

# REPORT of the Expert Panel on the

RE-ACCREDITATION OF University of Split Faculty of Law

Date of the site visit: 26th-27th of November, 2015.

December, 2015

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## INTRODUCTION

This report on the re-accreditation of the Faculty of Law University of Split was written by the Expert Panel appointed by the Agency for Science and Higher Education, on the basis of the self-evaluation of the institution and supporting documentation and a visit to the institution.

Re-accreditation procedure performed by the Agency for Science and Higher Education (ASHE), a public body listed in EQAR (European Quality Assurance Register for Higher Education) and ENQA (European Association for Quality Assurance in Higher Education) full member, is obligatory once in five years for all higher education institutions working in the Republic of Croatia, in line with the Act on Quality Assurance in Higher Education.

The Expert Panel is appointed by the ASHE Accreditation Council, an independent expert body, to perform an independent peer-review-based evaluation of the institution and their study programs.

#### The report contains:

- a brief analysis of the institutional advantages and disadvantages,
- a list of good practices found at the institution,
- recommendations for institutional improvement and measures to be implemented in the following period (and checked within a follow-up procedure), and
- detailed analysis of the compliance to the Standards and Criteria for Re- Accreditation.

#### The members of the Expert Panel were:

- 1. **Professor Ciarán Burke**, Friedrich-Schiller-Universität Jena, Rechtswissenschaftliche Fakultät, Federal Republic of Germany
- 2. Professor Maria Alessandra Livi, Sapienza University of Rome, Italian Republic
- 3. **Professor Tamás Hoffmann**, Institute for Legal Studies, Department for the Study of the Domestic Implementation of International and European Law, Hungary *(panel chair)*
- 4. Professor Marko Petrak, Faculty of Law University of Zagreb, Republic of Croatia
- 5. **Nina Išić**, student, Faculty of Law University of Rijeka, Republic of Croatia

In the analysis of the documentation, site visit and writing of the report the Panel was supported by the ASHE staff:

- Frano Pavić, coordinator, ASHE
- Vlatka Šušnjak Kuljiš, coordinator, ASHE
- Đurđica Dragojević, interpretator at the site visit and report translator, ASHE.

During the visit to the Institution the Expert Panel held meetings with the representatives of the following groups:

- The Management (Dean and Vice-Deans),
- Quality Improvement Board,
- The students, i.e., a self-selected set of students present at the interview (full-time, part-time),
- Teaching staff,
- Heads of Study Programmes,
- Vice-dean for Research
- Teaching assistants and junior researchers
- Meeting with heads of research projects

The Expert Panel also had a tour of the library, IT rooms, student register desk, and the classrooms at the Faculty of Law University of Split, where they held a brief question and answer session with the students who were present.

Upon completion of re-accreditation procedure, the Accreditation Council renders its opinion on the basis of the Re-accreditation Report, an Assessment of Quality of the higher education institution and the Report of Fulfilment of Quantitative Criteria which is acquired by the Agency's information system.

Once the Accreditation Council renders its opinion, the Agency issues an Accreditation Recommendation by which the Agency recommends to the Minister of Science, Education and Sports to:

- 1. **issue a confirmation** to the higher education institution, which confirms that the higher education institution meets the requirements for performing the higher education activities or parts of activities, in case the Accreditation Recommendation is positive,
- 2. **deny a license** for performing the higher education activities or parts of activities to the higher education institution, in case the Accreditation Recommendation is negative, or
- 3. **issue a letter of recommendation** for the period up to three (3) years in which period the higher education institution should remove its deficiencies. For the higher education institution the letter of recommendation may include the suspension of student enrolment for the defined period.

The Accreditation Recommendation also includes an Assessment of Quality of the higher education institution as well as recommendations for quality development

# SHORT DESCRIPTION OF THE EVALUATED INSTITUTION

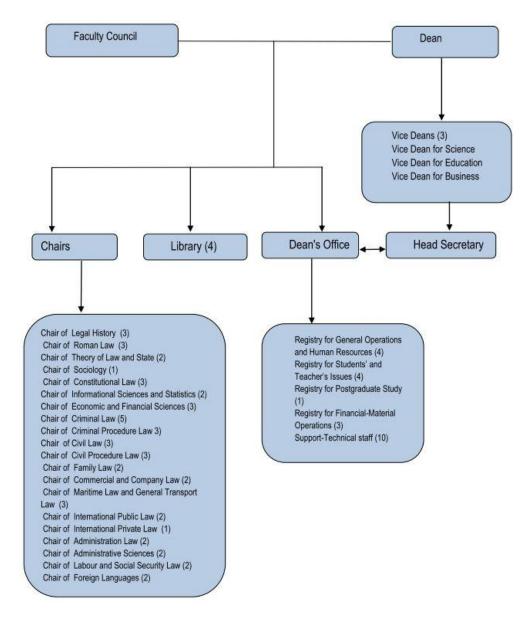
NAME OF HIGHER EDUCATION INSTITUTION: Faculty of Law University of Split

ADDRESS: Domovinskog rata 8, 21000 Split

NAME OF THE HEAD OF HIGHER EDUCATION INSTITUTION: Željko Radić, Ph.D, Associate

Professor, Dean

**ORGANISATIONAL STRUCTURE**: according to Self-evaluation document, p. 10



#### LIST OF STUDY PROGRAMMES

- Integrated undergraduate and graduate university study programme of Law,
- Postgraduate specialist university study programme in Sports Law,
- Postgraduate specialist university study programme in Medical Law,
- Undergraduate professional study programme Administration Study,
- Specialist graduate professional study programme Administration Study

**NUMBER OF STUDENTS** (part-time/full-time/final-year): according to Self-evaluation document, the institution has:

Full-time students: 1253 Part-time students: 1958

**NUMBER OF TEACHERS**: (full-time, external associates): according to the Self-evaluation document the institution has:

Staff	Employed full-time		Cumulative employment		Full-time teachers who are employed part-time in other institutions		associates
	Number	Average age	Number	Average age	Number	Number	Average age
Full professors	15	59				14	61
Associate professors	8	48				6	50
Assistant professors	12	41				4	48
Teaching titles	3	52				2	50
Senior assistants/ Postdoctoral candidates/ Assistants/Junior researchers	12	34				4	32
Administrative staff	17	49					
Support staff	10	57					

Full-time teachers in scientific-teaching grades: 35

Full-time teachers in teaching grades: 3

External associates: 24

**NUMBER OF SCIENTISTS**: (with Ph.D., elected to grades, full-time, elected into the field of law): 35

**TOTAL BUDGET** (in kunas): 30.203.647,00 HRK **MSES FUNDING:** (16.977.575,00 HRK) 56% **OWN FUNDING:** (1.151.237,00 HRK) 3,8%

#### SHORT DESCRIPTION OF HIGHER EDUCATION INSTITUTION:

The Faculty of Law in Split (hereinafter: Faculty or SFL) is a public higher education institution within the University of Split. The Faculty was established in 1960 as a Legal study – branch unit of the Faculty of Law in Zagreb. Foundation of the legal studies in Split was influenced by the needs of the growing economy and social services in Split and Dalmatia, including the wider gravitating area which encompassed a part of Lika, Herzegovina and Southwest Bosnia. It was a contribution to decentralisation and a more uniform development of Croatia in the former Yugoslavia, as well as affirmation of the city of Split as a cultural and educational centre. As early as in 1961, the Faculty was separated from the Faculty of Law in Zagreb and has been operating as an independent higher education institution under the name of the Faculty of Law in Split ever since. From 1965 to 1974, it belonged to the University of Zagreb, and since 1974 until today it has been a constituent of the University of Split.

Since the beginning, the education of legal professional has been the main task of the Faculty. During the first fifteen years, the four-year undergraduate study of law was the only study programme of the Faculty. At the beginning, the study model was implemented which aimed to direct the students towards particular specialisations at the senior year, and since 1966 the model of unique legal study for the vocation of the graduated lawyer has been permanently adopted. In 1976, a two-year professional study of administrative law was introduced, intended for the education of experts for public administration positions. The classes of the professional study were held at the temporary branch units of the Faculty on other locations as well: in Dubrovnik (1976-1978), Zadar (1979-1981), Sinj and Vodice (academic year 2003/2004). Since 1976, the Faculty has been carrying out the postgraduate studies. It is not surprising that the studies were selected which encompass the maritime orientation of Dalmatia and the Republic of Croatia. The first postgraduate study of "Maritime Economy", which yielded 24 specialist master's degrees, was realised in cooperation with the Faculty of Economics in Split. In 1978, a highly successful postgraduate study of "Law of the Sea" was established (renamed into "Maritime Law and the Law of the Sea" in 2001), where 115 candidates obtained the academic degree of the master of legal sciences. In 1979, the postgraduate study of "Self-Governing Law" was established, which was, as it was soon discovered, ephemeral. After the Faculty obtained a relevant licence at the end of the 1960s, it awarded more than 60 doctoral degrees in legal sciences.

Until 2003, there had been 11 departments which nominally encompassed several related courses.

In 1968, the Criminalist-Criminological Institute of the Faculty of Law was established, which, in 1977, reorganised into the "Ivan Vučetić" Institute for Social Self-Protection, Criminological Research and Criminalistics, as a special scientific-pedagogical-expertise unit of the Faculty.

# **CONCLUSIONS OF THE EXPERT PANEL**

#### ADVANTAGES OF THE INSTITUTION

- 1. Good interaction between teachers and students; the students are generally satisfied with the quality of education and the accessibility of the teachers.
- 2. Well-equipped and managed library.
- 3. Good access to electronic legal databases.
- 4. Established cooperation with Paris II, the French Conseil d'État and Freie Universität Berlin.
- 5. Burgeoning student life.

#### DISADVANTAGES OF THE INSTITUTION

- 1. Excessive enrolment quotas exacerbated by inward mobility which results in the acceptance of transfer of all law students coming from other Croatian law faculties.
- 2. Negligable research activity: very few publications in internationally recognized journals and not a single research project.
- 3. Unacceptably high workload of the teaching staff and assistants resulting from high student/teacher ratio.
- 4. Lack of incentives for research and teaching excellence.
- 5. General attitude of hostility vis-á-vis the assessment panel.

#### FEATURES OF GOOD PRACTICE

- 1. Funds allocated to secure improvement of IT-facilities.
- 2. Excellent management of library resources.
- 3. Good relationship between teachers and students.
- 4. Willingness to fund the attendance of teachers and assistants at international conferences.

#### RECOMMENDATIONS FOR IMPROVEMENT

#### 1. Management of the Higher Education Institution and Quality Assurance

- Creation of a strategic plan.
- Improve institutional rules and regulations and set clear and formal criteria.
- Systematic collection of feedback from alumni.
- Improvement of the monitoring of teaching quality.
- Establishment of a system of incentives to improve teaching and research quality.
- Enforcing sanctions made by the Ethics Committee.

#### 2. Study Programmes

- Immediate and drastic reduction of student enrolment quotas.
- Substantial reduction of the number of student transfers from other Croatian law faculties.
- Immediate amendment of ECTS to reflect the actual effort necessary to master a subject.
- Adoption of internationally recognized standards.

#### 3. Students

- Increasing the grade average of accepted students.
- More focus on solving cases at exams.
- More active cooperation with alumni.
- Students should receive the results of the teaching evaluation.

#### 4. Teachers

- High workload should be reduced.
- Incentives should be introduced to reward teaching and research excellence.
- Long-term mobility should be supported.

#### 5. Scientific and professional activity

- Drafting and adoption of a strategic research agenda.
- Focus on increasing research output, especially publications at internationally recognized journals and publishers.
- Establishment of formalized mechanisms recognizing and improving research excellence.
- Participation in national and international projects.

## 6. International Cooperation and Mobility

- Improve international student mobility between the Faculty and foreign universities.
- Introduction of law courses taught in foreign languages.
- Encouragement of the teaching staff to attend foreign conferences and participate in teaching mobility.
- Attempts should be made to attract staff from outside the Faculty as well.

# 7. Resources, Administration, Space, Equipment and Finance

- The teaching/non-teaching staff ratio should be improved.
- A comprehensive policy should be introduced to ensure the professional development of non-teaching staff.
- More space should be provided for the library.

# DETAILED ANALYSIS OF INSTITUTIONAL COMPLIANCE TO THE STANDARDS AND CRITERIA FOR RE-ACCREDITATION

#### 1. Institutional management and quality assurance

1.1 The Split Faculty of Law has entirely failed to compile a strategic plan. Certain medium- and long-term operational goals were discussed with the Faculty, and the excuse was given that the University had not compiled an overall strategic plan (in fact, the document was finalised two weeks ago), and that therefore the Faculty had to wait for the delivery of such a document before it could proceed.

However, the Assessment Panel were provided with a copy of the previous strategic plan, running from 2010. to 2015. It was clear that of the twelve principal goals outlined therein, only three had been implemented to any significant extent. Thus, the discussions with the Faculty were treated with some scepticism, and informal assurances offered concerning future goals cannot be held as amounting to any sort of strategic plan.

In the opinion of the Assessment Panel, the drafting and implementation of a strategic plan is essential. The plan should take into account the recommendations and observations made in the remainder of this Report.

1.2 The Faculty would seem to have a certain semblance of institutional rules and regulations. However, this only goes so far. While the study programmes are well planned out, the overall regulation of the Faculty leaves a great deal to be desired. Until recently, there has been a strong reliance on informal procedures, which derogated the letter of the law. While elsewhere, a reliance on informal procedures may lead to increased efficiency, there is no evidence that this is the case at the SFL.

In addition, many formal rules are not fit for purpose, ensuring a too-great number of students and an over-burdened teaching staff. Denial about these problems was widespread, with the Dean ending the Panel's visits with the assurance that "teachers are not less functional in other fields [i.e. research] due to their teaching load," while the mediocre research output of the Faculty (see criterion 5, *infra*) shows that this is not the case.

Use of criteria and procedures that are not fit for purpose is also evident with regard to enrolment. For example, the fact that only part-time students may apply for the Graduate Professional Administrative Studies programme was attributed to "tradition". The Quality Assurance Committee – see criterion 1.5, *infra* – is chaired by a non-jurist, who is in no position to assess the quality of either research or teaching output of the Faculty, and who wilfully obstructed the Panel's attempts to garner information via questioning.

It is suggested that rules and procedures should be subject to an increased degree of formalisation, and that *ad hoc* solutions can no longer serve as the principal *modus operandi* for conducting business within the Faculty.

- 1.3 The procedures of the Faculty, the goals pursued therein, and the objectives pursued, are generally aligned with those of the University as a whole. However, it was evident from the Panel's visit that compromises between members of the Faculty Council are frequent, and that *ad hoc* solutions are often imposed, as formalisation of procedures would involve an assessment of overall University policy in order to ensure congruence between the two. The views of the University Senate are always in the back of the Faculty Council's mind. However, it was also stated that conflict within the Faculty Council represents a frequent phenomenon, and that this impedes work within the Faculty's organisational structure.
- 1.4 It would seem that the study programmes are broadly consistent with the Faculty's mission. However, see below, criterion 1.5.
- 1.5 The SFL does collect some data from students and staff with regard to improving the quality of its service provision. See below, criteria 1.6 and 1.7. However, with regard to consultation of alumni, stakeholders, civil society and private organisations, the picture is less well developed. While there is an alumni association, there is no systematic means of collecting data from alumni. There is no systematic means of collecting feedback from employers, and no meetings with stakeholders are scheduled. However, the recently implemented *lurisprudentia* project does include some round tables with employers, and it is hoped to implement a new procedure thereafter. A number of fact-finding trips to Germany and France to garner evidence of best practices will take place in the near future.

There is also a questionnaire distributed to students to determine the performance of non-teaching staff.

In addition to the above, the work of the Quality Assurance Committee warrants mentioning. This is an independent committee, with power to make recommendations to the Faculty Council, which has full discretion whether to adopt or to reject such recommendations. The Quality Assurance Committee peruses reading lists. However, there is no evidence that such lists have ever been amended upon the Committee's recommendation. The Committee also provides for some student engagement, and has cooperated with the Students' Union to provide some small awards to students for general excellence in their studies. The Committee has also recommended that only the best students may be appointed as 'demonstrators', to some extent helping to tackle the questions of nepotism and favouritism, raised in relation to criterion 1.8, *infra*.

Despite this, the Panel has grave concerns about the composition and activities of the Quality Assurance Committee. The Committee is chaired by a non-jurist, who is in no position to assess the quality of either research or teaching output of the Faculty, and who wilfully obstructed the Panel's attempts to garner information via questioning. This

individual was dishonest with the Panel on at least two occasions (the veracity of her comments was tested elsewhere), and the Panel has grave concerns about her suitability for the job.

1.6 With regard to monitoring teaching quality, the Faculty primarily uses an internal, anonymous survey from students once a semester. This is sent to the University, and not the Faculty, for processing, and is based upon a standard template. The Dean receives the aggregated data from the students, and then gives feedback. The Dean's action with regard to the survey's results is discretionary in nature. However, he must at least speak to the lowest-ranked 10% of teachers. Despite this requirement, the Dean has never taken any further action against the lowest-ranked teachers, even when they are consistently in the lowest 10% over a number of years.

No feedback is provided to the student body concerning the results of these surveys. The Faculty attributed this to data protection concerns, but given that the questionnaires are anonymous, dissemination of aggregate data would not seem to raise any concerns in this regard. The Panel determined that the Faculty's assessment in this regard reflected either incompetence or wilful dishonesty in its determination that students should not be provided with such feedback.

The surveys are non-compulsory for students, and fewer than 50% of students complete the requisite documents. It is recommended that bespoke surveys for the SFL be drafted, and that compulsory action against teaching staff who are consistently amongst the worst in such surveys be considered.

Teaching quality is also impeded by the problem of a lack of teaching staff relative to the (large) number of students. This leads to assistants being asked to teach far beyond what would normally be required of them, including assistants without PhDs being made solely responsible for the teaching and oversight of a number of compulsory courses. This is entirely unacceptable and must be urgently rectified.

1.7 With regard to the monitoring of research quality, academic staff members must submit annual reports of their activities, amounting to a self-evaluation system. They must also present a plan of their forthcoming research activities. However, there are no discernible immediate consequences depending on whether such reports show performance to be good or bad, or whether they complete the research which they plan to do. In addition, the dangers inherent in effective self-evaluation are self-evident. There is no formal mechanism to ensure research excellence. There is strong evidence that this has resulted in a mediocre research output.

Linked to the above is the fact that recruitment is typically undertaken from within the Faculty. This includes promotion. As such, staff members do not have to fear that a mediocre academic output will lead to their usurpation from without. This limits motivation to engage in quality research. Further, promotions of junior staff are undertaken, *inter alia*,

on the basis of number of, rather than quality of, publications, with no additional premium attributed to a good publication over a mediocre one. The Faculty does subsidise the publication of monographs. However, such publications are comparatively rare in practice.

The above problems are compounded by a general attitude of ignorance and defiance on the part of the Faculty. The assessment panel was informed that there was no legal obligation to engage with international databases and journals in conducting research. The entire outlook of the Faculty is inward-looking, and its research activities fall far below those expected of a third-level institution. This requires urgent action. See also Section 5, *infra*.

Despite the above, there are a number of limited positive practices, most prominently the prizes given for the best student papers on an annual basis.

1.8 Codes of ethics exist at both University and Faculty level. There is also an Ethics Commission at Faculty level. However, all of the above would seem to be largely ineffective. The Commission is completely without indepedent powers, lacking the ability to make its own rules of procedure, and requiring validiation of its recommendations by the Faculty Council. As stated above, there is no strategy for the improvement of ethics at the Faculty. While the panel were assured that severe misconduct would lead to suspensions of staff, there are no formal mechanisms that compel such sanctions.

Related to the above is the matter of plagiarism. There is no mechanism whatsoever for controlling plagiarism, either in the submission of student essays, or for the Faculty's academic output. With regard to ethical concerns, the impression of the panel was of a *laissez-faire* attitude by the staff. It is strongly recommended that additional powers be extended to the Ethics Committee and that procedures to counter plagiarism be implemented forthwith.

Finally, worryingly, there is evidence of nepotism at the Faculty, with the son of a professor being employed as an assistant. Again, this raises obvious concerns with regard to transparency and equality of opportunity.

#### 2. Study programmes

- 2.1 As specified in Section 1, the Faculty has formal procedures for monitoring and improving the quality of study programmes. However, there is very little evidence that these procedures are effective and the Assessment Panel did not receive any information on how these procedures actually contribute to the improvement of existing study programmes.
- 2.2 It seems that the enrolment quotas of the SFL are based on desire to admit as many students as possible which led to an absurdly high teaching workload of teachers and assistants alike. Even though there has been a 10% reduction of students admitted for the 2015/16 academic year, 245 students admitted is still excessive given the number of

lecturers and the size of facilities. Even though the management of the Faculty indicated that the number of students admitted will be gradually reduced by 10 students in the following years, it is the firm belief of the Assessment Panel that this measure is clearly inadequate to remedy the situation especially given the fact that the SFL accepts the highest number of students transferring from other Croatian law faculties (this number has been consistently over 100 in the last few years). The Panel emphasizes its conviction that an immediate, much more drastic reduction of enrolment quotas is paramount coupled with the reduction of transfers from other law faculties.

- 2.3 Based on the above, it is obvious that the enrolment quotas are clearly not in line with institutional resources for quality teaching. Even though the students interviewed expressed their satisfaction with the quality of teaching at SFL, given the excessive workload of teachers it is inconceivable that the quality of teaching is not adversely affected.
- 2.4 The Faculty has defined learning outcomes that clearly describe the knowledge and skills students should obtain.
- 2.5 The assessment of student learning is generally based on a combination of written and oral exams. Given the high number of students, it seems that class activity is usually not taken into account and the teachers usually do not apply other methods, e.g. grading by curve.
- 2.6 It seems that the allocation of ECTS does not reflect the actual time and effort invested in studying a subject. In general, all main subjects have 7 or 8 ECTS even though obviously as it was affirmed by the students themselves certain subjects require much more effort and preparation to study than others.
- 2.7 The study programmes have clear and well-defined objectives and learning outcomes but do not seem to take into account any international standards and aim to meet only Croatian requirements. It has been mentioned that within the framework of the *Iurisprudentia* project representatives of the SFL will travel to foreign universities such as Mannheim and Freibourg to gather information on international standards but that has not been realized yet.
- 2.8 The teachers seem to use a variety of teaching methods and make use of the IT facilities and introduce practical aspects into teaching even though it is very difficult given the high number of students. It is commendable that the best students have the opportunity to participate in legal clinics and in this framework also receive further education from Faculty professors.
- 2.9 The University of Split has taken exceptional care to ensure that adequate resources are provided to the students, researchers and lecturers alike. The Faculty subscribes to major international legal databases and the library has an impressive collection of national and international legal monographs and journals.

2.10 The Faculty has several legal clinics that provide opportunity for students to participate in practical legal works and compulsory practical training in the fifth year as prescribed by Croatian law. Moreover, students can participate in moot court competitions where they can simulate trials. However, it seems that there are little efforts on behalf of the Faculty to build any further links with businesses or the local community to ensure students to be able utilize their knowledge in different contexts.

#### 3. Students

3.1 The Split Faculty of Law admits students based on results they achieve on State Matura exam. Compulsory subjects must be taken on level A (Croatian language), and on level B (mathematics and foreign language). Applicants are not given extra points if they pass non-compulsory subjects or if they have e.g. language certificate or if they are professional athletes.

Faculty has extremely high enrolment quotas - 270 full time students, 101 part time students. 213 full-time and part-time professional study programme students are enrolled at the first year of study every year (according to a table in the Self-Evaluation Report). Most students come from vocational schools with low grade average. This can be a consequence of the fact that applicants must take only Croatian language on level A on State Matura exam. Enrolment of such mediocre students greatly influences the average grade on the first year of study, and in academic year 2013. /14. that grade was 2,58.

Another problem that SFL is faced with is the high number of students that transfer from other law faculties in Croatia.

All this adversely affects the overall impression of the Faculty, and students can believe that this Faculty is easy to enroll, and if they cannot graduate on other law faculties in Croatia, they will do this easily in SFL.

It is strongly recommended that SFL drastically reduces the enrolment quotas for full time and part time students.

Drastically reducing the enrolment quotas will also affect the teacher/student ratio because there is insufficient teaching staff compared with extremely high number of students.

Faculty Management must not consider the above as just a recommendation, it is important that they seriously start to deal with the stated problems.

3.2 SFL greatly supports students in their extracurricular activities. Many students are involved in domestic and international sporting competitions where significant success is achieved. The students participated at European championships in tennis and table tennis, they are also involved in sporting manifestations such as Days of Student sport, Olympic Day, etc.

Within Physical and Health Education students are offered various extra-curricular sporting activities of a recreational nature. Students can use pools, gyms, bowling alleys etc. Moreover, many students are members of ELSA (European Law Students Association) and Debating club. All of the above is supported financially by the Faculty.

3.3 Mentorship takes place in mentoring seminars, master's theses and final bachelor papers. Professors also write and publish scientific articles in cooperation with students, but it is also true that they are obliged to do this to be promoted.

Professors give their private phone numbers to students so that they can contact them whenever they need any kind of help.

The Faculty has one computer classroom but students are allowed to use the computers only with the presence of professors.

The Faculty has not held job fair so far, but on university level there is a Career day where students can be informed about possibilities of their employment.

At SFL a Centre for Extracurricular Activities exists where students are offered with additional education throughout informal programmes aimed at their personal development and help with mastering course contents. Within the Centre there are many workshops where students can acquire skills needed to write their seminars and final bachelor papers.

Furthermore, students with disabilities can access every classroom. The Faculty installed the elevator at the stairway leading to two new classrooms and assured entry to the Faculty with appropriate equipment built in which makes transport easier.

3.4 SFL has established and published knowledge assessment procedures. The exams consist of a written part or an oral part or a combination of both. Students are generally satisfied with the objectivity of exams. They have the possibility to see the marked written exams before they approach the oral part of the exam. Students are familiar with the procedure in cases when they are not satisfied with grades given. They have used their right to appeal against the grade given and this was very motivating for them. Some professors give the possibility to listen to their oral exams. Furthermore, in cases when there is only one teaching professor at some courses Dean adopts the list of professors that can examine students.

At courses such as Criminal Law and Civil Law, written exams consist of practical cases. It is recommended that professors at other courses introduce more practical cases in their exams.

3.5 SFL has had the Alumni PFS Association since 2001. So far some of their former students held a few lectures. During the meetings, we did not get the impression that Faculty actively involves their former students in everyday life of the Faculty in a way that they inform

existing students about possibilities of their employment after graduation and about other useful information.

It is recommended that SFL more actively cooperates with their Alumni and monitors the rate of their employment after graduation. Furthermore, the Faculty should be in contact with Croatian Employment Service - Regional Office Split in order to get the accurate data of unemployed graduated lawyers in the Split area and use that data to form lower enrolment quotas.

- 3.6 All relevant documents on study programmes, learning outcomes, qualifications and employment opportunities are published on the web page of SFL. Every year the University of Split organizes a University Fair where SFL takes part and offers to their future students the opportunity to find out everything relevant about studying at the Faculty from brochures and from existing students. Except University Fair, SFL regularly participates in the University of Zagreb Fair, and also in the Science Festival in Split. During the visit we were told that the Faculty every spring goes to grammar schools in order to inform future students about the possibilities of studying at the Faculty of Law, and thus tries to attract future students with better grades in high school. Furthermore, many professors participate in the work and creation of Slobodna Dalmacija (a regional daily) supplement *Universitas* dedicated to university news.
- 3.7 Students of SFL can express their opinion through student representatives and Student's Ombudsman. During the visit students told us that they are very satisfied with the way their opinion is taken into consideration and respected. Student Ombudsman did not have major problems so far. Students have their representatives in the Faculty Council and in that way they participate in deciding on the issues of students' interest. In the Faculty Council they are entitled to a suspensive veto and they used it once. Students did not complain about Student Office. They expressed their satisfaction with work of Student Office and with the way students are treated by them.
- 3.8 Students participate in a student survey at the level of the University of Split in the last week of lectures because at that period the largest number of students is coming to class. Students consider that survey useless and believe that it does not improve anything. There is also a large number of students participating in the survey that have never been to classes and know very little about the work of professors that they are evaluating, and because of that, they give them good grades.

According to the members of Quality Assurance Committee, students are not provided with feedback from such surveys, justifying that data as confidential.

We believe that students must know the results of the survey and actions taken on the basis of its results and student recommendations. Only then students will consider participation in the survey useful, and they will know that their opinion is taken into consideration.

#### 4. Teachers

4.1 As indicated in the Self-Evaluation Report 2015 (hereinafter SER) of the SFL, on May 2015, teaching staff of SFL included: 35 teachers with academic titles (15 Full Professors, 8 Associate Professors and 12 Assistant Professors); 3 teachers in teaching positions (2 senior lecturers and 1 lecturer); and 12 associates (senior assistants, postdoctoral candidates, assistants, junior researchers). Also, the Faculty has two retired professors emeriti and one academic. There were also 40 external associates, mostly engaged in postgraduate specialist studies on Medical law (23) and Sports law (13); only a few participate (5) in integrated undergraduate and graduate university study.

SER shows that for the past five years the number of employees in academic titles, compared to the total number of the Faculty's employees, grew by 13%, the number of employees in teaching titles decreased by 1 %, while the number of employees in associate titles decreased by 12 %. But it is clearly stated into the SER that "the Faculty cannot be satisfied with the existent human resources situation. Namely, in the past eight years the Faculty got only one new position (assistant position). Besides, in late 2008, the State introduced a moratorium on hiring in public domain, the moratorium is still on. Today, the Faculty lacks a minimum of 10 new employees in teaching titles".

SER evidences that there is a light positive trend into teacher/student ratio during the last two academic years, but this is not at all the right one yet. In fact, ratio between full-time employed teachers and students is 1:70 at the moment. It is stated in the SER that "the total ratio between all full-time teachers and associates for the particular academic years was as follows: 2009/2010 1:40, 2010/2011 1:46, 2011/2012 1:49, 2012/2013 and 2013/2014 1:50". Moreover, it is added that "counting also external associates who teach, the ratio is even more favourable: 2009/2010 1:26, 2010/2011 1:29, 2011/2012 1:27, 2012/2013 and 2013/2014 1:28" (p. 76). But it is clear that the ratio has to be calculated taking into account the full-time employed teachers, without associates and external associates. The point seems to be considered also into the SER of SFL, given that it is said that "to raise the study quality, but also to achieve the desired teacher-student ratios, the Faculty has, since the 2011/2012 academic year, gradually, one year after another, carried out the policy of reduction of enrolment quotas for its study programmes. Also, in agreement with the University of Split, the Faculty of Law counts on a certain number of reform positions, which would increase the number of full-time teachers and thus reduced the unfavourable ratio. The Faculty of Law plans to work on the gradual reduction of enrolment quotas combined with new employments".

SER indicates high workload for teaching staff, both for the full-time teachers and for the assistants.

During the meeting with the twelve associates of SFL, the panel took notice that two compulsory subjects of integrated undergraduate and graduate studies are currently taught

by an assistants, one without a PhD at the time of our visit. As a result of the above, it seems that the institution does not employ a sufficient number of qualified full-time teachers.

4.2 The system of selection of new employees is based upon the potential retirements and sustainability of study programmes and research activities. However, the institution does not have doctoral study programmes yet, although teaching assistants are directed to continue their education mainly at the University of Zagreb, with their tuition fees paid by the Faculty, such as some other costs (but not all).

The Faculty informs and supports participation of teachers in scientific and professional national and international conferences and projects. However, the SFL has not established a procedure to reward research excellence.

Moreover, it seems that the majority of employees are coming from within SFL and no efforts are taken to attract new talent from outside the Faculty.

4.3 As indicated above, the SER of SFL evidences that there is a slight positive trend regarding teacher/student ratio during the last five years, but the ratio is still not satisfactory and not even close to the required 1:30. Moreover, the figures seem to be just a little bit confusing. It is shown that during 2013/2014 full-time employed teachers- student ratio was 1:70; all teachers -students ratio was 1:50 and teachers and external associates -students ratio was 1:28. But the calculation of the ratio has to be done taking into account the total number of full-time teachers and not all teachers employed.

Moreover, the opinion of students as well as of the teachers met during our visit is that tutorials and seminars are held in big study groups and it means that it is difficult to work well through practical cases.

4.4 As indicated in SER, teachers and associates "are encouraged to participate in various types of lectures, workshops and programmes, such as different types of lifelong learning in pedagogic, methodological and didactic sense, workshops on objectives and learning outcomes". In addition, "the Faculty encourages teachers and teaching assistants to training and improving teaching competences and for this purpose they are provided with all the support in accordance with current capacities" Moreover, "all teachers and associates are regularly informed about various activities concerning professional training and advancement. Professional support to teachers and associates aimed at improving teaching competences is provided in different ways: by informing about the advancement possibilities, visiting lectures, participation in various activities, financial support in the project implementation, organising conferences, travel and participation at international conferences or cooperation with other institutions".

In light of the above, despite it is clearly stated in SER that "as part of the procedure of the appointment into academic title the teacher should at the same time be appointed into

research title", it seems that the main object of the Faculty is to improve teaching capability of teachers and assistants.

In connection to this, the high workload does not allow to teachers and assistants to concentrate on scientific research, as shown by low number of scientific papers publications and application and implementation of projects (see section 5, Scientific and professional activity).

Moreover, the mobility of teachers seems to be supported, but only for short periods. Long term mobility is not permitted because of thw low number of full-time teachers and their workload.

Finally, no award is granted in case of excellence.

4.5 Teachers we met during our visit did not complain about their own workload (which includes teaching, research, mentoring and student consultations), although SER shows a very different workload (with an enormous amount of teaching hours for some staff members). Teachers told us that different workload means different salary and they accept this.

Moreover, it seems that such workload depends on the fact that some courses are split (and some teachers do the same course twice) because of the high number of students and small space of the rooms at the Faculty (as indicated by SER "Lecturers in the integrated undergraduate and graduate university study usually take place in one study group, and the 1st year, 1st semester, it is usually in two turns").

4.6 As written in SER, Article 106 of FLS statute (amended in 2005) "prescribes that employees' scientific, teaching or professional activities outside the Faculty must not interfere with the University and Faculty's interests. Teachers, scientists and associates of the Faculty need the dean's consent for teaching work at other institutions in the country or abroad. Those teachers, scientists and associates, who work full-time at the Faculty may, with the dean's prior consent, work for another employer up to one third of full-time working hours (as an external associate or part-time). So, work by teaching staff outside the faculty must not interfere with duties at the Faculty". Some teachers at the Faculty individually ask the dean's consent to work outside their institution, and such consent is granted by the dean if it is determined that the external employment of the teacher does not affect his/her work at the Faculty. At the present time, only a very few teachers have additional workload at other institutions.

#### 5. Scientific and professional activity

5.1 SLF had adopted the strategic agenda for the last five years (2010-2015), which included a short paragraph on scientific research with general remarks. Up until now, there is no strategic research agenda for the next five years. The recommendation is to draft and adopt

- that agenda as soon as possible and to schedule the monitoring, evaluation and review through defined performance indicators.
- 5.2 In planning and implementing the future research agenda, there is a need to systematically include in it, among other things, bilateral or/and multilateral scientific cooperation with other scientific organisations, both in Croatia and abroad, especially with "top 100" law faculties in Europe and on the global level, starting from already existing cooperations (Paris II, FU Berlin).
- 5.3 Because there is no strategic research agenda, the conclusions cannot be made regarding the adequate number and profile of researchers for its implementation.
- 5.4 The great majority of scientific publications, with rare exceptions, is still purely national and thus without global impact. This impact can be reached only by starting to publish in prestigious international scientific journals and with prestigious publishers. There is an urgent need to substantially increase the number of published articles and book chapters by internationally recognised publishers.
- 5.5 The institution has no formalized mechanisms for recognizing and improving research excellence and the reward system based on scientific productivity is not introduced. It is highly recommended to do so, especially regarding participation in the international projects with prestigious scientific organizations as well as publishing in prestigious international scientific journals and by prestigious publishers. The practice of the institutional funding the costs of active participation in conferences and financial support of the Faculty regarding the acquisition of new books, journals and databases is commendable and is to be continued, formalized and coordinated with the establishment of a system of incentives rewarding scientific productivity.
- 5.6 SFL has a sufficient number of peer-reviewed scientific publications (first of all, peer reviewed periodical called *Zbornik radova Pravnog fakulteta u Splitu*, which is published four times a year), but their international scientific impact should be improved, e.g. by including them in scientific databases like Scopus or WoS.
- 5.7 SFL has at the moment no nationally or internationally funded research projects. To obtain a certain number of national and/or international projects (taking into account their scientific, international and financial impact in the context of institution) it is strongly recommended to form bilateral or multilateral scientific cooperation beyond the region, oriented, if possible, towards the "top 100" law faculties in Europe and on the global level Administrative help should be secured for project applications.
- 5.8 Cooperation with the public sector (local judiciary, bar and administration) is adequate, partially based on some EU funded projects (e.g. IPA) and in the form of life-long learning. There is no special cooperation of institution as such with the local industry, which has to be planned and established.

- 5.9 The potential for gaining private funding, apart from life-long learning, could be explored via consultancy and/or mediation.
- 5.10 Although one doctoral study programme was accredited few years ago, it has never been implemented. The new programme is in the first phase of planning. There is a need to create and implement faculty programme on PhD level in future, which will develop talented PhD students and support their research activity.

#### 6. International cooperation and mobility

The Faculty engages in a number of activities involving international co-operation. However, there is still clearly quite some work to be done in this area. This section aims to offer a brief appraisal of the performance of SFL in this field.

6.1 The efforts of the Faculty to attract students and encourage mobility from other higher education intuitions are grossly inadequate. The entire student cohort is composed of Croatian citizens, aside from one visiting Erasmus student from the University of Zaragoza.

However, the Faculty nonetheless creates conditions for substantial inward mobility, particularly from other Croatian universities, and in particular, Zagreb. There is evidence that the lax entry conditions, and acceptance of accreditation from other universities, in addition to the perception that study at the SFL is easier than elsewhere in terms of the way in which it assessed, contribute to a flood of students who cannot make the grade elsewhere coming to the Faculty.

Despite this record of substantial inward mobility, it is the strong recommendation of the Panel that such mobility be restricted in the future, as it creates additional pressure on teaching staff, and exacerbates the problems associated with the Faculty's already excessive student/teacher ratio.

6.2 The efforts of the Faculty to allow, or even to encourage, students from Split to complete a part of their studies abroad have also been inadequate. While studying abroad is theoretically possible, normally such studies may only be undertaken in the fifth year, which is not optimal, as students have other priorities at this time. However, on the upside, there is a formal procedure for students who participate in the Erasmus programme to receive credit within the SFL for courses completed abroad. Despite this, there is meagre uptake of the option to study abroad amongst the student body, with only approximately twelve students travelling abroad each year. There is an Erasmus information day held each year. Nevertheless, students showed little awareness of their options in relation to international study opportunities, which renders the signing of some 10 co-operation agreements quite ineffective for the purposes of fostering student exchanges.

There is also a legal English programme. However, no core courses are offered in foreign languages. Even courses lending themselves to foreign language treatment such as EU Law and Public International Law were entirely taught in Croatian, with the main literature also being in the local language. The Public International Law lecturer did not even speak English. As for the specialist programme in Sports Law, something with a strong international focus, the Panel was told that the programme director "would hold classes in foreign languages if this were requested, but no-one requested it." Putting the onus on students to be pro-active is misguided. Changing this inward focus might foster confidence in students that they are capable of studying law in foreign languages, and thus improve the ratio of students participating in exchange programmes.

Further, the fact that most internationally-focussed courses are available only as electives in the final year of study is indicative of a problem of outlook. Students must effectively choose between the international courses and an exchange experience. Allowing them to take such elective courses earlier might spark their interest in travel, encouraging them to travel later during their studies.

6.3 The SFL encourages short-term mobility of its researchers and staff, through the funding of attendance at international conferences, paying travel expenses, conference fees, and accommodation expenses. However, there is little evidence of evaluation of the efficacy of such procedures. The Quality Assurance Committee claimed to be engaged in such work, but its efforts seem entirely ineffective, with more of a focus on its own junkets to other countries for 'fact-finding missions' than encouraging meaningful mobility amongst the teaching staff. To this end, it is germane to note that few staff members in fact regularly attend such conferences, with only eight funded study trips having taken place over a period of three years.

There is also an annual *journée des études*, organised in co-operation with Université Paris II and the French Conseil d'État. There is a further programme for German law, organised in co-operation with Freie Universität Berlin. However, this has not led to meaningful research output, apart from a few articles in the Faculty journal, which do not seem to be of any serious scientific quality, and which effectively amount to unedited conference proceedings.

Of the Faculty, five of 50 teaching staff had spent time abroad teaching courses at other universities during their careers. Ten had attended international conferences. These numbers need to be increased in future, perhaps via a rewards scheme, or at the very least by facilitating such activities.

6.4 The Faculty has applied for a number of international research projects in recent years, with little or no meaningful success. The amount of money received has been extremely meagre, and should certainly be improved upon.

In addition, the Faculty pursues co-operation pertaining to quality management. The *lurisprudentia* project, in particular, undertaken in co-operation with the universities of Rijeka and Osijek, warrants mention in this regard. The Tempus project, focussing on language improvement, is also noteworthy. It also partakes in a number of regional networks for South-Eastern European co-operation, and an International association of law librarians, as well as the SEELS (South-Eastern European Law Schools) network. ELSA (European Law Students' Association) also maintains a presence in Split.

However, most of the above projects are chiefly administrative in nature. There is no evidence of meaningful international research engagement, and a renewed focus on successfully obtaining sizeable amounts of research funding should be encouraged. Worryingly, the Panel observed that the Faculty conceived of student numbers as constituting the chief source of funding (leading to over-inflation of student numbers at the Faculty) rather than treating research projects as an alternative source. There is no encouragement of publishing in international journals, and the Faculty's record in this regard is extremely poor.

There is no benchmarking of study courses according to international guidelines. In addition, few international specialisations are offered at the Faculty, impeding meaningful research exchanges. There are no results of international research to share with the international community, since the research profile of the Faculty is entirely sub-standard, and since international publications of any quality, in particular, are so rare as to hardly warrant mentioning.

- 6.5 The Faculty offers no law courses in the English language, or any other foreign language. This strongly impedes inward student mobility and should be improved upon immediately. There is currently only one Erasmus student at the Faculty, which would seem to be reflective of the average level of engagement over the past years. Erasmus students are entirely excluded from lectures and seminars, due to the language barrier. Instead, professors and teachers provide them with a separate reading list, which they study alone, and a separate examination, to be taken alone. This two-tier system prevents Erasmus students from meaningfully engaging with student life in Split, entirely defeating the purpose of student exchange programmes, and excludes them from the academic life of the university. Such a system cannot subsist, and should be rectified immediately. The panel were unanimous in finding that this was one of the worst practices they had ever encountered.
- 6.6 The SFL provides inadequate possibilities for inward staff mobility. Appointments are typically made from the rank-and-file, meaning that staff are promoted from within, and announcements of vacancies are not published in international gazettes. The fact that all courses are taught in Croatian provides a further barrier. Approximately four visiting international lecturers give classes each semester. However, their lectures do not form part of the core of any classes, and they usually only conduct a single lecture. They are unpaid, and there is no mechanism in place for attracting more frequent engagement with such

individuals. There is also a summer school in human rights, taught through English, at the Faculty. However, again, this does not form part of the core study programme, and is non-compulsory, with relatively few students attending.

6.7 The Faculty has ten international agreements for the implementation of the Erasmus programme. However, it is certainly germane to note that these agreements have not led to much student mobility, with incoming numbers being around one per semester, and outgoing numbers numbering around twelve. Co-operation is in the main restricted to the region, especially the former Yugoslav states, which is indicative of a parochial outlook. This position requires revision, and the Faculty should seek opportunities to engage with other partners throughout Europe and further afield.

See also criterion 6.1.

#### 7. Resources: administration, space, equipment and finances

- 7.1 The SFL provides acceptable learning resources for the students in general. The Faculty possesses modern IT facilities, a well-equipped library with numerous volumes of literature and subscription to electronic legal databases. However, compared to the number of students, space is severely limited both in the classrooms and the library. The biggest lecture hall is not large enough to accommodate all the students therefore the main lectures are split in two. This is another reason to drastically reduce the number of students immediately.
- 7.2 The total number of administrative, technical and support staff including the library staff is 27 persons according to the SER, which makes up 35.1% of all employees. This ratio is clearly unsatisfactory and efforts should be taken to reduce the number of administrative staff following a greater reduction of the number of students.
- 7.3 The institution seems to ensure the development of non-teaching staff on a needs basis, such as training for accountants, however, there does not seem to be a comprehensive policy for the professional development of the non-teaching staff.
- 7.4 This criterion is inapplicable for a law faculty.
- 7.5 The SFL has modern equipment and facilities for teaching and research, including subscription to electronic legal databases.
- 7.6 The library of the Faculty is very well-equipped. It has a considerable budget, which it can use to order the latest domestic and international legal literature. However, the space in the library is very limited, it cannot accommodate more than 40-50 students at the same time which is clearly inadequate. Even though the students can study in the main library of the University of Split, this situation should be remedied.

- 7.7 The financial sustainability of the Faculty presently solely depends on state funds and tuition fees which compels the Faculty to admit as many students as possible. In the absence of project revenues the long-term financial sustainability of the SFL seems dubious.
- 7.8 The Faculty has allocated considerable funds to improve the technological background of teaching, including buying modern computers, subscribing to electronic legal databases, and buying legal literature. It is also commendable that the SFL finances participation of the teachers at international conferences. However, there are no financial incentives for higher quality teaching and research so the excellent teachers and researchers are not rewarded for the extra time and effort they dedicate to teaching and researching.