



From The Honorary Secretary
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Response of the Society of Legal Scholars to the Draft Business Plan 2009/10 of the Legal Services Board

1. The Society of Legal Scholars is a learned society whose members teach law in a University or similar institution or who are otherwise engaged in legal scholarship. Founded in 1909, and with over 3,000 members, it is the oldest as well as the largest learned society in the field. The great majority of members of the Society are legal academics in Universities, although members of the senior judiciary and members of the legal professions also participate regularly in its work. The Society's membership is drawn from all jurisdictions in the British Isles and also includes some affiliated members typically working in other common law systems. The Society is the principal representative body for legal academics in the UK as well as one of the larger learned societies in arts, humanities and social science.

2. The Society welcomes the opportunity to comment on the Draft Business Plan and the open and co-operative approach which it espouses. We note that legal education and the role of legal academics are together relevant to an important part of the vision set forward in at least two significant respects:

a) specifically in terms of legal education, as part of the continuing drive for “legal services professions which are as diverse as the community they serve and which constantly strive to improve standards of practice, quality and education” (para 6)

b) in terms of the broader role of legal academics, as one of a number of constructive partners, who can assist the Board in tackling all aspects of its work systematically (para 7)

3. These two threads are also reflected in a number of aspects of the work programme set out in para 42, in particular under the following headings:

- D Developing excellence in legal services regulation
- F Promoting access to a diverse legal profession and
- G Developing research and public legal education strategies.

Section 5D goes on, in our view correctly, to identify the need for regulatory bodies constantly to modernise and update registration and education requirements to promote diversity and access and to reflect changing social and consumer needs (para 86) and to be up to date in their professional thinking (para 87). The Society would welcome the opportunity to work with the Board and with the regulatory bodies in seeking to achieve these aims.

Section 5F, Promoting access to a diverse legal profession, is even more specifically relevant to our area of interest. We welcome the recognition in para 117 of the

importance of not “reinventing the wheel” and of the significant amount of work already undertaken but are also pleased to see the determination of the board to make a “positive contribution” and “to work with both the profession and legal academics to ensure that qualifications ensure quality, utility and academic integrity” We also welcome the recognition in para 119 that the diversity aim is consistent with and complementary to the aim of better service for consumers by ensuring that the widest possible range of entrants to the professions makes available the largest possible pool of talent.

Section 5G is important in specifically addressing a research strategy and an evidenced based approach as being crucial factors in ensuring the Board’s effectiveness. Again we welcome the collaborative approach proposed and the intention expressed in para 128 to make use of “a wide variety of legal academic groups in law schools and other academic institutions”. We recognise the constraints on the budget in the first year (para 131) but also welcome the more medium term implication in para 135 that the relative share of resources taken by research and its priority within the agenda “will rise and not fall”.

4. The above brief analysis of the principal ways in which the Board’s remit inevitably requires a dialogue with academic lawyers and the providers of legal education brings into sharp relief the need for mechanisms for dialogue with organisations such as ourselves (and with the our fellow Law Subject Associations, SLSA, CHULS and ALT). We would welcome the establishment of both formal and informal methods of communication and dialogue between the Board and the Society. The work plan set out at pp 34 – 35 of the Business Plan proposes a number of consultations which of course we will be able to respond to where and as appropriate. We are less clear precisely how the Board proposes in the near future, Quarter 1, April to June 2009, to “work with interested parties to identify areas of work with the diversity agenda where we can add value”. We trust that the Board will ensure that the academic legal community can be involved with this work and as an organisation we ask that we are kept informed of any initiatives or proposals to which we might be able to contribute or which would have implications for our own roles either as educators or researchers.

5. There is one point on which clarification is sought. At para 121, one of the deliverables for 2009/10 is that you aim to have by the end of 2009/10 “pre- and post-qualification education and training arrangements which can be explained in ways easily understood by consumers....” It is not clear whether this will include work on matters relating to the substantive content of these arrangements or refers only to how existing arrangements are to be explained to consumers.

6. In conclusion we look forward to working collaboratively with the Board in pursuing its objectives of improving access to justice and the quality of legal services, objectives in which legal academics have always taken a keen interest.

7. We will respond separately to Chris Kenny’s letter to the Law Subject Associations of March 3, 2009.

RD Taylor
Chair, Legal Education Sub-Committee, Society of Legal Scholars
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