

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

**Bar Professional Training Course
Northumbria Law School, University of Northumbria Newcastle
Report of Visit held on 17 February 2017**

Name of Institution	Date of Visit
Northumbria Law School, University of Northumbria	17 February 2017
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 (104 enrolled) Part-time 24 (3 enrolled)	September 2016 to July 2017
Panel Members	Role and area of primary responsibility
Dr Victoria Stec	Head of Training Supervision and Examinations, BSB (Chair)
Dr Vanessa Davies	Director General, BSB
Ms Poonam Sharma	Training Supervision Officer, BSB
Ms Ann Thanaraj	Legal academic, University of Cumbria
Provider Team attending the event	Role and area of primary responsibility
Ms Emma Piasecki	Director of Learning and Teaching: Postgraduate Professional Programmes
Mr William Ralston	Full Time BPTC Programme Leader
Ms Lisa Down	Part Time BPTC Programme Leader
Ms Sara Lambert	MLaw BPTC Programme Leader
Mr Tony Storey	GDL Programme Leader
Dr Michael Stockdale	Head of the Law School
Ms Cath Sylvester	Associate Head of the Law School
Ms Melanie Davis	Registrar
Ms Gemma Davies	Senior Lecturer
Mr Paul McKeown	Senior Lecturer
Ms Laura Coapes	Senior Lecturer
Ms Katherine Dunn	Senior Lecturer
Ms Caroline Gibby	Senior Lecturer
Mr James Gray	Principal lecturer

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 2015-16, copies of External Examiner reports for the relevant year, the most recent BSB visit report and other relevant information.

During the visit the panel met, separately, with management, course team and students. The report reflects the findings of the panel and is informed by both documentation and visit.

Context: The Provider

The University of Northumbria, Newcastle (UNN) was established in 1992. The Law School is situated within the Faculty of Business and Law and is housed in a modern complex on City Campus East. The Bar course has been delivered at UNN since 1997, first as the Bar Vocational Course until 2010, and subsequently as the Bar Professional Training Course. A part-time mode was approved from 2007. Since 1997 UNN has also run an exempting degree, which incorporates the Bar course with the LLB. The Law School offers a full range of related law and professional courses.

1. Adherence to course aims, philosophy and standards

The panel found that the Bar Professional Training Course at Northumbria University was being delivered in accordance with the stated aims, philosophy and standards of the course.

2. Quality management systems

All the BPTC teaching staff are involved in the development of the Action Plan. Module tutors write their own module reviews after meetings with their teams. These are then fed back to programme leaders. A report is then created by the programme leader incorporating feedback from tutors, student surveys and all other informal feedback. This report is then considered when compiling the reflective review. The action plan for the academic year is also emailed along with the draft annual reflective review to all BPTC tutors for comment before it is submitted to the BPTC.

3. Staffing and staff development

Tutors were strongly of the view that to be involved in research is beneficial for the course, and that there was a clear symbiotic relationship between research and teaching. The panel learned of a range of examples where the topics of tutors' own research projects were directly feeding in to the course or into the way they are able to impart professional coping mechanisms to students. Research interests vary among the teaching staff. In instances where the research may not directly

impact teaching, there are other benefits such as developing the pedagogy around legal education, expanding network links, or enhancing the reputation of the university by contributing expertise, for example in giving evidence to the government about the impact of Brexit. Sabbaticals help maintain the balance between research and teaching.

The ideal goal for staff to balance teaching and research is 40% teaching, 40% research and 20% administrative work. Staff bid for research hours within a range of 50-500 hours, often with the support of research mentors. The application is sent to a committee for a recommendation, it is then for the law school to determine if they can support the request. Staff are not forced to bid, but are incentivised in terms of prospects for promotion. Northumbria University is a research led university, and the opportunities for staff development attract excellent academics and practitioners to teach on the course.

The panel encouraged practitioner tutors who maintain their practising certificate to consider how they might use some of their research activities in fulfilment of their CPD requirements, now that these have changed.

Some research activity is multi-faculty and allows for the tutors to collaborate with other departments at Northumbria thus capitalising on links and broadening students' horizons. The panel heard examples of a range of beneficial collaborations, including with criminologists and colleagues working in social care.

The panel wished to **commend** the way UNN has addressed recommendation 2 (relating to strategic research) in the previous monitoring report, as well as the way research is being adopted and utilised in a range of components of the programme and used in a creative and imaginative way with appropriate academic rigour.

The panel **recommends** further exploration of cross-university and cross-faculty work-based learning opportunities. (Recommendation 1)

4. Curriculum content and structure

For the advocacy masterclass in the academic year 2016-17, students will have the option to participate in a full criminal or civil trial. The panel was interested to know the impact on attendance now that the advocacy masterclass is no longer compulsory. Teaching staff said that a significant proportion of those seeking pupillage in the UK did take up the course, whereas it might have less appeal to those intending to return to home jurisdictions overseas. As with other aspects of the course, there is scope for developing analysis of results. The panel **recommends** the need for objective analysis of results and the learning that can be drawn from them. For example the correlation of the advocacy results with the attendance at the advocacy masterclass. (Recommendation 2)

The majority of the students the panel spoke to were enrolled on the advocacy masterclass. Some students said they did not sign up due to their heavy workload. The students taking the advocacy masterclass were highly complimentary about it. Students commented that receiving feedback from a practitioner is particularly helpful. They liked the fact that students who were participating had chosen to do so, which resulted in a high level of motivation. Students liked covering a wider area of advocacy, for example opening speeches, and said that they benefited from hearing different voices.

5. Admissions and student profile

The management team noted a significant shift that had taken place in the attitude of the University and School to recruitment on the BPTC. The drive now was to take fewer students but of a higher ability. They welcomed the change made to the BCAT cut score and felt that it would help to improve

the admissions profile. Every international student is interviewed, by Skype if necessary, and their ability to speak English to the required level and in an appropriate context is considered. Further checks have been implemented during the registration period to ensure students satisfy the entry requirements, for example: students are enrolled on to the course by a BPTC tutor in order to assess students' English Language proficiency. It is rare for concerns to be flagged up at this stage, however should there be an issue students are asked to sit either the IELTS or Pearson Test of English.

It was noted by the staff that the number of applications made for the BPTC are decreasing, however, it is difficult to link this to one clear explanation. It was also observed that not many European students are applying for the course, the market mainly consists of domestic and international students. This could possibly be linked to issues surrounding Brexit, but numbers of EU students have never been high.

6. Teaching and Learning (knowledge and skills areas)

The panel was keen to learn how Professional Ethics was being taught. Tutors reported that problems arise when students seem to think there is a specific answer. However, students are given scenarios and are encouraged to think about what they would do in a real life situation, rather than just thinking which core duty is relevant to a situation. This results in some challenging discussions and creates a good learning opportunity for students to explore who they are as practitioners. Students now receive an additional lecture on the Code of Conduct and the Supplementary Guidelines. Furthermore, students are given more contact time in Ethics, for example three large group revision sessions were provided in the month prior to the assessment. Further ethical issues will be introduced in the skills and knowledge modules to provide a more holistic understanding and reinforce the pervasive nature of the concepts.

Students praised the Ethics teaching team, especially for the additional support provided through the extra lectures, increased contact time and the revision sessions. Students also commented that all modules seemed to have an ethical element for example ReDOC. Part-time students will be sitting the Ethics assessment next year but have already had introductory lectures to help them prepare.

The teaching team commented that the change to the Professional Ethics assessment format of 6 SAQs with no MCQs was better aligned with teaching and had enabled freer discussion where students had to reason their views and therefore were learning to utilise the professional language and embed understanding.

Tutors expressed their concern about students being unable to take the manual into the Professional Ethics exam thus making the assessment more challenging. It was held that practitioners in reality would be able to refer to the manual. However, some tutors felt that having a large book available to consult in the assessment would be time consuming and in any case ethical values should be embedded in students' understanding. The BSB noted the view that the Ethics assessment should be open book. The teaching team felt strongly that the best place for Ethics to be taught was in a real life setting such as the Student Law Office or PSU where students had to critically analyse and understand the rationale for decisions.

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

The teaching staff explained the steps taken to help students prepare for the new assessment format of all Multiple Choice Questions (MCQs) including Single Best Answer Questions (SBAs) for Civil Litigation and Criminal Litigation. There are specific SBA and MCQ litigation and evidence workshops to prepare students for the new assessment regime and develop their skills in answering SBAs. Question writing training undertaken at the BSB by tutors is disseminated to the wider teaching team and existing questions have been adapted for practice questions.

The panel observed a significant difference in failure rates between internal examinations and centralised examinations. The management team explained that although there had been some improvement, there were some difficulties with students finding ways to defer taking centralised assessments on a first sit, often due to general fear of taking the assessment. This has particularly been the case with overseas students, and has been exacerbated by the fact that until this year there was only one resit allowed. The university has tried to dispel the fear around centralised assessments through introductory guidance lectures where they try to instil students with a basic level of confidence. The management team hoped that the change in the assessment format might result in a fall in deferrals. External Examiners who quality assure the course had been consulted about the difference in pass rates between internally set and centrally set assessments and the External Examiners had confirmed that the internal modules were appropriately rigorous. It was notable that on the MLaw route there had been no deferrals and performance was better.

8. Student support and quality of student experience

The panel was pleased to talk to a mixed group of full-time, part-time and MLaw students. Students chose to do the MLaw due to the affordability, as the course is eligible for student loan, furthermore the fact that they did not have to decide whether to take the LPC or BPTC route until the end of the second year was appreciated. Overseas students chose to study at Northumbria due to the location and the very welcoming and friendly attitude from the university staff during visits. Overseas students felt that they were fully informed and aware of what to expect on the course. Home students commented that the open day was very informative, staff providing information to students were very passionate and inspiring.

The group also included Inns of Court representatives, who explained that their main duty was disseminating information from the Inns education departments to the students, and arranging local events, such as a Qualifying Session, with the assistance of local Benchers. Students felt that travelling to London for qualifying sessions at the Inns is expensive, and they thought that instead of being permitted 3 local qualifying sessions, more local events should be permitted. Students found that the nature of qualifying sessions at the Inns varied in the extent of their usefulness, and that some should be of more substance, such as evening lectures, rather than focusing on dinner.

The teaching staff also raised concerns about the cost implications for students of travelling to London to complete qualifying sessions at one of the four Inns. It was not unknown for it to cost up to £400 just for a student to gain two Qualifying points in London. Staff felt that the cost of travel should not be an impediment for students outside London to engage with the Inns, and it was also noted that there were practitioners and Benchers who were circuit-based who would be well placed to oversee more out of London activities.

The students praised the active circuit and the support received from the local profession who had been very supportive of mooting and networking events which been attended by around 35 practitioners. Furthermore, a panel of five barristers spoke to students about pupillage interviews and students were able to schedule mock interviews.

Students were very complimentary about their tutors, and how passionate, inspiring and engaging teaching is on the course right from the way the basics are taught to in-depth knowledge. Students felt very clear about the learning objectives of all of the small group sessions however, some students felt that the objectives for larger lectures could be more defined and clear to help them focus when there is a lot of material. Students differed in their views as to the usefulness of large lectures as a tool for learning.

Students commented that the staff student liaison committee was very effective. Students felt that any perception that a law school with a high percentage of international students was operating at a lower standard was misconceived, and that the profession should value the international mix of such cohorts, and also value the fact that many of these students took the training they had received at the Bar of England and Wales to contribute to upholding the rule of law in their home countries. Northumbria University is introducing an evening programme which will explore the 'day in the life of' a legal professional, for example: a solicitor, clerk, magistrate, etc. The programme will be facilitated by a psychologist. The objective of the programme is to enable students to better understand the role and duties of other legal professionals that they will encounter on a daily basis as barristers.

9. Learning resources (Library and IT)

The teaching staff informed the panel that Panopto, an online recording facility which replaced the DVD system, has been implemented and no technical problems have arisen thus far. The new system has enabled students and tutors to access individual performances, for example Advocacy students are asked to write a reflective review on their performance, which is then to be discussed with their tutor and Panopto facilitates this exercise. The system can also be used for activities in the Student Law Office. The Panel **recommends** that the university continues to explore and exploit the potential for reflective learning of Panopto. (Recommendation 3)

The students the Panel spoke to were happy with the teaching and study materials which include sample questions put up on the VLE after classes and printed materials for some areas such as witness handling.

The panel was given a tour of the Business Clinic, which is the Business Faculty's counterpart to the Student Law Office. This consists of business briefing rooms where groups of 4 or 5 can be facilitated and also a client-facing boardroom installed with Panopto, which gives students the ability to review their performance. The panel was impressed by the wide range of experiential opportunities afforded to students by these facilities and also the potential for cross-disciplinary growth to enrich both faculties.

10. Equality and diversity

Northumbria University has a general Equality & Diversity policy as well as specific policies for disability disclosure, learning support, reasonable adjustments in examinations, mental health and responding to disclosure of mental health. The panel observed no issues of concern relating to equality and diversity.

Additional comments

Noted by the BSB:
The BSB notes the view of staff at Northumbria that the Professional Ethics exam should be open book.

Good practice, distinguishing features

The panel wishes to commend:

1. the way UNN has addressed recommendation 2 (about strategic research) in the previous monitoring report, as well as the way research is being adopted and utilised in a range of components of the programme and used in a creative and imaginative way with appropriate academic rigour.
2. the benefit to the students of the way Ethics has been embedded across the curriculum and the encouragement for the student to explore their professional identity.
3. the proactive pursuit of opportunities to innovate and adapt in the light of imminent training reform.
4. student feedback on motivational and inspiring tutors, the tutors' expertise and support for students.
5. the coherent way in which the institutional vision and strategy manifests itself at programme level.

Conclusions: recommendation on accreditation/approval/continuing approval

Continuing approval with recommendations.

Recommendations

The following recommendations must be addressed:

Recommendation 1	Encourage further exploration of cross-university and cross-faculty work-based learning opportunities.
Recommendation 2	Continue to do objective analysis of results and the learning that can be drawn from them, for example the correlation of the advocacy results with the attendance at the advocacy masterclass.
Recommendation 3	Continue to explore and exploit the potential for reflective learning of Panopto

Response by the Provider (maximum one page)

Northumbria University was delighted to welcome the Bar Standards Board to the Law School on 17th February 2017. We have received the BSB's report in relation to that visit and we are most grateful for the care with which the report has been prepared and the balanced approach taken by the Panel.

We are delighted to have received another extremely positive report which, we feel, is testament to Northumbria's continued commitment to the delivery of a very high quality BPTC. We also particularly welcome the Panel's recognition of the following matters:

- (a) The students' praise for the "passionate, inspiring and engaging teaching" delivered by our "motivational and inspiring tutors";
- (b) the benefit to our students of the way Professional Ethics is embedded across our curriculum and the way in which we encourage our students to explore their professional identity. It is also pleasing to note (as the Panel notes) that our students singled out the teaching of Professional Ethics for particular praise;
- (c) the wide range of experiential opportunities afforded to students by Northumbria University's Student Law Office and Business Clinic facilities.

We are also pleased to note that the BSB have listened carefully to our recommendation that the assessment of Professional Ethics should be by way of an open book examination. We hope that the BSB will consider moving to this method of assessment for knowledge-based subjects as part of the Future of Bar Training project.

As well as welcoming the incredibly positive feedback that we have received in the Panel's report, we are also aware that there is absolutely no room for complacency and that we can do more to augment and improve the experience that we provide to students. In that regard, we welcome the helpful recommendations of the Panel and we have already been working to address them in advance of the 2017/18 academic year.