

CHUK Directions in Legal Education conference June 2016

"Riding madly off in all directions": consistency and convergence in professional legal education

It is possible to see, in professional legal education systems, waves sweeping from continent to continent. The JD continues (arguably) to conquer. Competence statements for the point of qualification are developed in Australia, then appear in Canada and in the UK. CPD systems start to move, albeit slowly, from hours-based to outcomes-based models.

In many cases, however, those waves are of individual components of professional legal education being, in turn, adopted and rejected. The solicitors' professions in England and Wales and in Hong Kong are considering "bar examinations" in the shape of the proposed SQE and CEE. At much the same time, however, the USA problematizes bar examinations and begins to focus on the learning outcomes and experiential learning that is (only too) familiar to those of us from the UK, Australasia and Hong Kong. Something similar can be seen in legal regulation, where professions emerge, merge and disappear over time in different configurations. In England and Wales, legal executives gain the right to practise independently; at roughly the same time, Canada, Scotland and some US states develop regulated paralegal professions.

This presentation will consider the implications of these trends, often apparently taking place in isolation, without reference to other professions or, more specifically, to the experience and expertise of legal colleagues in other jurisdictions. There is, however, a limited set of professional legal education components such as the bar examination; undergraduate or postgraduate law degree; CPE/GDL course; PCLL or LPC type vocational courses; QLTS or OLQE mechanism; training contract or articles, and, it will be suggested, we can do more to examine these components by reference to the global experience. Before we ride madly off in any direction with our legal education structures, it behoves us to examine closely who has been there before, where they went and what they did. And, if they turned back, why.

Biographical details

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Jane Ching is Professor of Professional Legal Education at Nottingham Law School, Nottingham Trent University. She is also director of the school's Centre for Legal Education, which has grown exponentially from its genesis as a grassroots staff development forum into a major focus for innovation and research in her sector. Jane's research and development work has led her far afield. She has led a project for the Solicitors Regulation Authority enabling paralegals to qualify as solicitors by demonstrating their competence in the workplace. She was also a key member of the Legal Education and Training Review research team which, in 2013, made recommendations for changes to the qualification structures for legal practitioners in England and Wales (<http://letr.org.uk/>). She has also worked on a professional legal education projects in the UK, Canada and Mauritius and as a member of the team which carried out the CEE consultation exercise for the Law Society of Hong Kong.