

Interim Response:

We welcome the opportunity to respond to the Discussion Paper

We note that the remit of the Review is to examine the requirements of the legal education and training in the delivery of the regulatory objectives set out in the legal services Act 2007, which include encouraging an independent, strong, diverse and effective legal profession.

We particularly welcome the following:

- That any recommendations will have regard to an education and training system that enables flexible, ongoing education and training options
- That the recommendations for change must so far as is possible be evidence based
- That the recommendations must
 - o be proportionate
 - o not be anti-competitive
 - o avoid any negative impact on and, so far as is possible, enhance equality and diversity

We also support the recognition of the importance of technology as a platform for 'providing access to legal education, and enabling deeper learning of many aspects of knowledge, skills and values' (par 88).

Context for this response:

The University of London itself was established in 1836 and is one of the oldest, largest and most diverse universities in the UK. Its founding principle is to provide education for all, irrespective of race, creed or political belief. In 1858, the University of London was granted its fourth Charter, which paved the way for the establishment of the University of London External System, which became known as the University of London International Programmes from 1 August 2010. The University of London International Programmes is the world's oldest provider of degrees through distance and flexible learning. The International Programmes has been instrumental in the formation of British higher education – all English and Welsh universities founded between 1849 and 1949 offered University of London degrees before obtaining Royal Charters to award their own degrees. Today, the University of London International Programmes is a unique global network of more than 50,000 students in 180 countries, on 100+ study programmes.

The UoL International Programmes Laws Programme is governed academically by the six University of London Colleges with Law Schools or Departments. Collectively they are known as the Laws Consortium. The degree in English Law (the LLB) has been offered through the International Programmes (formerly the 'external system') since the 1890s and many graduates have gone on to become senior members of the judiciary, politicians or senior figures in the business and commercial world in a number of countries.

The University of London u/g laws programme is the largest provider of legal education in the UK. We currently have some 18,000 students studying our programmes, including some 14500 registered for the LLB. Of those studying for the LLB some 5200 graduate entrants. Each year we have around 1800 graduates (For the LLB and our Diplomas), including around 550 who graduate with the QLD LLB.

The majority of our students are not based in the UK and have no intention of relocating to the UK or of practising law in England or Wales. Some are UK residents based abroad, but the vast majority are nationals of other countries who study the UoL programme for

reasons that include: lack of access to local LLB/law degree providers; the reputation of the degree for high standards; potential international career opportunities offered through possessing a high quality English law degree (particularly in the commercial / international trade sphere), to enhance their career status with a view to promotion or increased standing.

It is within this context of a truly international LLB programme that we make the following comments:

The UoL IP LLB degree is recognised in full or part for the purposes of entering the local legal profession in many of the countries where we have students. These countries do not generally require our students to have a QLD LLB. Increasingly however we are seeing overseas students opting to take the QLD route, not because they want to be qualify as a legal practitioner in England and Wales, but simply in order to 'keep their options open.' Others are doing so because they are concerned that their local regulator/s (be they Higher Education and / or legal profession regulators) will not recognise their qualification unless it is 'fully recognised' in the UK. This has the effect of limiting the range of optional subjects that they can study - subjects that may be more relevant to their likely career path.

It is clear that the LET regime in England and Wales has been and still is very influential in terms of providing a benchmark against which other regulators make decisions about the structure and/or substantive requirements of the local LET regulatory regimes. The English LLB degree is held in high regard in many countries and graduates are perceived to possess enhanced critical thinking skills and a superior understanding of broad principles of justice (albeit in the common law tradition). Although it is the remit of the review to examine the requirements of legal education and training in the delivery of the regulatory objectives set out in the Legal services Act 2007 (par 1) , we would urge the review not to overlook the potential wider impact of any changes in the UK regulatory framework and especially of any recommendations in relation to the requirements of the academic stage. Furthermore we look forward to any recommended change/s (either as to content or skill/s and competences) where the purpose is clearly articulated and supported by a rationale grounded in sound evidence, which recognises the growing role of technology as providing a valuable platform for providing access to legal education, and which is supported by sound legal educational theory. This would raise the level of debate not just in England and Wales, but also in other jurisdictions also grappling with issues around the regulation and structure of legal education and training.

1. Specifically in relation to the debate around the place of ethics in undergraduate studies (par 65) we are of the view that the emphasis should be on ethics and values of law, rather than professional legal ethics. Ethics and the values of law could promote a much richer knowledge and understanding of the values that underpin different laws and legal systems and is more consistent with a liberal higher education, whereas professional legal ethics could result in a more narrow focus on knowledge of set/s of specific professional rules. The latter is more appropriate to legal training than legal education, whereas the former would be of more value in the national context where many students studying the LLB will not become lawyers and in the international context or where overseas graduates enter their local profession. We would also suggest that the development of a coherent and effective body of values and attitudes in legal education cannot be divorced from an understanding of ethics and the values of law.
2. In terms of the gains and losses listed in par 92 if the academic stage in its current

format is lost, given our context in which the majority of our students are based overseas we would suggest that what is important is not so much the current content of the LLB QLD (local admission requirements vary) but rather the reputation of the LLB QLD for its intellectual rigour, high and secure assessment standards.

3. We think it is right to consider the role of the Foundation subjects. However we also recognise that the u/g degree needs to ensure that students acquire familiarity with the major concept and principles of English common law.
4. The question 'has mission and focus [of the QLD] changed so much that it is no longer adequate as an initial stage of training' seems to us to beg further questions, namely why 'training', and 'training for what'?

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