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OPINION



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Penelope Andrews says dept has strict admission standards but throughput rates present a challenge

Media reports about the Council of Higher Education (CHE) review process have given the impression that the University of Cape Town is in peril of losing accreditation for the LLB degree. This conclusion is misleading and alarmist. It overlooks the importance of the relationship between universities and the CHE in ensuring that South African law faculties maintain high standards.

This is all the more important in times of change such as the entire higher education sector is experiencing now, with the need to accelerate transformation, get a commitment from government about financial support and respond to the pressing needs of our society by pursuing socially responsive research and teaching that will prepare students to take up positions of leadership in the future.

First, let me point out that accreditation for the LLB degree has not been withdrawn from the UCT Faculty of Law and this is not likely to happen. We have until May 2018 to address the concerns highlighted by the CHE and we are confident we can do so well within that deadline. UCT has every intention of responding to the points raised by the CHE. I have reassured current and incoming students to the UCT Faculty of Law that they will graduate with an accredited degree.

At the same time, there is room for improvement, not just in the Faculty of Law but also at an institutional level. UCT, like other South African universities, is grappling with important questions of transformation, including how we decolonise curricula and how we improve the ability of students from disadvantaged communities to succeed in a highly demanding degree programme. As an institution, UCT is seeking to bring holistic change through a central approach that will influence how different faculties address transformation issues. The Law Faculty is working within this wider structure.

The UCT Law Faculty has strict admissions standards; just to be admitted is a noteworthy achievement. Yet our throughput rates present a challenge. UCT data reflects three separate streams of LLB students:

1. The cohort of combined stream students (BA, B Com, B Soc Sc) who complete a law major in their primary degree, followed by a two-year graduate LLB, has consistently achieved an excellent throughput rate of 79.7% graduating on time (in five years) and 85.6% of all students who enroll obtain their degree.
2. The throughput rate for the three-year graduate programme (Preliminary year intake) is not as high as that of the combined stream students. 49.1% of students graduated on time between 2010 and 2013; and 57.3% of those who enrolled graduated with the degree.
3. The four-year undergraduate degree provides an opportunity for the UCT Law Faculty to increase access to students from disadvantaged educational and socio-economic backgrounds. Students entering the Law Faculty directly from school, with other students in their class who are postgraduates, or second-year students from other faculties, are challenged by the standards expected of this combined group.

Interventions to support these students include a First Year Experience project, a Legal Writing Project, an extended curriculum programme (ECP) and many dedicated subject tutors available to assist students, as well as a proliferation of tutorials offered in the first year.

However, the throughput rate is only 47% after six years, with 47% of the entrants who registered obtaining the degree. ECP participants feel burdened by the stigma associated with these interventions – even though the fault does not lie with them but rather with the wholly inadequate education standards provided in government schools. This is an issue all law faculties grapple with: how do we give our struggling students the tools they need to succeed in the programme?

This is the first time the CHE has embarked on such a process with the law faculties. It started in 2012, as a combined effort with the higher education sector and the law sector, to identify standards for skills and knowledge transfer, specifically around the transformative potential of the Constitution. The goal is to address how the transformative constitution affects the programme of legal education, in terms of curriculum, teaching methodology, who are the teachers, who are the students. All the law faculties submitted self-assessment reports last year to address this broad question.

The critical areas of concern raised by the CHE are: student performance, especially among black students; programme coordination; and curriculum review. While the faculty did address these areas in general terms in the self-assessment report we submitted to the CHE, we will now provide more specific detail on how we intend to improve, with clear targets and timelines.

Our graduates are proud of the UCT Law Faculty's history and rightly so: it is the oldest law faculty in the country and is ranked 40th worldwide. According to the most recent Careers Services exit survey, 61% of black South African LLB graduates and 57% of white South African LLB graduates had already been employed by the time they received their degree. These are impressive figures. About 19% of remaining graduates (black and white) indicated they were pursuing further studies, while between 6% and 10% were pursuing other plans. Only about 15% were still seeking employment at the time of graduation.

I see the CHE review process as an opportunity for UCT to give voice to what we are doing to address the challenges of transformation. The UCT Law Faculty is large and diverse in many ways, but we are united in terms of the goals we want to achieve: a greater rate of student success, an academic staff that is more representative of the South African population, a curriculum that reflects not only our history but also our aspirations as a nation, and graduates who are the best prepared to enter the legal field and serve the country with their skills.

Professor Penelope Andrews is Dean of the Faculty of Law at the University of Cape Town