2020

Enhancing Institutional Support to Ensure Timely PhD Completions in Law

Jade Lindley
The University of Western Australia

Natalie Skead
The University of Western Australia

Michael Montalto
The University of Western Australia

ENHANCING INSTITUTIONAL SUPPORT TO ENSURE TIMELY PHD COMPLETIONS IN LAW

JADE LINDLEY,[*] NATALIE SKEAD,[*] MICHAEL MONTALTO[*]

I   INTRODUCTION

In Australia, while Doctor of Philosophy ('PhD') programs may differ from institution to institution, as a standard, the program comprises at least the full-time equivalent of three years of intensive, independent research, supervised by two or more experts. The submitted thesis must contain between approximately 80,000 and 100,000 words. Although examination of only the written thesis is commonplace, the introduction of the oral viva voce examination is increasing across all disciplines at Australian universities.[1]

At a discipline level, postgraduate research in law in Australia has changed dramatically in the past 20 years, with a significant increase in the number of students undertaking postgraduate research degrees, including PhDs.[2] This is at least partly attributable to that fact that law is a professional degree and, until recently, the value of obtaining a PhD in law was not evident. Indeed, historically, lawyers entering academia did not require a PhD.[3] This is no longer the case, with a PhD now commonly a prerequisite for entering the legal academy. This relatively recent recognition of the value and importance of postgraduate research in law, and the increase in the number of students undertaking PhDs in law, have amplified a number of structural issues regarding postgraduate research programs in law — such as entry requirements, funding, training, progression and examination.[4] Further,

> [h]istorically, Law has low rates of PhD enrolments, limited supervisory capacity, narrow methodology, little collaboration within and between Law schools and other disciplines, and a tendency to duplicate effort rather than

---

taking advantage of the synergies amongst law schools for the benefit of both staff and students.[5]

In addition to these considerable issues, details of the support structures and facilities available to Australian higher degree by research students in law are both opaque and far from homogenous.[6]

The impact of these perceived disciplinary deficits on the timeliness and quality of PhD completions in law in Australia is currently unclear. Indeed, the evaluation of Australian law PhD programs and the factors that may contribute to positive, negative, or neutral outcomes is notably absent. With the increase in the number of students undertaking PhDs in law, there is a need for a sharper disciplinary focus on the academic and personal support programs and structures needed to yield timely PhD completions.

As is true the world over, the benefits of attracting PhD students who successfully complete theses within the allocated timeframe should be motivation enough to adopt strategies and supports to facilitate such completion. From an academic perspective, establishing a reputable PhD program, well-regarded as a hub for successful completions, is likely to attract high-quality candidates and generate a vibrant research environment resulting in a successful pathway into post-doctoral research and, ultimately, an academic career. Financially, while Australian universities receive substantial government funding for PhD students, the financial benefit is only realised upon successful completion, with penalties imposed for non-completion.[7] This financial structure alone is a strong institutional incentive to ensure students who enrol in a PhD complete — and do so on time.

With these benefits in mind, this article seeks to identify the structures, strategies, and facilities needed to support timely PhD completions in law. This article comprises four parts.

The first part critically analyses and synthesises the existing literature on the institutional and personal factors that affect the timeliness and quality of PhD completion, aggregated by common themes across a range of disciplines. This extensive literature review draws on the Australian and international literature from the last 20 years. To generate the literature, the authors undertook relevant keyword searches[8] via online bibliographic databases. Quantitative results from the 2016 Postgraduate Research Experience Questionnaire were included to enhance understanding of the experience of Australian higher degree by research students.[9] Drawing on this first part, the

---

5   Stephen Colbran and Belinda Tynan, *Australian Law Postgraduate Network: Final Report* (Report, November 2008) <https://ltr.edu.au/resources/grants_le_project_report_alpn_feb09.pdf>____('*Final Report*').

6   Margaret Thornton, 'The Law School, the Market and the New Knowledge Economy' (2007) 17(1-2) *Legal Education Review* 1.

7   Stephen Colbran and Belinda Tynan, 'Australian Legal Postgraduate Network' (2006) 16(1-2) *Legal Education Review* 35 ('*Postgraduate Network*').

8   Keyword searches included, for example: 'PhD program completions'; 'PhD timely completions'; 'PhD supports'; 'law PhD'.

9   Graduate Careers Australia, *Postgraduate Research Experience 2015: A Report on The Perceptions of Recent Higher Degree Research Graduates* (Report, 2016)

second part examines the uniqueness of legal research and its implications for students undertaking a PhD in law. It considers the applicability of the existing scholarship on the broad range of factors supporting timely PhD completions in law. Part three reports on an exploratory research study of PhD programs in law and student experiences across Australia. In doing so, it presents primary data collected from self-nominated law PhD students and select Australian law schools as well as from an environmental scan of the PhD programs at those law schools. The final part discusses how the primary data collected might inform the development of effective PhD programs in law to improve outcomes for students and law schools.

II   YIELDING TIMELY PHD THESES

There is a significant and growing body of literature exploring the institutional and personal factors that influence the timeliness of PhD completions. While various studies reviewed here have not been longitudinally replicated and may not be directly comparable due to a range of factors, including but not limited to: time and geographic location of each study; number of study participants; cultural factors; and financial structures, they do provide valuable guidance on a broad range of factors that contribute to successful and timely PhD completion across disciplines. The most relevant studies of the past 20 years have been thematically collated below to present a cross-section of extrinsic and intrinsic influencing factors.

A   Institutional Factors

A number of studies provide insight into the relationship between institutional factors and PhD completion rates.

1   Funding and Submission Deadline

Several studies have considered how funding impacts on a PhD student's timeframe and likelihood of completion. Indeed, research shows that there is a strong negative correlation between the availability and extent of financial support for students and the time taken to complete a PhD — and, relatedly, the attrition rate. For example, several studies found that students with a doctoral financial scholarship have the lowest dropout risk, compared to unfunded students.[10] Further, van der Haert et al reported a higher incidence of dropout among

---

<http://www.graduatecareers.com.au/wp-content/uploads/2016/11/Postgraduate-Research-Experience-2015.pdf>.

[10]   Ronald G Ehrenberg et al, 'Inside the Black Box of Doctoral Education: What Program Characteristics Influence Doctoral Students' Attrition and Graduation Probabilities?' (2007) 29(2) *Educational Evaluation and Policy Analysis* 135; Hans Groenvynck, Karen Vandevelde and Ronan Van Rossem, 'The PhD Track: Who Succeeds, Who Drops Out?' (2013) 22 *Research Evaluation* 199; Margaux van der Haert et al, 'Are Dropout and Degree Completion in Doctoral Study Significantly Dependent on Type of Financial Support and Field of Research?' (2014) 39(10) *Studies in Higher Education* 1885.

students with teaching responsibilities as compared to funded students who do not need to teach to supplement their income.[11] In addition, according to a Flemish study, of those students who complete, students with teaching responsibilities are likely to take longer.[12] In a similar vein, a recent study by Geven, Skopek and Triventi found that extending funding, along with setting a deadline for thesis submission, increased completion rates by up to 20 per cent.[13]

The results across these studies show consistently that students who experience less financial pressure due to scholarships or other financial support are more likely to complete and in a shorter timeframe. Strategies for encouraging submission, such as a submission deadline tied to the termination of financial support, may motivate students to submit within the stipulated timeframe. Importantly, however, the studies on financial support do not consider the quality of the completed research.

2   Mode of Study

In a 2008 Australian study, the most important variable for timely PhD completion was enrolment type. Students enrolled full-time are less likely than their part-time peers to complete their PhD on time.[14] A possible reason for this correlation may be that students enrolled part-time are generally working and, therefore, have greater financial security than full-time candidates. While the overall results show that part-time students generally complete faster, there are discipline variations, discussed below.

3   Supervisory Relationship

There is a significant body of literature emphasising the fundamental importance of the supervisor-student relationship to PhD success.[15] For example, an Australian regional university study found that clearly agreeing and articulating expectations early in the candidature is critical to PhD success.[16] Unsurprisingly, other studies also emphasise the importance of supervisor-student dialogue and suggest strategies to enhance that relationship, [17] including, for example, through formal supervisor training.

---

[11]   Van der Haert et al (n 11).
[12]   Groenvynck, Vandevelde and Van Rossem (n 11).
[13]   Koen Geven, Jan Skopek and Moris Triventi, 'How to Increase PhD Completion Rates? An Impact Evaluation of Two Reforms in a Selective Graduate School, 1976-2012' (2018) 59(5) *Research in Higher Education* 529.
[14]   John Rodwell and Ruth Neumann, 'Predictors of Timely Doctoral Student Completions by Type of Attendance: The Utility of a Pragmatic Approach' (2008) 30(1) *Journal of Higher Education Policy and Management* 65.
[15]   Lorna Moxham, Trudy Dwyer and Kerry Reid-Searl, 'Articulating Expectations for PhD Candidature Upon Commencement: Ensuring Supervisor/Student "Best Fit"' (2013) 35(4) *Journal of Higher Education Policy and Management* 345.
[16]   Ibid.
[17]   Gina Wisker et al, 'From Supervisory Dialogues to Successful PhDs: Strategies Supporting and Enabling the Learning Conversations of Staff and Students at Postgraduate Level' (2008) 8(3) *Teaching in Higher Education* 383.

In addition to the relationship between the supervisor/s and the student, a PhD student's success is closely linked to the competence and quality of the supervision. Universities, led by research supervisors, have a duty of care to guide a student towards submission of a passable PhD thesis.[18] This may require not only academic guidance, but also pastoral care. While academics commonly undertake their own independent research as part of their academic activities, quality supervision of another's research cannot be implied as an associated skill.[19] Moreover, having a lead supervisor without a PhD themselves, is still relatively common in law in Australia,[20] and may result in the supervisor not being able to directly relate to the PhD student's experience.

4   Relationships more Generally

Across disciplines, studies show that significant benefits, beyond just improved time to completion and reduced attrition rates, result from informal and formal mentorship between students, post-doctoral fellows, and faculty.[21] While formal mentoring is more common between supervisors and students, informal mentoring programs are less common. Lewinski et al recommended an informal mentoring program as a positive strategy for socialising PhD candidates and engaging them more fully with their discipline and school.[22] Relationships beyond university are also critical to successful completion; Lindsay found that support from family and friends enables effective thesis writing.[23]

5   Doctoral Program Structure

A longitudinal European study examined two program interventions and the effect the changes resulting from each had on timely completion and attrition rates over a period of nearly four decades. The first intervention was to make the doctoral program more structured, increasing student supervision, providing intermediate deadlines, and setting a final deadline for submission.[24] Administrators believed the 'culture at the institute had been too informal, and that the study-program had been too reliant on the efforts of individual students and supervisors'.[25] This intervention improved timely completion rates by

---

[18]   Matthew Reisz, 'The Australian Approach to Improving PhD Completion Rates', *Inside Higher ED* (online, 13 April 2017) <https://www.insidehighered.com/news/2017/04/13/improve-phd-completion-rates-australian-universities-use-metrics-their-supervisors>.

[19]   Colbran and Tynan, *Final Report* (n 6).

[20]   See, eg, Council of Australian Law Deans, 'Statement on the Nature of Legal Research' (n 3).

[21]   Alison A Lewinski et al, 'Partnership for Development: A Peer Mentorship Model for PhD Students' (2017) 33(5) *Journal of Professional Nursing* 363.

[22]   Ibid.

[23]   Sian Lindsay, 'What Works for Doctoral Students in Completing Their Thesis?' (2015) 20(2) *Teaching in Higher Education* 183.

[24]   Geven, Skopek and Triventi (n 14).

[25]   Ibid 533.

between 10 and 15 per cent.[26] The second intervention was linked to funding. Scholarships were extended from three to four years. The extension was conditional upon submission of thesis drafts at required milestones.[27]

Consistent with these findings, a US study found that student attrition rates were reduced when PhD programs provided clear advice and supportive supervision throughout the doctoral program as well as clearly stated course requirements and institutional expectations.[28] The importance of setting, and meeting, milestones throughout the doctoral program has also been emphasised in other studies.[29]

6   Academic Environment

Culture within the academic environment is also critical to PhD success, particularly where faculty creates, encourages and mirrors a strong culture of motivation, collegiality and success. As one study highlighted, 'most PhD students are considered full professionals with salary-level bursaries or staff appointments, while also enjoying student status'.[30] While generous supports are available, comparatively, full-time Australian PhD students generally do not receive equal status or financial reward as academic staff. This may contribute to lower completion rates and longer times to completion.

Greater acknowledgment of the significant contribution PhD candidates make to the discipline and the institution is required and should be appropriately acknowledged. This can be done in a variety of ways, including the allocation of adequate office space and facilities, the opportunity to engage with — and, perhaps, co-author with — academics, and inclusion in academic and social activities with academic staff. These simple strategies can go a long way to creating a positive academic culture and enhancing the student experience and student outcomes.

7   Facilitating the Thesis Writing Process

A large part of the time taken to complete a PhD is spent on writing up the thesis. An Australian study examined the factors that impact on thesis writing with a view to determining how universities might facilitate the writing process.[31] Certainly, at the local discipline level, providing a suitable working space and up-to-date resources are chief among the factors enabling writing, as are a culture and expectation of writing throughout the candidature. [32] Similarly, a positive and supportive peer dynamic, focused on encouragement and peer-review, leads to positive writing outcomes. [33] Conversely, emphasising the

---

[26]   Geven, Skopek and Triventi (n 14).

[27]   Ibid.

[28]   Ehrenberg et al (n 11).

[29]   See, eg, Simon Stewart, *A Self-fulfilling Prophecy: Building a Successful Career in Health Research* (Wiley, 2008).

[30]   Groenvynck, Vandevelde and Van Rossem (n 11) 200.

[31]   Lindsay (n 24).

[32]   Ibid.

[33]   Ibid.

importance of 'polishing' a thesis and publishing research while completing a PhD have been shown to impact negatively on PhD completion.[34]

Supervisors also play an important role in facilitating effective thesis writing. Supervisors who exhibit a primarily functional — or project management type — style enable writing, while supervisors lacking strong project management hinder their students' writing.[35] While this reinforces the importance of the student-supervisor/s relationship, it may be more closely linked to institutional progress requirements and the setting of milestones, as some supervisors are more focussed on the research findings than on the writing of the thesis.

Factors such as personal relationships and financial support also factor into a student's writing capacity, and therefore ability to successfully complete a PhD. Lindsay found that overall the emphasis should be on the importance of 'writing to develop knowledge',[36] rather than writing merely to complete the formal requirements of the thesis component of candidature.

7   Discipline

The discipline of study may also influence the likelihood of, and time taken to, successful completion. A cross-institutional study found that the time to PhD completion is quickest in the natural sciences, then medical and applied sciences, followed by humanities and social sciences.[37] The reverse relationship was observed in that study when considering time to attrition. That is, humanities and social sciences experience the fastest attrition rates.[38] Similarly, Rodwell and Neumann found that PhD students in the life sciences complete faster than those enrolled in other disciplines, especially languages, humanities and law.[39] These results reflect the different disciplinary research environments. Typically, postgraduate research in social sciences and the humanities is largely isolated compared with the collaborative team and/or laboratory environments typical in the life sciences.[40]

8   Program Size and Make-up

In a 2010 study, Wao analysed the influence of the size of the PhD program and the size of the discipline on the likelihood of successful completion.[41] Wao found that, all else being equal, the larger the program and the department, the lower the rate of completion.[42] This suggests that smaller PhD programs may provide more individualised

---

[34]   Ehrenberg et al (n 11).
[35]   Lindsay (n 24).
[36]   Ibid (n 24) 183.
[37]   Lindsay (n 24).
[38]   Ibid.
[39]   Rodwell and Neumann (n 15).
[40]   Ibid.
[41]   Hesborn O Wao, 'Time to the Doctorate: Multilevel Discrete-Time Hazard Analysis' (2010) 22(3) *Educational Assessment, Evaluation and Accountability* 227.
[42]   Ibid.

support to students. Wao also found a correlation with the gender mix of the PhD cohort. [43] Specifically, PhD programs with a greater proportion of female students experienced higher rates of student completion in any given year. While striving for gender parity or favouring female students over male students may not be desirable, based on Wao's study, female students in a cohort appears to positively influence completions.

B   Personal Factors

Several studies have considered the correlation between personal factors relevant to individual students and PhD completion. These results provide insight beyond the extrinsic institutional constructs that contribute to PhD success. From an institutional perspective, these results are more difficult to control, but may provide insight into how to manage student expectations.

1   Age

Age has been considered as a variable in PhD completion. One study reported students over 40 years of age generally obtained their doctorates quicker than their younger peers. [44] However, the same study also found that age presented as an increased risk factor for attrition. [45] It appears that the majority of Australian PhD students tend to complete before 40. [46]

2   Gender

Gender may also influence the likelihood of successful PhD completion. Controlling for other variables, a 2013 study found that female PhD students are marginally more likely to complete more slowly and are more likely to drop out of the program compared to their male peers. [47] Conversely, Wao found that gender significantly affected time to completion, with female students more likely to complete and generally to complete in a shorter time than male students. [48] The role of gender as an influencing variable in PhD completions is, therefore, unclear.

3   Student motivation and behaviours

Self-sabotaging behaviours including overcommitting, procrastination and perfectionism have a significant impact on both PhD completion and the time taken to complete. [49] In an Australian

---

43   Ibid.
44   Groenvynck, Vandevelde and Van Rossem (n 11).
45   Ibid.
46   Graduate Careers Australia (n 10).
47   Groenvynck, Vandevelde and Van Rossem (n 11).
48   Wao (n 42).
49   Hugh Kearns, Maria Gardiner and Kelly Marshall, 'Innovation in PhD Completion: The Hardy Shall Succeed (and Be Happy!)' (2008) 27 *Higher Education Research and Development* 77.

study, researchers devised a cognitive-behavioural coaching program to assist candidates to complete their degrees successfully. The program was evaluated as highly successful.[50]

An international study found that the likelihood of completion had less to do with the institutional environment and more with individual intrinsic factors. Devos et al suggested that the most significant factor in the timeliness and quality of completion is a student's self-belief that they are progressing through the program.[51] In fact, in that qualitative study, this was the only variable differentiating 'completers' from 'non-completers'.[52] Understanding the demands of a PhD program and supporting self-regulation of learning from the outset was found to be of critical importance.[53] The supervisor and administrative team were found to be integral to ensuring the student is equipped with the necessary knowledge and skills to self-regulate.[54]

A student's motivation for enrolling in a PhD program may also influence completion. Lahenius and Martinsuo identified three PhD student mindsets: the 'Project Manager', the 'Wanderer', and the 'Hobbyist'.[55] What differentiates these mindsets are factors such as motivation, funding, supervision, peer support and time resources.[56] While students belonging to each mindset have the potential to complete, across all groups financially well-resourced students and those with clearly stated personal goals, appear to make the best progress. These results indicate that institutions are able to influence progress by requiring clear, pre-defined objectives, and providing adequate funding for doctoral students.[57] Further, and consistent with findings from Geven et al,[58] across all mindsets Lahenius and Martinsuo identified a need for structure and active supervision, especially in the early stages of the program.[59]

4 Domestic and International Students

Whether a student is domestic or international may affect the likelihood of completion and the timeframe in which the student completes. An Australian science study found some international students tend to complete faster than their domestic counterparts do, all else being equal.[60] Another study found that the perceived value of the

---

[50] Ibid.

[51] Christelle Devos et al, 'Doctoral Students' Experiences Leading to Completion or Attrition: A Matter of Sense, Progress and Distress' (2017) 32(1) *European Journal of Psychology of Education* 61.

[52] Ibid.

[53] Ibid.

[54] Ibid.

[55] Katja Lahenius and Miia Martinsuo, 'Different Types of Doctoral Study Processes' (2011) 55(6) *Scandinavian Journal of Educational Research* 609.

[56] Ibid.

[57] Ibid.

[58] Geven, Skopek and Triventi (n 14).

[59] Lahenius and Martinsuo (n 56).

[60] Vladimir Jiranek, 'Potential Predictors of Timely Completion Among Dissertation Research Students at an Australian Faculty of Science' (2010) 5 *International Journal of Doctoral Studies* 1.

research to their supervisor and their peers is directly linked to a student's successful completion.[61] The study found further that some international students, for example, Chinese students, are less likely to perceive value in their work compared to other students and that this may affect completion rates.[62] Supervisors of international students should be mindful of these cultural differences and put control measures in place.

5   *Prior Academic Achievement*

Wao reported that students with a higher entry grade point average ('GPA') have higher rates of completion.[63] While generally, students with higher GPAs are more likely to be admitted to a PhD program than those with lower GPAs, this single study correlation shows an important link.

C   *Summary*

A range of factors correlate with successful and timely PhD completion. While caution must be applied when considering each of these variables in isolation, overall, they provide useful guidance for institutions, faculties, schools, supervisors and students. It is clear that there are many opportunities for universities to better support their PhD students and, thereby, improve their outcomes.

Institutional factors, in particular, play a significant role in the success of PhD students. Funding, either through scholarships or alternate income streams — for example through teaching — was consistently found to correlate positively with PhD success.[64] In addition, structured PhD programs including clearly articulated requirements, expectations and milestones,[65] a supportive, inclusive and collegial culture[66] and having supervisors who communicate their expectations from the outset, provide clear advice, build supportive relationships with their students, and facilitate the writing process increase the likelihood of successful and timely completion.[67]

Beyond these institutional factors, a student's personal traits and circumstances may also contribute to successful and timely completion. In this regard, success is closely correlated with self-belief, motivation and attitude.[68] Students with higher entry GPAs are more likely to

---

[61]   Erin Crede and Maura Borrego, 'Understanding Retention in US Graduate Programs by Student Nationality' (2014) 39(9) *Studies in Higher Education* 1599.

[62]   Ibid.

[63]   Wao (n 42).

[64]   Ehrenberg et al (n 11); Geven, Skopek and Triventi (n 14); Groenvynck, Vandevelde and Van Rossem (n 11); Van der Haert et al (n 11).

[65]   Ehrenberg et al (n 11); Geven, Skopek and Triventi (n 14).

[66]   Geven, Skopek and Triventi (n 14); Lewinski et al (n 22); Lindsay (n 24).

[67]   Moxham, Dwyer and Read-Searl (n 16); Reisz (n 19); Wisker et al (n 18).

[68]   Devos et al (n 52); Kearns, Gardiner and Marshal (n 50); Lahenius and Martinsuo (n 56); Lindsay (n 24); Barbara E Lovitts, 'The Transition to Independent Research: Who Makes It, Who Doesn't, and Why' (2008) 79 *The Journal of Higher Education* 296.

complete,[69] while those who complete aged over 40 years are more likely to do so faster.[70] Part-time and international students are also more likely to complete on time,[71] though there may be cultural differences that impact on an international student's likelihood of success.

III   YIELDING TIMELY PhD THESES IN LAW

While a plethora of studies exist on achieving successful and timely PhD completions generally, there is a dearth of recent and relevant literature examining PhD completion and timeliness thereof specific to law.[72]

In Australia, enrolment in, and completion of, PhD degrees is lower in law than in other disciplines.[73] Moreover, the rate of attrition for PhD students generally, including in law, is high compared to other degrees, such as undergraduate degrees.[74] Given the significant institutional and student investment in the undertaking of a PhD, the relatively low rate of PhD completion in law warrants investigation and examination into how law schools can best support their PhD students in achieving timely completion. In doing so, it is important to be mindful of the uniqueness of legal research.

Legal research bears some similarities to, but is also distinct in a number of ways from, research in other social sciences and the humanities.[75] Legal research methodologies are predominantly doctrinal. A 2002 study found that 20 per cent of participating Australian law PhD students identified their research as purely doctrinal.[76] However, as the Council of Australian Law Deans identified,[77] in addition to doctrine, legal research can incorporate theoretical, critical/reformist, fundamental/contextual, empirical, historical, comparative, institutional, process-oriented and interdisciplinary perspectives. Indeed, many law research students infuse non-doctrinal methods within their doctrinal research framework to generate interdisciplinary research.[78] While complex mixed methodology research is not unique in doctoral research, it is unfamiliar

---

[69]   Wao (n 42).

[70]   Groenvynck, Vandevelde and Van Rossem (n 11).

[71]   Rodwell and Neumann (n 15); Crede and Borrego (n 62); Jiranek (n 61).

[72]   Colbran and Tynan, *Postgraduate Network* (n 8); Loughnan and Shackel (n 5); Kathryn Owler, 'A "Problem" to Be Managed? Completing a PhD in the Arts and Humanities' (2010) 9 *Arts and Humanities in Higher Education* 289.

[73]   Graduate Careers Australia (n 10).

[74]   Bendemra (n 1); Lovitts, *Leaving the Ivory Tower* (n 1).

[75]   Terry Hutchinson, *Research and Writing in Law* (Thomson Reuters, 4th ed, 2018); Council of Australian Law Deans, 'Statement on the Nature of Legal Research' (n 3).

[76]   Desmond Manderson and Richard Mohr, 'From Oxymoron to Intersection: An Epidemiology of Legal Research' (2002) 6 *Law Text Culture* 159.

[77]   Council of Australian Law Deans, 'Statement on the Nature of Legal Research' (n 3).

[78]   Terry Hutchinson, 'The Doctrinal Method: Incorporating Interdisciplinary Methods in Reforming the Law' (2015) 3 *Erasmus Law Review* 130; Manderson and Mohr (n 77).

to many law PhD students. Within this interdisciplinary and multi-method environment, effective supervision and academic programs and structures that both accommodate students' needs and develop appropriate skills are critical.

Complex and multi-faceted methodology is one challenge specific to legal research. Another is thesis writing. The conventional approach to PhD candidature assumes that students enter the program with established discipline-specific academic writing skills, acquired earlier in their undergraduate, honours and postgraduate degrees. [79] This assumption does not apply in law where assessment in qualifying Australian law degrees more commonly focuses on problem-solving, opinions, case notes, critical case analysis, statutory interpretation, pleadings and other legal drafting exercises, and examinations — all aligned with the educational objectives and learning outcomes of the professional qualifying degree. Traditionally there is relatively limited independent research and associated writing. [80] The typical assessments in law are designed to prepare students for a legal career rather than postgraduate research. For this reason, students commencing a PhD in law may not have the established, sophisticated research and writing skills needed to complete extensive research and publication-quality writing.

Acknowledging these discipline-specific features of legal research and the high rate of attrition of PhD students across all disciplines, it is critical for universities and law schools to have an evidence-based understanding of how best to guide their PhD students towards successful and timely completion.

In 1999, the Australian government's 'Knowledge and Innovation' policy report identified a number of concerns about doctoral research applicable across all disciplines:[81]

- research programs that are too narrow, too specialised and too theoretical, result in graduates whose communication, interpersonal and leadership skills require further development;
- research training environments marked by poor supervision, inadequate levels of departmental support and limited access to infrastructure;
- a mismatch between the research priorities of the institution and the research interests of students;
- limited opportunities for research students to gain work integrated experience in appropriate research environments resulting in a cultural gap between academic researchers and industry requirements; and

---

[79]   Loughnan and Shackel (n 5).

[80]   Council of Australian Law Deans, *The CALD Standards for Australian Law Schools* (Report, 17 November 2009 amended March 2013) <https://cald.asn.au/wp-content/uploads/2017/11/CALD-Standards-As-adopted-17-November-2009-and-Amended-to-March-2013.pdf> ('*The CALD Standards*'); Loughnan and Shackel (n 5).

[81]   D A Kemp, *Knowledge and Innovation: A Policy Statement on Research and Research Training* (Report, December 1999).

- high attrition rates and slow rates of completion.

These concerns apply equally to postgraduate research in law as they do to other disciplines. The *Australian Law Postgraduate Network* ('Network') was established in response to the 'Knowledge and Innovation' policy report. The Network sought to address the concerns identified in the report specifically in relation to law and 'was designed [to] benefit all law schools and their postgraduate students through extensive collaboration across the education law sector'. [82] The Network invited all Australian universities offering law research degrees to contribute to developing measures to enhance law PhD outcomes and experiences. [83] The Network created resources and tools including the Academic Directory, the Postgraduate Student Guide, and the HDR Training Program. [84] The Network's research lay important groundwork for understanding law PhD programs and the outcomes continue to inform law PhD programs across Australia. However, with the changes to, and increased enrolment in, postgraduate research programs in law over the past 10 years, updated and expanded research is required.

IV   SUPPORTING TIMELY PhD COMPLETION IN LAW — MATERIALS AND METHODS

This part reports on the results of an exploratory study of law PhD programs in Australia that sought to supplement the existing literature by identifying specific factors that may affect timely PhD completions, specifically in law.

A   Aim

While the findings of recent cross-disciplinary studies provide useful guidance, given the uniqueness of legal research and the challenges facing postgraduate research students in law, this cross-institutional national study sought to (a) understand the nature of existing law PhD programs, including the structures and mechanisms adopted to support students to achieve timely completions in Australian law schools; and (b) gauge student perceptions of these programs. Through an analysis of these program initiatives, student and institutional perceptions were explored to better understand the factors that may contribute to successful law PhD programs. Overall, rather than instituting ad hoc PhD support programs, this study aims to provide law schools and their postgraduate research students with an evidence-based understanding of programs that seek to yield timely completions.

---

[82]   Colbran and Tynan, *Final Report* (n 6) 3.
[83]   Colbran and Tynan, *Postgraduate Network* (n 8).
[84]   Colbran and Tynan, *Final Report* (n 6).

B   *Methodology*

The study draws on two specifically designed surveys[85] to yield student and institutional responses to the research question, 'how can institutions support timely PhD completions in law?'. These self-administered Qualtrics electronic surveys adopted non-random purpose sampling. Purpose sampling was used to select participants from a population based on specific characteristics — for this study, Australian law PhD students and law schools.

The PhD student survey comprised 15 quantitative and qualitative questions. Several questions had sub-questions based on the participant's previous responses. The Law School survey comprised eight quantitative and qualitative questions. Again, several questions had sub-questions based on the participant's previous responses. Neither of the surveys applied a time limit to complete and participants could complete the survey in multiple sessions.

The study complied with the National Health and Medical Research Council of Australia's *National Statement on Ethical Conduct in Human Research*. The University of Western Australia's Human Research Ethics Office provided institutional ethics approval for the study before it commenced.

1   *Law school survey*

Although there are 41 law schools in Australia, not all have PhD programs. As such, the authors invited 16 leading Australian law schools to participate in the study based on their location, size, age, and having a PhD program. Invitations to participate in the study were sent by email to the Dean, Head of School and/or Associate Dean of Higher Degrees by Research (or equivalent). Of the 16 law schools invited to participate, 10 completed the survey, resulting in a 62.5 per cent survey completion rate.

2   *PhD student survey*

The student survey targeted current or recently completed PhD students enrolled at the 16 selected Australian law schools. Recruitment of PhD students occurred in two ways: first and most commonly, from publicly available PhD student information available on university websites; and second, for universities without student information published online, direct email contact was made to law school administrators requesting the electronic survey link be disseminated among relevant students.

PhD student participants were advised that the purpose of the research was to better understand how to provide support for PhD students to achieve timely PhD project completion. Participants were advised that the survey was voluntary, their survey responses would be anonymous, and that they could withdraw their consent and participation in the survey at any time.

---

[85]   Available on request.

Fifty-eight PhD students participated in the study. From this number, 51 PhD students answered most, if not all, of the questions that were applicable to them. Seven participants did not complete the survey and their responses were not included in the analysis. It was not possible to calculate the rate of participation due to incomplete student enrolment information.

3   Data analysis

For both surveys, descriptive analysis of the quantitative data was conducted. Given the exploratory nature of the study, inferential analysis was not deemed suitable. For the open-ended qualitative questions, an inductive thematic analysis approach was adopted. [86] Open-ended responses were examined separately by two of the authors and then thematically compared.

There were three limitations in this study. Firstly, the sample sizes of both students and law schools surveyed were relatively small. This is largely a result of the limited number of Australian law schools offering PhD programs and the limited number of candidates within those programs. Secondly, the study relied on participants self-selecting and self-reporting and the results may, therefore, be shaped by the participants' biases, perceptions and subjectivities. Thirdly, it was not possible to triangulate the results of the student survey and law school survey due to the student survey being anonymous. These limitations are discussed further in Part V below. Further, despite these limitations, combined with existing literature, the results of this study add value to the current knowledge and provide a platform on which further research can be built.

C   Results

1   Law School Survey

Due to the non-compulsory nature of the questions, not all of the 10 law school participants answered all questions. Given the strong support for mentoring in the literature, law school participants were asked whether a mentoring program was offered. Thirty per cent of participants stipulated that they offered PhD students a mentoring program. The reported PhD mentoring programs were established (1) between 2006 and 2010; (2) in 2017; and (3) in 2018, respectively. Two of the PhD mentoring programs were voluntary. One was centralised within the broader university and another was based within the Law School. One respondent was unsure whether a mentoring program existed.

The literature reviewed above suggests that students with clear administrative support thrive and, therefore, this form of support was included in the survey. In response, all participants confirmed they provide their PhD students a dedicated academic contact (beyond the

---

[86]   Richard E Boyatzis, *Thematic Analysis and Code Development: Transforming Qualitative Information* (Sage Publications, 1998).

student's PhD supervisory panel) and 80 per cent provided a dedicated administrative contact.

While the literature reviewed does not specifically discuss residency requirements, mode of study was an important factor for timely PhD completion. Seventy per cent of participating law schools have a residency requirement for PhD students. Table 1 presents open-ended self-reported frequency and duration results of those residency requirements.

Table 1: PhD student residency requirements

Participant	Frequency	Duration	Mandatory (without exceptions)	Mandatory (with exceptions)
1	Annually	Five days per year	No	Yes
2	Annually	14 days per year	No	Yes
3	N/A	Entire candidature	No	Yes
4	1-2 times	Minimum one semester	No	Yes
5	No fixed requirement, however, students are encouraged to spend a few weeks full time on campus each year	No fixed requirement	No	Yes
6	N/A	4 years	No	Yes

Note: one participant with a residency requirement did not provide the details of the requirement

The exceptions to the residency requirements included: (1) personal circumstances on a case-by-case approach; (2) work requirements; (3) the availability of video-conferencing technologies for communicating with supervisors; and (4) the ability to participate in classes electronically.

Table 2 and Table 3 show a myriad of other support services and structures for PhD students available at the participating law schools. The survey did not ask why these supports were selected and whether the participants considered them successful. The PhD student survey results discussed below, however, provide some insight into value of various support services and other School-based program

Table 2: Support programs and initiatives available to PhD students

Participant	Writing Retreat (Frequency and Cost)	Book, Reading Club or Similar	Research Workshops or Seminars (Mandatory or Voluntary	Social Clubs and Events	Are PhD students invited to academic staff events	Other
1	2 in recent years	Yes, led by the students	Students are encouraged to participate in university seminars	Yes, led by the students	Yes	A Higher Degree by Research student representative sits on the Law School Board
2	Yes, bi-monthly and based at the Law School	Yes, bi-monthly. Law School based and student led	Yes, monthly	Yes, Law School based and student led	Yes (some)	Annual PhD retreat. Bi-Monthly PhD Newsletter and Guest Speaker Workshops
3	Yes, no cost to students and held 2 to 3 times a year	No	Yes, 4 to 6 times a year	Yes	Yes	-
4	Yes, centralised	-	Yes, central and Law School based. Some are voluntary and some mandatory.	Yes	Yes	-
5	Yes, based with the Student Union and held multiple times during the year. No cost to PhD students	Yes, a peer mentoring program led by the Law School	Voluntary workshops are organised by the Law School	Yes, through the Law peer mentoring program	Yes	Previous PhD students visit the peer mentoring program and offer their experiences and expertise

Table 3: Dedicated workspace arrangements and expectations for PhD Students

Participant	Do Full-Time Students have a Dedicated Workspace	Do Part-Time or Remote Students have a Dedicated Workspace	Private Offices (1 student per office)	Shared Offices (less than 3 students per office)	Shared Offices (more than 3 students per office)	Are 'Hot-Desks' Available to PhD Students	Are PhD students encouraged to work on campus during the work week	Other
1	Yes	Yes	No	No	Yes	Yes	No formal requirement, as per agreement with individual supervisors	
2	Yes, a carrel in the Law library	No	No	No	No	Yes	Yes, especially full-time scholarship holders	
3	-	-	-	-	-	Yes	-	
4	Yes	No	No (unless special circumstances)	For senior candidates if space is available	Yes	Yes	Yes	All PhD students are provided with a laptop, mouse, and separate screen upon commencement
5	Yes	Yes	Only in the last 6 months of candidature and if required	-	Yes	Yes	Yes	
6	-	-	No	No	Yes	No	Yes	Normally there are approximately 5 PhD students in the PhD workspace at any given time
7	Yes	Yes	No	Yes	Yes	No	Yes	
8	Yes	No	No	-	Yes	-	Yes	

2   PhD Student Survey

(a)   Student progress

From the initial 51 participants, 47 responded to the current progress of their PhD. The majority (n=33, 70.2 per cent), were still completing their PhD, nine (19.1 per cent) had passed with minor amendments, four (8.5 per cent) had passed with no amendments, and one (2.1 per cent) had failed. None of the participants had withdrawn or passed with major amendments. The purpose of this question was to establish progress and relative success of those who had completed or were enrolled in their PhD.

(b)   Supervision and examination

Forty-six participants answered the question on how many PhD supervisors, panel members, or advisors they had. More than half (n=25, 54.3 per cent) had two supervisors, while 18 (39.1 per cent) had three supervisors, two (4.3 per cent) had four supervisors, and one (2.2 per cent) had five or more supervisors. This question sought to understand the supervisory input into student progress, whether positive or negative. Additionally, 46 answered the question on how many examiners they had, or were likely to have. Seventeen (37.0 per cent) of the participants were unsure, two (4.3 per cent) stated one examiner, 15 (32.6 per cent) stated two examiners, 11 (23.9 per cent) stated three examiners, and one (2.2 per cent) stated four examiners. The high result of 'unsure' was not unexpected given that until nearing completion, students may be unaware of the examination process.

(c)   Completion

Table 4 indicates the year in which the participants enrolled in their most recent PhD program, the year that they were expected to complete based on their initial enrolment, and their actual completion date or when they are likely to complete. Similar variations between intended and likely completion years were found for 2017 (expected n=6, 11.8 per cent; actual n=4, 7.8 per cent), 2018 (expected n=9, 17.6 per cent; actual n=7, 13.7 per cent), 2020 (expected n=8, 15.7 per cent; actual n=7, 13.7 per cent) and 2021 (expected n=12, 23.5 per cent; actual n=11, 21.6 per cent). This trend remained consistent with the exception of 2022 and 2023 as, presumably, recently commencing students expect to complete on time. The only exception was 2019 where the results showed the largest group of students whose actual completion timeframe was faster than that expected at the time of enrolment; five (9.8 per cent) students expected to complete in 2019 but 13 (25.5 per cent) indicated completion was likely. While it is unknown why more students than expected intended to complete in 2019, this may account for part-time students who complete slightly sooner than expected.

Table 4: Year of enrolment, expected completion at enrolment, and actual/likely completion

Year	Most Recent PhD Enrolment		Expected Completion Year		Actual/Likely Completion Year	
	Count	%	Count	%	Count	%
<2010	4	7.8	0	0	0	0
2011	2	3.9	0	0	0	0
2012	3	5.9	0	0	0	0
2013	4	7.8	2	3.9	0	0
2014	10	19.6	2	3.9	2	3.9
2015	6	11.8	0	0	1	2.0
2016	5	9.8	0	0	0	0
2017	7	13.7	6	11.7	4	7.8
2018	10	19.6	9	17.6	7	13.7
2019	0	0	5	9.8	13	25.5
2020	-	-	8	15.7	7	13.7
2021	-	-	12	23.5	11	21.6
2022	-	-	5	9.8	5	9.8
2023	-	-	1	2	1	2
2024	-	-	0	0	0	0
2025	-	-	1	2	0	0
Total	51	100*	51	100*	51	100

* Due to rounding, the total exceeds 100 per cent

Choice of law school

Table 5 indicates the factors that contributed to the participants' choice of law school at which to undertake their PhD. Geographic location and supervisory expertise where among the top reasons for studing a PhD at a particular university, closely followed by scholarship opportunities and reputation of supervisors. 'Other' responses indicated several students were already teaching at the university in which they are undertaking a PhD and therefore presented a convenient option for PhD studies.

Table 5: Factors contributing to the decision where to commence the PhD

Answer	Count	%
Geographic location	21	14.3
Expertise of supervisor(s)/advisors/panel members	20	13.6
Scholarship	18	12.2
Reputation of supervisor(s)/advisors/panel members	16	10.9
Invitation by supervisor(s)/advisors/panel members	13	8.8
Law Faculty/School prestige	12	8.2
Other (please specify)	11	7.5
University prestige	9	6.1
Future job opportunities	6	4.1
PhD program support for students	4	2.7
Cost	3	2.0
Reputation for student development during PhD program	3	2.0
Reputation for timely completions	2	1.4
Residency requirement	2	1.4
Total	147	100*

Note. Participants could select all applicable answers.

* Due to rounding, the total exceeds 100 per cent

(d) Student Support

Timely and successful completion can be assisted through student supports. Student participants were asked if they 'agree', 'neither agree nor disagree', or 'disagree' that they had, or currently have, adequate academic and administrative support. In total, 46 of the participants responded to this question. On academic support, as reflected in Figure 1, 33 participants (or 71.7 per cent) agreed, nine participants (or 19.5 per cent) neither agreed nor disagreed and four (or 8.7 per cent) disagreed.
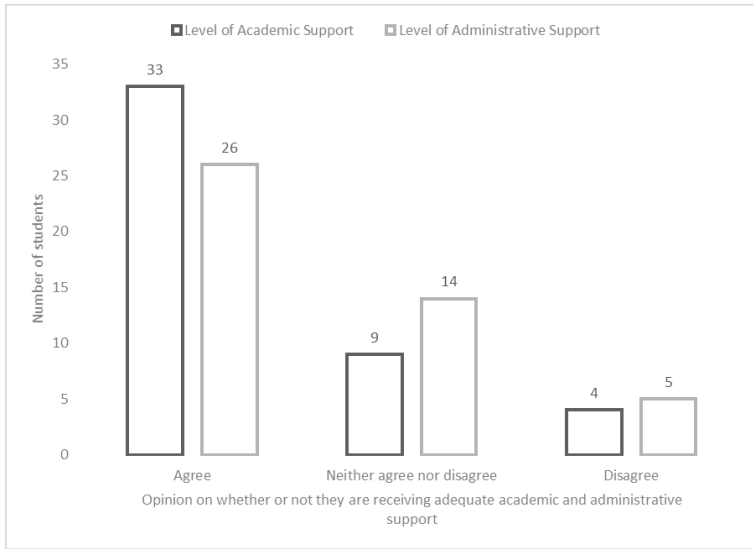
Figure 1. Students' perceived levels of academic and administrative support

Of the 33 participants who stated they 'agree' they have adequate academic support, seven stated that their response had changed during their candidature. In other words, there were periods earlier in their candidature during which they did not agree that they were receiving adequate academic support. The most common reasons identified for the perceived change in the level of academic support received during the course of their candidature were: greater PhD student involvement in the law school's academic and social activities; an increased focus on the academic progress and achievements of PhD students; and, a greater understanding and acceptance of the need to change the student's supervisory team.

The remaining 26 of the 33 participants who 'agreed' that they received adequate academic support indicated that their response had not differed during their candidature. The most common reason identified for this response was having engaging and supportive supervisors who respect independent learning.

Nine participants stated they 'neither agree nor disagree' that they had adequate academic support during their PhD. Five stated that their 'neither agree nor disagree' response had differed at some point during their candidature. The most common reasons for this response were: the need to ensure a 'good fit' between student and supervisor/s; the need to expand the supervisory team; and clearer and more regular communication. Four of the nine respondents who 'neither agreed nor disagreed' that they had received adequate academic support stated that their 'neither agree nor disagree' response had not differed during their PhD. There were insufficient data to draw common reasons for this response.

Four respondents 'disagreed' that they had adequate academic support during their PhD. All four stated that their 'disagree' response

had differed at some point during their candidature. The most common reasons for this response were: a lack of understanding and inadequate communication of PhD requirements; the failure to refer students to PhD support services when needed; and the negative or exclusionary culture of the law school.

Student participants were also asked if they 'agree', 'neither agree nor disagree', or 'disagree' that they had, or currently have, adequate administrative support from their law school. Forty-five participants responded to this question. As indicated in Figure 1, 26 participants (or 57.8 per cent) agreed, 14 participants (or 31.1 per cent) neither agreed nor disagreed, and five (or 11.1 per cent) disagreed.

As with academic supports, participants were also asked if their perception of the administrative support they had received had changed at any point in time during their PhD. Out of the 26 respondents who 'agreed' that they have had adequate administrative support, only six stated that their response had differed at some point during their PhD. The most common reasons for this were: unclear and overly burdensome university processes; and, feeling that they were not a valued a member of the law school. The remaining 20 participants of the 26 who 'agreed' that they have had adequate administrative support during their candidature stated that their 'agree' response had not changed during their PhD. There was insufficient data from which to identify common reasons for this.

Of the 14 participants who reported that they 'neither agree nor disagree' that they had adequate administrative support during their candidature, eight stated that their response had differed at some point during their PhD. The most common reasons given were: difficulty with administrative processes; a lack of consistency in approaches when staff change; and feeling at times like they were part of a 'box-ticking exercise'. Six of 14 participants who 'neither agreed nor disagreed' stated that their response had not changed during their PhD. The most common reasons given for this were: while the law school's administrative team was supportive throughout there was a lack of institutional support; and university online portals were difficult to navigate.

All five respondents who 'disagreed' that they had received adequate administrative support stated that their 'disagree' response had differed at some point during their PhD. The reasons for this were: a need for improvement and greater consistency in PhD administrative processes (for example, reducing long delays); confusing student online portals; and the need for greater inclusion of PhD students in academic and social life of the law school.

Finally, student participants were asked to identify what they believed to be the most helpful and least helpful aspects of their law school's PhD program and those areas of the program that needed improvement. Forty-one participants responded to these three open-ended questions. Aspects of PhD programs identified to be the most helpful were: workshops and training that improved academic skills; informal academic mentoring; and activities aimed at increasing connectedness and enhancing the cohort experience. The most common

features considered the least helpful were: being required to undertake mandatory, university-wide generic academic courses, workshops and training that did not focus on the discipine specific needs of law PhD students (for example, generalised methodology courses); negative law school culture; and inadequate online support (formal or informal) for external students. The most common aspects of PhD programs that student participants considered needed improvement were: more courses, workshops and training on law-specific methodologies; increased administrative support in relation to PhD milestone requirements; and more formal law school events focussing on PhD students and their achievements.

(e) Paid Work and Publication

Forty-one of the student participants responded to the question on whether they had the opportunity to engage in research with academics in, or external to, their law school during their candidature. Twenty-six (63.4 per cent) responded 'yes' and 15 (36.6 per cent) responded 'no'. Table 6 shows the type of research work participants had undertaken.

Table 6: Research assistant work undertaken by PhD students

Answer	Count	%
Literature review only	5	23.8
Fieldwork	5	23.8
Analysis	11	52.4
Total	21	100

Note: only 21 of the 26 respondents who responded 'yes' to whether they engaged in research with other academics during their PhD candidature, answered this question.

Of the 26 participants who engaged in other research with academics, 11 (42.3 per cent) indicated that they were paid to undertake the research work. From the 11 participants who were paid, six (54.6 per cent) were also included as an author in the final publication(s) and five (45.4 per cent) were not. In the case of the 15 respondents whose research work was unpaid, nine (60 per cent) were included as an author in the final publication(s). Six participants who undertook research work (40 per cent) were unpaid and not included as an author.

V   LIMITATIONS, DISCUSSION AND ANALYSIS

The present study was established as exploratory research to understand how Australian law schools might improve timely completion among their PhD students. As noted above, the data collected via both surveys has its limitations. Firstly, only 40 per cent of Australian law schools were surveyed. This was because not all of Australian law schools run PhD programs and those that do are relatively small. The Australian law schools with the largest PhD programs were selected for this study. Secondly, the responses from all

participants were anonymous and not linked to their specific institution. By not linking, we limited generalisability and triangulation, but considered that we were more likely to receive honest responses from student participants. Thirdly, the surveys gathered self-reported rather than objective data. Relatedly, the inconsistency in the stage of candidature of student participants may result in differences in the self-reported levels of academic and administrative support received as well as the perception of the usefulness of that support. Nonetheless, the results from this study, coupled with the existing scholarship, provide useful guidance on how Australian law schools can better support their PhD students to achieve timely successful completions.

In particular, the data provides valuable insight into (1) what support services and structures are available to Australian law PhD students; (2) the students' perception of the usefulness of those services and structures offered; and (3) what is needed to improve the support available to law PhD students. While these services and perceptions are aggregated and represent a sample of law programs and students, they provide insight relevant to Australian law PhD programs that is otherwise unavailable.

Of the student respondents, more than half had commenced within four years of the survey. Therefore, they were still within the normal time to complete, based on full-time student expectations. Four students identified as having been enrolled for more than eight years, which is well beyond the normal time to complete, based on both full-time and part-time completion expectations. Further, 19 students had planned to complete prior to 2019 but did not. Based on these self-reported data, it appears that, generally, students who are enrolled in law PhD programs take longer than expected to complete. Therefore, identifying the services and structures to support timely completion is needed.

The criteria PhD students use to select a law school in which to enrol is a useful starting point. Student participants identified multiple reasons for selecting their law school, however very few (1.4 per cent) identified reputation of timely completions as a core decision-making factor. Instead, decisions are most commonly made based on location, followed by expertise of supervisor, receipt of a scholarship, and reputation of the supervisor.

According to the literature, financial support, for example through scholarships, increases likelihood of completion[87] and, as identified by Lindsay,[88] geographical location may be linked to a student having supporting external relationships, such as family close by. These factors influenced the student participants' decision-making as to where to undertake their PhD. Further, Moxham et al stressed that the supervisor/s-student relationship is critical to the PhD success.[89] The expertise and reputation of the supervisory team featured strongly in the student participants' decision on where to undertake their PhD and

---

[87]   Van der Haert et al (n 11); Groenvynck, Vandevelde and Van Rossem (n 11); Ehrenberg (n 11).
[88]   Lindsay (n 24).
[89]   Moxham, Dwyer and Read-Searl (n 16).

ahead of an invitation by the supervisor. It may well be, however, that the latter would result in a closer and more supported student experience and, therefore, potentially contribute to timely completion. Indeed, of the 13 student participants who indicated 'invitation by supervisor' as a reason for choosing their law school, 70 per cent reported feeling academically supported. While 61.5 per cent are still completing their PhD, they are within timeframe and the remaining 38.5 per cent have passed their PhD with no or minor amendments.

Over half of the student respondents identified as having two supervisors. While the majority of student participants agreed they had adequate academic support, a small minority felt under-supported from their academic team, either presently or at some point through their candidature. Interestingly, feeling under-supported was more prevalent in student participants who were unsure about the structure and composition of their supervisory team. Of the 17 student participants who were unsure as to how many supervisors they had, 23.5 per cent neither agreed nor disagreed that they felt supported (compared with 19.5 per cent overall) and 17.6 per cent disagreed that they felt supported (compared with 8.7 per cent overall).

Participants also reported flexibility in the supervisory team, including the ability to add and/or change supervisors during candidacy as a factor affecting their perception of the level of academic support they received. Given the critical relationship between supervisory support and PhD success, changing and/or expanding the academic team to meet student needs during candidature should be available and communicated to students to prevent delayed completion, or even dropout.

Dedicated academic and administrative support exists in the law PhD programs of the majority of law school surveyed. These academic and administrative provisions are designed to support PhD students to navigate their candidature and provide points of contact should students require specific support or if they experience difficulty. Drawing on the student perception data, staff changeover during the period of candidature may result in inconsistency in the service provided, and therefore confusion, feelings of lack of support and of being undervalued. Students also perceive these points of contact as being reactive. As such, greater proactive communication is needed to increase student perception of support. Consistent with the Geven et al study,[90] a well-communicated program structure (such as progressive milestones) contributes to student success and ensures alignment to planned timeframes for completion.

Both law school and law student participants considered culture to be important, however, there was some inconsistency in the internal management of culture. Student participants suggested their inclusion in school academic and social events, including events focussing on PhD students' research, would be beneficial. It is, however, very difficult to create an inclusive, supportive and collegial PhD culture if students are not present on campus, even if only periodically. Only two

---

[90]   Geven, Skopek and Triventi (n 14).

of the participating law schools have a full-time residency requirement. Even then, personal circumstances, technology (such as Skype/Zoom) and work commitments are grounds for exception to this requirement. Another four law schools have a very limited residency requirement, necessitating students be on campus a few days or weeks per year. Four law school participants have no residency requirement. Full-time, campus-based students benefit from engaging and networking with their peers and academics at their school. Externally-based students would benefit from being on campus at least for short periods annually. Periodic residency is, therefore, important to positively enhancing the PhD culture and student experience.

For internal students, as highlighted by Groenvynck,[91] dedicated workspaces may deliver a sense of importance and belonging among students. While the majority of law school participants surveyed expect their students to spend time on campus and provide dedicated workspace to facilitate this, there are significant differences as to the nature of the workspace and appropriate infrastructure provided. No participating law schools provide PhD students with dedicated office space and the minority offer shared office space for three or less students, whether part-time or full-time. While logistically accommodating PhD students presents a challenge, without dedicated workspaces conducive to independent immersive research, students may be less inclined to spend time on campus.

Contributing to law school culture, consistent with the literature,[92] student participants identified that opportunities for peer bonding and informal mentoring were the most helpful aspects of their PhD program. Linked to informal mentoring, while the majority of student respondents had undertaken research with members of academic staff (not necessarily their supervisor/s), less than half of those were paid and even fewer were included as co-authors. As noted by Groenvynck et al,[93] engaging in collaborative research can contribute to a strengthened student/staff culture, and a student's sense of being valued and of belonging. This culture would, however, be enhanced by acknowledgement of the research contribution through payment and/or co-authorship where appropriate.

Academically, students considered academic skills training to be critical to their success and specifically identified that greater focus on methodology training was needed. This is consistent with the lack of focus on research methods in law training prior to PhD, as identified by CALD and Loughnan and Shackel.[94]

VI   CONCLUSION

The results from the literature review and the exploratory study reported in this article demonstrate that there is scope to improve the

---

[91]   Groenvynck, Vandevelde and Van Rossem (n 11).
[92]   Moxham, Dwyer and Read-Searl (n 16); Lindsay (n 24); Lewinski et al (n 22).
[93]   Groenvynck, Vandevelde and Van Rossem (n 11).
[94]   *The CALD Standards* (n 81); Loughnan and Shackel (n 5).

support systems and structures available in law PhD programs in Australia to both enhance the student experience and facilitate timely successful completions. The studies canvassed in the literature review cover a broad spectrum of disciplines, geographical locations, and universities of varying sizes within the past 20 years. The results from these studies are, therefore, not easily compared. They do, however, provide evidence that the likelihood of timely completion of all PhD students can be improved with appropriate institutional support. While law schools can draw direction from these studies, the literature on successful PhD programs in law, which have their own discipline-specific challenges, is scant. The present exploratory research study sought to fill this gap.

Together, the literature review and data collected from this study, reveal a number of important factors that may facilitate timely PhD completion in law. While some factors may be beyond the control of both the student and the law school, such as geographical location, others can be controlled and managed. The importance of the supervisor/s cannot be overstated. Students with supervisors who are experts in their fields; communicate clear expectations; collegially engage with students; and provide opportunities, such as co-authorship on peripheral research projects, are more likely to succeed. Beyond the supervisor/s-student relationship, results indicate that students who have the opportunity to engage informally with other academics (such as PhD mentors) as well as their PhD peers are also more likely to complete their PhD.