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## Foreword

Nick James  
*Bond University*

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## Foreword

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Welcome to the latest volume of the *Legal Education Review*. We are proud to be Australasia's leading source of legal education scholarship and one of the principal sites for academic discussion and debate about legal education issues. This volume of the *Legal Education Review*, Volume 24, is made up of ten articles that explore a variety of legal education topics.

The first three articles are concerned with the roles of place and power within legal education. In 'Educating Law Students for Rural and Regional Legal Practice: Embedding Place Consciousness in Law Curricula', Amanda Kennedy and colleagues from eight Australian law schools offer a way to address the declining rates of recruitment and retention of lawyers in rural and regional Australia. Research from other disciplines indicates that the challenges inherent in rural and regional professional practice can be alleviated, and benefits more easily harnessed, via a place-conscious discipline-specific curriculum that sensitises tertiary students to, and prepares them for, the rural and regional career context. Amanda and her colleagues argue that there is scope to incorporate 'place' within legal education, and they document an innovative curriculum development project that embeds place consciousness within the law curriculum. They describe how the project team designed a curriculum package that aims to sensitise students to the rural and regional legal practice context, and equip them with the skills to take advantage of the opportunities available in a rural or regional professional career.

Next, Heather Douglas and Monica Taylor in 'Understanding the Power of Law: Engaging Students in Criminal Law Casework' draw on students' evaluations and reflections to describe and evaluate a new legal clinic, the Criminal Law Matters Legal Clinic at the University of Queensland. They present an approach informed by the work of Carol Smart to encourage students to critique the power of law, and examine the ways in which the clinic prompts students to engage in a deeper critical understanding of power in the context of their clients' circumstances and their role as 'lawyers'.

The third article is by Angela Melville, and is titled 'Barriers to Entry into Law School: An Examination of Socio-Economic and Indigenous Disadvantage'. Angela argues that the Australian legal profession persistently remains the domain of the white middle-class. She identifies the barriers to entering and completing law school that act to prevent people from low SES backgrounds and Indigenous people from entering the legal profession. These barriers have persisted despite a long history of policies aimed at

diversifying Australia's university student population. Angela considers the various strategies that have been relied upon by universities to increase the proportion of students from disadvantaged backgrounds, and argues that many of the strategies that are most heavily relied upon are based on false common-sense assumptions rather than empirical evidence.

The next three articles in this volume examine the importance of general legal skills and capabilities. In 'Thinking like a Lawyer Ethically: Narrative Intelligence and Emotion', Lesley Townsley describes and evaluates the implementation and embedding of 'ethics and professional responsibility' as a graduate attribute into two subjects at the University of Technology Sydney. Her focus is upon the ways in which law students are taught to 'think like a lawyer' and make legal decisions that require ethical judgment, with a particular emphasis upon the development of narrative intelligence and the emotional content of ethical judgment.

In 'Employer Perspectives on Essential Knowledge, Skills and Attributes for Law Graduates to Work in a Global Context', Duncan Bentley and Joan Squelch present the results of a qualitative research project to assess employer perspectives on required graduate knowledge, skills and attributes. There is broad consensus among legal academics and practitioners that law schools need to deliver law programs that take cognisance of global developments and the increasing emphasis on internationalisation. Duncan and Joan ask how internationalisation is affecting what employers want from Australian law graduates and consequently what those law graduates need from their legal education both to secure jobs and to be as effective as possible as new employees, from the employers' perspective. Their findings provide a useful basis for law schools in the review, development and renewal of their own law curricula.

Carolyn Penfold in 'Developing Legal Communication Skills in a South Pacific Context' explains how the Law School of the University of the South Pacific is working to develop graduates who are 'able to communicate in ways that are effective, appropriate and persuasive for legal and non-legal audiences' and argues that both identifying the content of such communication skills, and the learning and teaching of them, require teachers to pay close attention to the context of the South Pacific environment. She concludes that while English language skills are important, skills in other languages and cross cultural communication skills are equally important for South Pacific lawyers.

Continuing the emphasis upon global contexts, Tihomir Mijatov in 'Why and How to Internationalise Law Curriculum Content' reappraises the justifications and the methods for implementation of internationalisation. He insists that it is only if institutions can be persuaded that internationalisation is valuable that they will consider changing their curricula. Tihomir presents arguments in support of the notion that internationalisation is

valuable, and proceeds to identify ways in which curriculum content can actually be internationalised.

The next article by Susannah Sage Jacobsen and Tania Leiman is timely give the increasing emphasis upon the embedding of clinical experiences within legal education. In 'Identifying Teaching and Learning Opportunities within Professional Relationships between Clinic Supervisors', they present the results of a critical evaluation of the Flinders Legal Advice Clinic, a small University student-staffed legal service based in the outer southern suburbs of Adelaide. An 'Appreciative Inquiry' process was used to evaluate the Clinic in 2013, and this identified a distinctive learning opportunity emerging within the strong relationships between the supervising solicitors. Susannah and Tania consider how recognising the nature, significance and value of the interactions and relationships between law supervisors in a student legal clinic can be instrumental in creating unique occasions for learning from practice.

The last two articles in this volume are concerned with legal research and research networks. Theunis Roux in 'Judging the Quality of Legal Research: A Qualified Response to the Demand for Greater Methodological Rigour' describes how legal academics' drive over the last 40 years to broaden their research horizons has exposed the quality of their research to extra-disciplinary scrutiny. Theunis argues that legal academics urgently need to respond to these developments, but that the way they respond depends on the distinction between traditional doctrinal research and the other types of legal research that have emerged over the last 40 years. The challenge in the former case is to defend doctrinal research against the charge that, as a form of applied social science research, its practitioners should conform to the research standards applicable in that set of disciplines. In the case of the other types of legal research that have emerged over the last 40 years, legal academics do need to conform to the research standards of the disciplines on which they are drawing. This is especially true of the particular variant of socio-legal research that legal academics produce, which mixes the internal perspective of the trained lawyer with the external perspective of the social sciences, but it is also true of the other main categories of legal research, including 'law and \_\_\_' research, legal philosophy, comparative legal research and critical approaches.

Finally, in 'Towards Growth and Sustainability: The Institutional and Disciplinary Dynamics of Postgraduate Law Research Groups', Felicity Bell, Rita Shackel and Linda Steele explain that while there is growing attention in the educational literature on the role of postgraduate student research groups in Higher Degree Research (HDR) student learning and experience, there is little research specifically on law HDR students, including research on the factors key to successful development and sustainability of HDR groups in law. Felicity, Rita and Linda

consider how academic involvement in these groups might be both limiting and productive and ask how the contours of legal scholarly inquiry might impact students' engagement in an inter-disciplinary HDR group and its sustainability. They conclude that while impermanence is a particular challenge given the transient nature of student populations and the sometimes onerous administrative burden placed on coordinators of groups, the development of academic independence in students is vital to achieving sustainability.

This volume of the *Legal Education Review* would not have been possible without the contributions of many committed academics, most of whom volunteered their time and expertise. Thanks are especially due to the members of the 2014 Editorial Committee for their hard work in bringing this volume together. Last year saw some important changes to the composition of the Editorial Committee. Wendy Larcombe (University of Melbourne) resigned from the Committee, and Associate Editor Anne Hewitt (University of Adelaide) took a leave of absence. The remaining members were Kate Galloway (James Cook University), Sonya Willis (University of Sydney), Allan Chay (Queensland University of Technology), Donna Buckingham (University of Otago) and Matthew Ball (Queensland University of Technology). I would like to thank all of them for their dedication, loyalty and commitment to the journal.

The other major change in 2014 related to the home of the *Legal Education Review*. In July 2014 the administrative base of the journal moved to Bond University. I would like to thank our former Administrator, Alysia Saker, for her many years of hard work, and welcome to the journal our new Administrator, Paula Hudson, who has for the past six months managed to successfully navigate a steep learning curve and now ensures that the *Legal Education Review* is administered to its usual high standards. It was Paula's hard work that ensured this volume successfully reached publication. I would also like to thank Helen Anderson, ALTA Treasurer, for her careful management of the journal's finances, and the ALTA Executive Committee for their ongoing financial support and encouragement.

Following the move to Bond University, the proofreading and typesetting for the journal now take place 'in-house'. I would like to thank our former typesetter Maureen Platt and our former proof-reader Trischa Manna at Inkshed Press, both of whom for many years worked closely with the Editorial Committee to ensure all of the articles in the journal were presented at an appropriately high standard. Maureen, in fact, has worked with the journal since its first volume 25 years ago and has made an important contribution to the success of the journal.

All of the articles in the *Legal Education Review* are double blind refereed. Our referees spend many hours reading and providing insightful feedback on our articles, and their efforts are

genuinely appreciated by both the editors and the authors. We are also grateful for the support of our Editorial Advisory Board, the members of which often serve as referees and provide overall guidance on the direction of the journal. The list of illustrious scholars and practitioners on our Advisory Board has this year been expanded to include former Editorial Committee member Wendy Larcombe.

The *Legal Education Review* has recently issued a call for submissions to Volume 25 of the journal, to be published in late 2015. Issue 1 will be a General Issue containing research articles on current issues in legal education from all jurisdictions. Issue 2 will be a Special Issue entitled 'Why do we do what we do? Re-evaluating the purpose of law school'. We are encouraging academics to submit scholarly articles that explore this theme by critically analysing and evaluating the goals of contemporary legal education. Potential topics include (1) career paths for law graduates; (2) knowing the law versus practising the law; (3) why so many law graduates choose not to practise law; and (4) whether all law schools should prioritise preparation for practice. Submissions are open until 30 May 2015. Please refer to the *Legal Education Review* website for more details: [www.ler.edu.au](http://www.ler.edu.au).

Professor Nick James  
Editor-in-Chief