

**BAR
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BOARD**

REGULATING BARRISTERS

**Bar Professional Training Course
Bristol Law Department, University of the West of England
Report of visit held on 23 February 2015**

Name of Institution	Date of Visit
Bristol Law School, University of the West of England	23 February 2015

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

Numbers/modes approved	Dates of course
Approved for: full-time 120 (84 enrolled) part-time 48 (24 enrolled)	September 2014 to July 2015

Panel Members	Role and area of primary responsibility
Dr Victoria Stec	Temporary Education Manager, BSB (Chair)
Mr Robin Field-Smith	Visiting Professor, Portsmouth University; ICJS Member; BSB Equality and Diversity Committee Member; Advisor to Education and Training Committee, BSB; Chair of Professional Statement Working Group, BSB
Mr Jonathan Akinsanya	Barrister; Member of Qualifications Committee, BSB
Mr Keith Puttick	Associate Professor of Law, Staffordshire University; External Examiner, BSB
Mr Stephen Illingworth	BPTC Course Leader (part-time mode), University of Law, London; Provider representative

Provider Team attending the event	Role and area of primary responsibility
Dr Noel Burchell	Dean of Faculty of Business and Law
Mr Steven Dinning	Head of Department of Law
Mr Philip Millington	Director of Professional Law
Ms Delyth James	Associate Head of Department, Course Manager for the Bar Professional Training Course (full-time mode)
Ms Joanne Stringer	Course Manager of the Bar Professional Training Course (part-time mode)

Ms Lisa Connors	Curriculum Review & Accreditation Manager
Ms Julie Hamley	Faculty Librarian
Mr Richard Herbert	Department of Law, IT manager
Ms Mayleen Jalleh	Senior Lecturer; module leader for International Trade
Mr Shomon Khan	Senior Lecturer and Deputy District Judge; module leader for Evidence
Ms Victoria Latimer	Senior Lecturer and Admissions Manager for the Bar Professional Training Course; module leader for Criminal Law Option
Ms Lucilla MacGregor	Senior Lecturer and Careers Manager for the Bar Professional Training Course; module leader for Civil Advocacy & ReDOC
Ms Susan Shreeve	Faculty Librarian
Mr Ian Thompson	Senior Lecturer and Pro Bono Director
Ms Sarah Whiteley	Senior Lecturer and Deputy District Judge; module leader for Employment Law

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 social spaces, and toured both University and Law School learning resources areas. The panel met, separately, with management, course team and students. Members of the panel also observed five classes. The report reflects the findings of the panel and is informed by both documentation and visit.

Context: The Provider

The BPTC is delivered within the Centre for Professional Law, one of two Centres within the Department of Law, which is within the Faculty of Business and Law at the University of the West of England (UWE). The Bar course has been delivered at UWE from 1997, initially as the Bar Vocational Course (BVC), and from 2010 as the Bar Professional Training Course (BPTC).

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 describe what was felt to be most distinctive about the BPTC at the University of the West of England. As the only provider of the BPTC in Bristol and the South West region, Bristol Law Department sees its strong links to the profession and the consequent benefits to students as its selling point. Local Chambers sponsor four annual competitions, with previous winners going on to obtain pupillage, and local practitioners run regular master-classes. The course is also seen as good value with competitive fees. The opportunity to qualify as an ADRg accredited mediator at no extra cost at the end of the BPTC provides added value. The context of the course within the Faculty is as a lynchpin: as a full-service law department it is seen to be of key importance to offer the vocational stage of training. This also ensures that the course is well placed to respond to any future developments that may emanate from the Legal Education and Training Review; within the context of the wider offer, the Department is able to be flexible and develop as the profession and regulation evolve.

2. Quality management systems

Staff were involved in the production of the Annual Reflective Review, sometimes in the drafting of the sections relating to their own subject areas, or in feeding back comments that informed the Review. Staff were aware of External Examiner reports and responses and these were stored on a SharePoint site.

The panel found that students appeared to have minimal awareness of student staff liaison meetings or any formal mechanisms for raising or escalating concerns, or awareness of how things had been addressed through such mechanisms, in spite of the fact that there was clear evidence to the panel that the meetings took place and were appropriately minuted. Whilst students did not particularly feel the need for such formal mechanisms, and said that they would have no hesitation in feeling able to raise issues of concern with tutors or with the course leader, the panel felt that it was important to also raise awareness of the more formal quality processes. It therefore **recommended** that management ensure that students understand the formal mechanisms whereby they may raise issues relating to the course, and understand how to escalate these if they are unhappy with the response. (**Recommendation 1**)

It was also noted that at the present time there had only been two Student Staff Liaison Group meetings so far since the start of the course and the panel **recommended** that it would be worth management giving some thought to the spacing of these meetings to ensure that they are frequent enough and placed at the optimum points of the year to invite, capture and respond to student feedback. (**Recommendation 2**)

3. Staffing and staff development

Teaching staff reported that good communications exist across the BPTC team, and also laterally across the Law School, where some staff also teach on the LPC. The panel was pleased to learn that staff teach on both full-time and part-time modes of the BPTC, as this promotes consistency of experience across modes for students.

The personal tutoring system worked well, from the perspective of staff. It was not simply a mechanism for monitoring attendance, but for keeping track of students' well being and identifying when people were starting to struggle. Staff were also clear about when it was more appropriate to refer students on to central services in the University, for instance if counselling needs were beyond that which BPTC tutors could provide; tutors would then follow up with students to check how things had gone.

Staff reported that they felt well supported in terms of their continuing professional development needs, and were able to identify and book relevant courses or conferences. There were also a range of internal learning and teaching events that helped staff feel connected to the wider University. Keeping up to date with practice was also strongly encouraged through activities such as shadowing and marshalling, undertaking judicial training, returning to Chambers for a few days and sitting as Deputies. Two members of staff were Deputy District Judges. All staff were required to undergo peer observations on at least two occasions during the year, once within the BPTC team, and once within the wider Faculty.

The University resource model used in determining BPTC staff workload was originally based on an undergraduate teaching model, so not reflecting delivery of the BPTC to class sizes of 12 or 6 students. Adaptation of the standard model now recognises this, generating both additional workload credit for actual teaching, but also as a consequence additional credit for wraparound activities (i.e. marking or updating of course materials). Further credit may be given for extra-curricular activities (for example, pro bono work). The workload model was also capable of recognising where cover for colleagues had been provided, so that the time might be recovered later.

Tutors average in-class teaching load ranges from 6-10 hours/week across the 30 week teaching period, but can peak at 16-18 hours depending on timetabled activity. It was known well in advance

when the busiest times would fall, and this was carefully planned for.

Rather than running a Law Clinic, Pro Bono was done at court on two mornings a week where tutors supervised students who worked with litigants in person who turned up on the day. It was felt to be important not to be seen to be taking work away from barristers or solicitors.

4. Curriculum content and structure

The panel wished to explore the comparability of part-time and full-time modes, to ensure that the content and structure enabled comparable student experience. Both modes use identical materials and have identical contact hours. After a three-day induction, the part-time mode is delivered every third weekend over the year on a total of 11 weekends between September and June. The first year of the part-time route covers Criminal Litigation, Professional Ethics, Conference, Criminal Advocacy, and an introduction to Opinion Writing and Drafting. The second year covers Civil Litigation, Civil Advocacy, Opinion Writing, Drafting and Options. All competitions are available to part-time students and guest presentations that take place during the week are recorded wherever possible. The panel was satisfied that the student experience offered in the two modes was comparable.

5. Admissions and student profile

Although validated for 120 full-time places, the decision was taken to reduce the number recruited to 84, and a further reduction to 72 was planned next year. The rationale for this is to ensure that only students who are genuinely capable of withstanding the rigours of the course are admitted. It was acknowledged that there had previously existed a 'weak tail' of students who struggled to succeed and in so doing adversely affected the experience of others. The success of the new admissions strategy was already to be seen in the strong performance of the provider in centrally set assessments. Teaching staff also reported feeling that the 'weak tail' had been rectified and that the cohort was stronger overall. During selection the emphasis is on practical legal experience. By focusing on this, not just degree results, it is possible to have a nuanced recruitment strategy that does not have a blanket exclusion of applicants with 2:2 degrees. A student with a third class degree and difficult personal circumstances had achieved an Outstanding in 2014. The recruitment of international students who had studied on the University of London International programme also often resulted in those with 2:2s being admitted, some of whom went on to attain Outstanding results. Given these experiences, the team was of the view that aptitude for progressing and doing well on the course could not be directly and simply equated with first degree results.

An IELTS certificate is required of all applicants from countries where English is not the majority spoken language. A large percentage of international students are interviewed by Skype, or in their home countries by visiting BPTC staff. Face to face interviews have greatly improved the quality of students recruited from Bangladesh and Mauritius and although staff are not able to visit Pakistan, Skype interviews are used instead. A significant number of BPTC students come from Malaysia, where the University also has undergraduate links. This has increased the level of confidence in making offers to international students, but offers are always subject to IELTS proficiency. In 2013-14 two students had to withdraw under the English Language requirement, but in 2014-15 year none was required to do so. Of the two who withdrew in 2013-14, one came back having scored highly on IELTS and is now studying the course successfully. It was noted that some of the international students had performed to the highest level with one being awarded an Inns award for top Commonwealth Student. As was the case with first degree results, it was strongly felt that aptitude for progressing and doing well on the course was not related directly or simply to country of origin.

Recruitment to the part-time mode typically includes students with a wide range of life experiences: students have included a veterinary surgeon and a consultant surgeon seeking to retrain. The cohort is not restricted to UK students, although in practice the fact that Tier 4 visas are not available for part-time study precludes international students living in the UK from studying part-time; however students have sometimes flown in from as far away as Canada, the USA and Mauritius for the weekend sessions. The part-time mode also offers an alternative route to training for home students unable to fund full-time studies. Although validated for 48 students, the decision was taken to recruit

to only half that number, in line with the strategy adopted for the full-time mode, in order to focus on recruiting a quality cohort since the impact of a few weak students in a small cohort would be magnified. The specific challenges of studying the part-time mode are understood and students are well supported. However, the team is also keen to ensure that anyone embarking on the part-time route is properly prepared for the difficulties, to manage expectations and ensure that it is not seen as an easy option. With relatively small numbers involved, it is possible to interview most applicants, which facilitates such discussions. The team noted that the 'Health Warning' is a message that is given very clearly to all applicants.

The admissions processes are extremely resource intensive, particularly for the Course Leader, but the benefits are evident. In the five classes that the panel observed, and the group of around twenty students that the panel met with privately, no concerns with language ability, or with ability to study on the course, were apparent.

The panel was pleased to learn that the Law Department did not find itself under any institutional pressure to recruit to full validated numbers for financial reasons. The University recognised the fact that the course was resource intensive and was fully supportive of the Department's desire to provide the best educational experience for those admitted.

It was noted that some high quality potential applicants for the BPTC had in fact studied the LPC as they were eligible for a bank loan to do so, whereas this was regrettably not the case for the BPTC.

Destinations data is now being collected and progression to pupillage or other legal routes will be much easier to track going forward. Anecdotally it is already believed to be increasing. The panel heard of one student who held eight offers of pupillage at one time.

6. Teaching and Learning (knowledge and skills areas)

The teaching that was observed by members of the panel in the five separate sessions attended was all found to be of an excellent quality of delivery, with well engaged students and an appropriately professional ethos. Where relevant, students were clearly expected to be highly conversant with the White Book.

It was noted that the part-time route previously had online study units, but these were found to be not as effective as face-to-face teaching because of the asynchronous nature of online learning. An adjustment to the time-table has now enabled all delivery to be face-to-face. Online resources to support learning, such as advocacy demonstrations, are available to both modes and accessed via BlackBoard. The panel had a demonstration of BlackBoard and found the organisation of resources commendable. To enhance this resource further, it was **recommended** that a quick link to specialist legal resources be introduced from an appropriate page on BlackBoard, particularly with a view to promoting awareness of current developments in the law. (**Recommendation 3**)

The panel learned that the University has a dedicated unit for enabling development of technology-enhanced learning. From the BPTC perspective, the rationale for developing any such new content is that it should enhance the learning experience. More digital resources are planned next year.

Teaching staff indicated that there were additional resources in the virtual learning environment for helping students to keep up to date with the latest developments in the law; however given the workload of the course, some found it too much to work through much additional material. It was agreed that a quick link to material promoting current developments in the law would be helpful (see recommendation 3 above).

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

The management team noted that there had been a decline in the level of student enjoyment of the course over the last three years, as measured in the mid-course evaluation feedback. The fact that the course had become more assessment-driven with the introduction of centralised assessment was thought to account for this.

As noted in the Annual Reflective Review, although comparative data across providers was not yet available, it was clear that UWE had performed well in 2013-14, with the performance in Professional Ethics being particularly notable for going against the national trend of a drop in performance.

8. Student support and quality of student experience

The panel was pleased to meet with a group of around 20 full-time students, about half of whom were international. Their backgrounds varied widely. Some had done undergraduate degrees at other UK universities followed by a GDL, while others had come via an LLB route; some had studied for two years in Malaysia and transferred to UWE; others had spent time working in the financial or government sector, and some had been undergraduates at UWE.

Reasons for choosing UWE included: the lower fees than some providers and reasonable living costs in Bristol; the small cohort; the fact that the BPTC is delivered in a full service law department and a discount is available to continuing UWE undergraduates. Another key selling point was the additional ADR qualification that can be studied at no extra cost at the end of the course. This was believed to be a valuable addition for the CV and could be used in other jurisdictions as well as in the UK.

Students very much appreciated the number of mock assessments that were arranged. These were compulsory and covered by the attendance rule. Even if they had not been compulsory, students said that they would wish to attend all practice examinations, as this was an important form of additional support and they would even welcome more, for instance an additional session to the existing practice assessment in conferencing.

Students felt that their experience on the BPTC at UWE had met expectations, and many felt that it that it had exceeded them. All would recommend UWE as a provider.

All students have a personal tutor, and each tutor has twelve personal tutees. The system was felt to be working well, and played an important role in ensuring that no one was left behind. Anyone who was struggling to comprehend an aspect of the course would feel able to ask for additional help from their personal tutor, and tutors would also offer this pro-actively if they noticed that someone was struggling. Students had a keen awareness of the expectations placed on them on a professional course, and the importance of being prepared for classes and willing to contribute. The fact that absence had to be accounted for was seen as a positive thing because it meant that tutors would be aware of problems. As well as having a general open door policy, personal tutors were reported to be pro-active in keeping track of students' well being; students said that they felt as if tutors really cared about their progress.

Feedback on formative assessments is given in class, with additional feedback outside class if necessary; model answers are put on BlackBoard including the rationale to assist understanding.

Students reported finding the workload strenuous, particularly with the volume of material that needed to be covered for Civil Litigation, but the supporting materials on BlackBoard helped them to keep track and prioritise. It was difficult to do any additional reading, for instance around new developments in law, but tutors were helpful in pointing out things that were important to know for pupillage applications.

Areas that students felt might bear improvement included ReDOC, where there was felt to be a conflict in that a skills subject was being assessed as a knowledge subject, however this was due to the BSB course prescription and not within the control of the Law Department. It was noted that additional sessions had been introduced as a result of comments by previous students. Some students would also like more advocacy sessions, particularly Examination in Chief and Cross Examination, and they would be willing to come in on Fridays if optional extra-curricular sessions were available then.

Centralised assessment was of great concern, particularly the reliance on memory given that the

exams were not open book, when in real life a barrister would have access to texts and would need to know how to find the relevant information quickly, rather than know it from memory. Another concern with centralised assessments was with the marking of SAQs when it was felt to be unfair that no marks were awarded unless an exact word had been used, even when the alternative was felt to have the same meaning. Finally, the timetabling of two centralised examinations on consecutive days was felt to be very challenging, particularly for those with special adjustments whose examination on the first day would finish later so there would be even less time between examinations. Student concerns regarding centralised assessment were noted and will be passed back to the relevant BSB groups.

Students felt that there was a good range of careers advice, including input from barristers giving specialist advice on how to increase chances of gaining pupillage. Mock interviews were available, and there were also careers events aimed at overseas students, for instance on the options for working in Asia. Senior Magistrate's Court clerks and Silks from the Western Circuit also contributed to careers events. Kate Brunner QC and Christopher Sharp QC both attended to deliver guest presentations in January 2015. Staff noted that attempts were made to make students think more laterally about wider opportunities in the changing legal landscape, but at the time of doing the BPTC most students were wholly focused on trying to gain pupillage and other opportunities were harder to sell.

9. Learning resources (Library and IT)

The Learning resources centre is open 24 hours and the 'ask a librarian' online chat is also available 24 hours.

There is a large silent study floor and separate room where talking is allowed. There is also a BPTC dedicated space within the Law Department.

The panel was pleased to meet with two IT staff responsible for supporting the technology in the teaching rooms, including the recording equipment for classes, and with two learning resources staff who conducted the tour.

10. Equality and diversity

The panel learned that the most recent and present cohorts each contained two students with serious disabilities. Thought had been given to how best to support these students from the outset, with discussions taking place before the course had started. Measures were put in place to enable the students to progress and excel on the course. Although the team acknowledged that this had been a reactive approach in response to the needs of these students, having gained experience and confidence in the provision of such support, it might be possible to be more pro-active in promoting the course to students with additional needs in future. The panel commended what had been done so far and encouraged a more pro-active approach in future.

Additional comments

The panel was made aware of a large building project currently underway for new Faculty premises including a new Law Department. It was pleasing to note that staff were being involved in the design phase and that the possibilities of the new Courtroom were being considered from the outset with ideas about building in facilities for clients with special needs, and using videolink facilities for training. It was felt to be very important that the new building should preserve all that is strong about the current identity of the Law Department, and the panel therefore **recommended** that the distinctive collegial course ethos and identity be retained in the move to the new Faculty building through continued consultation with staff and students. (**Recommendation 4**)

Good practice, distinguishing features

The panel wished to commend:

1. the excellent teaching that was observed, and the well organised and accessible supporting resources on BlackBoard.
2. the continued and developing links with the profession.
3. the active review of Admissions processes that appears to have eliminated the 'weak tail' of students, and also addressed the English Language requirements well.
4. the excellent rapport between students and staff and the genuine strength of the pastoral support system.
5. the robust integration of part-time and full-time modes to ensure a comparable experience for all students.
6. the well resourced library and involvement in the course of well informed learning resources staff.
7. the fact that students report being made to feel special and treated as individuals even in the context of a large institution.
8. the excellent court room and common room facilities.
9. the excellence of the Pro Bono provision.

The panel also wished to commend the work done so far to enable and support students with significant levels of disability, and to encourage staff to develop on this experience into pro-active expertise.

Conclusions: recommendation on accreditation/approval/continuing approval

The panel recommends continuing approval with recommendations.

Recommendations

The following recommendations must be addressed:

Recommendation 1	To ensure that students understand the formal mechanisms whereby they may raise issues relating to the course, and understand how to escalate these if they are unhappy with the response.
Recommendation 2	To give thought to the spacing of the Student Staff Liaison Group meetings to ensure that they are frequent enough and placed at the optimum points of the year to invite, capture, and respond to student feedback.
Recommendation 3	To introduce a quick link to specialist legal resources from an appropriate page on BlackBoard.
Recommendation 4	To retain the distinctive collegial course ethos and identity in the move to the new faculty building through continued consultation with staff and students.

Response by the Provider (maximum one page)

The BPTC Team at UWE, Bristol is very proud of this report which demonstrates in particular the excellence of the teaching, teaching material, student support, teaching facilities and pro bono opportunities together with the cohesive approach to the delivery to the Full time and Part Time BPTC. We were very pleased that the Panel experienced the strong collegiate ethos among staff and students which exists on the course. The report also recognises our very strong links with the local profession which underpins the range of career support that our students benefit from. The report encapsulates all of the many benefits we offer to students who study with us.

The team is also pleased to note the very few recommendations made, all of which have already or are in the process of being implemented.

The team will further emphasise (in the 1st of 4 scheduled SR/SF meetings in 2015-16) the formal mechanisms whereby students may raise issues relating to the course, and understand how to escalate these if they are unhappy with the response. In addition the team will continue to offer an open door policy of welcoming student approach and feedback both to individual tutors as well as course managers throughout the academic year.