BOOK REVIEW

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Named in honour of the inaugural president of the UK’s Association of Law Teachers, since 1971 the Lord Upjohn lectures have seen a series of distinguished academics, practitioners and others reflecting on the state of legal education in England and Wales and various related topics. This edited collection takes 11 of these lectures and pairs each of them with a contemporary commentary by a legal academic.

Taken as pairings, each lecture and its response has something of interest within it. Perhaps most memorable is the strident and unapologetic 1980 call of the late Sir Frederick Lawton P.C. to law schools to do more to meet the needs of the legal profession (chapter 17). In which he wonders whether “the present system of legal education is not over-elaborate” and “wasteful” of “time and money” (p.171). Chris Ashford’s response to this provides not only brief but fascinating biographical detail but also a thoughtful analysis of the tensions which still exist within law schools between arguably conflicting vocational and liberal agendas (chapter 18).

Another strong pairing is that of Wes Streeting (chapter 5) and Graeme Broadbent (chapter 6). Streeting’s 2011 lecture deals with issues of social mobility and widening participation in higher education generally. Broadbent’s response links these issues more clearly to the law degree itself, but deftly avoids focussing solely on this. By doing so he provides an interesting overview of the broader structural and policy issues within universities and their impact on the law school, whilst avoiding discussing law students in splendid isolation.

In addition, there are some individual contributions which contain particularly interesting arguments or responses. Of particular note is Julian Webb’s discussion of the “stages and fiefdom’ thinking” (p.33) which has characterised the development of the English and Welsh law schools, in particular their separation of the academic and vocational stages of an education in law. His discussion of the various committees and policies which have shaped this approach is also arguably one of the most accessible parts of the collection for those with more of an emergent or passing interest in legal education in England and Wales (chapter 4).

Although chapters by Ashford and Webb (and others) reflect the perennial themes in UK legal education of vocational versus liberal and doctrinal versus socio-legal, often centring
around what the relationship between the law schools and the legal profession was, is and should be, there are also many less well-trodden paths explored here. For example, in the discussion of the relationship between law and politics in teaching terms (chapters 21 and 22) and the conjuncture between research and teaching (chapters 23 and 24).

What this collection does not do (and does not pretend to do) is offer an easy introduction to the intricacies of legal education in England and Wales. The lectures are not sequenced in chronological order, meaning that analysis of the various reviews that have punctuated the last century of legal education is somewhat scattered throughout. For example, in chapter 1, Lord Neuberger’s lecture is delivered in 2012, prior to the publication of the Legal Education and Training Review’s final report (“LETR”). It is not until chapter 19 that Lord Griffiths of Govilon M. C. deals with the Lord Chancellor’s Advisory Committee on Legal Education and the Legal Profession (although largely focused on the legal profession aspect).

There are also some frustrations. For example, it is interesting to read the then-chair of the Legal Services Board, David Edmonds, 2010 reflections on the changing legal landscape (chapter 7). However, one can’t help but feel it would be even more compelling to read a post-LETR analysis of the same. Similarly, whilst Lord Justice Ormrod’s 1974 reflections on judicial fact-finding remain relevant today, reading a discussion which gave an insight into the workings and thought-processes of his 1970 report into legal education would have much more direct interest in relation to the shaping of today’s law schools. Whilst the responses to both of these do place them within the contemporary context, these are from an academic perspective and therefore can only reflect the views of one set of stakeholders within legal education.

Overall, this book makes an interesting companion to dip in and out of for often fascinating, occasionally slightly obscure, nuggets of insight into legal education and the wider context of legal practice within England and Wales. The reader is, overall, assumed to already have some knowledge and understanding of the historical, chronological and political background to its development, as well as an awareness of contemporary debates within it. This may perhaps limit its audience in some respects, but the collection does counter-balance this with a range and depth which accurately reflects the status of legal education scholarship in England and Wales today.