



Review of UK transnational education in the Republic of Ireland

Northumbria University and the Law Society of Ireland

Background

1 This case study is based on a collaboration between the Northumbria University (the University) Law School and the Law Society of Ireland (LSI), under which the Law School offers its LLM Advanced Legal Practice programme to qualified solicitors in Ireland, largely using the resources of the LSI's Diploma Centre. The case study does not attempt to evaluate the overall operation of the partnership in the manner of a review report. After a brief description of the nature of the link, the study focuses on two matters of wider interest to UK higher education institutions considering international partnerships: collaborating with professional bodies in Ireland and the quality assurance implications of partnership types.

2 The University's Law School is one of the largest in the UK, offering a range of law programmes at all levels. The Law School stresses its vocational focus, stating that all its undergraduate courses satisfy the requirements of the qualifying law degree, the academic stage of qualification for solicitors and barristers. The Law School offers a Legal Practice Course (LPC), a requirement to practice as a solicitor in England, and is one of only eight institutions providing the Bar Professional Training Course, the practical training course for intending barristers. The Law School was one of the first to offer an integrated MLaw that meets the requirements of a qualifying law degree, and incorporates the knowledge and professional skills needed to become a solicitor or barrister. There is also a range of other master's programmes in law, many available by flexible distance learning.

3 The LSI is a not-for-profit organisation, incorporated under Royal Charter in 1852. It is the professional body for solicitors in the Republic of Ireland, and exercises statutory functions under the Irish Solicitors Acts 1954 to 2008 in relation to the education, admission, enrolment, discipline and regulation of the solicitor profession. LSI is empowered to make academic awards but does not have degree-awarding status. LSI is the sole provider of initial training for solicitors in the Republic of Ireland, offering tuition for the Professional Practice Course (PPC) required to practise as a solicitor. The PPC is recognised as broadly equivalent to the LPC by the Solicitors Regulation Authority, which regulates solicitors in England and Wales. In addition to the PPC and the Law School's LLM, LSI's education department provides a range of continuing professional development courses for solicitors, including online courses; diploma courses in aspects of law at postgraduate level; and, on a very small scale, master's courses in collaboration with some Irish universities.

4 The LLM Advanced Legal Practice programme is offered at the University as well as at LSI. The programme offers qualified solicitors the opportunity to develop expertise in a specialist area of law, and to enhance legal research and writing skills; its distance-learning delivery mode and flexible duration enable students to complete the programme while meeting work commitments. Award of the LLM depends on having qualified with the LPC in the UK - or the PPC in Ireland - although it is possible to start the LLM having enrolled for, but not completed, the professional qualification. In fact, no students have registered at LSI on this basis. The LPC/PPC contributes 120 credits towards the LLM. A research project,

completed under individual tutor supervision, contributes the remaining 60. Preparatory to the project, the programme includes a Legal Research Unit, which comprises non-assessed materials and online resources to help guide and improve research and writing skills. While it is not assessed, a key aspect of the Legal Research Unit is the definition of the planned research project.

5 LSI was approved by the University as a Distance Learning Academic Support Centre (DLASC) for the delivery of the LLM for a September 2015 start. Under its Distance Learning Agreement, the University is responsible for:

- marketing materials
- admission and enrolment
- 'deliver[ing] the distance learning programmes'
- arranging for assessment
- the provision of a guidance tutor
- technical support
- conferring awards.

6 LSI is responsible for hosting an induction session, attended by University staff, and 'support for academic content modules including additional tuition, academic tutorial guidance and project supervision'. The Agreement qualifies the latter obligation with the provision that 'any such tuition and support is clearly stated as optional for the students'.

7 The programme is managed by a Diploma Manager at LSI and a Programme Leader at the University, who collaborate to guide students through the Legal Research Unit and successful definition of the project. Supervisors for the project are appointed from the permanent staff of LSI's education department, or from LSI's considerable network of 'associate faculty', some 1,200 academics and practitioners who have delivered sessions in various capacities at LSI. Prospective supervisors must be approved by the University. Assessment is managed jointly by LSI and the University, although overall responsibility lies with the University, which appoints individual external examiners for the projects.

Working with a professional body in Ireland

8 The partnership between the University and LSI has so far proved successful. The original planned student intake was only 20, but demand was such that 70 have enrolled since 2015, of whom two have recently graduated. The student body has been of high calibre, including a circuit judge and practising solicitors of very long experience. On the basis of this success, LSI and the University are in discussion about extending the provision to include an MBA with focus on legal practice management, an LLM in Employment Law Practice, and a DLaw. Research and conference plans are also being considered.

9 There are clear advantages for LSI from its partnership with the University. LSI staff took the view that Irish university law schools have a very strong academic reputation, but do not have the same experience in clinical legal education as somewhere like the University's Law School. For example, there is no equivalent of a 'qualifying law degree' in the Irish legal education system, entry to the PPC being by examination only. LSI has offered master's courses in collaboration with Irish universities, but take-up has been very limited, due in LSI's view to the lack of prior recognition of the solicitor qualification. The University's reputation for programmes focused on the practice of law was a positive feature for LSI, which believed that this could not be replicated in Irish institutions.

10 Moreover, the University has a reputation for innovative learning methods. In addition to the integrated degree courses noted above, the University is well known for its Student Law Office, a clinical legal education scheme whereby law students participate in

legal advice and representation on behalf of clients as part of their academic and professional development. In 2013, the University won the Queen's Anniversary Prize for Higher and Further Education for the outstanding community work of its Student Law Office. LSI was positive about the University's flexible approach to learning, especially in relation to students with significant professional commitments.

11 For the University, LSI provides a valuable opportunity to work with a professional body of recognised standing, as LSI is the statutory body for the regulation and representation of the solicitor profession in Ireland. The potential drawbacks to collaboration with a professional body with statutory functions do not apply in the case of LSI. What might be called the 'cultural' drawbacks of such an arrangement are implied in a recent research report, Professional Body Accreditation in Higher Education Institutions in Ireland (QQI, June 2017), which comments on the impact of professional body activity on Irish higher education institutions as revealed by survey results. The report notes 'challenges...numerous and often most forcefully expressed' by institutions, deriving from the inevitable focus of many professional bodies on narrow matters of accreditation and regulation, rather than education. Whereas the Solicitors Regulation Authority in England determines the content of the LPC, and (with the Bar Standards Board) of the 'qualifying law degree', it does not itself provide programmes of study. LSI is unusual as a professional body in also having a commitment to direct provision of education and training, for both the PPC and continuing professional development. Its education department is substantial, with 56 members of staff.

12 There is a further potential problem in credit-rating professional qualifications, where they contribute to academic awards, as in the case of the LPC and PPC. In theory, the existence of the Irish National Framework of Qualifications and *The Framework for Higher Education Qualifications in England, Wales and Northern Ireland* should provide a convenient tool for establishing the credit level and volume of awards made in different countries. The LSI PPC is not currently mapped to the National Framework of Qualifications, so the two Frameworks do not guarantee equivalence of the LPC and the PPC. However, recognition arrangements are well developed in the legal profession, and the equivalence of the PPC and the LPC are established between LSI and the Solicitors Regulation Authority as regulatory bodies, as well as by EU directives.

13 As the QQI research report reveals, professional bodies and universities (whether UK or other) do not necessarily make obvious partners: the specific qualities of LSI, and of the University, created the conditions in which this partnership could flourish.

Quality assurance and types of partnership

14 The current formal status of LSI within the University's taxonomy of partnerships is that of a DLASC. The University's quality assurance arrangements provide for 'light touch' procedures for such a relationship: limited due diligence, a relatively simple legal agreement, and oversight separate from the standard arrangements applying to the course overall, limited to approval of any DLASC-based academic staff. For the typical DLASC these arrangements are proportionate and proper.

15 Even at the outset, however, the University's Programme Approval and Review Subcommittee, which is responsible for approving such collaborative arrangements, requested clarification of the extent of the support and supervision arrangements. The answers provided to the Subcommittee proved satisfactory; it is a testament to the thoroughness of the Subcommittee that these questions were put forward.

16 Initially, a small student intake was expected, and there was every reason to think that the limited relationship implied by the DLASC status was an accurate representation of the future of the parties. Since it is merely a DLASC, however, the account of the LSI

partnership in the routine quality assurance output of the LLM course is very limited. This is in part due to the partnership being a recent development: for example, no whole intake of students has been through the full examination process, so there is as yet no external examiner summary report that considers them. Even so, the format of the external examiner report does not appear to invite comment on students at DLASCs, even when they are a substantial group. As a DLASC, LSI is not separately identified in annual monitoring reports, or in course committee minutes, and so on.

17 As indicated above, the partnership between the University and LSI has been very successful, not only in terms of student numbers, but in the fit and synergy of the relationship that has developed between the parties. More programmes and other academic activities are planned. The Law School itself now considers that the LSI link has outgrown the DLASC category, is at least 'hybrid', and perhaps should be considered a full collaborative partnership. This will mean that the strengths of LSI provision will be more evident to the University at large through monitoring, review and routine oversight.

18 It is to the University's credit that the status of LSI and, by extension, other partnership arrangements are kept under review. The TNE team consider it important, however, that it is not the initially allocated category of partnership that should determine the nature and extent of continued oversight from the awarding body, but its actual features as they change and develop over time.

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