

EXPERIENCING ENGLISH LAW SCHOOLS: THE STUDENT PERSPECTIVE

JESSICA GUTH

Independent Researcher

FIONA COWNIE

School of Law, Keele University & Institute of Advanced Legal
Studies, School of Advanced Study, London University

EMMA JONES

School of Law, University of Sheffield

Abstract

This article examines *Blackstone's Tower: The English Law School* from the perspective of law students entering and studying in law schools 25+ years after the publication of the book. The article provides an alternative 'tour' of an English law school, the tour that might be given by students. In doing so it asks to what extent students now would recognize the tour on which Twining took us in 1994 and what key sites and debates are either missing or now redundant. In particular, the article aims to encourage us to think about both physical and digital aspects of campus life, the increasing role of marketing, the growing emphasis on student support (particularly relating to wellbeing) and the continuing tensions between the vocational and liberal legal education.

Key words: legal education; law students; student experience; student support.

[A] INTRODUCTION

This paper examines *Blackstone's Tower: The English Law School* (Twining 1994) from the perspective of law students entering and studying in law schools more than 25 years after the publication of the book. Its aim is to consider the extent to which things have changed for students studying law in English law schools. To do so, it will utilize the perspective of a student-led tour around the University of Rutland's modern-day campus for prospective legal scholars. This tour of campus will be used to highlight some of the key changes which have occurred within universities and in legal education, including an increased emphasis on marketing, careers and employability, a growth in capital

building projects, additional wellbeing provision and the role of social media. Replacing Twining's 1994 'tour guide' with a tour led by student ambassadors is significant in itself, representing the increase in 'student voice' and the emphasis on narratives around the 'student experience' and 'student satisfaction' since the publication of *Blackstone's Tower* (Budd 2017; Strevens 2020). It also affords the reader an alternative prism through which to view the contemporary law school (albeit one filtered through the academic lens of the authors).

[B] WELCOME TO THE RUTLAND EXPERIENCE

Rutland has grown. Twining imagined a university with around 8,000 students (Twining 1994: 66) and today's version provides education to around 15,000. It maintains its status as a middle-of-the-road sort of institution both in terms of size and in terms of rankings and league tables (Twining 1994: 66). Some of the growth has come from increased undergraduate law provision, and the intake of 120 new LLB students has grown to about 250 new entrants each year. The number of law undergraduates in English universities increased from 55,224 in 1994/95 to 76,610 in 2019/20 (HESA 2021), so Rutland's expansion is in line with the national trend. Accompanying this growth in size, Rutland's focus upon marketing its offerings has also increased. Although not referred to explicitly by Twining, we can assume that, by 1994, somewhere on campus there was the rather shadowy presence of a marketing team tucked away in the bowels of a building housing a range of administrative functions. Recruited largely in response to the award of university status to former polytechnics in 1992 (and the increased competition they represented) this team's *raison d'être* was to ensure Rutland's student numbers remained healthy (Naudé & Ivy 1999). By 2021, the Marketing and Student Recruitment Team occupies two floors of its building, and Rutland's Law School has a dedicated marketing assistant from the team who spends one day a week in the School, working on marketing and recruitment projects under the direction of the school manager. The marketing team is not only responsible for attracting students to the university, but also for Rutland's branding, ensuring (or at least trying to ensure) that its corporate identity and reputation are consistent and attractive to both domestic and international prospective students (Foroudi & Ors 2019).

Rutland's Marketing and Student Recruitment Team sells the Law School and its programmes as modern, student-centred and providing access to a wide range of employability skills which will equip students for a bright future in their chosen (legal) career. The pictures online are

of a diverse range of students in business attire, with gowns and wigs in the moot court room and in earnest conversation with each other and/or law staff. Student satisfaction is high if the National Student Survey is to be believed, but still only high enough for a ranking comfortably within the top half of institutions offering law programmes. Rutland is seemingly a destination for students who have done well at school but just not quite well enough to enter the so-called top tier and for students who live locally and do not want to or are unable to move.

Following the trend of universities generally, Rutland Law School offers a range of outreach activities in local schools and colleges, together with regular open days for prospective applicants and their families. Research consistently demonstrates the influence of families and (to a lesser extent) peers on university choices, making such events an important marketing tool (Krezel & Krezel 2017). The growing importance of social media as a determinant of student choice has added an additional layer of marketing to such applicants (Rutter & Ors 2016) but has not yet supplanted the importance of a physical visit to campus.

Rutland Law School's group of 20-odd student ambassadors play an important role within these events. Such ambassadors are now a common feature of university life, both in the UK and globally (Gartland 2015). Having been a staple of campus tours for prospective students for many years, the scope and profile of their role was enlarged in the UK during the 1997–2010 Labour Government's AimHigher initiative as a way of widening participation within higher education (Ylonen 2010). In some instances this is via the recruitment of ambassadors specifically from widening participation populations, whereas in others it is more about the general work the ambassadors do in outreach to schools and colleges (or some combination of both) (Gartland 2015; Baker & Sela 2018). The ambassadors are existing students who have usually undergone some form of application and/or selection process to receive hourly paid work promoting their institution in a range of ways. They are largely motivated by a desire to act as role models to aspiring applicants but are also alive to the potential the role affords for the acquisition of valuable employability skills, particularly communication skills (Ylonen 2010; Baker & Sela 2018). The Rutland Law School student ambassadors are standing near a main entrance, wearing brightly coloured branded t-shirts, clutching handfuls of campus maps and prospectuses, waiting to gather together small groups for the tour of the campus and Law School. Rather than start with the Law School itself, they have been instructed to begin by showcasing the wider campus, given the Marketing Department's view that the physical attractiveness of its geographical position and the wider facilities and

level of safety and security it offers are important factors in the choice of university (Ali-Choudhary & Ors 2009). The visit to the Law School itself will then represent the 'jewel in the crown' at the end of the tour.

[C] OUR MODERN AND SPACIOUS CAMPUS OFFERS A WIDE RANGE OF OPPORTUNITIES

Today's campus tour is not completely different from a campus tour round Rutland in the mid-1990s. Some of the buildings have not altered significantly (at least on the outside) since 1994. However, some of the campus landmarks being showcased have undergone major changes both in terms of form and function. The collection of buildings as a whole is typical of university campuses that have expanded over time: some are purpose-built, some are newer than others, some with slightly clumsy extensions and most are split into the familiar disciplinary silos of faculties, departments and/or schools. It is noticeable that there is considerably less open and green space now than there was in 1994. Since that time, the higher education sector has experienced periods of significant investment in major construction projects, many of which have resulted in shiny new buildings springing up to impress prospective students and their parents. Between 2014 and 2019, it is estimated the sector spent more than £8.8 billion on capital projects (Waite 2019). Rutland took advantage of a loan from the European Investment Bank to build a new Interdisciplinary Centre for Sustainable Innovation, complete with sedum-covered roof and thoroughly 'green' credentials (McCann & Ors 2019: 123). The Law School building was extended and a new lecture theatre was added, featuring state-of-the-art flexible seating to facilitate group discussions in 'flipped lectures' (Jamieson 2003). The quality of the built environment is seen as an important selling point by Rutland's senior management team, who are not only keen to attract students, but also have an eye to the conference market (Edwards 2013: 5).

Access to the campus is controlled in a way that was unthinkable in 1994. People can no longer wander freely into the university's physical space. Visitors driving to campus must pre-arrange their parking and on arrival report to a security officer, who can be found in one of the booths located at each entrance to the campus. They will be issued with a parking permit and directed to a visitors' car park. Then, like all other visitors, they will need to meet their host, who will issue them with a temporary badge confirming their status as approved visitors with permission to be on campus. They are instructed to display this clearly for the duration of their visit. The student ambassadors who are conducting tours carry

electronic key cards to swipe as they enter and exit buildings, opening doors or barriers that prevent outsiders from entering. All students carry these cards, giving them access to everything they need: teaching rooms, student union, printing facilities, discounted coffees, the library and, of course, the attendance monitoring system. Without an activated student card it is hard to be a student at all (see Lee & Ors 2003; Mirza & Alghathbar 2009; Murphy & Ors 2013).

[D] 95% OF RUTLAND STUDENTS WERE IN FULL-TIME EMPLOYMENT SIX MONTHS AFTER GRADUATION

On their way to the Law School the student ambassadors ensure that their charges visit The Hub. This is an attractive building with a large glass atrium. Inside, the space is divided into glass-fronted rooms which house a variety of student services. Discussion of facilities like these was absent from Twining's tour of Rutland, but today they have assumed a central role in 'the student experience', a concept which is now widely used among students and staff at universities, as well as in higher education policy, university rankings and institutions' promotional materials (Potschulat & Ors 2021: 4). The spaces in the Hub which are allocated to different types of service can tell us much about the university's priorities. Prominently situated near the entrance is the well-resourced careers office, which advertises employability skills workshops on a large screen facing outwards into the hallway. Other offerings include CV clinics, mock assessment days and interviews, as well as individual appointments with specialist career advisers. Inside the careers office are round tables and flexible furniture which can easily be moved and configured in different ways to meet the needs of different activities, as well as 'pods' where private conversations can take place. Employability is one of the main features of Rutland University's strategic plan, and staff are encouraged to use the AdvanceHE *Essential Framework for Enhancing Student Success: Embedding Employability* (Norton & Tibby 2020) to integrate employability into the curriculum.

The next room in The Hub is the Student Learning Centre. It contains older, less flexible furniture and offers academic and study skills support via posters on the glass door. Today's offering is an essay-writing clinic and next week students can seek help with referencing. The workshop on 'making the most of tutor feedback' is fully booked. Support for student learning has grown exponentially since Twining's tour in 1994, linked both to the diversity of students entering higher education and to concerns

about non-completion/withdrawal rates (Dillon & Ors 2008: 282). As with many other universities, Rutland's website talks enthusiastically about the university's commitment to 'teaching excellence' and the ways in which support is provided to help students achieve their academic potential. However, although learning support is arguably a key driver for improving student attainment, it is not as well-resourced at Rutland as one might have expected, which arguably contributed to the university being awarded a silver rating in the Teaching Excellence Framework (TEF), rather than the gold it had hoped for, having to accept that its teaching 'consistently exceeded rigorous national quality requirements' rather than 'representing the highest quality [university teaching] found in the UK' (Office For Students 2021).

[E] OUR STUDENT SUPPORT SERVICES ARE HERE TO HELP YOU MAKE THE MOST OF YOUR RUTLAND EXPERIENCE

The third room within The Hub (past which our visitors are ushered a little more quickly than the careers office) has opaque rather than clear glass and the sign on the door tells us it is the Student Wellbeing Advice Centre. A timetable of yoga and mindfulness walks is presented on a small screen and a notice on the door informs students that there is a waiting list for wellbeing appointments due to high demand. The screen rolls onto pictures of the puppies and Shetland ponies that will be on campus during exam time to help students de-stress (BBC News 2015).

Although not referred to by Twining, it is likely that the Rutland of the mid-1990s had some form of counselling provision in place for students (perhaps tucked into a room next to the fledgling marketing department). Such a provision would have held little, if any, interest for a majority of Rutland's legal academics who would have viewed it as a purely pastoral affair and squarely outside their remit and expertise. The more conscientious personal tutors within the Law School would have had a small pile of fliers on their desk to hand to distressed students when required and an occasional poster would have been displayed on the noticeboards dotted around the building. The subsequent growth in wellbeing provision has mirrored the increase in concerns around student mental health and wellbeing, with reports indicating higher levels of mental health issues and lower levels of wellbeing than those found within the general population (Ibrahim & Ors 2013; Insight Network 2019). Factors implicated include the growing diversity of the student body as a result of the widening participation agenda, the increased financial

pressures experienced by students in terms of tuition fees and debt, and the academic pressure in terms of results and employment (Thorley 2017; Barkham & Ors 2019). The challenges for young people involved in transitioning into, through and out of the university environment with potential accompanying changes in living arrangements and support networks are increasingly being recognized (Cage & Ors 2021).

The introduction of Rutland's Student Wellbeing Advice Centre has significantly increased the capacity of the university to offer a range of wellbeing and mental health-related services (including signposting to the University's Health Centre for longer term interventions). However, its team still frequently refers to being overstretched and underfunded, leaving its members unable to fully meet student demand. Although there is increasing evidence that problems with wellbeing can contribute to students underperforming academically and issues with retention (Thorley 2017), there is still some ambivalence within the university's senior management team about devoting more resources to wellbeing provision, given the wider financial pressures faced by the higher education sector.

Within Rutland Law School itself, it is the aforementioned personal tutors who remain the key source of support for students. A number of these have now undertaken the university's optional mental health first aid training to assist them in handling increased numbers of distressed students who appear regularly within their office hours. Recent years have seen wider calls within the higher education sector for a 'whole university' approach to mental health and wellbeing, suggesting ways to integrate wellbeing considerations in learning, teaching and the curriculum (Houghton & Anderson 2017; Hughes & Spanner 2019). To the extent that awareness of this has penetrated Rutland Law School, there has been some resistance, on the grounds that it is important not to over-inflate issues with wellbeing and that it is best left to experts in the area (or what is the Wellbeing Centre for?).

The staff wellbeing services at Rutland do not have the shiny visibility of the Student Wellbeing Advice Centre. However, they do have an increasing role as pressures on both academic and professional support staff increase (Collier, this volume). In fact, the student ambassadors are not aware of their existence so it cannot form a part of the campus tour, perhaps somewhat to the relief of the Marketing and Student Recruitment Team who are keen to focus attention upon staff's excellence in teaching and research.

The other facilities in The Hub are open plan. There is a desk for those seeking help with student finance, and there is a student job shop, an

accommodation information desk, an IT services student outpost (because the library, where most of this service is located, is at the other end of the campus) and a general reception. The Hub is not busy, but there is a steady stream of students coming and going through the opaque glass door seeking the services of the Wellbeing Team.

[F] OUR INFORMATION HUB ENABLES YOU TO ACCESS THE LATEST DIGITAL AND HARD COPY RESOURCES

Exiting The Hub, the student ambassadors now move the tour, and its somewhat weary participants, towards the main campus library. Twining identified the library as the centre of the law school, agreeing with Dean Langdell that ‘most learning about law centres on books’ (Twining 1994: 91). The emphasis on the large number of books held in law school libraries is a noticeable feature of the chapter on libraries in *Blackstone’s Tower*. While the library at Rutland does house books, less space is devoted to them than in 1994, due to the need to create ‘informal learning spaces’, individual and group study ‘pods’, a huge room full of computers for student use and a cafe, as the university library has responded to the variety of ways in which academics and students now do their work—in silence and in private, in groups, with their own technology and with technology supplied by the library (Lewis 2017: 161). The law section of the library is small. The shelves are mostly occupied by multiple copies of textbooks; there are considerably less monographs. There is a striking absence of law reports (in fact, the moot courtroom in the Law School contains a bigger selection of law reports than the library). There is one narrow shelf where journals used to be. Some old copies still linger there, but a sign informs visitors that due to space and cost the library’s journal collection now exists solely online. In transferring to digital resources Rutland is following a trend that can be seen in many other university libraries (Armstrong & Ors 2002: 216). The desks in the law section are occupied by students behind laptop screens; none of them are reading books. The group study pods are all full of students apparently engaged in collaborative projects (a form of working not permitted in the library in 1994).

Observing the library and the people within it, it is impossible to tell who is or is not a law student. The behaviour is similar across the disciplines, at least those housed on the social science and humanities floors. Most students are elsewhere, and, when they do use the library, it is to work in groups in the small rooms or to make the best of the reliable and strong wifi connection in the space. The majority of books remain on

their shelves because many textbooks and all required primary sources of law can be accessed electronically. Rutland's students seldom look at monographs except when they are working on their assessments (and not always then). Students may well be 'in the library', but they are in the library from the comfort of their bedrooms, from the social and study spaces provided, on their train journey home or from the classrooms during a lecture or workshop. In *Blackstone's Tower*, Twining anticipated the rise of information technology, commenting that the traditional law library would soon be obsolete. 'The virtual law library will soon be upon us' he predicted (Twining 1994: 117). This was a remarkably prescient observation.

It certainly seems that the library gives us an insight into some of the biggest differences between Rutland then and now. As Brophy commented in his comprehensive introduction to academic libraries nearly 20 years ago: 'There can be no doubt that information and communications technologies have been the biggest influence on academic library development during the last decade' (Brophy 2005: 95). The move to invest in electronic resources brings with it a number of problems, not least cost, as reflected in a recent campaign complaining about the cost of e-textbooks (E-book Campaign 2020). Ironically, while many universities have seen the increasing use of online materials as an opportunity to reduce the number of staff employed in libraries, students (and staff) have greater needs than ever for training, since they do not necessarily possess the skills they need to use these new resources effectively (Hurst 2013: 405). The availability of electronic material might suggest that the need for physical library space is much less important (Shabha 2000). However, recent empirical research into the post-pandemic university by Deshmukh (2021) suggests that students still value the social aspects, sense of shared experience and the routine afforded by their physical presence on campus. Despite the changes in user behaviour which have taken place since 1994, it appears that the library still plays a central role in student life.

[G] OUR LAW SCHOOL RANKS HIGHLY FOR STUDENT SATISFACTION

We arrive at the Law School. Rutland's Denning House no longer houses the Law School. The new Lady Hale Building is purpose-built and looks strikingly modern. The glass-fronted building houses spaces for small group work, for workshops and for lectures. All rooms have computers and multiple screens, some have whiteboards, but there are never any

pens. The three round Harvard-style lecture theatres (intended to facilitate interactive teaching) are mostly used as seminar rooms because with a capacity of 30, 45 and 80 seats, full year cohorts do not fit in them. It was this fact, coupled with the School's ability consistently to meet its recruitment targets, that allowed the head of the law school to persuade the university to build the new Elizabeth Fry Lecture Theatre.

The coffee shop, which is located on the ground floor of the building, next to the main entrance, is busy, as are the social spaces on every floor where students mingle while waiting for their next class or meeting. The building also houses the moot courtroom which features in all prospectuses and is the star of the open day campus tour. In addition to being an extracurricular activity, mooting is used as a form of assessment in a third-year optional module. The student ambassadors are very enthusiastic about mooting and also about the opportunity to participate in the recently established Rutland Law Clinic.

Staff offices are spread over the third and fourth floors. Most house individual academics, although others are shared by people whose role is focused on teaching. The office doors have an official QR code so that students can use their phones to make an appointment with a tutor. There are no noticeboards to guide students to events, since paper notices have been designated a fire hazard. Instead, TV monitors show a rolling slide pack highlighting staff research success and impact, and advertising lecture series and workshops. It is taken for granted that, along with (far too many) emails, which are primarily about university business, social media will provide an additional means of communication with students; it has become part of everyday life (Selwyn & Stirling 2016: 2). The Student Law Society and the Law School both have Twitter and Facebook accounts; the Student Law Society also has an Instagram account, while the school has a Linked-In account (primarily for the benefit of its alumni). These accounts are used to advertise events such as careers workshops and social gatherings, and also to raise the profile of the school by highlighting student and staff achievements—success in mooting competitions and scholarships to study at the Bar, the award of large grants to staff and appointments as advisors to various government bodies have all featured recently. The secretary of the Student Law Society says she does not know how anyone managed to organize anything before Facebook was available (Stirling 2016: 110).

As the ambassadors lead their charges through the corridors of the Law School, the portraits which adorn the walls (all safely confined behind glass to comply with the fire regulations) reflect a stereotypically

masculine image of the legal profession (Godden-Rasul 2019: 418). Most of the pictures are of white male judges that mean little to the students walking by. In this regard, little has changed since Twining noted in 1994 that ‘the icons and emblems of the law school world are almost inevitably inward-looking, homogeneous, male and dull’ (Twining 1994: 72). A portrait of Lady Hale is the only image which deviates from this pattern. Although there have been other female justices in the Supreme Court, none of them have made it onto the walls of Rutland’s Law School, and there appears to be no prospect of Rutland following the example of some other law schools, which have taken conscious steps to ensure there are images of a much more diverse range of legal people on their walls (Godden-Rasul 2019: 424).

As with Twining’s description of Rutland, there is little here which distinguishes the Law School from any of the other schools in the humanities and social sciences. The Business School, which sits next door, looks remarkably similar and once inside is almost indistinguishable, apart from the absence of legal portraits and a moot courtroom. Indeed, the Law School and Business School together make up one Faculty, on the grounds that they are both ‘vocational’ qualifications. This characterization of their discipline is greeted with some ambivalence by many of the Law School academics, who hold a long-standing if somewhat vague commitment to liberal and socio-legal forms of legal education (Cownie 2004; Guth & Ashford 2013). At the same time, the last couple of years have been notable for the significant energy and debate expended upon the extent to which and in what ways the degree programmes could or should be adapted to the demands of the forthcoming Solicitors Qualifying Examination. The student ambassadors extol the range of modules offered by the school, from drug use to gender-based violence to jurisprudence, but are also enthusiastic about the employability initiatives the school offers, particularly those involving visits from local and larger law firms. When asked by some of the parents about their own career intentions, all the ambassadors say that they want to become solicitors in City firms. Their characterization of studying law as a step towards entering the legal profession is typical of many law students, who have a much more vocational orientation than many of their lecturers (Hardee 2014). This difference of perspective as between staff and students was noted by Twining too (Twining 1994: 74).

Heading through the Law School’s moot courtroom for the final part of the tour, the group is ushered into the Rutland Law Clinic. This is housed in a suite of rooms including smaller offices for client interviews and team meetings, plentiful filing cabinets and shelves of lever-arch files (still no

pens) and a small but neat reception area for clients. Despite clinical legal education having a long history generally (Giddings & Ors 2011), Rutland Law School's interest has developed significantly since the early 2000s, drawing on a growing literature emphasizing its pedagogical advantages (see, for example, Brayne & Ors 1998). This follows a similar trajectory to other Law Schools in the UK, with a significant growth taking place in recent years (Carney & Ors 2014; Sandback & Grimes 2020). The student ambassadors are very positive about the opportunities to gain 'real-life' experience of advising clients and show a genuine enthusiasm for being able to assist struggling individuals. This ends the tour on a positive note as its participants slowly drift out of the Lady Hale Building grasping their campus maps and prospectuses and attempting to absorb their whistlestop tour of Rutland in the 21st century.

[H] CONCLUSION

Although there is a tacit assumption within Twining's trip to Rutland Law School that the student body are present, students are largely treated as a homogeneous grouping (the 120 LLB students, for example) rather than being afforded the rich fictional ethnography which characterizes *Blackstone's Tower's* description of its staff and physical setting. This was probably partly due to the space/time constraints of the Hamlyn Lecture format, since several pages of the Law School chapter are devoted to students. However, it is also because Twining's focus was on 'law school culture', so that his discussion of students focuses on the apparent disjuncture between the vocational intentions of law students and the actuality that less than 50 per cent of Rutland law graduates would follow a legal career for more than five years (Twining 1994: 75). It is the increased emphasis on 'the student experience' which means that the student perspective has become a much more important part of reflecting on *Blackstone's Tower* today.

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