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HOW ARE AUSTRALIAN UNIVERSITIES AND LAW SCHOOLS APPROACHING SUSTAINABILITY IN THEIR CURRICULA AND WHAT ARE THE IMPLICATIONS FOR LEGAL EDUCATION?

JOHN A. P. CHANDLER*

I AIMS OF THIS ARTICLE

There is no doubt that climate change and broader questions of sustainability are critical issues for the first half of the 21st century. This article examines the sustainability strategies of Australian universities and their law schools, in particular their sustainability objectives for teaching and learning, to assess their impact on legal education. The aim of the article is to establish the extent to which law schools have introduced sustainability into their curricula and the extent to which there is support or pressure from the law school or the university for them to do so. As will become clear from later sections of this article, not only are there significant differences of approach, but the meaning of sustainability is contested.

The context in which this article is written is one in which law curricula are being reviewed and are likely to be updated. In 2020 the Council of Australian Law Deans (CALD) initiated a project to formulate options for reimagining professional legal education. A review was conducted by Professor Sally Kift and Ms Kana Nakano resulting in a comprehensive report entitled ‘Reimagining the Professional Regulation of Australian Legal Education’ (Kift Nakano Report).¹ The Kift Nakano Report points out that: ‘In 2021, many factors are converging to create a climate of readiness for change that sets the context for a reimagining of the professional regulation of Australian legal education and training (LE&T)’.² It also says that the ‘drivers of change are multi-faceted’. They are dealt with comprehensively in the report. Some of the matters referred to are changes to legal practice, technological change, international developments in legal education, globalisation and the need to address

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¹ Sally Kift and Kana Nakano, ‘Reimagining the Professional Regulation of Australian Legal Education’ (CALD, 1 December 2021) (Kift Nakano Report).

² Ibid 1.

the continuing injustice to First Peoples and their laws, knowledges and sovereignties.³

One of the issues explored in the Kift Nakano Report is the distribution of LE&T activities across the continuum of legal education: the university pre-admission phase, practical legal training and post-admission continuing legal education. The Kift Nakano Report points out that university law curricula are so crowded that it is difficult to accommodate new subjects, in response to criticism of the Priestley 11 ‘on the basis that they do not reflect the current needs or practices of a modern profession’.⁴ Contenders include climate change,⁵ and the impact of technology and the law.⁶

Where sustainability fits into the picture that finally emerges is, of course, open to discussion. This article is, first and foremost, a review of what Australian universities and law schools are doing about sustainability in the curriculum. Section 8 makes suggestions for what can be improved, and those suggestions are put on the basis that they can be initiated while the final form of legal education in Australia is revised and hopefully can also be of use in that form.

II INTRODUCTION

Australia developed a national strategy for ecologically sustainable development in 1992 and that was reflected in Section 3 of the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) (EPBCA), which has as one of its objects ‘to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources’.⁷ EPBCA s 3A then sets out Principles of Ecologically Sustainable Development, one of which is that ‘the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making’. The precautionary principle and intergenerational equity are among the other principles. So, some 30 years ago the federal government began to encourage ecologically sustainable development, and the idea has been picked up in a number of places in State and Territory legislation in Australia.

Two widely used expressions in tertiary education are education for sustainability (EFS) and education for sustainable development (ESD).

³ Ibid

⁴ Kift Nakano (n 1) 19. Law courses wishing to qualify their graduates for admission to professional practice have to comply with the requirements of the bodies managing admission, which means that specified areas must be covered, that do not currently include sustainability. The required subjects are referred to as the ‘Priestley 11’. See for example Victorian Legal Admissions Board, *Qualifications and training: Academic* <<https://www.lawadmissions.vic.gov.au/qualifications-and-training/academic>>.

⁵ Professor Nicole Graham and Dr Julia Dehm obtained a grant from the Victorian Legal Services Board in 2023 for a project entitled ‘Mainstreaming Climate Change in Legal Education’.

⁶ Kift Nakano (n 1) 19.

⁷ Government of Australia, *National Strategy for Ecologically Sustainable Development* (December 1992).

EFS is a term of British origin, commonly used in education and policy in Australia to mean ‘education which seeks to achieve sustainability, with a particular focus on cultivating knowledge and skills to making a practical, ongoing difference’ while ESD is more often used globally.⁸ The focus of ESD is the United Nations Sustainable Development Goals (SDGs), although it has been defined more broadly as a process of acquisition of knowledge, skills and attitudes ‘needed to build local and global societies that are just, equitable and living within the environmental limits of our planet, both now and in the future’.⁹ Implementation of EFS and ESD was regarded as insufficiently targeted in Australia in 2011.¹⁰ What has not so far been examined are which is favoured currently by Australian universities and how their implementation has progressed in those universities more broadly and law schools specifically.

III METHODOLOGY

There are 38 university law schools in Australia,¹¹ and 41 universities.¹² In every case extensive information is published on a university website. Course details and handbooks are now universally published online and it was generally possible to check the information for 2024.¹³ Table 1 in Section 4 shows the law degrees offered by Australian law schools and how many include a climate change or sustainability unit.¹⁴

⁸ Peodair Leihy and Jose Salazar, *Education for Sustainability in University Curricula: Policies and Practice in Victoria* (Centre for the Study of Higher Education, University of Melbourne, 2011).

⁹ UK Government, Learning and Skills Council, *Embedding Sustainable Development in the Curriculum* (n.d.) <https://www.sustainabilityexchange.ac.uk/files/embedding_sustainability_in_the_curriculum_guide.pdf>.

¹⁰ Hanover Research, *Embedding Sustainability into University Curricula: Prepared for Macquarie University* (2011) <<https://www.mq.edu.au/pubstatic/public/download.jsp?id=88384.>>; United Nations Educational, Scientific and Cultural Organisation (UNESCO), *Education for Sustainable Development Goals: Learning Objectives* (2017) <<https://unesdoc.unesco.org/ark:/48223/pf0000247444>>.

¹¹ This is according to the Council of Australian Law Deans (CALD), *Studying Law in Australia* <<https://cald.asn.au/slia/australias-law-schools/>>. There are 39 if you include Federation University.

¹² University Chancellors Council, *Governance of Universities in Australia* <<https://ucc.edu.au/university-governance-in-australia>> (UCC University Governance).

¹³ Any errors are the responsibility of the author. Please send any questions or comments to john.chandler@uwa.edu.au.

¹⁴ In this article the expression ‘course’ will be used to describe a program of units or subjects leading to a degree such as Bachelor of Laws, Juris Doctor or Master of Laws. The individual units or subjects within a course, for example property law, will be described as a subject or unit. Subjects and units can be grouped into majors or minors which can provide a theme or themes for a degree. Those themes or groupings can also be described as specialisations. Then there are those units which are essential to completion of the degree, sometimes described as compulsory or core, and those where there is freedom of choice, described as options or electives. This article will generally use the expressions ‘compulsory unit’ and ‘option’. On

Relatively few law schools have a published strategy or position on sustainability. It therefore became important to conduct an analysis in later sections of the sustainability objectives of a sample of Australian universities to establish the extent of any 'top down' direction or support for law schools. It is important to note that this article examines the institutional support for sustainability in the law curriculum and how that is progressing. It is not intended in any way to diminish the efforts of individual academics who are passionate about climate change or sustainability. Showcasing those efforts is outside its scope.

Each of the universities examined has a plan published on a website which sets out the university's strategy. Sometimes it is called a 'strategic plan', but often has a different name. For example, the University of Melbourne has a document called *Advancing Melbourne*. Universities also commonly have a separate document dealing with sustainability. They are variously called a strategy, plan, initiative, commitment or statement. There appears to be no requirement for universities in Australia to follow any form in their strategic plans or sustainability reports. Their administration is regulated by the statute creating the university, and these statutes generally do not contain any such requirement.¹⁵ Also there is no uniform set of objectives that universities in Australia use for the advancement of student learning about sustainability and no requirement to have one. There is some regulation that affects the curriculum, such as the Australian Qualifications Framework, but the Framework does not currently have anything to say about sustainability.¹⁶ As already mentioned, law courses wishing to qualify their graduates for admission to professional practice have to comply with the requirements of the bodies managing admission.¹⁷

Law school websites were examined for references to sustainability.¹⁸ The touchstone of this examination was the extent to which learners were enabled to make decisions through a sustainability lens about 'environmental integrity, economic viability and a just society for present and future generations, while respecting cultural diversity'.¹⁹ The importance of the qualification of 'through a sustainability lens' is that some law schools refer to aims, graduate attributes or learning outcomes that resonate with a just society or cultural diversity. But the ideas that commonly are missing are intergenerational equity and environmental integrity. Those ideas are essential to an effective sustainability approach in legal education. It is

terminology see further the AQF Glossary
<<https://www.aqf.edu.au/download/414/aqf-glossary/8/aqf-glossary/pdf>>.

¹⁵ See, eg, the *University of Melbourne Act 2009* (Vic). See further the UCC University Governance (n 12).

¹⁶ Australian Qualifications Framework Council, *Australian Qualifications Framework Second Edition* (January 2013) <<https://www.aqf.edu.au/framework/australian-qualifications-framework>>.

¹⁷ The required subjects are referred to as the 'Priestley 11'. See n 4.

¹⁸ For example, in relation to outcomes, graduate attributes or skills. For an example, see University of Melbourne JD Students Graduate Attributes and Skills, 4 December 2019 <<https://law.unimelb.edu.au/students/jd/studies/grad-attributes-and-skills>>.

¹⁹ UNESCO 2017 (n 10).

important to recognise also that these ideas go beyond what the Australian Qualifications Framework is seeking in the form of learning outcomes as they have a more specialised focus.²⁰ Australian law schools commonly offer a Bachelor of Laws (LLB), with or without honours, or a Juris Doctor (JD), or both. These would generally fall in Australian Qualifications Framework levels 7, 8 or 9. By way of illustration, the summary of Level 8 is ‘Graduates at this level will have advanced knowledge and skills for professional or highly skilled work and/or further learning’.²¹

Two things stand out in this examination. First is the diversity of approaches. Lack of consensus is important as Australia’s environment continues to deteriorate alarmingly because of development, as evidenced by numerous reports.²² If that deterioration is to be halted or reversed, then much greater agreement is required as to what development is sustainable. Two of the main challenges for legal academics are whether they wish to engage with halting that deterioration and how to do so. The second thing that stands out, which is reflective of a lack of engagement with those matters in the law curriculum, is that there is a significant gap between the proactive position taken by some universities on sustainability and the less proactive position taken by their law schools.

²⁰ See the AQF Glossary <https://www.aqf.edu.au/download/414/aqf-glossary/8/aqf-glossary/pdf>.

²¹ See Australian Qualifications Framework levels at <https://www.aqf.edu.au/framework/aqf-levels>.

²² The deteriorating state of Australia’s environment is reflected in numerous reports, for example Graeme Samuel, Independent Review of the EPBC Act – Final Report. Department of Agriculture, Water and Environment, Australian Government. (October 2020). <https://epbcactreview.environment.gov.au/resources/final-report>; Ian Cresswell, Terri Janke and Emma Johnston, Australia: State of the Environment 2021. Commonwealth of Australia (2021) <https://soe.dceew.gov.au>.

IV SNAPSHOT OF AUSTRALIAN LAW SCHOOLS AND SUSTAINABILITY

Table 1
Snapshot of Australian Law Schools and Sustainability

| Degree | Number of law schools offering | Offers climate change option unit | Offers sustainability option unit | Offers Environmental Law option unit | School publishes sustainability approach |
|-------------|--------------------------------|-----------------------------------|-----------------------------------|--------------------------------------|--|
| LLB only | 12 ²³ | 3 ²⁴ | 1 ²⁵ | 9 ²⁶ | 2 ²⁷ |
| LLB and LLM | 9 ²⁸ | 5 ²⁹ | 4 ³⁰ | 9 ³¹ | 1 ³² |
| LLB and JD | 2 ³³ | 1 ³⁴ | 0 | 1 ³⁵ | 0 |

²³ Australian Catholic University, CQ University, Charles Sturt University, Curtin University, James Cook University, Queensland University of Technology, Swinburne University of Technology, University of Notre Dame, University of South Australia, University of the Sunshine Coast, University of Tasmania, Victoria University.

²⁴ University of South Australia, University of the Sunshine Coast, University of Tasmania.

²⁵ University of the Sunshine Coast offers access to these through other schools. They are not taught in the Law School.

²⁶ Australian Catholic University, CQ University, Charles Sturt University, Curtin University, James Cook University, Queensland University of Technology, University of Notre Dame, University of South Australia, University of Tasmania.

²⁷ CQ University, James Cook University.

²⁸ Charles Darwin University, Edith Cowan University, Murdoch University, Southern Cross University, University of Adelaide, University of New England, University of Queensland, University of Wollongong, Western Sydney University.

²⁹ Murdoch University, Southern Cross University, University of Adelaide, University of Wollongong, Western Sydney University.

³⁰ Murdoch University, Southern Cross University, University of New England, Western Sydney University.

³¹ Charles Darwin University, Edith Cowan University, Murdoch University, Southern Cross University, University of Adelaide, University of New England, University of Queensland, University of Wollongong, Western Sydney University.

³² Edith Cowan University.

³³ RMIT University, University of Canberra.

³⁴ RMIT University.

³⁵ University of Canberra.

| Degree | Number of law schools offering | Offers climate change option unit | Offers sustainability option unit | Offers Environmental Law option unit | School publishes sustainability approach |
|-------------------------------|--------------------------------|-----------------------------------|-----------------------------------|--------------------------------------|--|
| LLB, JD and LLM | 12 ³⁶ | 10 ³⁷ | 3 ³⁸ | 10 ³⁹ | 2 ⁴⁰ |
| JD and LLM | 2 ⁴¹ | 2 ⁴² | 2 ⁴³ | 2 ⁴⁴ | 0 |
| LLB, JD and other law masters | 1 ⁴⁵ | 0 | 0 | 1 ⁴⁶ | 0 |
| Total | 38 | 21 | 10 | 32 | 5 |

There are 38 law schools in Australia listed by CALD. What the information in the table shows is:

- The law degrees that are commonly offered are the LLB, LLM and JD. 12 law schools offer the LLB and 12 offer a choice of LLB, JD and LLM. Other master's degrees are offered but they are not detailed in the table.
- 21 law schools offer a climate change unit as an option.
- Nine of the law schools have a unit dealing with sustainability with titles like Environmental Law and Sustainable Development (Macquarie), Sustainable Environmental Governance (University of Southern Queensland) and Sustainable Resource Development (Melbourne). These are all options.

³⁶ Australian National University, Bond University, Deakin University, Flinders University, La Trobe University, Macquarie University, Monash University, University of Newcastle, University of New South Wales, University of Southern Queensland, University of Sydney, University of Technology Sydney.

³⁷ Australian National University, Bond University, Deakin University, La Trobe University, Macquarie University, Monash University, University of Newcastle, University of New South Wales, University of Sydney, University of Technology Sydney.

³⁸ Macquarie University, University of New South Wales, University of Southern Queensland.

³⁹ Australian National University, Flinders University, La Trobe University, Macquarie University, Monash University, University of Newcastle, University of New South Wales, University of Southern Queensland, University of Sydney, University of Technology Sydney.

⁴⁰ Australian National University, University of Sydney.

⁴¹ University of Melbourne, University of Western Australia.

⁴² University of Melbourne, University of Western Australia.

⁴³ University of Melbourne, University of Western Australia.

⁴⁴ University of Melbourne, University of Western Australia.

⁴⁵ Griffith University.

⁴⁶ Griffith University.

- 32 law schools have a unit focused on environmental law, commonly called Environmental Law (for example, CQ University, Flinders University and the University of Adelaide). With one exception (Southern Cross University), it is an option. Many schools also have an option dealing with international environmental law.
- Six law schools have a published approach to sustainability.⁴⁷

This analysis addresses law units in the law program.⁴⁸ But it needs to be borne in mind that some schools offer double, combined or partner degrees, which will open up the possibility of non-legal climate change or sustainability units from other schools or faculties. A number of law schools offer, or require students to take, non-legal options (for example, the Australian National University (ANU), University of the Sunshine Coast, Victoria University and Western Sydney University) which have the same effect.

V UNIVERSITIES EXAMINED IN DETAIL

To find examples of university and law school strategy, this article took a more detailed look at two of the major groups. The first is the Group of 8 (Go8) consisting of the following universities:

- University of Adelaide (Adelaide);
- Australian National University (ANU);
- University of Melbourne (Melbourne);
- Monash University (Monash);
- University of Queensland (Queensland);
- University of New South Wales (UNSW);
- University of Sydney (Sydney); and
- University of Western Australia (UWA).

The second is the Australian Technology Network (ATN) consisting of 7 universities:

- Curtin University (Curtin);
- Deakin University (Deakin);
- Queensland University of Technology (QUT);
- RMIT University (RMIT);
- University of Newcastle (Newcastle);
- University of South Australia (UniSA); and
- University of Technology Sydney (UTS).

These two groups produce a sufficiently large sample for a reasonable analysis. The Go8 describe themselves as the research-intensive universities.⁴⁹ The ATN state that they have ‘a strong history

⁴⁷ Australian National University, Bond University, CQ University, Edith Cowan University, James Cook University, and University of Sydney.

⁴⁸ This study does not capture climate change, sustainability and environmental law that may be included in other law courses that are not overtly labelled as such.

⁴⁹ The Group of Eight Ltd, About the G08. (n.d.) <<https://go8.edu.au/about/the-go8>>.

of innovation, enterprise and working closely with industry'.⁵⁰ To widen the analysis Section 7.7 examines some other law schools.

The other main groups are:

- Innovative Research Universities (IRU),⁵¹ consisting of Flinders University, Griffith University, James Cook University, La Trobe University, Murdoch University, the University of Canberra and Western Sydney University.
- Australian European Network (AEN),⁵² consisting of Edith Cowan University, Griffith University, University of Tasmania, University of Wollongong and Western Sydney University.
- Regional University Network (RUN),⁵³ consisting of Charles Sturt University, CQ University, Federation University, Southern Cross University, University of New England, University of Southern Queensland and University of the Sunshine Coast.

Other Australian universities with a law program are Australian Catholic University, Bond University, Charles Darwin University, Macquarie University, Swinburne University of Technology, University of Notre Dame and Victoria University.

This article does not deal with what universities are doing to improve the sustainability of their university campuses and operations or the published plans many of them have for that. For example, many of them are trying to reduce their carbon footprint.

VI SUSTAINABILITY, THE SDGs AND CLIMATE CHANGE

The aim of this section is to explain the foundations of EFS and ESD, which in turn helps to explain why the meaning of sustainability, and also its implementation, is contested. The basic idea of 'sustainability' is that something is capable of enduring for the long term.⁵⁴ An impetus for an environmental emphasis was provided by the UN conferences on general environmental issues, the first of which was the 1972 Stockholm Conference on the Human Environment. Those conferences were prompted by the growing crisis in the environment brought about by human activity which has contributed to pollution,

⁵⁰ Australian Technological Network, About Us. (n.d.) <<https://atn.edu.au/about-us/>>.

⁵¹ There are eight of them and their focus is 'inclusive excellence in teaching, learning and research in Australia'. Innovative Research Universities, Purpose (n.d.) <<https://iru.edu.au/purpose/>>.

⁵² The AEN includes five Australian universities and describes itself as 'a multi-lateral student exchange program.' Australian European Network., About the AEN and the UN (2019) <<http://www.aen-online.com/About>>.

⁵³ The RUN consists of seven regional universities 'seeking to contribute to the growth of regional economies and communities'. Regional Universities Network, About Us (2022) <<https://www.run.edu.au/about-us/>>.

⁵⁴ Australian Concise Oxford Dictionary (2022) 'Sustain' (def 195209) <<https://oed.com/view/Entry/195209>>.

land degradation, loss of biodiversity and climate change. Principle 1 of the Stockholm Declaration's 26 Principles expressed a general obligation to protect the environment for both present and future generations.⁵⁵ The World Conservation Strategy followed.⁵⁶

Sustainability took a different turn as a result of the 1987 report of the World Commission on Environment and Development (WCED), chaired by the Norwegian, Gro Harlem Brundtland, and entitled *Our Common Future* (Brundtland Report). The Brundtland Report brought the concept of sustainable development to the forefront, defining sustainable development as: 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs'.⁵⁷ Its purpose was to encourage development to improve the position of poor nations in a way that did not further damage the environment. Support for sustainable development crystallised at subsequent United Nations conferences.⁵⁸

The next stage was that sustainable development became goal oriented, with the Millennium Goals that were due to expire at the end of 2015 being replaced by the SDGs as part of the 2030 Agenda for Sustainable Development.⁵⁹ Discussion and implementation of sustainable development have now focused on the 17 aspirational goals with targets that constitute the SDGs. Each of these Goals is linked to targets. There is a target for sustainable development and education in Goal 4. Goal 4 is to 'Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all'. Target 4.7 says that 'By 2030, ensure that all learners acquire the knowledge and skill to promote sustainable development, including among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development'.⁶⁰

⁵⁵ United Nations, Report of the United Nations Conference on the Human Environment, Stockholm, 5–16 June 1972, UN Doc A/CONF/48/14/Rev.1 (1973).

⁵⁶ International Union for Conservation of Nature and Natural Resources (ed.), World Conservation Strategy: Living Resource Conservation for Sustainable Development, UNEP (02)/C6 (1980) <<https://portals.iucn.org/library/efiles/documents/WCS-004.pdf>>.

⁵⁷ Gro Harlem Brundtland, Report of the World Commission on Environment and Development: *Our Common Future*. (United Nations General Assembly, 1987).

⁵⁸ United Nations Conference on Environment and Development (also called 'Earth Summit') in Rio de Janeiro in 1992, the United Nations World Summit on Sustainable Development in South Africa in 2002; the United Nations Conference on Sustainable Development (also called 'Rio+20') in Rio de Janeiro in 2012. Also see the declarations from these conferences: Agenda 21, Rio Declaration, Forest Principles, UN Doc A/CONF.151/26 (1992); Johannesburg Declaration on Sustainable Development and Plan of Implementation of the World Summit on Sustainable Development UN Doc A/CONF.199/20 (2002); *The Future We Want: Declaration of the UN Conference on Sustainable Development*, UN Doc A/RES/66/288 (2012).

⁵⁹ United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development*, UN Doc A/RES/70/L.1 (22 September 2015). For Sustainable Development Goals and their history, see United Nations, History <<https://sdgs.un.org/goals#history>>.

⁶⁰ *Ibid.*

Sustainable development requires the integration of development and protection of the environment, but no guidance is offered as to how to reconcile these competing forces.⁶¹ The environment has become only one of three key domains, or pillars, in the implementation of sustainable development, the others being economic viability and social equity.⁶² The SDGs have been endorsed by many countries, including Australia, although they have generally not been incorporated into domestic law. Australian universities have also endorsed the SDGs.⁶³ So, in conclusion, not only are there two different paradigms, sustainability and sustainable development, battling for supremacy, but they have built in conflicts and uncertainties. Hence, it is not surprising that the meaning of sustainability is contested.

Climate change represents another possible paradigm that has grown in significance in line with increased scientific knowledge of the damaging effects of human activities on the climate. Climate change is recognised as an important aspect of sustainability and the SDGs, as shown by the specific reference to it in SDG Goal 13. There is increasing pressure to make climate change law a core unit.⁶⁴

VII EDUCATIONAL SUSTAINABILITY STRATEGY IN LAW SCHOOLS

7.1 The Go8

The strategic plans and sustainability documents of the Go8 universities are compared in Table 2. In Section 7.2, their objectives for sustainability in legal education are compared. In Section 7.3, the approaches of Melbourne, UNSW, UWA and ANU are examined in more detail.

⁶¹ United Nations, (1989, 22 December). UN Conference on Environment and Development: Resolution/Adopted by the General Assembly, UN Doc A/RES/44/228 (22 December 1989,) para 15(c); United Nations, *Transforming Our World* (n 60): para 13.

⁶² The three pillars approach is commonly recognised by, for example, United Nations, *Report of the United Nations Conference on the Human Environment*, Stockholm, 5–16 June 1972, UN Doc A/CONF/48/14/Rev.1 (1973). But for an example involving four pillars, suggesting governance is an important fourth pillar for law, see Kate Galloway, ‘Sustainability in the Real Property Law Curriculum: Why and How’, *Journal of Learning and Design* 8(2), 31–33.

⁶³ Commitments to sustainability in higher education were made by Australian universities through mechanisms such as: United Nations Educational, Scientific and Cultural Organisation, *The Talloires Declaration* (1990) <<http://ulsf.org/talloires-declaration/>>; the Sustainable Development Solutions Network <<https://www.unsdsn.org/sdsn-members>>.

⁶⁴ Kim Bouwer, Evan John, Oliver Luke and Amanda Rozhan, ‘“Climate Change isn’t Optional”: Climate Change in the Core Law Curriculum’, (2023) 43 *Legal Studies* 240. See Danielle Ireland-Piper and Nick James ‘The obligation of law schools to teach climate change law’, 40 (3) (2021) *The University of Queensland Law Journal* 319 (Ireland-Piper and James). This article is one of those contained in a special edition of the journal published in 2021 entitled ‘Climate change, law and legal education’, all of which are valuable.

Table 2
Go8 Sustainability Strategies and Education

| University | Strategy | Ending | Sustainability as an objective in strategy |
|------------|---|-----------------|--|
| Adelaide | Future Making ⁶⁵ | Updated 2022-23 | In Sustainability Strategy ⁶⁶ |
| ANU | ANU by 2025 ⁶⁷ | 2025 | See footnote ⁶⁸ |
| Melbourne | 2030: Advancing Melbourne ⁶⁹ | 2030 | Yes ⁷⁰ |
| Monash | Impact 2030 ⁷¹ | 2030 | Yes ⁷² |
| UNSW | 2025 Strategy Update ⁷³ | 2025 | Yes ⁷⁴ |
| Queensland | Towards 2032: ⁷⁵ | 2025 | Yes ⁷⁶ |

⁶⁵ University of Adelaide, Future Making: Strategic Plan Update 2022-2023 (December 2021) <https://www.adelaide.edu.au/vco/ua/media/30/strategic-plan.pdf>.

⁶⁶ While Adelaide's strategic plan is more focused on the University's financial sustainability. The University of Adelaide, Sustainability Strategy 2030 (2023) <<https://www.adelaide.edu.au/sustainability/ua/media/265/sustainability-strategy.pdf>> had detailed objectives and targets for sustainability in teaching and learning.

⁶⁷ Australian National University, Strategic Plan 2021–2025 (2021) <<https://www.anu.edu.au/about/strategic-planning/anu-strategic-plan-2021-2025>>.

⁶⁸ ANU's strategic plan contains a target 'that by 2025 ANU will contribute to global environmental sustainability, through our research, teaching and operations by becoming a greenhouse gas emissions negative university through ANU Below Zero'. One of the prongs of the ANU Below Zero initiative is 'world leading climate and energy research and teaching'.

⁶⁹ University of Melbourne, Advancing Melbourne (May 2020) <<https://about.unimelb.edu.au/strategy/advancing-melbourne>>

⁷⁰ Ibid. The Advancing Melbourne strategic plan in relation to the theme of 'Place' (page 6, para 6) says that 'Our commitment to place is also reflected in our aspiration to be leaders for a sustainable future – through education and research, through our campuses and their operations, through partnerships and in the development of precincts intertwined with the city'.

⁷¹ Monash University, Impact 2030 (2021) <<https://www.monash.edu/about/strategic-direction/strategic-plan>>.

⁷² Monash's strategic plan (page 6, para 3) refers to the challenges of the age as 'climate change, geopolitical security and thriving communities'. At page 14 under the heading 'Goals Excellent' and sub-heading 'Monash Education' it says that it will 'encourage understanding and ability to contribute to the ideas and debates surrounding climate change, geopolitical security and thriving communities, and the objectives of the United Nations Sustainable Development Goals – sustainability focus'.

⁷³ University of New South Wales, 2025 Strategy Update (February 2020) <<https://www.2025.unsw.edu.au/sites/default/files/2025-Strategy-Update-UNSW.pdf>>.

⁷⁴ UNSW's strategic plan introduces UNSW's contribution to sustainable development as Theme 3 of its 2025 Vision (page 38) but, unlike the other themes, does not set out objectives or measures of progress.

⁷⁵ University of Queensland, Towards 2032: UQ Strategic Plan 2022–2025 (2022) <<https://www.uq.edu.au/about/files/11393/UQ%20Strategic%20Plan%202022-2025.pdf>>.

⁷⁶ At page 16, it says 'support and promote the UN Sustainable Development Goals (SDGs) in research, teaching, external engagement and campus operations.' The strategic plan (at page 12) refers to the 'number of programs offering sustainability

| University | Strategy | Ending | Sustainability as an objective in strategy |
|------------|---------------------------------------|--------|--|
| Sydney | Sydney in 2032 Strategy ⁷⁷ | 2032 | No ⁷⁸ |
| UWA | UWA 2030 ⁷⁹ | 2030 | See footnote ⁸⁰ |

What the information in the table shows is that:

- All eight universities have a strategic plan, in most cases extending to 2025 or 2030.
- Four of these universities have a sustainability objective in their strategic plan.
- In most cases, this is relatively broad along the lines of increasing capacity for sustainability education.
- The approaches of Monash, UNSW and Queensland are either based on the SDGs or give them significant emphasis.⁸¹
- The approaches of Adelaide, ANU, Melbourne and UWA are mainly focused on sustainability, although that may not be defined, and the importance of the SDGs is acknowledged or supported. Adelaide and Melbourne have given commitments to provide the educational opportunity for students to acquire knowledge and skills to promote sustainable development, hence their approach is described as covering both sustainability and the SDGs.

courses' and a commitment that 'Sustainable Development Goals and principles are incorporated in relevant curricula'. Also see the UQ Sustainability Strategy 2022–2025 <<https://sustainability.uq.edu.au/uq-sustainability-strategy>>.

⁷⁷ University of Sydney, Sydney in 2032 Strategy (2022) <<https://www.sydney.edu.au/about-us/2032-strategy.html>>.

⁷⁸ The Sydney strategic plan says under the aspiration 'our student-focused education is transformational' that 'our curricula are both learner-focused and sustainable' (page 12). However, 'sustainable' refers to the financial sustainability of the curricula, not the subject matter. The sustainability strategy stresses 'placing sustainability at the heart of our research and education activities' <<https://www.sydney.edu.au/about-us/vision-and-values/sustainability.html>>.

⁷⁹ University of Western Australia, UWA 2030 (2020) <<https://www.uwa.edu.au/uwa2030/Our-Strategy>>.

⁸⁰ UWA 2030 at page 25 under the heading 'Sustainable Environments' says 'embed sustainability and fair-trade principles in the developmental and operational activities of the campus'.

⁸¹ For example, Queensland: 'Support and promote the UN Sustainable Development Goals in research, teaching, external engagement and campus operations', University of Queensland, Towards 2032: UQ Strategic Plan 2022–2025 (2022).

7.2 Sustainability Objectives in the Go8 Law Schools

Each of the Go8 universities has a law school. The schools of Adelaide,⁸² ANU,⁸³ Queensland,⁸⁴ and Sydney⁸⁵ have strategic plans, but only Adelaide and ANU mention sustainability. Adelaide refers to sustainability under the heading ‘Values’ and the sub-heading ‘Transformation’, which says ‘Adopt a future-focused perspective that sees the transformative potential of law to achieve sustainability and social justice’.⁸⁶ A search of the websites of the other Go8 law schools did not reveal any outcomes or graduate attributes mentioning sustainability.

7.3 The Approaches of Melbourne, UNSW, UWA and ANU

These four universities illustrate quite different approaches.

7.3.1 Melbourne: an Evolved Strategy

Melbourne’s strategic plan *Advancing Melbourne* (Melbourne SP)⁸⁷ has five themes, one of which is ‘place’. In relation to place, it says that ‘Our commitment to place is also reflected in our aspiration to be leaders for a sustainable future – through education and research, through our campuses and their operations, through partnerships and in the development of precincts intertwined with the city’. Melbourne has a website dedicated to sustainability,⁸⁸ which has a sustainability framework, sustainability charter and *University of Melbourne Sustainability Plan 2030* (Melbourne SS).⁸⁹ The existing documents contain strong statements, such as the charter saying that the University will ‘ensure every graduate has a baseline threshold of sustainability knowledge’.⁹⁰

The Melbourne SS is focused on three domains: ‘amplifying action through campus and communities; mobilising knowledge for action;

⁸² Adelaide Law School Strategic Plan <<https://law.adelaide.edu.au/system/files/media/documents/2019-05/Adelaide%20Law%20School%20Strategic%20Plan.pdf>>.

⁸³ College Strategic Plan 2021-22 ANU College of Law <https://law.anu.edu.au/sites/all/files/2021-22_anu_law_strategic_plan.pdf>.

⁸⁴ Queensland Law School Strategy <<https://law.uq.edu.au/about/mission-and-strategy>>.

⁸⁵ Sydney Law School Strategic Plan 2020-2025 <<https://sydney.edu.au/content/dam/corporate/documents/sydney-law-school/about/sydney-law-school-strategic-plan-2020-2025.pdf>>.

⁸⁶ Adelaide Law School Strategic Plan (n 82) 3.

⁸⁷ University of Melbourne, *Advancing Melbourne* (May 2020).

⁸⁸ University of Melbourne, Sustainability (n.d.) <<https://about.unimelb.edu.au/priorities-and-partnerships/sustainability>>.

⁸⁹ University of Melbourne, Sustainability Plan 2030 (2017) <https://about.unimelb.edu.au/_data/assets/pdf_file/0020/346214/Sustainability-Plan-2030.pdf> (Melbourne SS).

⁹⁰ University of Melbourne, Sustainability Charter (2018) <https://about.unimelb.edu.au/_data/assets/pdf_file/0026/283355/UoM_Sustainability-Charter_Feb_18.pdf>.

and walking the talk in our operations'. The first has a priority of creating a 'Community of sustainability learners and practitioners'.⁹¹ The implementation of the priority is effected through five targets to 2025, each of which has indicators of performance. Targets include increased uptake 'of positive sustainability skills, knowledge and behaviour', increased offerings of 'sustainability learning opportunities' and increased staff participation in learning to develop sustainability skills. The performance indicators are based on tracking levels of participation and awareness. These include the proportion of staff who have undertaken the Sustainability@Melbourne learning module and the 'number of academic staff who have undertaken professional development related to Education for Sustainability'.⁹² Responsibility is allocated for delivering on the plan, including to the Academic Board. SDGs mentioned in relation to the plan are 4, 11, 12, 13 and 16.⁹³

A priority in the second domain is 'Graduates for a sustainable future'.⁹⁴ The first target is integration of sustainability into the curriculum qualified 'to an extent that conscientiously extends, beyond a base threshold, each discipline's (and associated professions/industries') knowledge of the helpful and harmful impacts it has for the environmental and human systems we depend on'. The performance indicators cover matters such as the number of suitably focused academic staff and Academic Board approval of course changes. Responsibility for delivery is similar to the first domain.

7.3.2 UNSW: Early Leaders in Online Modules for All Students but Changing Focus

UNSW's 2025 Strategy Update relating to its strategy UNSW 2025⁹⁵ has three strategic priorities: academic excellence; innovation and engagement; and social impact. Sustainable development is one of the three themes of social impact, and aligning UNSW's efforts with the SDGs is mentioned specifically. UNSW's sustainability objectives are fleshed out in its environmental sustainability plans. UNSW's current plan is the *Environmental Sustainability Plan 2022-2024* ('UNSW SS'),⁹⁶ which replaced its *Environmental Sustainability Plan 2019-2021* ('UNSW SP 2019').⁹⁷ UNSW was an early adopter of

⁹¹ Melbourne SS 24.

⁹² Melbourne SS 25.

⁹³ Ibid.

⁹⁴ Melbourne SS 30.

⁹⁵ University of New South Wales, 2025 Strategy Update (June 2022). <https://www.2025.unsw.edu.au/sites/default/files/uploads/unsw_2025strategy_201015.pdf>.

⁹⁶ University of New South Wales Environmental Sustainability Plan 2022-2024 (UNSW SS) <https://www.sustainability.unsw.edu.au/sites/default/files/documents/UNSW_Environmental-Sustainability-Plan-2022_v2.1.pdf>.

⁹⁷ University of NSW, Environmental Sustainability Plan 2019-2021 (2019) <<https://www.sustainability.unsw.edu.au/sites/default/files/documents/190925%20EnvironmentalSustainabilityPlan.pdf>>.

online modules and toolkits regarding sustainability, such as an SDG Thinking module and toolkit, and an online Education For Sustainability toolkit for academics.⁹⁸ UNSW SS has significantly reduced the number of targets and initiatives from UNSW SP 2019. UNSW SS has three themes: climate action; living campuses; and resource efficiency. Teaching and learning are mentioned only in the second under ‘Engagement and integration’ with a target of ‘Increase student and staff awareness of environmental sustainability issues’.⁹⁹ Maintaining and promoting the SDG Thinking toolkit and module is mentioned as a key initiative.

7.3.3 UWA: No Emphasis on Sustainability as Such

UWA’s environmental strategy document is its *Environmental Sustainability Strategy 2020* (UWA SS),¹⁰⁰ which has the campus and operational activities as its main focus. It follows on from UWA’s strategic plan, which contains broad statements and less specific objectives for education and sustainability.¹⁰¹ The strategic plan has three positioning strategies: Education; Research and Innovation; and Global Partnerships and Engagement. Achievement of these is supported by plans for Sustainable Environments; People and Culture; and Effective and Sustainable Operations. As the UWA SS puts it, ‘Building on these values, characteristics and strategies, the University is focused on responding to the grand challenges facing humanity by drawing upon its world-class education and research.’¹⁰²

UWA’s law school’s vision is consistent with the UWA SS, that is ‘To be a world-class law school that nurtures diverse legal minds and inspires just and innovative approaches to the global challenges of the 21st century’. Sustainability is not mentioned on its vision webpage.¹⁰³

7.3.4 ANU

ANU has objectives under the headings of research, engagement, collaboration and community, with sustainability featuring under community, saying that ‘the College will play its part as a small college towards ANU environmental sustainability’. While mainly directed at operations, it also mentions informing and supporting the development of policies and initiatives on climate change and developing ‘green law’ student programs. Transdisciplinary problem-solving is one of the educational objectives, with the aim that students can meet the

⁹⁸ Ibid 16, 44. This EFS toolkit is mentioned on the university website but access is restricted.

⁹⁹ University of NSW, Environmental Sustainability Report 2021 (June 2022) 4.

¹⁰⁰ University of Western Australia, Environmental Sustainability Strategy 2020 (2020). <https://www.cm.uwa.edu.au/__data/assets/pdf_file/0010/3648862/Environmental-Sustainability-Strategy-2020.pdf>.

¹⁰¹ University of WA, Strategic Plan 2020 – 2025 (2020) <https://www.web.uwa.edu.au/__data/assets/pdf_file/0003/3438057/UWAstrategic-Plan-2020-2025_Web.pdf>.

¹⁰² University of WA, Environmental Sustainability Strategy 2020 (2020) 6.

¹⁰³ UWA Law School <https://www.uwa.edu.au/schools/law>.

challenges posed by multi-faceted problems like climate change. While not aimed specifically at sustainability, it is an example of an objective or outcome that is frequently mentioned in the literature about outcomes for education for sustainable development.¹⁰⁴

ANU has a number of climate change options in law, but also its LLB and JD offer a specialisation in Law Reform, Environmental and Social Justice, containing a range of courses covering climate law, environmental law and development. ANU also offers a number of undergraduate and postgraduate programs and courses that have a direct link to sustainability.¹⁰⁵

7.3.5 Summary of the Go8

ANU is the only school that offers an LLB or JD specialisation covering climate change and development issues. Melbourne, UNSW and UWA all offer options on those issues. But their law school websites do not state a position on sustainability.

Melbourne's university strategic plan has features that could make for an effective top-down approach. It has commitments, targets, performance indicators, accountability for the targets and a reporting mechanism. Those features are much less evident in the UNSW, UWA and ANU university plans.

7.4. The ATN

The strategic plans and sustainability documents of the ATN universities are compared in Table 3. In Section 7.5, their objectives for sustainability in legal education are compared. In Section 7.6, the approaches of RMIT, QUT and UniSA are examined in more detail.

Table 3
ATN Sustainability strategies and education

| University | Name of Strategy | End date | Sustainability as an objective in Strategy |
|------------|---|----------|--|
| Curtin | Curtin 2030 Strategic Plan ¹⁰⁶ | 2030 | Yes ¹⁰⁷ |

¹⁰⁴ See, eg, The Quality Assurance Agency for Higher Education and Advancement HE Education for Sustainable Development Guidance, March 2021, UNESCO 2017 (n 10); Naresh Giangrande, Rehema M. White, May East, Ross Jackson, Tim Clarke, Michel Saloff Coste, Gil Penha-Lopes, 'A competency framework to assess and activate education for sustainable development: Addressing the sustainable development goals 4.7 challenge', *Sustainability* (2019) 11 (1) 2832.

¹⁰⁵ See <<https://sustainability.anu.edu.au/coursework>>.

¹⁰⁶ Curtin University, Curtin 2030 Strategic Plan (2022) <<https://curtin.edu.au/about/values-vision-strategy/curtin-2030-strategic-plan>>.

¹⁰⁷ The Curtin strategic plan has 'Planet' as one of its themes and at page 7 contains the strategic objective 'Sustainable Future' as follows: 'Social Responsibility: Strengthen our teaching, research and outreach activities that support the United Nations Sustainable Development goals to develop a sustainable future for all'.

| University | Name of Strategy | End date | Sustainability as an objective in Strategy |
|------------|--|----------|--|
| Deakin | Deakin 2030 Ideas to Impact ¹⁰⁸ | 2030 | Yes ¹⁰⁹ |
| QUT | Connections: the QUT Strategy 2023-2027 ¹¹⁰ | 2027 | Yes ¹¹¹ |
| RMIT | Knowledge with Action RMIT's strategy to 2031 ¹¹² | 2031 | Yes ¹¹³ |
| Newcastle | Looking Ahead ¹¹⁴ | 2025 | Yes ¹¹⁵ |
| UniSA | Enterprise 25 ¹¹⁶ | 2025 | No |
| UTS | Our Strategy UTS 2027 ¹¹⁷ | 2024 | Yes ¹¹⁸ |

¹⁰⁸ Deakin University, Deakin 2030 Ideas to Impact Strategic Plan (2020, refreshed in 2021) <https://www.deakin.edu.au/_data/assets/pdf_file/0008/2249270/Strategic-Plan-2030.pdf>.

¹⁰⁹ Deakin's strategic plan at page 6 has a value titled 'Sustainable' saying 'We care about our shared future, integrating economic, environmental and social dimensions of sustainability in what we do'. There are five Impact Themes that provide a focus of Deakin's core activities of 'Education and Employability and Research and Innovation'. One of the themes is 'Enabling a sustainable world'.

¹¹⁰ Queensland University of Technology, Connections: the QUT Strategy (November 2022). <<https://www.qut.edu.au/connections>>.

¹¹¹ Ibid. Sustainability and the Environment is a key QUT priority in the QUT strategic plan, which states that 'QUT is committed to living lightly upon the earth and reducing our impact on the environment, while improving our institutional resilience.' QUT says it will demonstrate the commitment by, amongst other things, 'embedding sustainability into our curricula and our practice' (at page 8).

¹¹² RMIT University, Knowledge with Action RMIT's strategy to 2031 (2022) <<https://www.rmit.edu.au/about/our-strategy>>.

¹¹³ Ibid. RMIT's strategic plan is based on three directions to 2031, the third of which is 'Serving our communities'. Action 3.1 under it is 'Advance sustainability'.

¹¹⁴ University of Newcastle, Looking Ahead: The University of Newcastle Strategic Plan 2020-2025 (2020) <https://www.newcastle.edu.au/_data/assets/pdf_file/0008/607292/Strategic-Plan-2020-2025.pdf>.

¹¹⁵ Newcastle's strategic plan at 12 has 'Sustainability' as one of its four values and it features as a goal in each of the core areas, one of which is 'life-ready graduates'. Alignment with the SDGs is set out on page 41.

¹¹⁶ University of South Australia, Enterprise 25: Our Strategic Plan 2018-2025. (2018) <<https://www.unisa.edu.au/siteassets/about-unisa/enterprise25/docs/enterprise25-web.pdf>>.

¹¹⁷ University of Technology Sydney, Our Strategy UTS 2027 (2018) <<https://www.uts.edu.au/about/uts-2027-strategy>>.

¹¹⁸ The UTS strategic plan refers to sustainability under the strategic initiative for 'Our Distinctive Identity' in terms of being recognised for our positive social and environmental impact'.

What the information in the table shows is that:

- All seven universities have a strategic plan, some of which extend to 2025 or 2031.
- six of the universities have a sustainability objective in the strategic plan.
- In most cases, this is relatively broad along the lines of supporting and promoting the SDGs and being recognised for positive social and environmental impact.¹¹⁹
- The approaches of RMIT, Deakin, UTS, Curtin, and Newcastle are either based on the SDGs or give them significant emphasis.
- Only QUT has an approach based on sustainability, although it does report on its progress against selected SDGs.¹²⁰

7.5 Sustainability Objectives in Law at the ATN

All the ATN universities offer a law degree and all except RMIT have a law school.¹²¹ RMIT has a Graduate School of Business and Law.¹²² Deakin and UTS have strategic plans for law. Deakin Law School's Strategic Plan has a mission that 'Deakin Law School is a catalyst for positive change' and it seeks to be known, among other things, for 'championing business sustainability and societal impact now and as we face the future'.¹²³ Part of UTS's vision is 'to harness law and technology for a just and sustainable future'.¹²⁴ RMIT publishes its mission, vision and values.¹²⁵ These do not mention sustainability, but emphasize preparing the next generation to be proactive 'in their approach to meet the demands of, and shape, the changing world'.¹²⁶ RMIT also publishes graduate capabilities at the university level and these mention a commitment to sustainability and contributing 'to a more sustainable world through engagement with the

¹¹⁹ Such as Curtin and Deakin. See n 106 and 108.

¹²⁰ QUT, Sustainability Action Plan Progress Report (*March 2022*) 4 <https://cms.qut.edu.au/_data/assets/pdf_file/0020/1150373/sustainability-action-plan-progress-report.pdf>.

¹²¹ For UNISA see <https://study.unisa.edu.au/law/>. Its website does not use the expression 'law school'.

¹²² For RMIT's Graduate School of Business and Law see <<https://www.rmit.edu.au/about/schools-colleges/graduate-school-of-business-and-law>>.

¹²³ Deakin Law School Strategic Plan 2021-2025 <Faculty of Business and Law Quinquennial Strategic Plan 2021-2025 (deakin.edu.au)>.

¹²⁴ UTS Faculty of Law Strategic Plan 2023-2027 <<https://www.uts.edu.au/sites/default/files/2023-11/uts-faculty-of-law-strategy-2023-2027.pdf>> 2.

¹²⁵ See RMIT's GSBL narrative at <<https://www.rmit.edu.au/about/schools-colleges/graduate-school-of-business-and-law/about>>.

¹²⁶ Ibid Values 'We embrace innovation, technology, social impact and justice in an inclusive work environment. Our research, engagement and teaching prepares the next generation of leaders in business and law to be critical, strategic thinkers who are proactive in their approach to meet the demands of, and shape, the changing world'.

Sustainable Development Goals'.¹²⁷ A search of the websites of the other ATN law schools did not reveal any outcomes or graduate attributes mentioning sustainability.

7.6. *The Approaches of RMIT, QUT and UniSA*

7.6.1 *RMIT: Broad Objectives for Sustainability and Focus on SDGs*

RMIT's strategic plan is *Knowledge with Action RMIT's strategy to 2031*.¹²⁸ The plan is based on three directions to 2031, the third of which is 'Serving our communities'. Action 3.1 under it is 'Advance sustainability'. It goes on to say 'RMIT's commitment to advancing sustainability models a whole system approach, achieving institution-wide excellence by embedding sustainability principles and practices throughout learning and teaching, research and operational activities', but no detail is provided as to how this will affect the curriculum.¹²⁹ RMIT has a Sustainability Policy (RMIT SS) that contains relatively broad teaching objectives, such as 'Engage students at all levels in learning about relevant sustainability concepts (knowledge, skills and values), identifying issues of importance and taking actions in order to empower them as future leaders in industry and society',¹³⁰ but there are no specifically described performance indicators. Also, while RMIT reports on its performance, it does not appear to comment on progress in meeting the teaching objectives.¹³¹ RMIT has a sustainability committee and produces a Sustainability Annual Report (that for 2022 is referred to as the RMIT SAR),¹³² and a separate Sustainable Development Goals Impact Report which tracks progress against the SDGs.¹³³ This is an area in which RMIT has had considerable success. For example, it came third overall in the 2021 Times Higher Education (THE) University SDG Impact Rankings (THEIR).¹³⁴ In the 2023 list it ranked seventh, with the University of Western Sydney ranking first and the University of Tasmania fifth¹³⁵.

¹²⁷ RMIT Sustainability Report 2022 <<https://www.rmit.edu.au/about/our-values/sustainability/sustainability-annual-report>> 29.

¹²⁸ RMIT University, *Knowledge with Action RMIT's strategy to 2031*. (2022)

¹²⁹ Ibid 22.

¹³⁰ RMIT University, Sustainability Policy (19 October 2020) <<https://policies.rmit.edu.au/document/view.php?id=103>>.

¹³¹ That is the case at least for: RMIT University, Annual Report 2021 (2022) <<https://www.rmit.edu.au/about/governance-management/annual-reports>>; RMIT University, Sustainable Development Goals Impact Report 2020 (2021) <<https://www.rmit.edu.au/about/our-values/sustainability/sustainability-annual-report>>.

¹³² RMIT Sustainability Annual Report 2022 <<https://www.rmit.edu.au/about/our-values/sustainability/sustainability-annual-report>>.

¹³³ RMIT Sustainable Development Goals Impact Report 2021 <<https://www.rmit.edu.au/content/dam/rmit/rmit-images/Sustainability-Images/sdgs/sdgs-impact-report-2021.pdf>>.

¹³⁴ Times Higher Education University SDG Impact Rankings (2021-2023) <<https://www.timeshighereducation.com/impactrankings>>.

¹³⁵ Ibid.

7.6.2 QUT: a Developed Strategy

QUT has more in common with Melbourne in setting teaching and learning objectives and assessing its performance. QUT updated its *Blueprint 6* strategic plan (QUT 2019 SP) with *Connections QUT Strategy 2023-2027* (QUT SP).¹³⁶ It has ‘Sustainability and the Environment’ as one of six priorities.¹³⁷ Its implementation is set out in its *Sustainability Action Plan* of February 2021 (QUT SS), which contains the objective of ‘embedding sustainability into our curricula and our practices’.¹³⁸ QUT’s targets in the action plan include establishing the ‘Education for Sustainability Project, a five-year, university-wide project to inspire and support the inclusion of sustainability into curriculum’ and mapping the level of current teaching of sustainability.¹³⁹ Its aims include that ‘By 2026, all QUT undergraduate degrees demonstrate (at the course or major level) that core curriculum elements enable students to develop and apply sustainability knowledge and values in their field’.¹⁴⁰ The QUT SS also states that it supports QUT’s contribution to seven of the SDGs which have an environmental focus.¹⁴¹ Progress is tracked through reports such as the *Sustainability Action Plan Progress Report* of June 2023,¹⁴² that aligns its *Education for Sustainability Project* with SDG 4 and says ‘The proportion of undergraduate degrees including sustainability content increased from 35% to 58% when compared to 2021’. It also notes an interdisciplinary project ‘the QUT Curriculum Development Project (QUT You), which is developing a new QUT curriculum model ready for teaching by Semester 1, 2024. It is likely ‘to use sustainability as a theme in several of the units, projects and festival events and activities that make up the QUT You curriculum’.¹⁴³

7.6.3 UniSA: No Emphasis on Sustainability as Such

UniSA does not have specific objectives for sustainability in teaching and learning at the university level. Its strategic plan *Enterprise 25* (UniSA SP) does not contain a sustainability objective for teaching and learning.¹⁴⁴ Its 2022 annual report does not comment

¹³⁶ QUT, *Connections: the QUT Strategy* (November 2022).

¹³⁷ *Ibid.*

¹³⁸ QUT, *Sustainability Action Plan* (February 2021) 6.

¹³⁹ *Ibid.* 9.

¹⁴⁰ *Ibid.*; The position of Pro Vice Chancellor (Sustainability Strategy) has been created to progress QUT’s sustainability commitment QUT, *Sustainability Action Plan* (February 2021) 3.

¹⁴¹ QUT, *Sustainability Action Plan* (February 2021) 4; The SDGs mentioned are 6, 7, 11, 12, 13, 14 and 15. SDG 13, for example, is climate action and 14 is life below water.

¹⁴² QUT *Sustainability Action Plan Progress Report 2022* <https://cms.qut.edu.au/_data/assets/pdf_file/0020/1150373/sustainability-action-plan-progress-report.pdf>.

¹⁴³ *Ibid.* 10.

¹⁴⁴ University of South Australia, *Enterprise 25: Our Strategic Plan 2018–2025* (2018). <<https://www.unisa.edu.au/siteassets/about-unisa/enterprise25/docs/enterprise25-web.pdf>>.

on sustainability.¹⁴⁵ In 2019 UniSA was ranked 22 in the world for overall university impact in the inaugural THEIR,¹⁴⁶ which measures how well universities perform against the SDGs.¹⁴⁷ In December 2023, it was announced that UniSA and the University of Adelaide were combining.¹⁴⁸

7.6.4 Summary of ATN

These three law schools also demonstrate quite different approaches. None of them has a strategic plan at the law school level and their law school websites do not mention sustainability. RMIT and UniSA have options dealing with climate change and QUT and UniSA have environmental options.

QUT has a developed plan with targets and measures of progress which facilitates a top-down approach. It also embarked on a program to introduce more sustainability into the curriculum and is tracking progress against that. RMIT uses a model focused on SDG performance and independent measures of progress towards them, rather than teaching and learning objectives and self-assessment of its own performance. UniSA does not have a published plan but does appear to track progress against the SDGs at the university level.

7.7. Bond, Tasmania and CQ University

7.7.1 Bond

Bond University has an LLB (Climate Law), which started in 2021. It features nine climate law subjects, which can form part of a specialisation, major or double major. They include Climate Law in Context, Climate Change and Natural Resources and Environmental Law.¹⁴⁹ It describes itself as a world-first climate law qualification focusing on the law, science, social and commercial implications of climate change. It is designed ‘for undergraduate students who wish to specialise in climate law and contribute to addressing climate change by leading regulatory reform’.¹⁵⁰

7.7.2 University of Tasmania (UTAS)

The University of Tasmania Strategic Plan 2019-2024 focuses on Tasmania’s special character as an island and its stewardship

¹⁴⁵ University of South Australia Annual Report 2022 (June 2023) <https://www.unisa.edu.au/siteassets/about-unisa/docs/annual-review-2022_web-lr_final.pdf>.

¹⁴⁶ THEIR (2019) <<https://www.timeshighereducation.com/impactrankings>>.

¹⁴⁷ University of South Australia, *UniSA among the best in the world for University Impact*, (4 April 2019) <<https://www.unisa.edu.au/media-centre/Releases/2019/unisa-among-the-best-in-the-world-for-university-impact/>>.

¹⁴⁸ See <<https://adelaideuni.edu.au/>>.

¹⁴⁹ Bond University Climate Law <<https://bond.edu.au/LLB-climate-law>>.

¹⁵⁰ *Ibid.*

obligations.¹⁵¹ The School of Law has options covering climate change and environmental law. Mention is made on its website of participation in the Australian Forum for Climate Intervention Governance (AFGIG).¹⁵² At the university level, UTAS has an impressive Strategic Framework for Sustainability of which Goal 2 is to ‘be a leader in sustainability education and research’.¹⁵³ UTAS uses the Learning in Future Environments (LiFE) Index to guide its approach.¹⁵⁴ It tracks progress against the SDG’s using the STARS tool¹⁵⁵. For two successive years, UTAS has been rated as the number 1 university in the world for climate action in THEIR.¹⁵⁶

7.7.3 CQ University

CQ University is a member of the RUN. The vision of the university is ‘to be Australia’s most accessible and supportive university, connecting our regions to the world through innovative education, training and research excellence’.¹⁵⁷ The 2024-2028 Strategic Plan emphasizes the importance of the university’s position as a regional university supporting Queensland’s objectives.¹⁵⁸ The importance of the SDG’s is also stated and a commitment to sustainability.¹⁵⁹ CQ University Law School’s mission is ‘to be Australia’s premier online legal education provider through teaching, research and community engagement’.¹⁶⁰ The Law school has an environmental law option but no climate change option.

VIII CONCLUSIONS ABOUT UNIVERSITY AND LAW SCHOOL SUSTAINABILITY STRATEGIES

All of the universities reviewed in Section 7 had a strategic plan, most of which contained a broad sustainability objective. But not only did these objectives vary significantly in form and content, so too did the approaches of the universities to teaching about sustainability. Many law schools did not have a strategic plan and few of those that did mentioned sustainability.

¹⁵¹ University of Tasmania Strategic Plan 2019-2024 <https://www.utas.edu.au/__data/assets/pdf_file/0004/1255234/UTAS-Strategy-Documents-2019.pdf> 6.

¹⁵² See <<https://www.utas.edu.au/climate-intervention-governance>>.

¹⁵³ University of Tasmania Strategic Framework for Sustainability (February 2020) <https://www.utas.edu.au/__data/assets/pdf_file/0014/1302422/UOTBR200122-UTAS-Strategic-Framework-For-Sustainability-2020_vWeb_R.pdf>.

¹⁵⁴ Ibid 6, For LiFE, see <<http://life.acts.asn.au/>>.

¹⁵⁵ For STARS, see <<https://stars.aashe.org/pages/about/stars-overview.html>>.

¹⁵⁶ See <<https://www.utas.edu.au/about/sustainability/highlights/the-impact-rankings>>.

¹⁵⁷ CQ University Strategic Plan 2024-2028 <<https://delivery-cqucontenthub.stylelabs.cloud/api/public/content/cqu-strategic-plan-2024-2028.pdf>> 7.

¹⁵⁸ Ibid 22.

¹⁵⁹ Ibid 9, 17.

¹⁶⁰ See <<https://www.cqu.edu.au/study/law>>.

The variations in approach at the university level begin with terminology. The expressions ESD and EFS are not used commonly. The word ‘sustainability’ is used commonly, but rarely defined. Most of the universities examined acknowledge the SDGs. Four out of eight Go8 and five out of seven ATN universities either base their approach on the SDGs or give them significant emphasis, going beyond mere acknowledgement. Six of the universities examined in Section 7 can be said to have a teaching and learning strategy focused on sustainability rather than the SDGs (Adelaide, ANU, Bond, Melbourne, UWA and QUT).

The manner of implementation and the degree of commitment vary markedly. Melbourne and QUT are examples of universities that have set detailed targets and performance criteria for the implementation of sustainability in their curricula. Other universities have not set targets. Some, such as RMIT, report performance against the SDGs rather than tracking implementation in the curriculum. An attractive feature of the SDGs is their international recognition and the international impact rankings they attract, ensuring good publicity for a university that does some of them well. And therein lies the catch because it is possible to do well on SDGs by focussing on broader social outcomes such as inequality and strengthening partnerships (SDG 10 and 17), rather than the quality of sustainability education.

In summary, there is little sign of Australian universities developing a uniform approach to sustainability education that prioritises preserving the environment for future generations. Nearly all make some attempt to teach students about sustainability, and in many cases that attempt is very serious. In that sense they are seeking to meet the Goal of SDG 4. It is apparent that the SDGs play a significant role in relation to sustainability in the Australian university sector. But it seems as if few of the universities examined are currently tracking progress against the Target 4.7 (‘ensuring that all learners acquire the knowledge and skill to promote sustainable development’) and few law schools say that they are doing it.¹⁶¹ Measuring performance against that and publishing the results would bring significant rigour, objectivity and comparability to the sector. What is also apparent is that even in those universities that promote sustainability in education at the university level and have a developed implementation plan, such as Melbourne and QUT, there is a considerable gap between that university level promotion and its adoption in their law schools. Where there is no developed implementation plan at the university level there are limited signs of adoption at the law school level. Nevertheless, some faculties have pursued a sustainability objective in teaching and learning. An example is Edith Cowan University’s School of Business and Law, which applies the Principles for Responsible Management

¹⁶¹ The only exception the writer has been able to find is QUT. See n 142. Compare the RMIT Sustainable Development Goals Impact Report 2021 (n 133) 11 which refers to the completion rate of the Global Citizenship module.

Education.¹⁶² While not an exhaustive list, ANU, Bond and UTAS provide examples of a proactive approach.

IX OPPORTUNITIES FOR IMPROVEMENT IN SUSTAINABILITY EDUCATION IN AUSTRALIAN LAW SCHOOLS

There are two themes in universities following the approach of a developed sustainability implementation plan; one is increasing sustainability education for staff and the other is the required inclusion of sustainability into the curriculum of faculties. At this point it appears that there is a lot of ground to make up if greater penetration of sustainability is to occur in university legal education in Australia as a result of a top-down approach.

Law schools also have to resolve the dilemma of whether to take an EFS or an ESD approach. The latter is going to be more appealing in those universities, such as RMIT, which put resources into tracking progress against the SDGs. But as Melbourne demonstrates, it is possible to do both. The approach of UTAS is very considered in stressing sustainability, but using the SDGs to provide a framework. Work is required to establish which units are relevant to which SDGs.¹⁶³

Reimagining LE &T is a current work in progress. The following are offered as opportunities which can be adopted now. The first opportunity is to build on those subjects, particularly core subjects like real property, where there is already an engagement with sustainability or related topics.¹⁶⁴ Other subjects that come to mind are mining law, human rights law, environmental law and climate change law. Subjects that demonstrate sustainability engagement can be considered by the relevant school teaching committee for endorsement as good models and for tools that can be adopted in other units.

Lavey argues that environmental lawyers can play an important role in facilitating colleagues transitioning sustainability issues into units as diverse as administrative law, taxation, contract and torts.¹⁶⁵ That is the second opportunity. In the article, which is written in an American context, Lavey gives many examples of how climate issues can be used

¹⁶² As does James Cook University <<https://www.jcu.edu.au/college-of-business-law-and-governance/about-us>>. For Edith Cowan see <https://www.ecu.edu.au/schools/business-and-law/prme/sustainability-steering-committee>>.

¹⁶³ For examples of SDG tracking, see QUT Sustainability Action Plan Progress Report 2022 <https://cms.qut.edu.au/_data/assets/pdf_file/0020/1150373/sustainability-action-plan-progress-report.pdf> and Griffith Sustainable Development Goal Impact Report 2022 <https://www.griffith.edu.au/_data/assets/pdf_file/0038/1663967/Griffith-SDG-Impact-Report-2022-web.pdf>.

¹⁶⁴ In this regard see for example Kate Galloway, 'Sustainability in the Real Property Law Curriculum: Why and How', *Journal of Learning and Design* 8(2), 31–33; Davies, M., Godden, L., Graham, N. (2021), 'Situating Property within Habitat: Reintegrating Place, People, and Law', *Journal of Law, Property, and Society*, 6, 1–50.

¹⁶⁵ WG Lavey, 'Toolkit for integrating climate change into ten high-enrollment law school courses', (2019) 49 *Environmental Law* 513.

in those kinds of subjects because of developing case law. Table 1 shows that 32 out of 38 Australian law schools have an Environmental Law option, so this is a significant opportunity in Australia.

The third opportunity is to start introducing elements of a sustainability lens across the law curriculum. A number of the key elements are already present under different guises. An example is transdisciplinary problem-solving that, as has been mentioned above, can enable students to meet the challenges posed by multi-faceted problems like climate change, but also technology and other contemporary issues.¹⁶⁶ What can be noted here is that an informed discussion in a school about competencies required by modern lawyers can lead to two things: the law school itself being more sustainable, but also its students being better equipped to face those challenges.¹⁶⁷ Law schools also need to be aware of pressure from the students as students see climate change and sustainability as growth areas for jobs. But it will also increase as school education embraces sustainability more strongly.¹⁶⁸

The fourth opportunity is to engage the students and staff in sustainability events to increase awareness of sustainability. Some universities hold sustainability weeks which are apparently very successful, and these demonstrate only some of the means of getting students and staff involved.¹⁶⁹ Some universities have discussion and focus groups for sustainability and climate change.¹⁷⁰

The fifth opportunity is to learn from what many universities now make available to facilitate teaching and learning about sustainability.¹⁷¹ There is now a significant body of readily available material.

Finally, future research could undertake a survey of individual academic initiatives regarding climate change, sustainability and

¹⁶⁶ See the comment and references at n 104.

¹⁶⁷ There is considerable discussion about those competencies, particularly in the context of climate change. See Ireland-Piper and James (n 64). But it is also occurring in relation to sustainability. See Lavey (n 165).

¹⁶⁸ See the refreshed Early Years Learning Framework for Australia (2022) <<https://www.acecqa.gov.au/sites/default/files/2023-01/EYLF-2022-V2.0.pdf>> 17 and the Australian Curriculum Version 8.4 <<https://www.australiancurriculum.edu.au/f-10-curriculum/cross-curriculum-priorities/sustainability/?searchTerm=Sustainability#dimension-content>>.

¹⁶⁹ For example, RMIT. See <<https://www.rmit.edu.au/about/our-values/sustainability/get-involved>>.

¹⁷⁰ For example, Griffith's Climate Action Beacon <<https://www.griffith.edu.au/research/climate-action>> and the University of the Sunshine Coast's Sustainability and Engagement Forum <<https://www.usc.edu.au/about/sustainability/sustainability-governance/sustainability-and-engagement-forum>>.

¹⁷¹ Including Leeds University <<https://sustainability.leeds.ac.uk/our-work/leeds-sustainable-curriculum/embedding-sustainability-in-teaching/>>, University College <<https://www.ucl.ac.uk/teaching-learning/publications/2023/apr/embedding-sustainability-your-teaching-and-learning>> and Western Sydney University Educators Guide for Sustainability Teaching and Learning <https://www.westernsydney.edu.au/_data/assets/pdf_file/0005/1997069/Efs_Guidance_Document_-_WSU_June23.pdf>.

environmental law. Such research could be facilitated with support from the Legal Education Associate Deans Network or CALD.