Enhancing the QLD: internationalisation and employability: the benefits of Erasmus Intensive Programmes

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With the aim of enabling students and teachers to work together in multinational groups in order to gain new perspectives on a specific topic being studied and so benefit from special learning and teaching conditions not available in a single institution, the European Commission funds international Intensive Programmes under the ambit of Erasmus mobility. An Intensive Programme culminates in a short programme of study, lasting from 10 continuous full days to six weeks, which brings together at one of the partner institutions students and teaching staff from higher education institutions of at least three countries who have spent the preceding semester studying the topic under consideration at their home institutions. The purpose of the present paper is to explore the nature of Erasmus Intensive Programmes and their value for law students by sharing the experience of London South Bank University’s engagement in such a programme with four partner institutions from across the EU. The programme constitutes an option module for final year LLB students and LLM students on a relevant LLM programme. The paper considers the parameters within which such programmes operate, their aims and objectives and the extent to which such aims and objectives are made out. It is suggested that such programmes may fulfil a particularly useful function in enabling students on qualifying law degrees in the UK to enhance their employability by participating in an international collaborative project without the need to extend their degree length.

The background

This article seeks to explain how an Erasmus Intensive Programme can be introduced into a standard three-year qualifying law degree in the UK, in the process adding a valuable international element to the degree course and, it is argued, potentially enhancing the employability of the participating students. First, the context is set by a brief consideration of the reasons why UK law students are unlikely to study abroad as part of their undergraduate degrees; secondly, the Erasmus Programme is examined in the context of the European

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Union’s educational policy; then the nature of Erasmus Intensive Programmes is explained; next, there is a case study of a recent very successful Erasmus Intensive Programme in law, and finally, the article seeks to investigate the outcomes of such programmes, particularly whether they enhance the employability of students, and the impact of the international dimension to Intensive Programmes on students and universities. Reference is made to evaluations of the Intensive Programme under discussion and other data and evaluative material relating to the Erasmus Programme.

Two notes of caution are appropriate here, however. There is very little written about Erasmus Intensive Programmes and their effect and impact as a phenomenon distinct from the Erasmus Programme generally. Such literature as exists about Erasmus Intensive Programmes tends to consist of case studies of particular Intensive Programmes, which are mostly sui generis and do not always contain much commentary of more general relevance. Furthermore, it has been noted that data on student mobility generally is not of the highest quality: a HEFCE/British Council report on literature addressing international student mobility issued a “plea for better data” to international and national organisations dealing with student mobility and the institutions concerned.¹ This is echoed in the House of Lords Report of 2012, The Modernisation of Higher Education in Europe which also reported widespread concern about the “lack of good quality data . . . relating to student mobility in Europe”.²

Secondly, students participating in Intensive Programmes will be abroad for a much shorter period than students on a standard Erasmus exchange placement (two to six weeks, compared with a semester or an academic year, as is explained below). It is an important question to what extent the benefits asserted for Erasmus exchanges in evaluative studies can be assumed to attach to participation in Intensive Programmes; there appears to be little research addressing this specific point, although there is anecdotal evidence from students who have participated and from published case studies on Intensive Programmes and from some accounts of particular Intensive Programmes of the kind mentioned above. However, as will be explained below, in reality the international collaborative elements of Intensive Programmes involve students for considerably longer than the short study period abroad, and for universities, are often part of a long-term process of increasing international collaboration, the effects of which feed back into the institution and its staff and students.

¹King, R., Findlay, A. and Ahrens, J. International Student Mobility Literature Review, November 2010. Report to HEFCE, and co-funded by the British Council, UK National Agency for Erasmus: para. 139. Available at http://www.britishcouncil.org/hefce_bc_report2010.pdf (accessed 28 October 2012).
²House of Lords, European Union Committee. The Modernisation of Higher Education in Europe. HL Paper 275, 22 March 2012; para. 64. Available at http://www.publications.parliament.uk/pa/ld201012/ldselect/ldeucom/275/27502.htm (accessed 20 October 2012).
The law degree in the UK

The requirements of a qualifying law degree (QLD) in the UK mean that in a standard three-year LLB, the seven foundation subjects dominate the timetable and there is generally only a little room for optional modules. It is also often the case that a student on a QLD will in fact be doing at least one compulsory “foundation” subject during the entire currency of the degree. If that is the case, it is clearly not possible for a student to study abroad for part or all of one of the three years of the degree under the standard Erasmus student mobility scheme, since this will result in the student missing out on one or more compulsory foundation subject modules: it is unusual for any of the three years to be free of such subjects. Students may of course study abroad for an extra year, adding a year to their degree, and a number of universities actively promote this as part of a four-year law degree. Students studying abroad under the Erasmus scheme do not pay fees to the home or the host university if they are studying abroad for the whole academic year, though they do continue to pay fees to their home university if they are only away for a term or a semester. They obtain a non-repayable Erasmus grant towards the cost of their travel and living costs abroad and continue to be eligible to access student maintenance loans and grants. However, especially for law students who may well have to incur further debt when undertaking required professional courses, the idea of adding a fourth year into a three-year degree is often unattractive: the Erasmus grant does not cover all of their living costs and therefore most students will be adding to their debt burden by increasing the length of their degree. If the law degree does have a semester free of QLD modules, a student could in theory study abroad for that semester forgoing optional modules in the UK university, though they would still have to pay fees to their home university for the semester abroad. However, since any such semester in UK law degrees usually takes place in the final year, when assessment marks contribute towards the final degree classification, most students are reluctant to take what appears to be a risk of having marks from an unknown foreign university affect their final result.

This means that for many law students in the UK, a period of study abroad under the Erasmus student mobility scheme is unlikely. It must be said that studying for a period of time in a European university is something which too few British students of whatever discipline do, and a considerably smaller proportion of the student body than our European neighbours: fewer than 2% of students in the UK, compared with 6% of German students, 4% of French students and 10% of Spanish students. Given the value which studying abroad adds to a CV this is a great pity: the 2006 study into the impact of Erasmus mobility on students who have participated in the programme (the most recent such official study) demonstrated that such students were

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3Grove, J. “Russell Group Students Dominate Erasmus Scheme”, *Times Higher Education*, 29 July 2012.
perceived by most employers as having significantly superior competences than students who had not participated in a number of important spheres, leading to enhanced employability. This was on the basis that they were noticeably ahead of their counterparts in foreign language proficiency, intercultural understanding and competences, knowledge of other countries, preparation for future employment and work and academic knowledge and skills. At a reception in May 2012 to mark the Erasmus programme’s 25th anniversary, Steve Beswick, Microsoft UK’s director of education stated that study abroad was vital in improving the skills of British graduates. “Diversity and appreciation of cultural differences are competitive weapons . . . having international experience is vital”. David Docherty, chief executive of the Council for Industry and Higher Education has said, speaking of the low take up of Erasmus places by UK students, “This is bad news for UK plc . . . businesses see former Erasmus students as future leaders. It is now time for the UK to catch up and focus on building its own Erasmus Generation”. These comments are echoed in the House of Lords Report which stated “We note that students in other European countries appear to be more predisposed to participation in the Erasmus programme and mobility schemes generally. We urge the Government and universities to do more to tackle the barrier to mobility in the United Kingdom”. There are probably a number of reasons for the disappointing participation of British students in the Erasmus programme, ranging from the relative inflexibility of many British degrees (not just law degrees) compared with degrees offered in other European countries, to the much vaunted British reluctance to learn other languages (and lack of awareness of how many degree courses in European universities are now wholly or partially taught in English), and an island mentality.

It is suggested that an Erasmus Intensive Programme may be a way for students studying for law degrees in the UK to gain some of the advantages of a study period abroad, in terms of enhanced employability and international awareness, whilst not extending their degree length, the intensity and multinational dimensions of Intensive Programmes compensating for their relatively short duration. It is worthy of note that one of the recommendations to the UK government and the European Commission made by the House of Lords is for support for much shorter Erasmus placements to facilitate participation by a wider range of students and on the basis that shorter periods abroad would still be beneficial in many ways.

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4 International Centre for Higher Education Research, University of Kassel. The Professional Value of ERASMUS Mobility, Final Report, 2006.
5 Beswick, S. quoted by Grove, supra n. 3.
6 Docherty, D. “Universities Need to Work Harder to Turn UK Students into Global Graduates”, Guardian, 29 November 2011.
7 Supra n. 2, para. 75.
8 Ibid. paras 92–94.
Education in the European Union – the Erasmus programme and student mobility

Before exploring the nature of the Erasmus programme and Erasmus Intensive Programmes in particular, it is pertinent to consider briefly the competence of the European Union in higher education. The following is an extract from the Europa website:

The EU has a supporting role in education and training policies. Member States are in charge of their own education and training systems, but they co-operate within the EU framework in order to achieve common goals.9

Education has traditionally been regarded as within the province of the Member States although the EU has always had a significant role in the recognition of professional qualifications. While vocational training was identified as an area of Community action in the Treaty of Rome in 1957, education was formally recognised as an area of European Union competency only in the Maastricht Treaty 1992. The “supporting role” referred to in the extract from the Europa website above is an implicit nod to the principle of subsidiarity.

The relevant Treaty article is now Article 165 of the Treaty on the Functioning of the European Union (TFEU); this states:

[...]he Union shall contribute to the development of quality education by encouraging co-operation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organisation of education systems and their cultural and linguistic diversity.

This was a continuation of the position since the introduction of Community competence in the sphere of education, carefully delineated and circumscribed, since the Maastricht Treaty 1992. The Treaty of Lisbon, in force since 1 December 2009, did not change the provisions on the role of the EU in education and training.10

In the specific context of higher education, which has been recognised, provided it is publicly funded, as being within the scope of the Union’s competence since the Gravier11 and Blaizot12 judgments, the European Commission operates the Erasmus Programme, introduced in 1987 and currently part of the Lifelong Learning Programme. According to the Commission, this is the

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9http://ec.europa.eu/education/lifelong-learning-policy/doc30_en.htm (accessed 25 October 2012).
10Ibid.
11Gravier v City of Liege Case 293/83 [1985] ECR I-593.
12Blaizot v University of Liege and Others Case 24/86 [1988] ECR 379.
“EU’s flagship education and training programme enabling 200,000 students to study abroad each year”.  

Teichler has pointed out that students have travelled to different countries to study for hundreds of years: he states that historians suggest that about one-tenth of students in medieval universities came from other countries.  

Within Europe, the Erasmus programme has undoubtedly promoted and led to a growth in student mobility, though there was much to build on already, particularly in the context of students coming from countries with colonial links, or by virtue of geographical and cultural connections or a historical tradition of student exchanges. However, the statistics as to the number of students participating in Erasmus programmes generally are impressive: to date more than 2.2 million students.  

According to Jan Figel, who served as European Commissioner for Education, Training, Culture and Youth from 2004 to 2009, four out of five Erasmus students have been the first in their family to study abroad and Erasmus programmes have “given ‘Europe’ real meaning in hundreds of thousands of families for whom it would otherwise have remained a vague and abstract concept”.  

The Commission’s literature about the Erasmus programme presents an entirely positive perspective. It behoves us to consider other stakeholders in higher education: it has been noted that some Member States may fear “brain drain” (i.e. short-term student mobility leading to long-term mobility, which could lead to shortages of domestic manpower). It is also worth commenting that the traditional impetuses for mobility, often arising from colonial links, still persist and can be regarded as economically important for national governments who may have agendas for the promotion of student mobility, particularly inward, which are not altogether in line with the rationale of the European Commission, consisting of a more general internationalisation policy than the development of the New Europe, and also simply as a source of income. It is also the case that student mobility is attributable to increasing globalisation as well as to the development of European integration: Teichler

13 http://ec.europa.eu/education/lifelong-learning-programme/doc80_en.htm (accessed 25 June 2011).  
14 Teichler, U. “The Changing Role of Student Mobility” (2007). Available at http://portal.unesco.org/education/en/files/53904/11858759925Changing_role_student_mobility.pdf/Changing_role_student_mobility.pdf (accessed 30 June 2011). See also Van Damme, D. “Quality Issues in the Internationalisation of Higher Education” (2001) 41 Higher Education 415–441 at 415.  
15 Supra n. 9.  
16 Loveland, E. “Student Mobility in the European Union: An Interview with Jan Figel, European Commissioner for Education, Training, Culture and Youth”, International Educator, Nov/Dec 2008, 22–25 at 22.  
17 Huisman, J., Luijten-Lub, A. and van der Wende, M. “Explaining Domestic Responses to European Policies: The Impact of the Erasmus Programme on National Higher Education Policies”, in Tight, M (ed.) International Relations, International Perspectives on Higher Education Research, Volume 3 (Emerald Group Publishing Limited, 2005).  
18 Teichler, U. “The Changing Debate on Internationalization of Higher Education” (2005) 48 Higher Education 5–26 at 22.
Cherry James considers “Europeanisation” as part of the larger phenomenon of “internationalisation” or “globalisation” and points out that whilst each term “addresses the process of internationalisation”, each has a different emphasis. This is not to undermine the value of a specifically European focused mobility programme but rather to highlight its place as part of a larger scale agenda.

A word of caution is in order. The focus of this article is on Erasmus Intensive Programmes (IPs), which are explained in the section below. Much is written about student mobility and Erasmus programmes in general. However, it is sometimes difficult to disentangle what is written concerning participation in Erasmus IPs from that written about Erasmus programmes overall. Not dissimilar problems arise when investigating student mobility on the world rather than the EU stage, given that in statistics published by UNESCO, OECD and various different agencies there is no agreed definition of “foreign” or “international” students, of student mobility, or of the concept of study abroad: some students whose nationality differs from that of their host state in fact regard their host state as “home” as they have attended secondary school there, and some students who hold the nationality of the state in which they are studying, in fact studied abroad before returning home to study further.19 There is also a decided lack of data available about students participating in IPs, since most countries do not include short-term mobile students when gathering information about mobile students.

Erasmus Intensive Programmes

The Erasmus programme is best known for facilitating university students to spend periods of three months to one year studying in a university in another EU Member State. However, funding is also available for shorter programmes which involve students and staff from universities of different EU Member States (and a few other countries) to spend a short period of time studying a particular specialised topic together. Such programmes are called, not without reason, “Intensive Programmes”. Over time the Commission has developed an emphasis on curricular innovation and under the Erasmus umbrella a greater share of resources has been apportioned to Intensive Programmes and Curricular Development.

The European Commission describes Intensive Programmes, of which over 250 take place throughout the EU each year, in the following way:

An Intensive Programme (IP) is a short programme of study which brings together students and teaching staff from higher education institutions of at least three participating countries. It can last from 10 continuous full days to 6 weeks of subject related work.20

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19 Teichler, U. “Changes of ERASMUS under the Umbrella of SOCRATES” (2001) 5 Journal of Studies in International Education 201–227 at 210.
20 http://ec.europa.eu/education/erasmus/doc900_en.htm (accessed 27 June 2011).
The Commission's information pages on the Europa website on IPs provide a very comprehensive overview. Certain particular features merit highlighting. In the words of the Europa website, an Erasmus IP aims, inter alia, at:

- Encouraging efficient and multinational teaching of specialist topics which might otherwise not be taught at all, or only in a very restricted number of higher education institutions;
- Enabling students and teachers to work together in multinational groups and so benefit from special learning and teaching conditions not available in a single institution, and to gain new perspectives on the topic being studied;
- Allowing members of the teaching staff to exchange views on teaching content and new curricula approaches and to test teaching methods in an international classroom environment.  

Essentially these aims and objectives focus on the international element of the programme, and also its alleged particular pedagogical advantages: the facilitation of the study of topics which may not usually be available; and an emphasis on novel approaches to teaching. The former of these themes is in line with some of the advantages widely cited for international student mobility in general. The latter is perhaps more specific to IPs, with their relatively short duration, and the fact that the subject matter of an IP will be the sole subject studied, i.e. fill the teaching timetable for the duration of the programme rather than simply being one module studied for a period of time alongside others. That it is not overoptimistic to talk about the pedagogical advantages which many emanate from IPs is borne out by some of the literature which gives accounts of particular IPs; for example, a paper on an IP involving eight higher education institutions between 2007 and 2010 states that “the 2 week programme provide[s] a pedagogical framework for trialling innovative and interactive approaches . . . ”.  

Taking these points further, the following comments can be made. First of all, various points are made about the nature of the subject matter studied during IPs. The focus is firmly on specialist topics which might otherwise not be taught at all or taught only in a few HE institutions, and the teaching of which has not before been funded as an IP. Multidisciplinary topic areas which will involve students from different academic disciplines are strongly encouraged. It is emphasised that an IP may not be constituted by research activities or conferences: it is intended to provide a new learning opportunity for the teachers.

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21 Ibid.
22 Clough, N., Tarr, J., Macedo, E. and Cortesao, L. “Testing the Impact of Innovative Pedagogies for Higher Education”. Paper presented at the European Conference on Educational Research, Helsinki, August 2010. Available at http://eprints.uwe.ac.uk/12926/2/Clough2010Testingtheimpact.pdf (accessed 25 October 2012).
and students participating; it can be a “one off” or last for up to three years (the maximum duration of funding for the same or a similar IP).

Secondly, consideration is given to the international nature of the group and the benefits that it is hoped this will engender: this is self-evidently key. One of the aims of IPs is asserted to be to enable “students and teachers to work together in multinational groups . . . and to gain new perspectives on the topic being studied”. The IP must involve at least three HE institutions from three different countries participating in the Lifelong Learning Programme, at least one of the institutions coming from an EU Member State; as stated above, countries other than EU Member States participate in the Lifelong Learning Programme: currently 33 countries participate.23 The IP must take place in a country eligible to participate in the Lifelong Learning Programme.

A number of other requirements are stipulated. These are mostly of a procedural and organisational nature, and concern such matters as the number of students (no fewer than 10), the requirement for at least 10 days’ continuous work (weekends off are permitted), that there is a strong preference that the students should be rewarded for their participation in the form of European Credit Transfer and Accumulation System (ECTS), and that ICT tools should be utilised in the design and follow up of the IP.

The recognition of the period of study abroad by the home university is an issue not confined to IPs. The Commission has attempted to address this by promoting the use of ECTS. This was initially a pilot project supported by the Commission; it started in 1990–91 and by the end of the century about half of all Erasmus students were awarded credit by their home university in respect of their studies elsewhere as Erasmus students. It is now also promoted outside the EU framework by the intergovernmental Bologna Process.

One of the great benefits of Intensive Programmes for students, therefore, is that they provide the possibility of a short period abroad studying alongside students of different nationalities without having to add to their degree length; the Intensive Programme can be designed to be embedded in an optional subject with the relatively short period abroad being at least partly in university vacation periods.

The second half of this article consists of a case study of a recent law IP, followed by consideration of the extent to which an IP can be considered to enhance employability and the impact of the international dimension to IPs. To give sharper relief to the special nature of IPs, it is worth first outlining briefly the differences between “standard” Erasmus student mobility (where students undertake a period of study at a higher education institution in a country other than the one in which they are registered for their degree) and mobility consequential upon participation in an IP. Some of the most significant differences are listed below:

23 Supra n. 9.
(1) All teaching and study time for the period of the Intensive Programme is devoted to its subject matter: for the period of the time abroad it is not studied alongside other modules. The “intensive” nature of the engagement over this period is evident.

(2) An IP is not an exchange programme for individual students of particular universities in different European countries. It is instead a collaboration between a group of higher education institutions: at least three higher education institutions from three different countries must participate. This significantly increases the international dimensions of the programme: students work with other students from a number of different institutions in different countries and may thereby be exposed to a variety of different learning styles and cultural approaches. It is expected that they will be working collaboratively in teams for much of the time abroad, something of which prospective employers may be particularly appreciative.24

(3) The programme is devised co-operatively between the participating institutions, thus ensuring a variety of different perspectives on the subject matter and on the pedagogical approaches used.

(4) The fact that the students participating in the programme are staying in the host country only for a short time impacts on the accommodation they are likely to use; it is less likely that they will be able to be accommodated in standard student residences at the host institution whereas this is often facilitated for standard Erasmus students. It is more likely that they will be staying together as a group in hostel accommodation or similar (the Erasmus Programme funds the travel, accommodation and living expenses of all participants but unsurprisingly does not provide for particularly luxurious living). They will therefore mix in their group but may not integrate socially with the wider student community of the host institution to any great extent, though this is heavily dependent on the efforts made by the hosts; they will not be having classes with students from the host institution except for the relatively small number from that institution participating in the programme.

(5) There is no doubting the importance attached by the Commission to the use of Intensive Programmes as a vehicle for curricular innovation. The Europa website states that IPs “should provide something new in terms of learning opportunities, skills development, access to information, etc. for the participating teachers and students and promote an element of curricular development”.25 This can of course be a way of feeding the benefits of student mobility (still the preserve of the minority) to the majority. However, it has been reported26 that

24Participants in the IP under discussion in this paper have commented to this effect. Evaluations and supporting documentation are with the author. See also n. 31 below.
25Supra n. 20.
26Supra n. 19 at 217 and 222.
many academics involved in curricular innovation under the auspices of Erasmus programmes feel that there is a need to help in disseminating the results of such innovations with a view to improving on and widening the impact of successful innovations and learning from less successful ones. This comment is clearly related to the apparent paucity of the literature in this field.

(6) The most obvious difference between “standard” Erasmus mobility and IPs is the length of time spent abroad. It is a significant question as to how far the advantages accruing to students from participating in an Intensive Programme, the maximum duration of which is six weeks, can be expected to be similar in nature to those for students participating in a longer Erasmus exchange (the normal duration of which is three months to one academic year). This is considered further below, but scepticism should be tempered by awareness that an IP is by no means just a shorter version of a standard Erasmus period abroad but will involve collaboration with students from countries other than just those at the host university, working in teams and exclusively focused on the IP for the period abroad, which is preceded by a much longer period of preparatory work at the home institution when however students will be communicating and sharing their learning online.

A case study

London South Bank University (LSBU) was approached in 2009 by Inholland University of Applied Sciences in Rotterdam (universities of applied science in The Netherlands are roughly equivalent to the pre-1992 polytechnics in the UK) about the possibility of being one of five partner universities to apply for funding for a three-year Intensive Programme. Inholland took on the role of the co-ordinating institution. One of the higher education institutions participating in an Erasmus IP has to take on this role; there is a lot of bureaucracy and administration involved and it is not to be taken lightly. Van Damme27 refers to the “bureaucratic over-regulation” and “exaggerated paperwork”. However, Inholland were very suited for the role as they both send and receive a great many students under the Erasmus student mobility programme and have an experienced and well-staffed International Office. The other universities were the University of Ulster (it is permissible under Erasmus IP funding rules that more than one of the partner universities is located in the same country though there must be at least three countries represented), the University of Pecs in Hungary and the University of Cergy Pontoise, near Paris in France.

The initiative for the IP came from a small group of law and criminology lecturers at Inholland. Both lecturers and staff from these departments had formed working relationships over a number of years with the other universities

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27 Supra n. 14 at 430.
in the group, not all of whom had worked with each other but some of whom had (LSBU has a long-standing relationship with Cergy-Pontoise University in France and has hosted a number of Erasmus exchange students from that university in the Law Department). The choice of subject matter is clearly significant. The Commission notes certain preferences which guide the design of IPs. Preference is given to IPs in rapidly evolving and new areas and if the IP is situated in a subject area which does not readily lend itself to an extended period of study abroad.

With this in mind, the subject matter fixed on for the IP can best be described as EU criminal and migration law, which by virtue of the then imminent coming into force of the Treaty of Lisbon was particularly topical: the law and policy relating to the Area of Freedom, Security and Justice (AFSJ): Title V of the TFEU. The rather grand official title of the IP was “Citizenship and Combating Crime in the EU”. At the time the IP was being discussed – and to a considerable extent still now – this was certainly an area which was recognised as ripe for academic focus; there were many conferences on the topic and it was recognised that it constituted a considerable development for EU lawyers who would have to begin to take more notice than before of criminal law and for criminal lawyers who thought they had escaped from EU law after law school. It was not an area encompassed by a standard EU law course but some universities anticipated it would become a “stand alone” subject studied in its own right. It was thought that this satisfied the Commission’s preference for new and rapidly evolving areas. It was recognised that students needed to have studied EU law and criminal law before participating in the IP and satisfactory completion of such subjects at their home institutions was made one of the requirements of participation.

It was decided to design and apply (ultimately successfully) for funding for an IP of the minimum length of two weeks, which could be fitted, wholly or partially, for most of the participating universities into the Easter break. An IP can be integrated into a degree programme either as a free-standing study programme, probably undertaken in the holidays, or embedded into an optional module. As stated above, the IP itself has to consist of at least 10 continuous days’ study (weekends can be off!) and no more than six weeks of study. It can therefore fit into a university holiday and indeed will generally need to since one of the requirements of an IP is that during the IP study days, the students should be studying the subject of the IP full time and should not be doing any other modules in parallel, as they would usually be doing during term time at their home institution.

The topics coming under the general umbrella of the AFSJ also sat well with the teaching and research interests of lecturers from the participating universities, who between them and with the incorporation into the IP teaching team of other colleagues were able to offer specialisms in regular and irregular EU migration (i.e. standard free movement of persons and also in asylum law), in EU criminal law particularly relating to terrorism and organised crime, and in
state surveillance. Most of the lecturers were from the law departments of the participating universities but a couple from criminology departments. It was decided that there should be six specialist topic areas with one student at each university assigned to each topic area, each of the five universities therefore providing five students. The topic areas were terrorism, organised crime, state surveillance, asylum and immigration, free movement of persons and citizenship. As will be seen, these specialist topic areas fed directly into the assessment pattern.

The full teaching programme incorporated some preparatory work undertaken at home universities during the “pre-IP phase” when students were undertaking their usual term-time timetable, as well as work done during the IP phase during the Easter holidays. The European Commission also puts great emphasis on the IP providing something new in terms of learning opportunities and skills development, for both the students and the staff. The teaching programme was therefore designed to incorporate a variety of innovative assessments. It was also borne in mind that the Commission’s requirements for IPs were to enable students and teachers to work together in multinational groups and experience an “international classroom”.

With this in mind, the teaching and assessment pattern for the IP was devised as follows.

In the pre-IP phase at home universities, students attended classes on the development and principles of EU AFSJ law. In three of the five universities, some of these classes were delivered by lecturers visiting from other universities participating in the IP, such visits funded by the Erasmus staff mobility scheme, thus introducing the students to different national perspectives on the IP topic and also to different approaches to teaching and learning, thus introducing the international dimension to the experience of the IP some weeks or months before the period of study overseas. The students wrote two papers; the first one was a group project undertaken by the participating students at each university, looking at the implementation of AFSJ law and policy in the Member State in which their university was situated. Doing this as a group exercise had the benefit that students experienced a group work project in the more comfortable context of their home university before embarking on another group project in the arguably more challenging environment of an international group during the IP.

The second and shorter paper written by each student at this pre-IP stage focused on an issue within that student’s specialist topic area, the paper written from the perspective of the law and policy in the Member State of that student’s university. The titles of the papers were set jointly by the IP lecturers, and therefore each student assigned to a particular specialist topic wrote a paper on the same issue as the students assigned to that specialist topic at the other universities.

All the papers were uploaded on to a dedicated Blackboard (Virtual Learning Environment) site made available to all students and staff
participating in the IP and it was required that all students read all the other papers from their own and the other universities in advance of the IP.

The IP itself, when the participating students and staff gathered at one of the participating institutions for two weeks during the Easter break, commenced with short oral presentations from all the students on their national group papers and their individual papers. There were also lectures on specialist topics given to all the participating students, as well as specialist guest lectures which varied from year to year according to local availability of appropriate guest lecturers. With an emphasis on showcasing national approaches to law which could be contrasted with each other, there was also a moot court activity in which students were given a problem scenario relating to the subject matter of the IP and had to prepare a moot on the relevant legal issues as it would be heard in the highest court of their country. For this exercise, the students worked in groups with the other students from their home university, with guidance and coaching from one of their own lecturers. The moot problem was not presented to the students as it would be for a moot in the UK; rather, a detailed scenario with a number of possible legal issues was provided to the students, who first had to identify (and, realistically, given time constraints, select) one or two legal issues which could be mooted, and then formulate their moot as though for their country’s highest court; there were therefore five moots in all, each one involving the students of one of the participating institutions. Preparation for the moot court exercise was preceded by a day in which the participating staff gave lectures on the court systems and court procedure in each of the participating countries, and then a very long day (and evening!) of preparation and coaching for the moot. Staff acted as judges for the moot involving their university’s students. Students voted this exercise one of the highlights of the IP and it provided an opportunity to showcase differences in court procedure, judicial functioning and in national constitutions.

The main remaining task for the students during the IP was for them to work in international specialist topic groups (i.e. the students who at their home universities studied terrorism worked together, those who studied asylum worked together, etc. so that each group is comprised of one student from each university who had at their home institution studied the particular specialist topic of the group). Each group was given the same fairly lengthy problem scenario which encompassed issues of law relating to the Area of Freedom, Security and Justice, and had to produce a group paper commenting on the relevant law in their topic area as it applied to each of the individuals in the scenario. Much of the work involved in the preparation of these papers was undertaken by each group working on its own, but each group was assigned a lecturer with specialist knowledge of that area of law who met with the group daily to guide and advise. Each group wrote up its paper in the usual way but also had to present its findings orally on the last day of the IP.

As can be seen, the assessment methods used were diverse, incorporating individual papers, group papers produced both in national groups and also
in international topic groups, oral presentations, and mooting. The range of assessments enabled students not only to develop and demonstrate a range of research, writing and oral skills but also to work with students from different countries, and in so doing to learn something about the areas of law and policy which affect all of the countries represented in the IP but which might be implemented or operated in different ways in different countries. This fitted with the aims of Erasmus IPs in that it “... enables students and teachers to work together in multinational groups. . . and to gain new perspectives on the topic being studied”.

As previously indicated, during the period of the IP students were not studying any other modules and therefore all their time was dedicated to the IP. The lectures and work periods were punctuated with visits and guest lectures arranged according to the location (for example, in 2011 they visited a Hungarian prison) and also with specific training in presentation skills and in intercultural communication. For example, there were discussions about the expected level and nature of participation in the classroom; in Hungary, students are not at all used to an interactive style of teaching and learning; in The Netherlands, feedback is notoriously to the point and direct. Discussion of these differences rapidly increased mutual comprehension and decreased the risk of offence being taken at certain types of behaviour.

Those familiar with this area of EU law will have immediately seen that the Area of Freedom, Security and Justice gives itself well to multinational study not only because it is an area of law affecting the whole of the EU but also from the UK’s point of view because the UK negotiated a special position with regard to the AFSJ which is reflected in Protocol 21 TFEU and whereby essentially it has a right to opt into measures taken under Title V TFEU but is not automatically bound by them. Such topics as terrorism and organised crime also involved varying considerations because of different national issues, and the free movement and citizenship topics generated different issues and awareness of EU legislation the applicability of which varied by virtue of the Schengen Area.

The outcomes of Erasmus Intensive Programmes

As stated above, it is suggested that Erasmus IPs may have a useful role to play in a QLD by virtue of introducing an international element to the course, which may enhance employability and also have a positive impact on students and indeed their universities by virtue of the international nature of the collaboration constituted by the IP.

One obvious feature of IPs is that the period spent abroad is not long: as prescribed by the Commission, a minimum of two and a maximum of six weeks. Stronkhurst28 reports the findings of an evaluation study concerning

28Stronkhurst, R. “Learning Outcomes of International Mobility at Two Dutch Institutions of Higher Education” (2005) 9 Journal of Studies in International Education 292–315 at 292.
the effects of international mobility in terms of specific competencies (largely international and intercultural competencies in the professional sphere, not just student satisfaction, the subject of most such evaluations), which suggests that periods of three to four months of study abroad are too short to achieve much progress in these competencies. In the context of Intensive Programmes the question arises as to how much value is added from short international periods of study, though it should be noted that the evaluation mentioned here looked at the development of particular competencies. However, the study referred to, although questioning the extent of the benefits accruing from short periods of study, gives grounds for optimism in the context of IPs: Stronkhurst reports that intercultural competencies are primarily developed in situations where prolonged and intensive interaction occurs between students of different cultures, for example through projects or assignments in which students of different cultures have to work and co-operate towards the same goal. This is precisely what IPs do, as the case study above indicates, and it is in this respect that IPs differ from “standard” student mobility where students simply study in another country for a period of time alongside students registered at the host institution and where the interaction may take longer to develop and be rather less intensive or focused on collaborative outcomes.

Whether or not specific competencies are advanced measurably, the intensive nature of the short period abroad does appear to be considered by those who have been involved in IPs to have a noticeable and worthwhile impact arising from students from different countries working together intensively. Evidence to support this assertion comes from evaluations and comments from students who have participated in the IP under discussion in this paper and also from literature on international collaborations such as IPs. A paper discussing an Erasmus IP which brought together students and staff from three European universities and one Canadian associate to engage in a practical project in the field of hydrographic survey training noted the added value of the international cooperation involved in students working in international teams to students, staff and the industry, with a very positive response noted from companies involved in providing equipment and the like demonstrating clear interest in the international co-operation inherent in the project.29 A report of an Erasmus IP led by the Latvia University of Agriculture states that projects such as IPs facilitated networking as well as the development of intercultural skills and highlighted with approval the particular conditions of teaching and learning inherent in working in multinational groups.30

29Seube, N and others. “The European Union Erasmus Intensive Program in Hydrography and Geomatics: Survey Training at the International Level”. Canadian Hydrographic Conference, Proceedings, 2012. Available at http://hdl.handle.net/1854/LU-2112335 (accessed 29 October 2012).

30Civzele, O and Turusheva, L. “Intensive Programmes as a Means of Multinational Collaboration and Development of Students’ Skills”. INTED2012 Proceedings, 1608–1615. Available at http://library.iated.org/view/CIVZELE2012INT (accessed 25 October 2012).
Evaluations of the IP in which students from London South Bank University participated reveal the benefits which can accrue from even a programme of a short duration. After only a few days, participating students commented on the similarities and different ways of approaching a subject taken by those at universities in different countries from their own. Furthermore, in several cases the experience of living and studying abroad even for a fortnight opened students’ eyes to the possibility of pursuing postgraduate level studies abroad when by their own admission they would not previously have contemplated pursuing such studies abroad. Some students from a number of the universities participating in the IP have gone on to full year Erasmus exchanges as a result, again something which they had not previously been considering; a high proportion of students have commented on the real interest shown in their participation in the IP by employers interviewing them for training contracts, pupillages and other forms of employment. One participant states “Erasmus is a very recognisable ‘brand’ for employers and law schools and the experience of studying overseas is a useful way of standing out as a candidate”. Another student stated “Skills drawn from the programme . . . enhanced my prospects in securing the position [in a leading London criminal defence practice]”. 31

Although the evidence is anecdotal, and it is not possible to determine that participation in the IP was actually a cause of obtaining particular employment, it does appear to indicate that one of the benefits of IPs should be seen in terms of their enhancement of employability, and in this respect they should be attractive to and encouraged by university management. Clearly this is an area which would benefit from further formal and probably discipline-specific research, as it may be that employability is affected in different ways depending on the subject area of the degree and the type of employment students are entering. The report for HEFCE referred to above 32 notes the link between mobility and employment as an area in need of a “scientifically rigorous study” to investigate the “broad statistical indicators” and “anecdotal evidence from interviews with employers”. It is worth adding to this that there does not appear to be any study which focuses specifically on the question of whether participation in Erasmus IPs, as distinct from Erasmus mobility generally, enhances employability, although as noted above, students who have participated believe that it has helped them in obtaining interviews and employment. A major study on the professional value of Erasmus mobility was undertaken for the Commission and reported in 2006; this is largely very positive, reporting that “a temporary period of study in another European country helps to enhance international competences, contributes to international mobility of graduates and places former Erasmus students in visibly international professional positions” 33 and stating that this confirms earlier studies.

31 Written comments and evaluations from students participating in the IP are with the author.
32 Supra, n. 1 at paragraph 137.
33 Bracht, O., Engel, C., Janson, K., Over, A., Schomburg, H. and Teichler, U. The Professional Value of ERASMUS Mobility (International Centre for Higher Education Research, Kassel, Germany. Nov. 2006).
However, Erasmus IPs with their distinctive form of mobility are not separated out from Erasmus student mobility in general and therefore the extent of the applicability of the study's findings to Erasmus IPs is open to question. Teichler and Janson analysed this study alongside two earlier ones and concluded that “The temporary study period in another European country undertaken in the framework of Erasmus certainly turns out to be professionally valuable” and that “Their [former Erasmus students] international experience seems to have been helpful for most of them in getting employed for the first time”. 34

It is also worth noting that when considering the benefits which accrue from the international aspects of the programme, it is a mistake to focus too exclusively on the benefits accruing to students alone. A case can be made that in a programme which is carefully designed to consist of collaborative work between a number of different institutions and their students and staff, the benefits are felt more widely and in terms not just of the increased international outlook of the participating students but also of the participating institutions and staff. An account of an Erasmus IP in the field of health and social care notes the increasing extent of academic mobility between higher education institutions in Europe and throughout the world but also the challenges which can arise and concluded that “creating and using international learning environments yields enormous pedagogical . . . value which may be particularly well suited to enable students and teachers to exchange knowledge and ideas.” 35 Another account of a series of IPs, this time in the field of teacher education, refers to the “community of learners” established by the IPs which provided continuing contact for learning via online social networks, Virtual Learning Environments and the researching of IP themes by doctoral students. 36 Furthermore, as noted above, IPs can provide the opportunity to constitute a test ground for innovative pedagogical approaches, something encouraged by the Commission itself, which can potentially feed back into teaching and learning strategies at the institutions involved. 37

As stated above, Stronkhurst has commented 38 on the limitations of most of the formal evaluations of Erasmus student mobility which are available, and this
paper has noted the paucity of research into Erasmus Intensive Programmes in particular. Furthermore, most of the evaluations about Erasmus student mobility in general which do exist focus on the participants’ perceptions in terms of satisfaction and related concepts, and certainly produce a positive picture, as is broadly echoed by the experience of LSBU and the other participating institutions in the IP described here. However, the international and intercultural competencies which the Commission highlights in its literature as learning outcomes are mentioned in evaluative studies much less often. Stronkhurst’s report looks at an evaluative study which attempts to establish the worth of the educational activities undertaken as part of student mobility rather than focusing on student satisfaction. He notes that the mobility programmes appear to have a positive effect on characteristics such as cultural empathy, open-mindedness, social initiative and flexibility in many students, but admits that the students undertaking mobility programmes already had high levels of such characteristics. The appetite of students involved in international mobility activities is high, although the self-selection involved in mobility programmes makes it an open question how much the experience of studying abroad has contributed much to this. Perhaps however studying abroad can be seen as part of a virtuous circle, a desire to experience an international dimension as part of one’s education arising out of an interest in participating in the wider world, and the experience building on and developing that interest.

Conclusion

Erasmus Intensive Programmes provide a valuable opportunity for students on a UK qualifying law degree to participate in an international programme abroad whilst still completing their degrees within three years. As such they serve a very useful purpose for UK law students reluctant to extend their degrees to four years for financial and other reasons and yet keen to be able to demonstrate to future employers awareness of global issues and participation in international projects. Even though the students may only be abroad for a short while, the intensity of the interaction with students and staff from other European universities and the focus on one particular discrete topic for the relevant period can lead to significant enhancement of awareness of both the differences and similarities in the treatment of particular legal issues in different countries, of reasons for differences in policy approaches, and of the cultural significance of pedagogical variations. Such outcomes by themselves are valuable in an increasingly competitive and globally minded employment market. Erasmus Intensive Programmes should be seen as an excellent way of enhancing the employability of students in a very competitive and increasingly global market, as well as uniquely enjoyable experiences for all concerned.