

30 October 2018

Committee Secretary
Education and Employment Legislation Committee
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600
AUSTRALIA

Dear Secretary

**Higher Education Support (Charges) Bill 2018 and Higher Education Support Amendment
(Cost Recovery) Bill 2018**

I refer to the Committee's work regarding the above Bills and respond as follows:

The College of Law has no objection to the imposition of a levy to support the administration of the Fee-Help system on condition that the levy:

- is limited to students who access the HELP system;
- raises money purely on a cost recovery basis; and
- does not further disadvantage smaller providers vis a vis the universities.

The College of Law wholly supports any reasonable initiative to enhance the sustainability of the HELP system but we would also like to see the system improved. We have written previously regarding certain inequities and anomalies which have the effect (doubtless unintentional) of disadvantaging the College (a postgraduate only institution) in the higher education market place.

Our main issue is the fact that upstream providers of courses prerequisite to commencing our main offering (the Graduate Diploma of Legal Practice – necessary for admission as a lawyer) are increasingly obliging students to take courses as Juris Doctorates instead of undergraduate LLBs. The LLB is typically Commonwealth supported but the Juris Doctorate is not (for the most part) meaning that students are studying law at a postgraduate level and being charged fees substantially beyond the Lifetime Fee-Help Limit, leaving nothing left for the postgraduate course needed for admission as a lawyer.

This practice is distorting the sector in which we operate and has the potential to put grave pressures on the College. Our size means that we are able to achieve efficiencies that other providers (mainly university law schools) cannot. We have always operated as a charitable (education purposes) trust with a mission to provide our Practical Legal Training Program to as many students who wish to undertake it at the lowest practicable price. If the College fails, the cost of educating lawyers will rise significantly.

We have suggested before that the best means of insulating the College (and other providers of postgraduate courses for professional admission) would be to create a secondary (much smaller) entitlement which could only be used for professional admission courses. Such a move would save a lot of money in the longer term.

We would also like to see some clarity and certainty around the entire tuition assurance issue which threatens our compliance on several fronts.

Accordingly, the College has no objection to the contemplated levy, but urges the Committee (to the extent possible within its terms of reference) to look at the totality of the Fee-Help system and its future sustainability and consider the issues we have raised as a potential improvement.

Yours faithfully

Neville Carter AM
CEO & Principal