

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

**Bar Professional Training Course
Cardiff Law School
Report of Visit held on 29 January 2014**

Name of Institution	Date of Visit/Meeting
Cardiff Law School	29 January 2014

Title of Course/award	Nature/status of the course
Bar Professional Training Course	Full-time BPTC

Numbers/modes approved	Dates of course
Approved for: 84 FT for the academic year 2013/14 72 enrolled	September 2013 to July 2014

Panel Members	Role and area of primary responsibility
Dr Simon Thornton Wood (Chair)	Head of Education and Training, BSB
Paras Junejo	Vocational Training Officer, BSB
Benjamin Wood	Barrister Member of the BPTC Sub-Committee
Jane Sendall	Member of the Central Examinations Board

Provider Team	Role and area of primary responsibility
Jetsun Lebaschi	Course Leader, BPTC
Angela Devereux	Director of Centre for Professional Legal Studies

Rationale for the visit
<p>This visit was held as part of the BSB's annual programme of visits to BPTC Providers to monitor the quality and standards of the course and to determine whether the course is being delivered in accordance with the Course Specification Requirements and Guidance ("the Blue Book").</p> <p>The Panel was provided in advance with key documentation including the law school's most recent Annual Reflective Review, copies of the last three years' External Examiner reports and the last BSB monitoring report, and other relevant information. During the visit, the Panel had the opportunity to tour the premises and meet with management, teaching staff and students. Members of the Panel also had the opportunity to observe some teaching in Trial Advocacy and Civil Litigation and Evidence.</p> <p>All of the above informed the Panel's conclusions contained in this report.</p>

The visit was conducted without immediate access to key student performance data; the Panel requested the information to be supplied after the visit, which was promptly undertaken by the Cardiff University team.

Context: The HEI/Provider

Cardiff University is the only Russell Group University that offers the BPTC. The BVC was provided 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 (CPLS), Cardiff Law School.

1. Adherence to course aims, philosophy and standards

Adherence to the aims, philosophy and standards of the Bar Professional Training Course seemed sound.

2. Quality management systems

The Panel saw the minutes of two staff-student panel meetings; there are three meetings per academic year, one per term. Course feedback is discussed with group representatives in the last meeting of the year during third term.

Each subject is reviewed at a meeting which is attended by every tutor who assisted in the delivery of that subject, and each tutor is provided with student feedback for each subject. The module leader for each subject produces a report which seeks to analyse the students' results and feedback, and to put forward proposals for the next academic year.

The Panel identified value in the Law School being able to demonstrate that External Examiners have appropriate access to documentation relating to course review, including staff/student panel minutes (**Recommendation 1**).

To tackle issues with English language proficiency, all students are required to undertake a letter-writing exercise during their first week in order to test their written English skills; students are informed of this requirement on their first day. Tutors are also required to report to the Course Leader after the first Advocacy session, after which some students may be required to take the IELTS test and pass to a level of 7.5 across all sections of the test if there are concerns about their language abilities. The Panel identified this as commendably good practice, and there was evidence that students were removed, as is appropriate, if they did not meet the requirement specified, in order to protect the interests of all learners on the programme.

3. Staffing and staff development

The Panel met with six members of the teaching staff. Some also teach on other programmes, including the GDL. The management team stated that tutors' involvement in other programmes is not included in each tutor's weighting for the BPTC.

Although a number of teaching staff members have judicial roles, the Panel identified that it was appropriate for practice experience to be fully accommodated by the university's approach to staff development; at the time of the visit, tutors were offered five days per year for professional training.

CPLS has a staff training budget. Tutors have the opportunity to apply to attend external courses and conferences that are relevant to the Law School's activities.

The BPTC adopts the University-wide Learning and Development Strategy. However, the Panel were concerned by evidence that the University's approach to workload balancing was not proving adequate to the specific demands of this professional development programme (**Recommendation 2**).

4. Curriculum content and structure

Neither students nor staff raised issues of quality. The Panel were concerned that more time should be made available for course development, anticipating foreseeable developments arising from changes in law or BSB requirements.

The teaching staff informed the Panel that the Civil and Criminal Litigation modules were regularly reviewed and brought up to date with changes in the law.

5. Admissions and student profile

The course was validated for 84 students with 72 enrolled; two students had been removed at an early stage, having failed to meet the minimum requirement for English language capability.

Of the 70 remaining students, 27.1% (19) are home students; 4.3% (3) are EU students; and 68.6% (48/) are non-EU students. The percentage of overseas students has greatly increased in recent years, and the teaching staff identified that this had adverse effects upon overall student performance in Opinion Writing and Drafting.

87.1% (61) held an LLB, and 12.9% (9) had done the GDL.

One student had obtained pupillage before starting the course.

6. Teaching and Learning (knowledge and skills areas)

Students commented positively on the approachability and commitment of the staff.

The Panel suggested that more might be done to prepare students with reading material and references ahead of, and in the early days of the programme, to support their preparation for an intensive course (**Recommendation 3**).

The Panel heard of instances when classes had overrun and others finished early; it had been suggested that the deployment of tutors might have been better arranged, particularly in the run-up to skills based assessments (**Recommendations 4, 5**).

The Panel also heard of occasions when ill-prepared students had affected the value of a teaching session; it was suggested that appropriate use of the Attendance Rules might provide remedy.

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

The students were generally happy with the concept of using feedback sheets as mark schemes.

The Panel questioned the Law School's policy not to provide students with marks for skills assessments other than at the formative stage. The management team later advised that all skills

assessments are graded. They also clarified that in teaching sessions, tutors give extensive oral and written feedback to every student in each session. The rationale for not giving grades at an early stage of learning is that it is not considered appropriate at that stage to grade students by reference to criteria that will be applied once they have completed their learning.

There had been documents missing from the Advocacy formative assessment; however, this had been brought to the attention of the Law School by students and rectified immediately. The Panel identified a lack of civil exercises in trial advocacy (**Recommendation 6**)

The Panel identified problems of noise disturbance in skills assessments, due in part to the proximity of traffic noise, and part as a consequence of the quality of the accommodation (**Recommendation 11**).

8. Student support and quality of student experience

The Panel had the opportunity to meet a large group of students who were made up of both tutor group and Inns' representatives. The students were positive about the support offered to them by tutors on the BPTC, and particularly appreciated the opportunity to undertake mock pupillage interviews with their tutors.

They found the careers guidance to be useful but identified that tutors, with their practice experience, gave more reliable guidance. Students are afforded the opportunity of two Law School-organised placement weeks in their first term where they can spend the time on mini-pupillages or marshalling; this was deemed to be very useful, particularly for international students. The Panel heard that the Law School set a policy restricting mini-pupillages during placement weeks to those arranged through the School, which some students considered an unnecessary constraint.

The Panel observed that the Law School building provided acceptable but tired and constraining accommodation. A lack of entirely suitable accommodation and facilities for advocacy was noted (**Recommendation 8**).

9. Learning resources (Library and IT)

Certain textbooks in the Law library were out of date or not updated with the latest supplement. All BPTC students were reported to have electronic access to the current versions of each text, as well as being provided with their own copy of the City Law School manuals and practitioners' texts, among others, but the Panel were concerned that a law library should provide a reliable point of reference. The Panel advised that hard copies of the texts available in the library should at the very least be marked with a warning so that students are made aware that the content of the paper text may be out of date, and they are directed to the current version online.

The common room for all postgraduate law students is housed in another building and the Panel observed that it appears with good reason to be rarely used, given the standard of the accommodation.

10. Equality and diversity

There were no concerns raised about issues of equality and diversity.

Good practice, distinguishing features

The Panel wished to commend Cardiff on the following:

- Evident commitment of the teaching staff.
- The approach to addressing English language deficiencies amongst those enrolled on the course, using the combination of a letter-writing exercise and close consideration of the first advocacy exercise.

Conclusions: recommendation on accreditation/approval/continuing approval

Continuing approval (with recommendations) for the period September 2014 to July 2015.

Recommendations

Recommendation 1	Appropriate notes should be kept of the staff-student panel meetings, as well as of the subject and course review meetings; these notes should be provided to the external examiners.
Recommendation 2	A staff development framework purely for BPTC tutors should be developed, as opposed to reliance on the general University's development strategy, which lacks relevance to a course of this nature. The staff workload matrix should also identify and give appropriate weight to the demands of the BPTC, and appropriate time should be incorporated for the review and development of course materials.
Recommendation 3	The approach to providing pre-course materials at and before the commencement of the BPTC should be reviewed, in order to give the best chance for students to prepare for this intensive course.
Recommendation 4	Deployment of staff should be reviewed to ensure consistency and stability of tuition, particularly in the lead-up to assessments
Recommendation 5	The length of teaching sessions would benefit from review by reference to the actual material being delivered and the learning outcomes for the specific sessions, which should fit the time available.
Recommendation 6	The Panel were concerned that more weighting should be given to civil exercises in trial advocacy.
Recommendation 7	Advocacy tutors are encouraged to take adequate notes of students' performances in order to be able to offer specific replay. Feedback should be delivered next to the student (not from the bench), and students should usually be offered a demonstration and an opportunity to replay, even where the Hampel method is not fully followed.
Recommendation 8	Advocacy teaching should take place in rooms with court furniture wherever possible, in order to provide the most realistic learning environment. Where it is not possible to provide court furniture, desk lecterns should be made available.
Recommendation 10	Students should be marked as absent from a class for the purposes of the attendance rule if they fail adequately to prepare and/or participate in that class.
Recommendation 11	Accommodation for skills based assessments should be reviewed, in light of evidence of the detrimental effect of traffic noise and other disturbance.

Response by the Provider (maximum one page)	
Recommendation 1	Appropriate notes are kept of all meetings. The absence of one set of minutes was an oversight and could quickly have been rectified. We comply with the BSB's requirements in relation to the provision of documentation to External Examiners. We have not been advised that External Examiners should be provided with student staff panel minutes and we have not received a request by any External Examiner for this information.
Recommendation 2	CPLS was involved in the University workload matrix pilot. This is an ongoing process and will require further consideration.
Recommendation 3	We will consider what we are able to do to address this concern. However, as we were not provided with a copy of this report until approximately 10 months after the visit we will be unable to implement any changes for the benefit of the 2014.15.cohort.
Recommendation 4	We believe that the policy of rotating tutors is educationally sound, as it provides students with exposure to a variety of teaching styles and approaches. Indeed, the panel informed us that the students interviewed during the visit were the most positive students they had ever encountered. We accept that tutors should adopt a consistent approach to key points, and always aim to achieve this. Many years of moderating student performances has revealed no significant difference of approach between tutors to the assessment of students, and we cannot recall any External Examiner expressing concern about consistency between tutors.
Recommendation 5	Issues in relation to timing affected a relatively very small number of sessions. It is difficult always to accurately predict the time it will take to deliver a session as this will depend, to some extent, on the students in the group. We will reassess the sessions affected.
Recommendation 6	Given that civil advocacy requires relatively little examination-in-chief, we are not persuaded that it is appropriate to teach trial advocacy via civil exercises. We seek to appropriately, across all the skills subjects, to allocate our use of civil and criminal exercises.
Recommendation 7	It is clear from advocacy training sessions attended by tutors that there is a varied approach to the use of Hampel by Hampel and others. The BSB provide, Part A para g of the Course Specification and Guidance that "the Hampel method...may be adapted at BPTC level". Advocacy tutors provide comprehensive written and oral feedback for every performance they observe. All student performances are recorded and the students have the opportunity to revisit these recordings as many times as they wish.
Recommendation 9	We have a mock court room that is used (and we have installed a second over the summer). Our students have significantly more advocacy sessions than the BSB provide as a minimum requirement. We believe it is these practice opportunities that are most important in developing their skills.
Recommendation 10	We will ensure that we comply with BSB requirements.
Recommendation 11	The Law School was refurbished over the summer and secondary double glazing installed in teaching rooms.

