

Report on the Master
Advanced Studies in Law and Digital
Technologies
Leiden Law School



**Universiteit
Leiden**
The Netherlands

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1. Summary

The Master Advanced Studies in Law and Digital Technology (LDT) is a leader in the Netherlands in adopting and responding to digital technologies as educational tools that are needed in the contemporary labour market. The panel describes LDT as an extremely strong programme due to its highly varied, flexible and cutting-edge content. It provides students with a good combination of disciplinary perspectives, and a great range of assessment activities that test a wide variety of achievements and skills. The programme is taught by experts who have an ability to adapt courses to reflect the “real-world” and professional field.

Standard 1

The panel concludes that the general direction and ambition of the programme correspond to labour market needs and equips graduates to pursue a further career in academia, should they wish to do so. Furthermore, the panel finds that there is a very clear tie-in between the ILOs and the programme level and orientation. Given the often-conflicting expectations of commercial legal practice nationally and internationally, academia and careers outside either, this is a considerable achievement.

The programme is open to feedback from various stakeholders and acts on suggestions for developments/improvements, which is needed in a rapidly evolving field such as LDT.

A general recommendation for all Advanced Studies LLM programmes is to formulate a clear definition of what the ‘advanced’ label at Leiden Law School entails. Leiden Law School is recommended to make certain that it becomes a shared definition to make it a strong(er) label, to ensure consistent messaging towards all stakeholders, to more clearly distinguish the level of the courses and the output of students in relation to the regular LLM programmes, and to be able to manage the expectations of prospective students accordingly.

Standard 2

The curriculum of the Advanced Studies LLM programme LDT reflects the ILOs of the programme. The programme uses several activating and inspiring

teaching methods. Students are provided with good support and guidance.

The panel finds that the LDT programme is a strong programme in a dynamic field, that manages to keep up to date with new developments. The programme is feasible, but students report that the workload, especially with regards to some reading materials, is (too) high. The panel recommends that the programme explores ways to reduce the (experienced) workload.

The main point of attention of the panel concerns the significant increase in students, which puts pressure on the organisation of the programme. The panel therefore recommends that LDT formulates a plan on how to deal with scaling issues, going forward. In addition, the panel finds that the current admissions procedure needs an elaboration, as the criteria are not that clear-cut and students with a range of backgrounds are admissible. A particular issue that needs attention is managing the expectations of applicants/students concerning the level of legal research skills that they need to possess upon admission to the programme.

The LDT programme has a good thesis trajectory. A general recommendation for all Advanced Studies LLM programme is to create synergies between them and exchange best practices to come to more structured thesis procedures for all programmes.

The teaching staff is well-qualified, both in terms of academic expertise and teaching qualifications.

The panel finds that the programme deploys a good set of committees and initiatives to look after the quality and coherence of the programme. The programme is open to feedback and is willing to take measures to improve itself.

Standard 3

The variety of assessment methods helps the diverse group of students show that they mastered the material. The level of the assessment reflects the content of the courses. Although in practice the independence of first and second assessor of the thesis seems to be well organised by LDT, this is not

sufficiently transparent in the documentation. The panel recommends to properly and insightfully document the process as well as separating the assessment of the product (the thesis) from the process of the student.

The EC performs its legal duties but takes a rather reactive stance. Going forward, the panel expects a more pro-active stance of the EC and a clear awareness of the existing rules and regulations,

which it considers pivotal in ensuring and upholding quality standards.

Standard 4

The final theses are of academic quality and fits within the expectations for an LLM degree in the Netherlands.

After graduation, students find international and relevant jobs at and advanced position.

Standard	Full time	Part time
1. Intended learning outcomes	Meets the standard	Meets the standard
2. Teaching-learning environment	Meets the standard	Meets the standard
3. Student assessment	Meets the standard	Meets the standard
4. Achieved learning outcomes	Meets the standard	Meets the standard
Final conclusion	Positive	Positive

2. Introduction

2.1. Assessment framework

This advisory report contains findings, considerations and judgements about the Master Advanced Studies in Law and Digital Technologies (LDT) of Leiden University. The Accreditation Organisation of the Netherlands and Flanders (NVAO) bases its accreditation decision on this report.

The Master Advanced Studies in Law and Digital Technologies is part of a cluster of ten advanced master's programmes at Leiden University that are assessed as a cluster by one panel. Nine programmes are offered by Faculty of Law (Leiden Law School) and one by the Faculty of Governance and Global Affairs (FGGA).

2.2. Panel

The panel that performed the assessment of the master's programme in Law and Digital Technologies consists of independent experts, including one student member. The NVAO has approved the composition of the panel on 20 October 2023:

- Prof. Ramses Wessel (chair), Vice-Dean of the Faculty of Law, University of Groningen, professor and Head of the Programme European and Economic Law;
- Prof. Erik Franckx, Professor, former Director of the Centre for International Law, Faculty of Law and Criminology, Vrije Universiteit Brussel, Belgium;
- Prof. Anna Konert, Dean of the Faculty of Law and Administration, Lazarski University in Warsaw, Poland;
- Dr. Stefan Lorenzmeier, Academic staff member in charge of the International Relations of the University of Augsburg's Faculty of Law, Germany;
- Prof. Kirsten Sandberg, Professor of Law, Department of Public and International Law, University of Oslo, Norway;
- Prof. Thomas Krebs, Associate professor in Commercial Law, University of Oxford, UK;
- Dr. Adam Chalmers, Senior Lecturer of European Union Politics, Politics and International Relations, University of Edinburgh, UK;

- Prof. Burkhard Schafer, Professor for Computational Legal Theory, University of Edinburgh, UK;
- Ms. Liv Bennink LL.B (student member), Master student in Law, Utrecht University.

The panel was supported by drs. Linda te Marvelde and dr. Meg van Bogaert, who acted as independent secretaries.

2.3. Approach

The university, programme, panel and secretary have agreed on a 'development-oriented' approach to the assessment. This makes use of the opportunity offered by the assessment framework to place less emphasis on accountability and more on improvement and development. This methodology is based on trust and responds to the autonomy and ownership of the study programme as emphasised in the framework. Transparency, openness, and co-creation are key in this approach. Characteristic of the development-oriented approach is that the panel makes a preliminary statement about the generic quality of the programme on the basis of existing documentation. The subsequent site visit is – in part – dedicated to discussing the programme's own themes that are of importance to its development. This step-by-step approach aims to reduce the pressure traditionally placed on site visits. The programme knows in advance where it stands and thus experiences the opportunity to openly submit development themes to the panel. This promotes an equal dialogue between peers.

2.4. Working Method

Approximately ten weeks before the site visit (20 December 2023), the panel received the documentation, including a self-assessment report and a selection of fifteen recent master's theses including their evaluation forms (see appendix 3). These documents formed the basis for the assessment of the generic quality achieved. The panel studied the documents and organised an online panel meeting two weeks prior to the site visit (23 February 2024). In this meeting, the panel discussed its initial findings and provisional

conclusions regarding the quality achieved on the four standards of the assessment framework. Part of the meeting was a (online) consultation opportunity for students and lecturers who wanted to engage in conversation with the panel. Two students took advantage of the opportunity to provide the panel with written feedback about the programme.

On 26 February 2024, (representatives of) the panel had an initial online meeting with the Faculty Boards of Leiden Law School and FGGA to discuss some of the panel's initial impressions and questions.

The site visit took place on 4-7 March 2024 in Leiden (see appendix 4). During the site visit, the panel spoke with delegations of students and teaching staff, examinations board, alumni, and the management team of the programme. The discussions were partly organised around the development themes that the programme itself identified.

These discussions also provided the panel with the opportunity to raise (remaining) questions regarding the generic quality of the programme with those involved. At the end of the visit, the panel drew up findings and recommendations. The panel's chair presented these orally to stakeholders of the programme.

After the visit, the secretaries drew up the advisory reports of all ten programme under review. The report presented here contains the assessment of the programme's generic quality on the four standards of the framework. After processing the panel's feedback, the secretary sent this advisory report to the programme for the purpose of fact-checking the text. The secretary has corrected factual inaccuracies identified by the programme in the final version. The executive board of Leiden University received the final report on 26 September 2024.

Due to overlap in programme structure and support in this cluster, some repetition in the assessment reports is inevitable. These overlapping parts have a different colour (blue) from the programme-specific parts.

3. Characteristics of the programme

3.1. Administrative data

Programme name:	Law and Digital Technologies
CROHO:	75116
Level and orientation:	Academic Advanced Master's studies
Credits:	60
Specialisations or tracks	N.a.
Location:	Leiden
Mode of study	Full time, Part time
Language of instruction	English

3.2. Organisation

The Master Advanced Studies in Law and Digital Technologies (LDT) is part of a cluster of nine Advanced Studies LLM programmes of Leiden Law School. The nine advanced LLM programmes have a joint management and support structure and are all non-government funded. In 2022 a total of 230 students enrolled in an Advanced Studies LLM programme at Leiden Law School.

Leiden Law School is governed by a Faculty Board, consisting of the Dean, research portfolio holder (vice-dean), the education portfolio holder (vice-dean), the director of operations and the student member (assessor). The education portfolio holder is primarily responsible for the development of faculty education policy and for the implementation and organisation of education.

The Academic Board of each individual programme consists of a Programme Director, an Academic coordinator and a Programme coordinator. This Board is responsible for the day-to-day running of the programme, the development of the programme, for student mentoring and advice and for the assessment of academic work.

The Programme Directors of the nine Advanced Studies LLM programmes form the *Quality Assurance Standing Committee* at Leiden Law School, discussing a range of issues pertaining to the quality of education. This committee is supported by two staff members of the Office for International Education: a dedicated Quality Assurance Manager and the Head

of the Office. The LLM programmes have a Programme Advisory Committee (in Dutch: opleidingscommissie) in which lecturers and students are represented. In addition, the programmes make use of the services of an Advisory Board, whose members work in different sectors of practice.

Leiden University is a public organisation, funded by the Dutch government. However, the Advanced Studies LLM programmes are non-funded. This means that no government funding is received and therefore the tuition fees cover the full programmes costs.

3.3. Recommendations previous assessment

The previous assessment panel (2018) did not have any specific recommendations with respect to the LDT programme.

Between 2018-2022, the curriculum had some updates and adaptations reflecting developments in the field, and in staff availability and expertise. In 2022-2023, in light of student feedback and advice from contacts in the professional field, the curriculum underwent a more structural change to make room for a flexible component explicitly focused on developing professional skills to give graduates a good start on the job market.

4. Strong points

The panel identified numerous strengths with the key strengths listed below.

1. The panel describes LDT as an extremely strong programme due to its **highly varied, flexible and cutting-edge content**. The programme balances exposure to non-legal computer science literature and explores creatively new technological developments. It offers a good combination of disciplinary perspectives, and a great range of assessment activities that test a wide variety of achievements and skills.
2. LDT adopts and responds to digital technologies as educational tools. Looking into the growing number of students and the development of digital technologies themselves, LDT is a programme that is **desirable for the labour market**. In addition, the panel emphasizes that LDT is a globally recognized and highly valued degree programme, that raises the international profile of Leiden University, whose research-led teaching also amplifies the message of the Netherlands as a supportive environment for technological innovation and a regulatory environment conducive for both established international technology companies and startups.
3. LDT offers great knowledge in a rapidly changing field of law. The programme covers a wide range of subjects, **taught by experts**. Students appreciate the teaching staff and their ability to adapt courses to reflect the “real-world” and professional field. This is enriched by a wide range of study materials, amplifying the academic learning experience for students.
4. The constant updating of the study programme shows great **adaptability**, which is indispensable in the dynamic field of law and digital technologies.

5. Recommendations

The panel makes several recommendations to aid with the further development of the programme. These do not detract from the positive assessment of the generic quality of the programme.

1. A general recommendation for all Advanced Studies LLM programmes is to formulate a clear definition of what the **'advanced' label** entails. It is recommended to adopt such a shared definition across all programmes, to ensure consistent messaging towards all stakeholders, and to be able to manage the expectations of prospective students accordingly. This is important also to differentiate the level of the course (and the output by students) from regular LLM programmes.
2. The programme has experienced a significant increase in student numbers, leading to concern about managing the programme's size and the expectations of students. The panel recommends that the programme management formulates **a plan in case of substantive increase of students** and delivering on the promise of small-scale education.
3. The panel recommends that the programmes explore ways to **reduce the (experienced) workload and assessment load** for both students and staff. In line with this recommendation, the programmes could consider introducing more formative feedback and more time for students to reflect.
4. With regards to **thesis assessment**, the panel recommends that the second assessor always performs a comprehensive and independent assessment of the thesis and not merely conducts a marginal check of the first assessor's findings.
5. The panel recommends that the Advanced Studies LLM programmes increase transparency of the **thesis process**. Part of this process is an agreement between all programmes on thesis supervision guidelines; Furthermore, the panel recommends that the thesis process (and any personal learning gain) is assessed separately from the final level attained.
6. There are no clear criteria set based on which the admission committee chooses successful candidates. The **admission procedure needs an elaboration**, for instance on rules applied to the situation when there is a competition between applicants. A particular issue that needs attention is managing the expectations of applicants/students concerning the level of legal research skills that they need to possess upon admission to the programme.

6. Assessment

Standard 1: Intended learning outcomes

The intended learning outcomes tie in with the level and orientation of the programme; they are geared to the expectations of the professional field, the discipline, and international requirements.

Findings and considerations

Programme aims and ambitions

The Master Advanced Studies in Law and Digital Technologies (LDT) is aimed, in particular, at lawyers who wish to specialise in the area of Law and Digital Technologies and who already are, or desire to become, national or international legal practitioners in international legal practice in private law firms, companies or governmental bodies. The programme is also for recently graduated, talented, lawyers who wish to pursue advanced studies at a postgraduate level or who want to prepare for a PhD.

The LDT programme is primarily focused on the deepening and widening of the knowledge of law and governance of digital technologies in a European and international context. The ambition of the programme is, against the background of evolving technologies as well as legal and regulatory frameworks, to equip the students with the legal knowledge and the skills to operate in the dynamic field of law and digital technologies, and to lay the basis for life-long learning in this field. LDT, by the nature of its technical focus area and the broad regulatory challenges posed by the societal transformations through digitalization, deliberately chooses for a strong interdisciplinary approach. The panel deems this a sensible approach.

Considering the growing number of students and the development of digital technologies themselves, the LDT programme is desirable for the labour market. Furthermore, the panel finds that sound academic knowledge in the LDT field is increasingly relevant, given that society more and more depends on digital technologies and the use of these technologies raises fundamental legal and regulatory questions. No internationally accepted standards exist with regard to the required qualifications, aims and

objectives of degree courses at a postgraduate level in the domain of Law and Digital Technologies, in particular. Therefore, the programme goals have been set based on the academic and professional judgement of the programme staff, the requirements of the academic and professional field (e.g. prospective employers) as are known to the programme, academic and practical experience, and on-going assessments of programmes in this field. The panel agrees that the general direction and ambition of the programme corresponds well to labour market needs as well as the needs of relevant industries and scientific trends.

Intended learning outcomes

For all law degree programmes in the Netherlands, a Subject Specific Reference Framework has been drawn up, which was most recently updated in 2020. The programme objectives of LDT have been set in line with the orientation described in the framework, both in context of the subject matter and the methodology, as well as in drawing upon the diverse cultural and legal resources available within the student body.

The aims and ambitions are translated into eight Intended Learning Outcomes (ILOs), see appendix 1. These ILOs are elaborated in detail and related to the internationally recognised Dublin descriptors at master's level, for example by deepened and specialised knowledge in the specific disciplines. The ILOs are identical for the full time and the part time mode of the programme. The programme goals have been set based on the academic and professional judgement of the programme staff, the professional field and the programme advisory committee.

According to the panel, programme goals and the ILOs are appropriate and fitting for an academic master's programme in the field of Law and Digital Technologies.

Advanced nature

The self-evaluation reports of the ten Advanced Studies programmes under review address the

differences between the Advanced Studies LLM programmes and regular LLM programmes. Most notably, the advanced master's programmes are geared towards achieving a higher level than regular master's programmes. This is evidenced by the terminology that is used; an advanced level asks for profound and critical levels of research, insight and analysis. Advanced master's courses are mostly offered at level 600, whereas regular master's programmes offer level 500 courses. In terms of methodology and focus, the advanced programmes should be substantially more in-depth and demanding. In addition, students in advanced level programmes have to process more (complex) materials in the same amount of time as regular master students. The advanced level is also reflected in the expectation of a high academic level in the advanced master thesis which is expected to be more extensive or generally based on more complex materials than a thesis produced in a regular master's programme. Ideally, students in the advanced programmes have relevant working experience, which should enrich the students' learning experiences and enhance the learning community of students and staff.

The panel discussed extensively what the label 'Advanced Studies' of the LLMs entails exactly with various stakeholders of the programmes, including the students. Throughout the site visit a range of different interpretations of an advanced programme were given. The panel was informed by some interviewees that it starts with the selection process that targets prospective students who are motivated, have relevant work experience and/or already successfully graduated from a master's programme. Others highlighted the curricula themselves in which students encounter a higher course level, a higher workload, (possible) higher learning gain and overall greater intensity than in a regular master's programme. The diverse and international peer groups were also mentioned as a key characteristic of an advanced programme. Overall, based on the

variety of interpretations, the panel concludes that there is not yet a shared definition of the advanced nature of the programmes. The panel therefore recommends Leiden Law School, in close collaboration with the MIRD programme - to clearly define an Advanced Studies LLM, to ensure consistent messaging towards all stakeholders, to better clarify the distinction between the advanced and regular LLM courses, and to be able to manage the expectations of prospective students accordingly (see Standard 2).

Conclusion

Meets the standard

The panel concludes that the general direction and ambition of the programme correspond to labour market needs and equips graduates to pursue a further career in academia, should they wish to do so. Furthermore, the panel finds that there is a very clear tie-in between the ILOs and the programme level and orientation. Given the often-conflicting expectations of commercial legal practice nationally and internationally, academia and careers outside either, this is a considerable achievement.

The programme is open to feedback from various stakeholders and acts on suggestions for developments/improvements, which is needed in a rapidly evolving field such as LDT

A general recommendation for all Advanced Studies LLM programmes is to formulate a clear definition of what the 'advanced' label at Leiden Law School entails. Leiden Law School is recommended to make certain that it becomes a shared definition to make it a strong(er) label, to ensure consistent messaging towards all stakeholders, to clearly distinguish the level of the courses and the output of students in relation to the regular LLM programmes, and to be able to manage the expectations of prospective students accordingly.

Standard 2: Teaching-learning environment

The curriculum, the teaching-learning environment and the quality of the teaching staff enable the incoming students to achieve the intended learning outcomes.

Findings and considerations

Student Intake

All Advanced Studies LLM programmes aim to attract students from a wide range of countries and educational backgrounds. In the past few years, Leiden Law School has welcomed students from more than fifty countries across Europe, North and South America, and Asia in particular (less often also from Africa), reflecting a great variety in nationalities and legal cultures. Recruitment, selection, student and programme support are arranged through the Office for International Education, in close consultation with each of the programmes. A procedure for admissions and quality assurance is supported by the management team of each programme.

The panel has discussed the admissions/selection procedure extensively during the site visit, mainly to understand how the admissions procedure relates to the advanced nature of the programmes and their status as so-called 'post-initial master's programmes'. The panel learned that the Leiden Law School admissions process is relatively similar for all programmes in terms of application procedures and minimum requirements (e.g. academic background and English language proficiency). In principle all programmes require students to have a law degree that already grants them access to the profession in their particular jurisdiction. However, this requirement can be mitigated by having an equivalent of any other master's degree combined with sufficient background in law, for instance obtained by professional experience. Each programme selects its own students, taking the aforementioned criteria into consideration.

Based on the current admissions criteria and the discussions with the programme, the panel finds that the current admissions procedure gives the programmes options to admit students with a great

variety of educational backgrounds, based on an estimation of the student's future study success, but without necessarily taking the desired intended advanced level and orientation into consideration. In practice, this means that some admitted students are confronted with a learning curve that could be rather challenging, for instance for those who have had no or limited experience with academic research in their initial degree programme, which is not uncommon for students with a non-European initial degree. In addition, the panel finds that the admission procedure would benefit from an elaboration on rules applied to situations when there is a competition between applicants. The panel therefore suggests that the programmes reconsider the admissions procedure, taking into consideration the issues above.

In line with discussions on the advanced nature of the programmes and the admissions procedure, 'management of expectations' was a recurring theme during the site visit. The panel noticed in discussions with the programmes and with students, that there is no shared definition of what an 'advanced programme' is (see Standard 1). Some students, therefore, expressed their disappointment in the programmes ranging from issues on group sizes (large versus small), the definition of 'international' (eurocentrism versus globalism), student support (amount of individual guidance/feedback) etc. In line with its findings in Standard 1 on the advanced nature of the Advanced Studies LLM programmes, the panel recommends that the programmes guarantee clear communications with potential students to ensure that they know what to expect from the programmes.

Since the start of the programme in 2014-2015, the number of applications and actual enrolment in the LDT programme has increased significantly. The panel's main point of attention concerning the LDT programme is managing the programme's size, particularly in relation to student expectations. It therefore recommends that programme management formulates a plan in case of further increase of students and delivering on the promise

of small-scale education, the latter of which is an issue that was specifically raised by LDT students. The panel states that small group teaching is crucial in light of taking full advantage of the diversity of the students. Therefore, the programme would do well to not overrecruit, as this makes it difficult to offer small-scale classes.

Curriculum

The programme is offered full-time (one academic year) and part-time (two academic years), both with daytime classes. Students who study part-time are offered the same facilities and courses as the full-time students. The LDT programme spans one full academic year, from September until the end of August. The programme's core structure comprises three core courses (10 EC total), seven courses on main topics in Law and Digital Technologies (35 EC), one Practicum component (5 EC), and a final thesis (10 EC). In the first of four blocks, LDT provides mandatory sessions to address different study cultures and prior knowledge of the EU Legal System in a number of workshops.

Part-time LDT students are very limited in number. For these students, a tailor-made programme is designed allowing them to follow a coherent programme which builds up towards the writing of the thesis. The panel thinks that this is a good approach, considering the small number of part-time students and the personal guidance.

The panel describes LDT as an impressive, strong and coherent programme due to its highly varied, flexible and cutting-edge content. It manages to offer knowledge in a rapidly changing field of law; covers a wide range of subjects, taught by experts in the field. Students are also actively encouraged to take part in academic activities outside the curriculum, such as the TechTrends Workshops and excursions (e.g. to Europol) organised for the students, attending the research seminars and conferences organized by the eLaw department, participation in workshops and conferences (in particular the annual trip to Brussels for the annual Computers, Privacy and Data Protection conference CPDP), excursions and internships.

The panel argues that in a field that changes as quickly as technology law, it is a difficult challenge to

remain topical, and also to be both responsive and selective: no programme of this type can possibly cover everything. The panel is very impressed by the programme as is. However, as a trigger to discussion, the panel suggests that the programme could consider including content on the way in which also the legal profession changes through technologies. There currently seems to be no direct focus on issues like legal tech, AI and law, online courts etc, even though of course one could also connect many of the "generic" issues such as data protection to legal practice. The panel wonders if this could not be made more explicit – either using one week in a course to draw the connection (e.g. in the platform course looking at platform-based litigation funding) or even a separate module on legal Tech. Alternatively, this is also something that can be done through student-led extracurricular, but faculty-supported, activities, such as hackathons with the school of informatics, programming for lawyers activities etc. A way to allow the programme to move quickly (especially concerning technical skills) is to explore the possibility of introducing electives.

Thesis

There is a common thesis protocol in place for students of all Advanced Studies LLM programmes, which includes common grading procedures and second reader forms. Thesis workshops are part of the programmes in order to prepare all students for writing a thesis, including those who have not written a thesis before. However, the panel has found disparities between thesis (supervision) trajectories and it therefore recommends that the Advanced Studies programmes take more advantage of the synergies between them and exchange best practices to come to more structured procedures for all programmes.

In 2022-2023, LDT updated its thesis process to start with topic orientation right after the first block. This allows students to spread their work better across the year, and to be able to satisfy students requests for information about the thesis process, which increasingly came in at the very start of the year. The thesis process starts in parallel to the second block in early November. In 'Thesis Fridays', thesis writing workshops and staff research introductions are given in order to assist students in finding a suitable topic and to prepare them for the actual thesis

writing and planning. Topics that are being addressed during the thesis workshops include: academic writing and research, thesis procedures, instruction for the use of library resources, and guidance for thesis structure and planning. Students are matched with supervisors in mid-November and before the winter holiday break, students should have submitted their initial research question and plan for completing the thesis. Though substantial research has already occurred in the fall semester, the actual writing process takes place throughout the second semester following a periodic schedule of submissions and supervisor interactions. The final version deadline is in early July. The panel concludes that LDT has established a well-structured thesis trajectory that works.

Approach to teaching and learning

The Advanced Studies LLM programmes are aimed at acquiring knowledge and understanding of positive law and the systematic foundations of law, acquiring an academic attitude when studying legal issues, and obtaining professional legal skills. Teaching is based on the Socratic method (i.e. high-level course discussions between the professor and the students, rather than traditional lectures, and peer learning amongst students), as well as both a practical and theoretical approach to the subject area. Structured self-study is an integral and essential part of all courses, in order to enable informed discussions in class. Class attendance is mandatory. The programme is demanding, and students experience a high workload. Students report that the workload, especially readings/study material, is intense but manageable. The current set-up of the programme (block structure) in combination with the number of materials that need to be studied makes that students can experience overburdening. The panel therefore encourages the programme to consider how to find a balance between intensity and time for reflection.

In view of the dynamic nature of Law and Digital Technologies, the ability to quickly familiarise oneself with new topics/recent developments in the various fields of law, policy and regulation is essential. Teamwork, often in a multi-cultural context, is the overall standard, both in an academic and professional environment. The programme therefore aims at developing the students' ability to work in

teams and improve their intercultural skills, through class work and assignments as well as through extra-curricular and social activities. Interactive teaching methods stimulate students not only to gain knowledge but also to actively reflect on this knowledge and to develop their own substantiated perspective. Students are asked to research issues of substance and present their findings in a variety of ways including class presentations, papers, blogs, PechaKucha presentations, peer-review, etc. The panel noted that study materials consist of a wide range of resources, such as video's podcasts and interactive tools. Students mention how this enriches their understanding of a subject.

Students are encouraged to bring their skills to the classroom, where they will be able to positively influence the teaching and learning environment. Those with (long-term) working experience positively enhance discussions and debates in the classroom environment by introducing their real-life working experiences from various legal jurisdictions, specialisms and cultures. Students' previous working experience allows for the important aspect of comparison between legal systems. As a suggestion, the panel finds that the diverse international student body is a resource that could be utilized even further. The programme, in line with many programmes of this type, remains focused on the EU and US. This is not a call to "decolonise" the curriculum, and the current focus also matches the intended preparation for work in Europe, but the panel finds that it can be helpful, also for EU/US students, to create spaces where they can learn from the experience in countries outside the "big blocks". This requires space where students from non-EU/US countries are invited to take the lead/focus on a topic, rather than simply contributing to a general debate (if no expertise inhouse available), leading e.g. to sessions where the issues that m-finance creates in Africa, or diverging privacy conceptions in India are discussed. The panel states that this would be (mainly) for the benefit of Dutch/EU-students. If they work for international firms or advise Dutch technology companies on how to enter the sizeable Chinese or Indian markets, they will benefit greatly from this type of knowledge. The driver for this suggestion is business needs, especially also for Dutch companies.

Student support

The programme strives for an ambitious study culture in which involvement and commitment of students and lecturers are the norm. This implies inspiring and challenging education, active student participation and a solid structure and organisation of the curriculum.

To promote study success, measures are taken to enhance student motivation and the quality of learning, for example via annual curriculum revisions, an introduction week, career workshops, optimising timetabling and professionalising student counselling.

Staff are available to students to respond to questions and problems. Furthermore, social activities are organised which are deemed crucial for a positive social and learning environment. The programme also pays attention to news items, job and internship opportunities, via social media pages.

The Advanced Studies LLM programmes at Leiden Law School have a dedicated support structure, arranged through the Office for International Education. This office offers career-oriented workshops, spread throughout the academic year. Furthermore, a Brightspace page is set up for students to find information, useful links on jobs, housing, Dutch language courses etc.

Student progress is monitored by the course lecturers who discuss concerns on student progress and performance with the Programme Coordinator and Academic Coordinator. Often, potential problems are identified early in the course and additional support may be offered if a student is struggling with specific course components.

Student welfare is important, in particular international students. The programme coordinator is the first point of contact for students and Leiden Law School has a Well-Being Officer as well as a dedicated careers advisor. Leiden Law School recently opened a Student Living Room, intended as a space for relaxation and connection. Peer support students are present every day and are committed to the well-being of their fellow students. The panel values the efforts by the programme in undertaking social activities and creating a student- community.

This is particularly important for the international students with a limited network when arriving in Leiden.

Language of instruction

The English-taught non-government funded Advanced Studies LLM programmes were originally designed with the idea of attracting high level international students to the Netherlands. Leiden law School chose to offer these programmes in English to internationalise the departments and the teaching and research of certain fields which are of transboundary and international relevance. Having students from other cultures and other legal backgrounds was seen as an asset to the university. It also allowed for highly specialized programmes and expertise in a particular field to be recognized. In order to do this the English language was the choice made to allow for, as much as possible, a diverse group of people to participate.

English opens up possibilities for the materials used in studying and learning. Moreover, English is among the few original languages of the documents used. Skills such as critical reading and reflection, research expertise and writing are developing in a different way in another language. The possibilities to bring in lecturers and people from the professional field from other nationalities to provide their experiences to students are seen as a major benefit in allowing for open and diverse discussion and debate. Reinforcing the idea of building, connecting, sharing ideas and communicating with the world is important for all professions. Studying in English provides tools that will add value to the student and the lecturing staff. Communicating in English adds value to graduates in their careers and opens up more doors and possibilities for a career path than in one's home country alone. This is particularly so for Advanced Studies LLM programmes and the MSc in International Relations and Diplomacy as these are specialized programmes which seek to offer expertise in a particular field of international relevance. Considering the goals of the advanced master's studies programmes, the panel concludes that the choice for English as the language of instruction is logical and of added value.

Staff

Teaching staff of LDT consists mainly of Leiden University Staff and is complemented with guest lecturers from the practice of Law and Digital Technologies.

Leiden University has heavily invested in the University Teaching Qualification (UTQ), attributing structural attention to the teacher professionalisation process. All lecturers at Leiden University are required to obtain a UTQ.

Leiden University adheres to The Guidelines on Language Policy which set out agreements on the level of language competence of lecturers, staff and students, the language of instruction, the dual language of communications and the language used within the University administration. A Language Policy for University Lecturers is in place for those who teach in English. The required level of English proficiency is C1. Most faculty members publish mainly in English and frequently present and lecture abroad.

Guest lectures are specialised and often international professionals on a specific area of law. By using guest lectures the programme has the advantage of incorporating real and current legal experience and discussions in courses, which enhances the learning environment for students. Furthermore, students visit law firms, international legal organisations and businesses at the invitation of the guest lecturers, allowing them to build their legal network. Guest lecturers are always partnered with a course coordinator who is a member of the academic staff, to ensure the quality and level of teaching.

The panel concludes that the programme has highly qualified and internationally recognized staff members. The teaching staff is well qualified to lecture on the topics covered in the curriculum, both in research/publication and theoretical knowledge and also offering insights from cases, ex. international dispute settlement. Students appreciate the teaching staff and their ability to adapt courses to reflect the “real-world” and professional field.

Quality

In addition to each course being evaluated, students are invited to express their views about the courses to the lecturer, programme coordinator and/or academic coordinator. Annual course evaluations are also used to make improvements. Common issues raised in the evaluations are discussed in the Quality Assurance Standing Committee (QAS), in which all Advanced Studies LLM programmes participate.

The programme constantly fine-tunes its individual courses based on recommendations received either by students, the professional field and/or its advisory board. The panel compliments the programme on its adaptability, which is particularly relevant in the fast-changing field of law and digital technologies.

Conclusion

Meets the standard

The curriculum of the Advanced Studies LLM programme LDT reflects the ILOs of the programme. The programme uses several activating and inspiring teaching methods. Students are provided with good support and guidance.

The panel finds that the LDT programme is a strong programme in a dynamic field, that manages to keep up to date with new developments.

The programme is feasible, but students report that the workload, especially with regards to reading materials, is (too) high. The panel recommends that the programme explores ways to reduce the (experienced) workload.

The main point of attention of the panel concerns the significant increase in students, which puts pressure on the organisation of the programme. The panel therefore recommends that LDT formulates a plan on how to deal with scaling issues, going forward. In addition, the panel finds that the current admissions procedure needs an elaboration, as the criteria are not that clear-cut and students with a range of backgrounds are admissible. A particular issue that needs attention is managing the expectations of applicants/students concerning the level of legal research skills that they need to possess upon admission to the programme.

The LDT programme has a good thesis trajectory. A general recommendation for all Advanced Studies LLM programmes is to create synergies between them and exchange best practices to come to more structured thesis procedures for all programmes.

The teaching staff is well-qualified, both in terms of academic expertise and teaching qualifications. The panel finds that the programme deploys a good set of committees and initiatives to look after the quality and coherence of the programme. The programme is open to feedback and is willing to take measures to improve itself.

Standard 3: Student assessment

The programme has an adequate system of student assessment in place.

Findings and considerations

Assessment Policy

The Advanced Studies LLM programmes refer to the Rules and Guidelines of the Exam Commission and the Course and Exam Regulations (in Dutch: OER) for policies and rules concerning assessments.

The programmes have adopted a format for assessment and for awarding grades, consisting of criteria for assessment of exams, papers and presentations and forms that need to be completed for each piece of assessed work. To ensure continuity and alignment at both programme and course level, matrices are used as a safeguard and quality assurance tool. The panel concludes that the programmes have a sound governance framework regarding assessments.

Course assessment

The panel compliments the programme with the variety of assessment methods it uses that test a broad range of knowledge and skills. The panel describes the methods as challenging and innovative. At the start of the academic year, an overview of course contents, including assessment methods, weighting and scheduling is shared with the students. This provides insight into the diversity of assessment methods.

In principle, lecturers are free to decide which assessment methods they want to use but must inform students in advance via the course descriptions, which include a cross-reference to the ILOs. At the start of each course, assessments and grading are always discussed with the students as well. Lecturers provide written feedback on assessment forms to evidence why a grade was awarded, and review sessions are organised to provide further feedback and/or discuss grading.

A point of concern for the panel is possible 'over-assessment'. It seems that students are continually

faced with deadlines, adding to the intensity and high workload that students report (see Standard 2). This leaves limited time for reflection. In addition, it seems that assessments are mostly summative and hardly formative. The panel suggests that the programmes explore whether it would be possible to lower the assessment load for both students and staff.

Thesis assessment

Thesis grading is based on a common procedure for all of the Advanced Studies LLM programmes. Each thesis is assessed by two examiners. The first examiner is the thesis supervisor; the second examiner is – often, but not always – the Programme Director or the Academic Coordinator to ensure consistency in the grading. In some instances, students will have two supervisors (depending on the topic), in which case they will also grade the thesis.

During the site visit, the panel discussed at length the role and task of the second assessor with the various programmes. The programmes use a similar, but often slightly different working method. This is not a problem, according to the panel, as long as there are some basic agreements. These include that the second assessor always performs a comprehensive and independent assessment of the thesis and not merely a marginal check of the first assessor's findings.

Another topic that the panel discussed during the various interviews was if and to what extent the amount of guidance given during the thesis process should influence the final grade. As there are currently no set guidelines on the number of meetings between student and supervisor, there is quite some variety in the amount of feedback given to individual students. The panel argues that the amount of guidance and feedback given should be reflected separately in the assessment. In addition, supervisors should be alert to students who do not ask for any guidance at all, as this could be indicative of plagiarism or improper use of AI.

A closely related topic that was discussed at length during the various interviews was to what extent programmes include 'learning gain' in the assessment of theses. The panel argues that student development is indeed important, especially given differences in prior education and backgrounds. However, the panel stresses that the assessment of a student's progress and development should be assessed separately from the quality of the thesis and final level attained. This would improve the transparency and fairness of the thesis assessment process.

The panel's overall impression from the interviews during the site visit is that the programmes generally deal well with the independent and comprehensive assessment by the second assessor, the degree of thesis guidance given and issues concerning possible cases of plagiarism and use of AI. However, this was not sufficiently transparent in the documentation the panel had access to. The panel therefore recommends that the Advanced Studies LLM programmes increase transparency of the thesis process. Part of this process would be an agreement of all programmes on thesis supervision guidelines; these should include, for example, an elaboration on the thesis supervision process and (the number of) meetings between students and their supervisors and the manner in which this affects the assessment. Furthermore, the manner in which personal learning gain plays a role in thesis assessment should be explicitly addressed. The panel recommends that the thesis process (and any personal learning gain) is assessed separately from the final level attained.

Quality assurance

The nine Advanced Studies LLM master's programmes have their own dedicated Exam Commission (EC). The EC consists of academic staff members of Leiden Law School and an external member. The EC collectively sets up rules and policy, meets regularly and is supported by a secretary.

At the start of the academic year, the EC is provided with the overview of course contents, including forms of assessment, and weighting thereof. The EC also requests sample course matrices in order to verify and provide feedback where necessary. It also cross-checks the course objectives with the ILOs of the programme to ensure that they are in line.

The EC has a policy to determine how many exams and theses are selected for auditing purposes. The number of exams and theses depends on the size of the programme, the point of departure being that a sample of approximately 10% of the work will be a sufficient basis for a reliable auditing exercise. Should the auditing exercise raise questions, additional work will be selected. Theses (one outstanding, one good and one with passing grade) are subject to an audit by a legal expert from the EC who was not involved in the thesis supervision, as part of the quality assurance system. So far, the findings of the audit have been in line with the assessment and notably the grades given. The panel stresses the importance of regular calibration between assessors, within and between programmes.

As discussed in Standard 2, there is potential to unlock synergies between the programmes with regards to the theses. The programmes do speak to each other via the QAS, but this has not yet led to a shared approach, for instance on the grading of theses.

In conversation with the EC, the panel found that the EC takes a reactive stance in its approach. The panel refers to i.e. appointing examiners, setting up rules concerning the use of generative AI tools, and the manner in which thesis assessment forms are used by examiners. Going forward, the panel expects a more pro-active stance of the EC, and sufficient knowledge of the existing rules and regulations by all members including the Chair, which it considers pivotal in ensuring and upholding quality standards.

In addition, the panel stresses the importance of regular calibration between assessors, within and between programmes. As discussed in Standard 2, there is potential to unlock synergies between the programmes with regards to the theses. The programmes do speak to each other via the QAS, but this has not yet led to a shared approach, for instance on the grading of theses.

Conclusion

Meets the standard

The variety of assessment methods helps the diverse group of students show that they mastered the material. The level of the assessment reflects the content of the courses. Although in practice the independence of first and second assessor of the thesis seems to be well organised by the programme, this is not sufficiently transparent in the

documentation. The panel recommends to properly and insightfully document the process as well as separating the assessment of the product (the thesis) from the process of the student.

The EC performs its legal duties but takes a rather reactive stance. Going forward, the panel expects a more pro-active stance of the EC regarding the existing rules and regulations, which it considers pivotal in ensuring and upholding quality standards.

Standard 4: Achieved learning outcomes

The programme demonstrates that the intended learning outcomes are achieved.

Findings and considerations

Final level

Students must undertake analytical legal research which builds on the knowledge gained throughout the programme. Research is conducted largely independently but with some supervision. In the thesis, students demonstrate their capabilities in conducting academically sound research, present findings of this research in writing, and investigating and presenting relatively new and innovative findings. In addition to the knowledge acquired through the courses, this ensures that the graduates possess the (legal) knowledge, insight and skills enabling them to pursue a career at an advanced level in their chosen area.

According to the programme, the advanced level is not only reflected in the high quality of the thesis, but also in the fact that the thesis is written in quite a short period of time and must be an original contribution to the legal science. It should deal with a topic that was not already exhaustively discussed in one or more publications.

Thesis

Based on a sample of 15 theses, the panel was able to form a picture of the graduation level of LDT.

The panel concluded that all the final theses it reviewed did meet the ILOs and are of academic quality at master's level.

The topics addressed in the thesis are convincingly addressed and logically structured. The theses are well-structured and present a clear academic approach. The research objectives are well-defined, leaving no doubt about what the author wants to achieve. The research is innovative and practical. Sources are used well. Students do not shy away to apply what they learned to cutting edge issues, and develop clearly their own voice.

The panel made a few remarks for the programme's consideration, mainly concerning the variety in structure of the theses and in the use of footnotes. Another remark the panel made is that in some cases "policy" discussions take centre stage, and the accurate and detailed work with legal sources might lack a bit.

The panel appreciates that several students have managed to publish articles on the basis of their thesis work, present their work at conferences or for the European Commission, and win prizes in thesis competitions (e.g. young scholar award of the European Data Protection Law Review, IAPP Westin Scholar Award). For several students, their thesis work has formed the basis of successful applications to PhD positions, within Leiden Law School, elsewhere in the Netherlands or Europe.

After graduation

Many students already have some or considerable working experience when starting the programme. The successful completion of the programme allows them to return to their previous line of work in a more senior post, or offers an opportunity for their careers to take a different direction.

Building on prior qualifications and experience, some students continue performing independent research, e.g. in the framework of subsequent PhD studies. Professional positions achieved after graduations, publications and a number of students continuing with a PhD programme, testify to the achieved level of the programme.

The Advanced Studies LLM programmes keep in contact with alumni, which allows them to record what the alumni are doing after graduation.

Feedback by graduates indicates that they feel well prepared for the competition for interesting positions in Europe and elsewhere, both academically and professionally.

Conclusion

Meets the standard

The final thesis is of academic quality and fits within the expectations for a LLM master's degree in the Netherlands. After graduation, students find international and relevant jobs at an advanced position.

7. Appendices

Appendix 1: Intended Learning Outcomes

1	Basic and overarching knowledge:
	The graduate has a profound knowledge of, and critical insight into, the foundation of Law and Digital Technologies, including its sources, principles, and institutions and interrelation with specialised fields.
2	Specialist knowledge:
	The graduate has profound knowledge of, and critical insight into, specific specialised fields of Law and Digital Technologies and, in particular the respective field of specialisation, including the overlaps. Differences and interaction between these specialised fields. The graduate has a critical and profound understanding of the policy considerations underlying these bodies or law and their context (i.e., as appropriate, their comparative or international context).
3	Research abilities:
	The graduate is capable of researching legal questions in the field of Law and Digital Technologies, its specialised fields, by formulating coherent and concise problem statements, collecting and analysing data, judging their validity and relevance as well as by in-depth analysis and interpretation of legal sources, literature, and complex cases. The graduate is capable of posing critical questions, formulating an independent opinion on legal questions, and drawing well-founded conclusions. The graduate is able to provide innovative solutions to challenges in the field of Law and Digital Technologies and, as appropriate, specialised fields, and to make and to make recommendations for further research.
4	Presentation of knowledge:
	The graduate is capable of presenting his/her findings in a clear, readily understandable, methodical and logical manner, both orally and in writing, to both legal experts and non-lawyers alike. Students will further improve their existing writing, reading and research skills as well as their oral presentation skills. The language in all aspects of the programme is English. Therefore, English as a business and working language, using the specific vocabulary of Law and Digital Technologies, and its specialised fields is extensively developed.
5	Application of knowledge:
	The graduate is capable of applying the acquired knowledge, research and practical skills in professions or functions that require application of Law and Digital Technologies at an advanced postgraduate level. More specifically: a. The graduate possesses the legal knowledge, insight and skills to deeply engage with “the state of the art” in Law and Digital Technologies, enabling them to pursue a career at an advanced level as a legal professional within international legal practice in law firms, companies, national and international courts and tribunals, international institutions, and (inter)national governmental bodies or international orientated non-government organisations. b. The graduate possesses legal knowledge, insight and skills qualifying them to pursue an academic career by conducting further academic research, for example in a PhD programme.
6	Working environment:
	The graduate has developed a professional work ethic enabling them to work in an international and intercultural environment. The graduate is capable of working both independently and in a team, again notably within an international environment.
7	ICT skills:
	The graduate is able to use new, or to enhance existing, ICT skills in research and communication.
8	Keeping up knowledge:
	The graduate has developed skills for lifelong learning, ensuring that they are able to identify and independently cover their own gaps in their knowledge.

Appendix 2: Schematic overview of the curriculum

Block/timing	1st Semester Course Names	EC	FQ
B1 (core)	Regulating Digital Technologies	4	1,2,3,4,5,8
B1 (core)	Internet Governance	3	2,3,4,5,6,7
B1 (core)	Ethics and Digital Technologies	3	1,2,3,4,6,7,8
B2	Fundamental Rights and Digital Technologies	5	1,2,3,4,5,6,7,8
B2	Internet Privacy and EU Data Protection	5	1,2,3,4,5,6,7,8
Block/timing	2nd Semester Course Names	EC	FQ
B3	Cybercrime and Cybersecurity	5	2,3,4,5,7
B3	Electronic Communications Law	5	1,2,3,4,5,6,7,8
B4	Digital Child Rights	5	1,2,3,4,6,7,8
B4	Platforms and the Law	5	1,2,3,4,5,6,7,8
B5	Law and Human-Machine Interaction	5	1,2,3,4,5,6,7,8
Connected to B1, B2, B3, B5	Practicum Law and Digital Technologies (semester one and semester two)	5	1,2,4,5,6,7
Nov-July	Thesis (semester one and semester two)	10	

Appendix 3: Documents studied

The panel studied a wide selection of documents relating to the programme's profile and intended learning outcomes, its teaching-learning environment, assessment and end level.

These included:

- Self-assessment report (including a student chapter)
- Course files of:
 - Cyber Crime and Cyber Security
 - Internet Privacy and EU Data Protection
 - Law and Human Machine Interaction
- Master's theses of fifteen graduates
- NVAO recommendations 2018 and changes
- Course Descriptions and Assessments (Academic Year 2023/2024)
- Course Schedule Overview
- Student Statistics and Enrolment 2018 -2023 including Enrolment versus Graduation Rates 2018 -2023
- Overview of Teaching Staff – (Academic Year 2023/2024) including staff C.V.'s
- Benchmarking report for like programmes national and international
- Programme Vision and Development
- Subject Specific Reference Framework and Learning Outcomes of the Programme Course Levels
- Thesis Guidelines
- Rules and Regulations (Academic Year 2023/2024)
- Mid Term Review Report
- Mid Term Plan of Action
- Exam Commission Annual Report 2022- 2023
- PAC Reports 2022 - 2023

Appendix 4: Site visit schedule

February 27, 2024

14.00 – 16.00 Online meeting panel with Faculty Boards and Management of Leiden Law School and Faculty of Governance and Global Affairs

March 4, 2024

17.00 – 19.00 Kick-off meeting panel

March 5, 2024

Humanities programmes

09.00 – 10.00 Meeting with the programme management Humanities programmes (EIHRL, ICR, PIL)

10.05 – 11.05 Meetings with students and alumni Humanities programmes (EIHRL, ICR, PIL)

11.15 – 12.15 Meeting with lecturers Humanities programmes (EIHRL, ICR, PIL)

12.15 – 13.15 Lunch

International Relations

13.15 – 14.00 Meeting with the programme management MIRD programme

14.15 – 15.00 Meeting with students and alumni MIRD programme

15.15 – 16.00 Meeting with lecturers MIRD programme

16.00 – 17.00 Panel meeting on preliminary findings Humanities (EIHRL, ICR, PIL) and MIRD programmes

March 6, 2024

Business programmes

08.45 – 09.45 Meeting with the programme management Business programmes (EIBL, ICCL L&F)

10.00 – 11.00 Meetings with students and alumni Business programmes (EIBL, ICCL L&F)

11.15 – 12.15 Meeting with lecturers Business programmes (EIBL, ICCL L&F)

12.15 – 13.00 Panel meeting on preliminary findings Business programmes (EIBL, ICCL L&F)

13.00 – 14.30 Development dialogue including lunch (two sessions with two questions per session)

Multidisciplinary programmes

15.00 – 16.00 Meeting with the programme management multidisciplinary programmes (A&SL, IDSA, L&DT)

16.15 – 17.15 Meeting with students and alumni multidisciplinary programmes (A&SL, IDSA, L&DT)

17.15 – 18.15 Meeting with lecturers multidisciplinary programmes (A&SL, IDSA, L&DT)

18.15 – 18.45 Panel meeting on preliminary findings multidisciplinary programmes (A&SL, IDSA, L&DT)

March 7, 2024

09.00 – 09.30 Panel meeting

09.30 – 10.45 Meeting with Exam Commission and Programme Advisory Committee (LLS/FGGA)

10.45 – 11.30 Panel meeting: preparation final meeting with management

11.30 – 12.15 Meeting with management

12.15 – 13.00 Lunch

13.00 – 16.30 Panel meeting: preliminary findings /judgments all programmes

16.30 – 17.00 Feedback panel on preliminary findings

17.00 End of site visit