

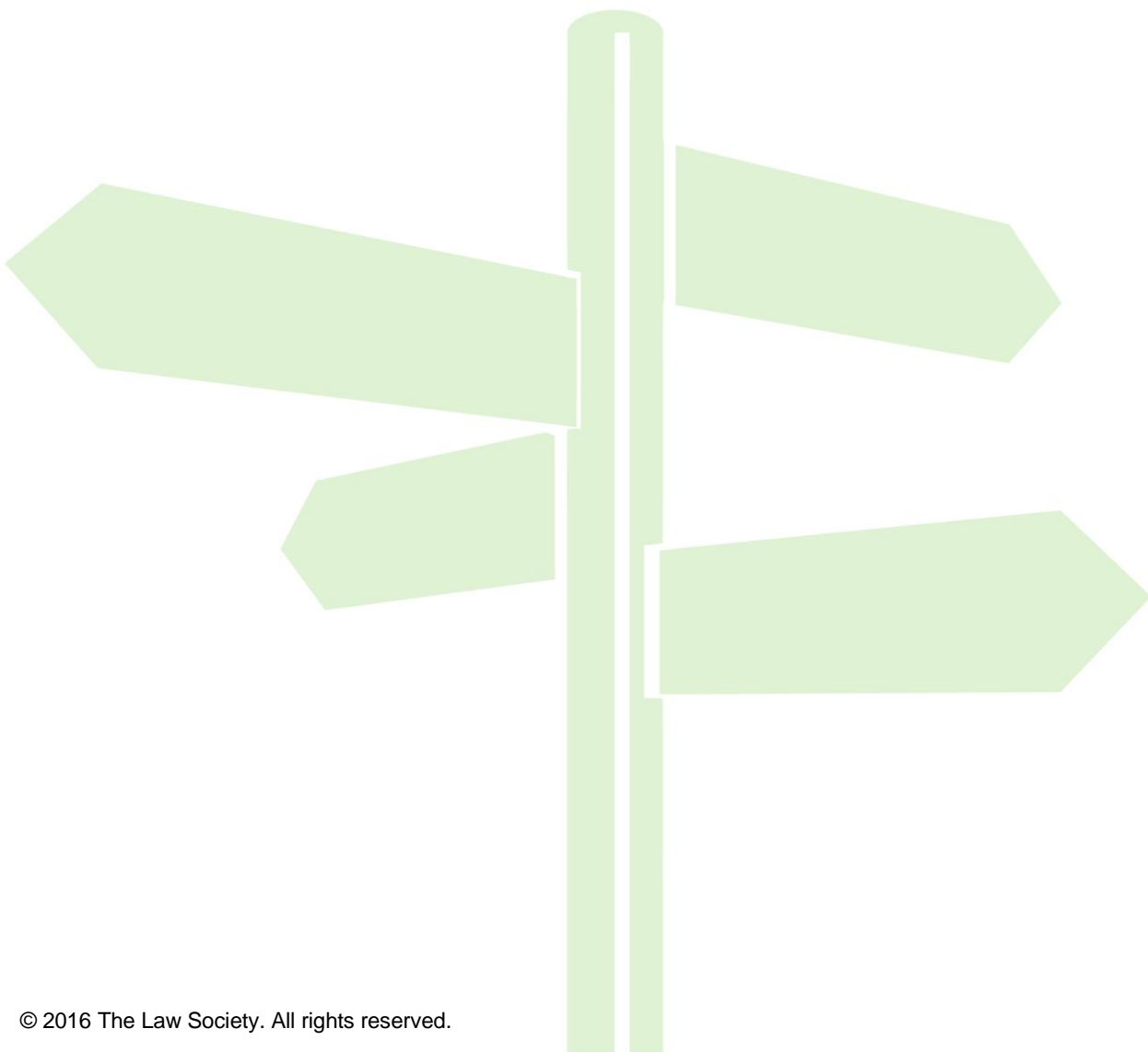


The Law Society

## **Accelerated Degrees**

Government Consultation: Department of Education

11 December 2018



## **Government consultation: Accelerated Degrees**

### **Junior Lawyers Division response to Accelerated Degrees Government Consultation (February 2018)**

The Junior Lawyers Division (JLD) is a division of the Law Society of England and Wales. The JLD is one of the largest communities with the Law Society with over 70,000 members. Membership of the JLD is free and automatic for those within its membership group including Legal Practice Course (LPC) students, LPC graduates, trainee solicitors and one to five years qualified.

Please note, with reference to the government's consultation titled "Accelerated Degrees" launched 11 December 2017 the JLD's response deals primarily with concerns of importance to our members.

In discussing the questions posed by the consultation we found that there were common themes and answers. As such we have prepared our response in a way that deals with each of these themes as opposed to providing direct answers to the questions.

#### **Summary**

**The Junior Lawyers Division is broadly supportive of the introduction of accelerated degrees, subject to the considerations and caveats detailed below.**

#### **Cost**

We understand that the aim of the proposal is to provide a more affordable way for students to attend university and that this is to be achieved through a lower course cost and a quicker entry into the work place. With the increasing amount of debt that students now face it is important that ways to lower that debt are looked at. It is also important, however, that the amount of money that is saved by students is enough to warrant only studying for two years instead of three.

The proposed discount for the two year degree, against the three year degree, of a 20% discount on fees would not, in our opinion, necessarily be appealing enough for students to study for two years instead of three. Many of those that we spoke to asked why the proposed reduction was not a third as opposed to 20%, and we would welcome clarification on that point before expressing a view on the appropriate level of discount. We understand that students are getting the same amount of tuition in a shorter time, however we expect that when taken forward this will be a concern for many others.

More importantly, it was noted that a lot of students use the time between terms in order to work and save money for the rest of the year. Under the accelerated degree programme, students would not only lose this time to work but they would be faced with a longer year to fund. The increased loan amount must therefore be enough to cover this, and we have concerns that it may not be. Some students may have strong financial support which will enable them to accommodate the two years of intense study, but these are not the students that the accelerated degree programme appears to be aimed at. Further exploration of the increased loan level by DfE may therefore be required.

We also have concerns about universities being able to offer the accelerated degrees at a reduced cost. Under the current proposal, universities are expected to provide the same number of weeks of tuition and learning but at a 20% discount. This means that they will have to find resources elsewhere to fund the costs of teaching, such as lecturer fees and course resources. Coupled with this, many universities offer out their campuses in the holidays in order to raise additional funds. With the introduction of longer academic term lengths, this

revenue stream could come to an end and the increase in fees will not necessarily cover that loss. These two factors combined could mean only the wealthiest universities are able to afford to offer the accelerated degrees or universities will choose not to offer the course at all. As this proposal is in its infancy, we expect to see pushback from universities unable or unwilling to accept the discount and this could result in it being reduced and there being an even more limited saving for students.

## Quality

While we want students to be able to obtain a degree at a suitable cost, it is important that the quality of a degree is not compromised.

Academics are not just lecturers; they are often conducting research or working as well. This enables them to stay at the forefront of their particular specialisms. With accelerated degrees, and less time outside of the academic programme, lecturers may not be able to balance the two or they may have to give up one or the other. With this comes the danger that the universities instead rely on full time lecturers who may not be of as high a quality. These could be junior academics with less experience or those, particularly in the case of law, who are full time academics and no longer work in the profession. This could lead to a less diverse teaching pool and a lessening of the quality of what is taught on the degree. If the proposal goes ahead, the DofE should consider how this risk can be mitigated and also monitor the quality of teaching on accelerated courses.

We are also concerned about how universities will manage access onto accelerated degree programmes. Will there be the same requirements for entry or, with it being a more intense course, will there be an inclination by universities to make the application process more rigorous? From this there is the danger that a two-tier system could be formed between those that study the three year and those on the accelerated degree. It is impossible to know how the workplace will react and it is important to ensure that students do not get penalised for taking a short course or a longer one.

Tied to this are theWe are concerned that students could miss out on academic opportunities. The University of Law currently offers a two year post graduate law degree which is comprised of compulsory modules only. We are concerned that other universities would similarly be inclined to remove the element of choice within the degree in order to make it fit with the current academic programmes in place. Electives are seen by many as an important part of a degree, as it allows students to focus on the particular areas of their subject of choice that they are most interested in, we would therefore be concerned if this were to change and hope the DfE will highlight the importance of maintaining a flexible structure to providers .

Under the current system, a student with a non-law degree would have to complete the graduate diploma in law (GDL) and then the legal practitioners course (LPC) before beginning the work experience element of their training. This means that a non-law student is spending 5 years in academia before entering the legal work place. Under the accelerated degree (though this may change with the introduction of the Solicitors Qualifying Exam (SQE)) a student would be able to complete the two year degree and then the GDL and LPC. Being able to progress within the same time scale as a law student may make this route more attractive to those who are not yet sure about entering the profession when they are still at school. This could lead to the profession being opened up to a wider range of people, specifically those that are unable to fund a normal three year non-law degree and then the GDL as well. Along the same lines we also acknowledge that the accelerated degrees would be beneficial to mature students and those making a career change.

For those undertaking an accelerated LLB, the introduction of the SQE (which will remove the requirement to complete the Legal Practice Course usually lasting one year) could mean that the time taken to qualify as a solicitor is reduced by as much as two years. Due to reforms

proposed to the regulation of solicitors, this could have implications for consumers of legal services and for the perception of the English & Welsh jurisdiction.

### **Timings**

Term time holidays are a key time for law students wanting to gain experience in the legal profession. This is gained by participating in informal work experience programmes but, more importantly, through vacation schemes. Vacation schemes are formal work placements used by a large number of law firms across England and Wales as a means to recruit future trainee solicitors. We are concerned that increased and additional terms will mean the students on accelerated degree courses will not have the time to apply for and be a part of these crucial opportunities. Only those on three year programmes will be able to do so which could lead to a two-tier system in terms of opportunity. Even if firms were willing to adapt their recruitment processes there will only be a limited time to do so both because of the term lengths and because the course will be two years rather than three. The DfE should put the onus on providers of accelerated degrees to point this out to students so that they can make an informed decision about whether to take a two or three year course. Discussions with law firms about whether they may adapt their vacation scheme placements to reflect accelerated courses may also be helpful/insightful.

Similarly, we are concerned about how extended term lengths will impact exam taking and the resitting of exams. Students will be expected to sit exams in a shorter time period, which will not just be an issue in fitting them in but also in relation to students having the time to revise and prepare for their exams. Ordinarily students use holiday periods to revise and also to complete coursework and this maybe harder to fit around an accelerated degree. The inevitable increase in intensity of examination and revision could have a serious impact on the resilience and wellbeing of students on the accelerated programme compared to those following the traditional route. This was previously observed when universities offered the double maitrise (which included a two year condensed English law degree). It was eventually stopped due to low marks and concerns about stress and workload. There was also the concern that inevitable lower marks would be moderated or manipulated upwards and in turn damage the integrity of the course. Although it is presumed that students considering accelerated degrees will be mindful of this, it seems sensible for the DfE to monitor this.

### **Long term effects**

We have concerns about how the market will respond to the introduction of two year degrees.

With the complexities of running a three year and a two year degree alongside each other there is the prospect that universities will move toward only offering two year degrees, especially if it is more economical than the three year programmes. While we understand that it will be up to each university to decide whether they adopt accelerated degrees, we are concerned that there may be a divide in those that do and do not adopt them. If the more prestigious universities choose not to, there is the danger that some of the best students will choose to go to a lesser university at a lower cost because they feel financially pressured to do so.

On this point, and in response to one of the specific questions, we think it is important that access funding continues to be supported as there will still be the same financial burdens and barriers for those from poorer backgrounds. It is clear that one of the aims of this proposal is to enable greater social mobility and to enable greater access to further education for those who otherwise are unable to access it. It is therefore vital that this aim is not lost as the proposal is progressed.

Furthermore the shorter degree length could lead to an influx of people entering the job market at an earlier stage. This maybe beneficial in areas where there is a lack of skilled

workers but, and law is an example of this, it could lead to an even more competitive environment with a greater number of students unable to find a job in the area they trained in. Coupled with this, law firms often recruit two years in advance and, against Law Society guidance, some three years. We are concerned about the fight for the best talent progressing to an earlier stage in students' lives at a time when they may feel obliged to take a job offer before they are sure that it is the profession that they wish to enter.

### **Further questions**

While a lot of the points set out in our response above raise concerns, we do believe that there is a place for a two year degree. If correctly constructed, it could help with the financial burden of students, provide alternative entry points to the profession for mature students and career-changers, and provide more opportunities to study for students of the future. There is, however, still a long way to go to get this proposal constructed into an acceptable form and, as such, there are a number of questions that we would be keen to have answered.

1. Has the government thought about alternative approaches to the accelerated degree? For certain less-intensive courses could a degree accreditation not be given for a two year degree which has been completed over two 30 week years?
2. Has the government looked at how other countries approach their degree level programmes? Are there two year degrees available in other countries and how do their students perform as a result?
3. Where students have expressed an interest in a two year degree is this because of the increased cost in tuition or because of a desire to get in the work place faster? We would ask that more research is done into whether students are happy studying for three years but feel forced to study for two because of prohibitive costs.
4. Would an accelerated degree be open for all courses? Has any thought been put into where it may not be suitable, for example, medicine and engineering?
5. How has the 20% discount been decided upon? Have any universities been spoken to prior to this consultation and have they expressed an opinion as to whether they would accept such a cut?
6. Has an impact assessment into resilience and wellbeing been conducted or considered? We are concerned about the impact that such an intensive degree could have on younger students.
7. Page 22 of the consultation mentions "value for money to the taxpayer", it is unclear what is meant here and we would ask that this is expanded upon further.

