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**THE DUBLIN INSTITUTE OF TECHNOLOGY
AND UNIVERSITY STATUS**

**A case study of the application by DIT for designation
as a university (1996-99)**

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ABSTRACT

Section 9 of the Universities Act 1997 set out, for the first time, a statutory mechanism for the establishment of a new university in Ireland. The Dublin Institute of Technology (DIT) was the first institution to be granted a review under this legislation. This thesis presents an account and analysis of how the application for university title was handled by an international review group, by the Higher Education Authority (HEA) and by the Irish Government. This case study is based on access to files held by the HEA and on interviews with some of the leading players in the Review Group, the HEA and DIT. The Review Group, which was set up to carry out an assessment of the DIT, took a very wide interpretation of its terms of reference and this was reflected in its advice to the Higher Education Authority. The HEA, on the other hand, chose a narrow legalistic interpretation of its remit when preparing a recommendation for Government. The significance of these two reports on the Government decision is considered in the light of amendments which were made to the relevant section of the Universities legislation during its passage through the Irish Senate. The statutory specification of the functions of the Higher Education Authority in relation to the Government decision regarding university designation is contrasted with the perceptions of this role by some of those involved in the process. The absence of any guidelines regarding the issues to be considered by the HEA in preparing its recommendation to Government is highlighted.

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Part I

INTRODUCING THE CASE STUDY

CHAPTER I

INTRODUCTION

The formal decision to seek university designation for the Dublin Institute of Technology was taken in November 1996. This chapter details the official rationale for this course of action which resulted in the establishment of a government-appointed review group in July 1997 to carry out an assessment of the Institute. An outline of the focus of this study is followed by a description of the way in which the thesis has been structured to best present the results of the research.

Dublin University of Technology?

This was the sub-heading over the first item in the November 1996 edition of *DIT News*, an internal Dublin Institute of Technology newsletter, which announced that:

The Governing Body and Directors of DIT committed themselves unanimously to the establishment of a new unique multi-level university at their strategic planning meeting in Mullingar on Friday last, November 8th.

(Dublin Institute of Technology 1996a, p1)

The article concluded by stating that the Minister for Education would be approached requesting that DIT be established as such a university.

In June 1996, an International Review Group had recommended that degree awarding powers should be extended to the Dublin Institute of Technology in respect of both undergraduate and postgraduate courses with effect from the 1998/99 academic year. This was used as the primary argument in seeking to have the DIT established as a university by including it among the institutions designated as universities under the Universities Bill, 1996. In a published document entitled *The Case for University Status*, the Dublin Institute of Technology submitted that:

The case has been successfully made before an International Review Group for DIT to be allowed to make its own degree awards. An Institute that makes its own degree awards is a University in everything but name.

Other arguments set out in this document included:

- The ability of DIT to compete internationally, particularly in a European context, is severely limited by its current title and status.
- There is a social demand for a university title as many parents feel that their children's opportunities are being diminished if they are not studying on a degree course in a University.
- Ability of the Institute to function effectively in attracting inward commercial investment and to fundraise internationally is totally blocked by lack of university title.
- The lack of a university title lowers the status of our students in the eyes of employers, particularly the multinationals.
- DIT has widespread research and postgraduate activities. It is impossible at present to have Visiting Professorships, Adjunct Professorships (Industry Associated), Professorships, all of which are vital to DIT's ability to fulfil its distinct but clearly university-level mission.

(Dublin Institute of Technology 1996b, pp2-3)

DIT seeks University Status

In the 1980s, Ireland's non-university sector of higher education was dominated by two National Institutes for Higher Education, eleven Regional Technical Colleges and the Dublin Institute of Technology. In 1987 an International Study Group, which had been set up to examine third-level (i.e. tertiary) technological education outside the universities, recommended that the National Institutes for Higher Education in Dublin and Limerick should have the title and status of universities. The enabling legislation was enacted in 1989 thus increasing the number of universities in the state to seven.

In 1996, the Government published the Universities Bill which contained, for the first time since the state was set up, comprehensive draft legislation on universities. When the Minister for Education was performing the official opening of a new campus for DIT at Aungier Street in June 1996, the President of the Institute had used the opportunity to appeal to the Minister 'to look at how her proposals for new university legislation could be applied to the institute' (Cullen 1996). A campaign to have DIT included in the Universities Bill was the first stage in the attempt to have the Dublin Institute of Technology designated as a university. This was, in the first instance, a highly political strategy which involved lobbying of public representatives and included a mass postcard campaign by students to the Minister for Education. While this campaign was ultimately unsuccessful, the Minister for Education subsequently agreed that, when the Universities Act became law, she would set up a review group to advise on the DIT case for establishment as a university. This review group was duly set up in

July 1997 and thus began the formal assessment of the DIT application for university title.

Focus of this Thesis

The Universities Act, 1997 set out, for the first time in Irish law, a statutory procedure for the establishment of new universities. The application by the Dublin Institute of Technology for university designation was the first to be reviewed under this legislation. As this was the first time that this process had been used to examine the application of an educational institution for university status, there was no precedent to guide the steps taken by the participants as they negotiated the various stages of the process. This thesis is a case study of the various elements that constituted this legislative procedure and the interpretation, by members of the different groups involved, of their role in the process.

The data for this case study was obtained from documentary sources and from interviews. Documents used in this study were of two main types. The advice of an international review group and the recommendation of the Higher Education Authority (HEA) were contained in two published reports. Documents which had been used in the preparation of these two reports were stored in files in the HEA. A limited amount of documentation was also obtained from within the DIT. Interviews were also conducted with a number of participants from the three main groupings involved, namely the Review Group, the HEA and the DIT.

The contents of the HEA files were categorised and detailed notes made of the contents to help inform the interviews. Based on the analysis of the unpublished documents, official reports and the interview transcripts, I constructed a narrative account of the process. This has led to the identification of a number of themes which has enabled me to draw conclusions regarding the process.

Structure of the Thesis

Part I is concerned with an introduction to the thesis. The issue of the use of the university title in a number of countries is examined with examples of a number of institutions which sought to change their titles to that of university. A discussion of the research design and approach used in this study is followed by a description of the different types of data, and how these were collected and analysed.

Part II considers the structure of the Irish higher education system. The non-university sector of Ireland's binary system was known as the 'technological sector' but, when the titles of the regional technical colleges were changed by ministerial order, it became commonly known as the 'institute of technology sector'. In contrast, the Universities Bill, 1996 included provisions for a rigorous statutory process for the establishment of new universities. A detailed examination of the progression of this Bill through the legislature is undertaken to give an understanding of the significance of the final wording included in the Act.

Part III gives a narrative account of the statutory process for the establishment of new universities (the so-called Section 9 Process) as applied to the DIT. Based on documentary evidence, this account details how the international review group undertook the task of carrying out its review of the DIT and looks at the main issues with which the group were concerned. It then describes how the report of this group was used by the members of the Higher Education Authority to formulate their recommendation to the government.

Part IV uses the information and views obtained from interviews with a number of participants to explain, clarify and expand on various issues which had been identified as significant from the examination of the documentary evidence.

Part V reviews the two sets of data and considers the way in which they contribute to a more complete account of the review procedure. Reflections on the Section 9 Process are followed by a number of conclusions.

CHAPTER 2

ON UNIVERSITY TITLES

This chapter begins with a brief consideration of the idea of a university and looks at the development of an alternative non-university type of institution in several countries. The DIT attempt to be designated as a university had resonances in many other states where institutions from this second sector sought to change their status and adopt the university title. In the UK the government extended the university title to the polytechnics and the implications of this decision for the meaning of the word 'university' are considered. In the USA, where the use of the university title is not officially regulated in many states, the reasons so many colleges chose to assume the university title in the 1990s are examined. A number of accounts of institutions seeking to change their titles are considered although there are few published or unpublished examples relating to UK institutions. The cases in New Zealand and Sweden had particular similarities to the Irish situation in the manner in which the granting of the university title was controlled by government policy in higher education. Even in the Swedish example, what began as a quality assessment was superseded by a government decision. In the case of the DIT quest for university status, the quality review which is prescribed as an element of the assessment process is ultimately part of a policy agenda which seeks to maintain the binary line in higher education.

The Idea of a University

During the debate on the University Education (Ireland) Bill in 1873, Benjamin Disraeli told the House of Commons that 'A University should be a place of light, of liberty, and of learning. It is a place for the cultivation of the intellect, for invention, and for research' (Disraeli 1873). While these constitute worthy aspirations for the modern university, they do not provide a satisfactory definition. In the past, attempts have been made to identify the essence of a university rather than a formal definition. Two important influences on the thinking about the essential elements of a university were made in the nineteenth century by Humboldt and Newman.

Wilhelm von Humboldt, a Prussian diplomat, was involved in the establishment of the University of Berlin in 1810. This was developed on the premise that investigation and research were essential elements of a university. He espoused the concepts of 'the freedom of students to choose their own programmes' and 'the freedom of professors to develop subjects and engage in research' (Edwards 2004, p.30). John Henry Newman, on the other hand, advocated the notion of the university as a provider of a liberal education with no place for vocational training or research. He believed that the main function of the university was 'to educate students into a coherent body of knowledge, in which religion was an essential part'. According to Edwards, even though they placed different emphases on the purpose of a university, their ideas 'have become incorporated in the widespread (and dominant) view that universities must be involved in research *and* in the provision of liberal education over a wide range of subjects' (p.31).

Barnett (2000, p.115) argues that today 'We use the term "university" but no longer have any clear sense of what it might stand for: we no longer have a concept of "university"', while Birtwistle (2003, p.227) poses the question: 'Is a university anything with the word in its title or does the word actually convey a meaning as to the purpose of the institution?' On the other hand, Clark (1996) cautions that it is utopian to try and clarify 'the idea of the university':

We still find aspiring philosopher-kings in our midst, or as nearby critics, who assert that there really is an essence, one underlying thing, and that they have found it, each one offering a set of ideas that is supposed to tidy up the muddled state of affairs. (p.21)

However, rather than trying to incorporate such ideas into national definitions of a university, Edwards points out that 'Individual states produce pragmatic definitions for purposes of accreditation and funding, but these differ between countries' (2004, p.30).

Binary Systems of Higher Education

Binary systems were established in many European countries in the 1960s to cope with the rapid expansion of higher education. In the UK and Australia, the governments created what was seen as a 'more modern and economically relevant "public sector" alternative' to the universities and, in particular, 'one able to appeal to social groups that had little tradition of accessing higher education' (King 2004, p.126) . According to King, 'The creation of binary systems was also a key indicator that national educational policies were too important to be left to the universities and that greater state steering and accountability were required if a country was to be globally competitive'. However, after some 25 years in existence the binary systems collapsed in both

the UK and Australia as the two sectors became increasingly difficult to distinguish in academic terms. 'Moreover, managers and staff had aspirations for "parity" with the universities and the shaking off of rather irksome forms of local political control and intervention' (p.129).

Over the last quarter of the twentieth century, many European countries had also developed binary systems so that, by the late 1990s, the binary system had become the dominant higher education model in Western Europe. However, Kyvik (2004, p.406) suggests that the next logical step would be a move towards unified systems like those in the UK and Australia. 'The trends towards academic drift in the non-university higher education institutions are clear, and many scholars seem to regard it as a more or less inevitable process'. According to Kyvik, the theoretical explanation for this is that both management and staff are the driving forces in this process:

The leadership of non-university institutions have ambitions to obtain university status, and orient most of their activities in ways that bring them closer to the university image; their academic staff wants to raise their status and pay.

As a result there are mutually reinforcing processes where:

The staff put pressure on the institution to obtain better research conditions and to develop higher level academic programmes, and the institution puts pressure on the staff to raise their academic qualifications. (p.406)

These are illustrated later in this chapter by considering developments in Sweden in 1999 when three colleges were upgraded to universities.

On the other hand, Teichler (1996, p.120) argues that a thorough comparative analysis 'reveals a substantial number of cases supporting the opposite

assumption, namely a dynamic towards diversification of types of institutions and programs'. The Netherlands established a second type of higher education institution in 1986 while Finland and Austria did likewise in the early 1990s. Switzerland too began to develop a new higher education sector in 1995. The demands of society and industry, rather than those of the students, were regarded as the main priorities in the evolution of these higher education systems. Also, as numbers of staff and students in higher education increased, the shorter-cycle programmes in non-university institutions were seen as less expensive for the public finances than longer university courses. Moreover, it was acknowledged that it would 'be impossible to develop all or most non-university higher education institutions into research universities' (Kyvik 2004, p.406).

The University Title in the UK

In the United Kingdom higher education policy from the mid-1960s was built on a binary system of universities and polytechnics. In 1991 the Government proposed that polytechnics take on the university title and, within a year, the polytechnic title had disappeared from the higher education landscape in the UK.

Barnet and Bjarnason (1999) suggest that the policy was abandoned:

because it was no longer appropriate for a higher education system now being reoriented towards a global economy. In a global economy there are no hiding places. Accordingly the skills to be imparted by a higher education have to be universal across the sector. (pp92-93)

This latter was reinforced by the possession of the single title of 'university'.

However, it was not simply a matter of the polytechnics taking on the character of the universities but also of the universities taking on the characteristics of the

polytechnics. The real question, then, was not why the polytechnics were allowed assume the university title but rather ‘why were universities not required to call themselves polytechnics?’ (p.96).

Under the heading *What’s in a name?* Williams (1999) considers the purpose of the change of name from polytechnic to university:

Universities in Britain are not what they were. The term has been redefined. We can do that in English. One of the great strengths of the language is its adaptability. Like Humpty Dumpty we can make any word mean whatever we want it to mean. We can adapt, invent, redefine words to keep pace with our ever-changing perceptions of physical and social reality.

(p.1)

He poses the question as to whether this redefinition has led to deception, albeit unintentional, and he speculates that perhaps ‘One is simply using words as a substitute for resources’ (p.2). When the Ulster Polytechnic became a university in 1984, it was given additional resources to take on ‘the additional responsibilities (mainly, of course, research) that characterised a university’. In contrast, when the other polytechnics in Britain took on the university title their names and legal status were changed but not their capacity to undertake research, previously considered one of the key characteristics of a university. As to whether the institutions were deceiving themselves, expecting to take on the core attributes of a university simply by changing their names, Williams thinks that ‘Obviously in some respects they did’. More serious, though, is the danger of misleading potential students into thinking that the name change and the associated ‘spanking new designer gowns’ in some ways change the nature of the institution. ‘If being a “university” rather than a college makes the students feel good about studying there that is to the good’ but if it is done under the false

pretences 'that they are acquiring the services provided by a "real" university', then that is deception (ibid, p.2).

Tim Birtwistle (2003) in an article entitled *What is a "university"?* (*The English Patient*) argues that the word university should 'convey a meaning beyond that of an institution that carries the name' (p.233). Just as the words 'bank', 'building society' or 'local authority' convey images of what the institutions do, so does the word 'university'. Globally the word university conveys a concept encompassing among other things 'research, the granting of degrees including doctorates and a body of scholars' but the impact of government policy has been to remove the word in England from this universal concept and replace it by a narrow English law definition where 'a university is whatever the statute of the day says it is' (p.228). As a result, a new form of binary divide is being created but one without the 'honesty and transparency' of the University/Polytechnic divide where, according to Birtwistle, 'Many will have the title university but few will have the internationally recognised status of university' (p.229).

Clark (1996, p.21) argues that, rather than seeking simplicity and heeding calls to clean up the system, 'we should understand that disorder is the way things are and the way things will be'. The confusion in modern higher education should be accepted and we should:

refuse to be misled when governments decide to call all higher education institutions by a single name, "university", and declare that all institutions are common parts of a single unified system. Such integration is nominal: it resides in formally stretching the term "university" to give it wider use, thereby to make a formal pretence of institutional equity. (p.22)

Noting that 'an apparently simple change, like altering the meaning of the word university, may set in motion a series of consequential changes that are difficult to foresee', Williams (1999, p.5) writes that:

The British university at the end of the twentieth century has diffuse, permeable and ever changing boundaries. Will the word in future always have to be qualified by an adjective, if it is to signify anything? *Research* university; *teaching* university; *entrepreneurial* university; *technological* university; *corporate* university; *virtual* university? Does it matter?

The University Title in the USA

In the United States of America there is no Federal Ministry of Education or other centralised authority exercising national control over higher education institutions. While individual states assume varying degrees of control over education, institutions of higher education are generally permitted to operate with considerable independence and autonomy, and this includes the use of the 'university' title. Private colleges can often change their status simply with the approval of their Board of Governors whereas public colleges usually need permission at state level. On the other hand, some States have strict controls on the use of the 'university' title by both public and private institutions.

The issue of institutions changing their names to include 'university' in their title is explored by Cameron Fincher (1999) of the University of Georgia in an article entitled *When Universities are Worthy of the Name*. In an effort to increase access to funding and to enhance the value of their degrees, colleges in the United States are seeking 'the title of university, even though status and prestige are yet to come' (p.1). Critics of such changes contend that higher education institutions do not become universities 'simply by legislative acts or revisions in state

charters' and that all too often 'colleges are called universities as a means of solving problems unrelated to academic accomplishments' (p.1). However, he does insist that university status and prestige should not be confined to 'elitist institutions conferring the Ph.D., touting the learned professions of theology, law, and medicine, and extolling the excellence of their liberal arts degrees'. Rather, there should be room 'within the "universe" of higher education for landgrant, state, regional, technological, and other universities to develop distinctive patterns worthy of recognition and emulation' (p.2).

He answers the question of what universities have that other institutions want by suggesting *resources* and *reputations*. This gives rise to the 'virtuous circle' identified by Alexander Astin (1992) in which universities use their status and prestige to attract increased institutional resources. These in turn are used to acquire an increase in status and prestige which can then, of course, be used to increase their resources. The net result can be summed up by Howard Bowen's revenue theory of educational costs: that costs are determined by revenues. In pursuit of academic excellence, prestige and influence, 'Each institution raises all the money it can' and 'spends all it raises' (1980, p.20).

In a paper entitled *A Rose by Any Other Name: Why Colleges Become Universities* Christopher Morpew (2000) considers several propositions to explain why, during the 1990s, more than 120 four-year colleges in the U.S. sought to change their names to become universities:

(i) *To appear legitimate to external constituents.*

It is argued that organisations in areas like education are more likely than those involved in production or other technical fields to adopt changes associated with the dominant model. Hence the transformation from college to university can be viewed as 'a means of survival in an increasingly competitive environment where resources and students are scarce commodities' (p.5). The adoption of the normative model is seen as particularly important for 'lower status organizations, those that must strive to show that they resemble and behave like their more successful, higher status brethren' (p.7). To this end, institutions expand their postgraduate programmes, not necessarily to serve any existing need, but to adopt the practices and structures of the universities. Aldersley (1995) argues that 'ambitious institutions are apparently still beguiled by the promise of prestige associated with doctorate-level education' (p.56).

(ii) *To secure increased access to tangible resources.*

This resource dependency approach links the name change to the organisation's attempt to secure greater operating and research funding. Like businesses, higher education institutions can use their change of title to send signals to external stakeholders that substantial organisational changes have been made or are likely to be made. Lively (1997) noted that officials from several colleges, which had undergone name changes recently, expected that this would aid fund-raising and anticipated, or had already experienced, an increase in corporate donations as a result.

(iii) *To better reflect their increased comprehensive nature.*

In the progression to what might be termed post-massification in the U.S., most higher education institutions have had to adapt and expand their programmes and services to students. Colleges have increased numbers rapidly in the 1990s, particularly among non-traditional students. Degree programmes have been expanded and new post-graduate programmes have been added. These colleges see the adoption of the university title as being consistent with the historical use of the term as applied to institutions offering a substantial range of post-graduate programmes in addition to their undergraduate courses.

Many of the arguments put forward by DIT coincide with the propositions made by Morpheus. In particular, having been granted degree-awarding powers in respect of both undergraduate and postgraduate courses, it contended that 'An Institute that makes its own degree awards is a University in everything but name' (Dublin Institute of Technology 1996b, p.2). Paradoxically, some of the top universities in the U.S. such as MIT, Caltech and Dartmouth College do not include the word university in their titles.

Quality Review or Political Decision

Universities can be created as the result of various decision-making principles. A new university can be established as the result of a political decision either on a green-field site or by upgrading an existing institution. This applied to the New University of Ulster (NUU) which was established in Coleraine in 1968 and subsequently to the merging of the Ulster Polytechnic with NUU to form the

University of Ulster in 1984. In Britain the polytechnics were converted into universities in 1992, again as the result of a political decision.

A second decision-making principle is accreditation where a higher education institution will be granted university status as the result of a quality review. This was the procedure followed successfully by the National Institutes for Higher Education in Limerick and Dublin which were established as universities in 1989. The Dublin Institute of Technology initially tried to attain university status by political means when it sought to be included in the 1996 Universities Bill but, when this appeared increasingly unlikely, it settled instead for a quality review. In a paper titled *Political versus Evaluation: the establishment of three new universities in Sweden*, Maivor Sjölund (2002, p173) proposes that ultimately, in the Swedish experience, 'politics proved to be a much stronger force than the quality review'.

As in many countries, the concept of a university is ambiguous in Sweden. While the title 'university' was not protected by law in Sweden, prior to 1997 fairly strict criteria were applied by Parliament to the use of the title. In 1997 the right to confer the 'university' title on institutions was transferred from Parliament to Government which then decided to relax the criterion requiring an institution to have at least three faculties before it could be called a university. As a result three institutions were now allowed to call themselves universities. In the same year the Government received applications from a further four colleges of higher education to become universities and these were referred to the National Agency for Higher Education for a quality assessment. This was the first time the

accreditation principle had been applied in Sweden regarding decisions to establish new universities.

The National Agency for Higher Education, a buffer organisation between the Government and higher education institutions, was involved in assessing the quality of the work in universities in Sweden. It also made decisions regarding the granting of so-called 'academic areas' in which a college received the right to offer post-graduate programmes and to award PhDs in all subjects included in that academic area. Following the request from the Ministry of Education to make a pronouncement on the applications from the four university colleges to call themselves universities, the National Agency appointed a group of experts. This group consisted of four professors from Sweden, one from Finland and one from Norway with Dr Sjölund, a civil servant at the National Agency, acting as secretary.

This expert group used the criteria approved by parliament for an institution to be called a university and also conducted comparisons with a number of other educational systems. They also attempted to make an assessment of the potential development of the four colleges since, as Dr Sjölund noted, 'a university college that applies to become a university cannot have the quality, level and scope of academic work that can be expected of a university, a fact of which the assessment group had been very aware' (2002, p.180). The assessment group visited the colleges and met with senior personnel and staff representatives as well as undergraduate and postgraduate students. In its report the group considered that only the University College of Karlstad should be

designated a university but that, if more resources were allocated to the others, it should be possible to confer university status on these in the next few years. In the event, only one of the four applications was postponed for some years and the others were given government approval to be designated as universities immediately.

The decision-making process involved in the granting of university status was on three levels. The first involved the expert group and their assessment. This was a recommendation to the National Agency rather than a decision. 'The statement was grounded on the quality review' (ibid, p.180). The next step involved the National Agency for Higher Education which had to express its opinion to Government. The board of the National Agency, chaired at that time by the University Chancellor of Sweden, was a government-appointed advisory board with members from the academic community as well as business, trade union, cultural and public representatives. The board agreed with the expert group that only one college had the possibility of becoming a university. However, they went further and indicated that the University Colleges of Växjö and Örebro had good prospects of being allocated an academic area in humanities and social sciences, even though no assessment had been made of their suitability for such an allocation. When applications for the additional academic area were duly received from the two colleges, these were rejected by a newly formed assessment group but this was overruled by the board of the National Agency which decided that each should receive an academic area in humanities and social sciences. 'That decision by the board was not founded on a professional review' (Sjölund 2002, p.180).

The third step in the decision-making process involved the Government which duly designated three of the four colleges as universities. It appears that the Government considered that the granting of academic areas to two of these colleges had changed the conditions for the Agency's assessment of these colleges regarding university status. In effect the Government took on the role of quality assessor. Dr Sjölund suggests that an upcoming election and personal convictions may also have been behind the decisions – the Deputy Prime Minister having grown up in the county where Växjö is situated and the Prime Minister having been a student at Örebro. She concludes that 'the University of Karlstad is the only institution that was founded on a quality review. All other institutions are the fruits of a political will and thus the role of evaluations is seriously damaged' (p181).

The relationship between quality assessments and 'politically-motivated' developments is summarised neatly in a two-way table by Sjölund (2002, p.179):

Quality assessment	Politically-motivated development	
	Yes	No
Positive	1	2
Negative	3	4

Where both are positive (1) or both negative (4) no problem arises. The situation where the development was politically desirable but the assessment was negative (3) was the dilemma faced in the Swedish case outlined above. The possibility of a similar situation arising in the Ireland was of concern among some of the Senators in the Irish Senate when the 1996 Universities Bill was being

debated and they were successful in having an amendment passed which sought to ensure that the Government would not act contrary to such an assessment in establishing an institution as a university. However, while this amendment was accepted by the Government, it did not agree that the reverse should be the case. In the situation where the quality assessment proved positive but the Government did not consider that the granting of university status was politically desirable (2), it retained the right to reject such an application. Such an outcome was a very real possibility facing the DIT when they opted to undergo a quality assessment and they might reasonably have expected that, as Sjölund suggested, a positive assessment would serve to support the development of the Institute and 'in the long run it would probably be difficult for the political level not to accept a change to university status' (p.179).

A University of Technology in Australia

In Australia the so-called Dawkins revolution saw the dismantling of the binary system of tertiary education whereby the university became the sole provider of a system of mass higher education. With few exceptions, this was achieved by amalgamating colleges of advanced education with existing universities or by merging two or more such colleges and designating the resultant institution as a university. One exception was Swinburne Limited which became Swinburne University of Technology. According to Mahony (1995) Swinburne boasted of being a multi-sectoral university which, unusually for Australia, had retained a strong technical and further education division. This latter division concentrated on sub-degree programmes, including apprenticeships, access and community

programmes and had been actively expanded so that it had over 5,000 equivalent full-time students in 1991.

Claiming to embrace all sectors of the former ternary system but with a strong technological mission, Swinburne sought to enhance its research performance and postgraduate provision. The advantages of university status were seen as 'improved community perceptions, relations and expectations; improved institutional marketability; increased research activity; and increased autonomy in relation to accreditation'. However, it was considered that the 'university of technology' title would be 'more pertinent to Swinburne than the less specific university title' (p.36). Mahony asserts that it became 'an institutional leader in articulating the nature of a university of technology which also embraced a strong non-university tertiary element' (p.32). The University of Technology title conveyed 'both the sense of a seat of higher learning and research and also the emphasis of the educational offerings' (p.36).

Various merger proposals were explored by the institute but none came to fruition. An important factor, according to Mahony, was the perception that 'it did not have to amalgamate in order to gain status, become strengthened or enhance its mission' and he contrasted this with institutions which had disappeared without trace into existing universities and others 'who saw merger with an established university as contributing to enhanced status' (p.38).

Eventually, in 1992 the State Premier announced that university status was to be conferred on the Institute. By its determination to protect its distinctive mission, Mahony notes that Swinburne had managed to stave off amalgamation to the

stage when the federal government had grown weary of a movement which had become an end in itself rather than a means to an end.

Merger of DIT with an existing university was one of the scenarios considered by the Review Group which was established to examine the DIT application for university title. Also, the use of the University of Technology title was seen by some in DIT as a particularly useful descriptor of the type of institution the DIT was and sought to be. However, the International Study Group which recommended university status for the two National Institutes for Higher Education in 1987 rejected the use of the title 'Technological University' for these institutions, pointing to the 'possibility that confusion may be created by including another category of university institution in a country whose current third-level population is some 54,000 in 38 institutions' (Hardiman 1987, p.31). In the case of DIT, there were fears about possible negative connotations associated with terms like technical or technological when applied to educational institutions in Ireland.

Contrasting Fortunes in New Zealand

In 1995 the Auckland Institute of Technology (AIT) made an application to the New Zealand Government to have its status changed to that of university. In a paper entitled *From Polytechnic to University; challenges for the new kid on the block*, Paxton and Parker (2000, p.2) state that the pressure to change the status came from two main sources: 'students, and a globalisation of education that demands internationally recognised qualifications'. Students felt that the fact that their degree qualifications were not from a university put them at a disadvantage

when seeking employment, particularly abroad. There was also a negative impact on the economic benefits to the Institute from the provision of educational courses to overseas students. 'Asian students and their families place great importance on the status of a qualification, and students are reluctant to study overseas other than a university'. It was also argued that university status would assist in the recruitment of staff, 'particularly senior and experienced research-active staff, who are required to supervise postgraduate and research students'. The Institute was granted university status in 1999 and became the Auckland University of Technology (AUT) on 1 January 2000. Echoing the concerns which were raised concerning the DIT application for university status, the staff in AUT were concerned that, with the acquisition of university status, AUT would 'abandon its commitment to vocational and industry-based programmes'. In making its case for establishment as a university, the AIT Council had emphasised that this 'would not diminish its commitment to vocational and lower level courses' and this was reiterated in the Draft Charter of the new university (ibid, p.3).

In a paper titled *Being Distinctive in a Traditional Higher Education System: A New Zealand Experience*, Yelder and Codling (2003) present some key aspects of the planning undertaken by UNITEC Institute of Technology in preparation for university designation. However, their opening question could have been written for the DIT:

How does an institution that wishes to retain its focus on vocational qualifications and continuing professional development convince a very traditional tertiary education system, and its own staff, that the change of designation is both warranted and desirable? (p.34)

Unlike the situation in the UK or Australia where polytechnics and colleges of advanced education were converted into universities, in New Zealand the change was for a single institution rather than a systemic one. In the 1990s UNITEC had expanded its degree programmes and developed many postgraduate courses including a professional doctorate and PhD programmes. Driving these activities was 'UNITEC's primary strategic goal to be redesignated as a university of technology' (p.35) as distinct from the more traditional universities then existing in New Zealand. The claims that UNITEC would represent 'a new kind of university in New Zealand' were almost identical to the claims made for DIT, as was the need to convince the Government that this new kind of university was 'essential for New Zealand's future and that UNITEC should become one' (p.38).

In planning for an application for university status, it was considered necessary to undertake certain initiatives to help shape an understanding of what it was that distinguished a university of technology from a traditional university. The first of these involved an extensive staff consultation project on the 'essential elements of a university of technology and the critical organizational differences between this and the more traditional university' (p.35). It was noted that 'the need for overt staff involvement was only belatedly recognized by UNITEC' (p.36). In contrast, six months after the conclusion of the review process which considered DIT's request for university designation, the Directorate of the Institute issued a discussion document which began with the acknowledgement that 'the full background to DIT's unsuccessful attempt to secure University

designation via the Section 9 process was not well understood across the Institute' (Dublin Institute of Technology 1999, p.1).

The second initiative was a research project aimed at providing 'a comprehensive model of professional expertise and the nature of professional education' which was considered central to the Institute's vision for a university of technology. However, institutional convergence had been occurring since 1990 so that the traditional divide between the type of education provided by the universities and the polytechnics was in a state of transition. It then became clear that 'the distinctive features of the university of technology clearly define a transitional organization type' (Yielder and Codling 2003, p.40) but that a widespread external acceptance of the concept of a university of technology had not yet occurred and that conservative elements in New Zealand higher education wanted greater conformity with traditional university norms.

UNITEC formally applied for designation as a university in 1999 and a panel of international experts was established by the New Zealand Qualifications Authority to make a recommendation using a set of established criteria. The panel examined the application for a period of six months and planned to visit the Institute before making its final recommendation. Two weeks prior to this visit, the Government introduced new legislation limiting the number of universities to eight (the existing number) thus making the panel decision redundant. According to Yielder and Codling, the Government was under significant pressure from the established universities to act in the face of 'an increasing impression that the panel would give a positive assessment'. This, they

say, demonstrates the difficulty facing an institution 'wishing to go it alone in promoting change in a conservative tertiary education system' In a conclusion that would also apply to DIT, they argue that if institutions like UNITEC are to maximise their chances of success, then 'institutional strategic planning focused on institutional ambition must locate this ambition within a wider national policy framework' (p.42).

Government Policy and the Binary Divide

The new sector of higher education institutions developed in many European countries since the 1960s differed from the universities in various respects.

These colleges usually placed greater emphasis on vocational programmes of shorter duration than those in the universities and staff were primarily engaged in teaching, often with little active involvement in research. In Ireland this sector was referred to as the *technological sector* and latterly as the *institute of technology sector*. Various attempts were made in other countries at naming this second sector – terms such as “vocational higher education”, “professional higher education or the “college sector” were used – but no consensus emerged regarding a suitable term. As Teichler (2002, p.179) points out: ‘almost all the terms explicitly defined this sector as inferior to the “big brother” i.e. the university’.

Teichler argues that ‘higher education institutions are not necessarily very faithful in pursuing the goals which they were expected to pursue when they were initially established’ (p.181) but that, with “academic drift”, these second institutional types tend to stabilise themselves by becoming more like the

universities. Official attempts to prevent this type of drift often take the form of an espousal of “parity of esteem” with both employers and governments ready to ‘exaggerate the curricular value of the second sector of higher education in order to counterbalance the status advantage of the university’. According to Teichler, this claim of “different, but equal to universities”, certainly is exaggerated because it looks like an unrealistic proclamation of a parity’ and he concludes that ‘if substantive diversity is desired, a regulatory system is needed’ (p.186).

In Ireland, the policy device used to regulate the diversity provided by the binary system was simple. Section 52 of the Universities Act, 1997 stated that ‘a person shall not, without the approval of the Minister, use the word “university” to describe an educational establishment or facility’. Since a binary system depends on the maintenance of a distinct non-university sector of higher education, the binary line in such a system is defined by those institutions which are allowed to assume the “university” title. However, while the term “university” became a protected word under the Universities Act, the legislation did not provide any definition of a university in the Irish context, setting out only what were described as the “objects and functions” of a university. Under the Act the Higher Education Authority was charged with making a recommendation to the Government on the use of the “university” title by a higher education institution and, as a result, was the body designated to advise the government on the location of binary line.

The Universities Act also included a mechanism for the review and assessment of an institution wishing to be established as a university – a process which culminates with the recommendation from the Higher Education Authority (HEA) to Government. However, the Government retained two important powers in relation to this statutory review process. In the first instance, the Government can refuse to allow an application for university status to go forward for a review, thus effectively ensuring the maintenance of the status quo. Alternatively, if a review of an application for university designation is allowed to proceed and this subsequently results in a positive recommendation from the HEA, the Government can still decide not to grant university status to that institution. In the case of the Dublin Institute of Technology, the Government had yielded to certain political pressures (which will be described in Chapter 7) and agreed to the establishment of an international group to review the DIT application for university status. Following the receipt of the recommendation of the HEA, the government would then have to make a final decision regarding the establishment of DIT as a university. While a negative recommendation from the HEA would not pose any particular problems for the Government, a positive recommendation could have far-reaching implications for Government policy on the binary system.

It was notable that while the DIT application for university status was being examined by an international review group, the Minister for Education and Science sought on a number of occasions to put on record the attitude of the Government to a shift in the binary divide. Speaking at a conference in Dublin on 4 February 1998, Minister Martin acknowledged that increased participation in

higher education since the 1960s had been achieved 'without having to pay too close attention to the means of achieving this increase' but that there was now a need to 'move policy along to a much more subtle approach'. Proclaiming that the 'binary' approach had been the great strength of the Irish higher education or third-level system, he noted that the 'technological sector has been particularly successful in providing a flexible response to new skills areas' and he went on to say, 'I want to make something very clear; I will not support any proposals which would serve to undermine the quality and diversity of options at third-level'. Referring to the need to move away from the 'sort of snobbery which seems to believe that only degrees are worthwhile', he declared that 'Institutions will have the opportunity to develop, but this development must not be at the expense of the vital work which they currently do' (Martin 1998). One interpretation of these remarks is that they represented a general statement of policy regarding the binary system of higher education in Ireland. On the other hand, these remarks were made at a time when DIT was the only institution which had applied for designation as a university and was in the process of being assessed by an International Review Group. In these circumstances, the comments had a particular relevance to the DIT situation and the Minister and his officials would have been very aware of this fact.

CHAPTER 3

RESEARCH DESIGN AND APPROACH

After outlining the purpose and lines of inquiry for the research, this chapter presents the case study approach as representing the most appropriate design. Following a consideration of the literature on case studies, a discussion of documentary methods and interview studies is undertaken. The absence of well-developed methods and techniques for the analysis of case study data is highlighted and the chapter concludes with a discussion of strategies to strengthen the reliability of the findings of such research.

Research Purpose and Lines of Inquiry

A statutory process for the establishment of a new university was set out in Section 9 of the Universities Act, 1997. The Dublin Institute of Technology was the first institution to seek designation under this legislation. Essentially the process involved five stages:

- (i) Appointment of a Review Group by Government.
- (ii) Preparation of the advice of the Review Group.
- (iii) Preparation of the recommendation of the Higher Education Authority (HEA).
- (iv) Consideration by Government of the advice of the Review Group and of the recommendation of the HEA.

Finally, the Government may make an order providing that an institution be established as a university – provided that the order has been approved by both Houses of the Oireachtas [Parliament]. (Higher Education Authority 1999, p.2)

In July 1997, the Government appointed a Review Group to advise the Higher Education Authority on whether the Dublin Institute of Technology should be established as a university. In its report, published 16 months later, the Review Group advised that the DIT should be recognised as a university when certain specified conditions had been met. The Group was of the view that this could take place within 3 to 5 years. Three months later, the HEA issued its own report which rejected the advice of the Review Group regarding university designation within a 3 to 5 year period and instead recommended that a further review would be required at some future date should DIT decide to re-apply. This latter recommendation was accepted by the Government.

Terms of reference given to committees, such as that established to review the DIT application for university status, are rarely fully prescriptive and hence are open to interpretation. As this was the first use of this statutory process, there was no precedent to help establish boundaries or otherwise guide the work of the International Review Group. Was the advice of the Review Group based on a quality assessment of the Institute or were other factors taken into account by the members of this group? To what extent did the advice offered by the Review Group adequately serve as a basis for formulation of the HEA recommendation to Government?

The Higher Education Authority, which was the permanent statutory body involved in the process, was confronting the issue of the establishment of a new

university for the first time. Had the Authority a well-defined role according to the legislation or was it left to the members to decide on their function in relation to the process? The interpretation placed on the legislation by the members of the Authority had the potential to significantly influence the direction of the final outcome. Could the members of the HEA have accepted more of the recommendations from the Review Group or were they prevented by legislation from doing so?

Approach to the Research: a Case Study

Bogdan and Biklen (2007, p.59) define a case study as 'a detailed examination of one setting, or one single subject, or one single depository of documents or one particular event'. The episode being examined in this thesis began with the appointment of the International Review Group in July 1997 and culminated with the acceptance by the Government of the recommendations of the Higher Education Authority in March 1999. In my research I am endeavouring to delve into the complexities of the DIT bid for university status and to explore the processes, interactions, perceptions and power systems which combined to produce the eventual outcome. As Stake (1995, p.xi) has argued:

We study a case when it itself is of very special interest. We look for the detail of interaction with its contexts. Case study is the study of the particularity and complexity of a single case, coming to understand its activity within important circumstances.

Hitchcock and Hughes (1995, p.317) consider that a case study is likely to have the following characteristics:

- A concern with the rich and vivid description of events within the case.
- A chronological narrative of events within the case.

- An internal debate between the description of events and the analysis of events.
- A focus upon particular individual actors or groups of actors and their perceptions.
- A focus upon particular events within the case.
- The integral involvement of the researcher in the case.
- A way of presenting the case which is able to capture the richness of the situation.

Robson (2002, p.178) defines the case study as a 'strategy for doing research which involves an empirical investigation of a particular contemporary phenomenon within its real life context using multiple sources of evidence'. This latter definition might suggest that, rather than using case study as my research strategy, the topic should have been considered in a historical context and hence employ the strategies of historical research and the methods of historiography. Yin (2003), however, refers to histories as strategies dealing with 'the "dead" past' when the persons involved are no longer alive and the researcher must rely on documentary evidence and cultural artefacts as the main sources of evidence:

Although case studies and histories can overlap, the case study's unique strength is its ability to deal with a full variety of evidence – documents, artifacts, interviews and observations – beyond what might be available in a conventional historical study. (p.8)

How case study research is classified seems to give rise to some confusion, with some texts referring to it as a methodology, others as a methodological approach. Berg (2004, p.251) writes that 'case study is not actually a data-gathering technique but a methodological approach that incorporates a number of data-gathering techniques'. Stake (2000, p.134) likewise contends that 'case study is not a methodological choice but a choice of what is to be studied. By

whatever methods, we choose to study the case'. Yin (2003), however, argues that design, data collection and analysis are all encompassed within the case study method. 'In this sense, the case study is not either a data collection tactic or merely a design feature alone but a comprehensive research strategy' (p.14). Stake also distinguishes between *instrumental* and *intrinsic* case studies. In the former, the case is of secondary interest, studied in depth in order to facilitate our understanding of something else. In contrast, the intrinsic case study is researched for its own sake. 'It is not undertaken primarily because the case represents other cases or because it illustrates a particular trait or problem, but because, in all its particularity *and* ordinariness, this case itself is of interest' (2000, p.136). While the case of the pursuit by DIT of university status is one of intrinsic interest, it would also contain elements of the instrumental case study where 'a particular case is examined mainly to provide insight into an issue' (p.137). However, it is perhaps Bassey's (1999) description that is most apt when he referred to *story-telling* case studies 'of educational events, projects, programmes and institutions or systems which deserve to be told to interested audiences, after careful analysis' (p.58). This research fits closely his description of such a case study as being 'predominantly a narrative account of the exploration and analysis of the case, with a strong sense of the time line' (p.62).

Stake (1995, p.49) points out that there is 'no particular moment when data gathering begins. It begins before there is the commitment to do the study'. He suggests that impressions picked up informally as the researcher becomes acquainted with the case contribute to the pool of data although 'many of these early impressions will later be refined or replaced'. The three main formal

methods of collecting case study research data are listed by Bassey (1999, p.81) as 'asking questions (and listening intently to the answers), observing events (and noting carefully what happens) and reading documents'. Although I was a lecturer in DIT during the period covered by this study, the nature of the process was such that this did not afford me a privileged position for observing events, nor did I have any particular reason at that time for making notes or otherwise assembling pertinent documentation. Rather, my recollections of the process could be included with that substantial class of data described by Stake as 'impressionistic'. Consequently, the two methods employed in this research related to studying documents and conducting interviews.

The documentary evidence consisted of both published and unpublished documents. Two reports concerning the application by DIT for establishment as a university were published by the Higher Education Authority. I was also given access to files containing the unpublished documents which had been used in the preparation of these reports. As the episode had taken place comparatively recently, most of the people involved were still alive and so interviews were sought from a number of the main actors in the process.

Documentary Methods

The decision of the HEA regarding the DIT application for establishment as a university was published in the report entitled *Recommendation of the Higher Education Authority to Government* (Higher Education Authority 1999) and, as such, it was effectively a policy text. Scott (2000) argues that an understanding of how such texts are constructed is important as this:

allows the reader to understand both how the author of the text is seeking to position them as a reader and it allows the reader the opportunity to make adjustments to how they are being positioned. (p.3)

Pointing out that texts are produced with specific audiences in mind, he notes that they are 'of course an exercise in persuasion, manipulation and power' (p.9).

Policy texts, which are described as 'official texts which operate to influence public perception of a policy agenda', are often constructed to give the impression 'that the author is representing the truth of the matter'. This is done through the use of 'various semantic, grammatical and positional devices to suggest to the reader that they are authoritative' (pp18-19). To this end, the producer of the policy text seeks to convince the reader that the text:

is not merely polemic, opinion or political rhetoric but the careful sifting of evidence which compels the writer to develop one set of policy prescriptions because it is not possible to logically draw other conclusions. (p.119)

Acknowledging that it can often be difficult to read a text in a way different from that intended, Scott suggests that readers should ask themselves a number of questions about a policy text. These include:

What are the intentions of the writers of the policy text? What devices are being used by the writers of these policy texts to suggest that their version of the truth of the matter is the only one worth considering? How has the evidence base of the policy text been constructed? What are the underpinnings of the text and are these consistently deployed throughout the report? How does the policy text seek to position the reader or practitioner in relation to the policy agenda being argued for? (p.40)

While a consideration of these questions can help guide a critical examination of a policy text, it is worth remembering, as Scott points out, that the ability to decode such a text 'does not mean that it is not effective' (p.119).

Stake (1995, p.68) counsels that, when collecting data by studying documents, 'One needs to have one's mind organized, yet be open for unexpected clues' but he warns that it is almost impossible to determine in advance how much time should be allocated to this activity. Yin (2003, p.87) advises that documents should be used carefully 'and should not be taken as a literal recording of events that have taken place ... For case studies, the most important use of documents is to corroborate and augment evidence from other sources'. However, he warns against assuming that such documents contain 'the unmitigated truth', pointing out that 'every document was written for some specific purpose and some specific audience *other than* those of the case study being done'. McCulloch (2004, p.1) advises that 'We need to comprehend the words themselves to follow the plot, the basic storyline. But we need to get between the lines, to analyse their meaning and their deeper purpose'.

While acknowledging that the distinction between primary and secondary sources is increasingly unclear, McCulloch (2004, p.31) accepts that 'unpublished and relatively inaccessible documents appear to carry greater intrinsic worth to the historical researcher than published documents that are widely available'. Such material, it is argued, makes it 'possible to trace the development of a specific issue or phenomenon over time' and 'political debates and contestation are often expressed much more clearly in documents designed for private circulation among only a small group or with close colleagues' (McCulloch and Richardson 2000, p.99). Pointing out that 'Greater freedom to make use of contemporary records is potentially of major significance for educational and social researchers', McCulloch regrets that 'there is still a long way to go before

official records in Britain can be researched in a similar way to those in some other countries' (2004, p.57).

However, the disadvantage of the availability of such so-called primary material is the attendant time required to appraise all of the material. According to historian John Tosh (2006, p.91), 'Even for the experienced historian with green fingers, research in the primary sources is time-consuming; for the novice it can be painfully slow'. This is echoed by McCulloch (2004, p.73) who points out that the massive resources available in archives and records 'can be overwhelming, inaccessible, inconvenient and intimidating'. However, by penetrating the underlying 'assumptions, problems and conflicts in education and society', he asserts that they take us 'a long way behind the scenes'.

Research Interviews

Stake (1995, p.64) cautions that 'Getting acquiescence to interviews is perhaps the easiest task in case study research. Getting a good interview is not so easy'. Since the purpose of the case study is usually 'to obtain the descriptions and interpretations of others', the interview should for the most part be concerned to provide a 'description of an episode, a linkage, an explanation' (p.65). He argues that what is covered in the interview should be 'targeted and influenced by the interviewers' rather than following 'the whim of the interviewee' (p.66). He also warns that 'Formulating the questions and anticipating the probes that evoke good responses is a special art'. He goes even further by suggesting that the interviewer needs to 'stay in control of the data-gathering, thinking about what form the account will take in writing' (p.65).

Stressing the importance of the interview in collecting case study information, Yin (2003, p.89) notes that the flow of questions 'is likely to be fluid rather than rigid'. While the most common form of interview for case study is of an open-ended nature, the type of interview that seemed most appropriate for this research was the focused interview where 'the interviews may still remain open-ended and assume a conversational manner' but where the interviewer is following a certain set of questions (p.90). Yin cautions that interviews should always be considered as 'verbal reports' only. 'As such they are subject to the common problems of bias, poor recall and poor or inaccurate articulation' (p.92).

While acknowledging that a substantial number of texts exist which give detailed instructions for conducting various types of interviews, Bassey (1999, p.81) considers that 'These texts can be unhelpful to the new researcher engaging in a case study because they can be taken to imply that strict rules exist for data collection'. Similarly, Silverman (2005, p.48) avoids a detailed description of the mechanics of interviewing. 'I strongly believe that to provide recipes for data gathering is to risk either gross oversimplification or utter triteness'. Rather, what happens in the field as one attempts to gather the data 'is itself a source of data rather than just a technical problem in need of a solution'. Noting that interviews 'inevitably have a sense of formality', Bassey (1999, p.81) points out that, while the respondent may be pleased to contribute:

He may not have previously given deep thought to the issue and may actually be constructing his position during the interview. His answers are likely to be influenced by his view of the researcher, and by his concerns of who will see her report.

While the advantage of recording the interview means that the interviewer 'can attend to the direction rather than the detail of the interview', the disadvantage of having to transcribe everything recorded is recognised. 'The alternative is to paraphrase and make a shortened report of the tape' but with the added caveat that 'some of the nuances of the tape will be lost (p.82).

Many of the people interviewed for this thesis could best be described as representing the 'powerful in education' and as such would be skilled interviewees. Ball (1994) asserts that such political actors 'have an investment, public and personal, in being interviewed' but also have 'particular reasons for being careful about what and how they say things in interview' (p.96). In his book *Researching the Powerful in Education* Walford (1994) stresses the need for thorough preparation before interviews – to “do your homework” – especially with the powerful who:

are prepared to question the interviewer and to demand explanations as to why particular questions are being asked. They assume that the interviewer has already read what is published on the issues and is well aware of the general political and economic background. (p.225)

Ball (1994) points out that in such interviews many, but not all, have specific aims for the interview:

to present themselves in a good light, not to be indiscreet, to convey a particular interpretation of events, to get arguments and points of view across, to deride or displace other interpretations and points of view. (pp97-98)

On the other hand, I was likely to encounter a range of dispositions towards the content of the interviews similar to those encountered by Ball who found that

'Some respondents were disillusioned, some were angry or bitter, some were defensive, others were off-hand, others were willingly indiscreet' (p.98). He concludes by warning that the interview 'as a research instrument for elite studies ... is actually both richer and more difficult than is typically acknowledged by researchers' (pp113-4).

As a number of my interviewees were former senior civil servants, it was important to note that, as Walford (1994, p.5) described it, 'senior government officials are well versed in controlling any information they provide, and present considerable difficulties in decoding the views expressed'. In particular, 'the powerful are well able to control the interview process such that certain topics are discussed and others are dismissed' (p.8). Cookson (1994) argues that researchers can be influenced by the discourses of the elite as much as the public at large. In particular, there is often the threat within the 'power discourse that signals to the listener and observer that, if they do not accept the message of the discourse, it is because they have failed to understand and not because the message is flawed' (p.124).

Data Analysis

Yin (2003) concedes that the strategies and techniques for analysing case study data are not well defined. This is, he asserts, 'one of the least developed and most difficult aspects of doing case studies' (p.109). Of the three general strategies presented by Yin, the development of a descriptive framework for organising the case study seemed the most useful approach. This was in keeping with one of the original objectives of this research which was to present a

descriptive insight into a unique event within the Irish binary system of tertiary education.

According to Creswell (2007, p.163), for a case study 'the analysis consists of making a detailed description of the case and its settings'. This description emerges from the data collection and leads to aspects such as the history of the case and a chronology of events. Subsequent to this, it is suggested that an analysis of themes might be undertaken, that is, the development of 'a few key issues, not for generalizing beyond the case, but for understanding the complexity of the case' (p.75).

The actual analysis and drawing of conclusions about what things mean starts with the data collection. Robson (2002, p.476) points out that 'Decisions about what to select and to summarize, and how this is then to be organized, are analytical choices'. According to Miles and Huberman (1994, p.11), the analyst should, from the start, be 'noting regularities, patterns, explanations, possible configurations, causal flows, and propositions'. As the data collection proceeds, the reduction and transformation of this data is a 'form of analysis that sharpens, sorts, focuses, discards, and organizes data in such a way that "final" conclusions can be drawn and verified'. They also argue that the conclusions should be tested for their validity – their plausibility, sturdiness and "confirmability". 'Otherwise we are left with interesting stories about what happened, of unknown truth and utility'.

Research Design and Quality

Validity

Hitchcock and Hughes (1995, p.328) argue that 'As far as case studies are concerned "telling the story" and describing the case are crucial features in establishing authenticity and credibility. While I have tried to 'tell the story' that best represents the case, it is useful to recall the reminder from Stake (2000) that 'the researcher ultimately decides criteria of representation'. The resulting narrative is, therefore, but my 'dressing of the case's own story'. The process of selection which began at the design stage continues through to the final phases of writing. The reader is reminded that, as in any research, 'More will be pursued that was volunteered. Less will be reported than was learned' (p.144).

Wellington (2000) argues that a large part of the onus rests with the reader in assessing and judging the validity of a case study. While acknowledging that the reader has to rely on the integrity of the researcher in the way in which the evidence is selected and presented, he contends that 'the value, or "truth", of case study research is a function of the reader as much as the researcher' (p.99).

Triangulation

Stake (1995, p.173) describes triangulation as 'working to substantiate an interpretation or to clarify its different meanings' and argues that researchers 'have ethical obligations to minimise misrepresentation and misunderstanding' (p.109). Two official reports were published regarding the DIT application to be established as a university and documentation relating to the creation of these reports was retained by the Higher Education Authority. Access to these documents provided me with details of the information used and the procedures

followed in arriving at the decisions of these two bodies. However, it has to be remembered, as Yin (2003, p.87) points out, that 'the case study investigator is a vicarious observer, and the documentary evidence reflects a communication among other parties attempting to achieve some other objectives'.

It is clear from an examination of the HEA files that the information stored in these does not purport to be a complete record of the work of the bodies involved. Rather, the files contain those documents which were retained by the Deputy Secretary of the HEA who acted as secretary to each of the groups. While these files contained detailed records including correspondence, submissions, memoranda and working documents which were central to the formation of the decisions of these two groups, there were also gaps and omissions. As a result, any account of the process based solely on the documentary evidence would potentially be incomplete.

Yin (2003, p.97) argues that 'a major strength of case study data collection is the opportunity to use many different sources of evidence' and this 'allows an investigator to address a broader range of historical, attitudinal, and behavioural issues'. More importantly, it provides for a process of triangulation which he describes as 'converging lines of inquiry' and, as a consequence, any finding or conclusion 'is likely to be much more convincing and accurate'. On the other hand, Silverman (2006, p.292) cautions that 'the major problem with triangulation as a test of validity is that, by counterposing different contexts, it ignores the context-bound and skilful character of social interaction'.

Faced with documentary evidence which was in some respects incomplete, I sought the views of some of the people who were responsible for creating part of this evidence or whose task it had been to interpret and use these documents in arriving at their decision. In addition to enabling me to aggregate the data in order to produce a more complete picture of the whole episode, this strategy was used to add rigour, depth and richness to the research.

Generalisability

The problem of generalising from case studies is a concern raised in many texts. Bogdan and Biklen (2007, p.67) assert that this issue should be explored as part of the study. 'The researcher has to determine what it is he or she is studying; that is, of what is this a case'. In this instance, the DIT application for university designation was the first to be processed under the relevant section of the Universities Act, 1997. As such, it offers an insight into the process whereby the university title is awarded in Ireland. Berg (2004) suggests that, for many, the question of generalisability is not a contentious one. 'This is because there is clearly a scientific value to gain from investigating some single category of individual, group, or event simply to gain an understanding of that individual, group, or event' (p.259). Stake (2000), however, claims that the bulk of case study work 'is done by individuals who have an intrinsic interest in the case and little interest in the advance of science' (p.140). Often, he says, we are interested in a particular case, 'not because by studying it we learn about other cases or about some general problem, but because we need to learn about that particular case' (p.3). Emphasising the importance of the final written report,

Wellington (2000, p.96) suggests that:

A case study should be enjoyable and interesting to read. Readers should be able to 'learn lessons from it' (Anderson 1990). The ability to relate to a case and learn from it is perhaps more important than being able to generalise from it.

CHAPTER 4

DATA COLLECTION

The Universities Act, 1997 set out, for the first time in Irish law, a formal mechanism for the establishment of additional universities. During the passage of the Bill through the Irish Parliament (Oireachtas), the Minister for Education had given an undertaking to use the relevant section of the Act to examine the request from the Dublin Institute of Technology for university designation. An International Review Group with seven members was appointed by the Government in July 1997 and issued its advice in November 1998. Following the receipt of this advice, the Higher Education Authority (HEA) had to prepare a recommendation for the Government and, subject to positive reports from these two bodies, the Government could agree to the establishment of DIT as a university.

This chapter describes the nature of the two published reports which emanated from this process and gives an account of how access to unpublished information used in the compilation of these reports was obtained. A summary of the information contained in HEA files and in the documentation retrieved from DIT sources is then given. This is followed by a discussion of the individuals selected for interview, how the interviews were conducted and the type of information sought. The chapter concludes with a description of the methods used to analyse and synthesise the two types of data.

Documentary Sources of Data

(i) Published Documents

The request by the Dublin Institute of Technology to be designated as a university was processed under Section 9 of the Universities Act, 1997. This section had been subject to significant amendment during the passage of the Universities Bill through the Oireachtas (Parliament). The amendments to the Bill and the full text of Parliamentary Debates in both the Dáil (House of Representatives) and the Seanad (Senate) were published by the Office of the Houses of the Oireachtas.

There were two official reports concerning the application of the Dublin Institute of Technology for establishment as a University. The advice of the Review Group was contained in the *Report of the International Review Group to the Higher Education Authority*. This was a 41-page report (plus appendices) setting out the considerations and advice of the Group in eight sections as follows:

1. Summary
2. Introduction
3. Context
4. DIT Case for University Status
5. Methodology used by the Review Group
6. Review Group's Assessment of DIT's application for university status by reference to criteria specified
7. Options considered by the Review Group
8. Conclusions and Recommendations (Nally 1998)

Three months after the publication of the advice of the Review Group, the HEA issued its recommendations in the form of a report entitled *Recommendation of the Higher Education Authority to Government*. This 16-page document (plus appendices) was organised into four sections:

1. Introduction
2. The Findings of the Review Group
3. Other Conclusions of the Review Group
 - 'Mentoring' Role for the HEA
 - Need for a further review
 - Designation of the DIT under the HEA Act
 - Summary Recommendations
4. Other Considerations

Both of these reports were published by the Higher Education Authority.

(ii) Unpublished Documents

The provisions of the Freedom of Information Act, 1997 (FOI Act) had been extended to the Higher Education Authority in October 2001. This allowed public access to official records created within the Authority since 21 April 1998. The International Review Group had begun its deliberations in September 1997 and a large portion of its work had been completed by the following April when the provisions of the FOI Act became applicable to the HEA. However, the Act also allowed for access to 'any records necessary to the understanding of a current record even if created prior to 21 April 1998'; although certain information was exempt from these provisions including 'third party information of a personal, commercial or confidential nature' (Higher Education Authority 2008). Hence, access to the information in the HEA relating to the preparation of the published reports should have been available to me under this Act. However, rather than pursuing the official route of submitting a formal request under the FOI Act, I decided that an initial informal approach might be a better option to follow and so I contacted the Higher Education Authority to ascertain what information had been retained on file regarding the production of these two reports.

Following this approach, I was invited to a meeting with the Deputy Secretary and another member of the Executive of the HEA to discuss the possibility of accessing any relevant documentation regarding the review of the DIT application for university status. It so happened that, during the week previous to this meeting, a report appeared in a national newspaper under the heading 'University status for Waterford institute' (Flynn 2006) which stated that Waterford Institute of Technology had made a formal application to the Department of Education for university status.

The HEA had archived two files of documents relating to the work of the Review Group and a third file contained documentation on the preparation of its own recommendation concerning the DIT application. However, the question of confidentiality regarding the material in these files was a matter of concern for the Executive members. Not only was there now an application from Waterford Institute of Technology for establishment as a university in the south-east of the country but I later learned that, two days previous to my meeting with the HEA representatives, the President of DIT had informed them that the Institute intended making a renewed bid for university status. This announcement had been made at a meeting to discuss arrangements whereby the HEA would be taking over funding responsibilities for all the Institutes of Technology. As I was an academic member of DIT, there could very understandably have been a reluctance on the part of the HEA to let me examine the files. However, with an assurance that I would treat all documents confidentially and that their contents would not be shared with anyone other than the supervisor of my thesis, plus the understanding that it would be possible to place an embargo on

the publication of the completed thesis, it was agreed that I could see all the relevant documentation. A copy of the final draft of the thesis was subsequently passed to Mary Kerr, Deputy Secretary of the HEA, for a decision regarding a possible embargo. Having read the thesis, she was quite happy that no embargo was necessary.

The HEA Files

The documentation relating to the review and the subsequent recommendation of the HEA to Government was contained in three files. File No. 1060 contained the documents on the work of the International Review Group. A second continuation file was used to store some of the documents including a bound copy of the submissions received by the Group in response to a public advertisement. Papers dealing with the preparation of the HEA recommendation to Government were stored in File No. 1126.

As the contents of these files were not catalogued, I prepared a listing of the documents in the order in which they were filed. Details of this listing (excluding correspondence of a routine nature) are included in Appendix I. The documents in the Review Group files can be classified as follows:

<i>Type of document</i>	<i>Number</i>
Correspondence	46
DIT submissions and other supporting material	14
Submissions from other bodies	22
Agendas and minutes	22
Background documents	15
Working documents	5
Discussion papers and draft reports	8
Press cuttings/releases	16
Speeches by Minister for Education and Science	4

There were approximately 140 other items of correspondence of a routine nature such as scheduling of meetings, travel arrangements, etc. The documents in the file relating to the HEA recommendation were as follows:

<i>Type of document</i>	<i>Number</i>
Correspondence	10
Memoranda/discussion papers	3
DIT documents	4
Other submissions	3
Draft response and final report	2
Press cuttings/releases	2
Speeches by Minister for Education and Science	2
Minutes	1

Reference to those documents quoted in the thesis uses the format HEA + File No. followed by the list no. from Appendix I, e.g. (HEA 1060:3) refers to the third document in File No. 1060.

A small number of other documents that were made available to me in the offices of the Higher Education Authority have also been listed in Appendix I. These are referenced in the thesis as (HEA + list no.).

DIT Documentation

During the course of its deliberations, the Review Group sought a number of submissions from DIT in support of the application for university title. Members of the Review Group also visited various DIT locations and had a series of meetings with members of the University Steering Group which had been established within the Institute. I was not, however, able to locate any file which documented the process from within DIT; nor did there appear to be any other systematic record of meetings, correspondence or background documentation concerning the review process.

Academic Council is the body in DIT charged with the planning, co-ordination, development and overseeing of the educational work of the Institute. With the assistance of the Academic Registrar, I was able to find minutes of the (usually monthly) meetings of the Council in various cupboards and attics of the DIT head office. These files also contained information regarding the special meeting at which the decision to seek university status was formally taken, as well as other press releases, newspaper cuttings, internal newsletters and some internal correspondence.

A second set of documents was given to me by the former President of DIT, Brendan Goldsmith. These included:

- (i) The 5 DIT Submissions to the International Group.
- (ii) The First and Second Reports from Teastas – the Irish National Certification Authority.
- (iii) Correspondence and discussion documents.

A list of the documents from DIT sources quoted in the thesis is given in Appendix 2. These are referenced in the thesis as (DIT + list no.).

Interview Sources

There were three sets of people closely involved in the review of the application by DIT for university designation. These were the Review Group itself, the members and executive of the Higher Education Authority, and personnel from the Dublin Institute of Technology. My provisional list of interviewees comprised three members of the Review Group, the chairman and two other members of

the Higher Education Authority as well as three of those from the DIT University Steering Group. I also intended to interview two other people with a close working knowledge of the HEA. I chose three in each case as this number could assist in triangulation of data which might be in dispute if only two were involved. It also facilitated the anonymising of responses which had been promised to the interviewees. Had I, for example, interviewed only two individuals from DIT, then each of these participants could easily identify the responses of the other in the completed thesis.

Interviews Conducted

Within DIT, a University Steering Group with five members had been established to prepare the documentation for the review. Two of the three people selected from this group for interview were still serving in the DIT – Brendan Goldsmith, the former president and Matt Hussey, the Director of the Faculty of Science. The latter had featured in an exchange of letters between the Chairman of the HEA and the DIT President over remarks which he made regarding the HEA recommendation to Government and which were reported in a national newspaper under the heading ‘DIT faculty head hits Authority as “venomous and vicious”’ (Walshe 1999). David Gillingham, the third interviewee from this group, had joined DIT in 1996 as Director of Academic Affairs and represented DIT at several meetings with members of the Review Group. In January 2000 he moved to Coventry University to take up the position of Pro-Vice-Chancellor for research, international and commercial affairs. He was succeeded in DIT by Frank McMahon who was the fourth surviving member of the (all-male) University Steering Group and I felt that, should the need arise, I would still have

the option of seeking an interview with him. Although I had been a member of the academic staff of DIT for many years, I would not have been personally known to any of these people.

The International Review Group was chaired by former Government Secretary, Dermot Nally with Mary Kerr of the HEA as secretary. There were also two international members, two members from existing Irish universities and two representatives of the business community. The chairmanship of the Higher Education Authority changed during the process. Noel Lindsay had been Secretary of the Department of Education before becoming full-time chairman of the HEA in 1993 and he was followed in January 1998 by Don Thornhill who had been his successor, now called Secretary General, in the renamed Department of Education and Science.

I sought interviews with the Chairman and two other members of the Review Group. From the HEA, I requested an interview with Don Thornhill who was Chairman of the Authority when the recommendation of the HEA to Government was being prepared. A small subgroup of three HEA members had been formed to assist the Chairman and Executive with the drafting of the official response from the HEA. One of the members of this group responded to a request for an interview by saying that her recollection of the review from nearly ten years ago was sketchy and that she felt she would have little of substance to say about it. I was unsuccessful in contacting a second person from this subgroup while the third, an academic member of the HEA whom I did meet, was the only person who declined to have the interview recorded. As explained in

Chapter 10, membership of the HEA is divided between academics and others, and so I also sought and obtained an interview with a non-academic member of the Authority (see Appendix 3 for a list of those interviewed). Two others who were involved in the review process were interviewed but have not been named in order to preserve confidentiality.

To help inform the interviews, I sought additional background information from a number of other contributors to the process. Danny O'Hare, president of Dublin City University, had been suggested by the HEA as a possible chairman of the International Review Group. He was, at that time, the chairman of the Conference of Heads of Irish Universities (CHIU) which made both oral and written submissions to the Review Group. I contacted the Food Safety Authority of Ireland where Dr O'Hare was a board member and I was asked to send my email for Dr O'Hare to them and they would ensure that he received it. I duly forwarded an email plus information sheet to them and a similar one was sent directly to the Director of the Irish Universities Association (formerly CHIU) but I received no response to either.

Malcolm Skilbeck, who was the surviving international expert on the Review Panel, responded to my email by offering to do a telephone interview from his home in Australia. An adviser to the Minister for Education and Science during that period responded by email to some questions but cautioned that he would be unable to comment on any element of the decision covered by cabinet confidentiality. He also pointed out that all advisers had signed a contract which precluded them from getting into the business of memoirs or the like but within

these constraints he was able to provide me with some useful and valuable background information. No replies were received from the two state agencies with which another Review Group member and a former chairman of the Council of Directors of Institutes of Technology were associated and I decided not pursue them further at that stage.

The Interview Process

In most instances, contact with members of both the Review Group and the Higher Education Authority was made via the HEA. This latter approach was considered advisable in order to assist in obtaining the agreement of these people to be interviewed. It was also used in deference to the fact that several of those who had been involved in the process were now retired. Letters and an information sheet (see Appendix 4) were sent to Mary Kerr in the HEA and she forwarded these to the relevant people.

As stated in the letters, this initial contact was followed up by phone contact when arrangements for the interview were made. In some cases the interviewees took the initiative and made contact by phone or email. The interviews were all arranged in venues chosen by the interviewees. These included their homes, places of work (including a park bench in Trinity College in the month of March), hotels and DIT. There was one telephone interview with Malcolm Skilbeck from his home outside Melbourne, Australia. The lengths of the interviews ranged from approximately 35 minutes to 90 minutes but were typically about one hour. All but one of the 13 interviews were recorded. Regarding confidentiality, it was stated in the Information Sheet (Appendix 4)

that 'All the information given by you in the course of the interview will be kept strictly confidential and will be available only to my supervisor and myself'. The Participant Consent Form, which each of the interviewees was asked to sign, included the statement that 'I understand that my responses will be anonymised before publication' (Appendix 5).

I began the process in February 2007 by interviewing the former president of DIT and I then interviewed the others according to availability and convenience on their part. This process was scheduled for completion in June of that year when I interviewed Don Thornhill who had been Chairman of the Higher Education Authority when the recommendation to Government was being prepared. I had decided to leave this interview to the last to enable me to deal more effectively with various aspects of the formation and finalising of the Authority's recommendation which had been critical in determining the final outcome of the DIT application for university status. However, the nature and import of the information given and views expressed during this interview prompted the need to seek verification from other members of the Authority and so it was decided that additional interviews would be warranted. I therefore made arrangements to interview Patricia Barker, recently retired Associate Professor of Accounting in Dublin City University, who had been an academic member of the Authority at that time. For the views of a non-academic member, I interviewed Chartered Accountant Malachy Stevens and I also met again with Eamon Tuffy, a non-academic member of the Authority whose previous interview had been unavoidably curtailed. These additional interviews were conducted in January 2008.

The Interview Schedule

The interviews themselves were semi-structured – the exact format varied to suit the individual interviewee. A general outline of the type of questions used in the interview process is included in Appendix 6. The questions were designed to probe the following general areas:

The International Review Group: Composition and membership, terms of reference, and workings of the group.

The Review and Assessment: Development of criteria, the DIT submissions, and the consultation process.

Other considerations: The binary system, a multi-level university for Ireland, and Teastas – the Irish National Certification Authority.

The HEA Recommendation to Government: Forming the decision, and the use of a sub-group to prepare the report.

Other issues: The binary system and other factors, the tone of the Review Group report, and the proposed mentoring role.

The Section 9 Process: Status of the Review Group, and need for a firm set of criteria.

Analysing the Data

(i) Documents

During visits to the offices of the HEA in July 2006, I familiarised myself with the contents of the files and made a list, with brief notes, of all the documents. In January 2007 I again examined the files, this time making detailed notes of selected documents. In keeping with the original objective of the case study, I

followed Yin's analytic strategy of developing a descriptive framework for organising the case study data and constructed a narrative account of the work of the International Review Group and the subsequent deliberations of the Higher Education Authority. I also identified a number of issues which were important to an understanding of the case and which could be pursued in the interviews.

(ii) Interviews

With one exception, all the interviews, including the telephone interview, were recorded. For the initial interviews, I listened to the recordings and made notes of the important issues. I then made transcripts of selected parts of the interview. However, for later interviews I found it preferable to have a full transcript of the entire interview from the outset (apart from any obviously redundant material). Quotes used in the thesis were rechecked for accuracy using the original recording.

Using the material from these transcripts, I addressed the particular issues and themes which had been identified through the documentary evidence and included the views of those I had interviewed. Having reviewed the evidence from the documents and the interviews, I have endeavoured to reconcile the two sets of evidence, noting where these have reinforced each other and highlighting the inconsistencies.

Part II

STRUCTURE OF THE IRISH HIGHER EDUCATION SYSTEM

CHAPTER 5

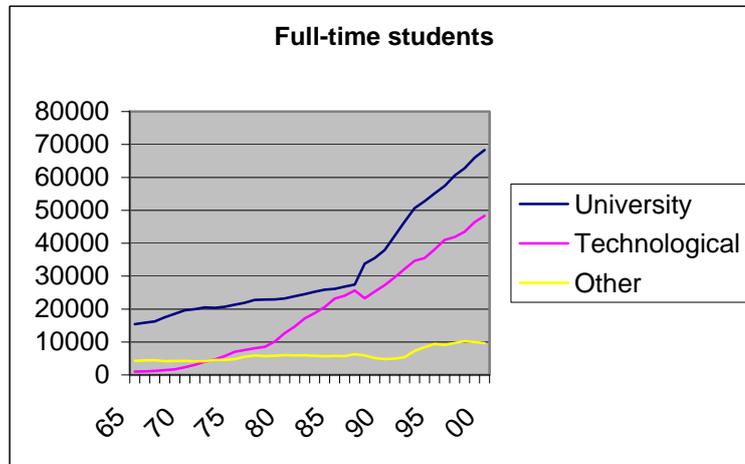
THE BINARY SYSTEM

In Ireland, higher education is commonly referred to as 'third-level'. This chapter describes the development of the non-university sector of third-level education in the State from the mid-1960s up to 1980. This was achieved through the setting up of a number of new educational institutions as well as advisory and regulatory bodies. A series of events intended to increase the provision of technological education in the Dublin region eventually resulted in the tentative amalgamation of six third-level colleges on an ad hoc basis to form the Dublin Institute of Technology. In Northern Ireland, the binary divide disappeared in 1984 with the amalgamation of the Ulster Polytechnic and the New University of Ulster.

Growth and Diversity

As with many developed countries, the numbers in tertiary education in Ireland expanded rapidly in the latter part of the twentieth century, rising from just over 18,000 full-time students in 1964 to more than 122,000 in 1999. As can be seen from the diagram below, the most striking development occurred in the non-university technological sector. From the early 1960s, the admission to colleges in this sector had increased at such a rate that, by 1988, the total enrolments in the technological sector came close to matching those in the universities and

might have exceeded these had not two institutes moved across the so-called binary divide and enhanced the university figures.



Source: White (2001, pp282-3) & DES

Note: 'Other' includes teacher training and private colleges

This expansion of higher education was based on a differentiated system, with state funding to the university sector being allocated through the Higher Education Authority and the technological sector receiving funding directly from the Department of Education. However, while the initial development of the binary system in Ireland may have been influenced by similar developments in the UK, the determination to maintain the system after its demise in Britain was spelt out in the 1995 Government White Paper *Charting Our Education Future*:

The diversity of institutions and the separate missions of the two broad sectors will be maintained to ensure maximum flexibility and responsiveness to the needs of students and to the wide variety of social and economic requirements.

(Dept of Education 1995, p.98)

In developing a binary system of higher education, Coolahan (1997) suggests that, while Ireland was willing to learn from external experience, it had 'forged its own way forward, infused by its own cultural style of doing things' (p.209).

The Irish Universities

The University of Dublin, with Trinity College as its sole constituent college, is Ireland's oldest university having been granted a royal charter by Queen Elizabeth in 1592. In 1845, the Queen's Colleges Act established university colleges in Cork, Galway and Belfast. These operated under the umbrella of the Queen's University of Ireland. In 1851, an independent university was established in Dublin by the Roman Catholic hierarchy. Known as the Catholic University of Ireland, it was formally opened in 1854 with John Henry Newman as its first rector.

The University Education (Ireland) Act, 1879 provided for the dissolution of the Queen's University of Ireland and the establishment of the Royal University of Ireland. The examinations of the latter were open to all students, whether they had attended lectures or not and, in this way, students of the Catholic University could now obtain recognised degrees. The Royal University was subsequently dissolved under the Irish Universities Act of 1908 and two new universities were established – the Queen's University of Belfast and the National University of Ireland. The latter was a federal arrangement of the Queen's Colleges in Cork and Galway along with the Catholic University which was now called University College, Dublin.

In 1795, a college for the education of Roman Catholic priests had been established in Maynooth, just outside Dublin. In 1886, St Patrick's College, Maynooth attained the status of a pontifical university and in 1910 it became a recognised college of the National University of Ireland (NUI). Hence, at the

time of the establishment of the Irish Free State in 1922, there were four universities in the state along with this recognised college. These four universities were:

Trinity College, Dublin
University College, Dublin
University College, Cork
University College, Galway

Northern Ireland, which remained part of the United Kingdom, had one university, the Queen's University of Belfast.

The Commission on Higher Education and Other Committees

Before the 1960s, higher education does not seem to have featured prominently on the political agenda in either Ireland or the United Kingdom. By 1960, the Irish Government had concluded that higher education could play an important role in the socio-economic development of the state and that there was a need to examine the whole question of third-level education. In October of that year, the Minister for Education established a Commission to 'inquire into and make recommendations in relation to university, professional, technological and higher education generally' (Commission on Higher Education 1967a, p.1). The situation faced by this Commission was summed up in its report as follows:

The existing system of higher education was developed piecemeal; it is not a unified system but a complex of separate units, involving some unnecessary duplication and leaving areas of higher education unprovided for.... There is as a rule, no planning machinery for the system and too little planning on the part of its component institutions.

(Commission on Higher Education 1967a, p.22)

Parallel developments were occurring in the UK at this time with the appointment in February 1961 of a committee of enquiry under Lord Robbins to

examine higher education policy. The situation there was remarkably similar to that in Ireland:

before Robbins there was no coherent policy covering post-school education: the system had grown up in the best tradition of English ad-hockery. Neither major party held strong views on higher education, beyond agreeing that opportunities should expand. (Goodwin 1998, p.187)

The Robbins Committee reported in October 1963 but its recommendations on university expansion were contradicted by the announcement eighteen months later of the development of a binary system of higher education. This announcement of the binary concept by Crosland in April 1965 was followed in May 1966 by a White Paper on Polytechnics.

While the Robbins Committee took just over two and a half years to produce its report, the work of the Commission on Higher Education took over six years. This can be explained to some extent by the composition and terms of reference of the two committees. The Robbins Committee had only twelve members whereas the Commission on Higher Education had twenty-eight members and 'approached its work in the traditional "grand" style of commissions of an earlier era' (Coolahan 1990, p.2). During the term of the deliberations of the Commission, two influential OECD reports had been published. The 1965 report *Investment in Education* concentrated on first and second-level education but it did highlight both the low participation rates among those from a working class background in higher education and the sharp geographical inequalities. It also indicated a number of reforms and it has been said that many of the changes which have taken place since 'owe a huge debt to its coded recommendations' (OECD 1991, p.8).

Training of Technicians in Ireland, which dealt with the need to develop technical manpower for economic advancement, had been published in 1964. In advance of the official report, the Minister for Education had announced proposals for the establishment of a network of regional technical colleges to cater for technician education and training. However, it was only in 1966 that a Steering Committee on Technical Education was set up to advise the Minister for Education on the establishment and role of these regional technical colleges. The Committee reported in April 1967 and, using the OECD reports *Investment in Education* and *Training of Technicians in Ireland* to support their arguments, endorsed the setting up of eight regional technical colleges and recommended surveys to establish the demand for places and types of courses in these colleges. As Eileen Randles (1975, p.234) described it, 'a blatant example of the "cart before the horse" type of procedure which typified much of the reorganisation of Irish post-primary education in the 1960s' – it would have been expected that these questions would have been considered before the decisions on setting up the colleges had been taken. However, its recommendations on the setting up of the regional technical colleges and its proposals for a National Council for Educational Awards along the lines of the CNAA in the UK now 'pointed more firmly towards a binary third-level framework on the lines of Britain' (Coolahan 1990, p.9).

While the report of the Commission on Higher Education published in February 1967 was impressive, Osborne (1996, p.44) points out that its impact on third-level policy was unimportant 'because it had relatively little'. In fact, he claims that the creation of the Higher Education Authority as a planning body for higher

education was 'one of the few recommendations taken up and acted upon by government' (p.45). Coolahan (1990, p.10), on the other hand, considers that such accusations are 'an unfair and inaccurate assessment of both its worth and its influence' and that many of its recommendations were 'adopted or implemented in amended form'. More importantly, 'its demarcation of the university's role in its basic research and pure scholarship dimension from the applied research technological and vocational emphasis formed the basis on which a binary approach could be and was constructed'. In a section on *The University and Technology*, the Commission wrote:

The nature of technological training is such that it cannot easily be organised by the university; it must be closely associated with industry, sometimes using its facilities, always aware of industry's changing needs, flexible enough to meet these changes, and keeping industry's changing requirements always in mind. These are not obligations which the university should be asked to assume and, indeed, we feel sure that the university would not wish to assume them.

(Commission on Higher Education 1967b, p.182)

This view taken by the Commission seems to have prompted the government and civil servants to develop the binary system and set up 'a host of new institutions amenable to its concerns for technological, scientific and applied education' (Coolahan 1990, p.11).

New Institutions and Ad Hoc Bodies

Between 1968 and 1974, Ireland built up a firm binary system of higher education with the establishment of a number of new institutions and bodies including:

The Higher Education Authority
The National Institute for Higher Education in Limerick
The National Council for Educational Awards
The Regional Technical Colleges

The Higher Education Authority

One of the few recommendations of the Commission on Higher Education to be acted upon by the Government was the creation of a permanent commission to deal with the funding of higher education. However, unlike the University Grants Commission in Britain, it was also to be a planning and development body. The Higher Education Authority (HEA) was established on an ad hoc basis in 1968 as the funding authority for the universities and certain other designated colleges but was given wide advisory powers throughout the whole third-level education sector. The views of the HEA at that time were very much in line with those of the Commission on Higher Education as can be seen from their differentiated view of a university and a technological institution which they set out in one of their first reports dealing with the proposals for a Council for National Awards and a College of Higher Education in Limerick:

Whereas the primary function of a university is the pursuit of knowledge, that of a technological educational institution is the combined development, based on scientific knowledge and method, of intellectual and practical skills, with a view to the practical application of these.

(Higher Education Authority 1969, p.9)

The National Institute for Higher Education, Limerick

The Limerick University Project was set up in 1959 to lobby for the creation of a university in the city. When this group met the Minister for Education in 1960, they were informed that the issue would be considered by the Commission on Higher Education which was then being established. When it eventually reported in 1967, the Commission rejected the idea of a university for Limerick but proposed instead that it should have one of two 'New Colleges' which would award certificates, diplomas and pass degrees only. The exact form of higher

education to be provided was referred to the newly established Higher Education Authority. The HEA came out strongly against any type of university institution and proposed instead a polytechnic-type institution as part of the developing binary system in Irish higher education. Titled the National Institute for Higher Education (NIHE), it soon became a flagship of a new approach to technical and technological education. The first students were enrolled in 1972, just over half of them pursuing degree programmes. The Department of Education had appointed the 31-year-old Dr Ed Walsh as the first Director of the NIHE. It turned out to be an inspired, if not entirely intentional, choice as the forceful and outspoken Dr Walsh pursued what White (2001) described as his vision of creating Ireland's MIT.

The National Council for Educational Awards

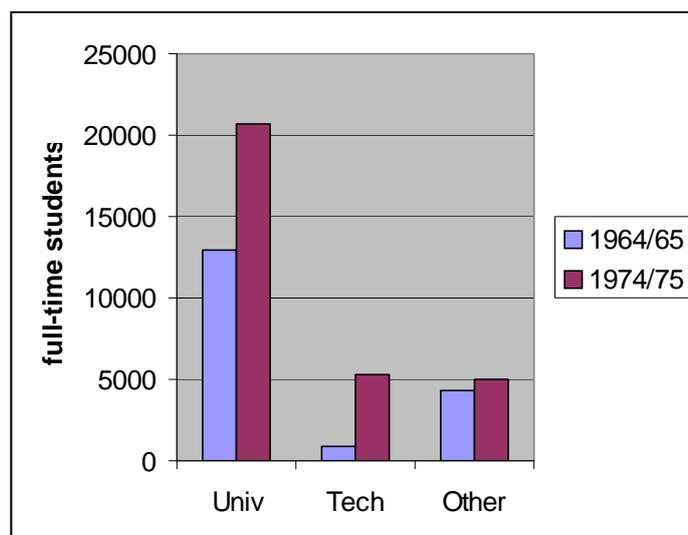
In 1972, the Government set up the National Council for Educational Awards (NCEA) on an ad hoc basis as the academic authority for courses and awards in non-university colleges. Based to a large extent on the Council for National Academic Awards (CNAA) in Britain, it was given responsibility for the approval of courses in designated non-university institutions and the awarding of degrees, diplomas, certificates and other educational awards. The Council presented the first National Certificates to students from the regional technical colleges in 1972 and conferred its first degrees in 1974.

The Regional Technical Colleges

When proposals for regional technical colleges were mooted by the Minister for Education in 1963, it was intended that they would provide secondary and

further education rather than higher education. In 1967, the Steering Committee on Technical Education recommended that some of the work in these colleges should be at third-level but it did not envisage any final fixed pattern of courses. The first five colleges were fully operational by 1970 but in response to objections from local secondary schools who feared competition for students, these colleges placed an increasing emphasis on higher level work. The opening of the Cork College in the autumn of 1974 brought the total number to eight and, of the 2,700 students now enrolled in these colleges, approximately three-quarters were pursuing third-level courses.

In 1964, there were just over 18,000 full-time students in third-level education in Ireland. The Commission on Higher Education had predicted that this figure would increase to 26,000 by the mid-1970s, with an 80% rise in the number attending the universities. The numbers, in fact, increased to almost 32,000 over the decade but, while the universities saw their number increase by 60%, the non-university technological sector increased almost six-fold.



Source: White (2001, p.282) & DES

By the end of 1974, Ireland was well on the way to developing a strong binary system with a non-university technological sector being made up of 8 regional technical colleges, 6 Dublin Colleges (later to become the DIT) and the National Institute for Higher Education, Limerick. The National Council for Educational Awards (NCEA) was to be the body with academic responsibilities for this sector. From a figure of less than 5% in 1964, these colleges now had 17% of third-level students ten years later. While the binary concept may initially have been imported from Britain without due regard to its suitability for Irish conditions, 'In subsequent years it blossomed into the policy of the Department of Education' (Duff et al 2000, p.48).

A Comprehensive System of Higher Education

In March 1973, a coalition government assumed office, replacing the Fianna Fail Government which had been in power for the previous 16 years. In a statement on 16 December 1974, the Minister for Education, Richard Burke caused some surprise when he announced that the government had decided to introduce measures to bring about a comprehensive rather than a binary system of higher education in Ireland. In future, all non-university third-level institutions would be linked to universities for degree-awarding purposes while the NCEA would confine its awards to certificates and diplomas. As with many of the announcements in Irish education at that time, the statement contained radical proposals but was short on explanation or details. A further publication containing these details was promised but never appeared.

That these proposals did not enjoy widespread acceptance in official circles can be gauged from the fact that the chairman of the Higher Education Authority let it be known through the media that they had ‘no part whatsoever in the drawing up of the Minister’s proposals’ and that those proposed by the HEA ‘were the best solution to the problem’ (White 2001, p.115). In the end, no legislation on these controversial proposals was enacted before the Coalition Government went out of office in July 1977. The new Government moved quickly to reverse the decision and restore degree-awarding powers to the NCEA. In this way, the binary structure in higher education was again firmly institutionalised.

The Dublin Institute of Technology

The Ballymun Project: DIT or NIHE?

Prior to 1968, higher technological education in Ireland occurred mainly in Dublin in colleges run by the City of Dublin Vocational Education Committee. As demand for places in its colleges of technology and commerce grew, the Vocational Education Committee (VEC) found itself with an accommodation problem since the location of its colleges in the city centre limited the scope for expansion to cater for more students and courses. In 1969, a planning subcommittee of the VEC, charged with devising a physical and organisational plan for expansion of the Dublin colleges, proposed bringing together most of its higher level programmes onto a new twenty-four hectare campus at the Albert College in Ballymun on the northside of Dublin. The Minister for Education referred the proposals to the Higher Education Authority which had an advisory role for the entire higher education sector.

While the HEA supported the proposal with only minor modifications, publication of the report was delayed for almost two years due to a disagreement over governing structures. When a government announcement was eventually made in December 1974 as part of the plan to pursue a comprehensive system of higher education, it was proposed that a second National Institute for Higher Education (NIHE) would be built in Ballymun. This new college was generally interpreted by the City of Dublin VEC as the implementation of their Ballymun Project proposals. Only when the ad hoc Governing Body was announced in July 1975 did it become clear that this college would be independent of the VEC.

A liaison committee was formed to recommend which courses and staff should be transferred from the Dublin Colleges to the new NIHE. When this committee failed to make any progress, the Minister for Education established a Working Party on Higher Technological Education in the Dublin Area to examine the issues involved and make recommendations on apportioning resources between institutions. The working party reported to the Minister early in 1977 but its proposals were rejected by the VEC. In March of that year, Dr Danny O'Hare became the first Director of the Institute. Further attempts were made over the next year to come to an agreement on course transfers to the National Institute but were unsuccessful. Duff et al put it starkly 'None of the recommendations were ever implemented and no courses or facilities were transferred' (2000, p.31). So, after almost ten years, the Ballymun Project came to an end.

The City of Dublin VEC responded by establishing the Dublin Institute of Technology in 1978 to co-ordinate the work of its six colleges. By so doing, it hoped to give a certain amount of coherence to its third-level activity but it could also be seen as a move aimed at providing rival or parallel development to NIHE Dublin. The new National Institute for Higher Education enrolled its first students in the refurbished Albert College in 1980.

DIT versus NCEA

Under the Burke proposals for a comprehensive system of higher education, the National Council for Educational Awards (NCEA) was to have its degree awarding powers replaced by a planning and co-ordination role. These same proposals also threatened the future of engineering education at Trinity College, Dublin (TCD). Over the previous six years, engineering students from the Colleges of Technology in Bolton Street and Kevin Street (later to be part of the Dublin Institute of Technology) had been accepted on postgraduate courses at TCD. An agreement was quickly reached between the City of Dublin VEC and TCD to have the university award honours BSc (Eng) degrees to successful diploma students in the two colleges of technology.

With the change of government in 1977, measures were put in place to restore degree awarding powers to the NCEA. A Bill was also drafted to place the NCEA on a statutory footing and it was the intention of the new Minister that the NCEA should be responsible for all awards in the non-university sector. This measure was opposed by the City of Dublin VEC and the Minister conceded that the Dublin Colleges, now part of the embryonic DIT, could continue to obtain

recognition from a university. As White (2001) comments, 'The statute which was intended to copperfasten the binary system in effect ensured that such a system could never be watertight' (p.148).

Developments in Northern Ireland

Expansion of participation in higher education and the development of new institutions in the United Kingdom since the mid-1960s may be attributed to the 1963 Robbins Report. In Northern Ireland, the devolved government set up its own local committee to review university and technical education within its jurisdiction, having regard to the Report of the Robbins Committee. The resulting Lockwood Report of 1965 is best remembered locally for its controversial recommendation on the location of a second university for Northern Ireland at Coleraine in the north of the province. The New University of Ulster was duly established in the town and enrolled its first students in 1968.

The other main recommendation of the Lockwood committee concerned the establishment of a regional technical college in the Belfast area. The proposed Ulster College was intended to bring together several existing colleges including the College of Art and Design and the College of Domestic Science. This college was set up in 1971 at Jordanstown on the outskirts of Belfast with the intended aim of providing non-degree courses; it was not envisaged as a polytechnic for Northern Ireland. Sir Derek Birley, a Yorkshire man, was appointed first rector of the new Ulster College. Describing the Lockwood proposals as 'half-baked', he moved quickly to develop the characteristics of an English polytechnic by introducing a wide range of degree courses and subsequently postgraduate

courses validated by the CNAA. The institute was marketed as *Ulster College – the Northern Ireland Polytechnic*.

The Ulster College expanded rapidly throughout the 1970s and was officially given Polytechnic status in 1978. During this time, however, the New University of Ulster (NUU) was struggling to attract students in sufficient numbers. The problems at NUU were considered by a higher education review group, chaired by Sir Henry Chilver, which recommended that NUU be retained but with a redefined role. This was rejected by the Westminster Government, which was now responsible for education in Northern Ireland under direct rule, and instead it was proposed that NUU should be merged with the Ulster Polytechnic. The merger was effected by the establishment of the University of Ulster in 1984. This was the first and only such amalgamation of two institutions from different sides of the binary divide whereby a so-called Glass Plate University was merged with what would now be a Post-92 University. Thus the binary divide was abolished in Northern Ireland in 1984 as a result of the possible failure of NUU. As Osborne summed it up: 'A virtue was born out of a necessity' (1996, p.73).

CHAPTER 6

CHANGING TITLES AND MAKING AWARDS

The two National Institutes for Higher Education crossed the binary divide in 1989 and were established as universities. In 1992, legislation to place the Dublin Institute of Technology and the Regional Technical Colleges on a statutory footing was enacted. While the DIT Act provided for the delegation of degree-awarding powers to the Institute, a formal announcement by the Minister for Education of her intention to make an order conferring such powers was only made in December 1996 following a review of quality assurance procedures. After detailing these events, this chapter describes how the announcement of degree-awarding powers for DIT was followed by the designation of all the Regional Technical Colleges as Institutes of Technology.

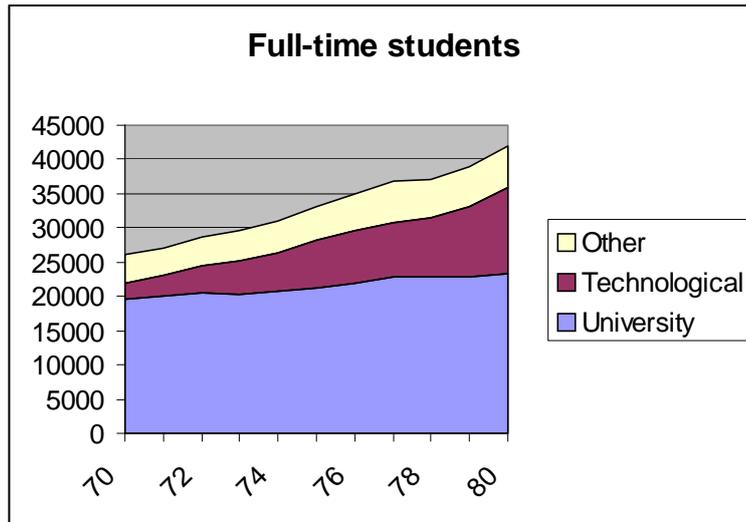
The Technological Sector of Higher Education

In 1980, the non-university technological sector of Ireland's binary system of higher education comprised two National Institutes for Higher Education, ten Regional Technical Colleges and the Dublin Institute of Technology. The DIT had been established on an ad hoc basis in 1978 when the City of Dublin Vocational Education Committee set up a framework to co-ordinate the work of its six higher education colleges. Adopting the *Institute of Technology* title, this attempt at unification resulted in what can best be described as a loose federal

arrangement with one of the college principals acting as overall director of the institute. In the early years, the colleges maintained strong individual identities and continued to operate as autonomous institutions.

Eight regional technical colleges had been established between 1969 and 1974 providing training for apprentices as well as courses at sub-degree level in science, engineering and business, with particular emphasis on the needs of local industry. Tralee Technical College was raised to regional status in 1977 while the Limerick College of Art, Commerce and Technology operated as a regional technical college and subsequently adopted the title. Over the years the level of courses in these colleges expanded to include degree and postgraduate awards and the range of disciplines encompassed applied humanities, social studies, and art and design.

The first National Institute for Higher Education had been established in Limerick in 1972 and, with the opening of the second such institute in Dublin in 1980, these became the flagship institutions of the technological sector. Overall, in the decade up to 1980, the number of full-time students in third-level education had increased by 60%. However, while the university sector had increased by 18%, the technological sector had increased by a factor of 4.5 as illustrated below.



Source: White (2001, p.282) & DES

The National Institutes for Higher Education seek University Status

Two Acts were passed in 1980 to place the National Institutes for Higher Education (NIHEs) on a statutory footing. During the passage of the two Bills through the legislature, the Minister for Education stated that he envisaged the NIHE Limerick becoming a technological university in due course. The legislation set out the functions of the Institutes and these included the provision of 'degree level courses, diploma level courses and certificate level courses' (Stationery Office 1980, s.4). However, even though its first prospectus contained details of proposed diploma courses, no sub-degree programmes were ever run in NIHE Dublin. This was in contrast to the situation in Limerick in 1972 when just over 40% of the initial intake of students were enrolled on sub-degree programmes.

There was no formal mechanism for determining the appropriateness of the title of university for Irish institutions at that time so, in 1986, as part of their ongoing campaign to change their status, the heads of the two National Institutes for

Higher Education persuaded the Minister for Education to establish a body to advise on their case for university title. In November of that year, an International Study Group was set up to consider provision of non-university technological education and to advise on whether the National Institutes for Higher Education in Dublin and Limerick should be established as universities. This Group was chaired by T.P. Hardiman, chairman of the Investment Bank of Ireland and the deputy chairman was Emeritus Professor of Business Administration at University College, Dublin. The other three members were the Vice-Chancellor of Brunel University and Vice President of the Royal Society, the President of the University of Waterloo and, from Hamburg University of Technology, the Vice-President of the German Research Foundation.

The Study Group conceded that the question of title raised 'the perennial question to which there is no really satisfactory answer – what is the essential nature of a university?' but decided that 'there is little to be gained in attempting to impose a universally applicable definition' (Hardiman 1987, pp30-31).

Alternative titles for the NIHEs, including *institute of technology*, were considered but it was felt that, in the Irish context, the latter title would not be appropriate since 'Relatively few examples of the usage can be quoted' (p.31). The Group concluded that the title *technological university* should not be used but that these institutes should be established as independent universities. The legislation establishing the University of Limerick (UL) and Dublin City University (DCU) was passed in 1989, effectively taking them across the binary divide and providing what White (2001) described as a most interesting example of how 'a complex and elusive policy, such as the binary approach, could be deflected in the Irish

political system by a well-crafted lobby ... It also provided a headline for others to follow' (p.215).

Dublin Institute of Technology and Regional Technical Colleges Acts

The International Study Group also strongly recommended that the Dublin Institute of Technology and the Regional Technical Colleges should be given more autonomy. The proposal to establish DIT on a statutory basis in its own right had been included in the 1985 Government Green Paper *Partners in Education*. This paper suggested that DIT should be treated differently from the Regional Technical Colleges (RTCs) and made the case for it to be treated the same as the universities by becoming a designated institution under the Higher Education Authority Act. Emphasising its national character, size and variety of courses, it noted that 'the Institute is quite different in character from the RTCs. These characteristics argue in favour of the designation of the Institute' (Dept. of Education 1985, p.23).

The Dublin Institute of Technology Act, passed in 1992, sought to give legal standing to the existing ad hoc arrangements between the six colleges which comprised the institute. This Act, along with the Regional Technical Colleges Act, provided greater autonomy and self-governance for these institutions. While the two Acts were very similar in many ways, they contained one significant difference. Whereas the DIT was given power to confer its own academic awards, the Regional Technical Colleges were required to enter into arrangements with the National Council for Educational Awards (NCEA) or another authority, such as a university, for the purpose of making such awards.

This was similar to the situation in the NIHEs in Dublin and Limerick which had their awards conferred by the NCEA and only obtained degree-awarding functions when their university legislation was enacted in 1989.

The various colleges of the DIT had been awarding their own certificates and diplomas since the 1950s, albeit without an appropriate statutory basis. This function was now formalised in the Act with the additional provision of the 'function of conferring degrees, postgraduate degrees and honorary awards as may be assigned to it, from time to time, by order made by the Minister' (Stationery Office 1992, s.5). Speaking on an opposition amendment which sought to add degrees to the educational awards which the institute could confer from the outset, the Minister for Education stated that there was 'absolutely no doubt that the Dublin Institute of Technology should be given degree awarding status' but that he wanted to delay the granting of these powers 'for a targeted period of 12 months' in order to allow discussions to take place with the interim governing body regarding 'arrangements for external examiners and other quality control procedures' (Brennan 1992). He also eschewed a suggestion that a maximum delay of 12 months should be specified in the legislation.

The Acts also provided for engaging in research and exploiting the results of such research or development work but 'subject to such conditions as the Minister may determine' (Stationery Office 1992, s.5). The restrictive nature of such conditions and the desire for institutional autonomy featured prominently in the subsequent DIT bid for university status. These limitations were well

articulated by Micheál Martin, the opposition spokesperson on education and future Minister for Education, when he pointed out during a Dáil debate in 1997 that the Act:

only allows for the appointment of staff subject to the approval of the Minister for Education with the concurrence of the Minister for Finance; the selection procedures for staff are determined by the Minister and the Dublin Institute of Technology; the appointment of research fellows, research assistants, etc. is subject to regulations laid down by the Minister for Education, again with the concurrence of the Minister for Finance; it can only charge fees for lectures, examinations and exhibitions subject to such conditions as may be specified by the Minister; it may only acquire land subject to the approval of the Minister, and so on. These provisions are not applicable to the universities. (Martin 1997a)

The University Title

Changes were occurring, both nationally and internationally, that were bringing the title of institutions to the fore. The Ulster Polytechnic was now part of the University of Ulster, the National Institutes for Higher Education were universities in their own right and, in the United Kingdom, the Further and Higher Education Act, 1992 resulted in the polytechnics being designated as universities. The DIT had assumed the *Institute of Technology* title upon its ad hoc establishment in 1978 and the subsequent Dublin Institute of Technology Act, 1992 established the Institute on a statutory basis and gave legal standing to the title. However, it was found that there were inconsistencies in the use of the title in the international arena and a limited understanding and recognition of the precise nature of the Institute.

The legislation laid down that the chief officer of the Institute was to be known as the *President*. This was the term used for heads of most universities in Ireland

(the exception being Trinity College, Dublin which uses the title *Provost*) and which was subsequently enshrined in the Universities Act, 1997 as the common form of title. An unspecified number of Directors were to be appointed and to be directly answerable to the president. In the 1980 Acts establishing the National Institutes for Higher Education in Dublin and Limerick, the chief officers were referred to as *Directors* and this was changed to *President* in the 1989 legislation which converted these institutes to universities. The Regional Technical Colleges Act, which was enacted in 1992, also referred to the chief officers as *Directors*. Dr Brendan Goldsmith, who had been vice-principal of one of the DIT constituent colleges in Kevin Street, was appointed first President of the Institute from September 1993 on a ten-year contract.

Degree-awarding Powers

While the Minister for Education had envisaged in 1992 that DIT would be granted degree-awarding powers within twelve months of the passing of the Dublin Institute of Technology Act, three years were to elapse before serious ministerial consideration was given to the matter. Before agreeing to make the necessary order, the then Minister requested the Higher Education Authority to carry out an audit of quality assurance procedures in the Institute. An international review team was established in the autumn of 1995 under the chairmanship of Dr Harry McGuigan, formerly Provost and Pro-Vice Chancellor of the University of Ulster. The membership included professors from the University of Gothenburg and the Centre for Quality Assurance and Evaluation of Higher Education in Copenhagen as well as two professors from Irish universities. The final two members were a Senior Financial Analyst with Aer

Lingus and Dr Hardiman who had chaired the International Study Group that had recommended university status for the two National Institutes for Higher Education in 1987.

The Review Team issued its report in June 1996 and recommended 'that degree awarding powers should be extended to the Institute in respect of undergraduate and postgraduate courses with effect from the 1998/99 academic year' (Higher Education Authority 1996, p.23). The report also referred to a *Position Paper on University Legislation* published by the Minister for Education in November 1995 and suggested that 'the relevant authorities should consider whether key features of the proposed legislation should be extended to the DIT and its legislation amended in the light of such analysis' (p.24). It was suggested by Walshe (1999, p.156) that this particular sentence was inserted towards the end of the group's deliberations, with very little prior discussion. Did this recommendation provide the springboard for DIT to launch its bid for university status?

The Universities Bill was published on 30 July 1996 and, four months later, the Governing Body of DIT adopted the following motion: 'That university status for Dublin Institute of Technology be urgently sought in the context of the Universities Bill, 1996' (DIT 4).

Teastas – the Irish National Certification Authority

Teastas was the name given to the Interim Authority established by the Minister for Education in September 1995 to advise the Government on the

'establishment, direction, supervision and regulation of a national qualifications framework covering all extra-university third level and all further and continuing education and training' (Teastas 1997a, Foreword). In its first report, published in January 1997, Teastas noted the stated intention of the Minister for Education to confer degree-awarding powers on the DIT but proposed that this should allow for the 'initial approval by Teastas of the overall DIT awards process and the review and audit of the process at defined regular intervals' (Teastas 1997). The DIT objected strongly to the suggestion that another body should approve its awards. In an open letter to the Minister for Education, the president of DIT, Dr Goldsmith claimed that to subject DIT awards to another body would 'inevitably damage the reputation of the Institute'. Claiming that DIT was a university in all but name, he suggested that the 'HEA review and the subsequent announcement of degree awarding powers by the Minister for Education provided confirmation of our aspiration to become a modern University' (DIT 5). On the other hand, the chairman of the Council of Directors of Regional Technical Colleges welcomed the report and pointed to the fact that 'the RTC and DIT sectors were now part of a "binary" system which would give a necessary diversity to the Irish higher education system' (Connolly 1997).

The Regional Technical Colleges become Institutes of Technology

The Council of Directors of Regional Technical Colleges was formed in 1993 to provide technical and legal support to college management and to coordinate their work nationally. In December of that year, a Steering Committee was established by the HEA to advise the Minister for Education on the future development of the higher education sector. Reporting in June 1995, the Steering

Committee considered that *Institute of Technology* would be a more appropriate title than Technical College and hence recommended that all Regional Technical Colleges (RTCs) be retitled as Regional Institutes of Technology. The RTCs (with the exception of the Cork college) responded with a proposal to set up an Irish Technological University to validate their degree and sub-degree awards. Citing the need to enhance the international standing of their graduate qualifications, it was also seen as a response to the change in nomenclature of the British higher education institutions. Large numbers of Irish students were now applying for degree courses in the new universities in Britain instead of diploma courses in an Irish regional technical college. Reporting on the submission of the RTC proposals to the Minister for Education, Christina Murphy, education correspondent with *The Irish Times*, posed the question: 'If the RTCs become institutes of a new Irish Technological University, what happens to the DIT?' and suggested that it 'would be extremely likely to be designated a full university – or technological university – in its own right.' (Murphy 1996).

A campaign for the establishment of a university in Waterford in the south-east of the country was mounted in the late 1970s. This matter was considered by a Technical Working Group of the Steering Committee which, in its interim report issued in January 1995, expressed the opinion that 'university status would lead to the termination of technician programmes at certificate/diploma levels in Waterford as these do not form part of university provision' (Sexton 1995, p.101) and instead recommended upgrading to a higher technological institute 'on the lines of the DIT'. The formal announcement by the Minister for

Education, in January 1997, that it was to be upgraded to become the Waterford Institute of Technology, was greeted with consternation in other RTCs. The claims from these other colleges for similar enhanced status was referred to a High Level Group on the Technological Sector which reported in May and recommended the change of title of all Regional Technical Colleges to incorporate the common feature of *Institute of Technology*.

In November, the Cork college became the second regional technical college to be upgraded and, in January 1998, all the RTCs became Institutes of Technology. Whereas previously the *Institute of Technology* title had served to distinguish the DIT from the Regional Technical Colleges, all the colleges in the technological sector now had a common title and hence this became commonly known as the institute of technology sector. The directorate of the Regional Technical Colleges became the Council of Directors of Institutes of Technology but DIT did not seek to join. These Institutes could now apply for delegation of authority to award their own qualifications on certificate and diploma courses. The main distinguishing feature which now separated the DIT from the other institutes of technology was the power to award its own degrees.

CHAPTER 7

UNIVERSITIES ACT, 1997

The Dublin Institute of Technology initially sought university designation by being included in the Universities Bill, 1996. While members of the opposition parties failed to achieve this, they did succeed in obtaining a Government commitment to appoint a review group to consider whether DIT should be established as a university. At the same time, however, amendments to the relevant section of the legislation were proposed in the Seanad which had implications for the way in which the Government could act on foot of the advice of such a review group. This chapter explores the concerns of some politicians which led to the tabling of these amendments and highlights the significance of the changes.

Universities Legislation

Although mooted on several occasions, no comprehensive university legislation was enacted by the Oireachtas (National Parliament) prior to 1997. In 1967, the Government had announced that it was going to dissolve the National University of Ireland (NUI). The university colleges of Cork and Galway were to be established as independent universities and the two Dublin colleges were to be merged into a single university. The newly established Higher Education Authority (HEA) was requested to advise on the form of legislation necessary to

implement these decisions but instead came out against the proposals and no new legislation was enacted at that time. Similarly, proposals in 1974 to remove University College, Dublin from NUI and establish it as an independent university failed to be translated into legislation.

The Government announcements of 1967 and 1974 included references to the importance of a Conference of Irish Universities and this was endorsed by the HEA. An ad hoc representative body was set up in the late 1970s but it only appointed its first full-time director in 1996. The Conference of Heads of Irish Universities (CHIU) was formally incorporated in 1997 as the representative body for the Irish universities with the chairmanship rotating annually among the members.

The 1989 legislation, establishing the two National Institutes of Higher Education as universities, was limited in scope and it was envisaged that more comprehensive legislation would eventually follow. This was reiterated in the Government's Green Paper *Education for a Changing World* which declared that the 'legislative framework for universities, which has grown up on an ad hoc basis, needs to be rationalised' (Dept of Education 1992, p.203). The 1995 White Paper on Education *Charting our Education Future* stated that proposed comprehensive legislation for the university sector would seek to underpin a number of principles including:

- affirmation of the ethos and tradition of universities, together with changes, to reflect the role of universities in modern society
- preservation of the diversity of universities
(Dept of Education 1995, p.113)

The Universities Bill was published on 26 July 1996 and passed all stages in the Oireachtas on 7 May 1997. The subsequent Universities Act, 1997 redefined the nature and role of the National University of Ireland. It established the three constituent colleges and the recognised college as Constituent Universities so that Ireland now had seven universities, namely:

- University College, Dublin (UCD)
- Trinity College, Dublin (TCD)
- University College, Cork (UCC)
- National University of Ireland, Galway (NUIG)
- National University of Ireland, Maynooth (NUIM)
- University of Limerick (UL)
- Dublin City University (DCU)

The Act also set out the objects and functions of a university and protected the future use of the term 'university' by including in Section 52 that 'a person shall not, without the approval of the Minister, use the word "university" to describe an educational establishment or facility' (Stationery Office 1997, s.52).

DIT seeks University Status

At the end of June 1996, a newspaper report on the opening of a new campus for DIT off Aungier Street stated that this had been accompanied by a 'plea for university status' adding that the president, Dr Goldsmith, had 'appealed to the Minister for Education to look at how her proposals for new university legislation could be applied to the institute' (Cullen 1996). In September, following the publication of the Universities Bill during the summer, the question of university status was again the subject of newspaper speculation (Connolly 1996a) and this time the DIT president was quoted as saying, "I see the DIT as the model of what a modern university should be in the sense that it's very different from the more traditional universities in what it does."

The issue of university status for DIT was one of the main topics considered at a special joint Governing Body/Directorate meeting which was held on 8th November in Mullingar. The agenda included the following topics for group discussion:

Future direction of DIT?
University status for DIT?
Whom should we serve?
Location and identity of DIT? (DIT 1)

The draft report of the meeting recorded only one decision: 'The joint meeting of Governing Body/Directors unanimously agreed that university status for DIT be sought in the context of the Universities Bill, 1996' (DIT 2). In an internal newsletter communicating this decision to staff the following week it was further stated that 'the Governing Body indicated their immediate intention to approach the Minister for Education requesting the establishment of the DIT as a new unique multi-level university' (Dublin Institute of Technology 1996a, p.1).

The Universities legislation was the first item for discussion at the meeting of Academic Council on 13 November 1996. The President of DIT made a presentation comparing aspects of the DIT Act, 1992 with relevant sections of the Universities Bill, 1996 which showed that the Institute was 'subject to greater controls in relation to its affairs than those in the university sector' (DIT 3). Discussions on the binary divide between the universities and the technological sector concluded that 'it would be more advantageous for the Institute to be on the university side of the divide'. The following motion was adopted at the meeting:

That appropriate steps be taken to ensure that the Dublin Institute of Technology be formally designated as a university, with its own distinctive identity, under the terms of the Universities Bill, 1996. (DIT 3)

Following this meeting, the Institute issued a document setting out the case for DIT to be granted university status. This relied heavily on the report of the International Review Group (McGuigan 1996) which had carried out the evaluation of Quality Assurance procedures in DIT and had concluded that 'DIT had demonstrated a level of maturity which justifies a recommendation that it be granted authority to award its own degrees' (p.22). Referring to the Universities Bill, it was proposed in the DIT document that the Institute 'should be allowed to become a University by including it in the list of educational institutions to be covered by this Act' (Dublin Institute of Technology 1996b, p.2). It also included an argument that presaged the difficulty of introducing a hitherto unfamiliar concept of a university into an Irish context. 'The uniqueness of DIT as a multi-level institution is not incompatible with the status of a University. Essentially DIT can be a paradigm for a more modern, industry responsive, concept of a University' (p.3).

At the end of November, Dr Goldsmith outlined the DIT case in a letter to *The Irish Times*. Referring to the report of the McGuigan Review Group, he claimed that 'The review group recognised that the DIT was a university in everything but name' and he ended by declaring that 'a refusal to designate DIT as a university can only be construed as an attempt to disadvantage DIT and all that it stands for' (Goldsmith 1996). The start of a campaign by the Students Union in

support of university status had been signalled in an article in the same newspaper the previous day.

The Universities Bill

The publication of the Universities Bill, on 26 July 1996, represented the first of five stages in the Irish legislative process. The second stage, a debate on the contents of the Bill, was initiated in the Dáil (i.e. Lower House) by the Minister for Education on 30 October 1996 when she remarked that 'it is the first time in the history of the state that this house has had an opportunity to debate a universities Bill which applies to all the universities' (Bhreathnach 1996a). No mention of the Dublin Institute of Technology was made by the Minister or any of the opposition deputies. However, during the month of November the decision to seek designation under the Universities Bill was made by DIT and public relations and political campaigns were initiated, so that the situation had changed radically when the Dáil resumed the second reading of the bill on 4 December. Previewing the resumption of the second reading under the heading 'University status unlikely for DIT', *The Irish Times* stated that 'The DIT is unlikely to be included in the provisions of the University Bill, despite a high profile campaign by its authorities towards that end.' Micheál Martin, the spokesman on education for the main opposition party (Fianna Fáil) was said in the article to be surprised that DIT had not been included in the Universities Bill but conceded 'that it was probably "too late now" to include it' (Connolly 1996b). Nonetheless, his party included a proposal to upgrade DIT among the 138 amendments it tabled for the committee stage of the Bill.

The question of including the Dublin Institute of Technology within the provisions of the bill was raised by several opposition spokespersons during the second stage Dáil debate. Of particular interest was the contribution of opposition deputy, Seamus Brennan, who had been Minister for Education when the Dublin Institute of Technology Act was passed in 1992. Reminding the House that he had envisaged the granting of degree-awarding powers to DIT 'within a year or two' of the passing of the Act, he declared that the DIT had 'the history, excellence, staff and vision to merit university and degree awarding status' and he recommended that the Minister confer that status (Brennan 1996).

The first question raised when the House continued its consideration of the bill on 10 December related to the matter of conferring university status on DIT. This theme again ran through the contributions of many of the speakers and led one government speaker to remark that it was 'obviously the result of a well organised lobby by the Dublin Institute of Technology and its students' (Crawford 1996). Two days later the Minister for Education announced that she intended to make an order conferring degree-awarding powers on DIT. The statement (Bhreathnach 1996b) also referred to the case being made for DIT becoming a university and pointed out that the Universities Bill provided, for the first time, a formal mechanism by which an institution could attain university status. While professing to be happy that degree awarding powers had been extended to DIT, the president Dr Goldsmith was reported as expressing surprise that 'the institute had not been given university status as recommended by an International Review Team' (Connolly 1996c).

The third or committee stage of the Bill involved the detailed examination of the Bill by a Select Committee of the House. The first item to be discussed on 19 December 1996 was an opposition amendment to have the Dublin Institute of Technology included in the Bill. In fact, the inclusion of DIT was to dominate the debate during the first two committee sessions due, it was suggested, to TDs and Senators being lobbied by 'parents, pupils, students' unions and academics in the Dublin Institute of Technology' (Coughlan 1996). The Minister pointed out that the Review Group which had recommended degree-awarding powers for DIT had not recommended university status. Rather, they had suggested that oversight and funding should be transferred to the HEA and she expressed her intention to legislate for this. The scepticism expressed by the opposition spokesman on Education, Micheál Martin was well-founded. Even though he assumed the position of Minister for Education the following year, almost ten years would elapse before legislation to effect this change was published.

At the resumption of the debate on 23 January 1997, Mr Martin again sought to have the Dublin Institute of Technology included in the Bill and declared that, 'Given its size, the volume of degree courses, student numbers and the standards of excellence it has achieved, we feel it has a strong case to be included in this Bill and to enjoy university status' (Martin 1997b). An alternative proposal to have the Minister designate DIT as a university within three years of the passing of the Act was also defeated. The Minister continued to reject all such amendments relating to DIT pointing out that the Bill, once enacted, contained a clear mechanism under Section 9 for any institution to seek university designation.

The fourth or report stage involved a review of changes made at the Committee Stage and took place before the full House. The first amendment moved by Micheál Martin for the opposition concerned their declared 'determination to secure university status for the Dublin Institute of Technology' and he suggested that it was a 'disgrace that the Minister did not use this opportunity' to do so (Martin 1997c). Again Minister Bhreathnach referred to the Section 9 mechanism for seeking university designation and various opposition attempts to include DIT in the Bill were defeated. The report stage was completed on 12 March 1997 as was the fifth (and final) stage whereby the Bill, in its current form, was duly passed by Dáil Éireann (House of Representatives).

Section 9 of the Universities Bill

When the Universities Bill was published in July 1996, the Explanatory Memorandum stated that:

Section 9 provides for the establishment of additional universities. It provides that new universities can be established by order of the Government, after consideration of the advice of a body of experts, and the advice of the HEA.

Section 9 (where An tÚdarás, meaning The Authority, refers to the HEA) stated:

(1) The Government may, at any time, appoint a body, the membership of which shall be recommended by An tÚdarás and shall include international educational experts, to advise the government on whether, having regard to the objects and functions of a university under *sections 11* and *12*, an educational institution should be established as a university.

(2) After considering the advice of the body and any recommendation of An tÚdarás, but subject to *subsection (3)*, the Government may, by order, provide that the institution shall be a university for the purposes of the Act and on the making of the order, it shall be established accordingly.

(Stationery Office 1996)

(*Subsection (3)*) refers to the requirement that such an order be approved by both Houses of the Oireachtas).

Speaking during the enactment of the Universities legislation, the Minister for Education said in relation to section 9:

We used the example of the expert group which I had formed to examine the request from the Dublin Institute of Technology to award their own degrees. The experience of that group was good and it was accepted that it was effective. I thought it was a model which had worked well on a previous occasion and which could be used again in this context.
(Bhreathnach 1997a)

Apart from a minor amendment which stipulated that the advisory body should include 'employees of universities to which this Act applies', this section of the Universities Bill was otherwise unchanged when the Bill was approved by Dáil Éireann on 12 March 1997.

Section 9 and the Seanad (Senate)

After the Universities Bill had passed all stages in the Dáil, it then went before the Seanad (i.e. Upper House). Introducing the Bill in the Seanad, the Minister for Education drew the attention of the Senators to section 9, which provided for the establishment of an educational establishment as a university, and pointed out that it was 'essential that the process involves a rigorous and objective appraisal of any such proposal and the Bill provides for this. Otherwise, the high reputation enjoyed by the universities as a whole could be damaged'. She went on to say that 'If, in the future, moving to university status enhances the mission of the Dublin Institute of Technology, I am pleased that section 9 of the bill provides an appropriate mechanism' (Bhreathnach 1997b). However, Senator

Ross queried why this section left the power of setting up a university with the Minister. 'Unscrupulous Ministers could if they felt like it, establish universities in favoured political places to curry favour with various people in their own party'. While not imputing blame since it was 'in the nature of party politicians to favour their own and use patronage of this sort to benefit themselves', he was of the opinion that 'they should not be given those powers by this House if it can be prevented' (Ross 1997a).

The Minister rejected various amendments tabled by Senators to have the DIT incorporated in the Bill, thereby automatically conferring university status on it. However, on 10 April 1997, she did make the following announcement to the Senators:

Following the enactment of the Bill, I will immediately request the Government to appoint a body pursuant to section 9 to advise it on whether, having regard to the objects and functions of a university, the Dublin Institute of Technology should be established as a university. (Bhreathnach 1997c)

This was an important commitment since, under the Act, there would be no automatic entitlement to a section 9 review by any institution and the Government could decline to initiate such a review. The DIT president expressed delight at the Minister's decision adding that he was 'totally confident' that the international group would 'ratify that the DIT should become a university' (Pollack 1997). A member of the DIT University Steering Group recalls being 'quite happy to go through Section 9 because I thought, as Nally said, they couldn't turn us down'. However, it was only after this announcement that further changes were made to section 9 of the Universities Bill which would subsequently have significant implications for the DIT application.

Amendments Proposed in the Seanad

Seanad Éireann (the Irish Senate) is composed of 60 senators, 43 of whom are elected by incoming members of Dáil Éireann, members of the previous Seanad and local councillors. Six senators are elected by the graduates of the National University of Ireland and Trinity College, Dublin. The remaining eleven members are nominated by the Taoiseach (Prime Minister) of the day and, in this way, the membership of the Seanad tends to reflect party strengths in the Dáil. Following the general election of December 1992, a coalition government was formed which comprised the main Fianna Fáil Party and the Labour Party. Eleven members of the Seanad were duly appointed by the head of this government and this ensured that the government parties had a majority of members in the Upper House. In December 1994, the coalition government collapsed and, in normal circumstances, this would have been followed by a general election. However, in this instance, negotiations between the political parties resulted in the formation of an alternative coalition government comprising the Fine Gael, Labour and Democratic Left parties. Since no general election had taken place, the new Taoiseach could not avail of the opportunity to nominate members to the Seanad and so its membership remained unchanged. The result was that the new coalition Government did not have a majority of members in the Upper House. The votes of the university senators now assumed a pivotal role, particularly on issues surrounding university legislation.

When the Minister for Education gave an undertaking in the Seanad to request the Government to appoint a body with regard to section 9 and the DIT, she added that 'the Dublin Institute of Technology will welcome this move today'

(Bhreathnach 1997c). In fact, this move was forced on the Minister by the arithmetic in the Seanad. According to one member of the DIT University Steering Group, knowing that the university Senators held the balance of power ‘we had lobbied them very strongly and they were very supportive ... They were quite resolute that the Minister was not being fair to DIT’ and threatened to vote against the Bill. At the eleventh hour, an agreement was reached between the Minister and DIT that if the undertaking to set up a section 9 review was ‘read into the record of the Oireachtas [they] would ask the University Senators to vote in favour of the Bill’.

The Senators, however, were still exercised about the fact that section 9:

leaves the setting up and establishment of a university in the power of the Government, and in particular the Minister for Education ... It is not good enough to set up a politically chosen group of so-called international experts and to make a recommendation which will be decided upon politically.
(Ross 1997b)

Senator Lee expressed the concern of several members, namely ‘how one can most effectively keep politicians out of decision making about the quality of educational services while at the same time ensuring decisions are taken’ (Lee 1997a). Suggesting that due educational process would be better served by having the HEA, rather than the Government, as the body to progress inquiries surrounding university title, Professor Lee stated that his amendment to section 9:

ensures that the Government’s decision to award university status would have to be taken in conformity with the recommendation of the body established and An tÚdarás [HEA], not simply after considering the advice. Under the present Bill the Government might reject that advice.
(Lee 1997b)

He went on to say that 'It would be unfortunate for new and existing universities if the mechanism by which new universities were established was seen to be influenced by political pressure' (ibid).

The political pressure to have DIT included in the Universities Bill was explained by one of the University Senators as follows:

we all have been subject to much pressure to give university status to the Dublin Institute of Technology. None of us would be human if we did not feel that pressure and we would be liars if we said we never responded to that type of pressure. ... When the Dublin Institute of Technology tells me they have 1,000 votes in my constituency and that they want me to support their campaign for university status, I jump to attention. (Ross 1997c)

Noting that there seemed to be unanimous support on the university benches for DIT to be given university status, he pointed out that it was most unlikely that this was the result of 'much solid research into academic standards'. While DIT may well have a legitimate claim, he suggested that it would be better if this decision were made by a body such as the HEA. 'Political considerations matter most in the way the Bill is balanced at the moment and we will have terrible accidents with unsuitable places being given university status for all the wrong reasons' (ibid). Describing the proposed amendments as 'very worthwhile', the Minister for Education said that she agreed 'with the concept of the expert group making recommendations to the Higher Education Authority rather than the Government' and she also said she would consider the suggestion that 'the Government may only agree to the establishment if both the expert group and the Higher Education Authority have so recommended' (Bhreatnach 1997d). There was a need, she stressed, 'to protect the professional and academic criteria of a university' (Bhreatnach 1997a).

The Minister duly placed the amended section, incorporating these changes, before the House. Whereas *subsection (2)* had originally stated:

(2) After considering the advice of the body and any recommendation of An tÚdarás ...

this now read:

(2) On the advice of the body and the recommendation of An tÚdarás, but subject to *subsection (3)*, the Government may, by order, provide that the institution shall be a university for the purposes of the Act and, on the making of the order, it shall be established accordingly. (Bhreathnach 1997e)

This significantly reduced the ability of the Government to act independently in such circumstances. Whereas the Bill, as initially passed by the Dáil, enabled the Government to set up an expert group to advise on the possible establishment of a new university, it allowed it to act contrary to that advice. Under the amended section 9, the Government could choose not to establish an institution as a university even though the expert group and the Higher Education Authority had recommended this course of action. It could not, on the other hand, establish a university against the advice of these bodies.

Part III

DOCUMENTS, RECORDS AND AN ACCOUNT OF THE DIT REVIEW

CHAPTER 8

THE INTERNATIONAL REVIEW GROUP

A seven member review body was appointed by the Government in July 1997 to advise the Higher Education Authority on the application by DIT for university designation.

After listing the membership of the group and its terms of reference, this chapter uses documentary evidence to examine how they went about the process of developing a set of criteria as the basis for their review and assessment. The DIT made a number of submissions to the Review Group – the first two highlighting the arguments in favour of university designation and the next three responding to issues raised by the Group.

Consideration of these was incorporated by the Review Group in a number of memoranda which listed the arguments for and against designation. Following a description of the submissions and the reaction of the Review Group to these, the resulting provisional recommendation of the Group is set out.

Appointment and Terms of Reference of the Review Group

The Government decision to appoint a body to advise the Higher Education Authority on whether the Dublin Institute of Technology should be established as a university was made on 19 June 1997. In anticipation of the granting of this so-called Section 9 review, the Assistant Secretary in the Department of Education had written to the Chairman of the Higher Education Authority in

May requesting that consideration be given to the membership of this body. The HEA proposed that the group should consist of two national experts (from existing universities), three international experts and two from outside academia. Danny O'Hare, President of Dublin City University, was suggested as chairman with three international members to be appointed from a list which included Malcolm Skilbeck, a former Deputy Director of OECD, and the presidents of three Dutch Universities. The final name on this list was Harry McGuigan, formerly of the University of Ulster, who had been chairperson of the International Review Team which had reported on Quality Assurance Procedures in DIT in 1996. Adding that there were other possibilities which he was willing to discuss, the HEA Chairman noted that 'The issue of clearance through the Authority arises' (HEA 1060:1).

When the composition of the Review Group was announced, Dermot Nally, a former Secretary to the Government (the Irish equivalent of Cabinet Secretary), was chosen to be the chairman and there were just two international experts.

The full membership of the Review Group was as follows:

Chairman: Dr Dermot Nally, former Secretary to the Government;

National Experts (from existing universities):

Professor Máire Mulcahy, Department of Zoology and Animal Ecology, University College, Cork;

Professor Eda Sagarra, Department of Germanic Studies, Trinity College, Dublin;

International Experts:

Professor M. Skilbeck, formerly Deputy Director, OECD (previously Vice-Chancellor of Deakin University in Australia);

Dr J.K.M. Gevers, President, University of Amsterdam;

Business Community:

Ms Mary Finan, Managing Director, Wilson Hartnell Public Relations Limited, and immediate past President, Dublin Chamber of Commerce;

Mr B.N. Sweeney, Siemens Group Chairman, Ireland.

Secretary: Ms Mary Kerr, Deputy Secretary, Higher Education Authority.

[Dr Gevers died suddenly in August 1998 shortly before the Report of the Review Group was finalised].

The terms of reference given to the Review Group required it to establish:

- in consultation with the Institute, a schedule for the review process, to include the timing for submission of material by the Institute and the timing and anticipated duration of visits to the Institute;
- such criteria as it considered appropriate as the basis for its review and assessment, to be notified to the Institute for any comments the Institute may wish to offer;
- such material and information as the Group may require the Institute to furnish to facilitate its review and assessment.

While otherwise determining its own working procedures, the terms of reference further specified that:

The advice of the Review Group should be in the form of a report which shall, inter alia, detail the extent to which the Institute, as presently constituted and functioning, discharges the various objects and functions of a university in accordance with sections 12 and 13 of the Universities Act, 1997. A draft of the report should be submitted to the Institute for any comments the Institute may wish to offer.

(Nally 1998, pp9-10)

The Workings of the Review Group

The Group met in plenary session on seven occasions between September 1997 and July 1998. The first meeting on 8 September 1997 was devoted mainly to establishing the criteria to be used for assessing DIT's suitability for designation as a university. Optimistically, it was proposed at this first meeting that its report

should be finalised by the end of December or early in 1998. The second meeting, spanning three days in November, included a visit to various DIT sites. A scheduled meeting with the Minister for Education and Science had to be cancelled due to pressure of other engagements on his part. During the third meeting in January, the Group met with representatives of the Conference of Heads of Irish Universities (CHIU). In March, the framework of the final report was discussed and the next two meetings in May and June were devoted to discussions on drafts of the report. The last meeting of the Group was held on 28 September 1998 when the final report was approved.

Members of the Review Group also met with representatives of various organisations including the Department of Education and Science and the Council of Directors of Institutes of Technology (see Appendix 9 for full list). The Review Group representation at these meetings invariably included the Chairman, usually the Secretary and often one or two other members of the Group.

Criteria to be Applied as a Basis for the Review and Assessment

As required by its terms of reference, the Review Group immediately set about establishing the criteria to be used for its review and assessment. Discussions on the definition of a university concluded that clarification was needed in relation to the statutory criteria set out in the Universities Act. Regarding international criteria, only details for Australia and the United Kingdom were available for this first meeting. One week later, on September 15, proposed criteria were sent to DIT for comment. Following a meeting attended by the Chairman and Secretary

of the Review Group, and the President and Director of Academic Affairs of DIT, the document specifying the criteria was finalised on September 24. This set out the criteria as follows:

1. Introduction. The Review group will carry out its work within the overall context of the objects and functions of a university as set out in Sections 12 and 13 of the Universities Act, 1997.

2. The following criteria will be applied as a basis for the Group's review and assessment.

- commitment to the advancement of knowledge through teaching, scholarship and research and an appropriate balance between each of the three activities;
- provision of high quality courses up to doctoral level, which are recognised both nationally and internationally and by the relevant professional bodies, as appropriate;
- provision of an academic staff which has appropriate high level qualifications and professional standing in the community and with their peers;
- provision of resources – both physical and financial – at a sufficiently high level to sustain the Institute's teaching and research activities on a continuing basis. In particular, the laboratory, library, information technology and lecturing facilities should be comparable to those in universities generally;
- a proven track record in producing quality graduates with high employability in areas of demand;
- a demonstrated capacity to interact and collaborate with the various external communities and to thereby support and contribute to national economic and social development;
- a mission statement and an ongoing strategic planning process to further advance the Institute's aims and objectives.

3. The Review Group recognises that aspects of the DIT's development may be further advanced than others. Accordingly the Institute may wish to provide details outlining how its future development plans may enable it to meet all the criteria fully within a reasonable time frame. (HEA 1060:15)

The Group also detailed the background information which it would require arising from these criteria (see Appendix 7).

Development of Criteria

In establishing criteria for the review and assessment, the Review Group was required to have regard to the objects and functions of a university as defined by sections 12 and 13 of the Universities Act, 1997. It also noted the approach adopted by the International Study Group on Technological Education which had considered the establishment of the former National Institutes for Higher Education as universities in 1987. Finally, as stated in its Report (Nally 1998), 'The Review Group took note of criteria in use in Australia, New Zealand and the United Kingdom in relation to the granting of university status and to continental European experience' (p.26).

A document titled *Criteria for Degree Awarding Powers and University Title* was received from the Director of Higher Education at the UK Department for Education and Employment at the end of August 1997. Significantly, for university title this document stated that, following the granting of degree awarding powers for its own taught course and research degrees, an institution would normally have:

demonstrated a track record of not less than three years of successfully maintaining degree standards in its different subject areas, and that its strategic plans offer the prospect of these standards being maintained in the future.

(HEA 1060:8)

The only other document relating to international criteria which was available to the first meeting of the Group came from the Australian Vice-chancellors'

Committee setting out *AVCC Guidelines on the Criteria for a Recognised University* .

This was accompanied by a note stating that 'This paper was prepared at the time when the Australian government was establishing a unified system to replace the then existing binary system (1992-3)' (HEA 1060:11).

In November, the Secretary of the Review Group made enquiries about the possible existence of criteria for the granting of university status in Sweden and Denmark. While there is no record of any reply from the Danish request, the letter from Sweden referred to the application by its four largest university colleges for university status and pointed out that the National Agency for Higher Education had recently been given the task of developing relevant criteria (this case was reviewed in Chapter 2). A similar request to the Dutch expert on the Group seems to have yielded no formal criteria for the Netherlands.

Although the criteria for the review and assessment had been finalised in September, the issue was raised at the end of October in a letter from the Director of the Conference of Heads of Irish Universities (CHIU) when he wrote:

In the context of the commitment by the Minister for Education to partnership between Government and the universities in the development of the university sector, C.H.I.U. would expect to be consulted by the Review group on draft criteria and to provide observations and comments thereon before they are finalised. (HEA 1060:33)

At a preliminary meeting in December with the Chairman and Secretary of the Group, the Chairman of CHIU argued that:

the objectives and functions of a university in the Universities Act are not exhaustive and are not adequate or appropriate as criteria for evaluating or assessing an institution's case for recognition as a university

the Review Body must determine detailed and verifiable criteria and processes for systematic professional evaluation under Section 9.

Regarding the actual criteria which the Review Group had specified for the review and assessment of the DIT application, the CHIU representative pointed out that:

the criteria were general and did not set out quantifiable standards or benchmarks against which DIT's application and subsequent applications could be evaluated

the terms such as 'appropriate' which appeared in three criteria and 'sufficiently high level' were vague and conveyed no clear sense of standards to be achieved. (HEA 1060:70)

It was also argued that the review should only consider DIT as it was then and not as it would aspire to be some time in the future.

Asked about the views of the University Heads on objective criteria for assessing the granting of university status, the CHIU chairman replied that:

From an academic/research point of view the spread of courses on offer at the different levels would be critical i.e. majority at degree level with c. 20–25% at postgraduate level. ... Also of vital importance were the qualifications of academic staff. Other issues would include physical facilities, general staffing levels, technical/professional staff etc. ratio of full-time to part-time/contract staff. However he reiterated his earlier point that the wider implications for the overall sector should not be ignored. (HEA 1060:61)

At the full meeting between the Group and CHIU in January it was suggested that 'mix of programmes and research were the most important criteria to be examined before deciding if the DIT is to be redesignated as a university'

(HEA 1060:71). Immediately following this meeting, the Group agreed that, in preparing its draft report, the following criteria were thought to be important:

Staffing – quality of personnel
Teaching – quality
Research – quality
Facilities – quality
Quality assurance
Student intake standardisation
Mix of courses (HEA 1060:72)

DIT Submissions to the Review Group

The first submission by DIT was made in July 1997 in the form of a preliminary document (DIT 6) which included the Institute's mission statement and a broad historical perspective of the Institute. As well as statistical data on student enrolments and postgraduate research, it summarised the institutional audit of quality assurance procedures which had led to the granting of degree-awarding powers to the Institute. It concluded by describing the constraints placed on management by the Dublin Institute of Technology Act and outlined the advantages which university designation would confer in this regard. The chairman of the HEA noted in the file that 'their preliminary statement is a very good one' (HEA 1060:7) and a developed submission was requested by the third week in August.

The second submission (DIT 7) set out in more detail the academic development of the Institute. It made the case that the Institute was already functioning as a university, albeit a multi-level one, and set out the reasons it wished to be formally designated as a university. The two submissions were reviewed at the

first meeting of the Group in September 1997, the arguments for and against designation being recorded in the minutes as follows:

For

- DIT argues that at present it has no specific status as an institution
- Improved opportunities for graduates and staff recruitment
- Greater autonomy to develop their own courses
- Improvement in the fund-raising potential of DIT

Against

- What are the implications for the rest of the Extra University Sector and for the regions
- Would a splitting of the institution be necessary
- Weakness of arrangements for higher degrees (PhD and Masters)
- Drift from practical certificate and diploma courses
(HEA 1060:21)

Two weeks later, the Chairman and Secretary of the Review Group met DIT representatives who recorded the following in the minutes of their meeting:

Review Group felt our earlier submission was a little too political; they want us to concentrate on the academic arguments.

The Review Group was strongly influenced by the Australian guidelines.
(DIT 8)

The main documentation from the DIT was included in the third submission in late October (DIT 9). Following closely the criteria that had been agreed with the Review Group, it was stated that this document 'together with the two earlier submissions, in June and August, highlights the arguments in support of the Institute's application' (p.1). The discussions of the Group at their November meeting were recorded by the Secretary in the form of a synopsis in the following format (HEA 1060:42):

DIT – Case for University Status

Arguments arising from Review Group Discussions

FOR	AGAINST
<p>1. The DIT must now have university status and autonomy if it is to grow and develop to its full potential. Current control mechanisms are constraining the development of the DIT. University status will facilitate the recruitment of staff and students and fund raising potential will be enhanced.</p>	<p>DIT is excellent as it is. It should strive to consolidate its strengths and nurture its uniqueness. University status for DIT will mean inevitable erosion of the binary system in Ireland. Though it is not within Group's remit to consider the future of that system, the Group cannot fail to take cognisance of Government policy which supports the retention of the system. Issue of controls can be dealt with otherwise e.g. by designation under the HEA.</p>
<p>2. DIT as a university will be a unique multi-level institution, serving all needs from apprenticeship to doctoral level. University status is in the interests of DIT students and graduates. It would also serve well the interests of the areas where many of the DIT institutions are located (some of which tend to be areas of significant disadvantage), in that course structures facilitate ease of access to and ladders of opportunity within third-level. It is also well placed to instil an ethos of life-long learning within the communities it serves.</p>	<p>Academic drift will be inevitable. Applied nature of courses will be diluted. Sub-degree work down-graded. Vital for economy that status and output of sub-degree work is maintained, if not expanded across the technological sector. RTC sub-degree work will also be undermined if DIT granted university status.</p>
<p>3. DIT will have degree awarding powers at all levels w.e.f. academic year 1998/9.</p>	<p>DIT has not yet proven itself in relation to granting of its own degrees, particularly at postgraduate level. This is of particular importance today when Universities operate not at local or even at national context but must compete internationally in the quality of their teaching, research and output.</p>

<p>4. DIT is closer to the university and different from RTC sector in relation to its:</p> <p>(i) Size, which in many instances is greater than the critical mass associated with university institutions.</p> <p>(ii) Range of courses/faculties.</p> <p>(iii) Proportion of degree/postgraduate work.</p> <p>(iv) Research profile.</p> <p>(v) CAO points for entry to courses and stated first preferences.</p>	<p>DIT does not match university provision particularly in following areas:</p> <p>(i) Quality and research profile of academic staff.</p> <p>(ii) Range and nature of postgraduate programmes.</p> <p>(iii) Range and nature of research.</p> <p>(iv) Lack of flexibility associated with terms and conditions of work of academic staff and</p> <p>(v) Other industrial relations issues.</p>
<p>5. DIT staff morale will be severely undermined if DIT is not granted university status.</p>	<p>Not all staff are in agreement on this. Some feel the Institute will inevitably suffer from mission drift if granted university status and thus undermine its strengths.</p>
<p>6. If DIT is to become a university it should first become part of some external quality assurance framework e.g. another University or the proposed Teastas framework.</p>	<p>The DIT, which gained its present status only in 1992 and will have degree awarding powers only in 1998/99, has not carried the reorganisation of its structures far enough to be a sufficiently cohesive body for recognition as a university.</p>

Early in December, Brendan Goldsmith and David Gillingham of DIT met with the chairman of the Review Group, Dermot Nally. Following this meeting which, unusually, was also attended by the chairman of the HEA, Noel Lindsay, the DIT representatives summarised the views of the Review Group as follows:

<i>Research:</i>	Good, but needs further work
<i>Teaching:</i>	Very good, but some work needed to come up to university level
<i>Facilities:</i>	Progress required
<i>Community, employment, relations to industry and professions:</i>	Excellent
<i>Strategic Planning:</i>	In need of further development.

Two very important points noted by DIT were:

1. There could be difficulty in running a university with a considerable apprenticeship element within it. On the other hand, there could be a danger of losing this excellent sector.
2. Staffing Problems relating to the 1st September to 20th June contract. Felt it was impossible to run a university this way. (DIT 10)

The first of these referred to the opposition, particularly from the heads of existing universities, of having an Irish university which provided programmes for apprentices. The document put it bluntly: 'There was some concern that we should not have professors of plastering'. The second point was in relation to the conditions of service of academic staff in the Institute which did not require attendance between 20th June and 1st September. The DIT representatives concluded that in order to prevent the Regional Technical Colleges from following suit, the Review Group 'need us to help them construct the hoops to be put into the system. ... They need some good "prose" for the final report that will tackle these issues and which will provide a model for judging other institutions in the future'.

The fourth submission reaffirmed the Institute's determination to develop as a multi-level institution (DIT 11). In relation to the academic year, while some flexibility was currently being negotiated, the genuine flexibility required would not be possible until DIT was in a position to negotiate directly with its own staff. University status would bestow the autonomy necessary to undertake such negotiations. As requested by the Review Group, the document also set out the future developments in relation to physical resources, course provision and student profile, scholarly activity and research, and academic profile.

At their January meeting, the Group considered the latest DIT document but 'felt that DIT had not been comprehensive enough in their submission, especially in relation to possible mission drift. It was noted that the mission statement made no reference to training'. This meeting also suggested that the merits and limitations of the following possible options should be evaluated for its draft report:

- DIT becomes a university
- DIT remains as presently constituted
- DIT pursues a developmental trajectory towards establishment as a university in conjunction with another university (more slowly)
- DIT is amalgamated with another university
(HEA 1060:72)

These options were expanded on in an internal document prepared for the Group by Malcolm Skilbeck:

Scenario 1: DIT is granted full university status following a positive recommendation by the review group which the government accepts...

The profile of DIT would differ markedly from every university in Ireland...

The new status would be strongly opposed by the universities, the RTCs and perhaps by the Department and the HEA. It would not, however unduly disturb the professions or employers...

The government's binary policy would be at risk...

Scenario 2: The review committee rejects the DIT bid and unequivocally advises the government against university status. Such a recommendation would be consistent with existing and long established government policy since it would declare support for a binary system of well differentiated sectors. This would probably please the Department and possibly the HEA. The regional colleges/institutes would openly welcome the decision but several may nonetheless secretly regret the closing of doors on their own longer term aspirations...

The ranks of the Irish universities might be divided since while all (we believe) oppose university status now, several at least do not wish to rule it out for the future. That is, they are somewhat equivocal about the sharpness of the binary line...

Scenario 3: Acceptance that DIT is on a firm and clear trajectory leading, at some unspecified future time towards university status...

Granting of degree awarding status is a key consideration since that is perhaps the single major determinant of university status in the English-speaking world...

Scenario 4: DIT would merge with an existing university...

Amalgamation might meet many of the objectives of DIT and satisfy the expectations of the community and, at the same time, overcome objections to creating DIT as a free-standing university, namely that it is not ready and that Ireland has enough universities (both claims are made but are contentious). However there is little recent and relevant experience of amalgamation in Irish higher education (as compared with other countries) and DIT would almost certainly be opposed.

CONCLUSION

Neither Scenario 1 or Scenario 2 is acceptable – the objections within the review group and externally are too strong. Option 3 could be broadly acceptable... It could be argued that government action prior to the establishment of the review has greatly encouraged DIT to pursue this direction (or that of Scenario 1). Option 4 is the most radical; it has not yet received much attention and might be a serious contender if an existing university were keenly interested. But we would consider it along with further discussions of Option 3 notwithstanding objections and difficulties that have been raised in and with the review group. (HEA 1060:74)

The fifth and final submission responded to a number of points raised by the Review Group. In this it was pointed out that the issue of the recently retitled Institutes of Technology seeking to become universities would not be a problem if it were clearly seen that certain necessary criteria would have to be satisfied. While the Dearing Report provided evidence of mission drift among the newer UK universities, it was suggested that such drift occurred prior to university designation when apprenticeship and HNC courses were dropped from the curriculum in the early 70s. If DIT were refused university designation because of the importance of technical and apprenticeship courses:

DIT will then come under great internal pressure to drop apprenticeship in order to qualify for university designation. The only way to prevent academic drift is to reward the current position and thereby obtain diversity with parity of esteem. (DIT 12, pp3-4)

At the March meeting of the Review Group, it was agreed that 'university status over a period of time was to be recommended'. The main deficiencies with DIT were identified as:

- Postgraduate/research provision
- Qualifications of academic staff
- Inflexibility associated with terms and condition of academic staff
- Potential for academic drift and depletion of sub-degree provision
- Lack of cohesion in academic and organisational structures. (HEA 1060:88)

Other Views

The Review Group contacted a large number of professional and business organisations in writing inviting their views on, among other things, DIT courses and qualifications (see Appendix 8 for contents of letter). The letter included an open invitation to meet with members of the Review Group but this was not widely availed of by these bodies. The views of professional and commercial bodies were generally found to be favourable on the 'employability of DIT graduates and the overall quality and standing of DIT courses' (Nally 1998, p.27) while both the Teachers Union of Ireland, which represented the majority of academic staff, and the DIT Students Union were 'favourably disposed towards the granting of university status'. Early in 1998, a short formal advertisement appeared in the national press inviting submissions on university designation from interested parties or institutions. The fourteen responses received were deemed

by the Group to be helpful in that ‘they formally endorsed and elaborated on various points of view’ (HEA 1060:88).

CHAPTER 9

THE BINARY SYSTEM, QUALIFICATIONS AND MULTI-LEVEL INSTITUTIONS

The Review Group interpreted its terms of reference very widely. As a result it considered the implications of the DIT application for the binary system of higher education in Ireland and how the Institute's awards would be accommodated within the proposed national qualifications framework. The different points of view presented to the Review Group are outlined in this chapter along with a discussion of the possible creation of a new kind of university in the Irish context. Details of five scenarios considered by the Group are followed by a summary of its recommendations.

The Spectre of the Binary System

Throughout the working of the Review Group, a constant theme to emerge was that of the wider implications of any recommendations for the Irish binary system of well differentiated, third-level educational sectors. In its final submission, the DIT had noted that, whereas these issues were of 'some real concern and importance', they were 'not within the terms of reference of the current review since they are not encompassed by § 12, 13 of the Universities Act 1997' (DIT 12, p.4). While acknowledging that this was one possible interpretation of its terms of reference, the Group took the view that its remit

did not prevent it from considering the context in which its recommendations were made (Nally 1998, p.35).

At the first meeting of the Review Group in September 1997, it was recorded in the minutes that clarification was needed on the 'implications for the future nature and scope of the higher education system'. In setting out the additional information required to facilitate its work, it included the need to determine the 'government's attitude to unified/binary higher education system' as well as the 'opinions from heads of Irish Universities and RTCs' (HEA 1060:21).

In the first communication from the Conference of Heads of Irish Universities (CHIU) at the end of October, the Director of that body emphasised that:

full regard must be had to the implications of the application for the Government's policy of a binary system of higher education. The criteria for the evaluation of institutions must therefore be transparent and must serve to sustain the integrity of the university as a distinctive sector of the binary education system. (HEA 1060:33)

According to a memo from one member of the Review Group, the central concern of CHIU, as expressed to her by a University Head, appeared to be the 'domino effect' with the consequent creation of '14 universities' (HEA 1060:38).

The Chairman of CHIU expanded on these views at the first meeting between representatives of the two groups:

Whatever solution is arrived at, it should allow the binary system to survive. The question being posed is bigger than the aspirations of the Institute or individuals in it. Academic/research issues, while vital, are not the only issues. The orderly structuring of the third-level sector is probably the most fundamental issue. (HEA 1060:61)

It was further suggested that ‘the Review Body should look at the experience of countries where binary systems had been abolished and the negative consequences for their higher education systems’ (HEA 1060:70).

Outlining their reasons for opposing the award of university status to the DIT, the Council of Directors of Regional Technical Colleges pointed out that ‘It is stated Government policy that there are two diverse sectors in higher education. It is clear that DIT, WIT and the RTCs together comprise the technological sector’ (HEA 1060:27). [WIT here refers to the Waterford Institute of Technology, the title which had only recently been bestowed on the Regional Technical College (RTC) in that city]. The Council also sent a letter to the Secretary General of the Department of Education and Science stating that:

It is the view of the Council of Directors that no decision should be arrived at in relation to the DIT application (regardless of the recommendation of the current Review Group) until its impact on all the other Institutions in the Sector is properly reviewed. (HEA 1060:50)

In an internal document prepared by one of the members of the Review Group at this point, the two major considerations to be taken into account were listed as:

- (i) The extent to which DIT “measures up” with the criteria we have adopted.
- (ii) Implications for Irish post-secondary and Higher Education. Although the second consideration has not been formally stated as part of the terms of reference, it is inescapable. (HEA 1060:51)

At the full meeting between representatives of the Conference of Heads of Irish Universities and members of the Review Group in January 1998, it was claimed that ‘The aspiration for an Institute of Technology to become a university would

destroy the binary system'. The CHIU representatives also 'insisted that an effective division of labour is necessary to any economy. Both elements of a binary system should produce different kinds of experts' (HEA 1060:71). At their own meeting the same day, the members of the Review Group 'agreed that any changes that threatened the binary nature of the Irish higher education system would be damaging to Ireland's future' (HEA 1060:72) and, at its next meeting in March, the members elaborated on this sentiment:

The recent speeches by the Minister for Education and Science, which emphasised the value of and need for the binary system were noted. There was general agreement that the recommendations of the Group should be set in the context of national needs. It was important, therefore, that the Group's recommendations were seen to bolster the binary system, rather than undermine it. (HEA 1060:88)

At a meeting with representatives of the Department of Education and Science at the end of April, it was stated unequivocally that 'The Minister and Department are totally committed to the retention of the binary system and to maintaining and expanding diversity of provision' (HEA 1060:89).

Implications of the Work of Other Groups

(i) Interim Review Group for Institutions in the Technological Sector

In July 1997, the Minister for Education and Science had established the Interim Review Group for Institutions in the Technological Sector to advise the Minister on whether the Regional Technical Colleges, soon to be retitled Institutes of Technology, should be granted delegated authority to award their own qualifications within a national qualifications framework. The membership of the group, to be chaired by Professor Dervilla Donnelly, included Dr Sean McDonagh, Chairperson of the Directors of Regional Technical Colleges and

Professor Eda Sagarra who was also a member of the DIT Review Group. Noting that developments in higher education in Ireland, particularly over the past two decades, had been based on a binary system, the terms of reference stated that the 'diversity of institutions and the separate missions of the two broad sectors' were being maintained to ensure maximum responsiveness to the needs of students, society and the economy (Dept of Education and Science 1997).

The Chairperson and Secretary of this Interim Group met with their counterparts on the DIT Review Group and insisted that 'The integrity of the technological sector needs to be preserved'. The granting of university status to DIT 'would mean the end of the binary system' as all the RTCs would eventually follow suit. Even when the chairman of the DIT Review Group suggested that this might be possible 'but with very strict conditions attached (which might not be achieved by the DIT for a number of years)' it was stated that this would still cause problems. Pointing out that the economy needed both university and technological education, the chairperson of the Interim Group contended that, if DIT were granted university status, 'the technological sector will be downgraded and diluted and academic drift both in the DIT and RTCs is inevitable' (HEA 1060:53).

(ii) Teastas

Teastas was the interim National Certification Authority which had been set up in 1995 to advise the Minister for Education and Science on the establishment of a single, national and internationally accepted certification structure covering all non-university higher and further education and training programmes. In its

second report in December 1997, the Authority took cognisance of recent developments, including the review of the DIT under Section 9 of the Universities Act and the work of the Interim Review Group for Institutions in the Technological Sector, and now proposed that all existing and future awards be incorporated within the remit of three awarding bodies.

- The National Certification Council for all awards in further education and training.
- The National Institute of Technology for awards in Regional Technical Colleges / Institutes of Technology.
- The Dublin Institute of Technology ‘in view of the importance of its awards to the technological sector within the binary system of higher education and training’ (Teastas 1997b, p.11).

Even if university status were granted under the current review, ‘then the Dublin Institute of Technology will have increased significance within the binary system of higher education and training’ (p.14) and it was recommended that the DIT would be retained as an awarding body.

The DIT president Brendan Goldsmith said he failed to understand how the Institute could be part of Teastas and a university at the same time. ‘You are either a university and have autonomy or you are part of the national certification system. You can’t be a university and remain within Teastas’ (Healy 1998). However, officials from the Department of Education and Science took the view that ‘DIT should be subject to Teastas Qualifications Framework – whether it becomes a university or not’. Meeting members of the Review Group at the end of April, they emphasised that ‘The Minister concurs with this view’

(HEA 1060:89). Ideally, the universities should also be subject to the Teastas framework but this was not considered realistic at this stage. Similar points had been made by Teastas representatives earlier in the month when they came up with the novel suggestion: 'If DIT becomes a university it will be unique because of its multi-level nature. Why not also let it be unique in relation to its involvement with Teastas?' (HEA 1060:82).

A Multi-level University for Ireland?

In its second submission to the Review Group, the DIT set out its 'vision of a multi-level university in keeping with the diversity which is now recognised as being so vital to the development of higher education' (DIT 7, p15). The availability of apprenticeship programmes were a distinguishing feature 'as comparable provision does not exist in universities within Europe or North America'. Among the strengths outlined was the opportunity for apprentices at DIT to 'avail of "ladders of opportunity" provided through its wide range of full-time and part-time courses'. Diploma/certificate courses would also 'continue to play a significant role within the institute even following university designation' (p.14). When Don Thornhill (Secretary General) and Oliver Cussen (Assistant Secretary) of the Department of Education and Science held an informal meeting in December 1997 with Dermot Nally (Review Group chairman) and Noel Lindsay (HEA chairman), it was stated that:

Apprentices and sub-degree work of DIT must be maintained and any upgrading of the Institute must not result in a downgrading of sub-degree work. DIT must maintain its multi-level nature. This would not be inconsistent with Sections 12 and 13 of the Universities Act which refer to supporting and contributing to national economic and social development.
(HEA 1060:49)

At their meeting with members of the Review Group in October 1997, the Council of Directors of Regional Technical Colleges argued that there was 'no way of preventing mission drift in DIT if it is designated as a university' and cited the examples of the National Institutes for Higher Education which had been upgraded in 1988. University status for DIT would result 'in a lack of parity of esteem, and the devaluation of sub-degree qualifications in other colleges. There is currently a huge national need for technical qualifications – this should not be undermined in any way' (HEA 1060:27). These sentiments were echoed in an informal canvass of views in the business community by a Group member:

if DIT gets university status, there is a risk that the technical and apprenticeship courses will suffer, and that could have dire consequences for Irish Industry which is already suffering due to skills shortages in these areas. It seems to be irrelevant to industry what DIT calls itself, once it continues to adhere to its charter. (HEA 1060:60)

At a preliminary meeting with the chairman and secretary of the Review Group, the chairman of the Conference of Heads of Irish Universities (CHIU) pointed out that:

the multilevel nature of course provision in DIT does not conform to the accepted course provision in Irish Universities...
a very large proportion of DIT courses could not be regarded as appropriate to a university. (HEA 1060:70)

He emphasised that 'undergraduate diplomas are virtually non-existent in the university sector in Ireland. This raises the question on the totality of the DIT – the DIT "mix" does not fit in with the university model' (ibid.). At a subsequent meeting with the members of the Review Group, the CHIU representatives acknowledged that there were many universities which operated at multi-levels

but emphasised that ‘the DIT profile was not found in North America or Europe and argued that the committee should look specifically at Irish conditions’ (HEA 1060:71). It was accepted that the DIT did not conform to either the university or RTC model but was somewhere in between.

Noting that DIT would find few parallels in continental Europe, a discussion paper prepared by a Review Group member pointed out that:

There are “analogues” in the U.K., Australia and no doubt other countries. It should not be overlooked that the existing Irish universities carry a considerable load of non-degree studies eg adult education, nor that many distinguished universities have over the years developed from sub-degree institutions. (HEA 1060:74)

Responding to a query from the Group’s Chairman, the Clerk of the Privy Council in London wrote to ‘confirm that a number of United Kingdom universities award diplomas as well as degrees’. Regarding the criteria for the award of university status, these had been tightened up some three years previously when:

following the transformation of the polytechnics and a number of other higher education institutions into universities, certain other higher education institutions which had not been accorded university status sought to follow suit. (HEA 1060:17)

In another paper prepared for consideration by the Review Group, one of its members wrote: ‘I regard DIT as a successful comprehensive large polytechnic which is on a course to becoming a university. But it is not a university despite the claims it makes for itself’ (HEA 1060:51).

The Review Group considered the possibility of a division of DIT into two separate institutions but concluded that this ‘would destroy the uniqueness and

strength' of the Institute. It would also 'likely lead to academic drift and would not give parity of esteem versus the other institutions' (HEA 1060:88).

Report of the International Review Group

The Report of the Review Group was published by the HEA on 23 November 1998. Referring to the fact that this was the first application for university status under section 9 of the Universities Act, 1997 the report noted its responsibilities 'in ensuring that due process was observed and the widest range of interests was consulted' (Nally 1998, p.39). The results of its consideration of five possible scenarios were set out and these may be summarised as follows:

1. *University Status (Now) for DIT.* The Review group stated that 'there are serious arguments against the immediate establishment of the DIT, as it is now constituted, as a University'. These were listed as:
 - Maturity and cohesiveness of the Institute
 - Range and nature of postgraduate research provision
 - Qualifications and experience of academic staff
 - Academic structures and conditions
2. *Rejection of DIT's application for university status.* Given the history and evolution of the Institute over the last century, 'the Review Group could not recommend rejection of the DIT's application'.
3. *Merger of DIT with an existing university.* While it was recognised that this was unlikely to be a feasible option at the present time, the report noted that 'Our recommendations would not preclude such a development'.
4. *Creation of a Dual Institution.* Acknowledging that such a solution might help to bolster the binary system, the Group 'were firmly of the view that DIT as an institution would suffer'.

5. *University Status for the DIT at a future date.* The Review Group stated that 'it can be argued that DIT is on a firm and clear trajectory leading, at a future time, to university status'. (ibid. pp35-36)

The final section of the report set out two main recommendations:

[I] ... as an immediate first step funding and administrative responsibility for the DIT should be transferred from the Department of Education and Science to the Higher Education Authority; and

[II]... DIT should be established as a university if and when the following conditions, taken together, are met. (p.39)

In brief, these latter conditions were that:

- (1) academic structures and conditions are introduced, providing comparable arrangements with those pertaining in existing universities ...
- (2) the collaboration between the DIT and Trinity College, Dublin, and the other universities is continued and intensified, with the object of broadening and deepening the research capacity of the Institute ...
- (3) the proportion of academic staff with doctorate and masters degrees teaching on degree and higher level programmes be raised ...
- (4) the Institute continues to develop and enhance its existing strong sub-degree and apprenticeship provision ...
- (5) the Institute reviews the design and application of its quality assurance and peer review processes ...
- (6) the Institute develops further in the area of Life Long Learning and the broadening of access to third-level education to all sectors of society ...
- (7) the Institute preserves and develops its existing strong links with industry and the professions ... (pp39-40).

The Group further concluded that, following careful consideration, it was of the view that these conditions 'could reasonably be met within 3 to 5 years' and recommended that progress towards these targets should be monitored by the

HEA so that it would be in a position 'when appropriate' to recommend to Government the granting of university status.

Welcoming the report, the president of DIT felt that this was the final phase in the transition to a university and expressed his confidence that it could be successfully completed in three years. Emphasising the commitment to continue educational provision from apprenticeship to doctoral level, he again drew attention to his assertion that 'The power to award its own taught and research degrees has been described authoritatively as "the important defining characteristic of a university"' (DIT 13). Under the original provisions of the Universities Bill, this report together with 'any recommendation of An tÚdarás [HEA]' would have been forwarded to the Government for consideration (Stationery Office 1996, s.9). However, arising from the amendment to Section 9 of the Universities Bill adopted in the Seanad the previous year, the next stage involved the HEA considering the Review Group's advice and preparing its own recommendations for Government.

CHAPTER 10

THE HEA AND ITS RECOMMENDATION TO GOVERNMENT

This chapter sets out the functions and responsibilities of the Higher Education Authority and describes its membership and executive. Following receipt of the Review Group Report, a number of issues were highlighted for consideration at the next meeting of the Authority. An outline of these is followed by a discussion of the points of concern raised by the members during this meeting. A summary of the report of the Authority which set out its recommendation to Government is also given.

The Section 9 Process

The responsibilities of the Higher Education Authority (An tÚdarás) in relation to the review process were set out in the first two subsections of Section 9 of the Universities Act, 1997 as follows:

- (1) The Government may, at any time, appoint a body, the membership of which shall be recommended by An tÚdarás and shall include international experts and national experts, including employees of universities to which this Act applies, to advise An tÚdarás on whether, having regard to the objects and functions of a university under sections 12 and 13, an educational institution should be established as a university.
- (2) On the advice of the body and the recommendation of An tÚdarás, but subject to subsection (3), the Government may, by order, provide that the institution shall be a university for the purposes of the Act and, on the making of the order, it shall be established accordingly.

Asking the members of the Dáil (House of Representatives) to agree to the amended wording of this section which had been passed in the Seanad (Senate), the then Minister for Education explained that:

The amendment provides that the education authority will be the body advised by the expert group and the Government can only act on the advice of the Higher Education Authority and the expert group in establishing a new university. However, the Government is not compelled to do so, but in so doing it will be on the advice of the expert group and the HEA. (Bhreathnach 1997f)

In the case of the application by DIT for establishment as a university, the Section 9 process had begun with the appointment of the International Review Group in July 1997. On 2 November 1998, the report produced by this Review Group was formally forwarded to the Chairman of the Higher Education Authority. It now fell to the members of the Authority to consider this report and produce their own recommendation for Government.

The Higher Education Authority (An tÚdarás um Ard-Oideachas)

The Higher Education Authority is the statutory planning and development body for higher education and research in Ireland. Its principal functions, as set out in its annual reports for the years 1997 and 1998, were as follows:

- to further the development of higher education;
- to maintain a continuous review of the demand and need for higher education;
- to assist in the co-ordination of state investment in higher education and to prepare proposals for such investment;
- to review proposals from Universities and designated institutions for capital and recurrent funding;
- to allocate among these institutions the grants voted by the Oireachtas;
- to promote an appreciation of the value of higher education and research;

- to promote the attainment of equality of opportunity in higher education and the democratisation of its structures. (Higher Education Authority 2002)

While the advisory powers of the HEA related to the whole third-level education sector, it was also the funding authority for the universities and a number of other designated higher education institutions. There were four such designated institutions at that time, namely:

- National College of Art and Design
- Royal College of Surgeons in Ireland
- National Council for Educational Awards
- Royal Irish Academy

The Higher Education Authority Act, 1971 also specified the functions of the Authority in relation to advice on both university and non-university higher education institutions:

An tÚdarás shall advise the Minister on the need or otherwise for the establishment of new institutions of higher education, on the nature and form of those institutions and on the legislative measures required in relation to their establishment or in relation to any existing institution of higher education.
(Stationery Office 1971, s.5)

For example, one of the first tasks of the newly formed Authority had been to advise on the type of institution to be established in Limerick when it recommended setting up the National Institute for Higher Education instead of a university for the region.

According to the legislation then in force, the Higher Education Authority consisted of a chairman and up to eighteen ordinary members. All appointments were made by the Government on the recommendation of the Minister for Education and, in the case of the ordinary members, the Minister also consulted with the chairman. As laid down in legislation, at least seven of the members

must be academics from either a university or one of the other designated institutions and at least seven must be other than academic members. These members are appointed for a period of five years and may be re-appointed for one further five-year period.

Noel Lindsay, a former Secretary of the Department of Education, had been appointed to the chairmanship of the Authority in January 1993 and eleven of the eighteen members who were sitting on the Authority at the end of 1998 had been appointed in 1995. With the appointment of seven new members in 1997, the membership of the Authority was evenly divided between academic and other members. In December 1997, on reaching his 70th birthday, Noel Lindsay's term of office as chairman came to an end and he was succeeded in January 1998 by Don Thornhill who had been his successor in the renamed Department of Education and Science.

The administrative and advisory functions of the Authority were carried out by a permanent executive which reported to regular (usually monthly) meetings of the members. As specified in the legislation, the executive is comprised of 'officers and servants' appointed by An tÚdarás but they are not members of the Authority. One of these officers is appointed as Secretary to the Authority. At the time of the DIT Review, the Secretary was John L. Hayden and the Deputy Secretary was Mary Kerr who also acted as Secretary to the International Review Group.

Consideration of the Report of the Review Group by the Higher Education Authority

In advance of the official publication of the findings of the Review Group, the Secretary of the HEA, in consultation with the Chairman, had prepared a document outlining the responsibilities of the Authority and setting out the issues to be considered. Pointing out that 'Section 9 of the Universities Act was enacted to facilitate the orderly development of the university sector', the document noted that, as this was the first application for university status under this section, it was important 'that due process is observed in relation to the Authority's consideration and analysis of the Review Group's report and its recommendation to Government' (HEA 1126:4).

Earlier that year, the Department of Education and Science had sought legal advice from the Attorney General's Office regarding the respective roles of the Review Group, the HEA and the Government in relation to the final decision on the application by DIT for establishment as a university. The advice from the Attorney General was that:

- (i) the Review Group advises the HEA in relation to the granting of university status to the DIT. In giving its advice, the Group is obliged to have regard to the objects and functions of a university as stipulated in sections 12 and 13 of the Act. (The relevant extracts from the Act are attached).
- (ii) the advice of the Review Group must then be considered by the HEA before making its recommendation. In addition, prior to making any recommendation, the HEA must consider the issues of university status from the perspectives of its own statutory functions. Section 3 of the HEA Act, 1971 (copy attached) is particularly relevant in this regard. Under this provision, the HEA has, inter alia, the statutory function of furthering the development of higher education and assisting in the co-ordination of State investment in higher education. (ibid.)

Hence, the function of the Authority in relation to the DIT application was described by the Secretary of the HEA as being on two interrelated levels:

- 1) Analysis and consideration of the Review Group's advice.
- 2) Consideration of the wider context of the recommendation against the backdrop of the statutory functions of the HEA.

The issues arising from the report of the Review Group were then listed as:

- Transfer of funding and administrative responsibility for the DIT from the DES to the HEA.
- Appropriate balance between apprentice, sub-degree/degree and postgraduate course provision.
- Profile of research activity in DIT.
- Quality review/Peer review processes.
- Qualifications and training of academic staff.
- Cooperation between DIT and the universities and DIT and industry.
- Life-long learning and the broadening of access to under-represented groups.

In the wider context, the following issues were highlighted:

- Impact of recommendations on third level sector generally, and specifically on the two distinct parts of the current binary system
viz. university sector
institute of technology sector.
- Implications for national economic and social development.
- Resource implications.

The document concluded by suggesting that the approach by members in terms of both procedure and content should be structured along the following lines:

- Step 1 Consideration of this memorandum ...
- Step 2 Reactions of individual Authority members to the
report of the Review Group.
- Arising from these discussions the Executive will prepare a draft paper for consideration at a subsequent meeting.
- (HEA 1126:4)

The *Report of the International Review Group to the Higher Education Authority* was published on 23 November 1998. HEA members received copies of the report along with the prepared memorandum in advance of a special two-day meeting of the Authority which was held in Limerick on 27 and 28 November 1998. At the meeting itself, members were given a copy of a letter which had been faxed the previous day to the chairman, Don Thornhill. This letter from Danny O'Hare, chairman of the Conference of Heads of Irish Universities (CHIU), expressed the concern of the members of CHIU regarding the Review Group report:

CHIU notes that the Review Group has determined that DIT does not constitute a university. It considers that having done so the Review Group has completed its remit under Section 9 of the Universities Act, 1997.

CHIU is gravely concerned, however, that the Review Group went further and set targets for DIT to achieve. It is further concerned that the targets set fall short of what constitutes an Irish University.

The letter went on to suggest that the way in which the review was carried out and the contents of the report:

raise serious questions about the integrity and future operation of the Section 9 process, and to have potentially grave implications for the academic standing of Irish universities and for the binary structure of the Irish higher education system ... We have the greatest reservations about the approach proposed (i.e. the setting of targets and timescales) which we believe is inconsistent with the concept of the binary system. (HEA 1126:5)

Preparation of the HEA Recommendation to Government

In the draft report of the Special Meeting of the Authority in Limerick, the issues identified by the members were summarised as follows:

- Impact on third-level sector generally and the binary nature of that sector.
- Need for a further Section 9 Review in 3-5 years.
- Interim “mentoring” role envisaged for the HEA (Par. 8.6 of the Report).
- Definition of a university.
- Research profile of DIT.
- Qualifications of academic staff in DIT.
- Timescale of 3-5 years.
- Cost implications of any change in status, to include economic, human and social costs.
- Transfer of funding responsibility for DIT to HEA and implications that this would be a stepping stone to university status. (HEA 2)

It had then been proposed that a memo for the Authority should be prepared ‘to enable it to make a recommendation to the Minister and to the Government’. The chairman suggested that the executive should be assisted in this by a group of the members and he sought volunteers for this task, adding that ‘depending on the number who did so and their spread over the entire membership, a group would be convened at an early date’ (ibid.). (The role and operation of this sub-group were later clarified by one of my interviewees as described in Chapter 13).

The first meeting of the sub-group was arranged for 21 December 1998. It appears from the HEA file that there were only three members of the Authority on this sub-group – Maurice Bric of the Department of Modern History and Geraldine O’Brien of the Graduate School of Business, both in University College Dublin (UCD), and Prisca Grady of ICC Bank plc. However, the latter two were absent from the first meeting of the group so that the Authority members would have consisted of one ordinary member and the chairman. This sub-group had before it for consideration a discussion paper (HEA 1126:9) which

summarised points of concern raised by the members of the Authority at their meeting in November. The document then proceeded to set out in detail the response of the Authority to these issues.

Impact on Third Level Sector/Future of Binary System

It was noted under this heading that ‘the maintenance of the binary system of third-level education had been a constant theme of Government policy over the years’ (p.3). In recent speeches by the Minister for Education and Science, he had:

emphasised the Government’s continuing support for the maintenance of the binary system and expressed his opposition to mission drift and academic snobbery, which he has stated can undermine the value of sub-degree courses. The experience of the UK in relation to academic drift following redesignation of the Polytechnics is also relevant here. (p.4)

The document took issue with the contention of the Review Group that the binary system need not necessarily be damaged by this process and concluded that:

Given the strong views expressed across a wide range of differing Interests and as set out in the report of the Review Group, it is the Authority’s view that the binary system would inevitably be damaged by the establishment of the DIT as a university. (p.8)

It also noted that ‘The need for a further university in Dublin has not been identified to date’ (p.5).

Need for a Further Section 9 Review

In order that due process was seen to be observed, it was considered important that a further such review would be required in respect of DIT, should they decide to make a fresh application.

Interim 'Mentoring Role' for HEA

This was considered as being inappropriate for the HEA and seen as compromising their objectivity in relation to making a final recommendation to Government. 'In addition, there is the concern that other I.T.s [Institutes of Technology] might campaign for a similar arrangement, if we were to carry out this role for the DIT' (p.6).

Definition of a University

Whereas the members felt that there was a 'need for a set of criteria which would identify the defining characteristics of a University', the discussion document pointed out that the only statutory criteria specified in the Review Group's terms of reference related to the objects and functions of a university as specified under the Universities Act. Accepting that these criteria were 'not prescriptive and are open to interpretation' it was argued that it was difficult to see how it could be otherwise:

Universities worldwide are continually evolving in response to changing societal needs. It is considered that rather than attempting to define rigidly what a university is, we should be concentrating on current national, social and economic priorities in relation to third level educational provision.

(pp6-7)

Other Issues

Reiterating the fact that the Review Group had recommended against the immediate establishment of DIT as a university on the basis of the following arguments:

- Maturity and cohesiveness of the Institute
- Range and nature of postgraduate provision
- Qualifications and experience of staff
- Academic structures and conditions

the discussion paper (HEA 1126:9) noted that ‘the HEA accepts the Review Group’s advice in relation to these matters’ (p.7). Finally, it addressed the issue of the proposed designation of DIT under the HEA and stated that this was a matter that should be considered on its own merits and was unrelated to university status.

The contents of this discussion document were considered at the first meeting of the sub-group on 21 December 1998. No minutes of this meeting were taken but the notice for the second meeting stated that:

A draft response is now being prepared and a second (and final!) meeting of the Group has been arranged for 11am on Monday 18th January. We hope to have material for the Authority meeting on 26 January. (HEA 1126:17)

The documentation for the January meeting of the full membership of the Authority noted that:

The executive has, with the advice and assistance of an ad hoc working group of members of the Authority, constituted in line with the outcome of the Authority discussions in November, prepared a draft document setting out a proposed “recommendation” by the Authority. (HEA 1126:19)

The report of the meeting itself, held on 26 January 1999, recorded the decision of the members as follows: 'Members approved the draft document subject to a number of minor amendments' (HEA 3). The document was to be finalised by the chairman and executive and forwarded to the Minister for Education and Science.

Matters Arising

At the request of the President of DIT, a meeting was convened on 21 January 1999 between representatives of DIT and the HEA to discuss the tabling of the letter from the Conference of Heads of Irish Universities (CHIU) at the November meeting of the Authority. Brendan Goldsmith was concerned that comments had been made to him to the effect that the distribution of this letter to the Authority members was unethical. Pointing out that they did not invite submissions from anyone regarding this matter, the HEA response was that:

it was considered procedurally correct to circulate this at the HEA meeting in November...
It is a matter for any institution or individual to decide whether they wish to make a submission to the HEA on any matter. (HEA 1126:20)

It was then confirmed that the DIT President 'did not subscribe to the view that the circulation of the CHIU letter was unethical'. It was also noted at this meeting that the Authority or executive had not met any group or individuals in relation to the report, nor would they discuss the recommendation with the DIT.

The day after the meeting of the Authority in January at which the HEA recommendations were approved, a letter was received from the Council of

Directors of Institutes of Technology requesting a meeting to express their concerns about the Review Group Report (HEA 1126:21). In his reply, the Secretary noted that the preparation of the response of the Authority was at an advanced stage and he pointed out that the Authority 'has not had substantive discussions with any organisation or persons in this regard' (HEA 1126:22).

Recommendation of the Higher Education Authority to Government

The Higher Education Authority published its recommendation to Government in February 1999 (Higher Education Authority 1999). Following the *Introduction*, the second section of the report proceeded to present and discuss *The Findings of the Review Group*. The third section, entitled *Other Conclusions of the Review Group* considered the following issues:

- 'Mentoring' Role for the HEA
- Need for a further review
- Designation of the DIT under the HEA Act
- Summary Recommendations

The first of its recommendations was summarised as follows:

- (1) the Authority accepts the finding of the Review Group that there are serious arguments against the immediate establishment of the DIT as a university; the authority recommends against the immediate establishment of DIT as a university (p.11)

Recommendations (2) and (3) rejected the 'mentoring' role proposed in the Report of the Review Group and stated that a further Section 9 review would be required should DIT re-apply for establishment as a university. The final recommendation came out against the immediate designation of DIT under the HEA and expressed the concern that 'designation of institutes of technology or

of any other publicly funded higher education institutions should not be construed as a stepping stone to university status' (p.12).

The report concluded with a section entitled *Other Considerations* in which it addressed some of the issues raised in the report of the Review Group – 'In particular the Review Group's references to possible implications for the binary system of third-level education'. It was pointed out that 'Over the past year the Minister for Education and Science has on a number of occasions emphasised the Government's continuing support for the maintenance of the binary system' (p.13). Besides being stated Government policy, the HEA insisted that the diversity of institutions and the separate missions of the two broad sectors were 'essential to ensure maximum flexibility and responsiveness to the needs of students, the economy and society in general' (p.13). It concluded with the view that 'the promotion of parity of esteem between both sectors of higher education' was a major issue for public policy with important implications for the structure of Irish higher education in the future' (p.16).

The Minister for Education and Science subsequently responded to the HEA letter which had enclosed the document saying: 'We have accepted the recommendations of the HEA. The process which began in 1997 with the appointment of the Review Group is now complete'. He went on to repeat the statement included in a Press Release issued a fortnight earlier saying, 'It is, of course, as I have stated before, open to the DIT if it should so decide to apply at a later date for establishment as a university' (HEA 6).

DIT Licks its Wounds

On 17 April 1999, a report appeared in the daily newspaper, the Irish Independent, under the heading “DIT faculty head hits Authority as ‘venomous and vicious’” (Walshe 1999). This article revealed the contents of a DIT Directors’ Newsletter where the Director of the Faculty of Science, Matt Hussey had written:

Apart from being negative, the HEA report seemed excessively venomous and subjective for a report from a board of a state organisation. The negative report might have been expected, given the composition of the board of the HEA. (DIT 14)

Not surprisingly, this resulted in an exchange of letters between the chairman of the HEA and the president of DIT. Brendan Goldsmith pointed out that these were personal views and he defended Dr Hussey’s right to express them. The Governing Body of DIT had not yet formulated an official response (HEA 1060:103).

In a discussion document issued to staff in September 1999, the Directorate of DIT were at pains to stress that the decision to seek university designation was ‘neither a whim nor an opportunistic attempt to exploit the then government’s vulnerable position in the Seanad’ (Dublin Institute of Technology 1999, p.1). Rather than questioning the philosophy of seeking a ‘major paradigm shift’ in the definition of an Irish university, they chose to ask: ‘can DIT (and Ireland!) afford not to embrace this new concept of a university which parallels the evolution of our industry and society?’ (p.9).

Part IV

INTERVIEWS, THE REVIEW PROCESS AND THE REPORTS

CHAPTER 11

INTERVIEWS AND WORK OF THE REVIEW GROUP

Following an examination of the documentary evidence, interviews were conducted with a number of participants in the review process. Using information from the interviews with members of DIT and the Review Group, this chapter considers first of all the composition of the Group before proceeding to explore various aspect of its work. It looks at the development of the criteria for the review and assessment, the response of DIT to these and the problems of promoting the idea of a multi-level university in Ireland. Finally, the issue of research and its impact on the eventual outcome is highlighted. As interviewees were assured of anonymity of their responses, quotations from these interviews are attributed simply to either DIT or Review Group members.

The Interviews

There were three sets of people closely involved in this first use of the Section 9 process which had been included in the Universities Act, 1997. These were the members of the Review Group, members and executive of the Higher Education Authority, and personnel from the Dublin Institute of Technology. As detailed in the chapter 4, I interviewed four of the six surviving members of the International Review Group, three of the four remaining members of the DIT University Steering Group and five people who were members of the Higher

Education Authority when the recommendation to Government was being prepared. I also interviewed two others who held senior positions within the HEA at the time of the review.

The International Review Group

The appointment of an expert group is the first of the five stages listed by the HEA as constituting the Section 9 process. Under the legislation, the Government may appoint such a body to advise the Higher Education Authority 'on whether, having regard to the objects and functions of a university under sections 12 and 13, an educational institution should be established as a university' (Stationery Office 1997, s.9). Speaking in the Seanad during the debate on amendments to Section 9, the Minister for Education referred to previous discussions in the Dáil, where, she said:

People asked how the academic requirements of a university would be evaluated. Under this legislation we have defined the functions and objectives of a university. An expert group evaluating an institution which wishes to become a new university would involve national and international people ... The advice of an expert group will be sought on the academic and professional aspects of a university. (Bhreathnach 1997g)

In the same debate she declared that 'People should be confident that a review body would be independent but clear in its recommendations' (Bhreathnach 1997h).

Membership of the Review Group

While the review process itself was widely accepted as being 'entirely appropriate and satisfactory', within DIT it was variously described as being 'very fair' and even 'classical'. The first step in the process – the selection of the

members of the Review Group – had the potential to influence the outcome, so it caused some surprise and concern in DIT when the HEA proposed Danny O'Hare, President of Dublin City University, as chairman. They objected to this appointment as it was their understanding that 'he was absolutely opposed to DIT getting university designation under any circumstances'. He was then replaced by Dermot Nally, regarded as an excellent chairman who 'organised things very well' and 'made it very clear what he wanted'.

From a DIT perspective, Malcolm Skilbeck was described as a 'very experienced individual who had been through transformation himself' and 'knew the international scene'. On the other hand, the President of the Dutch University was said to have had 'a strong traditional view' of what a university was and, while he had indicated informally that 'he was impressed with DIT as an organisation, he still had questions in his mind if it was the sort of organisation that should be called a university'. A similar comment was made by a member of the Review Group about the Irish university representatives on that body: 'their mind-set would find it quite difficult to grapple with this entity becoming a university'. Special mention was made of the complementary contributions of Malcolm Skilbeck who, with 'his OECD experience, was a particularly valuable member' and 'on the other side' prominent industrialist Brian Sweeney, also 'an extremely valuable member bringing his experience of industry and business to the group'.

While the composition of the group was generally regarded as a good balance, a suggestion that was repeated to me from within the group was that it would

have been useful to have had someone from the technological sector itself, 'to hold up the corner' as one put it, while another observed that it 'certainly was an interesting omission'. A third member concurred and added that they should also have had a younger member: 'I find they put too few people under forty'.

There were mixed views on whether the panel would have benefited from more international representation. One view was that, in Ireland, we may 'tend to look at international experts as really having a God-given knowledge that we have no access to' but that in fact 'we haven't got a great deal to learn'. A further view from the Group was that 'there are difficulties in getting people who would be willing to get to grips with the system' but this was countered by another member who wondered 'whether it would have been more useful to have an international expert who was less familiar [with the system] and would ask awkward questions'. Another suggested that:

If there had been an additional international member, it would have been very useful to have somebody from a cross-sectoral institution, in other words an institution like the Royal Melbourne Institute of Technology University in Australia or an equivalent organisation in the United States where a much broader spectrum of students and courses existed.

On the other hand, it was felt that the recommendation of the Group would have been more influenced by the national membership and this member didn't think that it 'would have been any stronger, or any different, if there had been another international member'.

Criteria for the Review and Assessment

The set of criteria developed by the Review Group was seen to be 'challenging but fair'. The feeling in DIT was 'that if we meet this, then we deserve it'. The

criteria, according to one member of the Group, had to acknowledge that the institution has ‘large numbers of students and their teachers who come from the non-university sector’ and ‘which gave the institution a chance to prove its case’.

This member doubted:

that everyone on the committee wanted the university bid to succeed – they had to be persuaded – but the criteria had to make it possible for them to be persuaded, otherwise it would have been a futile exercise.

The fact that it fell to the Group to develop the criteria was described by a DIT member as a weakness in the review process. ‘The institution being assessed doesn’t really know the criteria that are being applied to it nor, in fairness, did the Group themselves’. Describing the criteria they were given as ‘all motherhood and apple-pie stuff’, he noted that there wasn’t a single metric in the whole thing but admitted that they ‘didn’t object – we were doing all of these things anyway’. On the other hand, the fact that the criteria were couched in vague terms was also seen as a disadvantage from the DIT point of view – not knowing ‘whether you had made enough of a case’. It was acknowledged that:

these things are very difficult to make absolute – whether an institution has progressed enough to be given something called a “university title”. Internationally there is no clear definition of what it is.

This was elaborated on by another DIT member:

You would expect that there would be a national definition of what it means to be a university because the word “university” is now a protected word within the Universities Act but there is no definition of what it is. At the moment, the definition of a university is completely circular – a university is one of the following seven [Irish] universities.

Expressing the view that it is impossible to have really objective criteria, a DIT steering group member went on to say:

What you have to do is have criteria that use words like “appropriate” and you have a committee or panel that is very experienced and preferably people who know about transformation, who have gone through the process, who have seen institutions move from one level to another and understand that thing.

This was echoed by Group members, one of whom pointed out that ‘criteria are inevitably somewhat vague, they have to be interpreted – they have to be interpreted contextually and situationally – they are not measures’. Another put it this way: ‘If you can really get the criteria into a box, then the answer nearly falls out – if they were too clear-cut, it might have inhibited some of the debate’. A third member commented that ‘It all boils down to assessment by peers – peer group review – which I think is at the core of all the criteria’ but then went on to state that ‘the really critical question was: would it serve the national interest if DIT became a university? That was the core question. The rest were subsidiary criteria’.

The DIT Submissions to the Review Group

The DIT submissions were seen to be acceptable in their entirety but the view was expressed that at times the Group felt they weren’t getting sufficiently specific or concrete information. ‘We felt that that was perhaps a weakness; that the submission process on the DIT side was not sufficiently well thought out in advance’. On the other hand it was acknowledged that ‘DIT was being obliged constantly to extend its submission line of argument because of the questions that the committee itself was raising’. For their part, it was felt in DIT ‘that we were being asked to do more – never quite enough’. However, there were mixed comments regarding the quality of the DIT responses which ranged from

thinking that they 'had done a good job' to a feeling that, while they might have had some weight as academic arguments, there was 'nothing highly persuasive':

I don't believe we managed to make the case that to be a university would enable us to do our service to society – be it Irish or international – to do it maybe twice as well ... that it was imperative that we should get the thing. That wasn't there.

Consequently, it is perhaps not surprising to be told that the Review Group 'felt that quite a number of senior management were not as strategic as they should have been in the presentation of their case'.

Emphasising the fact that it was difficult to remember details after all this time, one Group member said that he thought the DIT President was 'excellent and the way he marshalled his arguments, the way he put his material, was very impressive'. This view was reinforced by another member who thought that 'he did a superb job' but that there was 'some irritation with the over-confidence of DIT; the belief that they had everything right and that it was only a matter of ticking off/signing off as it were'. The Group responded to this by saying, 'well, we're not convinced and therefore we need more evidence'. While all this did affect the process, it was thought unlikely that 'it fundamentally affected the outcome'.

Consultation Process

The Review Group had elicited the views, either orally or in writing, of various organisations on the grant of university status to DIT. It also invited individuals and organisations to make submissions in response to an advertisement in the national press. Asked how worthwhile these were, one member of the Group

responded by saying that it wasn't a question of whether they were worthwhile 'but we cannot go along and produce a report without talking to the people who had a big interest in the area we are reporting on. It was simply a matter of public relations – we had to consult them'. Otherwise, he explained, they would be accused afterwards of not taking their views into account. This was reinforced by another member who said that, where a very significant change in structures, organisation and status was being considered, 'it was important for the committee to have an understanding of how this change, if it took place, would be received in the wider community'.

'I don't think they swayed things an awful lot' was a comment made to me and it was pointed out that in such situations 'you tend to get the cranks rather than the balanced view'. On the other hand, I was told that another member of the Group personally valued these submissions, 'whether they seemed to me well informed or not, they gave a sense of people's perceptions of what the institute was and what it might become' and, this person continued, 'that includes the hostility that was shown by some sectors, particularly the universities, because one needs to know how a thing like that is going to be received'. The meetings with the Conference of Heads of Irish Universities and the Council of Directors of Institutes of Technology were described as 'highly unsatisfactory'. The question of the involvement of these representative bodies in the process was met with the response: 'Was it their business? I didn't think it was'.

Multi-level University

The term 'multi-level' was adopted by DIT to describe 'the notion that it was possible to start as an apprentice and finish with a doctorate'. It was admitted to being a new idea in the Irish context but 'not new in the international context – the Australians have made very significant progress in this area'. 'There was quite a lot of emotional attachment to the notion of people being able to progress – what we would now call equal opportunities agenda and widening participation'. While there was agreement on the DIT side that neither the international members nor the business members seemed to have had any problems with this concept, it was thought that 'It certainly caused problems for some on the Review Group'. This was confirmed by a member of the latter who noted that, even within this specialised group, 'what they had in mind were simply universities as they knew them'. Yet, here was an institution taking students who would not qualify for entrance to an Irish university which prompted another member of the Review Group to exclaim: 'Good heavens, they're preparing students to enter trades. It's not about trades, it's about noble professions!' However, he went on to say that over time the Group showed a 'real understanding' of the concept and 'came to accept the value of another way of doing things'. This was confirmed by the comment of another of his colleagues: 'It seemed to us to be an ideal solution, if they [DIT] had got their act together before they had submitted'.

It was suggested to me that the problem may have had more to do with the term 'multi-level' rather than the idea. 'It doesn't carry meaning until you know what it means; and most people don't ... it didn't carry any persuasiveness' was

one DIT opinion. It was used by some in preference to the term ‘technological university’ which tended to be avoided in the Irish context. ‘A technological university would definitely be a lower class of university in Ireland’, he believed. Concerning the possible name if the application had been successful, ‘the only reason we would not have chosen Dublin University of Technology, which is actually what a lot of us would have liked, was the unfortunate connotation in the Irish context’.

Research

It was the view of one close to the review process that the key factors behind the Review Group recommendations ‘all revolve around research. If you look at every single one of them – it’s couched differently – but they all have their origin in the degree to which DIT needs to have more of a research culture’. It was admitted that it was only in the area of Science in DIT, and to a lesser extent Engineering, that ‘we had some research or some little bit of standing; elsewhere we didn’t. We were not really on a good footing for university status’. A second DIT member described the Institute similarly as ‘an unusual mixture of having some areas where they were very, very strong in research and other areas where they were frankly devoid of research’ but added that ‘if you look around the world, it’s not that much different, really. The vast majority of universities are not research institutions’.

The case of research was described from within the Review Group as a ‘political argument’:

You cannot win a case for university status unless you can demonstrate a strong research profile, even though higher education research has shown that the majority of people teaching in universities are not themselves active researchers.

Despite the latter, the Group felt that in presenting the case for a move towards university status they 'had to emphasise the potential as well as actual achievement in research in DIT'. The reason that research featured so strongly in the report of the Review Group was, according to this member, 'to convince people whose view was absolutely firmly that, without a strong research profile, they can't be a university'.

Those Group members examining this aspect of DIT 'felt it a very deficient area' especially when they looked at 'the procedures for research supervision'. The relatively small number of staff with higher degrees was seen as a problem, particularly when coupled with the lack of a proper training scheme for staff within DIT.

We didn't think that the procedures in place in DIT would stand up to international scrutiny in terms of ensuring what would now be called learning outcomes ... The area where we couldn't support the DIT was the area of research ... The institutional leadership, we felt, was very deficient – they should have seen that.

CHAPTER 12

REPORT OF THE INTERNATIONAL REVIEW GROUP

This chapter describes the response of interviewees to the Review Group Report. The wide interpretation given to the terms of reference by the chairman led the members to consider the implications of the DIT application for the binary system of higher education in Ireland. However, concerns were expressed that the Group went outside their terms of reference in setting out their recommendations to the HEA. The reaction of some of the participants to the manner in which the advice of the Review Group was treated by the Higher Education Authority is also explored.

The Report of the Review Group

‘The Group made what could be regarded as interesting and curious recommendations’ were the initial comments of one member of the Higher Education Authority while another was rather dismissive, saying he ‘didn’t think this was a great report’. The latter went on to describe it as a weak report which ‘to a significant degree avoided making any clear recommendation’. After deliberations lasting just over a year, the Review Group made two main recommendations. The first of these suggested that funding and administrative responsibilities should be transferred from the Department of Education and

Science to the HEA while the second advised that DIT should be established as a university when certain specified conditions had been met.

As allowed for in the terms of reference, the DIT was invited to make comments on the draft report. 'We didn't get everything we wanted, obviously, because it's their report', said one member of the DIT University Steering Group but the final report 'was transparent and we could see their thinking and, though we thought it was a tough judgement, we didn't think it was totally unfair'. Another member saw the outcome as the one they were hoping for, admitting that 'DIT was not really ready to become a university in every aspect and needed a bit more time'. This being the case, it is hardly surprising that one member of the Review Group recalled: 'I felt very strongly, and I think most of the group felt, that DIT had moved far too soon'. This was echoed by an Authority member:

I had the very strong view that the DIT – the Governing Body and the President at the time – that they actually made a mistake in going for university status under Section 9 because it they did it too early They did it at a time when, for their application to have a chance of success, they had to do an awful lot of things to do with human resources, staff development, etc.

Even within DIT, not all those I interviewed thought that they should have gone for the review at that time. 'You should only go if you have a fair confidence that you have a chance of winning and not get a black eye'.

Terms of Reference of the Review Group

The Terms of Reference given to the Review Group had specified that:

The advice of the Review Group should be in the form of a report which shall, inter alia, detail the extent to which the Institute, as presently constituted and functioning, discharges

the various objects and functions of a university in accordance with sections 12 and 13 of the Universities Act, 1997.
(Nally 1998, pp9-10)

These terms of reference were drawn up by the HEA and, according to one of those involved, this would have included the Chairman, the Secretary and the Deputy Secretary of the Authority. 'We would have been back and forward with the Assistant Secretary in the Department of Education' recalls another but the fact that he couldn't remember any 'sharp divisions between the Secretary and Chairman 'indicates that it wasn't controversial'. There were no records of any discussions on the matter at the plenary sessions of the HEA – the minutes of the 258th Meeting of the Authority simply stated under the heading 'AOB' that, 'The proposals relating to the DIT university status Review Body were agreed' (HEA 1). It was the recollection of one former member of the Authority that they didn't have much input into the terms of reference. It was more a case that:

this Review Group was set up, were given terms of reference, and we'll wait and hear from them. I have no recollection of us being actively involved and saying, "this is an important exercise for us as an Authority and so we must get it right".

From the point of view of the DIT, the terms of reference were 'written down in nice terms' but 'there was no set of criteria given as to what they were to measure us against' and 'it gave no definition of a university at all'. The inclusion of the phrase *as presently constituted and functioning* was explained to me as follows:

DIT was going through huge change at the time and we interpreted it, as it openly came out to be, that it gave them the option of saying, 'There are a couple of things you need to do' because we didn't really expect that they would simply say 'Yes'. We always felt they would say, 'Yes, but you need to do this, this and this' and indeed that is effectively what the final report did say.

Inside the Review Group, the prime aim of the chairman was seen to be 'to bring a very, very wide view or a very wide interpretation of the terms of reference' and to keep the committee looking at what these terms of reference required them to do. The general nature of the terms of reference was seen by this member of the Review Group as being in their favour. They 'enabled us to touch on the wider interest while at the same time looking in a specialised way at the position of the institutes [of technology] and the universities'. This latter point was spelled out in their Report where they responded to the view that they were not required to consider the position of the Institutes of Technology:

Our terms of reference, are, however, not exclusive and the Group took the view that it was required to look not only at the educational context but also at prevailing economic and social circumstances. (Nally 1998, p.6)

One of those from the HEA involved in setting the terms of reference thought 'the Review Group understood fully what their task was'. This was confirmed by a Review Group member who recalled: 'We were given a pretty clear brief by the secretariat; regular briefings on what we were expected to do and what the nature of the operation was'. Interestingly, when the chairman of the Review Group and the HEA chairman met with the Secretary General and Assistant Secretary of the Department of Education and Science three months after the Group had started work, one of those who attended the meeting recalls a Department official using terms like 'milestones' and 'benchmarks' and saying that 'it was very important that there should be clarity about their report'.

University Status for DIT – ‘Yes’ or ‘No’

In its report (Nally 1998), the Review Group stated that there were ‘serious arguments against the immediate establishment of the DIT, as it is now constituted, as a University’ (p.35). Instead, it:

attached specific conditions to its recommendation for the grant, in time, of university status to the DIT ... In brief, we suggest that when, in the view of the HEA, the DIT has met the conditions set out, it should be recognised as a university. The Group is of the view that given the evolution and experience of the DIT to date, these conditions could reasonably be met within 3 to 5 years. (p.6)

One person within the HEA recalled thinking at the time that Dermot Nally had:

left us in it. Had he done what he had been asked to do? In other words, was that kind of decision right or wrong? Was it within their terms of reference or within the legal requirements for a decision?

Another view expressed from within the Higher Education Authority was that:

they went outside their terms of reference – rather they went outside the terms of reference the HEA should have expected. In other words, the HEA was not able to grapple with, and the boundaries of the legislation could not grapple with, a recommendation that DIT should become a university *but not now*.

In the words of one who was closely involved with the process: ‘Why didn’t

Dermot Nally’s committee say “Yes”? Their “yes” was qualified. They laboured the conditions’.

‘I think the conclusions were the only conclusions we could have reached at the time, considering the position at the time and considering the composition of the group’, recalls one of the Review Group members. Referring to the deficiencies in the DIT case, particularly in the area of research, which prevented them from

recommending recognition, a second member said, 'I think quite a number of us wished that we could and felt sorry that DIT hadn't managed it'. 'I would have been very definitely the person strongest in favour of it becoming a university', claimed a third member, but some of the others 'were very clearly not in favour of it'. The inclusion of a timeframe of 3 to 5 years for meeting the conditions set out in the report was 'a kick for touch ... a sop to say, never say never'. Yet another member was of the opinion that he 'was the only member of the committee that was really convinced that we had the opportunity to break the mould'. He personally would have liked the group 'to confer conditional university status on DIT' but acknowledged that the report that was published 'was the best that we could achieve'.

The Review Group and the Binary System

In their report, the Review Group noted that the:

terms of reference require us to consider whether the DIT "*as presently constituted*" should become a university. This could be read as excluding consideration on our part of the wider implications of recommendations particularly for the binary system of well differentiated third-level educational sectors. The Group, however, takes the view that its remit does not prevent it from considering the context in which its recommendations are made. (Nally 1998, p.35)

A member of the Review Group commented that 'a criterion that didn't come out as strong as it might have in other circumstances was the criterion of the structure of the educational system'. He noted that the practical nature of the institutes of technology had featured very strongly at the time as distinct from the more academic nature of the universities and, if you have an institute like DIT wanting to become a university:

you destroy the whole system of institutes because the Dublin Institute is the leader in that area ... is the problem of status sufficient to justify a complete upset or a complete reversal of the binary system?

He summed it up by saying that 'all that didn't come out quite in those terms in the report but I think it was there in the background, certainly among certain members'.

It was acknowledged within DIT that they were making a 'full-scale frontal assault on the binary system' but that they weren't helped by the perception of what had happened in the UK regarding the polytechnics. In that instance, he explained, 'the process didn't require each individual institution to go through some sort of proving ground like Section 9. It simply changed the titles of every one and that's a disaster'. It was pointed out by this interviewee that binary systems invariably end up with two unequal levels and that he had 'no experience of anywhere in the world where there are two equal levels'. I was informed that the DIT president had said at the time that there were two ways of trying to achieve what was now being referred to as 'parity of esteem':

We can change the view of Irish society to recognise these two as equal or we could change the title to 'university' and I reckoned that none of us would be around long enough to ever see the first one, so let's go for the second one.

On the other hand, another DIT member recalls it being a concern that they 'wouldn't get enmeshed in the binary divide as a policy issue. If DIT moving was seen to destroy the binary divide that that politically would be unacceptable'. Rather they wanted it to stay a discussion of: 'Did DIT merit becoming a university or not?'

The Group was also made aware that there were some people in the bureaucracy and the HEA who were determined that the binary line should not be broken. ‘We were told that that was a very firm article of government policy’. It may have been with some reluctance but the Group:

did in the end accept that there was a strong case for a new kind of higher education institution – a new kind of university in Ireland which would have meant breaking the binary line ... the binary line would still have existed, it’s just that DIT would have crossed it.

When members of the Review Group met with representatives from the Council of Directors of Institutes of Technology, their Chairman Seán McDonagh ‘virtually told us what we should be thinking of doing’ and left the members with the feeling that ‘there was political pressure – that we weren’t being given a choice. Our conclusions were, in a sense, what the Council of Directors wanted. If they had been different, we would certainly have kicked up a fuss’. After the publication of the *Recommendation of the Higher Education Authority to Government*, Seán McDonagh wrote to the chairman of the Authority asking him to convey his ‘congratulations and appreciation to the HEA’. Noting that the report made ‘very important statements about the binary system and the Technological sector’ he went on to say, ‘I hope your report will result in the replacement of the pursuit of spurious comparative status with the real agenda of addressing the full range and challenges with which we are faced’ (HEA 5).

The Status of the Review Group

As initially proposed in the Universities Bill, ‘After considering the advice of the [expert] body and any recommendation of An tÚdarás [HEA]’, the Government

would then make a decision regarding the establishment of an institution as a university (Stationery Office 1996). This was similar to the procedure set out for the International Review Team which had advised the Minister for Education on the grant of degree-awarding powers to the DIT and on which the Section 9 process was based. However, the amendments to the Bill made in the Seanad meant that the expert group were now set up to advise the HEA rather than the Government. One member of the Review Group put it as follows: ‘No matter what the Review Group came up with, the HEA had the casting vote. In a way that’s what the HEA did but didn’t tell people’. He compared their work to that of consultants whose advice would not necessarily be acted upon, although he pointed out that ‘in this case you weren’t dealing with consultants, you were dealing with members of the public in different types of jobs’.

Another member of the Review Group reacted sharply to the likening of their role to that of consultants, whose advice need not necessarily be accepted, by saying that in such instances one should have very good reasons for rejecting their advice:

When you go through that whole process which is very intellectually expensive ... think of all the effort people made, the amassing of data – all that kind of thing – then we’re entitled to ask: what were the reasons the HEA gave for not accepting their advice? To me the reasons were implausible. Of course they were entitled to reject it but they had to have very good reason. Otherwise you have to say: were they really serious? They had to do it – they were obliged to do it under the Act – but were they ever going to be open-minded about it?

A former member of the Authority had a similar opinion:

If you're setting up an international review group, you have to satisfy yourself with regards to the people you're actually putting on it – the level of expertise, the mix of people you're putting on it ... You set up a review group like that, you want to have very serious reasons for departing so radically from the nature and findings of their report.

Another member of the Group was more realistic about their role. Unlike the HEA, which is a statutory body with responsibility for the third-level system of education:

The Review Group is a medley of different interests and different personalities which is appointed – it's purely temporary. It is not a Royal Commission and even if it were a Royal Commission the Government will still have its own policy, its own view, and that will be formed by what the HEA tell it. The establishment of a Review Group is a public relations exercise. Okay, they work very hard and very devotedly but it is still only a review and it cannot be an authoritative statement.

A DIT member described his puzzlement as follows:

I just couldn't understand how a body commissions a panel to do a job for it, gets what is in fact a very robust recommendation, which we might consider a little unfair in DIT, and then goes further and says "No". 'Why bother? Why have the panel?' That's what we said to one another ... 'The whole thing's a charade. We've been wasting our time'.

From the point of view of the HEA, the fact that the recommendations, or other aspects of the work of a review group, are not followed through 'goes with the territory. The fact that one is asked to give advice should never be interpreted as carrying with it the presumption that that advice is going to be carried out in every detail'. The former Chairman of the HEA added at this point: 'I was struck by the courage and the quality of analysis which HEA members brought to the table around that issue. I would certainly want you to record that in the dissertation'.

CHAPTER 13

RECOMMENDATION OF THE HEA TO GOVERNMENT

There persists a strong view both within DIT and among some members of the Review Group that a consideration of the advice of the Review Group should have resulted in a different recommendation from the Higher Education Authority. This chapter looks at the formation of the HEA decision regarding the DIT application and the importance which the members attached to the legislation governing their role in the process. The contrast between the views of Authority members and the reaction of other participants in the process is highlighted.

The Section 9 Process

Speaking in the Seanad in 1997 during the debate on the Universities Bill, the

Minister for Education pointed out that:

Section 9 is a mechanism which seeks to ensure that people would not respond with a knee-jerk reaction to change but that there would be a mechanism in place for the setting up of a review body which would ensure that the quality of the forthcoming opinion was one to which a Government could respond confidently. (Bhreathnach 1997j)

However, the original wording of this section was criticised by Senators on the grounds that the decision would still 'be made by Government, by politicians who have different agendas to academics. They do not have academic criteria as

their primary objectives when setting up universities' (Ross 1997d). In response to this criticism, the Minister agreed to amend Section 9 explaining that:

This amendment provides that the Higher Education Authority will be the body advised by the expert group. The Government can only act on the advice of the Higher Education Authority and the expert group on establishing a new university but it is not compelled to do so.

(Bhreathnach 1997e)

In the case of the DIT application, the HEA had unequivocally stated that 'the Authority recommends against the immediate establishment of DIT as a university' (Higher Education Authority 1999, p.11). Effectively there was nothing for the Government to consider in relation to this application as it had been accepted that it would not act to establish a university contrary to the advice of either the Review Group or the Higher Education Authority.

This ultimate conclusion to the DIT application was naturally hugely disappointing to the leadership in DIT:

When we saw the original Nally Report, we thought it would be very easy – if the HEA simply endorsed that and said this is the outcome and sent this to the Minister, who was positive towards DIT – to say DIT is going to become a university but it has to do the following things ...

On the other hand, one member of the Authority recalled thinking at the time that they 'had to go back and reopen it, that we can't just be a rubber stamp':

We wanted to make a decision on what was this particular organisation like and we, as an Authority, hadn't done that review but nevertheless we were put in the invidious position of having to make the decision.

Commenting that what they really wanted was 'a rigorous and a clear conclusion', this member wondered 'why they didn't grasp the bloody nettle

themselves – the international board – and just say “No, they’re not ready.”

They didn’t say that – they pushed the decision back on us’.

Those in DIT also perceived a sharp contrast between the advice contained in the *Report of the International Review Group* and the subsequent *Recommendation of the Higher Education Authority to Government*:

It gives the HEA the opportunity to take what all the members of that panel thought was a very positive report and turn it into a completely negative report.

If one accepts the process is being done with a certain measure of goodwill, you would never anticipate that happening. It is clear there was no goodwill. That is a flaw in the process but you cannot legislate for that.

However, a person who worked closely with the then Minister for Education and Science was quite adamant that there was no ambiguity in the slightest in the legislation:

You apply and if you’re judged as ready you become a university. The report did not give this judgement. It said that DIT would be ready if changes were made and if it developed. The idea that university status could be given without checking that the requisite standards have actually been met is absurd. DIT at all times said that it wanted to be assessed on the basis of current achievements and this is what the law required.

Forming the Decision of the Higher Education Authority

The decision of the HEA regarding the recommendation to be made to Government was largely formed at the meeting of the Authority in Limerick in November 1998. Prior to discussion on the issue, the chairman reminded the members ‘that they should effectively leave their position and the position of their institutions outside the door – which they were obliged to do anyway – but

it was important that this discussion take place in a respectful way'. This was followed by 'a fairly detailed discussion about the merits or otherwise of university status being applied to the DIT'. One interviewee recalled that:

there was a lot of discussion about the great value to society of the courses and the technical aspects of the DIT work and how it might continue under the status of a university ... but at the end of my analysis, as I contributed to the decision, I was more focussed on the provisions of the legislation that governed the basis and grounds under which a body was to be nominated as a university.

This Authority member went on say that, irrespective of the other views expressed by board members about the merits or otherwise of DIT becoming a university and how it would fit into the Irish educational system:

At a point in time in the meeting, there was a clear focus on the fact that the provisions of legislation and the sections of legislation was the framework within which the Authority had to work and take its decision and that, on the clear analysis of Section 9, it was found that the decision had to be made based on the Review Group's report.

Another member confirmed that they had examined the Act very carefully, being 'very conscious of the fact that it was the first time it was being invoked and we did want to get it right for any others that might apply'.

The task to be carried out by the Authority under the relevant section of the Universities Act was described by a member as follows:

The decision had to be made at that point in time. It had to be made in the light of the findings of the Review Group and within the confines of the legislation where, at that point in time, the recommendation had to be made to the Minister.

Another interviewee put it somewhat more succinctly:

As the HEA understood it, it was obliged to give a recommendation as to whether the DIT should become a university *now* or should not become a university *now*. There is no space around that.

Stating the thinking behind the HEA attitude, this member cautioned that ‘Statutory bodies always have to act with great care when they are carrying out a statutory function’. Emphasising the need to remain strictly within the law, this interviewee added: ‘if you act outside the boundaries of the law in what seems to be sensible at the time, you could very quickly find yourself, or the issue could be found, in front of the higher courts’.

The *Report of the International Review Group* had stated that ‘there were serious arguments against the immediate establishment of the DIT, as it is now constituted, as a university’ (Nally 1998, p.35). It went on to argue that the DIT was ‘on a firm and clear trajectory leading, at a future time, to university status’ (p.36) and it set out a number of conditions which it considered should be met before being established as a university. However, according to one member:

the Higher Education Authority, in examining the report, formed the view that it had to make a recommendation to the Minister *at the current time* – being the time at which the report was presented – and it was felt that the Review Group had clearly stated that *at that point in time* the DIT had not reached the standards set out in the sections [of the Universities Act] whereby it could be nominated as a university.

Another Authority member explained this rationale as follows:

The statutory duty that was imposed on the HEA was: would it recommend, on its consideration of the report of its Review Group, whether DIT should become a university or not – *now*? The HEA did not find, in the Review Group report, sufficiently strong and compelling and persuasive arguments to make a positive recommendation to the Minister.

A third member noted that the report ‘to a significant degree, avoided making any clear recommendation’; that it was ‘a bit wishy-washy – afraid to tread on toes’. These sentiments were echoed by yet another member who described the

recommendation of the Review Group as ‘woolly’ and ‘shrouded in occlusions of all sorts’ – it was saying ‘on the one hand “this” and on the other hand “that” and “whatever you think yourself” ... it was disturbing to us to have this recommendation that wasn’t clean’.

This last interviewee referred to the misgivings in the report concerning research in the institute which led them to conclude that ‘it’s like Roddy Doyle says, they have the makings of a university’. It then was a matter of deciding whether ‘we should make them a university now or should we wait until the makings of a university have come to fruition’. However, the decision-making framework, as this member saw it was:

What were they like when they decided to present themselves for examination? ... It had to be based on just this particular college, at that moment in time when they subjected themselves to their inspection ... They decided the time was right – in fact the time wasn’t right.

Preparation of the Recommendation of the HEA

Whereas the view of the Authority was largely formed at the Limerick meeting in November, it was emphasised by one of the members that this would have been ‘the view as opposed to the detail of the response’. Due to the fact that at such meetings there would generally be a number of items on the agenda, the discussions would ‘naturally be limited by time and numbers etc – but generally time’. It was then explained to me that the chairman at that time was opposed to the ‘notion of committees being mandated to carry out tasks on behalf of the Authority. The Authority had to be responsible’. Rather, he favoured the

concept of a task-force of members to help the executive with the drafting.

These task-forces would generally have open membership:

There would be no minutes because they would be there to assist the executive. The executive would come along with some drafts – there would be a free-flowing discussion about the drafts and the executive would take the drafts away ... and there might be 1 or 2 meetings or 3 or 4 meetings of that process – but the ultimate responsibility is for the executive to bring a draft to the full Authority.

In the case of the DIT application for university designation, there were just two meetings with the task-force before the proposed recommendation was presented to the full meeting of the Authority in January 1999 for approval. The day before the document was published, the DIT president and the chairman of the Governing Body were invited to a meeting in the offices of the HEA. The DIT representatives understood that they were to be ‘given some consultations’ regarding the recommendations and were somewhat taken aback to note, as they went in, ‘the pile of documents was already in the envelopes with labels on them to all the universities and everyone else’. Instead, they were briefed on the contents of the report and then allowed some time to read it before being given the opportunity to ask questions. The following day, as one Authority member recalled:

The document was published and the Minister subsequently responded to the HEA letter which enclosed the document by saying that this section 9 process at this point in time was now over – the issue was closed – by implication *pro temp.*

The HEA Recommendation to Government

In its report (Higher Education Authority 1999), the HEA set out its functions and responsibilities as follows:

The Authority has been assigned a specific statutory role under Section 9 of the Universities Act, 1997 which is to make a recommendation to the Government in relation to the establishment of an educational establishment as a university. (p.8)

In carrying out this role, it had regard to:

- (i) Its analysis and consideration of the report and advice of the Review Group, and
- (ii) The relevant statutory provisions, which include the Universities Act, 1997 and the duties of the HEA as set out in the HEA Act, 1971 ... (p.3)

According to one who sat on the Authority at that time, having considered the advice of the Review Group:

the legislation said that the HEA was obliged to advise the Minister whether or not a Section 9 applicant should become a university or not and the view of the Authority, after a lot of very careful discussion, was that the Nally Report did not justify the HEA making a positive recommendation.

‘It was a hatchet job’ said one of my interviewees from outside DIT. ‘A complete joke, a pure political stroke, the report bore no relationship to the report of the Review Group’ was the reaction from within DIT. In its *Recommendation of the Higher Education Authority to Government*, published three months after the release of the Review Group report, the Authority rejected the proposal that it should monitor progress in relation to the conditions specified and, ‘when appropriate, to make its recommendation to Government in relation to the granting of university status to the Institute’ (Nally 1998, p.41). Recommending against the immediate establishment of DIT as a university, it was strongly of the opinion that a new Section 9 review would be required if DIT were to re-apply for university title in the future. ‘A shocking decision ... a nasty decision’ was how it was characterised by a DIT participant. ‘For me it was a charade, a political

decision. Those in political power in higher education in Ireland had kept DIT out of the club'. Another prominent participant in the process expressed broadly similar views regarding the Authority where 'the academic members would have been university people and they would have seen it as probably they didn't want more joining the club'.

Even before the publication of the HEA recommendation, one Review Group member recalls that 'I came away from the whole process with the feeling that the HEA were definitely not in favour of this happening'. For another member, however, the HEA recommendation was a 'big disappointment' leading to the impression that the 'whole exercise was futile':

They set us up, ensured the committee was well balanced. They established a process which they supported through the secretariat, with an excellent secretary, and then at the end of the day, in spite of what I thought was a well reasoned, well thought-out report, they took the opposite view. The HEA simply reflected the establishment view and if that was going to prevail, which it did, then why go through the whole exercise? It made the committee seem a bit like a charade.

Similar sentiments were expressed by a DIT participant in the process who, some eight years after the process had been completed, was of the view that the HEA hadn't made 'an open and transparent decision'. It was even felt that 'They never intended to give DIT university status when they set the panel up'.

Rejecting these criticisms, an Authority member claimed that the HEA reasoning was:

extraordinarily transparent. It may have been uncomfortable and unwelcome and when people are faced with uncomfortable and unwelcome recommendations they can occasionally attribute characteristics and background to it which they think helps them to understand the process.

However, another member of the Authority thought it would have been better if the HEA report had limited itself to the actual decision and not expanded into the other areas on which the report made comment:

For the clarity of why the decision was made and why, what might have appeared to have been a positive report from the Review Group, suddenly got a negative recommendation to the Minister – that might not have been brought out clear enough in that report. Perhaps if it was confined purely to the provisions of the legislation under which we had to take the decision, then perhaps the DIT could have clearly seen that yes, we didn't have a choice but to take the decision that was taken.

CHAPTER 14

OTHER ASPECTS OF THE HEA RECOMMENDATION

There were differing views concerning the possible involvement of the HEA in a mentoring role and the need for a subsequent fresh review of DIT. This chapter examines the stance adopted by the Authority members in relation to these matters and the reaction of DIT and Review Group members. The role played by the binary system of higher education in the formation of the HEA decision is explored and attention is drawn to the fact that several interviewees expressed concerns about the tone of the published report.

‘Mentoring’ Role for the HEA and the Need for a Further Review

The Review Group had recommended that DIT should be established as a university if and when certain stated conditions were met. It further recommended that:

Detailed and costed plans with definitive targets for implementation should be drawn up by the DIT and agreed with the HEA. The Group recommends that the progress of the Institute towards these targets should be kept under on-going review by the Higher Education Authority in order to allow the Authority, when appropriate, to make its recommendations to Government in relation to the granting of university status to the Institute. (Nally 1998, p.41)

Rejecting this role as being inappropriate in principle, the Authority in its report referred to the need to avoid eroding, or being perceived to do so, ‘the careful specification of the procedures set out in Section 9’:

It is important for the future development of higher education in Ireland, and indeed for the standing and reputation of any institution which may subsequently be designated as a university, that the procedures set out in Section 9 be strictly followed. (Higher Education Authority 1999, p.8)

As a former member of the HEA described it: ‘When you carry out a statutory function you don’t do things that you are not asked to do’ and he continued:

I’ll repeat those words. When you are carrying out a statutory function you don’t, as part of that, do things that you are not asked to do. The Authority is not asked, under Section 9, to offer an opinion on whether it should mentor an institution to become a university.

A ministerial adviser agreed with the HEA when they:

declined to accept the idea that it was their’s or anyone’s responsibility to give privileged mentoring/development assistance to one institution in order to assist it to become a university. This would have removed standards as the determining factor for status and reintroduced subjective criteria.

Another Authority member was of the opinion that:

this was a review group losing the plot – they cannot bring themselves to say ‘yes’ and they can’t bring themselves to say ‘no’. In fact, I personally would have thought the mentoring thing was patronising ... patronising of DIT.

Commenting on the fact that the decision of the HEA referred to ‘now’, one of the members noted that ‘clearly the legislation didn’t set down any number of days or weeks or time periods’ and that the only possible way one could work, within the confines of the legislation:

would be *not* to make a recommendation to the Minister and to allow a certain period of time to pass which would take the HEA into a monitoring/mentoring situation in the process of taking the decision. And once that was considered, it was felt that it would be wholly inappropriate for the decision-maker to also be the mentor.

Given that the Authority had been asked to provide the Minister with a recommendation:

We can't tell him we'll do that in five years' time – we have to do it now – and if we're doing it now, well it is clear to us we have to recommend that, based on the findings of the Review Group, it's not appropriate to recommend nomination as a university.

According to the Authority, the proposed mentoring role represented a 'confusion of functions and responsibilities for the HEA' (Higher Education Authority 1999, p.8). 'That's nonsense' was the response from a DIT Steering Group member. 'In an environment where they wanted to be positive, they would have undertaken that role – no difficulty at all'. A similar view was expressed by a member of the Review Group who said of the HEA:

Its business is very closely connected with the work of the universities and institutes. Therefore, why shouldn't it be in a position to judge – maybe not mentoring but certainly there as an adviser as the institute develops? If the institute wants to become a university they can ask these questions. The HEA has a fairly wide composition – the membership of the HEA – and they should be in a position to give it guidance.

One person with considerable experience of the workings of the HEA told me that he felt there was a fair bit of 'almost metaphysics' about the whole thing 'that the HEA couldn't on the one hand be coaching or mentoring and on the other hand then, a few years down the line, acting as judge and jury ... I still believe it could have been done'.

The possibility of giving the DIT conditional approval was one of several scenarios discussed within the Higher Education Authority but discounted as 'simply not appropriate':

The majority of us concluded that we couldn't really make those kinds of provisional approvals to grant university status because we were not the body that had done the review, so we were not in a position to put technical provisos or technical contingencies on it.

Whereas the Review Group had recommended that DIT should be established as a university in three to five years if, in the view of the HEA, it had met certain conditions, this was rejected by the Authority. Instead, they recommended that a further statutory (Section 9) review 'involving the establishment of a review group and followed by a recommendation from the HEA' would be required 'should DIT apply for establishment as a university, and should the Government decide that the application be considered' (Higher Education Authority 1999, pp11-12). The reason for this, explained one of the Authority members, related to the fact that some time would necessarily elapse before DIT could satisfy the conditions and attain the standards specified in the Review Group Report:

and because the legislation was so clear that, before a body could be nominated and approved by the Minister, it had to be subject to a review by a Review Group – since, therefore, the time at which it was going to be ready was uncertain in the future, then it was felt that, in order to comply with the legislation, whenever it was ready a review group would have to examine it and so find that, at that point in time.

Why, then, didn't DIT make a fresh application for university establishment after the period of three to five years that the Review Group had envisaged for fulfilling the conditions they had specified?

It appeared to some of those in DIT that the HEA 'were sending strong signals that you're not going to get through this'. While they continued to work on the Nally recommendations, 'it was quite clear that the political empowerment in the HEA was still opposed to us'. The president of DIT was asked at that time, would he 'not stop going for university designation and become the leader of the other sector?' I was told that he 'politely declined'. Another interviewee who was involved in the process said that he:

believed that the HEA should have stated that clearly DIT was not ready for university designation but would be willing, in accordance with the recommendation of the Review Group, to review the matter in five years' time. That would have satisfied the Review Group and I think DIT would realise there were a lot of things to be done before it achieved university designation.

He did agree with the HEA when they declined to play a mentoring role and also felt that it would have been legitimate for the HEA to have stated that a new review would be required after the suggested five years. However, when it was pointed out that this course of action was not ruled out by the HEA, he replied that 'It didn't rule it out but it went so far in being so negative as against the comments of the Review Group that it was bringing in prejudicial elements in it'.

The HEA Recommendation and the Binary System

'I thought there was no other possible conclusion that the HEA could have come to; they had this sort of government commitment to the binary system' was a comment from the Review Group. 'They are an agent of the binary system – the Government has told them the rules and they're not going to break out of that unless there's an overwhelming reason' was the expressed DIT view and, as they were aware, they hadn't given the Authority members a strong enough reason

to do so. The chairman of the HEA, I was told, would have been very conscious of the official policy within the Department of Education and Science which said: 'Don't do anything that will mess up the binary system'. The Department would have been afraid that any loosening in this area would cause problems. If it was the case that the binary system was considered by the HEA to be important, then it was the expressed view of one who had been involved in this Section 9 process that this should have been flagged in advance:

it was the binary system and it was trying to give messages belatedly. If there were messages like that, they should have been conveyed to the Review Group earlier so that they could take them into account if they were deemed to be policy issues.

Within the HEA, there were differing interpretations of the role played by the binary system in the deliberations of the members. One member told me that 'it played no part, it was irrelevant to the decision we were making', while another member recalled being very clear at the time that:

It had to be a decision about DIT as they were when they were reviewed and not anything political – anything to do with the binary system; anything to do with "If we let them in, it will open the door" – none of that type of argument.

This interviewee was adamant that the binary system:

didn't play a part in the decision – it played a part in the discussion but not in the decision ... The decision was based entirely on unpacking the recommendation of the International Review Group which was the only body who had actually gone into DIT and examined them.

Another member put it somewhat differently:

There was a context – the context to do with the binary system etc. It was a context of resistance to the idea of changing anything. The Review Group report did not provide anything like enough to overcome that context.

According to this Authority member, there wasn't a need for anyone to say:

I know DIT ticks all the boxes for university status but I still recommend that we recommend against it because of what it would do to the other sector; and having said that, having said that there was enough doubt cast in the review on other issues to do with level of qualifications, amount of research, level of courses – there was enough in that to cast the doubt, which it did, so there was no need to have to use what I refer to as the 'political argument'.

Had they been recommending university status for DIT, then 'before we'd do that, we'd have to be considering the impact on the system', that is 'the weakening of the Institute of Technology part of the binary system by taking out its flagship'.

One of the DIT interviewees referred to the demoralising effect of the HEA decision on staff of the Institute. He said that they felt that the HEA had looked at DIT and said: 'DIT has failed this examination. DIT is not good enough'. This comparison to failing an examination was taken up by a HEA member who posed the question regarding 'somebody applying to be a university from, say, an I.T. [Institute of Technology]. Is it a progression? Is it good if you make it and bad if you don't?' The HEA report containing the recommendation to Government had included a chapter on the binary system of third-level education in Ireland. The reasoning behind the inclusion of this chapter was explained to me as an attempt to dispel the very notion that Institutes of Technology were 'some kind of second class creature within the hierarchy of the higher education system'.

We thought that the work that the I.T.s did was valuable in its own right and that we valued the binary system in the sense that what the I.T.s were doing was not somehow a lower class of what the universities were doing and that, if you got real good at it ... at what you're doing, you could become this;

that we were trying to pass on the decision and at the same time to say “but we value what you’re doing and we see it as different”.

That this might have been misinterpreted was accepted by this member who said that it ‘probably was delivered in a way that was ham-fisted or maybe it was delivered to an audience that was bitterly personally disappointed’.

It was put to me quite forcefully that the fact that the issue of the binary system was addressed by the HEA in *Section Four: Other Considerations* of their report was done in order that it ‘should not be seen as part of the argumentation that led to their conclusion’. The HEA was responding to a call from the Review Group for ‘further clarification by the Government of the future of the higher education system. This issue could be addressed through an appraisal and clarification of the present binary structure ...’ (Nally 1998, p.41). In addressing these issues, I was informed, ‘the Authority leaves Section 9 aside and says “we have a more general mandate under the HEA Act and we would now like to turn to those”’.

It was suggested that the inclusion of a chapter addressing the issue of the binary system may have been driven more by the task-force rather than the general membership but that when the final recommendation was presented to the members:

nobody was greatly bothered about the other issues the HEA dealt with in the course of that report ... Perhaps it might have been best served, and everyone’s interests might have been best served, if it was kept separate from the absolute decision.

The Tone of the Report

While it would not come as a surprise that those in the DIT might take issue with the HEA recommendations, not all members of the Steering Group were in disagreement, with one member saying that he ‘thought they made the correct decision’. While admitting that it was a ‘sad defeat’ and a ‘disappointment’, he noted that ‘we had weaknesses they didn’t even refer to’. Elaborating on this point he said:

I wouldn’t have disagreed with the decision. I don’t think they had much other choice; but the tone of it was quite objectionable. I have never seen a document out of any government agency which is so sharp. To me, I thought you can say that in a diplomatic way, in a softer, a gentler way without taking the meaning out of it at all. I thought it was unprofessional.

According to another interviewee who had been involved in the process, ‘They shouldn’t have been so negative in their comments – nit-picking recommendations of the Review Group and going through this and making the situation worse’. Similar sentiments were expressed by a second member of the DIT steering group:

There was nothing positive about the HEA report, saying DIT was a superb institution of a different nature from the traditional university and really should go a different way. There’s none of that in the HEA report. It doesn’t offer a single positive statement.

The point had been made to him, by a member of the Review Group, that one could read the HEA Report and come away without the understanding that DIT was already awarding degrees. He continued: ‘I don’t think the word degree is ever mentioned in the DIT context and DIT was producing a huge proportion of the graduates in Trinity every year’. There appeared to be a concern that ‘DIT doesn’t want to do certificates and diplomas’. However, as this interviewee

pointed out, 'Subsequently no-one in their right mind wanted to do them – you couldn't give a certificate course away'.

The perception of the HEA Report as being negative seemed to come as a surprise to some members of the HEA:

There was a lot of concern among Authority members that it should not be seen as anti-DIT, that it should not be seen to be disrespectful of the Institute of Technology sector ... that it should not be seen as supportive in any way of something that might be interpreted as territoriality or hubris on the part of the universities.

Another member recalled that 'It would have been the first test case under the section and we wanted not to be seen to be elitist'. Pointing out (albeit somewhat inaccurately) 'that the HEA was made up of mainly, or nearly exclusively, of people who represented the university sector', this interviewee went on to say:

We are the body of essentially the people who are in the castle. We don't want to be seen to be drawing up the drawbridge in this first application of an I.T. to be admitted to the ranks of the [universities].

That the HEA report was seen as negative seems at odds with the contributions at the Authority meeting where there was a lot of discussion:

that to society generally and particularly to the industries, the DIT were invaluable and provided academic training in the technical areas that shouldn't be lost, irrespective of what the decision was.

However, two of those with inputs into the final HEA Report did express misgivings about the tone of the report. One described it as 'an unfriendly report' which 'very severely put people in their place in many ways' while the other admitted that, on meeting DIT personnel, he would have felt somewhat

defensive and 'almost embarrassed that it was so negative'. On the other hand he would have said, 'but you got it wrong, it's too early, it'll damage the sector ... it's a pity but that's the way it has to be'.

Part V

EVALUATING, INTERPRETING AND REVIEWING THE EVIDENCE

CHAPTER 15

REVIEW OF THEMES AND ISSUES

This chapter seeks to interpret the evidence presented and reflect on the themes and issues raised. It begins by considering how the HEA recommendation was framed by the relevant legislation and then looks at the interpretation given to some of the advice of the Review Group by the Authority. The extent to which the Review Group was considered to have exceeded its remit is addressed and this is followed by an evaluation of some of the issues which exercised the members of this Group. The chapter concludes with a reflection on the composition of the Review Group and its terms of reference.

Recommendation of the Higher Education Authority to Government

As set out in its published recommendation, the Higher Education Authority was of the opinion that the way in which the legislation in Section 9 of the Universities Act was framed reflected the need to ensure 'that due process should be observed' (Higher Education Authority 1999, p.3). In a memorandum prepared by the executive, it was pointed out to the members that it was important that 'the HEA not only fulfils its obligation under the Act but be seen to do so' (HEA 1126:4). From the point of view of several of the members of the Authority whom I interviewed, this was achieved by ensuring that they

carried out their duties in strict accordance with the legislation – as interpreted by the Authority members themselves.

In advance of the Authority deliberations, legal advice had been sought by the Department of Education and Science regarding:

the respective roles and functions, as set out in section 9, of the Review Group, the HEA and the Government, in the process leading to the final decision as to whether the DIT should be established as a university. (HEA 1126:4)

This advice did not address the issue that was to exercise the members of the Authority during their discussions namely, how to cope with the proposal of the Review Group for ‘University Status for DIT at a future date’ (Nally 1998, p.36). According to the legislation, after receiving the advice of the Review Group, the Authority had then to make a recommendation to Government on whether the institution under review should be established as a university. In the absence of any specification of time in the legislation, the Authority members decided that their decision would have to be based on the current situation. One member was quite adamant that their decision had to be based on whether DIT ‘should become a university now or should not become a university now’ and emphasised that there was ‘no space around that’. While other members supported this interpretation, though in less dogmatic terms, it is not an interpretation that is evident in the documents prepared by the executive following the Authority meeting at which the decision was formed. Whereas the subsequent discussion paper did emphasise that due process had to be seen to be observed, no reference was made to the fact that the decision had to be limited to the situation ‘at the current time’.

While no time interval was specified in the legislation regarding the validity of a HEA recommendation for university title, it would seem unreasonable to assume therefore that such a recommendation could be open-ended and the members of the Authority adopted the safe and conservative option of restricting the decision to the present time. Given that the time envisaged for DIT to reach the desired targets was set by the Review Group at 3 to 5 years, the HEA interpretation of the legislation meant that the decision to recommend against the DIT application became almost inevitable. Had a considerably shorter time-scale been envisaged, this might have created a dilemma for the Authority members. Rejecting the recommendation of the Review Group for the grant in time of university status, the Authority instead focused on the findings of the Review Group where it stated that it had found 'serious arguments against the immediate establishment of the DIT, as it is now constituted, as a university' (Nally 1998, p.35). The other issues, such as the suggested mentoring role for the HEA and the designation of the DIT under the HEA Act, now fell into the realm of 'interesting and curious recommendations' as one member described them. The first of these, which envisaged the HEA as a mentor to the DIT, now became irrelevant whereas the formal designation of DIT under the HEA, while not really a matter for the Review Group, was one that could have been addressed by the HEA at any time it chose.

The HEA and the Review Group Report

In its published report setting out the recommendation of the HEA to Government, the Authority pointed out that, in carrying out its functions under Section 9 of the Universities Act, it had regard to 'The relevant statutory

provisions, which include the Universities Act, 1997 ... and the duties of the HEA as set out in the HEA Act' (Higher Education Authority 1999, p.3). In presenting its analysis and consideration of the report and advice of the Review Group, it is perhaps inevitable that this would be presented in a legalistic way. However, the findings of the Review Group (Nally 1998, p.35) that there were 'serious arguments against the immediate establishment' of DIT as a university, were presented in the HEA report with the statement that it had been advised that these 'preclude [my emphasis] the immediate establishment of DIT as a university'. One Authority member dismissed my reference to this by saying that I was engaging 'in a semantic argument about this'. The report goes on to give what it describes as 'an illustration of the challenges involved' when it describes the working conditions of academic staff as 'quite inflexible, are long established and the subject of long-standing agreement' (Higher Education Authority 1999, p.6). This would seem to bear out the contention of one interviewee who spoke of the HEA 'nit-picking recommendations of the Review Group'.

In *Section Four* of its report, the Authority addresses the implications of university designation for the binary system of higher education in Ireland and emphasises the importance of provision at *apprenticeship, certificate and diploma levels* for national economic development:

The Authority would be concerned if the specific recommendations of the group should be misinterpreted in such a way as to deflect the DIT, and possibly other ITs, from their current important mission. The Authority attaches particular importance and value to the provision by DIT of courses and certification in relation to apprenticeships, certificates and diplomas. (ibid, pp12-13)

The Review Group, on the other hand, had accepted and advised that DIT could be designated as a multi-level or technological university with a considerable apprenticeship element. In the final report from the Group (Nally 1998) it was stated that:

An important part of the Review Group's reasoning in conditional support of future university status is our understanding that the DIT can and will continue to develop the applied as well as the academic nature of its work, and preserve and enhance both its sub-degree and degree course provision. (p.41)

It went further in recommending that:

The HEA should through budgetary or other measures, ensure that the full integrity and development of the craft and technician sector within the Institute is maintained, and if necessary legislation should be enacted to ensure that this happens. (p.40)

Even so, the HEA report repeatedly emphasised the importance of *diploma, certificate and apprenticeship* courses in DIT, ending with the statement that 'The Institute has the potential, given its very considerable achievements and reflected in its size, history and range of courses, to provide leadership in the technological sector' (Higher Education Authority 1999, p.14). This appears to be an attempt to emphasise the sub-degree courses in DIT without acknowledging the substantial provision at degree and postgraduate level and to place the DIT firmly in the Technological Sector along with the other Institutes of Technology.

If the DIT leadership really regarded the advice of the Review Group as positive, then it raises the question as to why they did not re-submit their application after the 3 to 5 years which they themselves had suggested was adequate time to meet the stated conditions. To blame the negative tone of the HEA Report as an

excuse for not submitting a fresh application could be regarded as a serious misunderstanding of the complementary stages in the review process and a mistaken view of the amount of goodwill towards DIT which, I was given to understand, existed among the ordinary members of the Authority. Or was it a case of misplaced optimism that led the DIT to claim that it could address the deficiencies listed by the Review Group within a 3 to 5 year time-scale?

While the report from the HEA could quite legitimately be regarded as negative in tone, the messages emanating from the Minister for Education and Science were much more positive. In the Press Release which accompanied the publication of the HEA Report, Minister Martin took the opportunity 'to congratulate the Institute on the quality of its courses which is reflected in the comments of the bodies involved in the independent assessment procedure' and he also stated clearly that 'Should the Institute wish, at a later date, to again seek such designation it may do so under the Act' (HEA 4). The former Minister recently told an adviser who worked for him at that time that he 'felt it was a good review for DIT and that they made a fundamental error in portraying it as a defeat. They should, he believes, have said "Great, thanks for the compliments, and we'll be back soon"'.

Report of the International Review Group

According to the legislation which the Higher Education Authority followed so assiduously, the task of the Review Group was to advise the HEA on whether DIT should be established as a university. The terms of reference given to the Group set out their task in slightly different terms, asking them to report on

'the extent to which the Institute, as presently constituted and functioning, discharges the various objects and functions of a university in accordance with sections 12 and 13 of the Universities Act, 1997' (Nally 1998, p.10). This the Group did when it found 'serious arguments against the immediate establishment of the DIT, as it is now constituted, as a university' (p.35). As subsequently pointed out by the Conference of Heads of Irish Universities (CHIUI) in the letter which was distributed at the Authority meeting in Limerick in November 1998, 'It [CHIUI] considers that having done so the Review Group has completed its remit under Section 9 of the Universities Act, 1997' (HEA 1126:5). This interpretation of the limits which the Review Group could have imposed on its own work was subsequently vindicated by the way in which the HEA confined its consideration of the work of the Group to the findings just quoted. Also, given the recommendation of the Higher Education Authority, it is now clear that the remit of such a Review Group is simply to undertake a quality review and leave wider issues, such as the structure of the higher education system, to the members of the Authority who have responsibility in this area on an ongoing basis.

As pointed out above, the first of the two recommendations from the International Review Group suggesting that funding and administrative responsibility for the DIT should be transferred from the Department of Education and Science to the Higher Education Authority was a matter unrelated to the issue of university designation. In its second recommendation for university status at a future date, the Group also expanded on the areas where DIT needed to make significant further progress and mapped out a possible

route for progression of DIT to university status. While it was benignly suggested that this was a further optional step which the Review Group took in an effort to be helpful to DIT in planning its future strategy, given the subsequent absence of any re-submission on the part of DIT, it seems to have been of limited practical benefit for the aspirations of the Institute.

Development of Criteria for the Review and Assessment

The terms of reference of the Review Group required it to establish criteria for the review and assessment of DIT's application for university status. With the assistance of sets of criteria received from Australia and the United Kingdom, a set of criteria was finalised and sent to DIT just over two weeks after the first meeting of the Group. The question arises as to whether there should be an official set of criteria for the establishment of an Irish university. From the outset, some in the DIT saw this as a weakness in the process and argued that, as the word "university" was a protected word within the Universities Act, there should also be a definition of what constitutes an Irish university. At the concluding stage of the process, the members of the Higher Education Authority also suggested that there should be a national definition of a university.

In the discussion paper which followed the formal meeting of the Authority in November 1998, it was argued that rather than have a rigid definition of a university, the concentration should be on 'current national, social and economic priorities in relation to third level educational provision' (HEA 1126:9). Is it almost inevitable that such a set of criteria will be couched in vague terms so that the assessment can be described as peer group review? Should the criteria,

as suggested by a member of the Review Group, be developed in such a way that they acknowledge that a large proportion of staff and students are from the non-university sector? Or was it, as suggested by both the HEA and articulated by another member of the Review Group, that the really critical criterion was: 'would it serve the national interest if DIT became a university?'

Research, Research, Research

Commenting on the need for DIT to put in place 'appropriate academic structures and conditions', the HEA report maintained that the 'creation of the flexibility consistent with a vigorous and comprehensive research ethos constitute major challenges' (Higher Education Authority 1999, p.6). The whole issue of research was highlighted by the members of the Review Group in their report (Nally 1998). Stating that 'Research has become the defining characteristic of the modern university' (p.29), the report went on to say that 'The existence of an authoritative and self-sustaining system of monitoring research standards in the Institute will be the *sine qua non* of the grant of university status' (p.30). Acknowledging that DIT originated and developed as a teaching institution and was only given specific authority to carry out research in 1992, the Review Group found that the research profile of the DIT was 'modest overall and unevenly distributed throughout the institute' with the existence of certain areas where staff and students were 'not appropriately involved in research'. Research Centres within the Institute were involved mainly in applied contract research or desk studies for the benefit of enterprise and industry but in some instances this appeared 'to have little (or any) direct relationship with the Institute's teaching processes'.

Whereas the number of postgraduate students was acknowledged as being significant, the numbers of PhD students and postdoctoral researchers were 'quite low'. According to the report, academic structures and conditions were not 'conducive to the development of research and scholarly activity'. More flexibility in working arrangements was essential to the 'development of high quality research' and the upgrading of academic staff qualifications was seen as being required 'to facilitate the development of postgraduate and research work'. The Review Group considered that 'outside involvement in the Institute's research effort' was essential for the development of the Institute and its staff (p.30). The Group concluded that there was a need for DIT to develop 'the kind of peer review culture which is a defining characteristic of an international university' (p.40).

Although the research profile that was being advocated for DIT was that of a traditional research university, the Review Group went on to acknowledge that 'If university status is granted to the DIT, its profile would differ markedly from that of every other university in Ireland' (p.41). As one DIT interviewee pointed out, there was a contradiction here with the Review Group 'talking about us as a new university and yet applying quite traditional measures of research'. On the other hand, an Authority member pointed to the fact that 'the report was quite clear about research ... The thing that convinced me was that they weren't confident, having done the review, that the research profile was appropriate'.

The HEA, the Review Group and the Binary System

Whereas the DIT recognised that their application for university title would inevitably impact on Government policy regarding the binary system of higher education, they wanted to avoid it becoming an issue with the Review Group. They tried to draw a distinction between breaching the binary divide and destroying the whole system. Their description of it as constituting a 'full-scale frontal assault on the binary system' would seem to suggest that there would be serious implications for the binary system should the DIT bid eventually succeed but in reality they seemed anxious to avoid becoming embroiled in the binary system as a policy issue. They wanted it to remain a quality review. In their final submission to the Review Group, they argued that the issue of the destabilisation of the technological sector of the binary system was not within the terms of reference of the current review.

The Review Group, however, did not agree that its terms of reference excluded consideration of the possible implications of its recommendations for the binary system. At their first meeting, the Review Group was concerned about establishing the implications of the DIT application for the Irish higher education system and expressed the need to obtain further information regarding the attitude of the Government and heads of the universities and regional technical colleges to possible effects on the binary system. It was noted in a later document that these latter considerations were not formally stated in the terms of reference but were 'inescapable'. It would therefore appear that a substantial part of the work of the Review Group was taken up with the issue of the binary system and the structure of the educational system. They were exhorted or

encouraged to do this by several organisations, in particular the representatives of the universities and the Department of Education and Science. The initial concern expressed to the Review Group by Department officials was in regard to the maintenance of the apprenticeship and sub-degree programmes in an upgraded DIT but they did agree that the continuation of such programmes would be consistent with Sections 12 and 13 of the Universities Act which set out the objects and functions of a university. On the other hand, at a later meeting it was emphasised that the Minister for Education and Science and his Department were totally committed to the retention of the binary system and to maintaining and expanding diversity of provision.

The Membership and Terms of Reference of the Review Group

Whereas the choice of members for appointment to a review body has the potential to introduce bias into such a process, there was widespread commendation for the people appointed to the International Review Group in this case. While there were mixed views about the desirability of having stronger international representation, there would appear to be merit in the suggestion of having someone from the Institute of Technology Sector on the panel and perhaps more representation from a younger age-group.

The appointment of the International Review Group under the chairmanship of Dermot Nally was the first such body to be set up by the Government to advise on the application by an educational institution for establishment as a university. This being the case, it is hardly surprising that some aspects of the work undertaken by the Group might turn out to be unnecessary or irrelevant. That

so much of the work of the Review Group was subsequently discarded by the Higher Education Authority would lead one to question both the terms of reference given to the Group and the guidance they received. Perhaps surprisingly, none of my interviewees took issue with the terms of reference given to the Review Group. What several of them did question, though, was the extent to which the Group departed from the actual terms of reference they had been given.

The liberal interpretation that was afforded to the terms of reference was confirmed by the expressed opinion that the chairman brought a 'very wide interpretation' to them and that they allowed the group to 'touch on the wider interest'. Others within the Group seemed quite happy that they understood the task in hand and that they were being appropriately briefed on what this was. The real dilemma faced by the Review Group may well have its origins in the differing emphasis between the terms of reference given to the Group by the HEA and the wording of Section 9 of the Universities Act. The Review Group was asked by the HEA (Nally 1998, p.10) to 'detail the extent to which the institute ... discharges the objects and functions of a university' whereas the Universities Act (Stationery Office 1997, s.9) specified that the Group should advise the HEA 'on whether, having regard to the objects and functions of a university ... [DIT] should be established as a university'. This latter wording could indeed imply, as one member of the Higher Education Authority contended, that 'they should have said "Yes" or "No"'. On the other hand, had the advice of the Review Group been unambiguously in favour of university status for DIT, the members of the Authority still had the task of preparing their

own report on the matter. This raises the question as to what issues should be taken into account by the HEA before formulating a recommendation to Government and whether these should be specified in advance.

CHAPTER 16

THE ROLE OF THE HEA IN THE SECTION 9 PROCESS

The interpretation by the HEA that it should consider only the immediate establishment of an educational institution as a university effectively rules out a recommendation involving orderly progression to university status. Consequently, any future Review Group would be required only to advise on whether an applicant institution is in fact already functioning as a university and this highlights the dilemma as to how an institution can function both as an institute of technology and as a university. This chapter also addresses the fact that, whereas the HEA is effectively the decision-maker in the process, there is a lack of any specification of the issues or considerations which should be taken into account by the Authority in formulating its decision. It is suggested that the HEA would be the more appropriate body to consider the implications of university designation for the structure of the higher education system. Similarly, it might be preferable if consultations with representatives from the universities, Institutes of Technology and other relevant bodies were undertaken by the Higher Education Authority rather than the Review Group.

The Universities Act and the Establishment of Additional Universities

While the use of the 'university' title is given legal protection under the Universities Act, 1997 there is no corresponding legal definition of a university in

Ireland. In the absence of any such definition, an Irish university is defined in terms of the seven existing universities which make up the university sector of higher education. The non-university technological sector is thus the sector made up of fourteen Institutes of Technology, including the Dublin Institute of Technology. Given this well-defined binary system of higher education institutions, it would appear to be virtually impossible to move across the binary divide without some form of redefinition of the binary line. Alternatively, how does a review body recommend an immediate change to university title without affecting the definition of an Irish university or without any interim transitional arrangements?

The function of an Institute of Technology is described in legislation as follows:

The principal function of the Institute shall, subject to the provisions of this Act, be to provide vocational and technical education and training for the economic, technological, scientific, commercial, industrial, social and cultural development of the State. (Stationery Office 1992, s.5)

This function is very different from the *Objects and Functions* of a university as set out in *sections 12 and 13* of the Universities Act, 1997. Section 9 of this Act specifies that an expert group should have regard to these two sections in advising on university establishment. The fundamental dilemma facing an institution seeking university designation is: how does it fulfil its principal function under its current mission and at the same time also fulfil the functions of a university. One possible way was presented by DIT in its promotion of a multi-level institution. As such an institution, it was continuing to fulfil its role as an Institute of Technology but at the same time had developed many of the

characteristics of a university. However, this approach ran into a number of problems.

The first objection to this approach came from the existing universities who protested that the resulting course provision in DIT did not conform to the Irish university model. This would indeed always be the case for any Institute of Technology which sought to maintain its current mission and would only be possible if the Institute abandoned or modified this area of activity. The alternative way forward would be to allow an institute to develop into a university by strengthening those aspects which are deemed to be characteristic of an Irish university. This was essentially the approach adopted by the Review Group when they recommended the grant of university title after a period of time. This was rejected by the Higher Education Authority which took the view that the establishment of the institute as a university had to refer to 'now'. As already pointed out, if an institute were functioning as a university now, it would be unlikely to also be fulfilling its function as an Institute of Technology.

This contradiction was brought into sharp focus over the issue of research. This was an area where the Review Group found that DIT was deficient. However, the extent of research activity was limited by the Dublin Institute of Technology Act, 1992 which allowed the Institute, 'subject to such conditions as the Minister may determine, to engage in research, consultancy and development work' (Stationery Office 1992, s.5). Given the origins and functions of the Institute, how does it succeed in reaching the appropriate level of research activity without university status? It is difficult to recruit qualified staff such as senior

research fellows and supervisors without university title. Similarly, an institute of technology cannot have the level and scope of academic work that would be found in a university. Being aware of this, the Review Group 'recognised that some aspects of DIT's development may be further advanced than others and in some subject areas a great deal more than in others' and it sought from the Institute 'details outlining how its future development plans may enable it to meet all the criteria fully within a reasonable time' (Nally 1998, p.26). This was subsequently translated into their recommendations when they found serious arguments against the immediate establishment of DIT as a university but instead recommended the grant, over time, of university status.

The Higher Education Authority took the view that the legislation did not allow it to endorse this recommendation and hence rejected any delayed grant of university title. The Conference of Heads of Irish Universities (CHIU) had made a similar point when they stated that DIT had to be judged as it was now and not as it might be in the future. Since the monitored progression of an institute to university status over a number of years was rejected by the HEA, any future Review Group would face the narrow choice of recommending either 'for' or 'against' immediate establishment of the applicant institution as a university. Given the precedent set by the HEA in dealing with the DIT application, it would appear that only an almost unconditional positive quality assessment from the Review Group would give rise to serious consideration by the Authority as to whether its recommendation to Government should be 'yes' or 'no'.

Review Group Advice versus HEA Recommendation

Adapting the table of Sjölund (2002, p.179) as described in Chapter 2, the various outcomes of the Section 9 review process can be summed up as follows:

Review Group Advice	HEA Recommendation	
	Yes	No
Positive	1	2
Negative	3	4

The only condition under which the Government would consider establishing a new university is when the recommendations from both bodies are positive (1). In all other cases, the Government had given an undertaking not to establish a university contrary to the advice of one or both of these bodies. In the above table, when both outcomes are negative (4) no problem arises. This is essentially the situation that arose in the case of the DIT application. In circumstances where the Review Group advice turned out to be negative, it is difficult to envisage the HEA making a positive recommendation to the Government (3) in the knowledge that the Government would not, under current legislation, consider implementing such a recommendation. However, within DIT and among some members of the Review Group, there was the perception that the advice of the Review Group had been positive but that the HEA had recommended against the establishment of DIT as a university (2). Had this indeed been the case with the DIT application, there would seem little point in repeating the review process since a positive quality review would have already been obtained and subsequent developments within the institute would no doubt only serve to reinforce such an assessment. The question that then arises is:

under what circumstances or on what basis would the members of the Authority consider rejection of a positive outcome from the Review Group?

Section 9 and the Universities Act

I was informed by one of my interviewees that the provisions included in Section 9 of the Universities Bill, 1996 were something ‘picked up from New Zealand legislation’. Section 162 of the New Zealand Education Act 1989 set out that:

(2) Subject to subsections (3) to (5) of this section, the Governor-General may, by Order in Council made on the written recommendation of the Minister, establish a body as a college of education, a polytechnic, a specialist college, a university, or a wananga, as the Governor-General considers appropriate.

(3) Before deciding whether or not to recommend to the Governor-General the making of an Order in Council under subsection (2) of this section, the Minister shall—

(a) Give the Qualifications Authority a reasonable period in which to give advice to the Minister on the matter and consider any advice so given; and

(ab) satisfy himself or herself that the establishment of the institution is in the interests of the tertiary education system and the nation as a whole; and

(b) Consult with such institutions, organisations representing institutions, and other relevant bodies, as the Minister considers appropriate.

There was no Qualifications Authority in Ireland at that time and so the Higher Education Authority was the body charged with providing advice to the Government. The Minister for Education considered that the use of an expert group to examine the request from DIT for degree-awarding powers had been very effective and proposed to use the same model to provide advice on university establishment. Thus Section 9 provided that a new university could be established ‘after consideration of the advice of a body of experts and the advice of the HEA’ (Stationery Office 1996, p.2). Following pressure from some

members of the Seanad, the wording of this section was amended so that the expert group would now advise the HEA rather than the Government who in turn undertook not to establish an institution as a university against the advice of these bodies. The implications of the amendment are depicted in figures 1 and 2 on the next page.

While the original intention of the legislation was for the Government to receive advice from these two bodies, the amendment effectively meant that the HEA became the decision-maker. Unlike the New Zealand legislation which set out the additional considerations and consultations which the Minister had to take into account before recommending the appropriate establishment of an institution, no such guidelines were set out for the HEA. Had the advice of the Review Group been clearly in favour of university designation for DIT, what would have been the precise function of the Authority in the decision-making process? It would appear that the Minister for Education had agreed to the amendment to Section 9 of the Universities Bill without clearly distinguishing between the respective roles of the Review Group and the HEA. If other aspects of the New Zealand legislation had been incorporated in Section 9, then issues like the structure of the educational system and a consultation process would have been explicitly included in the procedure.

Figure 1: Section 9 as proposed in Universities Bill 1996

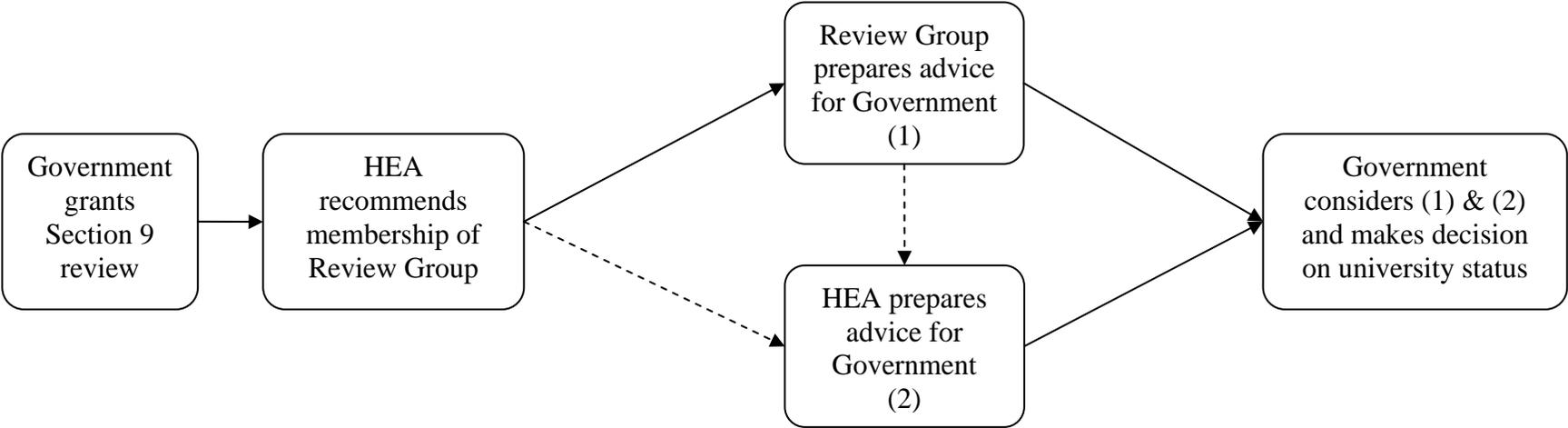
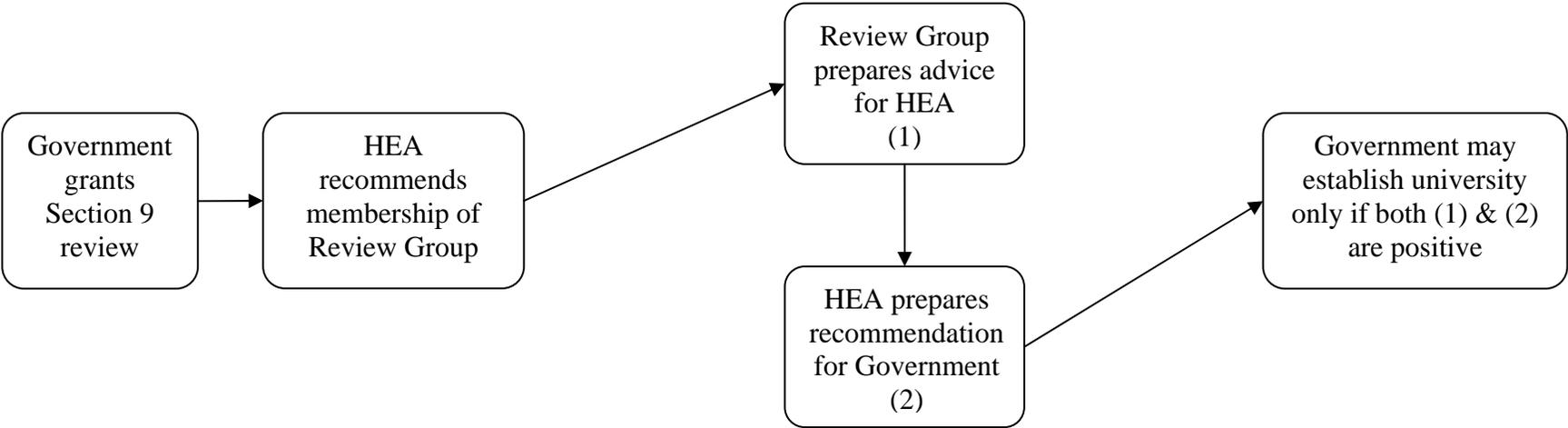


Figure 2: Section 9 as included in Universities Act 1997



Section 9 and the Structure of the Higher Education System

The Review Group, in its report, stated that it did not accept that recognition of DIT as a university need damage the technological sector or that elevation of other Institutes of Technology would automatically follow. On the other hand, following discussions on the report by the members of the HEA, it was recorded that:

Given the strong views expressed across a wide range of differing interests and as set out in the report of the Review Group, it is the Authority's view that the binary system would inevitably be damaged by the establishment of the DIT as a university. (HEA 1126:9)

This view does not seem to have played any significant role in the decision of the Higher Education Authority to recommend against the DIT application, with all the HEA members to whom I spoke agreeing that the binary system was not a determining factor in their decision. Instead, the conclusion of the Review Group that there were serious arguments against the immediate establishment of the Institute as a university was considered to be sufficient grounds for the rejection of the DIT bid. Nonetheless, while some felt that it should not influence the decision of the Authority with regard to such an application, there was the counter-view that the binary system would have assumed an important role if the Review Group advice had been positive. Given the apparently contradictory conclusions of the two bodies regarding the binary system, who should be charged with taking into account the structure of the higher educational system? If the Review Group were to be asked to examine other issues in addition to making a quality assessment then, as one of the DIT interviewees pointed out: 'If what you wanted was to review the binary divide and the position of institutions within the binary system, then you needed a different kind of panel'.

Under the New Zealand legislation which had an influence on Section 9 of the Universities Act, the Education Minister was charged with satisfying him or herself that any change in status of an institution would be in the national interest and would best serve the tertiary education system. Given that the proposed Irish legislation had been amended to effectively remove the decision-making process from the Minister, it would seem logical that the accompanying considerations on the structure of the higher educational system should also be undertaken by the Higher Education Authority. On the other hand, the Government had stated that it would act only on the advice of the HEA and the Review Group in establishing a new university but that it was not compelled to do so. While the grounds for not following the advice of these two bodies are not specified, presumably these could include the implications for the Government's policy on the structure of the higher education including the binary system.

The Consultation Process

The Review Group had consulted various professional and educational bodies regarding the quality and standing of DIT courses and the employability of its graduates. They also met with the heads of Irish universities and the Regional Technical Colleges. While this was described by some members as both a worthwhile and a necessary exercise, not everyone was in agreement on the desirability of meeting these latter organisations. One member thought that these bodies should not have been involved in the process but that 'we were really advised by the HEA we should meet them'. This particular member described the meeting with the Council of Directors of Regional Technical

Colleges as having 'left a very bad taste in my mouth and a feeling that there was political pressure'. Would the Higher Education Authority, with its broad politically-appointed membership, not be better positioned to meet with these representative organisations and take their views into consideration when forming their decision?

The possible impact on the higher education system as a whole was the first of many objections to the award of university status to DIT which were put forward by the Conference of Heads of Irish Universities (CHIU). Not only did it contend that the Review Group should take into account the implications of the DIT application for the Government's policy of a binary system of higher education but it also expressed the view that they should look at the experience of countries where binary divides had been abolished and consider the negative consequences for their higher education systems. Nonetheless, they proceeded to issue completely contradictory views when the recommendations of the Review Group were published. At this stage they wrote that, having determined that DIT did not constitute a university, the Review Group had duly completed its remit.

From the outset, the Council of Directors of Regional Technical Colleges was adamant that Section 9 Review Groups had no function in relation to institutions other than the one they were reviewing. Their main objections to the award of university title centred on the effect it would have on the binary system in general and the contention that sub-degree work would diminish in an upgraded DIT and would be devalued in the other RTCs/Institutes of Technology.

However, unlike the university heads who initially wanted the Review Group to consider the effects of university designation on the binary system, the Directors wanted the Department of Education and Science to institute a separate review.

After the Report of the Review Group was published, these two bodies sought to make representations to the Higher Education Authority. The Conference of Heads of Irish Universities (CHIU) sent a letter which was distributed at the November 1998 meeting of the Authority in which it stated that:

CHIU is confident that the HEA, given its role under Section 9 and its statutory responsibility to advise Government in relation to Higher Education policy generally, will wish to be fully apprised of the views of the university sector in the course of formulating its advice or recommendation to Government on the Review Group Report. (HEA 1126:5)

Pending an in-depth consideration of the report by CHIU members, the chairman enclosed a copy of the detailed submission which had been sent to the Review Group earlier that year. At a subsequent meeting between representatives of DIT and the HEA, arranged to discuss the circulation of the CHIU letter to Authority members, it was pointed out that the HEA had not invited submissions from any group or individual but that 'it was a matter for any institution or individual to decide whether they wish to make a submission to the HEA on any matter' (HEA 1126:20).

In January 1999, the Chairman of the Council of Directors of Institutes of Technology sent a letter to the Authority outlining those issues which were of concern to its members and requesting a meeting to elaborate on these. In reply, the Secretary pointed out that the preparation of the HEA response was at an advanced stage and, whereas the Review Group had met a number of bodies in

the course of their assessment, the Authority 'has not had substantive discussions with any organisation or persons in this regard' (HEA 1126:22). The stated openness of the HEA to the receipt of unsolicited representations on any matter, including the DIT application for university title, would seem to be commendable. However, if not all interested organisations were aware that such submissions would be welcomed and given serious consideration by the HEA, there would be the consequent risk of the Authority members receiving unbalanced feedback. Also, those wishing to make representations would not have known the timescale involved which allowed only a very short period in which to formulate a considered response for submission to the Authority. Presumably, too, it would also have been open to the DIT to make a comprehensive submission to the Authority members on the issue. It would certainly seem preferable to have some formal mechanism, with adequate time allowed, to enable these and perhaps other bodies to be consulted before the final recommendation is formulated.

CHAPTER 17

CONCLUSIONS

This chapter begins with some reflections on the conduct of this study and then considers the extent to which the research has implications for the future of the statutory procedure for the granting of university title. The thesis ends with a summary of the conclusions drawn from the data.

Strengths and Limitations of the Approach Taken and the Data Collected

In this research, I was fortunate in gaining access to archived material consisting of two files which documented the work of the International Review Group and a third file which contained documentation relating to the deliberations of the Higher Education Authority. It was perhaps inevitable that, at an early stage, I would have attached importance to these files in proportion to the volume of evidence stored therein. Hence, considerable time was devoted to sifting through the documents produced for and by the Review Group. While this did enable me to construct an account of the various stages of the work of this Group, much of the discussions which took place as the Group considered the options set out in the various scenarios are not recorded in any detail. For this I had to rely on the interviews with members of this body.

The Review Group consisted of a chairman, two national experts from existing universities, two international experts and two representatives from the business community. In addition to the chairman, I interviewed one member from each of the sub-groups. Whereas two of these were strongly in favour of granting university status to DIT, the report from the Group had found against recommending the immediate establishment of DIT as a university. Hence an additional interview with a member who was less convinced of the merits of the DIT case might have given a more balanced view of the Review Group discussions. On the other hand, at that stage it was increasingly clear that the crucial decision regarding university designation was taken by the HEA and so I concentrated my efforts in seeking additional interviews with former members of the Authority.

While the deliberations of the Review Group extended over a period of almost one year, the response from the Higher Education Authority was formulated at a single meeting of the Authority in November 1998. Even then, the discussions were limited by the time available and the need to attend to other business, so that the task of translating the decision of the Authority members into a formal recommendation to Government was undertaken subsequently by the executive with the assistance of a small task group. The stated aim of the HEA Chairman was to have a representative spread of members to assist the executive in drafting the official report but in the event only one volunteer from the Authority attended the first meeting with the executive and chairman. Unfortunately I was not aware of the exact role of the task group when I met and interviewed this former academic member of the Authority. Had this

interview taken place subsequent to my interview with the HEA chairman, I could possibly have gained a greater insight into the workings of this small group and its influence on the format and detail of the final recommendation of the Authority to Government.

Some of those whom I contacted for interview stated that they felt they would have little to contribute as their recollection of events from that period was too hazy. Indeed, several of my interviewees reminded me of the difficulties of recalling events and views after so many years. While I was aware that the information obtained from the interviews would inevitably be affected by the passage of time, I was continuously impressed by the clarity of most of the recollections and the manner in which these were articulated by the interviewees. In particular, the members of the Higher Education Authority were very clear and consistent in their recall of events from a single meeting of the Authority some nine years previously.

Implications of this Research

In 2003, the Department of Education and Science invited the OECD to undertake a review of Irish higher education to evaluate performance of the sector and recommend how it could better meet Ireland's strategic objectives. The team of examiners, chaired by Professor Michael Shattock of the Institute of Education in London, issued their report in September 2004 in which they strongly endorsed the maintenance of the diversity of mission between the university and institute of technology sectors and recommended that 'for the foreseeable future there be no further institutional transfers into the university

sector' (OECD, p.22). In February 2006, seven years after the DIT case for university designation had been rejected, the Waterford Institute of Technology (WIT) made a formal application to the Minister for Education and Science for establishment as a university. In November of that year, the Minister announced the appointment of an independent expert to conduct a preliminary assessment of the WIT submission.

In his report to the Minister in July 2007, Jim Port of J M Consulting listed some of the difficulties that would face a new Review Group:

the absence of a clear set of criteria for university status in Ireland; uncertainty over the role of research in IoTs [Institutes of Technology]; and a significant degree of uncertainty about whether current Government policy can admit the possibility of designation of an IoT under any circumstances. (Port 2008, p.2)

The report also questioned the existence of Section 9 in the Universities Act and asked why it was there when 'it could be considered to be counter to Government Policy to designate any IoTs as universities' (p.11). In its recommendations to the Minister, the report suggested a number of possible strategies which would involve a revised form of Section 9 process. In the first option it suggested that the Government accept that 'the existing Section 9 process is no longer useful in its current form' and undertakes a policy review leading to a 'reformed Section 9 process' which in turn 'might need a different type of Review Group' (p.19). Alternatively, the Government could initiate a 'broader-based type of Section 9 investigation' where the Review Group itself would take account of 'broader policy factors'. In this case, the Government would need to consider carefully 'what advice or instructions it would give to any Review Group' (p.20).

Publishing the report in February 2008, the Minister for Education and Science referred to the application from WIT, as well as a renewed application from DIT, and said that:

wider policy developments and the framework for our higher education system as a whole must also be central to the consideration of the appropriate next steps in relation to both applications. (Hanafin 2008)

It would therefore appear very unlikely that another Section 9 review, similar to that conducted on DIT, will be carried out in the future. The report by J M Consulting claimed that its recommendations involved a Section 9 process which 'would be a more transparent and less uncertain process than the one that resulted in 1998' and recommended that 'all new applications for designation could be considered under these new procedures' (p.19).

Given that any new Section 9 review would be quite different from the one carried out on DIT, the implications of the research conducted for this thesis for future applications are limited. Rather, this case study can be seen as presenting a detailed account of an important episode in Irish higher educational development. It gives the reader an insight into the workings of a Government-appointed expert group as they went about their task of preparing advice on the DIT application for university title. The use of interviews provides an opportunity to understand and appreciate the differing stances from the members of the Review Group and how these views were distilled into the final recommendations of the Group. It also establishes the importance which the members attached to their work and their expectations regarding the subsequent utilisation of their advice.

In particular, this thesis throws light on the contrast between the workings and impact of the Review Group and that of the Higher Education Authority. The former was ephemeral – having toiled for a year, it was disbanded and left only its report to the HEA, its files of documents and some puzzlement regarding the subsequent treatment of its recommendations. On the other hand, the members of the Authority, not having carried out any assessment of the Institute but relying on the report of the Review Group, were the people who made the official recommendation to Government. While the outcome of the deliberations of the Authority is contained in the publication *Recommendation of the Higher Education Authority to Government*, an appreciation of the importance of the relevant legislation, and the interpretation that the recommendation had to be limited to the present time, was only obtained by interviewing several of the members involved in taking this decision. In providing this important clarification, this thesis allows for an explanation of the actions of these bodies which would not otherwise be available from the published reports alone. These issues, along with the other conclusions drawn, are summarised in the following two sections.

The Section 9 Process and the International Review Group

The Section 9 process for the establishment of new universities was generally regarded as being a good one which worked well. According to one of his advisers, the Minister for Education and Science at that time, Micheál Martin, believes ‘that it empowers institutions to set and attain academic standards and be recognised for these. Many people in Britain commented to us that it was a procedure they should have adopted’. The composition of the Review Group

itself was seen as being well-balanced, with the possible improvement of having someone from the Technological Sector itself.

The main deficiency with the Section 9 procedure, as applied to the Dublin Institute of Technology, would appear to be a lack of understanding of the precise nature and limitations of the various elements that constituted the process. The terms of reference given to the International Review Group did not make it clear that this was to be a quality assessment of the Institute.

Clarification of these terms of reference during the process does not seem to have given the Group to understand that what was required was a clear-cut answer to the question of the imminent establishment of DIT as a university. It also appeared that some of the members had a mistaken view of the status of their report, not appreciating that this was simply advice for the HEA to consider and that there should be no presumption that their recommendations would automatically be accepted.

Some of those on the DIT university steering group seemed to be unaware of the exact implications of the amendments to Section 9 which had been made during the passage of the Universities Bill through the Seanad. DIT was granted the Section 9 review when the Minister read the commitment into the Seanad record on 10 April 1997. The crucial amendments to this section were made two weeks later on 24 April. These amendments provided that the Review Group would advise the HEA rather than the Government and that the Government would not establish a new university against the advice or recommendation of either of these two bodies. As the adviser to the Minister

for Education and Science pointed out, the Minister ‘was clear that the Act would be respected and that this involved a significant constraint of any ministerial discretion’. It did not appear to him that this was properly understood by others ‘with some inappropriately believing that this was still primarily a political decision’.

The Review Group in its deliberations considered the implications of its recommendations for the binary system of third-level education in Ireland. This was an element of the Group’s work which, members of the HEA asserted, formed part of the discussion but not the decision in relation to its recommendation to Government. If such matters were to be taken into consideration, it would appear that the appropriate body to do this would be the Higher Education Authority rather than the Review Group, given that the former has the statutory function of furthering the development of higher education. The Review Group was also of the opinion that it was important to solicit the views of third-parties in order to ascertain how any proposed changes would be received in the wider community. Neither the terms of reference given to the Group nor the legislation governing the review make any allusion to a requirement either to seek or to consider the views of a range of organisations and individuals. If such views were going to be a factor in the final recommendation, then again it would seem that the appropriate body to take them into account would be the HEA.

The Review Group in its deliberations considered five possible scenarios for the DIT. The Authority, on the other hand, took the view that its remit to

recommend to Government whether DIT should be established as a university would be appropriately answered by recommending either acceptance or rejection of the application. This being the case, the Review Group need only have considered the first two of its five scenarios namely *University Status (Now) for DIT* or *Rejection of DIT's application for university status*. Given that the Authority was said to have wanted clear-cut advice on the question of university designation for DIT, the terms of reference given to the Review Group should have stated clearly that the advice being sought referred to the immediate establishment of the Institute as a university.

The Role of the Higher Education Authority

Even before the Universities Act had been signed into law, the HEA were being asked to make preparations for the international review of DIT as allowed for in the legislation. Besides recommending the membership of this body, they had to specify the terms of reference for the group. This was a task undertaken by the chairman and the executive, with little active input from the ordinary members. Given that this was an entirely new procedure, it is not surprising that difficulties might arise in trying to anticipate the appropriate nature of the advice required by the Authority members or the interpretation which they would subsequently place on the relevant legislation. The members of the Authority appear only to have confronted these issues when they were faced with the actual advice from the Review Group. There would seem to be a need for the members of the Authority to be more actively involved in setting the terms of reference for the Review Group and ensuring that these are in keeping with the eventual requirements of the members. It is significant, too, that it was only as the Review

Group was nearing the completion of its work that the Department of Education and Science sought advice from the Attorney General regarding the legal aspects of Section 9.

One of the more serious comments made by an interviewee who had been associated with the HEA was that they had ‘partially discredited the process’. None of the information gathered would seem to support this contention. Indeed, all the evidence suggests that due process was followed meticulously. The fact that this application was now subject to a statutory process was a new phenomenon in the Irish higher education context and, as such, the repercussions of assessing an institution in this way, and the role of the Higher Education Authority in the decision-making process, were not particularly well understood. Indeed, given that the function of the Authority in this matter was not clearly laid down in the Act, the members themselves were unclear about their role as they began their discussions of the Review Group Report. In clarifying this role and defining the boundaries within which their decision and consequent recommendation to Government would be framed, the Authority members chose a narrow interpretation of Section 9 of the Universities Act. However, while the members to whom I spoke were quite adamant that their decision was framed by the legislation, it may have been with the benefit of hindsight that some members considered that the legislation had played a more significant role in focusing their decision than was actually the case at the time. It would appear that, whereas they were not actually constrained by the legislation from undertaking the roles envisaged by the Review Group, the absence of a clear and well-defined recommendation from the Review Group allowed them

focus on the negative aspects contained within the Group's conclusions to the extent that they could effectively ignore the other recommendations.

It is clear that there are several people, both in DIT and on the Review Group, who still think that the Higher Education Authority could quite legitimately have acted in a different manner and made a recommendation to Government that university status be granted to the Dublin Institute of Technology after a period of 3 to 5 years. Instead, the Authority was perceived as acting contrary to the advice of the Review Group in recommending against the establishment of DIT as a university. It failed, in its published report, to explain adequately how possible courses of action were deemed inappropriate under its interpretation of the legislation. The actions or inactions of the Authority in this matter are best summed up by the statement from one of the members that, in carrying out a statutory function, 'you don't do things you are not asked to do'.

Almost a decade after the initiation of this first ever Section 9 review, there persisted many negative perceptions of the process as applied to the DIT bid for university designation, with one member of the Review Group describing their involvement as a 'charade' while another regarded their function as a 'public relations exercise'. On the part of the DIT, it may not be surprising that the HEA recommendation was described as 'a complete joke' but more disturbing was the reaction of one member who described it as a 'nasty decision' before adding, 'I picked up the newspaper the next day and started looking for a job'. As for the Higher Education Authority, one interviewee expressed surprise that some

members of the Review Group felt 'that their work was not given the follow-through and traction which they felt it deserved'. He regretted that this view should persist some nine years later but then added, 'C'est la vie'.

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APPENDICES

APPENDIX I

Documents contained in Higher Education Authority files

References are denoted by (HEA 1060:+No.) or (HEA 1126:+No.)

File No 1060 **File Name** DIT Review Re: Granting of University Status.

1. N. Lindsay. Letter to O. Cussen (Assistant Secretary, Dept of Education) re composition of international review group, 12 May 1997.
2. O. Cussen. Letter to N. Lindsay requesting names for international review group, 21 May 1997.
3. N. Lindsay. Letter to O. Cussen with possible names for review group, 28 May 1997.
4. N. Lindsay. Letter to N. Bhreathnach (Minister for Education) recommending membership of review group, 17 June 1997.
5. D. Thornhill (Secretary General, Dept of Education). Letter to N. Lindsay informing of Government decision of 19 June to appoint review body, 25 June 1997.
6. DIT: Preliminary Submission to International Group (6pp), July 1997.
7. N. Lindsay. Letter to B. Goldsmith asking for developed submission by third week in August, 24 July 1997.
8. C. A. Clark (Director of Higher Education, Dept of Education and Employment, London). Letter to J. Hayden enclosing *Criteria for Degree Awarding Powers and University Title (Dept of Education, April 1995)*, 22 August 1997.
9. DIT: Submission to International Group (38pp), August 1997.
10. Agenda for meeting of Review Group to be held on 8 September 1997.
11. Australian Vice-Chancellors Committee. *Guidelines on the Criteria for a University recognized by the AVCC Canberra*, 24 February 1992.
12. Proposed criteria for review and assessment of DIT application for designation as a university; and
Background documentation required by Review Group arising from criteria for review and assessment. (11 September 1997)
13. M. Kerr. Letter to B. Goldsmith seeking comments on proposed criteria, 15 September 1997.

14. M. Kerr. Letters seeking the views of the following organisations:
 Royal Institute of the Architects of Ireland
 The Society of Chartered Surveyors
 Architects and Surveyors Institute
 Chartered Institute of Building
 Association of Optometrists of Ireland
 Institution of Engineers of Ireland (18 September 1997)
- Industrial Development Agency
 Forbairt (Irish Business Development Agency)
 Forfas (National Economic Development and Advisory Board)
 CIF (Construction Industry Federation)
 ISME (Irish Small and Medium Enterprises Association)
 IBEC (Irish Business and Employers Federation)
 Civil Service Commission (22 September 1997)
- Institute of Biology, London
 Institute of Food Science and Technology, London
 Hotel and Catering Management Association, London
 (24 September 1997)
15. Amended documents:
 Criteria for review and assessment of DIT application for designation as a university; and
 Background documentation required by Review Group arising from criteria for review and assessment. (24 September 1997)
16. M. Kerr. Letters seeking the views of the following organisations:
 Royal Society of Chemistry, London
 Marketing Institute, Dublin
 Institute of Physics, Dublin
 Institute of Medical Laboratory Science, London
 Irish Hotel and Catering Institute (25 September 1997)
17. N. H. Nichols (Clerk of the Privy Council, London). Letter to D. Nally re award of diplomas in U.K. universities, 17 October 1997.
18. General issues to be raised at meetings with:
 DIT Students Union;
 Council of Directors of RTCs;
 Teachers Union of Ireland. (21 October 1997)
19. M. Kerr. Letter seeking the views of the following organisation:
 Irish Congress of Trade Unions, 22 October 1997.
20. Submissions to the committee from professional and other bodies:
 summary (3pp).
21. Minutes of Review Group meeting held on 8 September.

22. DIT: Submission 3 to the International Group (46 pp); and
List of documentation supplied with DIT submission to the International
Group. (October 1997)
23. Report of first meeting of Group and attachments;
Brief overview of Irish third-level educational sector;
Student numbers by level of award and institution;
Model letter to professional and other bodies and summary of
responses received to date;
Criteria for review and assessment.
24. 'An expanding college taps into wider graduate pool' *The Irish Times*
1 October 1997.
'Athlone college to get new status' *The Irish Times* 24 October 1997.
'RTC's battle to win I.T. status ends in success' *The Irish Examiner*
24 October 1997.
'Cork RTC to become Institute of Technology before Christmas'
The Irish Times 25 October 1997.
25. Submissions to the committee from professional and other bodies (6pp).
Revised 4 November 1997.
26. Report of meeting with DIT Students Union representatives held on
21 October 1997.
27. Report of meeting with Council of Directors of RTCs held on 21 October
1997.
28. Agenda for Review Group meeting of 4 November 1997.
29. Responses from professional and other bodies:
- | | |
|---|--------------|
| The Royal Society of Chemistry | 2 October |
| Institute of Physics | 27 October |
| Irish Hotel and Catering Institute | 15 October |
| IBEC (Irish Business and Employers Federation) | 23 October |
| The Marketing Institute | 28 October |
| The Institute of Engineers of Ireland | 29 October |
| Forfas (The Policy and Advisory Board for Industrial
Development in Ireland) | 22 October |
| The Society of Chartered Surveyors | 22 October |
| Architects and Surveyors Institute | 15 October |
| IDA Ireland (Industrial Development Agency of Ireland) | 15 October |
| Hotel and Catering International Management Association | 7 October |
| The Royal Institute of the Architects of Ireland | 10 October |
| Institute of Food Science and Technology (UK) | 2 October |
| Association of Optometrists of Ireland | 25 September |
| Forbairt (Irish Business Development Agency) | 26 September |
30. DIT academic staff qualifications (2pp), 9 October 1997.

31. 'Institute given degree powers' *The Irish Times* 5 November 1997.
32. M. Martin (Minister for Education and Science). Dail report: Upgrading of RTCs, 16 October 1997.
33. M. McGrath (Director of CHIU). Letter with observations and requesting prior knowledge of DIT case, 30 October 1997.
34. M. Kerr. Letter to M. McGrath declining to circulate DIT submission, 10 November 1997.
35. 'Celtic Tiger fails to produce enough cubs' *The Irish Times* 24 October 1997.
 'Building boom means lots of jobs' *The Irish Times* 4 November 1997.
 'DIT awaits university status in the not-too-distant future' *The Irish Times* 11 November 1997.
36. M. Kerr. Letters to E. Sagarra and M. Mulcahy enclosing statistics on numbers taking postgraduate research courses in DIT, 7 November 1997.
37. M. Kerr. Letter (email) to J. Gevers seeking details of criteria for university status in the Netherlands, 7 November 1997.
38. E. Sagarra. Memorandum to M. Kerr re meeting with CHIU, 13 November 1997.
39. M. Kerr. Letters seeking details of criteria for university status from:
 M. Bauer, University of Goteburg; and
 M. Thine, Director of Centre for Quality Assurance and Evaluation of
 Higher Education, Copenhagen. (21 November 1997)
40. Schedule of visit of Review Group to DIT on 5 November plus background documentation (15pp).
41. D. Nally. Letter to B. Goldsmith seeking further comments on issues raised by Group members and others, 28 November 1997.
42. DIT case for university status: Arguments arising from Review Group discussions on 6 November 1997 (2pp).
43. Responses from professional and other bodies:
 Irish Congress of Trade Unions 4 November 1997
 Civil Service Commission 13 November 1997
44. 'DIT: Some control remains for new authority' *The Irish Times* 9 December 1997.
 'Regional Technical College in Cork is upgraded to Institute' *The Irish Times* 13 January 1998.
45. B. Goldsmith. Letter to D. Nally, 13 January 1998, responding to Group letter of 28 November 1997.

46. M. Mulcahy. Email to M. Kerr re DIT postdoctoral researchers, 9 January 1998.
47. Details of research undertaken by Post-doctoral Fellows in DIT, 13 January 1998.
48. Agenda for meeting to be held on 23 January 1998.
49. Notes of informal meeting between D. Thornhill and O. Cussen of the Dept of Education and Science (DES) and N. Lindsay, HEA Chairman and D. Nally held on 11 December 1997.
50. S. McDonagh (Chairman of Council of Directors of RTCs). Letter to D. Thornhill (Secretary General, DES) seeking review of impact of DIT application on other institutions in the sector, 28 November 1998.
51. M. Skilbeck. Review and assessment of DIT application for designation as a university (2pp), November 1997.
52. Terms of Reference of Interim Review Group concerning the Delegation of Authority to Institutes designated under the Regional Technical Colleges Act 1992 to award their Qualifications within a National Framework
53. Summary report of meeting with Chairperson and Secretary of the Interim Review Group for Institutions in the Technological Sector held on 24 November 1997.
54. Arguments arising from Review Group discussions, 16 December 1997.
55. Submissions from professional and other bodies (7pp). Revised 12 January 1998.
56. M. Bauer (University of Göteborg). Letter to M. Kerr re criteria for grant of university status in Sweden, 9 December 1997.
57. Qualifications of academic staff by faculty: DIT, [and universities] UL, NUIG and DCU.
58. B. Goldsmith. Letter to M. Kerr with details of publications of two more post-doctoral students, 22 January 1998.
59. L. Farrelly (student representative). Letter to D. Thornhill re difficulties in DIT Conservatory of Music and Drama, 19 January 1998.
60. M. Finan. Letter to D. Nally re affects on careers of technicians not holding university degrees, 16 January 1998.

61. Report of preliminary meeting between the Chairman and Director of CHIU and the Chairman and Secretary of the Review Group held on 15 December 1997.
62. M. Martin. RTC name changes: Minister signs order for ten colleges. Press release issued 28 January 1998.
63. 'Degree snobbery' *The Irish Independent* 5 February 1998.
 'Bruton urges inquiry into drop-out rate' *The Irish Independent* 6 February 1998.
 'Irish attitude snobbish where low-tech jobs concerned – Harney' *The Irish Independent* 6 February 1998.
64. D. Nally. Letter to B. Goldsmith asking DIT to respond to various issues of concern to the Review Group and to others, 13 February 1998.
65. Communications Unit, Dept of Education and Science. Speech by the Minister for Education and Science at the Forum on the Development of a National Qualifications Framework (8pp). Dublin, 13 February 1998.
66. Statutory Instrument, SI No. 224 of 1997: DIT Act 1992 (Assignment of Function) Order 1997 re Degree awarding powers.
67. Department of Education and Science (DES). Agreed Report nos 5/82 and 7/82 concerning pay and conditions of academic staff in Institutes of Technology.
68. DIT Annual Report 1995/96 (35pp).
69. Coolahan, J. Chapter 10 'Third level Education in Ireland: Change and Development' (22pp).
70. Note on meeting between S. Smyth, Chairman and M. McGrath, Director of CHIU, and Chairman and Secretary of Review Group held on 15 December 1997: sent from CHIU, 2 February 1998.
71. Report of meeting between CHIU representatives and Review Group members which took place on 23 January 1998.
72. Report of Review Group meeting held on 23 January 1998.
73. List of diploma/certificate courses in Universities.
74. M. Skilbeck. Options for the DIT Review Group (3 pp), February 1998.
75. B. Goldsmith. Letter to M. Kerr, 6 February 1998, enclosing :
 Qualifications profile by faculty;
 Scholarly activity by faculty;
 Completion times for postgraduate students.

76. Outline scheme for report, 27 March 1998.
77. Communications Unit (DES). Speech by Minister for Education and Science at the Opportunities '98 conference: Skills for a New Millennium (6pp). Dublin, 4 February 1998.
78. B. Goldsmith. Letter re possible recommendations, 23 April 1998.
79. Communication Unit (DES). Speech by Minister for Education and Science at Annual Congress of the Teachers Union of Ireland (13pp). Galway, 15 April 1998.
80. Agenda for meeting of Review Group to be held on 27 March 1998.
81. Draft report of DIT Review Group: Summary (2pp), 8 May 1998.
82. Report of meeting with Teastas held on 6 April 1998.
83. M. Kerr. Final paragraph of report to D. Nally, 27 May 1998.
84. B. Goldsmith. Letter to M. Kerr, 7 May 1998, enclosing documents: Educational Disadvantage (6pp); Basic Policies on the Irish Language and Action (6pp).
85. M. Skilbeck. Letter to M. Kerr re draft report, 9 May 1998.
86. Draft report of DIT Review Group: Summary.
87. Agenda for meeting of Review Group to be held on 19 May 1998
88. Report of meeting of Review Group held on 27 March 1998.
89. Report of meeting with representatives of Dept of Education and Science held on 30 April 1998.
90. Report of Review Group meeting held on 19 May 1998.
91. Report: Second draft, 8 June 1998.
92. Committee on Public Accounts. Draft minutes re possibility of DIT being second college of University of Dublin, 25 June 1998.
93. Agenda for Review Group meeting of 19 June 1998.
94. Report: Draft 3 (56pp plus appendices), 1 September 1998.
95. B. Goldsmith. Letter to M. Kerr enclosing suggested new sections to report and other changes (12pp), 16 September 1998.
96. M. Kerr. Expected timetable of events, 29 July 1998.

97. B. Goldsmith. Letter to J. Hayden concerning leaking of Review Group report to the Press, 20 October 1998.
98. Post-graduate Research in DIT; Undergraduate Diplomas in Universities; Enrolments in Waterford and Cork Institutes of Technology.
99. 'Talks impasse at DIT' *The Irish Times* 20 October 1998.
100. B. O'Shea (Assistant Head of Mathematics, Statistics and Computer Science at DIT). Copy of letter to B. Goldsmith concerning remarks of DIT Director, 27 April 1999.
101. J. Walshe. 'DIT Faculty Head hits Authority as "venomous and vicious"' *The Irish Independent* 17 April 1999.
102. DIT. Directors newsletter, 9 April 1999.
103. B. Goldsmith. Letter to D. Thornhill concerning remarks published in daily newspaper, 22 April 1999.
104. D. Thornhill. Letter to B. Goldsmith re Director's remarks, 29 April 1999.

File No 1126 **File Name** DIT Application for establishment as a university:
Opened 23/11/98 HEA consideration of Review Group Report.

1. HEA. Report of Review Group on DIT application for establishment as a university. Press release issued 23 November 1998.
2. DIT. The President's Statement, 23 November 1998.
3. M. Kerr. Email to M. O Fiannachta (Dept of Education and Science): Briefing note for Minister, 25 November 1998.
4. J. Hayden. A46/98: Memorandum for HEA members (3pp), 10 November 1998.
5. D. O'Hare (Chairman of CHIU). Letter to D. Thornhill re Review Group Report, 26 November 1998.
6. CHIU. Submission to the Review Group under Section 9 of the Universities Act, 1997 (15pp), 27 February 1998.
7. S. Puirseil (National Council for Educational Awards). Letter to D. Thornhill re standing of NCEA degrees, 4 December 1998.
8. Communications Unit (DES). Speech by Minister for Education and Science at UCD Charter Day Dinner (4pp). Dublin, 4 December 1998.
9. Discussion Paper (8pp), 18 December 1998.
10. J. Hayden. Letter to members of HEA sub-group, 14 December 1998, re meeting of 21 December.
11. Extracts from four speeches given by the Minister for Education and Science (3pp).
12. New courses approved at DIT for 1997/98 and 1998/99.
13. 'More respect, more funds and more resources – that's what the ITs want' *The Irish Times* 30 October 1998.
14. B. Goldsmith. Memorandum to DIT staff re leaking of Review Group Report to national newspaper, 20 October 1998.
15. B. Goldsmith. Letter to J. Hayden re leaking of Review Group Report, 20 October 1998.
16. S. McDonagh (Director of Dundalk Institute of Technology). Some comments on the Report of the Review Group on DIT university status application (12pp), 9 December 1998.
17. D. Thornhill. Letters to M. Bric; P. Grady; and G. O'Brien, 4 January 1999.

18. Draft Response: Recommendation (9pp) with Appendices, 25 January 1999.
19. D. Thornhill. A2/99: Notes for members of the Authority from the Chairman, 19 January 1999.
20. Agreed Report of meeting between representatives of DIT and HEA held on 21 January 1999 concerning the tabling of CHIU letter at HEA meeting in November 1998.
21. C. Collins (Chairman of Council of Directors of Institutes of Technology). Letter to J. Hayden requesting meeting to discuss Review Group Report, 27 January 1999.
22. J. Hayden. Letter to C. Collins pointing out that work on preparing Authority's recommendation is at an advanced stage, 27 January 1999.
23. T. O'Farrell (DIT). Figures on part-time students to B. Dennehy (HEA), 28 January 1999.
24. Recommendation of the Higher Education Authority to Government in accordance with the terms of Section 9 of the Universities Act, 1997 concerning the Application by DIT for establishment as a University. Final Report, February 1999.
25. D. Thornhill. Letter to M. Martin (Minister for Education and Science) enclosing Final Report, 2 February 1999.

Other HEA documents

References are denoted by (HEA + No.)

1. Minutes of 258th meeting of the Authority held on 3 June 1997.
2. Draft report of special meeting held at Castletroy Hotel, Limerick on 27–28 November 1998.
3. Draft report of 269th meeting held on 26 January 1999.
4. M. Martin (Minister for Education and Science). Statement concerning report on application for university designation by Dublin Institute of Technology. Press release issued 4 March 1999.
5. S. McDonagh (Director of Dundalk Institute of Technology). Letter to D. Thornhill re HEA Recommendation, 10 March 1999.
6. M. Martin. Letter to D. Thornhill conveying thanks to members of the Authority, 19 March 1999.

APPENDIX 2

Dublin Institute of Technology documents

References are denoted by (DIT + No.)

1. Agenda for Governing Body/Directorate meeting of 8 November 1996.
2. Draft report of special meeting of Governing Body/Directorate of Dublin Institute of Technology held in Mullingar on 8 November 1996.
3. Minutes of meeting of Academic Council held on 13 November 1996.
4. Minutes of meeting of Governing Body held on 29 November 1996.
5. B. Goldsmith. Draft request to the Minister for Education: First Report (January 1997) of the Interim Teastas Authority, March 1997.
6. Preliminary Submission to International Group established under Section 9 of the Universities Act (1997) to consider DIT's case for its designation as a university (6pp), July 1997.
7. Submission to International Group (31pp), August 1997.
8. Notes from meeting with D. Nally and M. Kerr (B. Goldsmith and D. Gillingham for DIT) held on 22 September 1997.
9. Submission 3 to the International Group (46pp), October 1997.
10. Notes from meeting with D. Nally and N. Lindsay (B. Goldsmith and D. Gillingham for DIT) held on 4 December 1997.
11. Submission 4: Response to Section 9 Group letter of 28th November 1997 (15pp), January 1998.
12. Submission 5: Response to Section 9 Group letter of 13th February 1998 (10pp), March 1998.
13. B. Goldsmith. The President's Statement, November 1998.
14. Directors' Newsletter: April 1999.

APPENDIX 3

Interviews were conducted with the following:

Review Group Members

Dermot Nally: (Chairman) Former Secretary to the Government [cf. Cabinet Secretary].

Malcolm Skilbeck: Formerly Deputy Director, OECD and previously Vice-Chancellor of Deakin University in Australia.

Eda Sagarra: Professor of Germanic Studies, Trinity College, Dublin.

Brian Sweeney: [Former] Siemens Group Chairman, Ireland.

DIT

Brendan Goldsmith: President 1993-2003.

Matt Hussey: Director and Dean of Faculty of Science 1993-2007.

David Gillingham: Director of Academic Affairs 1996-2000.

HEA

Don Thornhill: Chairman from 1998-2005.

Eamon Tuffey: Member of the Authority 1995-2000.

Maurice Bric: Member of the Authority 1997-2007.

Malachy Stephens: Member of the Authority 1995-2000.

Patricia Barker: Member of the Authority 1997-2002.

Others

Two interviewees: Names withheld to ensure confidentiality.

Adviser: Adviser to Micheál Martin (Minister for Education and Science from June 1997). Responded to questions by email.

APPENDIX 4

Sample letter and copy of information sheet forwarded to participants via the Higher Education Authority.

February 2007

Dr Dermot Nally
Higher Education Authority
Brooklawn House
Crampton Avenue
Shelbourne Road
Dublin 4

Dear Dr Nally,

I am a lecturer in the Dublin Institute of Technology undertaking a Doctorate in Education (EdD) at the University of Sheffield. For my research thesis I have chosen to carry out a case study of the 1997 application by DIT for university status.

I have been in contact over the past year with Mary Kerr of the Higher Education Authority who has been most helpful regarding access to documentation on the work carried out by the International Review Group. She has also suggested that, as Chairman of this Group, you might be willing to talk to me regarding the review process and your role in it. I enclose an information sheet on my research project which I trust you will find of interest.

I hope you will be able to take part in my research and I will try and contact you by telephone over the next week or so to answer any questions you may have and hopefully to discuss the possibility of coming to meet you.

Thanking you in advance.

Yours sincerely,

Colm Garvey

Information Sheet

Research Project Title: The Dublin Institute of Technology and University Status.

The Background

In late 1996, the Dublin Institute of Technology sought to be established as a university. When the Universities Bill was being processed through the Dáil and Seanad, the Minister for Education agreed to the appointment of a Review Group to examine and advise on whether the DIT should be granted university status. In July 1997, an International Review Group was appointed by the Government to advise the Higher Education Authority on whether the DIT should be established as a university.

The Review Group presented its advice to the Higher Education Authority in November 1998 and, after consideration of this Report, the HEA published its Recommendation to Government in February 1999.

Purpose of the Research

I am conducting a case-study of the review process involved in considering the DIT case for university designation. I have chosen this as my research thesis for the Doctorate in Education (EdD) of the University of Sheffield and it is hoped to produce an independent account and analysis of the review process carried out at that time.

Having been given access to relevant documents in both the HEA and the DIT, I now wish to complete my research by talking to some of those closely associated with the review process.

The Interviews

My interviews will include participants from the three main groups involved in the review, namely,

- (i) The International Review Group;
- (ii) Higher Education Authority;
- (iii) DIT.

As you were a member of one of these groups, I do hope you will agree to take part so that I can construct a comprehensive account of the whole episode.

Confidentiality

All the information given by you in the course of the interview will be kept strictly confidential and will be available only to my supervisor and myself.

Thesis Report

Use of responses in the thesis will be anonymised so that individuals cannot be identified. It is hoped to have the thesis completed by the autumn of 2007.

Ethical Review

This project has been ethically approved via the ethics review procedure of the School of Education in the University of Sheffield.

Further Information

If you have any questions or would like to receive additional information, please do not hesitate to contact me at:

Colm Garvey

School of Mathematical Sciences

DIT Kevin Street

Dublin 8

Tel: (01) 402 3794

Email: Colm.Garvey@dit.ie

or my supervisor:

Professor Gareth Parry

School of Education

The University of Sheffield

388 Glossop Road

Sheffield S10 2JA

Tel: + 353 114 222 8101

Email: G.W.Parry@sheffield.ac.uk

Thank you for taking the time to read this information sheet.

December 2006

Participant Consent Form

Title of Project: DIT and University Status

Name of Researcher: Colm Garvey

Name of Supervisor: Professor Gareth Parry (University of Sheffield)

Please initial box

1. I confirm that I have read and understand the information sheet dated December 2006 for the above project and have had the opportunity to ask questions.
2. I understand that my participation is voluntary and that I am free to withdraw at any time without giving any reason.
3. I understand that my responses will be anonymised before publication. I give permission for your supervisor to have access to my responses.
4. I agree to take part in the above research project.

Name of Participant

Date

Signature

Name of Researcher

Date

Signature

Interview Schedule

1. Preamble

- Clarify that the research is concentrating on the actual Section 9 review process and ask for their reflections or general comments on this.

2. Composition of the Review Group

[This body was appointed by the Government, on the recommendation of the HEA, the only guidelines being that it ‘shall include international experts and national experts, including employees of universities’].

- Any comments on the composition of the Review Group or the manner of its selection.
- It was suggested in a preliminary document that there should be 3 international experts but the final group contained only 2 (to the disappointment of some). Any comments?

HEA only

- Ask how potential members would have been suggested or chosen.
- Dr Danny O’Hare was initially proposed as chairman. DIT objected but accepted that HEA believed this choice would be helpful. Any comments – was it thought he would be helpful to the DIT case?

3. Terms of Reference

- Any comments on these, in particular the inclusion of the phrase ‘as presently constituted and functioning’?

4. Workings of the Review Group

- Any comments on the way the group conducted the review? [e.g. group representation at meetings often consisted solely of the chairman and the secretary].
- Did the length of time taken for the review matter? [Initial suggestion was that the work would be completed in 3-4 months; it actually took 14 months].

HEA only

- HEA would have been involved at the early stages e.g. requesting the first submissions, seeking criteria from other countries. Was there any further involvement during the review process? [Query attendance of chairman at Dec 4 meeting].

5. Criteria as a Basis for the Review and Assessment

- Any insights into how these criteria were arrived at?
- Was sufficient time devoted to the development of the criteria?
- To what extent were comparisons made or account taken of international practice?
- Were the criteria considered objective [e.g. terms like ‘appropriate’ which appeared in 3 of the criteria and ‘sufficiently high level’ were vague and gave no clear sense of standards to be achieved]?
- Should there have been inputs from the universities (CHIU) and the RTCs/Institutes of Technology at an earlier stage?
- Did they continue to be developed throughout the process? [Comments from CHIU and criteria from a number of European countries were sought subsequently].

6. DIT Submissions

- Any comments on the effectiveness (and timing) of these submissions.

7. Submissions and meetings with third parties

- How necessary or worthwhile were these?
- Who should be consulted?

8. Teastas

- What was the significance of Teastas on the process?

9. Multi-level University

- Was the concept of a multi-level university understood or accepted in the Irish context? If not, why was it used?
- Did it impact negatively or otherwise influence the DIT case?

10. The Binary System

[Not within terms of reference – but considered inevitable by Review Group that it would be taken into account].

- How influential was this on the review group deliberations?
- How significant was it on the formation of the HEA recommendation?

11. The Review Group Report

- Any general comments on the report?

12. The HEA

HEA only

- Ask for explanation of the division of responsibilities in the HEA i.e. Chief Executive v Chairman v Board.
- Ask about the effect of change of chairman in 1998. Would this have had a significant effect on the process/ HEA recommendation?
[N.B. During the early stages of the review process, Don Thornhill represented the Department of Education and Science (as General Secretary) at meetings with the Group. At the time of the preparation of the HEA recommendation he was Chairman of the HEA.]
- Was there any significance in the fact that the new board of HEA had no DIT representative?

13. HEA Recommendation to Government

- Ask for overall comments on the HEA recommendation and process.

HEA only

- Preliminary document would have been prepared by the Chief Executive. Would the chairman have also been involved at this stage?
- How influential was the binary system? Did the maintenance of the binary system depend on the inclusion of DIT?
- How realistic is it to talk about 'parity of esteem'. [N.B. Importance of technological sector for provision of apprenticeship, certificate and diploma levels emphasised by HEA. But certificates and diplomas have since been replaced by ordinary degrees].
- Were resources an issue? Were industrial relations problems in DIT a complicating factor?
- Would there have been any significant input from the board of HEA (e.g. November meeting called for set of criteria to define a university). Was January meeting simply a rubber-stamping exercise?
- Document was prepared by sub-group – what input would they have had?
- Ask about the CHIU letter. Was it just the letter of 26/11/98 or was CHIU submission of 27/2/98 also circulated to board?
- Ask about criticism that the tone of the recommendation was negative.

[N.B. Suggestions made that tone was unacceptable. It was very sharp and even hostile, without a single positive statement – not appropriate or diplomatic].

- Would it have been possible for HEA to have adopted a different stance to the proposed mentoring role?

I4. The Review process

- How well did it work and how might it be improved?
- Is it a weakness that the Institute being assessed and the Review Group don't know the firm criteria being used? Should there be such a set of criteria?
- If the HEA recommends against university designation this effectively limits government scope for action. Is the process unbalanced and advice of the Review Group diminished by the authority given to the HEA?
- Has the HEA been given too much authority in this matter?

APPENDIX 7

Background documentation required by Review Group arising from criteria for review and assessment.

The Institute is requested to respond to each of the criteria as set out. The response should include a detailed statement setting out the extent to which the Institute, as presently constituted and functioning, discharges the various objects and functions of a university as set out in Sections 12 and 13 of the Universities Act, 1997. In addition, the following specific information should be incorporated in the Institute's response. Executive summaries should be provided, where appropriate.

1. A progress report in relation to action taken to-date and proposed, with regard to the specific findings and recommendations in the Review of Quality Assurance Procedures in the DIT completed in June 1996.
2. Student numbers by faculty at each level, where relevant, indicate where exemptions/validation by professional bodies apply. In relation to postgraduate courses, research and taught courses should be separately identified.
3. Graduate employment statistics by discipline.
4. Numbers of academic and technical staff by grade and faculty/subject area, indication full-time and part-time, permanent and contract staff.
5. Academic qualifications, experience and scholarly/research interests of academic staff involved in third-level work by faculty – including details of scholarly activities and experience of supervision of postgraduate research students. Type and extent of 'leading-edge' research undertaken, contract research funding and overall capacity for research by faculty should be indicated.
6. Details of academic staff teaching hours per annum per student, and length of academic year, and their impact on the further development of research.
7. Staff Training and Development – priorities, practices and plans over the next three – five years with particular reference to academic staff.
8. Proposals to develop postgraduate programmes and research.
9. Multi-level nature of Institute – how is this managed internally? What proportion of staff and resources is devoted to non-third level work? Differing qualification requirements and salary levels for academic staff at different levels – any potential problems for the institution thereby? Institute plans for apprenticeship and non-third-level section of its activities.

10. Liaison with business/industry and other external bodies – how does the institute assure its responsiveness to local, regional national and international needs? Can the Institute point to evidence of satisfaction with its courses on the part of industry, commerce, academic and professional bodies.
11. Physical Facilities – Overview of Institute’s existing provision and proposals for the future.
12. Steps being taken by institute to reflect University ethos. Draft Charter, etc.

APPENDIX 8

Sample of letter sent to organisations in September 1997

25 September 1997

Secretary/Chief Executive,
The Royal Society of Chemistry,
Burlington House,
Piccadilly,
London,
W1V 0BN
U.K.

Application by Dublin Institute of Technology for Designation
as a University under the terms of the Universities Act 1997

Dear Sir/Madam,

A Review Group (membership detailed in Appendix 1) has been appointed by Government to advise the Higher Education Authority on whether having regard to the objects and functions of a university under Sections 12 and 13 (Appendix 2) of the Universities Act, 1997, the Dublin Institute of Technology should be established as a University.

To facilitate its work, the Review Group wish to ascertain the views of various bodies and organisations in relation to this matter. It would be appreciated if you could provide, from your organisation's perspective, observations on the overall quality and standing of DIT qualifications, their acceptability for the purposes of professional accreditation and the general employability of their graduates. Any other observations which you may wish to make will, of course, also be welcome.

Members of the Review Group will be available to meet with representatives of your organisation if you so wish.

We would be glad to get your views on this matter before 10 October 1997. Your co-operation in this matter is greatly appreciated.

Yours sincerely,

MARY KERR
Secretary to the Review Group

APPENDIX 9

Organisations met by the Review Group

Department of Education and Science

DIT Students Union

Teachers Union of Ireland

Council of Directors of Institutes of Technology

Conference of Heads of Irish Universities

Interim Review Group for Institutions in the Technological Sector

Teastas – the Irish National Certification Authority