

Universities challenged

In 1996 the National Committee of Inquiry into Higher Education commenced its work

“against a background of a unit cost reduction of more than 40 per cent over the last 20 years. This has been achieved, in part, by under-investment in infrastructure. Substantial redundancies are now in prospect and many staff feel that their contribution to the achievements of higher education over the last decade is under-valued. The concern now is that short term pressures to reduce costs, in conditions of no growth, may damage the intrinsic quality of the learning experience which underpins the standing of UK awards.” (Dearing Report, 1997, para. 13)



Today the higher education system faces some of the same challenges it was confronting in the late 80s and early 90s, except perhaps on an even larger scale, and with a few new variables thrown into the mix. The sector is already absorbing £1.3 billion of funding reductions, but it still faces the possibility of a further round of cuts in the October 2010 Comprehensive Spending Review. Capital projects have been significantly cut-back or halted, and

rounds of voluntary and in some cases, compulsory, redundancies have been introduced at a number of institutions. Growing fears of a “double dip” recession add to the uncertainty, as weaknesses in the wider economy could impact universities’ attempts to soften the blow by maintaining or even increasing income from commercial services and other non-state sources. With ministers expressing doubts over the ability of the public purse to fully

fund any increases in student fees that may be recommended by the Browne Review, and more institutions chasing less money, it is perhaps unsurprising that a third of the 43 Vice-Chancellors surveyed recently by PA Consulting (2010) considered it “very likely” that some HE institutions will fail within the next three years.

The government has also laid down a number of significant markers for change.

In this issue

News 3-4

People 5

NTFs:
Gary Watt, Vera Bermingham

Features 6-13

Class of 2016
6-7

Providing a well-balanced diet
8-9

Street Law – the student
perspective
10-11

Giving feedback in the context
of large-scale teaching in law
12-13

Projects 14

Internationalisation and
enhancement of employability
- tackling the decline of UK
based dual qualification
programmes in law

Review 14

Annual Conference 15

Events 16

Speeches from David Willetts and Vince Cable have so far stressed:

- the need to review the funding model to ensure that it has the flexibility to reward excellent teaching
- the desirability of greater private investment in HE, including the involvement of more private sector HE institutions in the market
- the need to ensure students enjoy a better and more vocationally-relevant university experience (and to this end work on a new Student Charter and a QAA review of contact hours have already commenced – see the news items in this issue)

Moreover there are clear signs that a number of the policy objectives of the previous administration are, broadly, continuing. These include the priority funding of STEM (science, technology, engineering and maths) subjects over social sciences and humanities; further expansion of HE in FE, and a reduction of the bias in funding towards traditional, three year, full-time provision.

It is difficult to predict the impact of all these changes and challenges on the law school. Law schools have generally ridden out recessions reasonably well. Law remains extremely popular, and a profitable subject for most universities. But it is not well-funded on a per capita undergraduate basis, and many law schools are heavily dependent on maintaining a large full-time LLB cohort, supported by good international recruitment, particularly to LLM courses, or by vocational training provision, or some combination of these. None of these markets is entirely secure in the present climate. International recruitment continues to be under pressure from the US, Australia and New Zealand, and, increasingly, from cheaper graduate courses in continental Europe. Changes to the UK legal services market, highlighted in this issue by Crispin Passmore, also create new challenges for the law schools at both the academic and vocational stages. Although growing numbers of law graduates do not enter the legal profession, the profession remains a large employer of graduates, and the employment sector to which the majority of our students still aspire. Whether or not we agree with Passmore's analysis, the changing nature of legal work, and the deprofessionalization of a growing tranche of the legal services market, are likely to be factors that will be hard for law schools to ignore. Students and employers may well drive demand for different and more flexible methods of study.

Pressures on academics to be effective teachers, to write, and to obtain research and consultancy grants are unlikely to

reduce in the near future. If the direct cost of learning increases significantly, students are likely to become even more demanding and more critical of the quality of their courses. Such demands may not easily be met, particularly if staff-student ratios increase as part-time teaching budgets are cut and empty posts left unfilled.

In this rather bleak scenario it does not make a lot of sense to keep trying to do more of the same. I suggest it is no longer enough to batten down the hatches, work harder and believe we will simply weather the storm. We need to identify as a priority the skills and resources we will need as academics and academic managers to deal with the challenges of the next few years. How will we meet (or create) demand for new, flexible, modes of learning? How do we teach more students with less resources? How can we give our students a better learning experience without working ourselves into the ground? What are the skills sets we need to develop in our students to support them in coping with an increasingly turbulent and uncertain world?

UKCLE and the Higher Education Academy more generally is facing its own financial challenges, but I hope that we will continue to be here to support you in finding answers to these questions. Many of the challenges inform our priorities for 2010-11. We will be launching a major new project looking at ways of enhancing student feedback, an area where law has traditionally struggled to achieve good results in the National Student Survey. We will be increasing our work directly with students through a new law student forum; we will be working with QAA on the issue of contact hours, and we will continue to use our experience to influence policy and inform the educational work of the representative and regulatory bodies.

Julian Webb

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New Chief Executive appointed to the Higher Education Academy



Professor Craig Mahoney (pictured left) joined the Higher Education Academy as Chief Executive on 1 July 2010.

An Australian by birth, Craig Mahoney has lived in the UK for the past 24 years. He is a graduate in Chemistry and Maths from the University of Tasmania; he also holds a Masters degree from Birmingham University and a PhD (Psychology) from Queen's University, Belfast.

Before joining the Academy Professor Mahoney was Deputy Vice-Chancellor responsible for learning and teaching at Northumbria University. A practicing sports psychologist, he has published widely in the areas of children's fitness, health, sport, exercise, performance and education. We hope that you will join with us in welcoming Craig to the Higher Education Academy.

Cardiff project wins Student Volunteer Award

Cardiff Law School has beaten off stiff competition to win a Project Award in the Higher Education Academy Student Volunteer Awards for their pro bono NHS Continuing Healthcare scheme. The award was presented by the new Chief Executive of the Higher Education Academy, Professor Craig Mahoney. This award is the second for the scheme, which also won the Student Team Award at the Law Society Junior Lawyers' Division 10th Anniversary Pro Bono Awards in 2008.

The legal clinic was jointly established by Cardiff Law School and Cardiff-based law firm Hugh James in 2007 to advise on continuing healthcare cases and assist in addressing the nationwide problem of assessment for NHS continuing healthcare funding. The Scheme is also strongly supported by Alzheimer's Society Wales and Age Cymru. Over eighty Cardiff University students undertook the Scheme's training programme in October 2009, with more than half of them going on to work on live cases.

Designing a 'capstone experience' in law



A capstone experience encourages students to focus and reflect on the skills and knowledge they have acquired over their course of study, and to consider their transition out of university and into the workplace. But, what should a capstone experience for law students

look like? This is the question being asked by Professor Sally Kift (pictured left) of Queensland University of Technology (QUT).

The project, funded by the Australian Learning and Teaching Council, involves collaborators from three Australian universities: QUT, Griffith, and the University of Western Australia, supported by an international reference group. Using an action learning methodology, it aims to create principles and a model for capstone experiences, together with a toolkit of resources to support their implementation. Although the project is being developed primarily in the context of Australian legal education, it is likely to be of interest, and possibly application, in other Common Law jurisdictions. Further information about the project can be found on the ALTC Exchange at www.altcexchange.edu.au/group/curriculum-renewal-legal-education

Northumbria and Natasha lead the way at 2010 Pro Bono awards



The Attorney General with students and staff from Northumbria

Students and staff from the Student Law Office (SLO) at the University of Northumbria travelled to London in April to receive the prize for Best Contribution by a Law School at the LawWorks and Attorney General's Student Pro Bono Awards 2010. This is the second time that Northumbria has come out with the top award, having previously been winners in 2008. The SLO continues to expand and diversify, offering a wide range of services to clients, and providing 180 students a year with the opportunity of clinical experience. The judges' citation observed:

"The SLO produces work of a high standard, supported by excellent supervision and administrative systems and has done a great deal to bring students face-to-face with the realities of legal work in the community."

The award for best individual contribution went to Natasha Latiff, an undergraduate student at the University of Warwick. Natasha founded *Femin Ijtihad* in 2007 to assist Afghan women activists and

human rights organizations in research and in the production of information and educational resources on gender in Islam/Islamic Law. The organization now has three chapters in New York and Singapore, as well as the UK, and draws on the some 50 researchers from around the world. The award judges praised Natasha's contribution for recognising "the importance of legal jurisprudence and analysis in the application of women's rights in Muslim countries... Her efforts will no doubt help Afghan women not only today, but for years to come." The Attorney General, Baroness Scotland QC (pictured far left), who presented the awards, said: "Innovation, excellence and professionalism are writ large in the entries for this year's awards. We should remember that the entrants have combined busy academic or postgraduate studies with a fierce commitment to their pro-bono work." A full list of the prize winners and runners up is available at <http://lawworks.org.uk/?id=student-awards-2010>

QAA establishes working group on the meaning of 'contact hours'

The issue of student contact hours has attracted some prominence in the media and was one of the topics identified by the Quality Assurance Agency (QAA) in 2008 as part of its themed enquiries into areas of public concern over academic standards. In its final report published in April 2009, QAA concluded that there was a need both for national discussion, at a discipline level, about the appropriate range of contact hours, and for institutions to provide clearer information on the nature and amount of contact students can expect to have with staff, see www.qaa.ac.uk/standardsandquality/thematicenquiries/default.asp

QAA is now commencing work with a number of Higher Education Academy subject centres, including UKCLE, to develop an explanation and better understanding of the meaning of contact hours in the disciplinary context, and their place in the overall pedagogy of a higher education programme. Drafts from the working group will be shared with a wider reference group set-up by QAA, before feeding into a parallel project developing a 'standard information set' for prospective university students, which is being co-ordinated by the Higher Education Funding Council for England and chaired by Professor Janet Beer, Vice-Chancellor at Oxford Brookes University.

The questions to be considered by the working group will include why contact varies, what the expectations are of students as independent learners, and the nature of the relationship between contact hours and 'value for money' in a fee-paying environment. Colleagues in law schools wishing to feed any preliminary views or information into the QAA working party process are invited to e-mail UKCLE at ukcle@warwick.ac.uk using the message header "contact hours".

New National Teaching Fellows named

We are delighted to report that, once again, two legal academics are among the list of fifty National Teaching Fellows announced in June 2010 by the Higher Education Academy. The award winners were chosen from nearly 200 nominations submitted by higher education institutions across England and Northern Ireland, and will each receive an award of £10,000. The award may be used for the Fellow's professional development in teaching and learning or aspects of pedagogy.

Vera Bermingham (picture right top) will be well known to many readers of *Directions* as a long-standing supporter of UKCLE, and a past Chair of the Association of Law Teachers. Vera is Principal Lecturer and Director of Studies at Kingston Law School, and has previously taught at Brunel and Middlesex Universities.

Vera's award acknowledges not just her contribution as an excellent teacher in her own right, but also as a champion of learning and teaching across the Law School. As Director of Studies, her work is primarily focused on the student learning experience and in this role, as a means of gaining insight into the academic and pastoral support needs of students as they progress through their studies, she undertakes teaching across all levels of the programme. This enables her to develop and review her own practice and to encourage her colleagues to review and develop their teaching practice and collaborate and learn from others.

A commitment to widening participation has been a strong feature of both Vera's research and her approach to teaching: "throughout my teaching career, one of my main aims has been to enable law students to develop the skills, attributes and confidence to meet the challenges they would face in pursuing a career in the legal profession and to demonstrate to themselves and employers that they are not less eligible because of the



institution they attended. I owe a great deal to my colleagues and to UKCLE for supporting me in this work"

In supporting Vera's award, Nicola Rees, the LLB Course Director at Kingston, says:

"Vera's interest and expertise in learning and teaching has helped to enthuse and support me in my work. When developing my own modules, it is always Vera that I turn to for discussion about how to incorporate learning skills. Vera has also been the driver of staff development in learning and teaching in the Law School. She has organised and hosted workshops and away-days that bring all the staff together to discuss learning and teaching issues, particularly those staff that are new to Kingston."

Gary Watt (pictured left bottom), Professor of Law at the University of Warwick and Law Teacher of the Year 2009, also requires little introduction. In his first post at Nottingham Law School, Gary introduced a moot exercise into the undergraduate law degree which culminated in the writing and performance of a trial script. Since moving to Warwick he has developed the use of scripts and creative writing in teaching and assessment and has explored the potential for dramatic "props" to act as teaching tools. He introduces physical movement into his teaching as a conscious counter to the law's traditional concern for status and stability. His module on law and literature, which is partly assessed by creative writing, includes an interactive campus walk (which Gary recreated at UKCLE's Annual Conference in January 2009) in which everyday objects such as streams and bricks and trees are probed for their potential to act as metaphors for law and justice. In commenting on the award Gary said:

"This is a real honour, and it has come at a great time. In recent years my teaching (and my research - it is important not to separate them!) has increasingly been of an interdisciplinary and international flavour, so I now have funding to meet the inevitable expenses of such work and a natty title to intrigue my international colleagues. I am under no illusions, though, that the bread and butter of my teaching, and the staple of nearly every UK law school, is the delivery of compulsory core undergraduate modules to large student numbers. So the most significant benefit of my National Teaching Fellowship may be that it affirms the importance of core undergraduate teaching and offers encouragement to keep it imaginative and interesting. I hope that all my fellow law teachers working at the core will share something of that encouragement."

Our congratulations to Vera and Gary.

The Class of 2016

The licensing of alternative business structures (ABS) by the end of 2011 looks set to dramatically alter the face of legal service provision. Those students commencing their studies in 2010 will qualify in 2016, into an environment that is alien to many of their teachers. In this feature **Crispin Passmore** argues that legal education needs to be responsive to changes in the legal services market, and highlights those developments that are most likely to impact on the 2010 cohort of law students.

Students entering university to study for a law degree this October need to be prepared for a different world. Assuming a three year degree, a one year LPC or BPTC followed by a period of in-work learning, it will be 2015 or 2016 when they qualify. By then Alternative Business Structures (ABS) will be five years old and the legal services market will have changed for good. What are universities doing now to prepare their students for the world that they face, rather than the one that teachers faced when they qualified? In thinking about how to reshape the role of legal education, there's no point arguing that the changing legal services market doesn't affect universities. The notion that the skills of elite lawyers will be the same as those needed in the past is highly contestable. Even the leading law firms face international pressure from other global law firms, other professional services, business and ever more astute and demanding corporate customers. The environment is changing quickly and expectations of the workforce that operate within it are altering concurrently. The following highlights some key respects in which aspiring lawyers face a different playing field from their predecessors:

Competitive pressure

Firstly, recession has hit hard, impacting on all areas from conveyancing to corporate work. Sadly the fiscal aftermath means there is more pressure to follow from changes to legal aid provision and an even greater consumer focus on value in the face of constrained budgets. Those businesses which focus on reducing costs and driving innovation, rather than price and stability, are going to be best prepared for post-recession growth. But the lawyers running those businesses need the commercial awareness to be able to pitch on that level.

Opening up the market

Innovation will find a vehicle in the new freedoms for businesses through the removal of barriers to ownership. Alternative Business Structures (ABS) will consolidate

changes we are already seeing as many businesses seek to do things differently. Competitive pressures from new providers will mean that traditional firms will not be able to afford to rest on their laurels. The recently announced figures for the Co-Operative demonstrated that their legal services arm was the fastest growing division of the overall business. In 2009, it recorded turnover of £20 million, an increase of nearly fifty percent on the year before, with profits more than doubled to £3.8 million. Meanwhile, legal aid contract funding for A4E (who are not a law firm) grew from zero to £2.4m in just three years. Consolidation and the emergence of multi-disciplinary practices mean that the structure of the firms of the future will look very different to the old partnership model. Students need to be prepared to work in a way that reflects this, with a new premium on delivering skills in collaboration with other professional service providers.

Consumers

Just think how much consumers have changed in the last 60 years. Over that period we have witnessed a cultural shift amongst consumers that has ended the deferential culture towards professional service providers. Advances in literacy and widened access to higher education have made consumers better-informed and more assertive than ever before. This has brought with it new demands for information and guidance to enable consumers to assess their position before accessing formal legal advice. A useful benchmark is to consider how much the internet has changed the face of retail finance over the past 15 years and to imagine that scale and pace of change replicated over the next fifteen years. We might ask ourselves what makes legal services immune to the kind of technological and cultural change that affects other service providers: broadly speaking lawyers still work in the same way today as they did 60 years ago. Many firms still view legal advice delivered over the telephone as innovative in the context of a business model that still tends to privilege



face-to-face communication with a client base that is both local and small business-orientated. Consumer expectations are changing across all sectors and industries, those legal services providers who are willing to experiment and innovate will set the pace for all the others.

Complaints handling

Too many lawyers still see complaints as a professional misconduct issue. Data relating to complaints is one of the purest and most vital sources of information the profession has to measure and improve its own performance. One of the most lamentable failings of the regulatory maze that existed prior to the new Legal Services Act regime was its complexity and the degree to which it atomized the profession. This not only discouraged complaints but also effectively shut down a rich information source which would have helped lawyers learn what customers value and where they weren't delivering. The new Legal Ombudsman scheme will rebalance the complaints-handling system for both consumers and practitioners, but future lawyers need to do more to learn from what trends in complaints say about both the service delivered and gaps in the marketplace.

Technology

The pace of technological change will quicken rather than abate. Telephone, internet, web, social media, semantic web – these are all game changers for mass-market services.

What do legal educators need to do?

Equipping the workforce of the near future for the demands of the new environment means facing up to these changes. The more I talk to legal educators the more I learn about what they are doing to meet these challenges. The following is a distillation of some of the best ideas I've culled from legal educators on how to reshape learning to navigate the changed marketplace:

- Remain well-informed, however quickly things keep changing – know what is happening ahead of students; don't just keep to the comfort zone of how lawyers have been traditionally trained.
- Map the likely lawyers of the future and review your course to see if it delivers them.
- Make sure students are prepared for a changing world – give them a legal process or service and ask them to map it, design the service and build up the kind of organisation they feel has the capacity to deliver it. It would be interesting to see how many choose the partnership model.
- Create links to other courses and departments through developing more joint honours courses or optional modules in business development, management, IT, leadership and others. Only through injecting these skills into the legal services context can we help students develop the commercial awareness and business acumen they're going to need in the new world.
- Help students get connected to new types of business. It would be interesting to see what proportion of students only do work experience at firms grounded in the partnership business model. Help them take advantage of opportunities to see different businesses in action through forging links with organisations such as A4E, Co-Operative Legal Services and the many legal call centre services. They can still go on to work in the more traditional business model but will take with them the experience of having seen services delivered in different, and often more consumer-focused, ways.
- Some have questioned what safeguards will be embedded as more and more multi-disciplinary practices emerge, particularly to protect the professional principles when lawyers work in a hierarchy which also includes non-lawyers. This creates new challenges for the ethics modules, meaning we need to teach these elements in a new way to equip students for the challenges that come with competition and commercial pressure.
- Embrace change because if you don't someone else will!

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Providing a well-balanced diet: lessons from student extra-curricular activities?

As the current economic climate makes securing employment an ever more competitive task, students are increasingly demanding opportunities to differentiate themselves from their contemporaries. In this feature **Lydia Bleasdale Hill** and **Carole McCartney** question whether legal educators should be doing more to provide students with opportunities to gain skills and experience that will enhance their employability as part of their degree course, or whether the responsibility for accessing and undertaking such activities should remain with the individual student.

Demands for innovation in teaching and assessment are becoming more urgent as plagiarism increases and expectations of student 'customers' and employers are rising. Students increasingly demand the chance to 'do' things during their degree – over and above the traditional diet of lectures and seminars. These demands pose a dilemma for law educators: are we providing a well-balanced diet, with all the skills now demanded of a 'job-ready law graduate' – i.e. 'traditional' study skills; legal professional skills; enterprise skills; other transferable skills, as well as providing opportunities for engaging with the local community and employers? Or should some of these be left to students to seek outside of their degree?

Demands for innovative, high-quality teaching with contextual and 'experiential' learning require educators to address both the content of law courses, and their delivery and assessment. The clinical legal movement in the UK, well established in other jurisdictions, remains limited, yet is increasingly seen as successful in providing a range of learning opportunities. In addition to this, other 'pro bono' projects may offer further ideas on degree course content and delivery, providing a range of opportunities for experiential 'deep' learning; novel assessment; reflective learning; critical skills development; and the introduction of 'enterprise skills', employability issues and information literacy. Such projects can also promote advanced communication skills, encourage team-working and the development of innovative ideas, as well as exposing students to greater contact with the community and employers.

The law school at the University of Leeds, in common with many others, has developed a range of extra-curricular opportunities including; a legal advice clinic, an Innocence Project (UoLIP), Streetlaw activities, annual

corporate social responsibility projects, and other more generic volunteering activities. These have been developed with several aims, one of which is to enable students to acquire skills that may not ordinarily be acquired during their law degree. In a small pilot project at Leeds, we hoped to understand what students gain from such extra-curricular activities, and whether this could highlight pedagogical omissions from their degree. In the pilot study, which is the first in a series undertaken as part of a university teaching fellowship we introduced pre- and post-surveys for the students joining the Innocence Project (UoLIP) and the Student Legal Advice Clinic. The projects are voluntary, but places are competitive, with students working for one year on whichever project they are selected for. Both the entry and exit survey asked the students to assess their skills, thereby allowing some cursory examination of the extent to which those skills had improved over the course of each project.

The exit surveys were only completed by 30 students, making conclusions tentative. However, it could be seen that there were improvements across almost all of the skills identified. There were areas that students clearly highlighted as those in which they had improved significantly, including:

- **Group working:** many students reported that they had learnt from, and enjoyed working as a group with comments including that the experience: "has improved my ability to work with others" and; "now I enjoy working in a team and see the benefits of it more";
- **Research skills:** surprisingly, in light of the existing emphasis placed on research during the course of their degree, students claimed to have further enhanced their research skills, commenting that they had become "more efficient when researching";



- Presenting legal arguments and acting professionally: students claimed that they had sharpened their presentation skills, with many also stating that they had learnt 'how to be a solicitor' (and, perhaps more importantly, how to act ethically and professionally);
- Applying the law to problems; administrative skills/organisation: work on the Clinic/UoLIP appeared to benefit students in applying the law as well as introducing (for most of them) organisation and administrative skills;
- Confidence: almost half the students said that working on the clinic/UoLIP had enhanced their confidence in their abilities.

While work on discovering what benefits students derive from extra-curricular activities that they do not undertake as part of their formal degree course is ongoing, we believe it is already raising some provocative questions for law educators. Do we want to incorporate such pro bono work within the curriculum, or is it preferable for students to gain these skills either outside of their law degree or during the professional stage of training? Feedback obtained from students at Leeds is very clear: they do not want what are currently extra-curricular activities to form

part of an assessed module. This has been repeatedly stated by students taking part in the Clinic and UoLIP, and was also clear from a separate survey conducted with students on pro bono projects: the sample is again small (31), but 23 said they did not want pro bono projects to form part of a module, with only 8 saying they would with one student choosing to abstain. The following student's comment was typical:

"Whilst pro bono work can take up quite a bit of spare time and it could be useful for that to form part of the degree, I personally would not want it to be a credit-bearing module because I think that the reason employers like to see participation in pro bono activities is because students do it out of choice and in their spare time - it shows that they have self-motivation and good time management. I think that if students did it because they had to, it would not be quite as valuable."

The challenge then is how we ensure that all students are able to gain these skills during their degree while at the same time ensure such activities are sustained (and ideally expanded) during tough economic times.

Lydia Bleasdale-Hill

(L.K.BleasdaleHill@leeds.ac.uk) and **Carole McCartney** (C.I.McCartney@leeds.ac.uk) are respectively Lecturer and Senior Lecturer in Law at the University of Leeds. This paper draws on work each author has undertaken as part of a University Teaching Fellowship at Leeds. For further information on the projects in which Lydia and Carole are involved see: www.leeds.ac.uk/sddu/lt/fellowship/2008_09/1_bleasdalehill.html and www.leeds.ac.uk/sddu/lt/fellowship/2007_08/c_mccartney.html

Street Law – the student perspective

Beccy Berryman, Samantha Atkinson and Lee Faris have just completed their law degrees at the University of the West of England (UWE). In this article they describe their experiences of taking part in the Street Law pro-bono programme at UWE and the benefits that they have gained from it in terms both of their own personal development and the encouragement they have given to others to study law. In addition to writing this article, the authors gave a presentation on their experiences at the Socio-Legal Studies Association (SLSA) Annual Conference in March.

Street Law at UWE involves groups of students, supported by a tutor, researching an area of law and giving presentations or advice to community groups. A lot of the work has been with schools and colleges. Our particular project involved delivering interactive sessions to young people. The aim was to raise their aspirations and encourage those whose parents may not have been to university to consider it as an option.



Beccy got involved in Street Law in her second year. Sue Heenan, one of our law tutors, was organising a mock trial for year six school children. When Beccy heard about this she was keen to

take part and ended up doing most of the organisation:

You may be wondering what I really got out of doing this except sleepless nights! It taught me so much, from the most obvious such as organisation and forward planning skills, to being innovative in my approach. It was an opportunity to take on responsibility and taught me a lot about the importance of communication and what it takes to be a team leader.

Ultimately we are all looking for that ideal job which will always involve going through an interview! Experiences such as Street Law not only help develop personal skills but also arm you with examples to which you can turn in answering those awkward interview questions.

As a result of the success of the pro bono projects at UWE we were invited to attend the Attorney General's Pro Bono Awards

2010 in which we received the runner up prize for Best Contribution by a Law School. I personally met the Attorney-General. What a conversation starter that is!

From a young age Lee had been interested and actively involved in charitable and voluntary work, ranging from Beaver scouts leadership to organising day trips for children with learning difficulties. However, trying to fit this passion in with full time study for a law degree can be challenging. As undergraduates we are continually told we need to: "network", "moot", "join societies" and on top of all this read as many law reports as is humanly possible. This is where Street Law fits in:

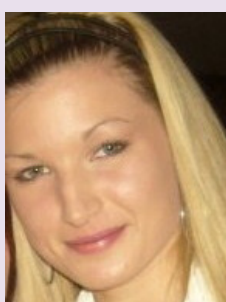
Street Law has enabled me not only to provide voluntary services, but also to enhance my own employability.

I wasn't sure that I wanted to pursue a career in law and was considering early childhood education. The Street Law programme has allowed me to work with primary school aged children (which has directly influenced my passion for teaching), and has given me transferable skills vital in any modern classroom (or indeed any employment setting). Street Law has enabled me to develop my team working skills and personal qualities, including things such as being able to differentiate activities according to the abilities of those in the group, and to empathise with colleagues' workloads, etc.

Street Law works in a way that means it can be adapted to work with the strengths of the students involved, whilst also allowing us to develop the areas where we feel we may need extra experience, for example, in developing confidence, co-operation and organisational skills.



UWE Street Law at the House of Lords for the Attorney General's Student Pro Bono Awards



Samantha has always been a strong academic student but Street Law provided her with the opportunity to reach out and develop other skills essential for success in the

highly competitive legal world:

The transition from school to university is quite difficult, particularly if you have come straight from sixth form. Everything you have known changes. Once you finally get to grips with things, time has disappeared, and you find yourself nearing the end of the second year of your degree.

Street Law has been an invaluable experience for me. It has acted as a forum to build a range of skills to make me more

employable and as many prospective young lawyers will be equally aware, you need these skills to mark you out from the rest. You need to have law-related experience and you need to be able to convey the strengths such experience brings.

Street Law has helped build my confidence, an essential requirement within the legal world. I never envisaged that, as a student, I would be able to present a paper at the SLSA Conference, but that is exactly what I was able to do as a result of the practice and comfortable environment that Street Law provided.

If you are reading this thinking 'well I really don't have time for this, the most important thing right now is my degree', this is true, BUT we managed to do all this and more, and achieve first class degrees! In case you're thinking we are superhuman, we're

not. We all have reasonable A Level results and we are all from non-privileged backgrounds. Whilst we still find it hard to believe we did so well, in the end our sheer determination and hard work paid off. Beccy has since managed to get a paralegal position at Beachcroft LLP, Lee has gained a sponsored place on a highly competitive PGCE, and Samantha has secured work experience with two leading city firms.

Street Law has been a great experience, not only for those of us featured in this article, but for every person involved in the process, and for those who benefited from the Law Days which we ran. We are so grateful to have had this opportunity. It is a scheme we would strongly recommend to all students and educational institutions.

Giving feedback in the context of large-scale teaching in law

The rising popularity of law as a degree subject presents a range of new challenges for university staff tasked with the delivery of legal education, particularly with regard to providing quality feedback to ever increasing numbers of students. In this feature **Paul James Cardwell** and **Richard Kirkham** outline their innovative intervention which aims to balance the need to respond to student demands for improved levels of feedback with the challenge of keeping staff workloads to a manageable level.

UK law schools have undergone a rapid expansion in student numbers in recent years. Law remains one of the most popular subject choices through the UCAS system – and entry grades for law are generally among the highest demanded by any university. Law schools attract some of the brightest and most high achieving students from both the UK and overseas, whose expectations of staff and their degree courses are correspondingly high.

Once students arrive, they face a university experience which is very different from that experienced by most university staff in their student days, even as recently as the 1990s. The size of lecture groups can be more akin to those law schools found in France and Germany than the traditional, generally small-scale teaching which was once the norm in the UK. For first year students, many away from home for the first time, this can be a bewildering experience. For staff, it is increasingly difficult to maintain adequate levels of contact between students and tutors alongside balancing other teaching and research tasks.

Reading for any degree is a challenge but successfully studying law requires the acquisition of specific skills. As students realise this they demand increased feedback on their performance, a demand that is reflected in its inclusion as a performance measure in the National Student Survey. Yet the number of hours in the day for staff to deal effectively with the demand for feedback is falling as staff/student ratios go up and the pressure to deliver quality research intensifies.

We are lecturers in public law, a subject that many first year students find baffling. Constitutional theory, the election system and freedom of information are not the kind of thing that most undergraduate students expect to be confronted with. Students

generally expect a law degree to focus on criminal, commercial and perhaps EU or international law – not whether Dicey's theory of Parliamentary Sovereignty is still relevant today. Much of the detail of public law is frustratingly open to interpretation, and an added complication is presented by the fact that the enforcement mechanisms involved often have more to do with political practice than the application of law through the courts.

Taking all of these factors together, the risk is that the typical student may feel lost in the mix when studying public law. At Sheffield, we have one of the largest annual intakes of undergraduate law students in the UK. This has forced us to find new ways to confront the challenge of giving meaningful feedback in a manner that does not impinge too greatly on staff time. We have approached this challenge as an opportunity to hone the skills required by students to pass exams and eventually to proceed to legal or non-legal careers. The skills we identified as most in need of improvement in the formative stages of legal study were problem-solving, case law analysis and the ability to apply the law to varying factual scenarios.

Our solution to address this was to create an interactive programme using Blackboard. At their own pace, students complete a number of different steps. The first set of steps provides skills-based advice and requires students to read cases and demonstrate an understanding of them. The next steps present different parts of a problem question and provide sample answers of varying quality against which students can compare their performance. The objective is for students to answer the question themselves and, once completed, gain access to sample answers which they are invited to analyse, mark and compare with their own work. The programme then provides critical feedback on the sample



answers given which students can use to assess their own performance. As all the sample answers are deficient in some respect, the aim is for students to learn from being shown the many common errors of method that are adopted by students, rather than being invited to copy a 'model answer'. In requiring students to match up what they think is good or bad about an answer, we are also able to see where students believe the marks lie – and this in the main seems to revolve around factual content, rather than applying case-law to the problem scenarios. Such findings we are able to feedback through the interactive programme.

Once the student has completed all the automated steps, they are confronted with a previous examination problem question and asked to submit their answer online. Students are then provided with feedback in a more traditional, personalised

form. They receive detailed, individual feedback from tutors on their responses and particular attention is paid to areas for improvement as well as generic skills, such as good grammar and syntax. Where common errors are committed by the student, we refer them directly back to the interactive programme where the error in method has already been explained.

In evaluating the results of the project, we found several encouraging results. We found that despite the exercise not contributing to a student's overall mark, 85% of students completed some or all stages of the programme. More encouragingly still, all the students who achieved the top 5 – 10 % of marks had undertaken all the steps. Perhaps unsurprisingly we also found an extremely strong correlation between those students who failed the exam and those who did not complete the programme. This indicates

a further advantage of an interactive programme such as this which involves students submitting work through Blackboard. Such an approach enables us to track which students are not completing any of the steps – which in turn allows us to target the students most in need of help – thus reinforcing the pastoral side to University education in the context of large-scale teaching.

Paul James Cardwell (p.cardwell@sheffield.ac.uk) and **Richard Kirkham** (r.m.kirkham@sheffield.ac.uk) are both Lecturers in Law at the University of Sheffield. The Feedback Project in Public Law was funded through the University of Sheffield's Learning and Teaching Development Grant scheme.

Internationalisation and enhancement of employability - tackling the decline of UK based dual qualification programmes in law

Dual qualification programmes in law can be defined as a single programme of study where the graduate is awarded an LLB (for the UK law part) and another qualifying degree from a partner institution teaching in a language other than English (for the non-UK law part). Such programmes are a rarity. Yet this is not what one would expect from policy developments at European level, which promote mobility and joint degrees and feature a commitment to making Europe a competitive and knowledge-based economy. Greta Bosch reports on research into dual qualification programmes and speculates as to how their decline might be reversed.

A UKCLE funded project looked into the reasons why numbers on such UK-based degrees are low, and why there is a trend among UK universities to close such programmes down. The research examined:

- If more needs to be done to support home and international students applying to dual qualification programmes and the universities offering them.
- How problematic the necessity for an additional language as the medium of instruction is and how this can be addressed.
- Whether there are professional barriers to employability once the dual qualification is obtained.

The research found that language and work intensity are seen as the major challenges by students. On the other hand the benefits of transferrable skills and superior language competence seem to outweigh this. The students feel confident about their employability. This is confirmed by statistics which indicate 100% employability for students graduating with these degrees.

Work intensity and increased administration are seen as major challenges by staff involved with the organization and teaching of dual qualification programmes. It is often described as a 'labour of love'. Increased workload is apparent with regards

to selection, teaching and mentoring students as well as liaison with exchange universities. Nevertheless, most staff interviewed stated that they had sufficient administrative support.

Clearly, especially in the current climate, economic viability continues to be an issue for universities: numbers on these degrees are low, staff workload is high. Can more be done to strengthen these programmes?

Barriers to lawyers' mobility have been struck down in the EU, and it is hoped that lawyers' professional mobility at international level will be improved through the World Trade Organization's General Agreement on Trade in Services (GATS). Thus, professional integration within the European Union generally has become easier and the situation is continuing to improve. In this context the potential market value of these graduates should increase.

Student numbers might be increased by promoting the modules more intensively, providing greater assistance during a tailored admission procedure (interviews would be ideal) and providing language support. Staff could be assisted by the provision of more administrative help. Such measures would require greater investment in such degrees. Arguably investment could offer a significant return for universities and the students involved. Dual qualification degrees enhance students' skills, boost employability statistics, and can contribute to a tightly knit alumni body. Overall, I suggest that the benefits of these, comparably small degrees, are vast. An investment in the admission and running of dual qualification degrees will feed directly into internationalisation and employability agendas, and, in the long run, they can enhance a university's reputation and visibility on the international stage.

Dr Greta Bosch (G.S.Bosch@exeter.ac.uk) is a Senior Teaching Fellow in the School of Law at the University of Exeter.

Legal education and training – a practical guide for law firms by Melissa Hardee

(London, LexisNexis, 2010) ISBN: 978-1-4057-4622-9; xxxvi + 483pp

Melissa Hardee's book markets itself as "the complete guide to training solicitors in England, Wales and Scotland" and does a creditable job of living up to its own billing. This is a substantial piece of work. The book is divided into five sections which focus respectively on management issues (essentially, the importance of getting training 'right' in law firms); regulation; designing and delivering training, (and the related) meeting training needs, and, lastly, on the "training function", that is, the range of strategic, operational and financial responsibilities that go with being a training organisation. The overall approach is detailed where necessary, practical and unashamedly pro-training. Hardee makes a cogent case, so far as I can assess, that training must be treated as a core part of business strategy, not an optional extra that can be sliced and diced when times are hard.

The largest single part of the book – some 240 pages – focuses on the structure and regulation of legal education and training. Given the pace of change in both England and Wales and Scotland, Hardee has done an excellent job in pulling together the new regulatory framework. Whilst these parts of the book will age quite rapidly, particularly in Scotland, where new admission and training requirements start to come into operation over the next year or so, the effort is nevertheless to be welcomed.

For this reviewer there are also some weaker features. The presentation is quite text-heavy at times, and (even) more use of bulleted lists and tables might have helped break it down. Part C – on designing and delivering training – is perhaps the least successful part of the book. This is a difficult element to pitch correctly, particularly in a text with such a potentially wide-ranging audience. Whether one is writing for law firm 'managers' who need to understand more about how training works, or for experienced or new trainers does

Learning in Law Annual Conference

28-29 January 2011

Experiencing legal education



Following on from the success of the Learning in Law Annual Conference 2010 we are looking forward to welcoming colleagues back to Warwick on 28-29 January 2011 to enjoy another stimulating programme on the topic of 'experiencing legal education'.

Proposals are invited for individual papers, interactive workshops, discussion forums and poster presentations which address issues falling within the main conference themes:

- The impact of the National Student Survey
- How we can improve student engagement
- Concerns about education for sustainable development
- The external examiner system

Join us

New deadline for abstracts, including biographies: Friday 17 September 2010. All abstracts will be subject to academic peer review. Decisions will be communicated to the lead proposer by 8 October 2010.

Abstracts should be submitted to Melanie Hughes, email: melanie.hughes@warwick.ac.uk. In the meantime, or if you would like to discuss a contribution informally, please contact **Patricia McKellar**, email: patricia.mckellar@warwick.ac.uk.

Deadline for abstracts: 17 September 2010

Early bird booking deadline: 20 November 2010

Further information from: www.ukcle.ac.uk/event/learning-in-law-annual-conference-2011

Keynote speaker

We are delighted to announce that this year's keynote address will be delivered by Professor John Brennan, Director of the Centre for Higher Education Research and Information (CHERI) and Professor of Higher Education Research at The Open University.



Professor John Brennan has directed and participated in many national and international projects on topics such as graduate employment, quality assurance, universities and social transformation. His funded work includes projects on 'The Social and Organisational Mediation of University Learning' and 'Higher Education and Regional Transformation - social and cultural perspectives', plus the UK end of an international project on 'The Changing Academic Profession'. He has recently also led the development of a new research programme on 'Higher Education and Social Change'. He has published several books and many reports and articles on higher education and has spoken at countless conferences on higher education in the UK and many other parts of the world. Prior to joining the Open University in 1992, he was Director of the Quality Support Group at the Council for National Academic Awards and has held academic posts at Lancaster University and Teesside Polytechnic. By training a sociologist, he is a founder member of the Consortium of Higher Education Researchers and member of several other higher education research groups. In December 2005, he was elected a Fellow of the Society for Research into Higher Education.

Venue

The conference will be held in the Panorama Suite, Rootes Building at the University of Warwick with the conference dinner and overnight accommodation provided in Radcliffe House on the University of Warwick campus.

LAW TEACHER OF THE YEAR 2011

The conference will once again play host to the final of the Law Teacher of the Year competition, with the award being presented to the winner at the conference dinner on Friday 28 January. The Law Teacher of the Year is sponsored by Oxford University Press in association with the UK Centre for Legal Education. The award is designed to recognise the vital role that teachers play in the education of tomorrow's lawyers, and to reward achievement in teaching.

Student poster competition – win an Apple iPad!

UKCLE is delighted to call for entries to our first poster competition where we are inviting students, registered on an undergraduate course of study in law at a UK public higher education institution, to design and submit posters on the conference theme of 'Experiencing Legal Education'. Posters should be submitted by Friday 3 December as a pdf and the shortlisted posters will be printed by UKCLE in A1 format and displayed at the Annual Conference on 28 & 29 January 2011. The prize of an iPad will be awarded during the conference. More details from the UKCLE website at: www.ukcle.ac.uk/students/student-poster-competition

make a difference. As an introductory guide for law firm managers, and perhaps for those looking to enter into the legal training market as providers, there is undoubtedly some value in these pages (particularly in the pithy advice in chapter 17, on what makes training effective for solicitors), but I do wonder whether more experienced trainers will gain much from it. I would also have liked the author to have conveyed rather more of what is going on in the modern law degree. There is a far greater variety of learning experiences than even 10-15 years ago, and some firms seem woefully unaware of some of the opportunities that are available to today's students. Some reflection of this (in chapter 19, for example) might have performed a useful service to firms and law schools alike.

This book is not, of course, written for those of us in universities and colleges as such. Nevertheless there are useful things here. Programme leaders and managers at the academic or vocational stage, who need to understand the fuller regulatory context should certainly find this guide helpful. There are also points where it is sometimes salutary, sometimes slightly depressing, to read what someone taking a more 'law firm' perspective thinks about our endeavours – but still grist to the mill when we are thinking about the functions of legal education and training!

Julian Webb

UK Centre for Legal Education

Call for reviewers

In this new feature for Directions we will offer reviews of

- new texts focusing specifically on legal education pedagogy and practice (including policy and regulatory issue)
- new texts on higher education policy and practice that have important implications for legal education
- leading texts in general (higher) education that have been particularly influential for the work of the reviewer

Potential reviewers are invited to contact the Director, Julian Webb (julian.webb@warwick.ac.uk) to express their interest. Authors or publishers should send books for review to: Reviews Editor, UK Centre for Legal Education, University of Warwick, Coventry, CV4 7AL.

The UKCLE events diary covers events with a legal education or general learning and teaching focus. For the latest listing and links, access the diary at:

www.ukcle.ac.uk/newsevents/diary.html

To add your event contact: ukcle@warwick.ac.uk

7-9 September 2010

ALT-C: Association for Learning Technology Conference 2010: 'Into something rich and strange'- making sense of the sea change
See: www.alt.ac.uk/altc2010/

9 September 2010

Funding legal education in a post-recession Britain Contact: Douglas Mill, School of Law, University of Glasgow
email: d.mill@lbss.gla.ac.uk
tel: 0141 330 3168

13-16 September 2010

Society of Legal Scholars Annual Conference
See: www.legalscholars.ac.uk/southampton/index.cfm

19-22 October 2010

ISSOTL: International Society for the Scholarship of Teaching and Learning Conference 2010: Global theories and local practices: institutional, disciplinary and cultural variation
See: www.issotl.org/conferences.html

20 October 2010

Legal education and scholarship: a workshop in honour of William Twining
Institute of Advanced Legal Studies, University of London.
See: www.sas.ac.uk/events/view/8054

25-26 October 2010

PRHE10: International Pedagogical Research in Higher Education Conference 2010: Research-teaching linkages to enhance student learning
See: www.hope.ac.uk/learningandteaching/lat.php?page=prhe¤t=prhe

3 November 2010

Exploring the 'socio' of socio-legal studies
See: www.kent.ac.uk/nlsa/content/view/253/282/

3-4 November 2010

National Law Students Forum
See: www.ukcle.ac.uk/event/student-forum

The copy deadline for the next issue of Directions is 30 July 2010. If you would like to discuss a potential contribution, please e-mail ukcle@warwick.ac.uk, and we will contact you.

News items and other contributions should be submitted by e-mail as a Word document.

10 November 2010

Inaugural meeting of UKCLE's Islamic Law Special Interest Group
University of Warwick.
Details to be announced on the UKCLE website

24 November 2010

Second Annual Day Conference on Scottish Legal Education
The Teachers Building, Glasgow.
Details to be announced on the UKCLE website

14-16 December 2010

SRHE: Society for Research into Higher Education, Annual Research Conference
See: www.srhe.ac.uk/conference2010/

28-29 January 2011

Learning in Law Annual Conference
See: www.ukcle.ac.uk/conference2011

24-25 February 2011

CHULS: Committee of Heads of University Law Schools event 2011
See: www.ukcle.ac.uk/CHULS2011

The copy deadline for the next issue of Directions is 10 February 2011. If you would like to discuss a potential contribution, please e-mail ukcle@warwick.ac.uk, and we will contact you.

New items and ideas for features, reviews, or other contributions are all welcomed. Contributions should be submitted by e-mail as a Word document.

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