

Decision regarding Assessment of the Law Study Programme Group at the level of Doctoral Studies University of Tartu

26.02.2019

The Quality Assessment Council for Higher Education at the Estonian Quality Agency for Higher and Vocational Education decided to approve the report by the Assessment Committee and to conduct the next quality assessment of the Law study programme group at the level of doctoral studies at the University of Tartu in seven years

On the basis of subsection 10 (4) of the Universities Act and point 40.1 of the 'Quality Assessment of Study Programme Groups at the Level of Doctoral Studies', authorised in points 3.7.3 and 3.7.1 of the Statutes of the Estonian Quality Agency for Higher and Vocational Education (hereinafter referred to as 'EKKA'), the EKKA Quality Assessment Council for Higher Education (hereinafter referred to as 'the Council') affirms the following:

1. On 6.10.2017, the University of Tartu and EKKA agreed upon a time frame to conduct a quality assessment of the study programme group.
2. The Director of EKKA, by her order on 23.08.2018, approved the following composition of the quality assessment committee for the Law, Business and Administration (with Economy) study programme groups at the level of doctoral studies at EBS, the University of Tartu, and Tallinn University of Technology (hereinafter referred to as 'the Committee'):

Roger Levy (Chairman)	Professor, London School of Economics, United Kingdom
Andrew Clark	Professor, Paris School of Economics, France
Aalt Willem Heringa	Professor, Maastricht University, Holland
Per Læg Reid	Professor, University of Bergen, Norway
Maris Moks	PhD student, Hertie School of Governance, Germany

Janek Uiboupin

Member of the Board, Coop Pank AS, Estonia

3. The University of Tartu submitted the following doctoral programme for evaluation under the Law study programme group:
Law
4. The University of Tartu submitted a self-evaluation report to the EKKA Bureau on 12.07.2018, and the assessment coordinator forwarded it to the Committee on 13.08.2018.
5. An assessment visit to the University of Tartu took place on 16 and 17 October 2018.
6. The Committee sent its draft assessment report to the EKKA Bureau on 21.11.2018, and EKKA forwarded it to the University of Tartu for its comments on 21.11.2018, and the University delivered its response on 7.12.2018.
7. The Committee submitted its final assessment report to the EKKA Bureau on 11.12.2018. The assessment report is an integral part of the decision. The report is available on the EKKA website.
8. The Secretary of the Council forwarded the Committee's final assessment report along with the University's self-evaluation report to the Council members on 14.02.2019.
9. The Council, with 8 members present, discussed these received documents in its session on 26.02.2019 and, based on the assessment report, decided to point out the following strengths, areas for improvement, and recommendations regarding the Law study programme group at the level of doctoral studies at the University of Tartu.

The Committee pointed out the following common areas for improvement, and recommendations for EBS, University of Tartu, and Tallinn University of Technology regarding the Business and Administration (including Economics), and Law study programme groups:

- 1) In cases where research grants are available for the activities related to the doctoral programme, PhD students' fields of research are more specific, and requirements to the outputs/publications are more aligned with the funding conditions of research grants. In other cases where research grants are not available and the research has a more reactive nature driven by problems defined by PhD students themselves, research activity lacks focus. Therefore, there is a lot of variation in the content of doctoral programmes and a lack of a clear academic profile or approach.
- 2) Cooperation within and between different structural units, as well as between universities, is below par. Cooperation is not favoured by competition over research funding or by the small number of highly qualified supervisors and admitted doctoral students. There are very few examples of good cooperation.
- 3) Most students attach low value to a doctoral degree outside the academic career. The industrial PhD programme has not been successfully implemented so far.
- 4) While the full-time students very much appreciate the additional income, they still do not consider €660+€400 a sufficient living, which is why many of them have one or even several jobs in addition to their studies. The new admissions and funding system of PhD students tends to exclude the option of pursuing doctoral studies part-time. Considering that the number of PhD

students is low and that local talents from Estonia are not numerous, the system should also be adapted to allow pursuing part-time doctoral studies. In this context, new research applications should include the possibility of funding both full-time and part-time PhD students.

- 5) Learning mobility is mostly short term, and mobility options are often non-existent for part-time students. This is a problem for Estonian doctoral students, many of whom study de facto part-time and have other responsibilities besides studying.
There is a need to develop new opportunities to increase the longer-term international mobility of doctoral students. Requirements and financial stimuli in relation to the above should be reinforced.
- 6) Supervision practices and evaluation processes vary greatly. For example, not all students have a co-supervisor. Some supervisors meet their students once a week, some once a month or twice a year. There are no uniform standards for supervision apart from the requirement of annual accreditations. The requirement of co-supervision should apply to all students. Universities should be more active in developing supervisors' skills. Engaging active researchers as supervisors should be prioritised more.
- 7) Regarding the choice of reaching a PhD in the publication or monograph format, the Committee suggests offering future PhD students an equal choice between the two alternatives. PhD students who opt for three publications must be the sole authors of at least one paper, and the supervisor should not co-author more than one paper. Papers/monographs should fulfil the requirements of peer-reviewed articles, but according to the Committee's judgement, they do not necessarily have to be published before the thesis is submitted.
- 8) Performance indicators should be developed and specified for all study programmes, and there should be regular monitoring of compliance. At least targets for admission, progress, and completion, as well as satisfaction and international mobility, should be established, and also indicators for research and standards of supervision. Supervisors' workload should be explicitly defined, and targets set for the development of supervision skills. Universities' action plans must be linked to these indicators and targets. SMART objectives should be set in order to reach the targets and integrated into the action plans.
- 9) Since reaching a critical mass seems to be a challenge in most areas, the Doctoral School of Economics and Innovation should be reinforced and include research groups to promote more cooperation between the academic units and universities.
- 10) Since preliminary examination of the thesis has a critical role, two external evaluators should also be engaged at this stage. Naturally, the same opponents can also be used during the official defence.

The Committee pointed out the following strengths, areas for improvement and recommendations regarding the Law and Economics doctoral programme at the University of Tartu:

Strengths

- 1) A comprehensive system of performance indicators is in place at the university level, enabling to plan the development of Schools/Faculties and is also used for the allocation of PhD positions.
- 2) There is a broad range of well-funded opportunities for the mobility of PhD students.
- 3) The learning experience of PhD students is analysed in-depth, without fear of addressing complex issues.
- 4) The University ensures an additional €400 income for all full-time PhD students.

Areas for improvement and recommendations

- 1) The level of quality of supervision is uneven. The survey among PhD students carried out in the Faculty of Social Sciences in 2016 refers to the same. There are commendable steps taken to improve the situation: review is carried out twice a year, and co-supervision is fostered.
- 2) The Faculty of Social Sciences has the lowest efficiency indicators of doctoral studies in the University. Further measures are required to increase the efficiency of graduation. This implies setting clear goals, e.g., improving the ratio of discontinuing studies and completion from 2:1 to 1:1.
- 3) A fundamental issue is reaching and maintaining a critical mass required for doctoral studies. Increased interdisciplinary work and cooperation within the University, with other Estonian, as well as foreign universities is needed and would enable obtaining more grants and fostering innovative research.

The Committee pointed out the following strengths, areas for improvement and recommendations regarding the Law study programme at the University of Tartu:

Strengths

- 1) The entire Estonian law community is involved in the study programme and its development. The employers (Estonian Bar Association, Supreme Court of Estonia, Chamber of Notaries, Ministry of Justice) give feedback to the programme through the Programme Council. PhD students, teaching staff and employers have a high opinion of the study programme.
- 2) Support for preparing grant applications is provided at the university level.
- 3) The students are generally very satisfied with their workload, choice of subjects, the expertise of the teaching staff, and supervision.
- 4) The study programme allows for the students to take part in conferences and/or other professional activities.
- 5) The additional income of 400 € recently implemented by the University has been of substantial help and might feed into reaching the objective of making the study programme more sustainable, as it helps the students to focus on their studies full-time.
- 6) Employment opportunities for the PhD students and graduates are excellent.
- 7) The alumni are very positive about their learning experience and future prospects.
- 8) The School of Law and visiting scholars are highly valued experts on the Estonian legal landscape.

Areas for improvement and recommendations

- 1) As a consequence of the new funding scheme, the sustainability of the programme is uncertain since the admission, as well as completion rates are low. More students should be admitted, both local and international. Additional funding must be found for projects also from external sources.
- 2) Targets and performance indicators should be clearly defined for the study programme.
- 3) The self-evaluation, discussions and the Dean's survey from 2016 indicate a need to make the supervisors responsible for the progress of their doctoral students. The University's and faculty's

principle of dividing the PhD places between the supervisors based on the results should be applied.

- 4) The Evaluation Committee recommends revisiting the content and the volume of subject courses in the study programme. The acquisition of transferable skills must be ensured: research methods, legal writing, comparative research, empirical research, relevant interdisciplinary skills and oral skills.
 - 5) It should no longer be an option that the dissertation largely or merely consists of publications co-authored by the supervisor. Such an opportunity is in direct conflict with the requirement that the author of the dissertation is capable of conducting academic research independently.
 - 6) As the leader of the only doctoral programme in law in Estonia, the University of Tartu should *inter alia* focus on Estonian and international law and increase the long-term mobility of its teaching staff and PhD students. That would make it possible to involve more international students; during the academic year 2016/17, only 3 out of 73 PhD students were from abroad. Keeping in mind the relatively small size of the Estonian academic law community, internationalisation would foster raising the quality of research and considering the international developments.
 - 7) There are better opportunities for working together within the School of Law and with other departments. Collaboration should be made more efficient to enable better external financing and the sustainability of the doctoral programme.
 - 8) It has to be made sure that the PhD papers are published in high level peer-reviewed scientific journals. For monographs, later publication by highly esteemed publishers should be ensured.
 - 9) International cooperation and networks are of the utmost essence to be competitive in applying for EU grants. It is equally important to have a clearly defined focus of the study programme that would add transparency to both the programme and its values. Both domestic and international collaboration must be based on a clear vision.
 - 10) Supervisors and students feel the need to engage more international teaching staff to offer more comprehensive international expertise.
 - 11) The PhD students of law should make better use of opportunities for interdisciplinary collaboration offered by the Doctoral School of Economics and Innovation.
 - 12) The lack of successful grant applications is an obvious problem. During the evaluation period, only 10% of the supervisors were engaged in research projects, and thus the majority of doctoral students were not involved in research projects either. Opportunities to write grant applications should be explored in cooperation with other universities, both local and international.
- 10.** Point 40 of the 'Quality Assessment of Study Programme Groups at the Level of Doctoral Studies' establishes that the Quality Assessment Council shall approve an assessment report within three months after receiving the report. The Council shall weigh the strengths, areas for improvement, and recommendations outlined in the assessment report and decide whether to conduct the next quality assessment of that study programme group in seven, five or three years.
- 11.** The Council weighed the strengths, areas for improvement, and recommendations presented in point 9 of this document and found that the study programme, the teaching conducted under these programmes, and development activities regarding teaching and learning conform to the requirements, and

DECIDED

to approve the assessment report and to conduct the next quality assessment of the Law study programme group at the level of doctoral studies at the University of Tartu in seven years.

The decision was adopted by 8 votes in favour and 0 against.

12. The Council proposes that the University of Tartu will submit an action plan to EKKA with regard to the areas for improvement and recommendations pointed out in the report no later than 26.02.2020.
13. A person who finds that their rights have been violated or their freedoms restricted by this decision may file a challenge with the EKKA Quality Assessment Council within 30 days after the person filing the challenge became or should have become aware of the contested finding.

The Council shall forward the challenge to its Appeals Committee, who shall provide an unbiased opinion in writing regarding the validity of the challenge to the Council within five days after receipt of the challenge. The Council shall resolve the challenge within ten days of its receipt, taking into account the reasoned opinion of the Appeals Committee. If the challenge needs to be investigated further, the deadline for its review by the Council may be extended by a maximum of thirty days.

A legal challenge to this decision is possible within 30 days after its delivery by filing an action with the Tallinn courthouse of the Tallinn Administrative Court under the procedure provided for in the Code of Administrative Court Procedure.

Eve Eisenschmidt
Chair of the Council

Hillar Bauman
Secretary of the Council