

The English Legal Education

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The number of students in Great Britain is at an all time high and so too are the number of law undergraduates. In order to become a practicing lawyer, many years of study (and the fees associated therewith) are required and through these, legal qualifications are often thought of as an investment. Despite this, since my arrival in Bonn as an Erasmus student last October, it has become very clear to me that German law students must study harder and for much longer in order to penetrate the elusive market that is employment within the legal sector. In describing the system in England as I have experienced it¹, I hope that it will become clear what the differences are without having to discuss the German system.

There are two main legal qualification methods. The first is the more conventional study of an LL.B undergraduate degree and the further qualifications and requirements that ensue upon graduation. The second is through Legal Executives. This article focuses on the higher education method², describing the path one must take from leaving school to becoming a qualified lawyer.

For most, the start of a legal career comes much earlier than the beginning of studies. In order to secure a place on a law degree, pupils must show an increasing amount of enthusiasm for, and dedication to the law. Work experience and extra-curricular activities with transferable skills are key³, as well as solid predicted A-Level grades. As the number of overall undergraduates increases, so too does the competition for places - in no area is this clearer than in law. To successfully gain a place at almost every English university for a law degree students are expected to have high A-level grades as well as an ability to demon-

strate a wide range of both academic and non-academic skills.

Despite these strict requirements, law courses at almost every university are full. First year lectures consist of at least 150 law students at Sussex, with all first year subjects being mandatory. Graduating with a law degree means that one qualifies for further legal studies, and to maintain high standards all LL.B degrees are regulated by the Law Society. Therefore, there are certain subject areas that every university must cover to a satisfactory level so that the graduate is adequately equipped to begin training as a lawyer. These areas of law are contract, tort, public, land, equity & trusts, criminal and law of the European Union.

Most universities also offer an introductory course during the first year, which deals with issues like case citation and how to research legal sources. Each subject normally consists of lectures and seminars, with seminar groups containing approximately 20 students being led by associates, lecturers and professors. One would take four of these subjects each year with assessment in each occurring at the end of the academic year (May/June). Assessment is usually split between an essay and a written exam and marks are given in a percentage form⁴.

The final degree mark reflects the allowance for students to adjust to the change in workload between school and university. It consists of grades obtained in second year as 40% with a heavier weighting on third year marks (these forming 60% of the final grade)⁵. In theory, law students need only pass first year modules in order to progress to the second year but in reality they must be stated on all job applications. It is therefore in every student's interest to work relatively hard.

Both essays and exams usually consist of case problem solving and discursive essay titles. There is always a relatively wide range of questions, from which a student must choose one (for an essay), and usually three or four out of eight in an exam (depending on the subject). At Sussex, one must choose at

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¹ This article discusses the system as I have experienced it at the University of Sussex and through various employment information. Through discussions with other law students, I have discovered that this is mostly true of all English universities but there are some exceptions. It is therefore not an accurate picture of the whole of England.

² For more information about Legal Executive training, see <http://www.ilex.org.uk/>

³ This is widely sought after, but there is no requirement to have completed a certain amount or type of work experience at any stage in the legal profession.

⁴ The following classifications apply to all undergraduate subjects: 70% and above is a First, 60% and above is a 2:1, 50% and above is a 2:2, 40% and above is a 3rd and below 40% is a fail.

⁵ This only works with Law LL.B degrees, not Law with degrees (such as Law with a Language).

least one problem and one essay in the exam, which lasts anywhere between 2 and 4 hours. After two years of studying core subjects, students can then choose their final year subjects. This can be done on an interest basis or with a future career path in mind⁶. These courses also last for one year with identical assessment methods. Having successfully passed all the core and chosen subjects, students then graduate with a law degree as a bachelor of laws (LL.B). If a student has already completed a degree course in another subject, they can take a one year conversion course (Graduate Diploma in Law), which consists of all the core subjects taken over a one year period.

The increasingly competitive nature of the legal profession (resulting from oversubscription) means that students are continually encouraged to use their time in education wisely (particularly at university) and prepare themselves not just for exams, but also for life after studying. Career relevant competitions and training courses relevant to legal careers (such as moot courts, client interviewing and negotiation) are more popular than ever with law students at all stages.

The next stage in legal education comes after either the GDL or LL.B and depends on the career route that the graduate wishes to take. Obviously, a significant number of law graduates decide to further their education, perhaps with an LL.M, or enter straight into employment outside the legal sector (29% of LL.B graduates in 1999⁷).

For those who decide to continue their path towards becoming lawyers, a further one year at law school is necessary. The Bar Vocational Course (BVC) is offered for those who wish to become barristers and the Legal Practice Course (LPC) is for those who wish to pursue careers as solicitors. Both training courses charge between 9 and 13 thousand pounds in tuition fees. In very simple terms, lawyers in England and Wales are split into barristers (who address the court) and solicitors (who deal primarily with clients)⁸. There is no direct career path to becoming a judge so students must first enter the solicitor or barrister profession in the hope of being appointed as a judge after they have gained sufficient experience as a lawyer⁹.

On completion of the BVC, the competition becomes even stronger as students seek pupillage (approximately one year of training with a chamber of barristers) in the hope of eventually gaining a permanent tenancy with those chambers. LPC students seek a training contract, which lasts two years and involves four different 'seats' in different legal areas (each lasting 6 months). On completion of this practical training, the student becomes a fully qualified barrister or solicitor.

As in Germany, English law is a highly competitive field of work, and the dedication and commitment required at all stages of academic study are not for the fainthearted. An investment of over £20,000 and several years of studying is a reflection of the serious nature of legal work. With the English system, it is possible to finish much earlier with academic study at university and the focus thereafter shifts on to vocational training. Fortunately, the legal education systems in Germany and England do have one major similarity: the energy and hard work taxed on a law degree does well to prepare those pursuing legal careers for the demanding and challenging work as lawyers.

Constable v Executive Connections Ltd [2005] EWHC 3 (Ch), [2005] 2 BCLC 638. (Christopher Nugee QC)

⁶ This is much like a German Schwerpunkt, but with broader subject areas.

⁷ http://www.prospects.ac.uk/cms/ShowPage/Home_page/Law/Features/Alternative_Careers/Alternative_careers/p!efbbLk

⁸ This distinction is becoming more and more unclear with the increasing number of solicitor advocates, who deal directly with clients but may also address the lower ranking courts.

⁹ For example, barristers that become part of the Queen's Council are often asked to sit as High Court Judges – see