

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

**Bar Professional Training Course
Manchester Law School, Manchester Metropolitan University
Report of visit held on 12 February 2015**

Name of Institution	Date of Visit
Manchester Law School, Manchester Metropolitan University	12 February 2015

Title of Course/award	Nature/status of course
Bar Professional Training Course	Accredited BPTC

Numbers/modes approved	Dates of course
Approved for: 108 full-time (53 enrolled 2014-15) 48 part-time (14 enrolled 2014-15)	September 2014 to July 2015

Panel Members	Role and area of primary responsibility
Dr Victoria Stec	Temporary Education Manager, BSB (Chair)
Mrs Marion Huckle	Policy and Quality Assurance Manager, BSB
Mr James Lee	BPTC Sub-Committee Member, BSB; Senior Lecturer, Dickson Poon School of Law, King's College, London
Mr Timothy Godfrey	BPTC Sub-Committee Member, BSB; Barrister
Mr Ian Fox	BPTC Course Director, Nottingham Law School; Provider representative

Provider Team attending the event	Role and area of primary responsibility
Ms Catherine Little	Head of Manchester Law School
Ms Joanne Lewthwaite	Programme Director, BPTC
Ms Claire Knighton	BPTC Assistant Programme Director and Part-time Leader; Senior Lecturer, subject leader: REDOC
Mr Raymond Henley	Senior Lecturer, subject leader: Civil Litigation and Remedies
Mr Barry Harwood-Gray	Senior Lecturer, subject leader: Professional Ethics and Employment Law
Mr Steve Johnson	Senior Lecturer; subject leader: Advocacy
Mr Phil Rouse	Senior Lecturer; subject leader: Conference
Ms Monica Krawczyk	Pastoral Care Director; Senior Lecturer; subject

	leader: Criminal Litigation and Advanced Criminal Litigation in Practice.
Ms Wendy Nilsen	Senior Lecturer; subject leader: Evidence
Mr Patrick Ryan	Senior Lecturer; subject leader: Civil Advocacy
Ms June Meadowcroft	Senior Lecturer; subject leader: Opinion Writing

Rationale for the visit

The visit was held as part of the Bar Standards Board's annual programme of visits to providers of the Bar Professional Training Course to monitor the quality and standards of the course and to determine whether the course is being delivered in accordance with the requirements of the BSB's Bar Professional Training Course Handbook.

The panel was provided in advance with key documentation, including the provider's Annual Reflective Review 2013-14, copies of External Examiner reports for the relevant year, the most recent BSB visit report and other relevant information.

During the visit the panel saw teaching rooms and BPTC spaces, and had the opportunity to meet, separately, with management, the course team and students. Members of the panel also observed three classes. The report reflects the findings of the panel and is informed by both the documentation and the visit.

Context: the Provider

Manchester Law School is situated within the Faculty of Business and Law at Manchester Metropolitan University. Manchester Law School offers all stages of legal education and training. It has delivered the Bar course since 1997, first as the Bar Vocational Course, and then as the Bar Professional Training Course from 2010.

1. Adherence to course aims, philosophy and standards

Adherence to course aims and philosophy seemed sound and standards secure.

The panel was keen to learn what the course and management teams saw as distinctive about the BPTC at Manchester Law School. The key aspects given were depth of staff experience, in teaching and in practice. It was acknowledged that perhaps the School had not placed sufficient emphasis on this aspect when marketing itself in the past. New marketing literature had recently been produced and the strength of the staff team was highlighted. It was noted that Manchester Metropolitan University was fully committed to the BPTC course, which was seen as an essential component in its suite of law programmes offering a comprehensive legal career route. The BPTC achieved continued institutional validation following Periodic Review in December 2014.

2. Quality management systems

The panel was keen to understand the reasons behind serious errors that had occurred with examination processes since the previous visit. The teaching team were of the view that this was due in large part to the bedding down of new University structures. The Law School had previously been part of the largest Faculty in the university but had functioned independently, and the BPTC had even had some separation within the Law School itself. In the last two years the Law School had functioned as a part of the Business and Law Faculty. All assessments are administered through a central Student Life Office, including the three types of BPTC assessment (centralised assessment, oral skills and options). On one occasion the wrong exam had been released to the assessment room. On another occasion invigilators had been given incorrect instructions. This had been addressed by providing appropriate training so that the nature of BPTC assessment was better understood. The dedicated BPTC Administrator would also be relocated to another office, so that BPTC expertise would be located within central systems. The course team was very concerned that this would mean a loss of a very valuable resource; however, management was clear that this was not the case, and that the administrative post was still wholly dedicated to the BPTC, but in the new

location would be better placed to ensure that all aspects of BPTC administration were delivered appropriately, through providing specialist expertise within the central resource. Given the disjunction between management rationale for the administrative change, and staff understanding of what was proposed, the panel **recommended** that communications with staff around changes emanating from central services that impinge on BPTC areas be better managed to ensure that these are understood correctly. (**Recommendation 1**)

The management team was confident that protocols were now being followed. The BPTC Programme Director had personally met with the Head of Student Services to ensure that all regulations relating to the BPTC were understood and taken seriously. The relationship with Student Services was now believed to be operating effectively. The panel **recommended** that Quality Assurance processes should be kept under review, particularly with regard to examination processes, and should be evaluated at the end of this year. (**Recommendation 2**)

The panel queried whether the Student Staff Liaison Group meetings were sufficiently frequent, as there were only two each year. BPTC students have two forums in which their voice is heard: there is a Programme Committee which is the more formal forum, including other stakeholders, where issues relating to the wider University would be appropriately raised; there is also the Student Staff Liaison Group which is more informal, and where concerns more immediately relating to the course are raised. Up to three student members from each mode (full-time and part-time) attend. Informal feedback is also captured during coffee and cake sessions and by a collection point where issues can be left anonymously. Many matters, particularly those of a pastoral nature, are resolved in the more informal forum, or before things even reach that stage, as there is also a Pastoral Care Clinic every week.

3. Staffing and staff development

It is a time of significant institutional change at MMU including a number of changes of senior personnel, with a new Dean of Faculty, and a new Head of Law School. The new Faculty structure reflects a more integrated approach all round that extends to increased cross-programme teaching in the Faculty. The University is also about to have a new Vice Chancellor from June 2015.

The course team saw as a great strength the fact that many of them had long service records including significant practitioner experience. There are no staff employed on a sessional basis. Four members of staff have part-time judicial posts. Benefits to students of staff links to practice include arranging marshalling with Circuit Judges, organising prison visits and arranging shadowing activities.

Staff are able to keep up their connection with practice through the staff development programme. Activities that staff had undertaken recently included attending CPD courses through CrimeLine and the Criminal Law Review; returning to practice for a week to work with Polish nationals; working with family liaison on a high profile murder trial; and observing court hearings whilst working overseas in Trinidad and Hong Kong.

Staff saw it as a great asset that Manchester Metropolitan University was the site for a number of training programmes. The Northern Circuit Vulnerable Witness Training programme had run last year, as had a number of other programmes where staff could attend alongside practitioners. One tutor had trained at the initial Hampel training some 25 years ago and is now a trainer for the Circuit; another tutor delivers Inns Advocacy training.

The New Practitioner Training Programme, which is also run at the University, enables students to see advocacy training in practice as they have the opportunity to play witnesses during the training sessions for new practitioners. The students also have an opportunity to practise Advocacy in courtroom training sessions run by Greater Manchester Police for their new officers; BPTC tutors also participate in these sessions taking the part of the judge. Staff reported that members of the local Bar were very generous with opportunities provided to students, including offering seminars in Chambers for students to attend free.

Staff reported finding management easy to approach to discuss issues of workload or teaching. A centrally submitted form was used to track hours, and this was discussed during Performance Development Reviews. However, staff felt that there was still some lack of clarity between University policies on teaching load and the reality of teaching within the Law School where a subject like Advocacy would require more intensive hours, and subject leadership allocation (which the University determined to be 100 hours) could be used up before the end of the first term. One tutor appeared to have module leadership of three options. The panel **recommended** that management review workload allocations in the context of the BPTC where staff teach across centrally administered areas and the BPTC, to ensure a clear understanding of how BPTC work is counted and allocated. **(Recommendation 3)**

There was no specific allocation of tutors to the part-time mode. As this would be running on a day release model, rather than at weekends, teaching would fall within normal working patterns. Four tutors would be involved in teaching on the part-time mode in 2014-15, and this would be reviewed on a supply and demand basis in future.

4. Curriculum content and structure

Tutors were keen to commend the fact that the part-time mode had been structured on a day release model (every second Monday) rather than for weekend delivery. So far, this was working well, and the level of student engagement was felt to be good, and better than it had been when the course was delivered at weekends.

The BPTC marketing brochure indicates that there are 8 potential Options subjects for students to choose from. However, the panel learned that although all 8 were offered, only the 6 most popular options would run. The delivery of any option was dependent on interest from a minimum number of students. The brochure was therefore felt to be misleading and the panel **recommended** that marketing materials should clarify student expectations with regard to options that may be offered by stating clearly if there is a maximum number of options that will run, and that, additionally, all options on offer may be subject to student numbers. **(Recommendation 4)**

During class observations two instances of out-of-date references were noted in supporting materials (one an obsolete reference to committal for trial and the other a reference to the old Code of Conduct). Whilst these were errors in the supporting notes rather than in the delivery of the sessions, the panel was concerned that this might evidence shortcomings in the development of content. The panel **recommended** that the two errors noted should be corrected, and that the need for tighter protocols in the development of content be addressed. It was also noted that the need for review of content development processing had been raised by the panel at the previous monitoring visit **(Recommendation 5)**

5. Admissions and student profile

The management team acknowledged that the emphasis for marketing had to date been focused internationally and on the North West region, rather than on national recruitment. University strategy was to increase the international market. However, whilst it might be possible to fill places several times over from certain jurisdictions, there was also a desire to focus on quality of intake and the Law School did not feel that it was under pressure from the University to recruit overseas students regardless of ability. It was likely that a request would be made to reduce the validated number in future.

The course team confirmed that the profile of the cohort had changed over time: the typical cohort used to be very much drawn from the North West region but it had become much more international. There were strong institutional connections with Bangladesh and with various overseas programmes. This shift reflected the strategic direction of the University and marketing that focused on promoting the depth of experience the School of Law had to offer. The School had been very pro-active about marketing the BPTC, with a new BPTC brochure, and Road Show seeking to connect with the pool of

potential BPTC applicants.

The course team was clear that the revised BSB English Language rules had been implemented robustly, and had resulted in two students having to leave the course in 2013-14. However, in the current year, none had been asked to leave, in spite of there being more overseas students, suggesting that admissions processes were evolving in such a way that students without sufficient English competency were not being admitted in the first place. In previous years, a large number of students, particularly from Bangladesh and Malaysia, had been interviewed by Skype; if the interviewer was not satisfied with the student's English Language proficiency, an IELTS certificate at 7.5 was required. However, this was not felt to be a good use of staff time and from 2015 interviews will no longer be offered as a matter of course but IELTS certificates will be required from all students coming from a country where English is not the majority spoken language, or if there are any other reasons for concern, e.g. arising from the completion of the BarSAS form. Interviews might still be carried out, for instance if a student had studied for a long period in the UK and claimed to be fluent. The number and frequency of interviews that will be carried out under these new admissions processes is not yet clear: at the time of the visit none had yet been required. The panel looks forward to a report and analysis of the new procedures in the next Annual Reflective Review.

Contrary to expectations, the part-time mode delivered by day release for the first time this year was not as regional or local as anticipated in its student body. There are students who travel considerable distances to attend the fortnightly sessions.

The management team was asked about administration of scholarships. There had previously been three scholarships of £4000 but it was felt that this was not sufficiently attractive to applicants. Also, the top students were the most likely to get full Inns scholarships, and the terms of the MMU scholarships were that they could not hold both. Consultation with focus groups suggested that the real value of a scholarship was in its value to the CV rather than its monetary value. It had therefore been decided to offer twelve scholarships of £1000. In discussion with students, the panel learned that they had been aware that there were a number of scholarships on offer at MMU before applying, and this was an attractive feature. Asked what level of scholarship would make a difference, students were of the view that £3-4000 was enough to make some difference, where an amount of £1000 would be unlikely to mean the difference between being able to take the course and not. The panel **recommended** that management should review the scholarship allocation model at the end of its first year of operation, with special regard to the size and number of such awards, whether they should be solely on the basis of merit, or on financial need, or a combination of both, and whether the current eligibility rules were suitable. (**Recommendation 6**)

Students were appreciative of the 20% alumni discount available to those moving from MMU undergraduate programmes to the BPTC, although regretted that this was not available to those progressing from the GDL. Management confirmed that from 2015 the discount would apply to those progressing from both LLB and GDL. The panel commended the introduction of this additional discount.

6. Teaching and Learning (knowledge and skills areas)

Students felt that the feedback they received was good. They were aware of the Hampel method being used for Advocacy, and each piece of drafting received feedback. In Opinion Writing each student showed their work and it was discussed. Each student also receives full written feedback on six Opinions.

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

The panel was interested to hear the management team's view on the increased proportion of students with 2:2 degrees. In the last year, out of 15 students with a 2:2, only two had passed the course at their first sit. The Panel noted that the Annual Reflective Review had not specifically engaged with this significant statistic, and so it was explored in discussion with management. Management indicated that all applications are scored and the predicted or actual degree result is

only one element that is taken into consideration as they are looking for other factors that may indicate the potential for future success, such as work experience, commitment to the profession, experience of public speaking and references so that degree result alone does not preclude access to the Bar for those with aptitude expressed in other ways. Students were given a clear message about the difficulties they might face, and informed of the fact that their degree result could put them at a disadvantage whatever the outcome of the BPTC: Chambers base their first sift of Pupillage applications on degree classification as it is done before the BPTC results come out.

8. Student support and quality of student experience

The panel was pleased to meet with a group of four students, two of whom had obtained an LLB, and two of whom had come by the Graduate Diploma in Law route. One student had obtained pupillage before starting the course. Reasons for choosing Manchester Law School included being local, having studied the GDL at MMU, wanting to be part of a larger University setting, and wishing to practise outside London.

These students felt that the course was well run, had lived up to their expectations, and that tutors were extremely supportive. There was no need to make an appointment to see a tutor, and any problems were usually resolved very quickly. The students felt that it was important that there was a strong element of current practitioner expertise amongst tutors. The students had been impressed to see evidence of tutors' keenness for their own staff development.

The students reported that there had been some problems with passive attendance at the start of the year, but this had not been tolerated and they had witnessed it being challenged by tutors; it was now felt to be less of an issue. The staff perspective was that in the current year there had been a greater problem with poor attendance than usual, although the reasons for this were unknown. There was a clear mechanism for capturing both physical absence and unpreparedness and both would result in a student being called in to talk to the pastoral care team. The Pastoral Care Director monitors attendance each week and any students whose attendance starts to give concern are sent a letter and monitored closely. The panel **recommended** that care be taken to ensure clear student awareness and expectation of requirements in terms of attendance and expected level of preparedness for classes, with particular reference to managing these expectations from the outset through Induction. (**Recommendation 7**)

The students spoke warmly of the level of pastoral support provided and gave an example of where a sensitive matter had been raised and resolved without anyone being made to feel at fault. Students said that they would feel more able to go to the Pastoral Care Director than anyone in the central University services.

The fact that there is a significant international cohort was felt by students to be a good thing as the diverse mix was stimulating. There was some gravitation of national groups to meet together, but not in any way that was seen as exclusive.

Students liked the fact that they were set up as "Chambers" groups with their own base room for each group, to which tutors would go, rather than students going to various classrooms. This was felt to promote a sense of a group in which people felt comfortable to perform or ask questions in front of peers. The panel asked whether this meant that there was a risk of over-familiarity, but students did not believe this to be the case, as groups would be split up for options, and extra-curricular activities were not in groups; there was also movement for additional advocacy classes.

Students reported finding Civil Litigation the hardest subject to master, and there was also nervousness around all centralised assessment and the fact that much reliance was placed upon memory. Students had anticipated that the course would be very challenging and the workload high, and this had proved to be the case.

Students felt that it was an advantage to be taught by current circuit members, and the close contact of tutors with practice was also advantageous when it came to careers advice. There were formal

careers support talks with a law specialist that were found helpful but students would often seek careers advice from their own tutors. The Additional Professional Programme, which runs on two weekends, includes a four-hour talk on Pupillage. Students also participate in the Additional Advocacy Programme. Each student has two additional sessions in Criminal Advocacy and one in Civil Advocacy. The full-time students' classes take place in the evening and the part-time students' classes on Saturdays. Each Chambers group is allocated a full time practitioner as an Ethics mentor who takes additional Ethics sessions.

A dedicated Law careers advisor was available within the Faculty, but in practice students most often turned to their tutors for advice. Twice each term there were Faculty events with early career professionals. Management acknowledged that there was scope for developing this, given that there were now over 1000 graduates of the BPTC from MMU, many of them practising in the North West. It was also hoped to set up a practitioner mentor scheme, which would be launched in the early autumn. The panel noted that a review of careers advice had been recommended by the previous monitoring visit. The panel **recommended** that Faculty careers advice be better integrated into the offering for BPTC students. (**Recommendation 8**)

Pro Bono opportunities were available through the Personal Support Unit. Some students had engaged with this Unit during the GDL, but awareness of Pro Bono opportunities during the BPTC seemed limited. The panel **recommended** that staff be more explicit about the nature and extent of Pro Bono opportunities and how BPTC students can access them. (**Recommendation 9**)

The range of Options subjects was found to be good, with the 6 most popular out of 8 currently running. (See Recommendation 4 above)

Ideally, students would like to start earlier in the year and have more in the way of preparatory materials to get a head start on the course.

9. Learning resources (Library and IT)

Students reported that there was good access to resources. Most tended to use online resources more than the main University library or resources within the Law School. Each student is assigned to a base room (known as a Chambers) and copies of key texts, including practitioner texts, are held in each base room. The Panel noted that there were some out-of-date copies of books in a base room: management undertook to remove any such texts (the students have only access to the latest versions).

IT systems were working well in respect of the Virtual Learning Environment, but there had been some problems with recording of performances when in one instance the recording of a mock assessment had been lost. This was raised through the Programme Committee and was being addressed. IT technical help was present on the day of assessments. The Panel observed some technical difficulties, supported by IT staff: the panel was assured that new systems were being introduced.

10. Equality and diversity

No equality and diversity issues were noted.

Additional comments

The panel noted that extremely casual dress was adopted by some students in Advocacy classes. Whilst the BSB makes no prescription on this, other providers have found that requiring business dress may help promote a professional ethos so the Law School may wish to consider this.

Good practice, distinguishing features

The panel wished to commend:

- The commitment of teaching staff and their collegial attitude;
- The strong links of teaching staff and the Law School with practice;
- The level of student satisfaction that the panel witnessed;
- The extension of the 20% alumni discount for those wishing to enrol on the BPTC to those taking the GDL at MMU.

Conclusions: recommendation on accreditation/approval/continuing approval

The panel recommends continuing approval with recommendations.

Recommendations

The following recommendations must be addressed:

Recommendation 1	Manage communications with staff around changes emanating from central services that impinge on BPTC areas, to ensure these are understood correctly.
Recommendation 2	Keep QA processes under review, particularly with regard to examination processes, and evaluate at the end of this year. NB this was previously raised in recommendation 4 of the report of the visit on 23 January 2014.
Recommendation 3	Review workload allocations in the context of the BPTC where staff teach across centrally administered areas and the BPTC, to ensure a clear understanding of how BPTC work is counted and allocated.
Recommendation 4	Marketing materials should clarify student expectations with regard to options that may be offered by stating clearly if there is a maximum number of options that will run, and that options on offer may be subject to student numbers.
Recommendation 5	Correct the errors noted in teaching materials, and address the need for tighter protocols in the development of content. NB this was previously raised in recommendation 4 of the report of the visit on 23 January 2014.
Recommendation 6	Review the scholarship allocation model at the end of its first year of operation.
Recommendation 7	Ensure clear student awareness and expectation of requirements in terms of attendance and expected level of preparedness for classes, with particular reference to managing these expectations from the outset through Induction.
Recommendation 8	Better integrate faculty careers advice into the offering for BPC students. NB this was previously raised in recommendation 3 of the report of the visit on 23 January 2014.
Recommendation 9	Be more explicit about the nature and extent of Pro Bono opportunities and how BPTC students can access them.

Response by the Provider (maximum one page)

The BPTC team are pleased to note that the panel have commended the commitment of teaching staff and the strong links with practice. The course has been delivered by MMU in Manchester since 1997, accordingly the level of student satisfaction witnessed by the panel is testament both to the experience of the team and the care and support provided to our students. Manchester Law School has a very clear identity but we are fortunate to be able to draw on the extensive support, resources and services that our location within a large University permits. We will continue to work with our colleagues to review our processes in all areas to ensure that we provide the best possible experience for our students.

We are delighted that we have arranged a schedule of activities for induction day September 2015 to introduce our new students to the University Support and Careers Services. There will also be an introduction to pro bono activities and opportunities to network with other students and staff over lunch.

The team welcome the other helpful recommendations made by the panel and will be considering how best to adopt these during staff development activities over the summer.