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ST42 Les enjeux politiques et académiques des réformes de l'enseignement du droit : perspectives comparées

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Re-forming Legal Education in England and Wales: a historical perspective

Both the nature and purpose of legal education have been controversial ever since Law began to be established as a discipline in the English universities during the second half of the nineteenth century. Ever since that time, there have been debates about whether the purpose of legal education should be to produce practising lawyers, or whether it should offer a general liberal education (Cownie, 2010, 2-4). In time, it became clear that this debate involved the very nature of the discipline itself: the question was whether legal education and research should focus exclusively on doctrinal ('black-letter') law, or whether it should draw on other disciplines, and adopt a socio-legal approach (Bradney & Cownie,2000, passim).

Law in the Universities

When Law started to establish itself as a scholarly discipline in English universities, it faced a number of difficulties. Both practising lawyers and scholars in other disciplines were sceptical about Law's place in the academy. Practising lawyers were wedded to an apprenticeship model of legal education, and did not think it was necessary for lawyers to undertake a university education. 'Law, it was said, was a practical subject which can only be learnt by practice and not by systematic, scholarly instruction' (Bridge, 1975, 490). It was this attitude to which Professor A.V. Dicey addressed his inaugural lecture as Vinerian Chair of Law at the University of Oxford, which he entitled 'Can English Law Be Taught at the University?' (Dicey, 1883). Addressing practitioners, Dicey pointed out that learning the law merely by working on the cases which passed through the hands of one's pupil-master was completely unsatisfactory, resulting in an entirely random legal education (Dicey, 1883, 10-12). Turning to the sceptical dons, he argued that law *must* be taught in universities, where it would be the job of the new law dons to teach law in a logical and coherent manner, enabling students to gain a firm grounding in legal principles. It would also be the task of legal academics to 'create a legal literature' (Dicey, 1883, 18 - 22).

As Abel-Smith and Stevens comment:

> It is always hard for a new subject to become accepted in any university. But the development of law faculties met with greater obstacles than the customary opposition of older faculties to new ones and the inherent suspicion of British academics towards subjects which have practical value…Able young men who intended to make the law their career were advised to read a different and more reputable subject at the

> University…While most of the judges had been at Oxford or Cambridge, almost none of them had read law. (Abel-Smith & Stevens, 1967, 167-168).

Even after the Second World War, Law had not fully blossomed into an academic subject. Its' limitations are clearly reflected in the Presidential Address delivered by Professor W.T.S. Stallybrass in 1948 to the Society of Public Teachers of Law (the first association of academic lawyers to be established in the U.K.). Although Professor Stallybrass spent some time discussing liberal education, and clearly stated that in his view 'A University education should be education *in* the Law and not only, or possibly not even primarily, education *for* the Law' (Stallybrass, 1948, 160; emphasis added), it becomes clear that he has a very singular view of a liberal education. The curriculum should include jurisprudence and Roman law, as well as the law of evidence (the latter apparently included on the basis that Stallybrass himself found it 'fascinating') (Stallybrass, 1948, 163). He was also keen that law schools should insist that their students had knowledge of at least one language. On the other hand, he excluded Real Property on the basis that it had 'the same virtues for the legal mind as irregular verbs have for any Classic' (Stallybrass, 1948, 164). Predictably, he was very keen that law should not be taught in any way that could be regarded as 'sociological', since '…objectivity is difficult when you come to sociology' (Stallybrass, 1948, 164). Based on Professor Stallybrass' address, it appears that the state of English legal education left a great deal to be desired. Further evidence that that was the case comes from another Presidential Address, delivered only two years later, by Professor Gower of the L.S.E. (Gower, 1950). His address was a rallying-call to improve not only the quality of legal education in England, but also the quality of the debate about law teaching:

> The subject of English legal education is one which has aroused singularly little interest in England in recent years and the general professional attitude to it is one of complacent apathy. It is never thought worthy of discussions at general meetings of the Bar or the Law Society, no changes of a fundamental nature have been made in the last twenty five years and there is an astonishing paucity of published material on the topic. This professional complacency is in striking contrast with the position in other common law jurisdictions… [where] the best of the law schools are constantly experimenting with new courses and teaching methods and attacking each others' ideas with a freedom which is in refreshing contrast with the back-scratching which is prevalent in academic circles here…Meanwhile, the English lawyer remains blissfully ignorant of this ferment working among his colleagues across the Atlantic, rarely discussing the problem, or realising that there is a problem to discuss…occasionally an academic lawyer, greatly daring, suggests something a little more radical, such as the study of comparative law. But that there may be anything fundamentally wrong with our present system of legal training is a point of view which scarcely occurs to lawyers, academic or practising. (Gower, 1950, 137-138).

Gower argued for a clear separation of vocational and academic legal education, and within the legal academy he called for all subjects to be taught in their sociological context. To

deliver these aims, Gower wanted much more impressive law teachers, who did not suffer from the 'inferiority complex' of those currently in post. The new law teachers would have to be rewarded more effectively, if necessary by putting them on a par with judges; indeed, in his view, if some of them became judges it would be no bad thing (Gower, 1950, *passim*).

Persuasive as Gower's address was, there was still a long way to go before English legal education would move out of the long shadow of its trade-school mentality. Surveying the period from 1950 to the early 1960s, Abel-Smith and Stevens noted that while important changes began by this time to take place which indicated that law was beginning to be taught and researched from a socio-legal perspective, nevertheless;

> University law faculties still lacked prestige with other university faculties and with the profession. In general law departments were small and poorly equipped and failed to attract a fair share of the best talent in the profession…At the root of all the difficulties was the absence of any clear idea of the role which the universities could and should play in legal education. (Abel-Smith & Stevens, 1975, 375).

It was not until the later 1960s and early 1970s that there began to be definite signs of the development of a different paradigm in legal education in the U.K., as it became clear that a socio-legal approach, both to teaching and research, was slowly building up momentum. It is to this challenge to the doctrinal approach that I now wish to turn.

The Doctrinal Approach

Underlying concerns about English legal education was a debate about the approach to the research and teaching of law. Doctrinal analysis had become the dominant method of research, which was reflected in that which was taught to students. It had its origins in the development of university law schools at the end of the nineteenth century, when, as a result of their desire to prove themselves as true academics, worthy of a place in the university, legal academics stressed that they were involved in creating a legal literature based on what Sir Frederic Pollock called '…the scientific and systematic study of law' (Pollock, 1890, 38-39). The emphasis on 'science' was no doubt intended to associate law with other well-established disciplines, and to endeavour to endow Law with the cloak of academic rigour that surrounded them. However, the reality was that the doctrinal study of law tended to be mechanical and descriptive.

The doctrinal or 'black-letter' tradition assumes that the law is an internally coherent and unified body of rules, which are derived from a small number of general principles. It is the job of the (doctrinal) academic lawyer to describe and explain these general principles. As Sugarman explains, for the early law dons, '…the major intellectual task was to transcend the "chaos and darkness" of contemporary legal education and scholarship and to create a world of "order and light" (Sugarman, 1986, 29). The aim was to show that although law may appear chaotic and disorganised it is in fact internally coherent, since it is based on a relatively few general principles, which it is the job of legal scholars to elucidate. As Dicey put it in his inaugural lecture:

> It is for the law professors to set forth the law as a coherent whole – to analyse and define legal conceptions – to reduce the mass of legal rules to an orderly series of principles and to aid, guide and stimulate the reform or renovation of legal literature… (Dicey, 1883, 18)

As Sugarman comments, the result was that '…exposition, conceptualisation, systematisation and the analysis of existing legal doctrine became equated with the dominant tasks of legal education and scholarship' (Sugarman, 1986, 31).The ultimate expression of this approach was the legal textbook, and in the early days of academic law the production of a textbook was the ultimate aim of any ambitious legal academic. But the whole point of these textbooks was to present the law in a straightforward, even simple form; the aim was exposition, rather than analysis. …'[T]he message was essentially about simplicity, and also through simplicity a celebration of the law as general principles, leading cases…above all, perhaps, its message was about what the average student and lawyer was deemed to "bear and wear" (Sugarman, 1986, 51).

Consequently, as compared with research in other disciplines, doctrinal law was open to the charge of being narrow, atheoretical and unimaginative. As William Twining put it:

> The salient characteristics of the analytical tradition are well-known: the emphasis on the autonomy of law as an independent discipline or science; the centrality of doctrine (rules and principles) to the concept of 'law'; the clear differentiation of law as it is from law as it ought to be; exposition and 'neutral' analysis usually given pride of place over criticism and suggestions for reform; and a reluctance to discuss questions of policy in detail. (Twining, 1997, 39).

This approach to law had disastrous consequences for the standing of academic lawyers. Their peers in other disciplines were unimpressed; Bridge notes that 'Academic lawyers were accused, with some justification, of regarding the law as "a system of rules to be mastered by those self-doomed to work with them, and not, like science or government, as an enterprise, an ongoing process, whose study contributes to an enlarged understanding of, and participation in, the world around us" (Bridge, 1975, 491). He goes on to quote from the inter-War correspondence between Harold Laski, the well-known Professor of Political Science at the LSE, and Mr Justice Holmes, the famous American jurist. Having attended a law teachers' dinner at which members of the judiciary were present, Laski wrote that the judge had 'a most amusing sense of infinite superiority and the law teachers as interesting a sense of complete inferiority' (Bridge, 1975, 492).

Challenging the Doctrinal Tradition

However, although doctrinal analysis clearly became established as the dominant mode of legal enquiry, it has not gone unchallenged. Indeed, it has been subjected to sustained criticism by increasing numbers of commentators. By the early 1960s, when the Society of Public Teachers of Law (SPTL) (then the only association of academic lawyers in England)

submitted evidence to the Robbins Committee on the future of higher education (SPTL, 1962), it was clear that two different attitudes to legal study were beginning to emerge:

> One sees the purposes of university education adequately fulfilled by limiting legal study to the understanding of rules and legal institutions. The other calls for the study of the relations between legal and other institutions, for appreciation of the relations between law and social sciences and philosophy (SPTL, 1962, 111).

However, socio-legal studies was far from being accepted as mainstream. When the Heyworth Committee on the Future of Social Studies reported in 1963 it made clear that Law was not to be considered as a discipline qualifying for a specific quota of grants, thus indicating that Law was not a sufficiently active area of empirical research to merit automatic resourcing by the government (Cownie & Cocks, 2009, 107). This decision, though unfortunate for the development of socio-legal studies, was quite understandable, since it appears that socio-legal scholarship was not yet very fully developed. Writing in the British Journal of Law and Society in 1974 Professor Twining commented that legal academics still found it problematic to win the respect of scholars in other disciplines, who regarded academic lawyers as '…some kind of hybrid technologist, concerned with an applied subject which hovers rather uneasily on the fringes of the worlds of the social sciences and the liberal humanities' (Twining, 1974, 153). Those academic lawyers who had sought to engage in socio-legal research and teaching were in his view doubly disadvantaged, '[f]or they run the risk of not being accepted as lawyers by their more orthodox academic colleagues, yet typically they have no serious claim to acceptance as social scientists by anyone' (Twining, 1974, 153).

However, the challenge represented by socio-legal studies began to gain some momentum in the 1970s when the SPTL's Socio-Legal Group held its first meeting in Manchester in December 1972 (SPTL, 1973). About 25 people attended that first meeting, but during its first year, membership increased rapidly, with 150 members joining in its first year (ibid). Further evidence of a growing interest in socio-legal studies was provided by the publication of the first issue of the *British Journal of Law and Society* in 1974. Institutionally, the growth of socio-legal studies was supported at this time when the Social Science Research Council established a Committee for Social Sciences and Law, to support research and training in the socio-legal field, following on its decision to allocate substantial resources to socio-legal studies, including the establishment of a Centre for Socio-Legal Studies at Oxford University (SPTL 1977). Commenting on these developments in the SPTL Newsletter in 1977 Professor Geoffrey Wilson noted considerable growth in socio-legal activity since '[t]he pessimistic comment of the Heyworth Committee in 1960 that "in the United Kingdom the study of law has mainly been concerned with the professional training of barristers and solicitors" (SPTL, 1977). By the mid-1980s the Director of the Oxford Centre for Socio-Legal studies could point to a range of evidence supporting the growth of socio-legal studies (and its consequent challenge to the predominance of doctrinal analysis) including the establishment of new series of textbooks, such as the *Law in Context* series published by Weidenfeld and Nicolson, growing numbers of edited collections of essays and monographs which frequently reported

the results of empirical studies, and new journals such as the *International Journal of the Sociology of Law* (Harris, 1983, passim). However, the acceptance of socio-legal studies outside the discipline of Law remained problematic. The archives of the SPTL reveal that the Society campaigned hard (and not always successfully) to win recognition from the government's Social Sciences Research Council (Cownie & Cocks, 2009, 185-186). With the establishment in 1990 of the Socio-Legal Studies Association, there was very public acknowledgement of the increased interest in this approach to legal scholarship.

When I decided, in 2002, to conduct an empirical research study of English legal academics, I was particularly interested to find out whether the discipline of Law was still dominated by 'black-letter' law, or whether it had moved in a different direction. To that end, I asked my respondents how they would describe their approach to researching and teaching law on a scale from 'black-letter' at one end, through socio-legal and feminist to critical at the other (Cownie, 2004, 54). Half of them described themselves as taking a socio-legal/critical approach, and the other half as taking a 'black-letter' approach. Respondents were distributed quite evenly across gender and experience as an academic, although those adopting a socio-legal approach tended to be situated in pre-1992 universities, rather than the post-1992 former polytechnics (ibid). However, when I investigated further what was meant by adopting a 'black-letter' approach, most of these respondents qualified the 'black-letter' categorisation by explaining that they did not concentrate solely on legal rules. They also thought it was important to introduce contextual issues (social, political and economic considerations and so forth). The following quotation from one of my respondents is typical:

> To me, contract wouldn't come alive without looking at what people in business do, without looking at what consumers' problems are. At a sort of basic level, contextualism seems to me to be intrinsic to what I am trying to put over. But I'm a rules sort of person, if you know what I mean. I try and look at the rules as variable shifting things within that context… (principal lecturer, mid-career, male, new university: Cownie, 2004, 56)

Comments like this graphically illustrate the way in which 'black-letter' law is not the same now as it was when it was introduced to universities at the end of the nineteenth century, when the focus was *exclusively* on the primary legal materials. Such comments also illustrate how similar is the approach of legal academics describing themselves as 'black-letter' to those who describe themselves as socio-legal. When the latter group talked about their approach to teaching and researching law, they were at pains to emphasise that while they regarded matters of social, economic and political context as crucial to our understanding of law, in order to be a good socio-legal lawyer one needs to have a good grasp of traditional doctrinal techniques, and understanding of 'the rules':

> …So far as I'm concerned, you must be accurate about the law, but it's completely useless unless you have a critique or politics around it. I say politics in the widest sense – unless you have a view on it – but equally, it's completely useless to have a view if you don't know the law. (principal lecturer, mid-career, female, new university: Cownie, 2004, 55)

The similarity in these responses indicates not only that the concepts of 'black-letter' and 'socio-legal' are imprecise, but more importantly, from the point of view of the present discussion, that there has been a shift in legal scholarship over time, which has resulted in the majority of academic lawyers in England researching and teaching law in what one could legitimately describe as a socio-legal way i.e. not focusing exclusively on doctrinal analysis, but using materials from a range of other disciplines to examine legal phenomena. In making this argument, I have been criticised for adopting too broad a definition of socio-legal, so that my interpretation of the data is 'unrealistic and overly generous' (Keyes & Johnstone 2005, 379). However, I am content to stand by my original analysis and would merely point out that in some ways I am not claiming very much – it's not that we are all socio-legal now, in the sense of becoming fully-blown social scientists, conversant with social science methodology and busily engaged in empirical research. All I am arguing is that the majority of academic lawyers are no longer engaged in the essentially descriptive and restricted analysis of legal 'rules' that consumed the attention of their predecessors in the legal academy. To this extent, I would argue that the dominance of the doctrinal paradigm has ended, and that English legal education is characterised by pluralism in approaches to teaching and researching law. In that sense it has become 're-formed', and is perhaps most accurately described as a discipline in transition, moving away from its doctrinal and vocational roots and taking on a range of more 'academic' and in some cases more theoretically-informed character, which enable it to sit more comfortably in its university setting.

Legal Education and the Legal Profession

The re-formation of English legal education has consequences outside the law school, most notably for the legal professions. It will be apparent that the history of English legal education reflects the fact that legal scholarship was traditionally closely related to the needs of practising lawyers, as well as to students. As Bartie puts it:

> The approach to studying law involved the scholar situating themselves within the judge's reasoning process, as well as acting as external organiser or housekeeper of reason. From the tangles of the common law, the scholar could find the inner logic and principles required to guide practitioners, indoctrinate students in the tradition and move law forward. The legal scholar was therefore heavily ingrained in the methodology and tradition of judicial reasoning, while at the same time providing an additional service to the profession by setting out clear pathways to understanding the essence of legal principle. (Bartie, 2010, 348-349)

With the roots of academic legal education so closely interlinked with the requirements of practising lawyers, it is no surprise that while academic lawyers in England have struggled to develop their subject as an academic discipline, and to gain the acceptance of the academy, they have also faced continuing pressures to retain a strong focus on the vocational utility of Law and to ensure that the legal education they offer satisfies the needs of the legal profession. This situation is a classic example of professional rivalry, with both academics and practising lawyers wishing to exert maximum influence over the content of the law

degree. Over the years, the uneasy relationships between the bodies representing the two main branches of the legal profession (solicitors and barristers) and the bodies representing legal academics have clearly reflected the inherent difficulties in managing this contested field.

Inherent tensions have dogged relationships between practising lawyers and legal academics ever since the foundation of modern legal education in England at the end of the nineteenth century. Dicey's inaugural lecture was in this sense the precursor of many such encounters, which continue to this day. The relationship can be illustrated by looking at a few key events in the history of legal education. One of the most important of these was the publication in 1971 of the Ormrod Report on Legal Education. This committee had been set up in 1967 by the then Lord Chancellor, Lord Hailsham, under the chairmanship of a High Court judge, Sir Roger Ormrod, with terms of reference including the objective of advancing legal education by 'furthering co-operation between the different bodies now actively engaged in legal education' and by making recommendations about training for both branches of the legal profession (Ormrod, 1971). Legal academics were well represented on the committee, and the SPTL submitted substantial evidence, emphasizing, among other things, that law schools did not exist solely to offer basic legal education for the future practitioner, but were also responsible for furthering scholarship and research in law 'both of the traditional kind and also in newer forms employing methods which are likely to be increasingly interdisciplinary' (SPTL, 1968, 160). The memo also reflected the SPTL's concerns that any reform of legal education recommended by the committee might result in restriction of the freedom of university law schools to order their own affairs, emphasizing that:

> Law Faculties recognise their responsibilities to the legal profession and to the public which the profession serves, but their immediate academic responsibility is to their own universities. It would neither be consistent with this responsibility, nor in the best interest of the future development of legal education, if the reform of the legal profession led to external restrictions on the freedom of each faculty to choose its students, to construct its own degree courses and to regulate its own teaching and examination methods…This diversity must not be endangered in the interests of establishing uniform entry requirements for the legal profession (SPTL, 1968,161).

When the Ormrod Report was published, it contained much that was favourable to legal academics. In particular, it recommended that a law degree should be recognised as the normal condition of entry to qualifying the holder to enter upon the vocational stage of legal education (Ormrod, 1971, para 103). This was a highly significant recommendation; if implemented, it would have the effect of excluding the legal profession entirely from having any significant influence over the academic stage of legal education. Commenting at the time, Robert Stevens wrote: 'a powerful elite profession is not likely to hand over powers of admission to a group of academics over whom it has no control – at least, not without a fight'

(Stevens, 1972, 248). Stevens' comments were prescient. The implementation (or, more accurately, lack of implementation) of the Ormrod Report proved to be one of the biggest disappointments that legal academics had ever faced at the hands of the legal profession. After the Report had been delivered, the academic members of the committee, apparently feeling that they had achieved their aims, suggested that the actual implementation of the Report should be carried out not under the supervision of the Ormrod Committee, but under another committee established specifically for the purpose (Gower, 1978, 158). The lord Chancellor's Advisory Committee on Legal Education was established to do this, but although he appointed the Chairman of the new committee, the Lord Chancellor then decided to devote no further resources to it, so it was dependent on the legal professions for administrative support and financing (Berlins, 1973; JSPTL, 1974). The Advisory Committee proved to be very much a creature of the professions, as was apparent from the moment it published its first report, on the academic stage of legal education. The committee could not reach agreement, with its practitioner members stressing the need for 'core' subjects to be included in the law degree and academic members arguing forcefully against an insistence on 'the core' (JSPTL, 1974, 204). In the event, the committee not only decided that there should be a core, but extended its scope to six subjects and did away completely with any idea that a law degree alone should qualify a graduate to enter the vocational stage of legal education (Cownie & Cocks, 2009, 131-132). Relations between legal academics and the legal professions appeared to be at an all-time low, not improved in the early 1980s when in 1981 the Bar announced, without any prior consultation or warning, that it was going to introduce new minimum entry requirements for students wishing to undertake the Bar's vocational training course, and that there would be new rules governing priority for places on the course (ibid, 170-171). The attitude of the profession was clearly reflected in the Report of the Marre Committee on the Future of the Legal Profession, published in 1986 (Marre, 1986). Its view on the purpose of the law degree was uncompromisingly utilitarian:

> We appreciate that a law degree cannot be regarded as a vocational course at university level…however, we consider that the universities have an obligation to recognise that most law students will enter the profession, and that the profession have a right to expect that such graduates should be properly equipped to enter the vocational stage of training (Marre, 1986, para 13.2).

It was not until the end of the 1980s and early 1990s that relations between the academics and the practitioners appeared to improve slightly, with the President of the SPTL in 1990, Professor John Wilson, noting in his Presidential address that the professional bodies had moved away from their previous stance of insisting on detailed syllabi for the core subjects, along with minimum teaching hours and requirements about methods of assessment. With some relief, he was able to report that the professional bodies had moved away from their previous stance of insisting on providing detailed syllabi for the core subjects, along with minimum teaching hours and some control over methods of assessment:

> Happily these restrictions have been considerably relaxed as the result of an accord recently reached between representatives of law teachers and of the

> two professional bodies…In future the profession will merely indicate outline requirements for the teaching of core subjects (Wilson, 1991, 11).

This was a significant step forward. While it did not mean that all restrictions were lifted, it meant that the Joint Announcement was much more minimal than it had been previously. (The Joint Announcement is the statement issued from time to time by the professional bodies which sets out the requirements for Qualifying Law Degrees (QLDs) i.e. for those degrees which will be recognised by the professions as qualifying their holders to enter the vocational stage of legal training. Virtually all university law schools wish to offer a QLD.)

Improved relations between academics and the professional bodies undoubtedly existed, but that did not mean all disagreements disappeared. The 1990s also saw a very acrimonious dispute between Professor Peter Birks, then Honorary Secretary of the SPTL and the Law Society, over the question of the Common Professional Examination (CPE). This is an intensive one-year course, which allows non-law graduates to cover the 'core' subjects, and, if successful, to move on to the vocational stage of legal training in the same way as law graduates. Professor Birks published a number of articles, in both the national and legal press, criticising the existence of such a course (Cownie & Cocks, 2009, 220-221). The professional bodies were unimpressed; the Law Society indicated that if an apology was not forthcoming it would institute proceedings for defamation. Professor Birks indicated that an apology was not appropriate, but that the best course of action would be for the Law Society to put its own case forward in the SPTL's Newsletter, *The Reporter*. In the end, this is what happened, and tension was diffused (ibid, 222). But the incident serves to show how deep the fundamental differences are between some practitioners and some academics.

Conclusion

This is a story which has no ending – the relationship between practitioners and legal academics, who are tied together by their mutual interest in legal education, continues. Looking back over the years, it is, I think, accurate to characterise English legal education as having been re-formed. It has developed enormously since law began to be taught in universities at the end of the 19th century. The core of the degree remains – some subjects would certainly be recognisable to Dicey and his peers. But the approach taken to legal scholarship has developed enormously. There is still a lot of doctrinal analysis, for sure, but it is not as severely restricted to the primary legal materials as it was, and while we may not all be socio-legal now, we are certainly moving in that direction! In terms of professional standing and confidence, law teachers at the beginning of the twenty first century have a much more equal relationship with practising lawyers, as is reflected in the Joint Announcement. Increased academic confidence has been underpinned by developments which have led to the increased integration of Law as a discipline into the academy. To put it simply, Law has become less practitioner-oriented and more academic.

But those positive developments should not blind us to the fact that legal education continues to be a site of struggle and dispute. The professional bodies, under the aegis of their regulator, the Legal Services Board, have recently announced that there is to be a review of all stages of

legal education. Announcing the Review in November 2010 the Solicitors' Regulation Authority said that its main aims were:

> to ensure that the ethical standards and levels of competence of those delivering legal services in regulated law firms are sufficient to secure a high standard of service for clients, and to support the public interest and the rule of law. The review will build on and feed into the regulators' existing projects in this area. (SRA, 2010).

While the academic stage of legal education is only one aspect of the review, there is some concern that it may involve an attempt by the professional bodies to increase surveillance and control over the legal academy. In particular, there is concern that the Review may recommend that university law schools provide compulsory courses in professional legal ethics. When the Chairman of the Legal Services Board, David Edmonds, delivered the Lord Upjohn Lecture to the Association of Law Teachers in 2010 he said that legal education 'needed to cover' ethics 'first and foremost' (Edmonds, 2011, 10). Added to that, it would appear likely that following the Review, the Joint Announcement will be re-negotiated. This, the focal point of practitioner/academic interests, is always contentious. Time will tell! The story goes on!

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