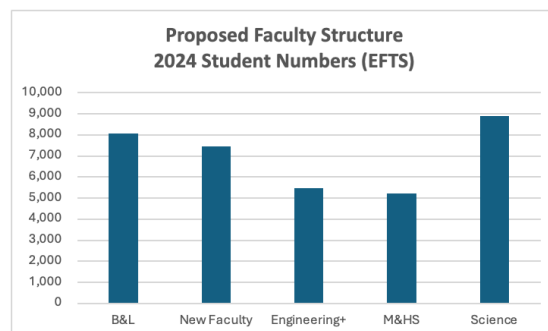
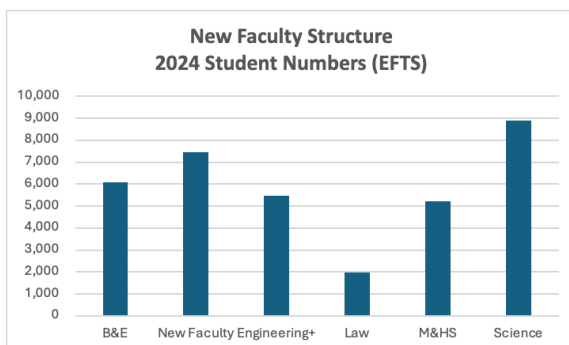


Memo to: University Executive Committee (UEC)
From: Professor Dawn Freshwater – Vice Chancellor
Date: 5 November 2024
Subject: The Case for Amalgamating the Faculty of Business and Economics with the Faculty of Law

1. Executive Summary

The recently announced new arrangements for the faculties of Arts, Education and Social Work, and Creative Arts and Industries has significantly enhanced the overall strength and balance of our faculty structure. This paper proposes a further re-evaluation of the configuration and composition of the faculty structure, partly in response to some of the feedback received in the consultation process from the recent changes. In light of the new arrangement, the Faculty of Law's size and scale now appears disproportionate compared to the other faculties. Consequently, I have been considering whether there is potential for an amalgamation of the Faculty of Law with the Faculty of Business and Economics.



Combining the Faculty of Law with the Faculty of Business and Economics will further enhance the organisational effectiveness of the University through a tighter, more focused group of faculties and academic leaders. This has the potential for several important improvements:

- Enhanced collective executive decision-making and alignment with strategic goals
- Increased efficiency
- Improved inter-faculty collaboration
- Enhanced flexibility and adaptability

In addition, there are a wide range of opportunities and benefits resulting from the merging of the faculties:

- Enhanced commercial law teaching, research, and connections with the business community and internationally, through combining expertise contained in both faculties.
- Enhancement of research centres and research opportunities
- Strengthening postgraduate programmes including the JD Programme
- Establishing pathways to Law in postgraduate study
- Broader professional reach
- Leveraging combined strengths – e.g. intellectual property and commercialisation
- Strengthening career paths for students
- Enhancing access for Māori and Pacific students
- Achieving greater scale, building a more resilient faculty structure

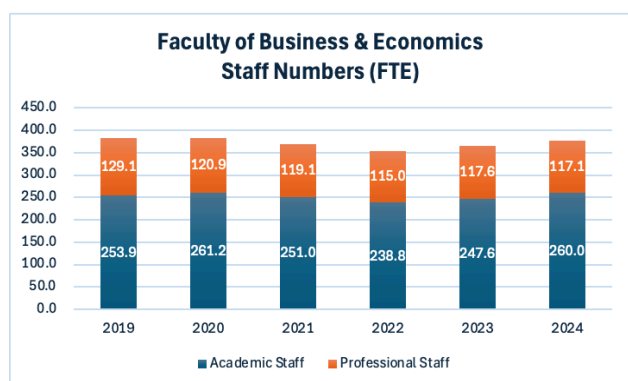
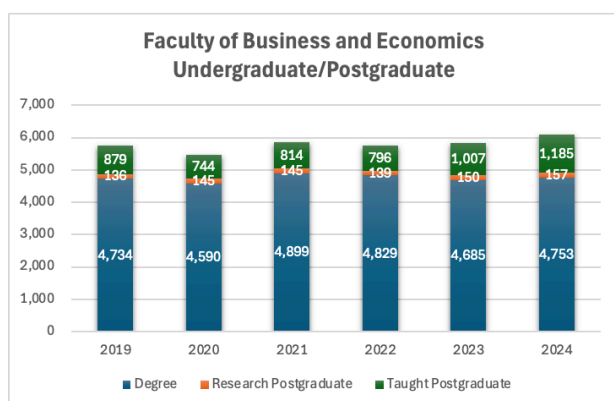
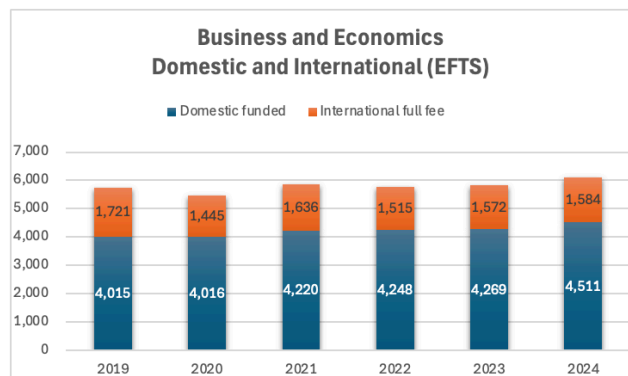
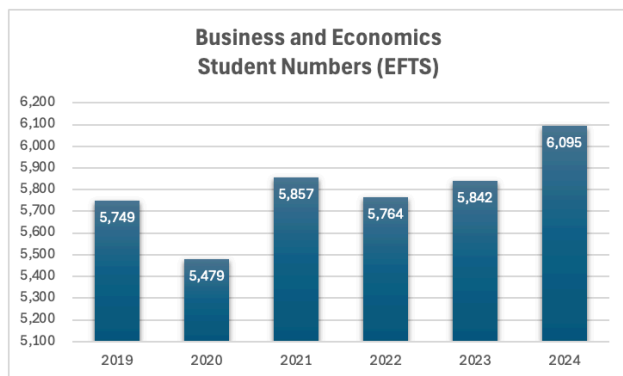
Recommendation:

1. That the Faculty of Law become part of the Faculty of Business and Economics and the combined Faculty then be re-named appropriately.
2. That the Auckland University Business School and Auckland Law School be retained in the transfer to the new structure, and that transition leadership be established to ensure the changes are effectively managed and to minimize any impacts to teaching and research. An Acting Dean of Law would be appointed to manage the transition before the Heads of Department\Dean\Deputy Dean of Law are appointed. The current Dean of Business & Economics would be the Dean of the combined Faculty.
3. That two law departments be created. One (private and commercial law) and one (public, environmental, international law) Members of the current Department of Commercial Law in the Business School would become members of the private and commercial law department in the Law School. Each department would have a Head of Department with one Head of Department being the Dean of Law, who would report to the Dean of the combined Faculty, and one Head of Department being the Deputy Dean of Law.

2. Background

Faculty of Business and Economics

The University of Auckland Business School, the leading business school in New Zealand, is renowned for its strong connections with industry and its focus on developing future business leaders. It offers a comprehensive range of undergraduate, postgraduate, and executive education programmes, with numerous opportunities for students to engage in internships, business competitions, and entrepreneurial initiatives. Research is an important focus, with the School hosting several active research centres. The Business School's emphasis on collaboration, innovation, and excellence has solidified its reputation as a top choice for students and professionals. The school has earned prestigious accreditations, including from the triple crown accreditation (AMBA, AACSB International and EQUIS), placing it in the top one percent of Business Schools internationally and reflecting its commitment to high-quality business education and research.

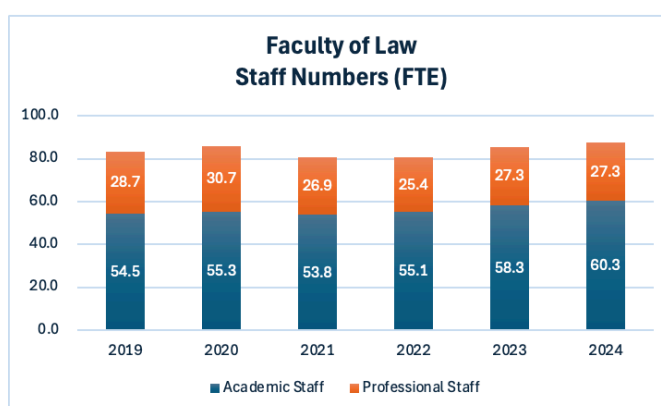
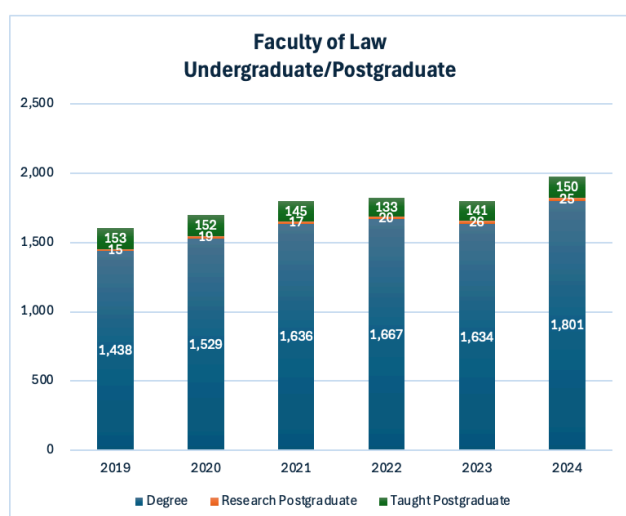
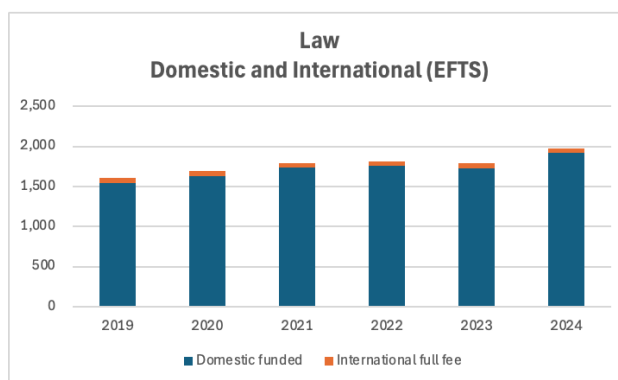
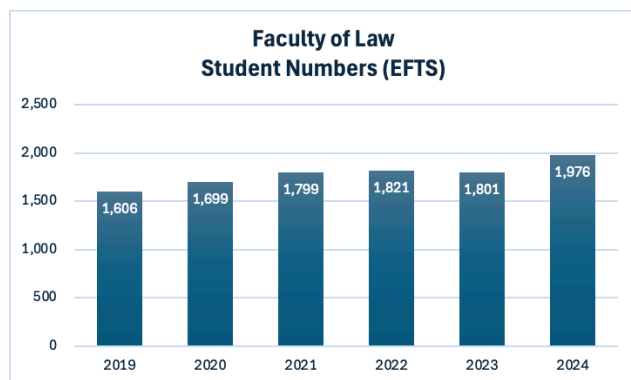


- 4.6% of students identify as Māori (below UoA average 6-7%), 6.5% Pacific (below UoA average 8-9%)

Faculty of Law

The Auckland Law School has been a core part of the University of Auckland since its inception, and is New Zealand's leading law school. The School is one of the highest ranked parts of the university at 55 in QS in 2024. Renowned for its commitment to excellence, the Law School offers a comprehensive range of undergraduate, and postgraduate, and professional development programmes, including the LLB, LLM, and PhD in Law. It is celebrated for producing graduates who are highly skilled, socially conscious, and prepared to make meaningful contributions in both local and global legal spheres. Faculty members are distinguished experts and active researchers, often contributing to influential legal scholarship and policy across a range of legal areas through public law, private law, legal theory, environmental and indigenous law.

Student Profile:



- 9.8% of students identify as Māori (above UoA average 6-7%), 11.9% Pacific (above UoA average 8-9%)

3. Faculty Opportunities and Benefits

By combining the Faculty of Business and Economics and the Faculty of Law the benefits, include:

1. Strengthening Commercial Law

Auckland is the commercial centre of New Zealand, and the University of Auckland should be clearly recognised as the centre of commercial law excellence for the nation. Expertise in commercial and private law is currently spread across the two faculties with minimal interactions making natural synergies and scale difficult. A combined commercial law group would immediately create the critical mass needed to lead commercial law research and impact in the nation. The longstanding research Centre for Law and Business is based in the Law Faculty. Amalgamating the faculties would facilitate the Centre drawing on a wider range of commercial law expertise. It would also facilitate research mentorship in law from more senior academics and create links for the relatively small group of commercial law researchers in the

current Department of Commercial Law.

2. Strengthening postgraduate law and creating opportunities for future Working Professional programmes

The JD programme is a key initiative for the University of Auckland that aligns with the development of the Working Professionals strategy. The Faculty of Business and Economics has developed expertise in the delivery of Working Professional programmes over many years and have been successful in attracting students to those programmes. There is recognition of the different expectations of premium fee-paying students at a different life stage to undergraduate learners and until the new law Building is completed, purpose-built teaching rooms to hold JD classes could be accommodated within the Business School. The infrastructure in place around the Working Professional programmes and the expert professional and academic staff in place combined with the expert professional staff from Law are equipped to enhance student experience for the JD, and also existing postgraduate programmes where student numbers are in some instances less than optimal such as the Master of Laws (LLM) Masters of Taxation Studies (MTaxS) Master of Legal Studies (MLS) and Master of Intellectual Property (MIP). In addition, existing and future postgraduate offerings from the Business School can draw on the expertise of a wider range of law academics.

3. Research Centres

Both Faculties have department and faculty research centres that would be enhanced by involvement of research academics from a wider range of disciplines. For example, the Energy Centre in the Faculty of Business and Economics would benefit from involvement by environmental lawyers and Juncture: Dialogues on inclusive capitalism would benefit from involvement by law academics. Other Centres such as the Aotearoa Centre for Leadership and Governance and the Centre for Research on Modern Slavery have clear relevance for law academics. The co-hosting of Ngā Ara Whetū the University Research Centre by Business would facilitate links with law academics researching on environmental law issues. The funding available through those Centres could facilitate research by law academics in those strategic areas.

Relatedly, the significance of technology law has been recognised by the creation of a cross-faculty law and technology chair through the strategic fund. The Law and Technology Centre is currently based in the Law Faculty. In a combined faculty the Centre could more readily draw on the expertise of the many commercial law academics who specialize in technology law and also on the technology expertise found in disciplinary areas across the current Faculty of Business and Economics, in particular in the Information Systems group. Opportunities for transdisciplinary research would increase.

4. Professional Schools

Both the Business School and the Law School focus on preparing graduates for professional careers - in accounting and in law respectively. Efforts could be combined in the joint faculty and in teaching expertise in key areas such as ethics with the forthcoming appointment of the Professor of Ethics in Business. Expertise in wrap-around support in areas such as the career centre and in industry networking events could be combined and shared programmes such as the women's mentorship programme enhanced.

5. Establishing Pathways to Law in Postgraduate Study

A combined faculty has the potential to create pathways for students from Business to pursue legal studies, making legal education more accessible and inclusive. This approach could broaden the diversity of the student body and enrich the learning environment by bringing together individuals with different perspectives.

6. Leveraging Combined Strengths

By leveraging the combined strengths of Business and Law, the university can prioritize important and innovative areas such as fintech, intellectual property, corporate governance, taxation, law and economics, and international trade law. Legal expertise can further enhance majors and areas in Business such as Human Resources Management (Employment Law) marketing (marketing law), international business (international trade law) and Innovation and Entrepreneurship (intellectual property law). The Commercial

Law Department shares teaching or offers electives in many of these majors; in an amalgamated faculty a wider range of teachers could be drawn on and in addition the electives could be opened up to Law students as well as Business students. Similarly the MTaxS and the MIP (Master of Intellectual Property) currently offered by the Law School would be enhanced by drawing on expertise not just from the academics currently based in the Commercial Law Department but also from academics in those areas from across the Business School. This strategic alignment supports the university’s goals of fostering innovation and maintaining a competitive edge in the academic landscape, keeping the institution at the forefront of evolving global trends.

7. Strengthening Career Paths for Students

A combined Business and Law faculty strengthens the potential career pathways for students by equipping them with an integrated skill set that combines legal knowledge with business acumen, enhancing their employability. Both faculties have strengths in student engagement across a wide range of areas. For example the Business School is internationally recognized for its international leadership in case competitions. The Law School enjoys many successes in mooting and mediation competitions. These clear strengths could be built upon. Additionally, students benefit from expanded networking opportunities, as they gain access to a broader alumni network and more industry connections through the unified faculty.

8. Enhancing access for Māori and Pacific students

The combined faculty will enhance access to both business and legal education by building on existing outreach programs. In addition, the combined faculty will approximately double the size of Māori and Pacific staff, creating a stronger critical mass of staff to have a voice on campus, and to provide support to students.

9. Achieving Economies of Scale and Building a Resilient Faculty Structure

The amalgamation enables economies of scale, optimising resources and lowering overall operational costs. The larger scale could be particularly beneficial to the Law School improving its access to a wider resource pool. It would also create potential career paths within the faculty for professional staff currently in the Law School.

10. Inclusivity

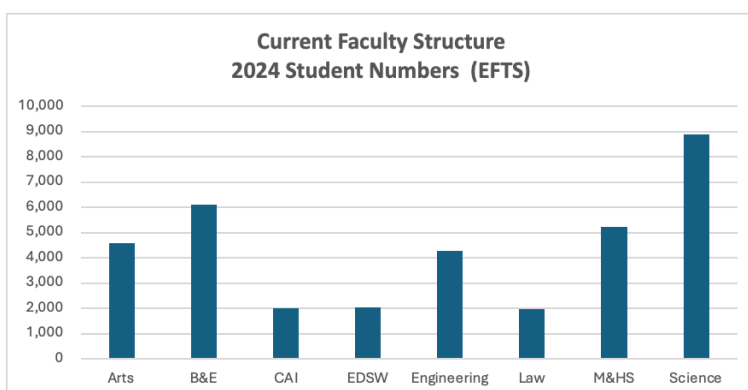
The Faculty of Law currently has minimal research and teaching links across the University. The combined faculty would immediately facilitate links between academics in the law school and business school and may facilitate law school academics to leverage links across the University.

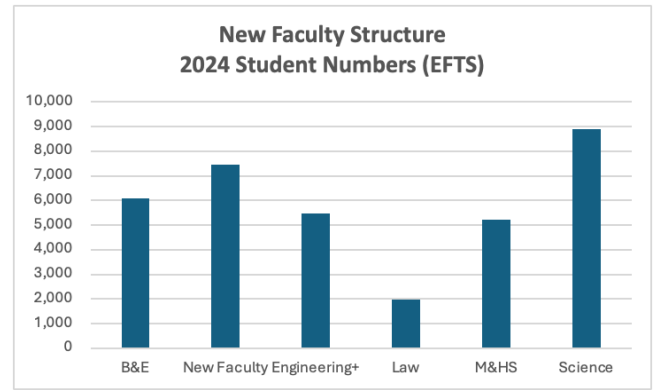
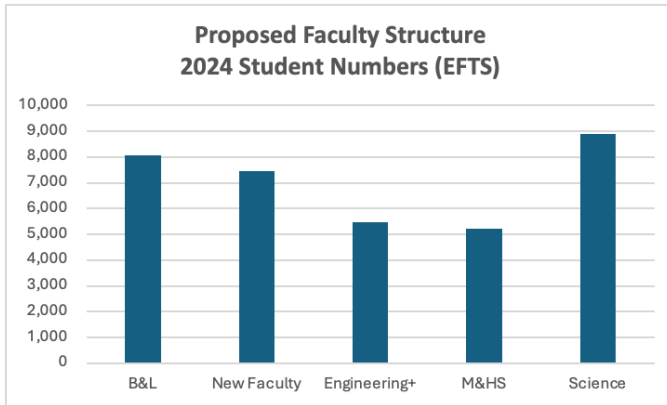
4. Organisational Effectiveness

By further optimising the university’s structure, we aim to improve our internal operations and enhance our ability to achieve our strategic goals, respond to external challenges, and provide greater value to stakeholders.

The University’s current faculty structure comprises 8 faculties, with CAI, EDSW and Law each comprising approximately 2000 EFTS. The changes announced in June result in the establishment of a New Faculty with approximate 7,400 EFTS and a new Engineering + faculty of approx. 5,500 EFTS.

In the new structure, the Faculty of Law is disproportionately smaller than the other faculties (1,977 EFTS), but if combined with Business & Economics (6,101 EFTS), would result in the following faculty structure (Business and Law 8,088 EFTS):





The outcome of the proposed faculty structure would be a new academic leadership team of 5 Deans reporting to the Provost. This has the potential to generate enhanced leadership and organisation effectiveness, including:

1. **Better Alignment with Strategic Goals**
A tighter faculty and leadership structure strengthens the alignment of academic leaders toward shared objectives, ensuring that faculties work cohesively to achieve the University's strategic goals. This streamlined approach also simplifies performance tracking, making it easier to monitor progress and implement corrective actions when needed, supporting continuous advancement toward the University's vision.
2. **Increased Efficiency**
An optimised faculty structure enhances efficiency by streamlining structures and processes across the University, enabling smoother workflows and quicker decision-making. This approach ensures that essential resources are allocated effectively to where they are most needed, maximising their impact.
3. **Improved Collaboration**
A streamlined leadership and faculty structure fosters stronger inter-faculty relationships, promoting enhanced transparency, understanding, and opportunities for collaboration.
4. **Enhanced Flexibility and Adaptability**
A more agile academic structure allows the University to swiftly respond to changing market demands, technological innovations, and regulatory requirements. This flexibility nurtures a culture where new ideas are not only encouraged but can also be implemented efficiently, fostering continuous growth and improvement.

5. Recommendation

By amalgamating the Faculty of Business and Economics with the Faculty of Law, it is proposed to create a distinctive and robust new faculty that capitalizes on the strengths of each. This strategic move will not only balance the faculty sizes but also enhance our academic offerings, provide greater opportunities for students and staff, and strengthen our international reputation. The proposed merger is a forward-looking solution designed to meet the evolving needs of the University and the professions we serve.

Consequently, the following recommendations are proposed for endorsement by the UEC:

1. That the Faculty of Law become part of the Faculty of Business and Economics and the combined Faculty then be re-named appropriately.
2. That the Auckland University Business School and Auckland Law School be retained in the transfer to the new structure, and that transition leadership be established to ensure the changes are effectively managed and to minimize any impacts to teaching and research. An Acting Dean of Law would be

appointed to manage the transition before the Heads of Department\Dean\Deputy Dean of Law are appointed. The current Dean of Business & Economics would be the Dean of the combined Faculty.

3. That two law departments be created. One (private and commercial law) and one (public, environmental, international law) Members of the current Department of Commercial Law in the Business School would become members of the private and commercial law department in the Law School. Each department would have a Head of Department with one Head of Department being the Dean of Law, who would report to the Dean of the combined Faculty, and one Head of Department being the Deputy Dean of Law.

6. Next Steps

Event	Date
UEC Meeting	Tuesday November 5
Send invitations to Faculty Executive and Staff meetings	
Faculty Executive Meetings (In Person)	Tuesday, 12 November
Combined Faculty Staff Meeting (Zoom)	Tuesday 12 November
Regular All UoA Staff Meeting (Zoom)	
Initiate Feedback Phase	Wednesday, 13 November
Faculty Meetings: <ul style="list-style-type: none"> • Business and Economics • Law 	
Feedback Phase Closes	
Documents provided to Review Committee members	
Review Committee Meeting	
Senate Agenda	
Senate Meeting	
Council Agenda	
Council Meeting	

Appendix 1

Change Analysis

Description	Change	No Change
University of Auckland Business School /Law School		Both Schools are retained
Department Structure	The Auckland Law School is expanded with the incorporation of the Department of Commercial Law currently situated in the Faculty of Business and Economics.	
Dean of Law		The position of Dean of the Auckland School of Law is retained and will initially be an internal appointment from within the School reporting to the Dean of the combined Faculty.
Academic Leadership	Current Associate Dean roles within the School of Law will be subject to review	
Academic Staff		No Change
Professional Staff	Professional staff roles will be subject to review to reflect the new organisational arrangement.	
Academic qualifications and programmes		No change is proposed
Research		No change is proposed
Student Learning and Experience		No change is proposed