

Joint statement on the academic stage of training

A Joint Statement issued by the Law Society and the General Council of the Bar on the Completion of the Initial or Academic Stage of Training by Obtaining an Undergraduate Degree

Under the Courts and Legal Services Act 1990 (as amended) the Law Society and Bar Council are responsible for laying down the qualification regulations in respect of those seeking to qualify as solicitors and barristers. The Law Society and Bar Council have agreed to act jointly in respect of the first or academic stage of training where that stage is satisfied by the completion of a degree or approved CPE course. This document sets out the conditions which must be satisfied in respect of undergraduate degree courses.¹ [#n1]

Following consultation with the Association of Law Teachers (ALT), the Committee of Heads of University Law Schools (CHULS) and the Society of Public Teachers of Law, (SPTL) the Law Society and Bar Council (the professional bodies) will recognise a course of study leading to the award of an undergraduate degree as satisfying the requirements of the initial or academic stage of training if:

- i. The institution providing the course of study satisfies the professional bodies that adequate learning resources are provided to support the course of study, the professional bodies having regard to any advice of the Joint Committee on Standards in Legal Education or similar successor body.
- ii. The higher education institution awarding the degree of which the course of study is part has degree awarding powers conferred by the Privy Council.
- iii. The standards of achievement expected of students undertaking the course of study are set at or above the minimum level of performance as set out in the QAA Benchmark Standards for Law Degrees in England, Wales and Northern Ireland.² [#n1]
- iv. The course of study includes the study of legal subjects for the equivalent of not less than two years out of a three year or four year course of study, (for example, a student must gain not less than 240 credits in the study of legal subjects in a 360 or 480 credit degree programme) but existing mixed degrees that are currently recognised as qualifying law degrees under the Joint Announcement of January 1995 shall continue to be recognised for students embarking on such courses before a date to be specified when alternative arrangements for mixed degrees are agreed. Such date shall not be before 1 September 2001.
- v. The coverage of those legal subjects referred to in the professional bodies' qualifying regulations as the Foundations of Legal Knowledge³ [#n1] must involve not less than one and a half years study i.e. the coverage of the Foundations shall amount to not less than 180 credits. Courses involving the study of aspects of the English Legal System will be allowed to count towards these 180 credits. The remaining half year or 60 credits in law must be achieved by the study of legal subjects. A legal subject means the study of law broadly interpreted⁴ [#n1]. The professional bodies reserve the right, after consultation with the university law schools to amend the list of Foundations.

- vi. The course of study will normally be spread over the full duration of the degree course. Some study of legal subjects will be expected to take place in the final year of the degree course.⁵^[#n1]
- vii. The course of study will be one which satisfies the external examiners of the degree programme of which it forms part that, in addition to the Areas of Performance set out in the Benchmark Standards, the students on that course of study should have acquired the knowledge and general transferable skills set out in Schedule One ^[#schedule-1].

Any law school which has problems in meeting the requirements of this Statement should contact the directors of training of the professional bodies who will consult with the heads of CHULS, ALT and SPTL. Where necessary, the outcome of the consultation will be reported to the respective training committees whose decision will be final.

The professional bodies reserve the right to issue guidance, either directly or through the providers of their vocational courses, to persons considering entry to the vocational stage of training of those areas of law that students enrolling on the vocational courses are expected to have current knowledge.

The institution offering the course of study will provide the professional bodies with any information about the course they may require to enable them to discharge their responsibilities under the Courts and Legal Services Act and this Statement and will permit representatives of the professional bodies to visit the institution to discuss any aspects of the course with representatives of the institutions, members of the course team and students enrolled on the course.

The professional bodies reserve the right to withdraw recognition from any course of study that fails to comply with the conditions set out in this Statement or fails to meet minimum standards prescribed by QAA.

Notes

1. The CPE courses, Senior Status law degrees and mixed degrees will be dealt with separately.
2. It is hoped all institutions will set their standards above the Benchmark. It should be noted that students wishing to read for the Bar however must have attained at least a lower second class honours degree.
3. These are set out in Schedule Two ^[#schedule-2].
4. For example including Criminology and other socio-legal subjects.
5. This requirement is important for the Bar which expects all those entering the vocational stage of training to have achieved at least a lower second class honours degree

Schedule One

The knowledge and transferable skills which should be addressed in any course of study leading to the award of a degree recognised by the Law Society and General Council of the Bar as satisfying the initial or academic stage of training are as follows:

A. Knowledge

Students should have acquired:

- i. Knowledge and understanding of the fundamental doctrines and principles

which underpin the law of England and Wales particularly in the Foundations of Legal Knowledge;

- ii. A basic knowledge of the sources of that law, and how it is made and developed; of the institutions within which that law is administered and the personnel who practice law;
- iii. The ability to demonstrate knowledge and understanding of a wide range of legal concepts, values, principles and rules of English law and to explain the relationship between them in a number of particular areas;
- iv. The intellectual and practical skills needed to research and analyse the law from primary resources on specific matters; and to apply the findings of such work to the solution of legal problems; and
- v. The ability to communicate these, both orally and in writing, appropriately to the needs of a variety of audiences.

B. General Transferable Skills

Students should be able:

- i. To apply knowledge to complex situations;
- ii. To recognise potential alternative conclusions for particular situations, and provide supporting reasons for them;
- iii. To select key relevant issues for research and to formulate them with clarity;
- iv. To use standard paper and electronic resources to produce up-to-date information;
- v. To make a personal and reasoned judgement based on an informed understanding of standard arguments in the area of law in question;
- vi. To use the English language and legal terminology with care and accuracy;
- vii. To conduct efficient searches of websites to locate relevant information; to exchange documents by email and manage information exchanges by email;
- viii. To produce word-processed text and to present it in an appropriate form.

Schedule Two

The Foundations of Legal Knowledge are:

- a. The key elements and general principles of the following areas of legal study:
 - i. Public Law, including Constitutional Law, Administrative Law and Human Rights;
 - ii. Law of the European Union;
 - iii. Criminal Law;
 - iv. Obligations including Contract, Restitution and Tort;
 - v. Property Law; and
 - vi. Equity and the Law of Trusts.

In addition, students are expected to have received training in legal research.

Supplement to Joint Statement

Mixed degrees, conversion of courses and senior status degrees

Background

The Application to the Lord Chancellor by the Law Society and Bar Council of 2 August 1999 containing the Joint Statement on the Academic Stage of Legal Education specifically excluded "conversion courses, mixed degrees and senior status degrees" (para 4 [para-4]).

This Statement covers those degrees.

The general provisions

All conversion courses, mixed degrees and senior status degrees which satisfy the requirements of the Joint Statement are recognised in the same way as other law degrees.

The Learning outcomes set out in Schedules One [schedule-1] and Two [schedule-2] of the Joint Statement shall be required for all conversion courses, mixed degrees and senior status degrees. Certain of the general transferable skills [general-transferable] (notably items vii and viii) may be demonstrated through exercises in non-law subjects.

The remainder of the Joint Statement shall apply to conversion courses, mixed degrees and senior status degrees with the modifications set out as below.

Mixed degrees

In any case where there is doubt as to whether there is sufficient appropriate credit, this will be considered on an ad hoc basis under the provisions of para 3 [para-3] of that Statement.

Senior status degrees

Senior status degrees cover both undergraduate and postgraduate law degrees for students who have already obtained an undergraduate degree (or equivalent) in another subject.

Such degrees will be recognised provided that the student undertakes no less than 220 credits in the study of legal subjects and that the student satisfies the requirements of para 2 (v) [para-2-v] concerning the Foundations of Legal Knowledge.

Conversion courses

Approved courses leading to the Common Professional Examination are recognised. Such courses are expected to provide an equivalent to the Foundations of Legal Knowledge set out in para 2 (v) [para-2-v] within the one-year period of study.

Implementation

It is proposed that this Statement will come into force in September 2002.