

## **Au fait law placements: an emerged reality or a popular trend in contemporary education?**

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### **Abstract**

**Purpose (mandatory)** – Enhancing student employability and bridging the gap between theory and practice in law education requires a more multifaceted approach than the traditional mix of lectures, tutorials and simulations. Law placements also provide an opportunity to reinforce the importance of the professional practice standards and requirements laid down by the Law Society of Scotland. The design and implementation of law placements is analysed from the point of initiation to becoming a regular practice. The emphasis is on placements embedded in the programme of study offered to Stage 3 students to facilitate their career choices prior to specialisation in the final year.

**Design/methodology/approach (mandatory)** – This study utilises a longitudinal multi-method approach, allowing the analysis of various aspects the development and practical implementation of law related placements. The views of students, academic staff and representatives of local employers are gathered by in-depth interviews. A reflective workbook method is also used to analyse the ‘integration’ of learning and to support the ‘demonstration’ and assessment of personal and professional capabilities which are difficult to assess by other means.

**Findings (mandatory)** – The paper presents the challenge faced by a higher education institution in organising meaningful placements and looks at the other avenues explored, particularly in the Third Sector. There are differences in the expectations of law placement providers (law firms and Third Sector organisations) in respect of students’ skill and knowledge base. The students were explicit about the need to demystify the profession and are appreciative of experience with atypical law placement providers which expands their perceptions of the choices within a law career. Students have also indicated a positive alteration in their attitude to the role of reflective practice, which stimulated changes in their behaviour with respect to professional development.

**Practical implications** - The outcomes of the initial stage of this study have implications for law departments in higher education in the context of organising law placements, evaluating their effectiveness and their impact on student employability.

**Originality/value (mandatory)** - Teaching law has its specifics and already employs a number of methods: simulations, negotiation exercises, moots and debates. This paper explores ways of providing a more meaningful practical experience for undergraduate students by placing an emphasis on such elements of professional practice as drafting legal documents and preparing professional opinions, while introducing the complexity of the law profession. Solutions to the challenges faced by the institution in organising those placements are analysed. The study provides an analytical view on the effectiveness of law placements in relation to other widely used approaches to bridging the gap between the theory and practice of law.

**Keywords:** law placement, reflective assessment, employability skills, employability attributes, legal profession, Higher Education

## **Introduction**

The past few decades brought a number of significant changes into higher education, with some of the changes being driven by market forces such as globalisation and technological advances making higher education a global and knowledge driven industry. One key factor is the growing concern about students' ability to secure a job on graduation. Pegg *et al.* (2012) assert that the student's knowledge base should be complemented by a wider set of skills – employability skills – which are embedded into the curriculum to support a more successful transition into employment. Another major factor has been the recent recession which has led to a shrinking and more competitive job market, with employers having higher expectations of the skills and experience of job seekers. Placements provide students with an opportunity to gain contextual experience of many aspects of the chosen discipline which reinforces the student's skills and experience in relation to the chosen profession.

Types of placements vary; some higher education institutions offer study programmes with a one year long placement (aka sandwich course), while other further and higher education providers offer shorter, compulsory placements as part of the degree programme (CIPD, 2012; Little and Harvey, 2006; Pegg *et al.*, 2012). More recently, there has been a growth in other forms of placements such as vacation placements (High Fliers, 2014), voluntary placements (Jones, 2004), overseas placements (Jones, 2004; Little and Harvey, 2006; Wallace *et al.*, 2009), and graduate placements (High Fliers, 2014). There is an emerging new trend for placements designed for SMEs where students work at different companies within their placement year: the consortium model (Education for Engineering, 2011; Hill, 2012; Wilson, 2012). Instead of working at one company, the consortium model is intended to be rotational enabling students to gain practical experience by working with different companies. Irrespective of the differences in the implementation of placements, one common feature of work placements is the opportunity for students to 'try out' their career path (High Fliers, 2014; Little and Harvey, 2006; Wilton, 2012) and enhance their employability (CIPD, 2012; Wilton, 2012; Yorke and Knight, 2006). Table 1 below summarises the types of placements.

**Table 1 The broad classification of placements**

<b>Types</b>	<b>Duration</b>	<b>Compulsory/ Optional</b>
Sandwich placement	12 months	Optional
Thin sandwich	3 - 6 months	Compulsory
Consortium model	6-12 months	Optional
Voluntary placements	3 weeks to 3 months	Optional
Vacation placement	3 weeks to 3 months	Optional

This paper will look at research and empirical evidence on the subject of organising effective law placements. Initially, the impact of the placement on students and their employability will be analysed, followed by a review of best practice approaches in law education. Barriers to high quality placement experience and challenges in providing effective law education in the context of Scotland are reviewed and in conclusion a framework is proposed, aimed at providing practical assistance to anyone contemplating organising meaningful and adequately assessed law placement.

## **Impact of placement**

The impact of placements on students is well-documented. Employability studies found that placement is often associated with improved academic performance (Brooks, 2012; Bullock *et*

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*al.*, 2009; Jones, 2004), wider career opportunities (High Fliers, 2014; Mason *et al.*, 2006; Wilton, 2012), skill development (Balta *et al.*, 2012; Bowes and Harvey, 1999; Hall *et al.*, 2009), and higher income (Bowes and Harvey, 1999). Similarly, training and development research (Blackwell *et al.*, 2001; Bullock *et al.*, 2009; CIPD, 2012) suggests that work experience can enhance student's confidence, independence, and overall learning. Placement centred studies, although few in number, indicate that the student's experience in undertaking a placement is not always positive. Walmsley *et al.* (2006), for instance, suggest that placements may have little value to students who have prior work experience. Sometimes students on placement are given monotonous administrative tasks (Curiale, 2010; Feeley, 2007; Lancaster and Baker, 2010), which reduce the quality of the placement experience. Similarly, the experience of unpaid internships may be less than positive or even unpleasant. Curiale (2010) and Ortner (1998) point out that unpaid interns are more vulnerable to sexual harassment and discrimination than permanent staff. Feeley (2007) criticises the value of unpaid internships, as 'students are paying tuition dollars for credits to work for free' (Feeley, 2007: 47). In a similar vein, Curiale (2010) highlights that the difficulties experienced by financially disadvantaged students in securing a placement or financing unpaid internships may lead to greater unemployment among disadvantaged students. However, the criticism of placements (Curiale, 2010; Feeley, 2007; Ortner, 1998; Walmsley *et al.*, 2006) is predominantly subjective, lacking in methodological underpinning and thus the generalisability of the findings is limited.

### ***Review of relevant best practices in organising law placements***

To address the view that there is insufficient methodological underpinning and transferability of scholarship on organising placements some best practices are considered. The CIPD (2012) guidelines for organising high quality work experience for young people mainly focus on the key principles to which placement providers should adhere. These indicate that the student should be supported, supervised and mentored, and in general treated as an active member of staff. As part of that process the student should receive open and honest feedback about what went well and what areas need to be improved. While these principles are logical and student-centred, they do place the main emphasis on the placement provider as the key guarantee of student learning and experience.

The empirical studies on work-related initiatives (Patrick *et al.*, 2008) and research presented by Australian and American scholars (Bachman and Eliason, 2012; Backman, 2006; James, 2005) indicate that the student is in the best position to shape their own learning (Walsh, 2007). The practical way of implementing such an approach is summarised as a collaborative model (McNamara, 2013) in which a learning agreement is established between the student, workplace and the university. The student in this arrangement is primarily responsible for setting their own learning goals as part of the learning agreement.

Other noteworthy practices have emerged relatively recently as the result of striving for educational effectiveness and the desire to provide relevant work experience for law students: legal internships (Curiale, 2010), legal clinics (Puga, 2003; Groark, 2013) and the apprenticeship model (Backman, 2006). Both legal internships and clinics are quite similar in their essence; they provide the student with active work experience supervised by legal practitioners but with less input from academic staff or faculty. While a legal internship would typically provide experience of a narrow focused but fairly in-depth legal practice, a legal clinic exposes students to a breadth of legal activities as a clinic typically aims to provide wide-ranging legal advice on a variety of legal topics. The apprenticeship model,

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particularly popular in American law education, again places the primary responsibility for learning on students with a greater emphasis on setting goals and reflecting on their own learning (Backman, 2006). Whilst these three methods for organising relevant work experience for law students are effective, they might not be the best way of assisting young 19-23 years old students in choosing their career pathways within the spectrum of the legal profession.

### ***Barriers to placement***

In spite of the well-documented benefits associated with placements, statistics show that there is a gradual fall in the number of placement students. In the UK, the number of students who took a year out of studying for a placement decreased from 129,948 in the academic year 1994/95 (HESA, 1995) to 115,805 in 2008/09 (HESA, 2009). The decline in the number of placement students has attracted mounting numbers of studies researching the barriers to implementing placements. Balta *et al.* (2012) and Wilson (2012) noted the operational difficulties in organising and running placements; the effort and time required for both academic staff and companies to supervise and mentor placement students. For students taking a year out for a placement, it results in a years' delay in entering the labour market with a degree and that is a time commitment some students cannot afford especially during an economic downturn (Balta *et al.*, 2012). Other barriers to students undertaking placements include financial restrictions (Balta *et al.*, 2012; Curiale, 2010; Education for Engineering, 2011; Feeley, 2007), fear of uncertainties (Jones, 2004), reluctance to relocate (Balta *et al.*, 2012; Procter, 2012), insufficient knowledge about the working industry or lack of the competences that employers require (Balta *et al.*, 2012). There are also some issues with readjustment to campus life after the placement is completed (Little and Harvey, 2006; Paisey and Paisey, 2010; Procter, 2012).

### ***Challenges within law education***

In addition to the barriers to student placements already discussed, studying law requires a more multifaceted approach than the traditional mix of lectures, workshops and examinations. Law school has a long-established culture of conformity that is “non-adaptive” and somewhat “resistant to change” (Sturm and Guinier, 2007). Some law schools or departments are making efforts to improve the student experience or quality of teaching by introducing a variety of delivery methods such as multimedia, simulations, moots and debates in classroom (Maharg, 2004). Law students still require more practical, ‘out of class’ opportunities to connect theory and practice to gain a more holistic understanding of legal procedures and the legal process. Irvine (2010) says that ‘Scottish [law] students are often unprepared to speak up, lack conviction about their own views and seem ill-prepared to begin life as forceful and effective lawyers’.

### ***Assessment of placements***

In some instances, placement programmes are electives and do not contribute to the programme's credits, grades or final degree classification (Lock et al., 2009). Compulsory work placements, on the other hand, are assessed and count toward the final degree classification, and hence the assessment strategy should be developed to an adequate level and match the Scottish Credit and Qualifications Framework (Scottish Qualifications Authority, 2014). Placement students are typically assessed by means of an industrial training report

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(Bullock et al., 2009; Little and Harvey, 2006; Owens, 1997; Procter, 2012; Wallace et al., 2009), presentation (Procter, 2012), project work (Wallace et al., 2009), reflective logs (Wallace et al., 2009), and/or assessment of performance in the workplace (Procter, 2012; Wallace et al., 2009). In some programmes placement students are required to attend a follow-up interview after submission of their reports (Owens, 1997).

The key elements considered in the design of our law placement programme are presented in the framework (Figure 1), emphasising placement as a key element in closing the gap between theory and practice. The reflective practice enforced at each stage assists students in gaining a more holistic understanding of the legal profession, resulting in a well-rounded experience for a future legal worker.

**Figure 1 The key elements of the proposed placement**

<b>Experience</b>	Professional <b>Skills</b>	<i>Workplace</i>	<b>Reflective Practice</b>
	Structured Legal <b>Practice</b>		
	<b>Gap to be filled by Placement</b>		
	Transferable <b>Skills</b>	<i>University</i>	
	<b>Knowledge</b> of Theory		

**Research settings**

This study was initiated in summer 2013 with a view to gradually embedding placements in the LLB (Hons) law programme (Figure 2) provided by the law division of a UK business school. Scotland's Higher Education system emphasises breadth across a range of subjects (General Teaching Council for Scotland, 2014). Undergraduate courses lead to ordinary (3 years) and honours (4 years) degrees.

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<b>LLB Stage 1</b>	<b>Semester 1</b>	<b>Semester 2</b>
<b>Core modules</b>	Contract, Public Law 1 Legal Systems and Methods	Delict, Public Law 2 Criminal Law
<b>Optional modules</b>	The Business Contest Scientific Detectives I Introduction to Crime & Deviance	The International Business Context Scientific Detectives 2 Race, Media & Crime
<b>LLB Stage 2</b>	<b>Semester 1</b>	<b>Semester 2</b>
<b>Core modules</b>	Property Law, Business Transactions, EU Constitutional and Administrative Law	Business Organisations Law of the Internal Market of the EU Taxation 1
<b>Optional modules</b>	Family Law Theories of Crime & Deviance Markets & Governance	Law of Succession Crime, Deviance & Society
<b>LLB Stage 3</b>	<b>Semester 1</b>	<b>Semester 2</b>
<b>Core modules</b>	Employment Law, Legal Philosophy & Human Rights EU Justice & Home Affairs	
<b>Optional modules</b>	Year 3 Project* <b>Work Placement</b> Police, Policing and Policework The role of HRM	Year 3 Project * Property & Conveyancing Evidence & Conveyancing Lawyers & Legal Services in the EU International Trade Law Law & EU Integration, Taxation 2, Doing Gender, Doing Crime
	Note * Developing the skills of independent research & learning	
<b>LLB (Hons) Stage 4</b>	<b>Semester 1</b>	<b>Semester 2</b>
<b>Core modules</b>	Dissertation EU Labour Law, Intellectual Property Investor Protection Law	Dissertation
<b>Optional modules</b>	Environmental Law	Information Technology Law EU Competition Law Law & External Relations of the EU, Harmonisation of European Private International Law, Social & Environmental Accounting Human Rights (Sociology)

Figure 2 Structure of the LLB (Hons) law programme

Figure 3 shows the students' preferences amongst the alternatives offered within the programme of study. Students opting for the ERASMUS exchange were willing to undertake placements but preferred international exposure to locally organised placement. Other

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students opted for an alternative on-campus option such as the project (Figure 2) due to personal commitments.

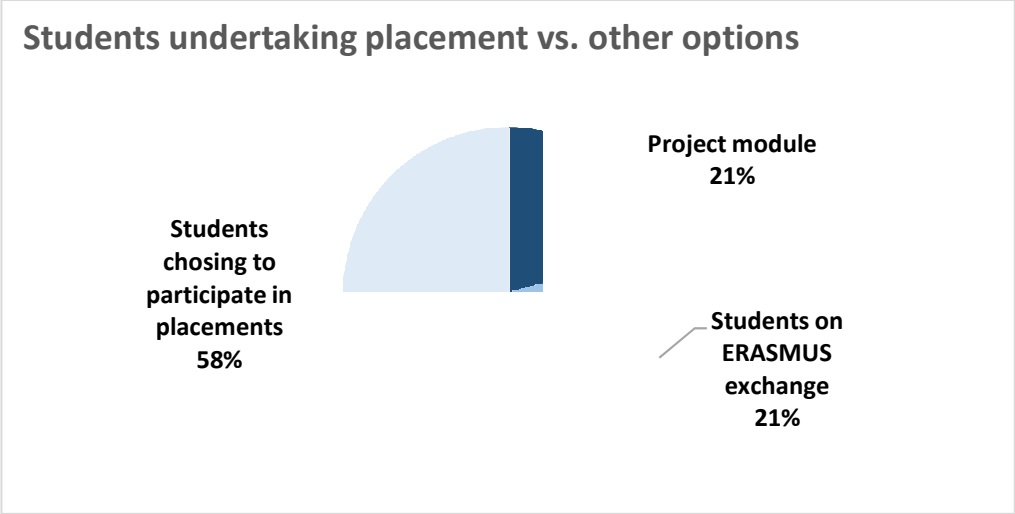


Figure 3 Students' choices of options available on Stage 3

The data was collected by means of in-depth interviews, allowing a better insight into the expectations and perceptions of placement opportunities from both parties: the students and the placement providers. The placement providers were represented by 11 organisations (Figure 4), with seven of them being Third Sector organisations providing legal services such as advice and advocacy in the areas of children's rights, adults with disabilities, women's rights and social support.

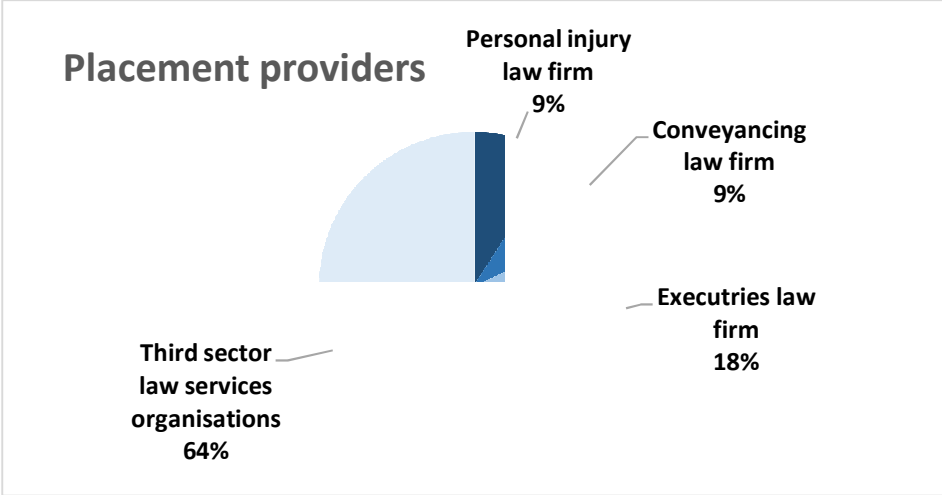


Figure 4 Summary of placement providers

The student profile includes learners with limited (17) or no (2) real-life employment experience and no legal profession experience, with the majority (91%) being in the age range 19 to 23 years old.

Thematic analysis was used for identifying and analysing patterns within the collected data (Boyatzis, 1998). The themes identified were used to report the findings of the study.



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## The context of the placements

The law placements presented in this paper are optional but embedded in the programme of study and are offered to the Stage 3 students to facilitate the making of career choices prior to commencement of the final year which has a significant number of options and during which specialisms are chosen. The students who participated in this study are Scottish students with the majority having limited work experience or experience or engagement with law related professions. The law placement providers are law firms and Third Sector organisations who agreed to the collaborative organising of meaningful law placements to avoid placements where students are occupied with predominantly administrative tasks. The placement providers were involved in the design of the placements, especially at the level of specification of the tasks to be performed during the work placement and also provided input on the design of assessments.

Placement assessment integrates a number of elements which are bound together by the e-portfolio system Pebblepad. The placement provider provides a highly structured work placement plan detailing key functions, shadowing activities and specific daily tasks for the student. Students produce a reflective workbook which is a) guided by the placement plan, b) positioned within the stages of the Kolb's (1985) experiential learning cycle, and c) incorporating feedback from the law placement provider on student's performance. This reflective workbook is submitted in three parts: on initiation of the placement, half way through the placement and an evaluative summary on completion of the placement.

## Results

The results of the first stage of the study are presented according to the themes which emerged from the data analysis. The findings are divided into two parts: those that arise from the views of students and those that arise from the participating placement providers.

### Views of students

The first theme is centred on the student expectations of the placement. The responses from the follow-up interviews indicate that students have high hopes of the work placement indicating that it would allow them to be "*able to relate better to what (they) have learned as (they) will be able to put this into practice – it will be real live experience not just theoretical or hypothetical*". This is indicative of a situation where students do not have sufficient work experience or no legal work experience and are anxious to get a 'taster' of what it would be like to work in a professional environment associated with legal practice (Feeley, 2007; Katz and Scherr, 2010; Lancaster and Baker, 2010). Typically, students look for work placements to gain 'experience' but in the case of law work placements, students clearly indicate **the need for 'application' of the law**. They tend to believe that they are already equipped with the knowledge and understanding and seek practical engagement with the profession.

Some students expect to gain "*an insight into what solicitors do day to day as when you are at university you don't get a true feeling for what the job entails*". Again, this is indicative of a situation where students have no experience of working in a legal environment and their unfamiliarity with what the profession entails. They need to experience 'out of class' opportunities in order to **demystify the law profession for themselves** and they can achieve this by being provided with a placement opportunity within a law firm.

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### **Student expectations of non-typical placements**

Students who did not want to pursue a placement opportunity with a law firm put themselves “*forward for a placement with a Third Sector organisation as it would not be your typical ‘law’ firm placement and I will be dealing with vulnerable clients*”. This is indicative of student hesitancy about undertaking a ‘typical’ placement in a law firm because of anxiety about overwhelming administrative work (Feeley, 2007). For other students working in a Third Sector organisation, dealing with disability or disadvantaged people, represents a more enriching opportunity. They desire to engage in a placement which they envisage as **being invigorating with added value and social responsibility**; that will provide them with the **experience of dealing with vulnerable groups within challenging environments**. They have a passion and empathy making them want to undertake a placement in a Third Sector law organisation.

Students pursuing a placement within a law firm “*want(ed) to make sure that this is the area of law that (they) want to pursue*”. Given the nature of law and the variety of subject areas, students need to have a clearer picture of the possible areas of specialisation, this was noted by Bachman and Eliason (2012). Students also need to make other ‘choices’ in their programmes of study prior to specialisation in the final year. They **seek reassurance** about their choices and feel that undertaking a placement would **enable them to be sure of the pathway they envisaged**. Following on from this finding, students hoped that the placement would enable them “*to decide whether or not (they) do actually want to go on to pursue a career in this particular area of law*”. Hence, placement enabled students to be in control of **making their own decisions** and not be influenced by external factors or the predisposition of others, family in particular.

With no prior or only limited work experience, students simply expected that the placement would “*take (them) out of (their) comfort zone*” and would allow them the opportunity “*to adapt to a professional environment*”. This indicates that students want to have the opportunity to be immersed in a whole new experience, one that is not necessarily within a typical law firm. Students are **willing to widen their horizons and gain a fresh perspective** on the choices within a law career. Placements in the Third Sector expose students to a different learning experience and a different professional environment.

### **Student experience of the role of reflective practice**

The next group of findings is concerned with the views of students on the assessment of the placement module. Some students were adverse to reflective practice because of their previous experience providing reflections for other modules of study. However they realised that to become effective legal practitioners they have to become reflective practitioners in the sense of reflection in action (Schön, 1983). Initially, students failed to see the difference between reflection on learning and reflection in action. Whilst other modules on the programme may contain reflective elements in which students reflect upon their learning; in a placement module, the students **reflect upon the work undertaken** (Feeley, 2007; Katz and Scherr, 2010; Maharg, 2004) and attempt to merge this with their understanding of the theory already studied while also having the placement provider’s feedback on their professional performance.

All students came to realise that reflective practice would help with their professional development and would allow them the opportunity to “*reflect upon (their) strengths and weaknesses*”. This is indicative of an increasing awareness by students that reflective practice has utility beyond the scope of the profession, for personal development as well as

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professional development. This corroborates Schön's (1983) ideas; he suggests that the act of reflection enables students to make sense of a broad spectrum of experience, not just professional experiences. Despite their initial failure to appreciate the distinction between different reflective approaches, all students became aware of the importance and significance of maintaining a reflective workbook enabling them to **become truly reflective practitioners** in line with the requirements of the Law Society of Scotland.

### **Student perceptions of employability**

With respect to the student understanding of their employability as prospective legal practitioners, students indicated their understanding of the importance of employability but did not have a clear view of what the term actually means. They are simply aware that they need *"to develop (their) employability skills"* to make themselves *"attractive to prospective employers"* and that the placement is just *"a stepping stone"*. Some previous studies also indicated that students perceive placements as a 'resume builder' (Bachman and Eliason, 2012; Curiale, 2010; Feeley, 2007; Ortner, 1998; Lancaster and Baker, 2010) and that undertaking a work placement appears to be the only way to break the 'no experience, no job' conundrum (Cruz, 2010). In some cases it was clear that students understand 'employability' conceptually but do not see how this concept integrates into their personal and professional life. From their time at the university they are aware of graduate attributes and how they can build upon their employability skills but continue **to lack understanding of the implications of this and personal actions necessary to enhance individual employability.**

### **Views of placement providers**

The participating law firms and Third Sector organisations seem to have a clear expectation of students and the skills that they can bring to the placement. Students should possess good communications skills, have the ability to work as part of a team as well as *"have the ability to use their initiative"*. In addition, *"the student needs to be organised and have good time keeping skills, as in this line of work time is of the essence where our clients are concerned"*. However, placement providers are not clear how students can practically exhibit their 'initiative' without having prior work and/or legal experience. Other than being provided with a CV, they therefore have to look for indications from academic staff to see how initiative can be cultivated. Students **need time to enthuse themselves about the context of the placement** which may not reflect the placement provider's perceptions and expectations.

Additionally, the law firms expect students, at this level of study (Stage 3), to be equipped with some knowledge and understanding of the area of work. The Third Sector organisations expect students to have a 'value-base' – as one provider stressed - *"Given the nature of what we do - dealing with vulnerable clients and challenging environments, it is important that a student comes with the attitude, emotional intelligence and tenacity to deal with such a client group. They need to come with a value base – whether that be through personal experience or awareness of the issues our client group face"*. However, having the knowledge and understanding of certain legal tasks in reality is always contextual and students undertaking a placement for one day a week need time to adjust and to immerse themselves in the context. The Third Sector organisations, in contrast to the law firms, do not expect students to necessarily have comprehensive knowledge and understanding but rather to be enthusiastic, inquisitive, empathetic, and prepared **to realign their value system** or *'right mindset'* with the requirements and specifics of the placement.

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Some of the placement providers have not previously engaged in a placement programme. Whilst a small number of law firms have previously supported law students, the majority of providers, notably the Third Sector organisations, have supported students from other disciplines, such as social work, this contributed to differences in understanding of the student's role and capability during the placement. A placement with a law firm would be considered a 'typical' placement opportunity, whereas the Third Sector organisations do not necessarily see an automatic 'clear fit' for law students compared to social work students. There is a variety of reasons for the previous non-engagement with the placement programme, ranging from lack of resources and staff shortages, the size of the firm or organisation to previous unsatisfactory experience or misconception of student abilities. However, some providers have simply **never been approached and would be glad to participate in a placement programme.**

The Third Sector placement providers envisage students assisting with carrying out interpretation and data analysis, as well as contextualised legal research and development work which would then be reported back to the team, highlighting that this would be of benefit to both staff and their client group. Law firms see the benefit of extra assistance to the firm in the form of an extra pair of hands. Both types of placement providers have indicated that there is a need to support and train the existing employees to **developing mentoring skills**. This finding is consistent with CIPD (2012: 6) indications that "supervising and coaching young people on work experience offers an excellent opportunity to develop employees' management capabilities, particularly for those who may not normally have any line management responsibilities".

### **Placement providers motivations for participation**

In the analysis of the reasons for participation in a placement programme, some tendencies have emerged. Placement providers intimated that they would use the experience gained to assess whether this could lead to future collaboration with the academic institution. It would enable them to "*consider all possible routes for offering students opportunities in the future*" as it has a clear implication for the company's growth by means of providing employment to the student, offering summer placement opportunities or simply continuing with the existing agreement.

A legal firm, having not participated in placement programme previously, felt that they would be "*giving something back to the profession*". A Third Sector provider felt that it was their "*civic duty to support students*" and to be "*involved in their learning process*" but also highlighted that "*given the nature of what we do it is also important that we educate people about advocacy*". Placement providers felt that they have a role to play in the student's learning process. Law firms want to contribute to the future of the profession whereas Third Sector organisations, felt that they have a moral and civil duty to society. Students on placement may be seen as **potential recruits, advocates for the organisation**, or future volunteers and that partially mirrors the findings of the previous studies (Bachman and Eliason, 2012; High Fliers, 2014; Wilson, 2012) which demonstrated that organisations often consider placement as probation, whereby students who have performed well during placement may receive a job offer after graduation. Additionally, participating in a placement can help to raise the profile of the organisation as a potential employer or a service provider.

All providers when asked have devised a work plan or scheme of activities. However, given the unpredictable nature of certain types of work, this may need to be flexible. Every provider

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is fully aware of the specific criteria that they are required to report upon regarding student progress towards the required learning outcomes. **The role of the placement tutor** is vital in this; requesting a work plan prior to commencement of the placement which outlines 'authentic' tasks and strives to reach better alignment of the specific skills criteria with the intended learning outcomes.

### ***Discussion and recommendations***

The particular emphasis of the law placements introduced was on the organising of meaningful placement opportunities in contrast to placements offering monotonous and administrative tasks (Curiale, 2010; Feeley, 2007; Lancaster and Baker, 2010). In order to accomplish that two key elements of embedding placements into the programme of study were pursued: closer collaboration with law work placement providers and assessment which integrated structured tasks with a reflective performance analysis by learners.

Given the nature of the law profession, not all areas would be a suitable 'fit' to a relatively short timescale arrangement. Conveyancing is a prime example of a practical area requiring a fast turn around, time and commitment. Despite there being other suitable areas of law for involvement, some firms may be unable to support the programme for a variety of reasons related to the economic climate or from lack of resources and staff shortages, the size of the firm, and the negative perception of student placements, previous unsatisfactory experience or misconceptions about student abilities. Therefore, opportunities provided by the Third Sector organisations are seen as a suitable and effective alternative compared to the difficulty of trying to secure and coordinate work placements with typical law firms (Feeley, 2007). At the same time the nature of the issues dealt with by the Third Sector organisations - family, children, women's rights, advocacy, disability and discrimination, social policy – provides a quite distinctive opportunity for students to develop their professional skills and competences.

The opportunities provided by the Third Sector law placement providers allow students to engage with client groups and join interviews in a supporting capacity, meet with legal counsel, draft legal documentation, undertake contextualised research and prepare and communicate findings, be involved in the calculation and assessment of personal injury claims, prepare precognitions, undertake calculations regarding executries, attend court and tribunal proceedings, shadow and observe legal practitioners within law firms, Equalities Officer within the Citizen Advice Bureau, Procurement Officer within Social Enterprise Networks, and Case Workers within the all Third Sector functions. This subject related work should be supported by student's reflective practice and is proven to be essential in assisting the students to identify work-related skills appropriate to the legal profession.

The recommendations for improving a collaborative model of placement in order to ensure its effective design comprise the following three aspects. First, the prospective placement providers need to be involved in all stages of the placement's development and especially implementation. The latter includes developing their own in-house mentoring or coaching support for staff, while the former is centred on devising a structured work plan. Second, the pool of collaborating placement providers can be expanded by including non-typical legal service providing organisations operating in the Third Sector. Third, considering the distinct nature and development of the Scottish law system, often referred to as a hybrid or mixed legal system, it is important to ensure that placement experience leads to development of professional skills essential for the choice of specialisation at the final level and/or within the follow-up employment. Those students wishing to pursue a career working within the legal

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profession within Scotland and to be professionally accredited by the Law Society of Scotland, have to obtain a LLB degree in Scots Law, followed by a Diploma in Legal Practice and thereafter undertake a period of traineeship. By embedding work placements into the curriculum, not only the students are enabled to further develop their skills within specific areas of law but also through the reflective nature of the assessment enabled to become 'reflective practitioners', as required by the Law Society of Scotland, on entering the profession.

## **Conclusion**

This paper has presented the challenges faced by higher education institutions in trying to secure and organise meaningful placements and has provided an analytical view on the effectiveness of undertaking a law work placement and the impact this will have on student's employability.

The continuously evolving practice of law and the contemporary changes in higher education set a challenge to law educators in preparing students in the specifics of the legal profession. Law work placement is one of the most useful practical tools providing students with meaningful experience which should be offered 'in addition to' other modes of activity, such as the use of simulations, negotiation exercises, moots and debates, which can help students to develop their skills of critical reflection and independent learning but do not necessarily enhance their employability skills. Law students need to be exposed to live 'out of class' opportunities to allow them to connect theory with practice. In addition to the practical element required in legal education, as emphasised by Tymon (2013), employers in a range of fields continue to report that graduates are not ready for the world of work, and lack some of the most 'basic skills' needed for successful employment. Embedding the placement experience into the curriculum enables students to have this practical and 'contextualised' experience which will enable them to develop and enhance all of their skills, supporting their transition into employment after graduation.

Despite the increasing number of research studies carried out on work placements, there are however, some problems in organising meaningful placements. Firstly, the outcomes from the initial stage of this study indicate that there are difficulties in securing and organising placements within law firms. However there is an additional and/or alternative path which law departments can follow, that is to explore placement opportunities within Third Sector organisations which can offer equally meaningful placements.

Secondly, the findings of this study highlight that the only way in which placements can be seen as meaningful and effective in bridging the gap between theory and practice is for placement providers to have a structured work plan outlining the tasks required to be undertaken by the student, clearly aligned to specific skills criteria with the intended learning outcomes. Undertaking meaningful tasks will not only promote successful engagement of the students within the placement but enables them to become effective reflective practitioners. Reflective practice as a method of assessment enables them to evaluate their personal and professional progress which in turn enhances their employability skills.

Whilst this paper provides an analytical view of the initial stages of planning and organising law placements, it has in addition provided some suggestions for the development of placement modules within legal education.

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