this information was volunteered. Understandably, the response was almost wholly from full-time members of the academic staff, but where other members commented as observers of the working of departments, these answers were included wherever possible. It had been hoped to contrast three types of answer: those from departments having neither a departmental committee nor the opportunity to elect a chairman; those having a committee but no opportunity to elect; those having both. However, answers from the first group were too few to yield usable figures and so this category was put together with the second. A very small number came from departments which had had the opportunity to elect a chairman, but not done so. These were grouped with those departments which had had the choice and done so. To make comparison more easy, the two groups will be referred to as "Electing" and "Non-electing". The results are presented in a different order from that of the questionnaire with the numerical ones first. Within the two groups the order of the questionnaire has been changed for greater clarity, since particularly the "open ended" questions drew overlapping answers or comments not relevant to the question asked. Comments ranged from short essays to none at all.

A — STATISTICAL RESULTS

1.1 Description of the sample

214 answers were received, of which 206 came from members of the academic staff. The distribution over departments of varying sizes was as follows:

Less than 10 full-time academic staff	10-15	More than 15	Not applicable
63	70	73	8

The response from academic staff represents 41% of those who are members of U.A.S.A. and 30% of all full-time academic staff in the University.

1.2 The different academic staff categories responded as follows. Totals for each are as close as possible to presently filled, full-time positions.

(**Note:** The present total membership of U.A.S.A., including non-academic members, is 685. Senior Tutors are grouped with lecturers because all are tenurable posts at Adelaide, S.T.F.'s with tutors because neither are tenurable.)

Position	No. of replies	Total employed	% of total employed	Current UASA members	% of members
Professor	29	72	40%	57	50%
Reader/Sen.Lect.	121	320	38%	264	46%
Lect./Sen.Tutor	44	171	26%	133	33%
S.T.F./Tutor	12	122	10%	46	26%
Total	206	685	30%	500	41%

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