

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

**Bar Professional Training Course
Nottingham Law School, Nottingham Trent University
Report of Visit held on 4 February 2016**

Name of Institution	Date of Visit/Meeting
Nottingham Law School	4 February 2016

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

Numbers/modes approved	Dates of course
Approved for: 120 full-time (60 enrolled)	September 2015 to July 2016

Panel Members	Role and area of primary responsibility
Dr Victoria Stec	Head of Training Supervision, BSB (Chair)
Dr Simon Thornton-Wood	Director of Education and Training, BSB
Mr Deveral Capps	Head of Law, Leeds Beckett University; External Examiner (BSB)
Mr Kuljeet Dobe	Barrister; External Examiner (BSB)

Provider Team attending the event	Role and area of primary responsibility
Mr Ian Fox	Course Leader: BPTC
Professor Janine Griffiths-Baker	Dean of the Law School
Ms Helen Hudson	Head of Postgraduate Professional Courses
Ms Rachel Rowley	Tutor: Criminal, Deputy Course Leader
Ms Rachel Dawson	Tutor: Civil
Ms Zuri Djan	Tutor: Criminal
Mr Simon Parsons	Tutor: Criminal
Mr Adrian Savage	Tutor: Civil

Rationale for the visit
<p>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.</p> <p>The panel was provided in advance with key documentation, including the provider's Annual Reflective Review 2014-15, copies of External Examiner reports for the relevant year, the BSB visit report from March 2015 and other relevant information.</p>

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

Context: the Provider

Nottingham Trent was granted University status in 1992. Nottingham Law School is part of the College of Business, Law, Education and Social Sciences within the University. The Law School is a full-service Law School offering a full range of undergraduate, postgraduate and professional programmes. The Law School delivered the Bar Vocational Course from 1997 to 2010, and since then has delivered the Bar Professional Training Course. It ran the Bar Professional Training Course in collaboration with Kaplan Law School (both operating as separate providers, with Kaplan running the Nottingham course at its site in London) between 2010 and 2014, when Kaplan ceased to offer the BPTC.

1. Adherence to course aims, philosophy and standards

Adherence to course aims and philosophy seemed sound and standards secure. The panel wished to commend the responsiveness of the course and management teams to the previous visit report in particular progress towards a greater team ethos, which was seen to be beneficial to the student experience.

2. Quality management systems

The panel was keen to learn what involvement staff had had in developing the Annual Reflective Review and how quality management systems had evolved in general since the previous visit. In July 2015 a module and course review day had been held. As well as module scrutiny, this had included discussion of progression statistics and external examiners' reports. There were now staff meetings once each term and module meetings three times each term. The appointment of a Deputy Course Leader had also greatly helped to enrich communication. A clear schedule of assessment production and audit trail for sign-off procedures was now in place, and external examiners had been contacted in a timely way. Teaching staff reported feeding into responses to External Examiner reports. All staff were encouraged to attend the Student Staff Liaison Committee meetings and modules leaders were expected to attend.

3. Staffing and staff development

The panel invited the management team to give an update on the process of reviewing course management structure. The previous year's visiting panel had raised concerns about the structure of line management on the course, and particularly the fact that the Course Leader seemed to be operating in something of a vacuum. The management team noted that there was a wider organisational review process in the university that would conclude in April 2016. However, in the meantime the concerns expressed the previous year about BPTC course management had been addressed through a number of measures. These included the appointment of the Deputy Course Leader. In line with university policy, the Head of Postgraduate Professional Courses line manages the Course Leader and Deputy Course Leader, though in practice the Deputy Course Leader discusses day-to-day matters with the Course Leader. The Head of Postgraduate Professional Courses takes a close interest in all BPTC matters and oversees the regular scheduled course

meetings, as well as meeting with, and being available to, BPTC students. One other beneficial change in the past year is that any activities that staff undertake outside the BPTC are now much more carefully aligned and relevant, such as working on the new LLM in Advocacy Skills that has been designed in conjunction with the Attorney General of Malaysia. When the panel met with the teaching team they confirmed that there had been a shift in the last year to a more coherent approach focussing on the BPTC and other postgraduate teaching; the team no longer contributed to undergraduate tutorial teaching.

The management team was invited to comment on measures taken to encourage staff to engage with practice during the last year. It was noted that there has always been a policy of encouragement to maintain links with practice, and that 200 hours for staff development are specifically built into the workload plan, although many staff do more. There is no BPTC teaching on Fridays and staff are actively encouraged to use that time. Five members of Law School staff sit as judges or tribunal chairs and one assists on tribunal training with judges, though none are currently BPTC tutors. The Head of Postgraduate Professional Courses has talked to all the team about their professional development, including managing expectations where activities would not be feasible in the context of a full time tutor post, and staff development activities have been mapped onto BSB requirements. From the staff team, the panel learned of a new member of staff who had been able to go back to practice to finish a case, and who hoped to keep in touch with the Bar as much as was possible. Other staff said that they were well supported to undertake various activities including attending the Bar Conference and Young Bar Conference and going back to court for short periods each year.

4. Curriculum content and structure

When asked what they would choose to change if the BSB could make one change to prescription of the course, the teaching team said that they would ideally like Opinion Writing to be assessed as a take away exam as this would be more realistic. Teaching staff noted opposing tensions between pressure to design assessments focused on competence and pressure to create realism. Staff had been involved in discussions about possible changes to Opinion Writing and Drafting next year. Resource and security concerns were still preventing the use of PCs in these examinations, although tutors felt that it would be beneficial. Students also stated that they would like the Opinion Writing assessment to be course work, and that they wished to be able to type their answers. The panel **recommended** that the course team give further consideration to the use of PCs in Opinion Writing assessments (**Recommendation 1**).

5. Admissions and student profile

The management team was invited to set out what they saw as the main messages about Nottingham Law School to emerge from the Key Statistics Report published by the BSB in December 2015. The management team was pleased to note the relatively strong position in terms of numbers of students gaining pupillage in a challenging market: Nottingham Law School had identified that they were joint first of regional providers. The majority of students admitted were reported to have a 2:1 or better. At Nottingham Law School it was believed to be unusual that this entry profile included their international cohort. This was seen as a positive trend given the importance of the degree profile to prospects of passing the BPTC and gaining pupillage, and also because students liked to see themselves as part of a strong cohort.

A BPTC tutor had been appointed as international student co-ordinator and had identified areas of support that would be beneficial to the whole cohort, not just international students. For example, international students had said that they would like more advocacy performances available as a resource and these were made available for all.

The Law School reported that they had also taken a strict stance on English language requirements. A record number of acceptances had been received last year but these had not converted into a high

level of enrolments because of the number of international students who failed in one area of IELTS. The School had taken a hard line on this and not been prepared to compromise. Some applicants had transferred to the LPC, which only required an IELTS score of 6.5, and others had been provided with language support. The management team will be interested to monitor how the stance translates into future performance statistics.

The panel asked whether the reduction in numbers of students was yet at a level where there were any concerns about the viability of the course. The management team reassured them that the BPTC was seen very much as an integral part of the Law School portfolio and the university remained wholly committed to a full service law school. Staff were kept embedded on the BPTC which, at present, had a student staff ratio of 1:9, but if things changed, staff could be redeployed on the LPC if necessary.

6. Teaching and Learning (knowledge and skills areas)

The panel learned that following the Civil and Criminal curriculum review, the teaching team had sought to refine teaching so that they were no longer delivering large areas that were not examinable. However, they did continue to teach non-examinable aspects where it was necessary to do so to produce a good practitioner. When asked about a perceived imbalance between Civil and Criminal voiced by the students, the Course Leader said that if there was a difference it was marginal and was due to the changes to the curriculum and slight differences in the way the two areas were taught. All seminars are one hour apart from oral skills.

When asked about where the locus of ownership for Professional Ethics lies, the Course Leader confirmed that it was with two separate tutors. The panel asked why sample answers were not provided for Professional Ethics questions and the Course Leader acknowledged that there was no educational reason why they should not be. Suggested answers would be discussed in class but sample answers were not provided in supporting online materials. Given concerns about performance in the Professional Ethics examination in 2015, and the concerns expressed by students about their preparedness, the panel **recommended** that the course team consider ways to better assure oversight of Professional Ethics and to consider the benefits of supplying model answers to sample Professional Ethics questions. (**Recommendation 2**).

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

The management team was invited to outline what has been learned from the challenge of responding to centralised assessments. Concerns were voiced that the nature of the centralised assessments was deterring some good students from applying for the BPTC, and opting for the LPC instead. Tutors were now driven to teach to the assessments, which they found regrettable, and the challenge was to prepare students well for the examinations in spite of these reservations. Mock assessments in examination conditions were offered, but the level of take-up was poor except for the first of these, which was Ethics.

The panel was interested to understand why students with good prior attainment did not always perform well on the course. There is no attempt to stream at Nottingham Law School and teaching is in mixed ability groups. Tutors would not necessarily know which of their students had higher prior qualifications. It may be that some students are academically gifted but struggle to apply knowledge in a vocational context. In the future the teaching team may look to introduce some sessions that are driven by case analysis as this should help in terms of the shift from the academic approach to practical application.

It was reported that Nottingham Law School works to limit the differential in achievement between international and home students. Some international students come from a background where there is a more didactic method of teaching and here the challenge is to change their mind-set and enable

them to embrace to new methodologies, as well as to familiarise them with the court system of England and Wales. Specific staff development sessions are run to assist staff in understanding and supporting the issues arising from cultural difference. The university has strong links with Malaysia, including through the Bar Society at Nottingham University, and high achieving international alumni also help to support current international students. Around two thirds of international students are Malaysian and a tutor with experience of working in Malaysia contributed to the staff development sessions.

8. Student support and quality of student experience

The panel asked the teaching team about the challenges of implementing the attendance requirement. It was reported that the Course Leader had flagged up the requirement at the start of the course. If a student was more than 10 minutes late they were not allowed to sign the register. Passive attendance was also explained and students knew that they would be marked absent if they had not prepared for class. In the current year no one had yet fallen below 90% attendance.

The teaching team was asked about what kinds of experience are on offer in preparation for pupillage. A number of added value activities were described including networking opportunities with the local Bar and activities such as the Ropewalk Moot. A former judge had also been a visiting professor. However, it was reported that students had to be encouraged to attend such activities, as they tended to focus on exams to the detriment of things that might boost their CVs in other ways.

The panel was pleased to meet with a group of around 8 students, although it was noted that no international students were present, so the group was not representative of the demographic of the cohort. Reasons for choosing Nottingham Law School included having studied their undergraduate degree there, the relatively cheap cost in comparison with London, and the excellent facilities within university. There were also Inns scholarships available to cover tuition fees that were not available to students in London.

Students said that the course was living up to their expectations and that when issues were raised with the Course Leader he was very responsive, although it was not always possible to raise things with him immediately after a session as he often taught back-to-back classes. Most students were very happy with the quality of their tuition. They liked the fact that there had been a rotation of advocacy tutors in the second term to vary their experience, but did feel that this was a little late.

Students noted that there was a range of abilities and educational backgrounds across the cohort and that this could lead to some people dominating discussion, or to momentum being held up due to a lack of basic understanding of the court system in some instances. There were some concerns that the groups were not evenly balanced, for instance there was believed to be one group where there was only one home student and one all-female group. When the panel asked the Course Leader about this, he confirmed that the allocation of groups was entirely random. If this resulted in any groupings that were thought to be detrimental educationally, the Course Leader could step in but he had not found this to be necessary.

The Student Staff Liaison Committee had met once and four issues of substance had been raised. However, some of the things that students raised as matters of concern to them had not been taken to the Committee. The panel **recommended** that the course team ensure that student quality assurance mechanisms (in particular the student staff liaison committee) play a greater role in course feedback (**Recommendation 3**).

It was a source of frustration when students were taught non-examinable things as they wished to focus on the centralised assessments. In particular they wanted to know what the examinations would look like and to have more opportunities to practise. The mocks under examination conditions for Civil and Criminal were thought to be too late in the year to be of maximum use. With Professional Ethics, students were keen for more resources and to have access to sample answers in supporting materials. The panel **recommended** that the course team review the opportunities that students

have to practice exam-style questions and to sit mock examinations and to reconsider both the form of these assessments and the timing in relation to the actual exams to ensure that there is sufficient time to reflect and improve (**Recommendation 4**).

Students were asked whether they felt that the Law School was preparing them well to enter the profession. Although students believed that they might need to adopt new techniques and approaches during pupillage, they did feel that the BPTC was equipping them with the tools to operate on their feet. A pupillage workshop was organised the following week. Students had little awareness of alternative career pathways at this stage. Other opportunities such as networking events through the Inns, competitions, and work within the Law Centre were cited as career-enhancing activities. Students were of the view that FRU work should be an optional module. The panel, who had seen the excellent facilities of the Law Centre, **recommended** that the course team consider creation of an optional module that gives credit for students participating in Legal Advice Centre work (**Recommendation 5**).

Despite the cost of the course, students were of the view that it could be considered good value for money if opportunities available were maximised and if students were happy with their tutors.

9. Learning resources (Library and IT)

Online resources are available to students including virtual learning rooms for each module. The use of IT in the classroom is the subject of ongoing discussion. Cameras in the classrooms are very old and often the use of iPads for recording performances is better. If a tutor is acting as the Judge they can operate the iPad. It is thought preferable to continue discussions until the best IT solutions have been identified rather than rush to implement solutions that may not work well longer term.

10. Equality and diversity

Students were of the view that the syllabus was so demanding that there was sometimes little space to ask questions, and that this could disadvantage those who might have special study needs, as they would not wish to hold up their peers. However, this was believed to be an issue with the course rather than the Law School, and students were aware that they could talk to personal or module tutors if they were struggling.

As noted in section 3, staff development sessions aimed specifically at enabling tutors to support international students are delivered to all staff.

Additional comments

n/a

Good practice, distinguishing features

1. Responsiveness to previous visit report in particular progress towards greater team ethos.
2. Assurance that all international applicants have met minimum English Language requirements.
3. Clear measures taken to improve the experience and attainment of international students.
4. Actions taken to ensure a more coherent staff workload, and where teaching outside the BPTC is necessary, focusing on the relevance of that area of teaching to the BPTC.

Conclusions: recommendation on accreditation/approval/continuing approval	
The panel recommends continuing approval with recommendations.	
Recommendations	
The following recommendations must be addressed:	
Recommendation 1	Give further consideration to the use of PCs in Opinion Writing assessments.
Recommendation 2	Consider ways to better assure oversight of Professional Ethics and to consider the benefits of supplying model answers to sample Professional Ethics questions.
Recommendation 3	Ensure that student quality assurance mechanisms in particular the student staff liaison committee play a greater role in course feedback
Recommendation 4	Review the opportunities that students have to practice exam-style questions and to sit mock examinations and to reconsider both the form of these assessments and the timing in relation to the actual exams to ensure that there is sufficient time to reflect and improve
Recommendation 5	Consider creation of an optional module that gives credit for students participating in Legal Advice Centre work.

Observations	
If any observations are made, to bring to the attention of the BSB, please detail below:	
Observation 1	None.

Response by the Provider (maximum one page)

We are grateful for the opportunity to respond to the Panel's report. We are pleased that the Panel commended our responsiveness to the previous visit report and the initiatives we have taken to enhance the experience and attainment of our international students.

In respect of the Panel's recommendations:

- The Course Leader and Deputy Course Leader have arranged to meet with the University's IT Support department to consider what software might be available to facilitate the use of PCs in both the Opinion Writing and Drafting assessments, together with the wider resourcing implications which arise. The opportunity will also be taken to examine possible alternatives to our existing recording equipment (DVD camera), including the possibility of saving student performances to a server as well as a USB stick.
- Following the Panel's visit and prior to the formative Ethics assessment, additional Ethics problems were placed online together with sample answers. For the academic year 2016-17 leadership of the Professional Ethics module will be shared between a Civil tutor and a Criminal tutor, which we believe will further assure oversight of the module.
- By the end of the academic year, we will have held 3 staff/student liaison meetings (Course Committee meetings), together with additional international student meetings. All student members of the Course Committee receive training from the Student Union and are aware that they represent the Course, rather than their specific group. We request agenda items in advance. In the circumstances we are unsure why some matters were not taken to the Committee's first meeting. For the academic year 2016-17, we will ensure that the details of student representatives are made available online and that all students receive reminders of the dates of Committee meetings.
- We have reviewed and finalised the timing of assessments (both formative and summative) for 2016-17, although we note that, to a large extent, the Course and assessment timetable is driven by the dates of the Centralised assessments. We will review the opportunities that students have to practise exam-style questions, not least as we incorporate the changes to the Centralised assessment regime.
- We have recently re-validated our BPTC as a Masters award; students who undertake legal advice work or representation, whether within our Legal Advice Centre or outside, will have the opportunity to be credited for their practical legal work experience by submitting a reflective report or dissertation.