

### **The Lord Chancellor's advisory committee on legal education and the legal profession**

Lord Griffiths of Govilon M.C.  
[See Enrolment Policies]

## **PURPOSE**

### **Holding us all together: law in the humanistic dialogue**

R Strickland

94 *AALS Nltr* 2, April 1994, 1

The President of the AALS considers the current "national conversation" about what is it that holds the country together and drives it apart. He considers what role legal education can play. He says law is central to the humanities and the humanities are central to the law. He encourages faculty and students to explore questions about the humanistic aspects of the law discipline. He urges that law teachers cannot lose the human valuing dimension of law. The current pressure to produce better trained technicians means that law schools can lose sight of the need for all graduates of law to be humanists.

## **RESEARCH**

[no material in this edition]

## **RESOURCES**

[no material in this edition]

## **SKILLS**

### **Are skills really frills?**

N Gold

11 *J Prof L Educ* 1, pp 1-11

There has been a "rush" to a skills-based curriculum in many countries.

The author outlines a brief rationale for teaching skills, and discusses the resistance to skills teaching, and the basis of the skills agenda in law teaching. He notes that skills training can respond to the professions' complaint that new graduates are unskilful; although the professions often resist attempts to remedy the deficiency.

He says the shift in orientation has been away from learning only law and procedure to more wide-ranging courses where professionalism, skilfulness and knowledge are combined. He says there is a richness to these new courses which no longer isolates law from its contexts of operation and which provide meaningful and practical examples with which students may grapple.

After describing different categories of lawyers' skills, the author discusses decision-making and intellectual skills. He points out that the traditional role of higher education has been not the mastery of technical detail but the acquisition of such skills as logic, persuasion, criticism, extrapolation and hypothesis, and various forms of expression. He urges that as skills as complex, more needs to be known of them, and that teaching them is not the same as teaching law.

### **Instilling skills: are new lawyers prepared to practice?**

5 *Researching Law: an ABF Update* 1, Winter 1994, p 1

Reports on an American Bar Foundation empirical study which looks at the relationship between legal education and the development of skills that lawyers deem essential in their practices.

The study is based on a survey of over 800 recent law graduates in Chicago.

Communication skills were the clear winners as the most important skills. The study identified gaps between what was or could be taught and what were deemed important skills. Using what they called a "misery index", the researchers found that law graduates felt most miserable about their failure to obtain skills in drafting legal documents, and least miserable about their knowledge of the substantive law.

The study also compared its data with the earlier Zemans and Rosenblum study, and found generally that patterns in the two studies were largely consistent, but some differences.

### **Skills demonstrations: Where 'show' works better than 'tell'**

D Cruickshank

28 *Law Teacher*, 1, 1994, pp 13-21

Demonstrations of lawyering skills have been found to be of use in continuing legal education (CLE) or practical legal training (PLT) courses. Demonstrations show the specific application of a skill, inspire participants, provide a focal point for discussion and critique of a skill, and relieve anxiety about a participant's ensuing performance of a skill. A demonstration should be placed after the elements of the skill have been described and before the discussion, review or practice of the skill by the participant. Demonstrations should not be greater than 40 minutes, should be realistic, present a positive example and meet the skill criteria. Furthermore, the substantive or procedural points

should be simple, gender neutral terms should be used and professional responsibility issues should be addressed where they arise. Demonstrations may be live or videotaped and may demonstrate both written and oral skills.

## STATISTICS

### **An oversupply of law graduates? Putting the statistics in context.**

C Parker

4 *Legal Educ Rev*, 2, 1993, pp 255-271

It is often said that there are as many law students as there are lawyers. A closer look at the statistics indicates that the previous statement is an over-simplification of the situation and that the real story is less alarming. Firstly, defining the term lawyer is notoriously difficult. However, for the present purpose, lawyers are those recognised as legal practitioners by professional associations. Secondly, determining the number of law students is also difficult. Many universities offering combined law degree courses may or may not classify students in these courses as law students. Adding to the number of law students are those seeking legal qualifications by means other than enrolling in university degree courses. Thirdly, the number of law students is not indicative of the number of law graduates. For example, in 1991 13,370 law degree students enrolled, but only 2,500 completed their law degrees. Fourthly, the original assertion is flawed at a more fundamental level in that it assumes that all law graduates go into traditional legal practice, ignoring the fact that many law graduates will pursue a career in government, publishing,

community legal centres, teaching, corporations or on the bench.

Further dispelling the fear that there will be insufficient positions for law graduates is the fact that 96.3% of law graduates were employed six months after graduation. To finally lay to rest the "glut of lawyers" phobia, the statistics reveal that it is simply not true that there are as many law students as lawyers. The actual figure is two law students for every three practitioners.

## STUDENTS

### **Equal opportunities at the Inns of Court School of Law: Final Report**

Committee of Inquiry into Equal Opportunity Practices on the Bar Vocational Course

April 1994, 155 pages (107 pages of report, 48 pages appendices)

In the United Kingdom in 1989 the Bar Final Examinations were replaced by the Bar Vocational Course (BVC), designed to teach entrants to the profession the skills necessary for practice, rather than to supplement the academic knowledge gained through a degree. The report addresses the disparity in pass rates between black or ethnic minority students and white students taking the recently introduced BVC. This investigation necessitated an examination of the practices and policies of the Inns of Court Law Schools (ICLS) and the Council for Legal Education (CLE).

It was found that direct or indirect racial discrimination was absent from the BVC and so the disparity in pass rates was not due to the teaching methods of the CLE or the ICLS. The committee then sought to determine what other factors may

explain the disparity. Educational history of the candidate, gaining of pupillage, level of debt, absence of a library at the CLE, location of the CLE in London only and psychological isolation of students are a few of the factors that may contribute to the disparity.

The report is divided into sections detailing the membership of the committee, the conclusions and recommendations of the committee, statistical analysis, teaching, assessment and review, student welfare and counselling, student complaints, and an outline of an equal opportunities policy for the BVC.

## TEACHERS

### **Evaluation of teaching in law schools**

P T Wangerin

11 *J Prof L Educ* 1, pp 87-136 \*  
Anecdotal evidence suggests that many law school teachers strenuously resist institutional attempts to evaluate teaching itself. Thus, anecdotal experience also suggests, most law school teachers respond favourably to essays such as the recent one by Richard Abel in the *Journal of Legal Education* (1990), an essay strongly critical of the use of "student evaluations" of teaching. Notwithstanding these facts, however, powerful forces from outside of the law school community seem likely in the near future to prompt many law schools at least to consider the creation of comprehensive teaching evaluation programs. The present analysis, which relies on ideas contained in literature describing teaching evaluation programs in many different kinds of schools, briefly