Introduction

In the first half of 2005 the Honours Committee under its then Chairman Professor Michael Gillooly conducted a review of two aspects of the Honours Program:

1. The appropriateness of the current percentile guidelines, which provide that approximately 20% of Law graduates will receive Honours, with 5% receiving Firsts, 7% 2As, and 8% 2Bs; and
2. Whether there are any further practicable steps that could be taken to enhance consistency in the marking of Honours dissertations.

The review was the result of a decision taken by the Board of Examiners in December 2004 to award more Firsts and 2As than is permitted by these percentile guidelines.

The Board of Examiners’ decision was made on the recommendation of the Honours Committee, which was concerned that the current percentile guidelines in this Law School are significantly less generous to Honours students than those which apply at other ‘Group of 8’ Law Schools.

In view of the disparity, the Honours Committee recommended that the Board of Examiners award a higher proportion of Firsts and 2As than is permitted by the current percentile guidelines. The Board adopted that recommendation.

The percentages of Firsts, 2As and 2Bs awarded by the Board of Examiners in December 2004 were as follows:

- Firsts: 7.8%
- 2As: 7.8%
- 2Bs: 4.4% ¹

In consequence of the decision to depart from the current percentile guidelines, it was resolved by the Board of Examiners that the Honours Committee should report to Faculty on the following issues:

1. Whether the current policy which limits Honours to approximately 20% of the graduating class should be increased;

2. What the appropriate proportions of Firsts, 2As and 2Bs should be.

The Honours Committee decided to include in its review not only these two questions but also a third question, namely, whether any further steps should be taken to

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¹ These figures do not take account of Honours students who wrote their dissertations in 2004 and completed their coursework requirements in mid-2005.
enhance consistency in the marking of Honours dissertations. These three questions are the subject of this report.

**Consultation**

The Honours Committee held two meetings to consider the three questions raised in its review. In March 2005, it distributed its tentative recommendations to Academic Staff and the Blackstone Society with a view to giving them an opportunity to comment.

Comments were received from two Academic Staff and from the Blackstone Society. These submissions were broadly supportive of the Committee’s recommendations. The Committee made its final recommendations at a meeting on 8 June 2005.

The following paragraphs set out:

1. The Committee’s recommendations; and
2. The reasons for them.

If approved by Faculty, these recommendations will be implemented in the marking of Honours theses and in the awarding of Honours by the Board of Examiners in November/December 2005.

**Recommendations**

The Committee makes three main recommendations:

1. That the current policy of limiting Honours to approximately 20% of Law graduates be retained.

2. That the current percentile guidelines should be varied so that 6-9% of Law graduates receive Firsts, 6-9% receive 2As, and the balance of the 20% receive 2Bs.

3. That in order to enhance consistency between Examiners in the marking of dissertations, the current Marking Guidelines should be amended in two respects:
   - **first**, to state that a mark of 77% for a dissertation indicates that it is in the mid-range of what is expected for an Honours dissertation; and
   - **secondly**, to clarify the role of the supervisor/assessor by emphasising that his or her function is to serve as a check on the Examiner, rather than as an advocate for the student. This role may, in an appropriate case, involve the assessor in pointing out to the Examiner some undervaluing of the student’s work. Equally, however, it may require the assessor to draw to the Examiner’s attention any overvaluing of the student’s work.

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3 Penny Carruthers and Alex Gardner.
 Reasons for the Committee’s recommendations

(a) Should the percentage of students receiving Honours be increased above 20%?

The first issue that the Committee had to consider was whether the percentage of graduates receiving Honours should be increased above the current 20%.

To assist it to answer that question, the Honours Committee obtained data from other ‘Group of 8’ Law Schools regarding their Honours programs. These data reveal that, in the recent past, the percentage of graduates awarded Honours by these Law Schools has been:

<table>
<thead>
<tr>
<th>University</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide</td>
<td>12%</td>
</tr>
<tr>
<td>ANU</td>
<td>32-38%</td>
</tr>
<tr>
<td>Melbourne</td>
<td>34-54%</td>
</tr>
<tr>
<td>Monash</td>
<td>35%</td>
</tr>
<tr>
<td>Queensland</td>
<td>37%</td>
</tr>
<tr>
<td>Sydney</td>
<td>40%</td>
</tr>
<tr>
<td>NSW</td>
<td>no Honours program</td>
</tr>
</tbody>
</table>

However, the Honours Committee noted that:

- most of these ‘Group of 8’ Law Schools award Honours on the basis of marks scored without the need to write a separate dissertation (Adelaide and ANU are the exceptions);
- none of these universities has an LLB with Distinction; and
- an increase in the percentage of students awarded Honours may create resourcing problems for this Law School, particularly with rising student numbers.

On balance, the Committee concluded that the current 20% limit on Honours should be retained, but kept under review. However, it expressed the view that the overall aim should be for one-third of the graduating class to receive their degree either with Honours or Distinction. That would bring this Law School into line with the other ‘Group of 8’ Law Schools.

It was noted that, in 2004, some 9% of graduates received their degree with Distinction. This figure is expected to increase as the recent changes to the Law School’s grading guidelines for coursework take effect.

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4 These figures differ somewhat from year to year.
(b) The percentile guidelines

The breakdown between classes of Honours in the other ‘Group of 8’ Law Schools is as follows:

<table>
<thead>
<tr>
<th>Law School</th>
<th>1sts</th>
<th>2As</th>
<th>2Bs</th>
<th>3rds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide</td>
<td>9%</td>
<td>3%</td>
<td>occasional</td>
<td></td>
</tr>
<tr>
<td>ANU</td>
<td>10%</td>
<td>17–20%</td>
<td>5–8%</td>
<td></td>
</tr>
<tr>
<td>Melbourne</td>
<td>4–8%</td>
<td>9–12%</td>
<td>10–16%</td>
<td>11–18%</td>
</tr>
<tr>
<td>Monash</td>
<td>5%</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>Queensland</td>
<td>9%</td>
<td>17%</td>
<td></td>
<td>10%</td>
</tr>
<tr>
<td>Sydney</td>
<td>10%</td>
<td>30%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New South Wales</td>
<td>No honours</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

These figures support the view that this Law School has in the past been niggardly in the award of Firsts. They also vindicate the Board of Examiners’ decision in December 2004 to award more Firsts and 2As than permitted by the current percentile guidelines in order to bring the Law School more closely into line with the Honours programs of other ‘Group of 8’ Law Schools.

The Committee’s recommendations with respect to the percentile guidelines are consistent with the decision taken by the Board of Examiners in December 2004; however, they allow some flexibility to the Board in future by establishing the following ‘bands’ within which Firsts, 2A’s and 2Bs will normally be given:

- Firsts: 6-9%
- 2As: 6-9%
- 2Bs: the balance of the 20%.

In order to maintain parity with the other ‘Group of 8’ Law Schools, it will be necessary for the percentages of Firsts and 2As awarded in future to be no less than those awarded in December 2004 and also for them to be generally towards the upper end of the spectrum of 6-9% rather than the lower end.

However, the bands allow for the possibility that, in an exceptional year, where the overall standard of marks for coursework and/or the dissertation achieved by Honours students is poorer than usual, the percentages of Firsts and/or 2As awarded might be at the lower end of the spectrum.

In making comparisons between this Law School and the other ‘Group of 8’ Law Schools, it must be borne in mind that this Law School awards a Distinction (9% in 2004) in addition to Honours and that the aim is that one-third of the graduating class obtain either Honours or a Distinction.
(c) Marking consistency

At present, consistency in dissertation marking is promoted by the following devices:

1. All markers apply a common set of Marking Guidelines, specifically designed for Honours dissertations (these are set out in the Honours Brochure and distributed to Examiners and assessors with the copies of the dissertation);
2. The final mark is the product of agreement between the Examiner and assessor – where there is disagreement, the matter is referred to a third marker;
3. Most Academic Staff gain experience of co-marking Honours theses with several other Staff members – this promotes consistency in marking standards within the Faculty; and
4. A student who is dissatisfied with the mark given to him or her by an Examiner can appeal the mark under the University’s appeal procedures.

The Honours Committee considered whether there were other practicable means of promoting consistency of marking (recognising, of course, that no direct comparison between any two Honours theses was feasible given the differing topics of the dissertations). The following suggestions were considered:

1. Setting up a Committee of Moderators to oversee the marking of dissertations

The Honours Committee was not attracted to this idea. In places where it had been tried, the results have been unsatisfactory. The basis upon which a person who had not read all the papers could conclude that the standard of marking was indefensibly different in some of them was unclear, and there are too many papers for all to be read by one person (even if a person of the necessary encyclopaedic expertise could be found). An increase in the quantity of the markers would not necessarily lead to an increase in the quality of marking. The practicalities of fitting the deliberations of such a committee into the already crowded end-of-year marking and Honours calculation routine, and the further demands on the time of staff who became its members, also told against it.

2. Requiring independent, external examiners for all dissertations

The Committee was not attracted to this idea either. Even assuming such Examiners could be found, their lack of knowledge of the standard of Honours papers at UWA would undermine rather than enhance consistency.

3. Having independent assessors rather than requiring supervisors to perform the assessor’s role

Whilst supporting this idea in principle, the Committee ultimately rejected this suggestion on pragmatic grounds. It was noted that this system had prevailed some years ago when the numbers of Honours students had been
somewhat less than at present. The reason why that system was abandoned was the difficulty in finding enough suitably qualified, independent academic staff to play the role of assessor. With recent increases in Honours numbers, the present system seems the only feasible one. Furthermore, the view was expressed that information supplied by the supervisor, eg, that he or she had suggested that the student not pursue certain lines of enquiry, may be quite valuable in enabling the Examiner to reach a fair assessment of the value of the piece of work.

The Committee did however feel that consistency between markers might be promoted in two ways:

First, the Committee felt that there was some uncertainty as to what mark should be allotted to a dissertation which is in the mid-range of what can be expected for an Honours dissertation. The current Marking Guidelines state that 75% is the appropriate mark for such a thesis, but experience over the past five years has shown that mid-range dissertations are now routinely given 77%. In order to reflect this change of practice, the Committee recommends that the Marking Guidelines be amended so that a dissertation which is felt to be in the mid-range of what can be expected for an Honours dissertation be given 77%.

Secondly, it was felt that the Marking Guidelines should be amended to make it clear that the supervisor’s role is to act as a check on the Examiner, or as a ‘sounding board’ for the Examiner, but not to act as the student’s advocate, as some supervisors may have done in the past.

The Committee recommends that to overcome these difficulties and to promote consistency of marking, the current Marking Guidelines should be amended in two respects:

- **first**, to state that a mark of 77% for a dissertation indicates that it is in the mid-range of what is expected for an Honours dissertation; and

- **secondly**, to clarify the role of the supervisor/assessor by emphasising that his or her function is to serve as a check on the Examiner, rather than as an advocate for the student. This role may, in an appropriate case, involve the assessor in pointing out to the Examiner some undervaluing of the student’s work. Equally, however, it may require the assessor to draw to the Examiner’s attention any overvaluing of the student’s work.

G Syrota
Chair
Honours Committee

March 2006