

ASSOCIATION OF LAW TEACHERS

RESPONSE TO THE JOINT ACADEMIC STAGE BOARD CONSULTATION ON THE RELATIONSHIP OF FOUNDATION DEGREES TO THE QUALIFYING LAW DEGREE

The Association represents Law Teachers both in Higher and Further Education Institutions, and therefore has a particular interest in this topic.

In principle Foundation Degrees are a valuable means of encouraging greater diversity and permitting entry to the legal profession of a body of potential lawyers who would not readily access a traditional full-time degree. Given the concerns that are regularly expressed on threats to diversity of access to the profession this is a very significant issue.

We would envisage that Foundation Degrees in Law will fall into two basic patterns.

Freestanding

These Foundation Degrees are likely to be for those already in legal employment, entailing part-time study, possibly work-place based, and probably linked to an associate professional qualification (e.g. ILEX). While there will be an 'onward route' this will be optional.

Linked

This will be an explicit 2+2 model validated by a Higher Education Institution and delivered there or at partner Further Education Colleges. This is an alternative route to a full degree and may in part supplant access courses (and perhaps the traditional part-time LLB, which in many Higher Education Institutions has attracted a number of non-standard entry students who may find the Foundation Degree more congenial.

There is the possibility that students will wish to move after completing the Foundation Degree, and such students, as well as 'freestanding' students seeking to progress will raise issues of coherence and comparability.

In a sense the 'freestanding' model is closer to the original idea of the Foundation Degree as an independent Intermediate qualification with a clear vocational and work-based ethos. However the 'linked' model is likely to be attractive to Higher Education Institutions who will see it as a development of the existing collaboration with Further Education Colleges over HND programmes and the delivery of parts of an LLB programme collaboratively.

SPECIFIC RESPONSES

In principle we consider that credit should be allowed in relation to a Qualifying Law Degree for legal subjects studied in a Foundation Degree.

Question 1

A Foundation Degree will amount to 120 credits. It cannot therefore cover all the Foundations. We consider that there should be no restriction on subjects actually taught and credited. While most Foundation Degrees would not cover Equity and Trusts, one designed for conveyancers might well do so. Similarly a Foundation Degree intended for CPS caseworkers or Police Station Advisers might cover Criminal Law and Evidence.

Question 2

This will not apply to a course designed as 2+2. There would need to be a very clearly designed and articulated progression, and given the likely calibre of Foundation Degree students would be academically problematical. We note that it is usual for progression from an HND to be into Level Two rather than Level Three unless there is a particular coherence between the programmes and consider that this should be the norm, although we would not wish to rule out the possibility *a priori*. For example the 'Modern Legal Apprenticeship' recently floated by Irwin Mitchell (and which mirrors proposals recently made by Astra Zeneca for research technicians) may see the recruitment of high calibre trainees at age 18 for whom a 2+1 model might well be feasible.