

BAR STANDARDS BOARD

REGULATING BARRISTERS

Bar Professional Training Course Cardiff University Law School Report of monitoring visit, 26 January 2012

Name of Institution	Date of Visit/Meeting
Cardiff University Law School	26 January 2012

Title of Course/award	Nature/status of the course
PG Dip in Bar Professional Training	Second year of Bar Professional Training Course

Numbers/modes approved	Dates of course
84 FT approved places 60 students at the time of visit	Academic Year September 2011 – June 2012

Panel Members	Role and area of primary responsibility
Dr Valerie Shrimplin (Chair)	Head of Education, BSB
Ms Janet Pugh	Education Manager, BSB
Professor. Mike Molan	Legal Academic; member of BPTC Sub-Committee, Chair of the Central Exam Board.
Mr Matthew Nicklin	Barrister, member of the Bar Standards Board
Ms Isobel Mostyn	Education Officer, BSB

HEI Team	Role and area of primary responsibility
Ms Jetsun Lebaschi	Course Director
Mr Ian Brookfield	Director, Centre for Professional Legal Studies
Ms Hannah Walsh	Deputy Course Leader
Ms Kate Hawkins	Professional Tutor
Mr Chris Humphreys	Professional Tutor
Mr Dominic De Saulles	Professional Tutor
Mr Gareth George	Professional Tutor
Ms Michaela Thomas	Professional Tutor
Mr Andrew Jerram	Professional Tutor

Context: The HEI/Provider
<p>The University of Cardiff was established in 1883. It has full degree awarding powers.</p> <p>The BVC ran from 1996 and the BPTC was approved to run from 2010; one of several related law programmes delivered by the Centre for Professional Legal Studies, Cardiff Law School. The course is currently validated for <i>Cardiff University, 26 January 2012</i></p>

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84 full time students. There is an associated academic award, and those who successfully complete the course will be awarded a postgraduate diploma in Bar Professional Training by the University of Cardiff.

This visit was part of the annual monitoring undertaken by the BSB in its regulatory capacity and consisted of meetings with students, teaching staff, the management team and classroom observations. A short tour of resources was also included in the visit.

1. Adherence to course aims, philosophy and standards

Adherence to the aims, philosophy and standards of the Bar Professional Training Course outlined in the 'Blue Book' seemed sound; where areas for improvement were identified by the panel they are included in the report below.

2. Quality management systems

The students who met the panel were all representatives on the Staff Student Liaison Committee and were positive about the effectiveness of this feedback mechanism. They reported that meetings of this group are a good forum for raising student concerns with the Course Leader and felt that the teaching staff and management were very approachable and receptive to feedback. For example, students had raised an issue related to presentation of the Opinion Writing booklet and management responded promptly to this. The management reported that there was a questionnaire completed by each student about each tutor. The data was taken as reliable due to the high level of responses.

The students confirmed that lack of attendance, punctuality and preparation for classes was marked in the register by tutors. Students who were 10 minutes or more late for a class would still be able to attend however it would be noted in the register. Students reported that all absences were explained and that those who were absent could arrange to attend a different teaching session, timetable permitting, in order to make up the work.

The teaching staff reported that they had regular staff meetings and that marking grids and tutor notes were used to ensure consistency of programme delivery. Tutors also contributed to the Annual Monitoring Report (AMR) as well as to responses to external examiner reports via written subject reports.

The last monitoring visit panel (March 2011) recommended that the AMR should be strengthened by providing a strategic overview including a strong narrative account of quality assurance methods. The panel found the AMR much improved and the management team indicated that they would welcome suggestions for further development of the analysis sections.

The panel noted that the institution's response to their External Examiners' reports in the previous year had not yet been sent to External Examiners and the BSB. The panel clarified that all External Examiners (including those outgoing) should receive a response to their reports and that the BSB should be sent a copy of the response. The management team indicated that this would be completed.

3. Staffing and staff development

Cardiff has a relatively small teaching team and six tutors were available to meet the panel. They reported that the small size of their team was positive in that they all work closely together, with most tutors teaching most subjects. However, both the management team and the teaching staff reported that there was a high workload for tutors to manage. The management team confirmed that a teaching workload matrix had been developed. The workload model took account of the marking workload and assisted with timetable drafting.

The students indicated that they found staff very approachable and stressed that the tutors dedicated much time to them both inside and outside of classes. They found the low student: staff ratio was a strength.

The staff has regular meetings to discuss the quality and consistency of their marking and ensure consistent programme delivery. The panel was interested to know how management shared information with their team. Management reported that they have a process of forwarding emails and relevant documents from the BSB to

Confirmed

subject leaders in order to discuss them further. It was stressed that as a small team, the staff and management were in constant dialogue.

4. Curriculum content and structure

The course was being taught in accordance with the Blue Book.

Teaching staff reported challenges in relation to the centrally set assessments, in particular to do with syllabus interpretation. Their concern centred on the breadth of syllabi in the knowledge areas and the difficulty in ensuring that Cardiff's teaching team had interpreted the level of detail required in certain areas in the same way as staff at other BPTC providers, and moreover in the same way as the Chief Examiners of the centrally set assessments. The panel accepted the level of concern with the first year of the new system of assessment design in the knowledge areas.

Staff and students both thought the Professional Ethics learning outcomes in the Blue Book were vague and that it was a complex subject. However, the students found it helpful that at Cardiff some other subjects incorporated Professional Ethics, as they were able to contextualise certain issues.

5. Admissions and student profile

The staff were satisfied with the quality of the student intake and the standard of next year's applicants appears to be even stronger. The staff team indicated that there was a rigorous selection process using a points system. Tutors anticipated that the possible introduction of a Bar Course Aptitude Test could have an effect on the quality of future cohorts, although management had been reasonably encouraged by the profile of the cohort performance on the pilot test. Cardiff indicated their admissions team applied a rigorous checking process in relation to an applicants' English language ability so that it complied with the required standard set by the BSB. Staff confirmed that they sometimes require applicants to demonstrate their written ability in addition to their application form. If there are concerns about an applicant's language skills, then they are required to take IELTS prior to enrolment.

Once the course has commenced if there are concerns about a student's English language ability (or indeed other academic performance), there is dialogue between the student and their personal tutor in order to decide on the way forward. In the case of concern with English language ability, the student would be required to take the IELTS test. Some students improve through English language lessons, while others who fail IELTS are required to withdraw from the course. Students commented that they had not found weak performance of other students to be major problem. They reported that in Small Group Sessions poor preparation by other students was marked in the register.

The management reported that the quality of applicants has improved, including a better 2:1 to 2:2 ratio. There had also been an increase in the number of applicants selecting Cardiff as their first choice. However, the panel noted that this did not convert to actual numbers of enrolled students, which was this year down to 60 (from 69 in AY10-11). The management team indicated that this could be explained through a variety of reasons, such as, some students not taking up the offer at short notice, students with financial difficulties (some defer and work for a year), visa application requirements which had become more complex, not allowing late enrolment, and the rigorous approach to making sure students demonstrate an appropriate level of English language.

Management reported that there were quite a few students who progressed to the BPTC from Cardiff's undergraduate law programme. The majority of the students who met the panel had undertaken an LLB. The teaching staff found no real difference between the abilities of law graduates as opposed to those who undertook a non-law first degree. The students reported that two people on the course had already acquired a pupillage, and that the cohort was well aware of the challenges of obtaining a pupillage.

6. Teaching and Learning (knowledge and skills areas)

The students praised the teaching team for their dedicated efforts. There were mixed views about feedback provided to them as a teaching and learning method. Students reported that although the level of feedback given varies according to the subject, in some areas students mark each other's work/ performance against

Cardiff University, 26 January 2012

Confirmed

assessment criteria. Whilst they found marking to be a useful learning tool, it was difficult to know how to improve one's own performance if it was marked by inexperienced peers. However, students did report that they can submit work (e.g. Opinions) which is marked by staff, and that there is also provision for one-to-one feedback sessions which are very valuable.

As noted earlier in the report the staff raised the matter of centrally set assessments and their impact on teaching and preparing students for exams, in particular, assessments in the knowledge areas with MCQs which is a new form of assessment for Cardiff and has presented the staff with a challenge. The teaching team has adapted to teaching ReDOC, although they have reservations about the link between teaching and assessment on the module. There have been three local external speakers in ReDOC from which the student experience has benefitted.

The panel enquired about the use of the Hampel method in Advocacy. Students indicated that they would like more experience of this method but commented that this was sometimes undertaken on a one-to-one basis, whereas they would like to observe others. The management explained that at the very beginning of the course there is a one-to-one Hampel session to deal with matters particular to individuals who are often completely new to Advocacy, and that otherwise the Hampel method is used in groups of six people. It was also thought that students may have been referring to Conferencing, where there are one-to-one sessions.

7. Standards and assessment strategy and methods (including progression data)

The students confirmed that they have a clear idea about the assessment criteria for all subjects, from the start of the course, although they found it more difficult to know how they are marked in Ethics. They found it valuable to deal with Ethics in other subjects' SAQs as well, because it was helpful to see ethical principles in a variety of contexts.

Staff felt there was a dissonance between the syllabus and what is required of students in the centrally set assessments, as a result of difference of interpretation (discussed in other sections of this report). Staff expressed concern in relation to the learning outcomes of the module ReDOC and the method of assessing the outcomes. The panel noted that a BSB ReDOC Working Group with members from Providers had been set up to review these issues.

The panel discussed career aims with the students. Two people on the course had obtained pupillage at the time of the visit. It was thought that almost all of the non-international students who had embarked on the course intended to become barristers, but that some were now reassessing the situation more realistically, although most were still aiming to become barristers. The students felt that the pro bono opportunities available at Cardiff Law School (due to close ties with the Cardiff circuit) were very helpful in making students more employable.

8. Student support and quality of student experience

The students were especially positive about the size of the cohort, the one-to-one teaching, and the approachability and dedication of staff. They all indicated that they would recommend the course to others.

The students were appreciative of the books and learning materials they are provided with, in particular the Civil and Criminal tutor-written handbooks, which they described as invaluable learning tools.

The opportunity for work experience at Cardiff was also praised as a strength of the course. There was an optional two week marshalling experience on offer, as well as mini-pupillages in the South Wales circuit. Students reported varying experiences with the different Judges but they nevertheless found it positive to have the opportunity.

Students have found it useful that there are Inns representatives on the course who can organise qualifying sessions with the permission of the Inns. Although this can be much work for an individual to organise, it was thought very valuable for a provider based outside London. In addition Gray's Inn had run sessions in Cardiff.

The panel noted that student feedback systems appear to be very effective, through formal mechanisms such as questionnaires, the Staff Student Liaison Committee, and through the approachability and receptiveness of

Confirmed

the management and teaching staff.

9. Learning resources (Library and IT)

The panel toured the library and IT facilities and were satisfied that the resource requirements were being adhered to by Cardiff.

The CPLS library (which is supplementary to the main library for Arts and Humanities) is an appropriate size for the current numbers, with an IT Training Room, a group study room and a silent study room. There is provision to book other rooms for group discussion, where students can also practise using recording equipment. The CPLS library has 40 PCs on the first floor. There had been no disability issues raised with access to the first floor, and there were additional PCs (30) situated on the ground floor in the IT Training Room.

The cost of the library is shared and the BPTC makes a contribution towards it. Future developments including air conditioning were planned for summer 2012.

The librarian reported that there were multiple copies of popular texts, some of these were made available for one-day loans. Fines were imposed if they were not returned (the librarian reported that students returned books as requested). Following feedback from students, there were now many texts available online, with remote access for students.

There did not appear to be a significant noise issue in the library. It was acknowledged that there was some noise around changeover times for classes, however the library staff maintain a quiet atmosphere. When the issue had been previously raised in a Staff Student Liaison Committee meeting, the Course Leader had emailed the students to remind them of the need for quiet in the library, which had been effective.

The teaching rooms were found to be suitable for the numbers of students they needed to accommodate. However, the temperature was colder than desirable and there was some traffic noise disturbance in a class which the panel observed.

10. Equality and diversity

No problems related to equality and diversity emerged during the visit.

Students reported that those with dyslexia may use computers in assessments but that one such student chose to handwrite an assessment with an allowance of extra time as the student found it difficult to use a computer under time pressure.

One student in the group which met the panel was the Equal Opportunities Representative and had organised a welcome back integration evening, which students had been enthusiastic about.

Additional comments

The panel asked students for their views on whether all students should as a matter of course be allowed to undertake Opinion Writing and Drafting assessments on computers. The students identified pros and cons to the suggestion. Whilst it was thought positive to reflect the realities of practice (where computers are used) and to have neater scripts with fewer amendments, there were also practical difficulties associated with formatting, great variances in typing speed, and the possibility of cheating.

Observations	
Observation 1	The panel takes note of the comments made by management, staff and students in relation to the second year of the BPTC (e.g. ReDOC assessment issues).
Observation 2	The panel note suggestions with respect to using more moderation in certain subject areas to ensure consistency across all Providers. It was noted that the Ethics syllabus may need further clarification.
Observation 3	The BSB will be preparing new contracts from 2013 with each Provider and these will be circulated for comment prior to signing.
Observation 4	The BSB will explore recognition of the BPTC by the Singapore Bar.

Good practice, distinguishing features
<p>The school was commended on:</p> <ul style="list-style-type: none"> • The positive attitude to the new BPTC, making adjustments where necessary in order to be in line with new requirements, as well as commitment to the higher standards of the new course. • An improved Annual Monitoring Report, in response to previous recommendations. • Very supportive staff and a good staff / student ratio which was highly recommended by students. • Good practical integration of ethical issues into the ReDOC class the panel observed. • Good extra-curricular activities, links with the local Bar, placements, work experience, marshalling, and links with practitioners. • High standard student handbooks.

Conclusions: recommendation on accreditation/approval/continuing approval
<p>Continuing approval (with recommendations) For the period: September 2012 to July 2013</p>

Recommendations	
Where recommendations are additionally made, please detail below:	
Recommendation 1	Ensure effective sharing of information to all staff (including input into the Annual Monitoring Report, input into responses to External Examiners, updates on the Aptitude Test).
Recommendation 2	More analysis on group statistics and trends is recommended to feed into future planning, for example data analysis of students who might find the course challenging in order to support them at an earlier stage.
Recommendation 3	Continue to ensure constructive engagement with External Examiners through responses. These must be drawn up in discussion between teaching staff and the course director and copied to the BSB.
Recommendation 4	Continue efforts to maintain a quiet working environment in the library.
Recommendation 5	Consider how the external noise in some teaching rooms may be dealt with appropriately, for example Room 30A (traffic disturbance).

Response by the Provider

General

We appreciated the positive and constructive manner in which the visit was conducted and welcomed the opportunity to discuss relevant issues.

Recommendations

Recommendation 1:

It should be noted that the teaching team reported that they were kept informed by the circulation of emails and through constant dialogue with management.

The most substantive part of the Annual Report is the subject reports prepared by the tutors with subject responsibility. All tutors have subject responsibility. Tutors include, in their subject reports, responses to any External Examiner comments that are relevant to the subject.

Recommendation 2:

We would welcome the opportunity to discuss this further with the BSB and will obviously seek to reflect the guidance available. We believe that there are reasons why further analysis would be difficult to accomplish.

Recommendation 3:

We believe that we have a long track record of good relationships with our External Examiners and will certainly endeavour to continue to engage constructively with them in the future.

Recommendation 4:

We will continue to make efforts to maintain a quiet working environment in the library.

Recommendation 5:

We will ensure that this recommendation is brought to the attention of the relevant department within the University.