

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

**Bar Professional Training Course
University of Law, Birmingham
Report of visit held on 9 February 2015**

Name of Institution	Date of Visit
University of Law, Birmingham	9 February 2015

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

Numbers/modes approved	Dates of course
Approved for: 132 full-time (48 enrolled 2014-15) 48 part-time (12 enrolled 2014-15)	September 2014 to July 2015

Panel Members	Role and area of primary responsibility
Dr Victoria Stec	Temporary Education Manager, BSB (Chair)
Mr David Fleming	Member of BPTC Sub-Committee and Education and Training Committee, BSB
Mrs Marion Huckle	Policy and Quality Assurance Manager, BSB
Ms Samantha Pullin	BPTC Sub-Committee member, BSB, Barrister
Mr Marcus Soanes	Principal Lecturer, City Law School (Provider representative)

Provider Team attending the event	Role and area of primary responsibility
Professor Andrea Nollent	Provost
Ms Jayne Jeffcott	Acting Centre Director and Head of Students
Ms Judi Peachey	BPTC Course Leader and Operations Manager
Ms Jacqueline Cheltenham	Head of BPTC
Ms Lynda Gibbs	BPTC Design Director
Ms Joanna Wagstaffe	Academic Registrar
Ms Laura McQuitty	Tutor (Civil Subject Leader)
Mr Lee Handy	Tutor (Crime Subject Leader)
Mr Paul Shoulders	Tutor
Ms Amanda Wiggans	Tutor
Ms Rachael Price	Tutor

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 Examiners' reports for the relevant year, the most recent BSB visit report and other relevant information.

During the visit the panel had the opportunity to tour the premises and to meet, separately, with management, 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 documentation and visit.

Context: the Provider

The College of Law was established in 1962 as an independent provider of legal education. In 2006 it was the first independent institution to be granted degree awarding powers; in 2012 it was granted University title and became the University of Law. It delivered the Bar Vocational Course (BVC) in London from 1997 to 2009 and was approved to run the new Bar Professional Training Course (BPTC) from 2010. The Birmingham site opened in 2001 and delivered the BVC from 2007 to 2009. The Birmingham site was approved to deliver the BPTC from 2010; the part-time route was approved to run from September 2011.

1. Adherence to course aims, philosophy and standards

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

The management team was invited to indicate what was felt to be distinctive about the BPTC at the University of Law Birmingham. As the only provider of the BPTC in Birmingham, the University of Law Birmingham is believed to be of key importance to the local legal community, with a consequent and beneficial strength of support from local Chambers. A further distinguishing feature is the fact that the BPTC is being delivered within the context of a wider portfolio of legal education including the LLB, GDL and LPC, thus providing a broad stimulating environment for students and the potential for some joint activities: BPTC students had, for instance, been involved in judging the early rounds of LLB moots.

2. Quality management systems

The panel was assured that problems in communications with External Examiners had been resolved. The Birmingham BPTC course leader and national Head of the BPTC were responsible for working together on responses to External Examiners' reports for Birmingham. (NB, a recommendation around central administration of External Examining was made by the panel on the University of Law London visit of 30 January 2015). The panel asked what had been done when particular site-specific trends were identified. For example Birmingham students had performed significantly worse in Opinion Writing than had London students. This had prompted a review that involved checking marking, moderating and teaching of that subject area.

The panel was keen to understand whether ownership of quality assurance processes existed at both site and national level. The Annual Reflective Review was produced by the Head of the BPTC, who also had ultimate responsibility for responding to External Examiners' reports. Whilst tutors at Birmingham reported 'getting to hear of things' from External Examiners' reports, and being involved in responding to actions resulting from the student/staff liaison meetings, they did not appear to have any awareness of the Annual Reflective Review, or be as cognisant of wider quality assurance processes as would be expected. The panel was concerned to learn this and **recommended** that the University should ensure that there is robust local awareness of quality assurance policies and procedures, including the findings of the Annual Reflective Review, External Examiners' reports and

3. Staffing and staff development

At national level there is an overall Head of the BPTC who deals with BPTC matters on a day-to-day basis and is the main point of contact for the BSB. At Birmingham there is a Centre Director, who is also Head of Students, and a BPTC Course Leader, who is also Operations Manager. The Provost, to whom the Heads report, is on both the Board (responsible for academic quality) and the Executive Team (responsible for strategy). The panel observed that in a complex structure where there is separation of commercial and academic aspects and multiple sites it would be helpful to see the organisational structure in diagrammatic form in future.

The tutors that the panel met all reported spending some time in practice for at least five days each year, sometimes for longer periods during the summer. Visiting lecturers are drawn from the local Bar and input from local practitioners is an important aspect of the course. Mock trials have taken place at Birmingham Crown Court and practitioners are also involved in mooted competitions.

The University operates a performance review system, and all staff are observed at least twice a year, as well as being involved in peer observations.

4. Curriculum content and structure

A new Design Director was appointed in August 2014 with the specific remit to redesign the course through separating knowledge and skills, to enhance the content throughout, and to introduce more advocacy. As the course had previously been delivered in a highly integrated manner this had proved to be a larger task than anticipated and would be a two-year process to complete satisfactorily, with redesign of options to take place in the second phase. This had meant that a certain amount of change had happened around the students during the current cohort, but the changes were believed to be beneficial. This success was measured by the tracking of students through coursework completed so far. Like for like, students had performed better in the mocks this year than last. Teaching sessions focused on exam technique in relation to answering SAQs, the use of mock exams, and the feedback provided from the mocks, meant that students seemed better prepared and had not registered the same level of anxiety about SAQs. The separation of knowledge into more easily identifiable areas, and the structure of lecture then workshop, was also felt to be working well.

The panel was keen to understand how the Design Director and her team worked with the Birmingham site. Management explained that apart from small operational differences, there was great consistency across sites and it was possible for Birmingham staff to contribute to the design process as fully as the London team. The Design Director had visited a number of times and Birmingham staff had attended full day debriefing sessions where the architecture of the course was mapped out. Furthermore, the small size of the Birmingham team enabled easy cross-team communication on site, which meant that feedback to the design team arising from weekly teaching sessions was almost instant. These views were strongly echoed by those of the teaching team. There was a genuine sense of collaboration and inclusiveness in the design process that also extended to visiting lecturers. The panel found the collegial approach and ethos that had been achieved across sites commendable.

5. Admissions and student profile

Changes to admissions processes noted in the report for the University of Law London visit of 30 January 2015 were also pertinent to the Birmingham site: the proposed admissions process and criteria being identical. The panel learned that a major overhaul of admissions processes was under way with some changes already in place and others to be implemented for the following intake. Two years of broader entry requirements had resulted in a dip in results. Management had identified the fact that tighter admissions requirements were needed to ensure that students with the most chance of passing the course were admitted. There had already been a change to ensure that only people with a 2:1 or a 1st class honours degree were admitted, unless they had a 2:2 plus other significant

relevant life experience or achievements such as a postgraduate degree.

Management and tutors were clear about the new BSB English Language requirements and that they had been implemented robustly. As in London, all students had been required to undertake a written exercise, and specialists trained in IELTS had been brought in to hold conversations with each student. No students in Birmingham had been required to withdraw as a result of failing to meet the required IELTS 7.5 standard as all had met the standard.

In order to obviate the need for removing students under the English Language rule in future, admissions procedures were being developed to prevent such students from being admitted in the first place, and to ensure that students who were offered a place were of the very highest calibre.

An intensive selection process was being introduced for the 2015-16 cohort currently under recruitment. The Design Director was leading the process and had trained 16 people to undertake interviews of all applicants who had passed an initial paper sift. 11 rooms had been booked and the interviews would take place over one week. There would be 440 interviews in all, with overseas interviews taking place by Skype the following week. All candidates would also undertake an advocacy exercise, with materials being emailed to them at a pre-arranged time allowing them 40 minutes to prepare to deliver a plea in mitigation and write an opinion.

It was noted that the number of part-time students had dropped to 12. Management expressed some concern at this, although this number was still a viable cohort. It was hoped that enrolments would increase in future years. Some extra-curricular activities such as moots had been rearranged to take place on a Friday evening so that part-time students could participate.

The profile the Birmingham site includes a large number of students from the Midlands area and a significant number of overseas students attracted by the lower cost of living than London and the good level of individual support available on a smaller site.

6. Teaching and Learning (knowledge and skills areas)

The panel was pleased to meet with a group of 5 teaching staff including one visiting lecturer. Tutors pointed out the benefits of a small cohort in terms of the enhanced level of individual support they were able to give students; this view was corroborated strongly by students, and in the teaching sessions that the panel observed.

Students at Birmingham expressed similar concerns about the delivery of Professional Ethics to those that had been voiced by students in London on the visit that took place on 30 January 2015. Students had been provided with a manual but felt that more guidance around application of the principles was needed, and that they could not easily identify where teaching was specifically directed to Professional Ethics. They thought that it would be easier to feel that they had a grasp of the subject if it was taught more in a block. Tutors explained that Professional Ethics is taught using the new Code with three dedicated lectures at the start of the year, and another to follow in a few weeks. A workbook is provided with a series of problems for students to work through, with answers to be provided later.

After the London visit the panel requested clarification on the content and delivery of the Professional Ethics component. The University of Law provided an updated course document and reassurances that the course is delivered as a separate component and in appropriate depth.

The panel's concern at both London and Birmingham sites was that students did not have a clear perception about the way Professional Ethics is being delivered, and could not readily identify the fact that it is being delivered as a discrete subject as well as pervasively. The **recommendation** for both sites is therefore that this be addressed both in the design process and through communication so that students' expectations are managed and they feel prepared. (**Recommendation 2**)

Students reported feeling a great deal of anxiety over centrally assessed subjects and felt that

preparation took up a disproportionate amount of time due to the extensive amount of memorisation required, which it was felt did not reflect the requirements of real life practice. Students' views on centralised assessment were noted and will be fed back to the relevant BSB groups.

Tutors reported placing great emphasis on use of the White Book in teaching. Whilst other materials are useful, the level of detail required is only to be found in this primary text.

In discussion with students it was clear that they had a good awareness of the Hampel method in Advocacy training. It had been clearly described at the start of the course, however they felt that the strong focus on Hampel had lessened as time went on. This was particularly noticeable when students attended Inns events at which Hampel was applied more rigidly. The panel was of the view that it may be helpful to direct students back towards the Hampel method as the course progresses.

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

Management acknowledged that performance of Birmingham students in centrally assessed areas had been disappointing and although additional support in the form of revision sessions had helped students at the upper end of the profile, analysis of the intake suggested that such interventions would have limited return. The real difference would occur once the more selective admissions processes were in place from the 2015-16 intake. This, combined with the substantial investment in the redesign of the course was believed to be the longer-term solution.

In the centrally assessed subjects, tutors reported that often students had the requisite knowledge but lacked the ability to make this explicit and to identify exactly what they needed to do to get the marks. There was therefore a considerable amount of effort put into exam technique and analysing questions to spot clues to the approach that should be taken.

Use of the reflective journal was found to be patchy, though some students reported using it for advocacy in particular. The use of a reflective journal is not prescribed by the BSB but it is to be encouraged.

8. Student support and quality of student experience

Teaching staff were asked how they identified students who were struggling. They reported using a variety of means: though performance in mock assessments and all other formal assessment, and through the personal tutor system. Each tutor had their own approach and in a small cohort it was relatively easy to spot where problems were; tutors also stressed their willingness to be available to students to offer formal and informal feedback.

The panel was pleased to have the opportunity to meet with a group of 6 students, including one part-time student. Students felt that the teaching staff were the greatest asset of the University of Law Birmingham. Right from the first contact at Open Days, students had been made to feel that they were seen as individuals, and tutor support through the course had been generous and accessible, with a general 'open door' policy. Other reasons for choosing this provider included the West Midlands location, both for reasons of cost and locality, and recommendations from practitioners and former students. Being able to study the GDL first at the same site was also seen as a bonus.

Students reported being aware of how to provide general feedback on the course through course reps for the Student Staff Liaison Group meetings, which were held every three months. They were also able to give feedback specifically course design through an online process. However, with a small cohort and easily accessible tutors, students felt that the support they needed was more often obtained by approaching tutors directly rather than through more formal means.

The panel was concerned to find that students at Birmingham did not appear to have such a positive view of the careers support as their peers in London. They were not aware of mock pupillage interviews being available or of CV guidance from people who had experience of pupillage committees. Whilst students would not hesitate to go to tutors for advice if they felt that the central

careers service was lacking, the panel felt that this was not always an appropriate substitute, especially given what was on offer on the London site, and therefore **recommended** that the University address the apparent disparity between the London and Birmingham sites in terms of careers support, both in general terms and advice directed specifically at pupillage applications as more BPTC-dedicated resource appears to be needed at Birmingham. (**Recommendation 3**)

Students were appreciative of support from the Inns to ensure that they are not financially disadvantaged in attending qualifying sessions. Attendance at evening sessions could be challenging logistically given the need to factor in the travel time, but the assistance with travel costs was very helpful. It was also noted and appreciated that weekend teaching had been carefully planned so that it did not clash with Inns sessions.

The panel had the opportunity to view the Legal Advice Centre, which is currently supported by an employment law specialist. In discussion with students, it became clear that they did not appear to have had the kind of exposure to Pro Bono opportunities that might be expected by this stage, and those that they had were naturally based around employment law. The panel **recommended** that this limited range and availability of Pro Bono opportunities should be addressed. (**Recommendation 4**)

Students expressed appreciation of the Advocacy Committee as this provided a systematic approach to maximising opportunities for mooting and advocacy. It was further noted by staff that these activities promoted social cohesion of students across sites.

The group of students that the panel met would recommend the University of Law Birmingham to others.

9. Learning resources (Library and IT)

The panel viewed a spacious dedicated BPTC room equipped with printer and PCs, as well as the more general spaces and Library.

Students said that they appreciated their private BPTC space and also the opportunity to exchange ideas with other BPTC students from outside their own class.

10. Equality and diversity

No equality and diversity issues were noted.

Additional comments

The panel noted a more general adoption of business dress by Birmingham students than by their London peers – this may be helpful in promoting a professional ethos in class.

There were some late arrivals at the classes the panel observed. This was not challenged but the lack of challenge may have been due to having visitors. Attendance was not raised as an issue more broadly.

Good practice, distinguishing features

- The accessibility of tutors and level of support provided by them.
- The success of the Design Team in adopting a genuinely collegial approach so that Birmingham staff feel fully involved in the process.
- The opportunities provided to students through the Advocacy Committee.

Conclusions: recommendation on accreditation/approval/continuing approval	
The panel recommends continuing approval with recommendations.	
Recommendations	
The following recommendations must be addressed:	
Recommendation 1	Ensure that there is robust local awareness of QA procedures, including the findings of the Annual Reflective Review, External Examiner reports and BSB monitoring visit reports.
Recommendation 2	A concern noted at both London and Birmingham sites is that students do not have a clear perception about the way Professional Ethics is being delivered, and cannot readily identify the fact that it is being delivered as a discrete subject as well as through any pervasive elements. The recommendation for both sites is therefore that this be addressed both in the design process and through communication so that students' expectations are managed and they feel prepared.
Recommendation 3	Address the apparent disparity between the London and Birmingham sites in terms of careers support, both in general terms and advice directed specifically at pupillage applications: more BPTC-dedicated resource appears to be needed at Birmingham.
Recommendation 4	There appears to be a very limited range and availability of Pro-Bono opportunities and this should be addressed.

Response by the Provider (maximum one page)

The University of Law welcomed the comments of the panel and students with regard to areas of good practice and distinguishing features particularly in the critical areas of accessibility of tutors and the level of support given, and that the students would recommend the Birmingham Centre of the University of Law.

In response to the recommendations:

1. The Birmingham Centre always tries to ensure this by, inter alia, making available to tutors copies of key QA documents and procedures (eg the Annual Reflective Review, reports from External Examiners etc). We will continue to do this but emphasise the need to refer to relevant QA documents, procedures and protocols when tutors are involved in course, design and student experience reviews so as to enhance the standards and quality of the programme and enhance the student experience. In addition, protocols devised by the University Academic Registry are in place and followed by the BPTC team. These protocols involve highlighting of any issue raised by External Examiners at Programme Centres Board (including any proposed action), reported on in the Annual Reflective Review and form part of the University annual review of all its courses at Academic Board.
2. The Professional Ethics course is being overhauled for next year with more questions being dealt with in classes in conjunction with use of the University's own Professional Ethics workbook. This has worked very successfully in the past and will therefore prepare the students very well for the assessment once again. Additionally, extra sessions at the start of the course will explain to students how they will learn each subject.
3. Birmingham BPTC students have the same access to careers advice as London students. This includes unlimited one-to-one appointments with a careers advisor and advice by telephone or e-mail if more convenient. In addition the students can access this advice as soon as they accept a place at the University of Law. They also have access to all the on-line careers resources which include the vacancy database and case studies etc. There was also a Pupillage Gateway applications virtual workshop which the Birmingham students could join in with – and which is available to them on-line if they were unable to join the workshop 'live'. The University will review its provision of careers service – including the inclusion of more Bar specific events in the future. This year the Bar expert careers advisor has been unavailable due to long term illness. Whilst like for like cover was provided by qualified careers consultants this provision will be reviewed and consideration will be given to increasing the provision for Bar students if appropriate.
4. The Birmingham Centre will review its pro bono provision as it does every year as part of its normal review process. However, the University was a little surprised by this recommendation as there are currently two BPTC priority pro bono activities (The Castle Vale Tenants and residents Alliance Employment Tribunal Representation Programme and the Judicial Work Shadowing Programme). In addition, there are 8 other programmes which are particularly suited to BPTC students which they are welcome to participate in. These include the Personal Support Unit at Birmingham County Court, the National Centre for Domestic Violence, the Gujarat Centre for Social Justice and The Law Society International Intervention. Also, BPTC students have been actively involved with these programmes. Well over half of the students have applied to do Pro Bono and all have been accommodated. The vast majority of these students have been involved in more than one programme.