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**BATTING FOR A FUTURE:
AN ETHICS RESPONSE TO THE CHALLENGES FACING LAW SCHOOLS.**

Nigel Duncan¹

Looking at the scene facing UK law schools in the near future made me feel a little like a batsman playing my favourite childhood game of French cricket. For any of you not familiar with this game the batsman plays solo, surrounded by a variable number of opponents who act both as bowlers and fielders. The object of the batsman is to stay 'in' for as long as possible. The object of everyone else is to get her 'out', which can be achieved either by striking her legs with the ball or catching the ball when struck by the batsman. When batting it is desirable to hit the ball, as one is then permitted to move one's feet to face the next bowler. Failure to do so requires defence of one's legs by twisting round to face the new bowler without moving the feet. Moreover, the distance one can hit the ball makes an accurate attack harder, as the bowler needs to bowl from the position where s/he stopped the ball. However, the further the ball is hit the greater the risk of a catch and the defence against a particular bowler may expose one to a catch from another. A 'safe' defence of one's legs (avoiding the risk of a catch but enabling a turn to the next bowler) is likely to make the ball easy to stop very close, thus risking an easy attack the next time. I shall not try to push this analogy too far, but it gave me a flavour of the multiple challenges facing law faculties at this time.

Law faculties in the UK face a daunting set of challenges over the coming years. Faced with cuts in the unit of resource, they must respond to an increasingly consumer-oriented, fee-paying student body armed with the publicity generated by the National Student Survey. A newly-appointed Joint Academic Stage Board has been appointed and is looking afresh at the Joint Statement and what the qualifying degree will be expected to deliver. The demands of the Bologna Process will become more insistent, not only in forcing us to consider our credit frameworks afresh and ensuring that our M-level work is fully compatible, but also with a developed European quality assurance regime.² Recruitment to our degrees faces conflicting pressures from the profession and from government. Our professional courses are in a state of flux as both professions introduce new programmes for design and delivery. The economic situation leads not only to government cuts but to great turbulence in the professions, with consequences for the career prospects of our students. The profession itself is faced with unusual ethical challenges as it moves into a globalised world.³

This article makes no attempt to provide solutions to these manifest difficulties, but makes one modest proposal which, it is hoped, will contribute to the variety of solutions with which ingenious law schools will respond.

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² Peter Williams, 'Quality Assurance: Is the Jury still out?', (2010), 44 *Law Teacher* 1 at **.

³ Some of the challenges identified are specific to UK Law Schools, but many will apply equally, or be strongly resonant in other jurisdictions.

Funding and programme content

Government responses to the world banking crisis have left the UK economy in severe deficit, with the need to reduce government expenditure which will continue for the foreseeable future rather than being a brief period of temporary austerity. Tentative indications suggest that higher education will bear a higher proportion of these measures than most other sectors. The figures for 2010-11 are contained in the Secretary of State's Annual Grant letter. They show a reduction of a total of £398 million from the equivalent in the previous year.⁴ At the same time, the letter requires improvement of the student experience with an improvement in quality assurance to be implemented by 2011/12, developments in sustainability, continuation of the drive for wider and fairer access and development of universities' engagement at local, community and global levels. This was probably to be expected. However, a further requirement which will be of concern to many is the letter's requirement to secure greater social and economic impact. In respect of research proposal for the Research Excellence Framework should provide significant incentives to enhance the economic and social impact of research. ... especially in the high cost, scientific disciplines.⁵

In respect of teaching, HEFCE is required to devise new funding incentives for higher education programmes that deliver the higher level skills needed. This will require a robust way of identifying those programmes and activities that make a special contribution to meeting economic and social priorities, and a mechanism to redeploy funds, on a competitive basis, to those institutions that are able and willing to develop new or expanded provision in these key areas.⁶

This should raise concerns of two kinds. One is a risk of focussing funding on the scientific disciplines regarded as most relevant to developing the UK economy. The other is pressure to design our courses with the needs of employment in mind rather than maintaining the dominant purpose of universities, which is to provide a liberal education to prepare students for membership of society, rather than narrowly for a specific economic role.

Maintaining the profile of our discipline

If funding is to be concentrated on meeting economic and social priorities the humanities are bound to be affected. For this very reason the assumptions underlying the proposal should be challenged. However, it may be realistic to recognise that there will be some move in this direction. This may or may not be damaging to the study of law. Law has always been caught in a characteristic tension:

...a tug of war between three aspirations: to be accepted as full members of the community of higher learning; to be relatively detached, but nonetheless engaged, critics and censors of law in society; and to be service-institutions for a profession

⁴ Peter Mandelson, Annual Grant letter to HEFCE, <http://www.hefce.ac.uk/news/hefce/2009/grant1011/letter.htm> at para 10.

⁵ Ibid. para 6.

⁶ Ibid. para 5.

which is itself caught between noble ideals, lucrative service of powerful interests and unromantic cleaning up of society's messes.⁷

This remains true today and raises the questions to be addressed in the following section. However, the very fact of that engagement in potentially conflicting goals provides law with a *raison d'être* in this climate. We can see that the legal profession is key to the development of a service economy and to ensuring that the proceeds of scientific knowledge serve the economy well. As such, we have no problem with justifying the existence of our degree courses and their status as the academic stage of qualification for the profession provides us with an extra layer of security. But this is not as comfortable as we might hope. Approximately a third of entrants to the legal professions choose to study non-law subjects and then do the Postgraduate Diploma in law to meet the requirements of the academic stage.⁸ Furthermore, the nature of the profession is changing. Increasingly the majority of those working in the law are paralegals who may not have law degrees and who are pursuing qualifications designed for narrower types of legal work.⁹

All these factors may place us under pressure to increase the relevance of our degrees to the profession. However, that brings the focus directly to the longstanding tensions in law school which Twining identifies.

Maintaining the academic quality of our discipline

Few would want the university law school to become simply a trade school, concerned only with the narrow interests of preparing practising lawyers. Indeed, amongst the stated advantages of the PGDip/CPE route is that candidates using it come with a broader academic education than candidates with an LLB (and their knowledge of core law may be more current).¹⁰ However, the tension is clear and regularly aired. One of the major exponents of the arguments that the law school should stand well back from the demands of the profession is Tony Bradney. He wrote: 'It may be morally more worthy or socially more expedient to pursue other goals but the university, if it is to be a university, can have only one aim, the increase of knowledge.'¹¹ Later, he clarified that he did not regard it as improper to prepare students for professional roles, but that it should play a secondary role: 'it is not that a liberal education cannot provide technical or professional instruction ... but technical instruction should not overbear the humane nature of the education'.¹² This view is widely held and lies at the core of the legal academy's view of itself. It can, however, be used in many ways.

⁷ William Twining, *Blackstone's Tower: The English Law School*, 1994, London: Sweet & Maxwell, at p. 2.

⁸ Ref SRA statistics (awaited).

⁹ James O'Connell, 'Climate Change: It's Happening in the Legal Profession Too', (2008) 42, *Law Teacher*, 219.

¹⁰ Bermingham, V. and Hodgson, J. 'Desiderata: What lawyers want from their Recruits', (2001), 35 *Law Teacher* p. 1

¹¹ A Bradney, 'The Place for Teaching Professional Legal Skills in UK University Law Schools', 5, *J. Prof. Legal Education*, (1987) 125 at 128.

¹² A. Bradney, 'An Educational Ambition for "Law and Literature"' 7 *International Journal of the Legal Profession*, (2000) 343 at 346.

If one is concerned to defend what one does (whether in the general terms of 'academic freedom' or to defend specific approaches) it might be used as a shield. It is thus used to resist increasing demands of content coverage by the professions, to protect 'black-letter' or critical approaches to legal analysis or particular teaching or assessment methods. As such it can become positional.

Alternatively, it can be seen as a spur to find methods of achieving both goals. While recognising that it is unrealistic to deny tension between them I would argue that there are ways of combining both aims in ways which enrich both. My specific proposal would be for a course which looked critically at the role of the legal profession in society. This would have knowledge content which looked at the way in which the professions operate within the legal system, the system of funding and the characteristics inherent in a profession. Developing this could be done in a number of ways, depending on the interests of the teachers concerned. A core approach which I would favour would be a critical study of the ethics of the profession. Such a module (or elements of sequentially-planned modules) would combine the desire for relevance with the most challenging and critical academic study. Any remaining tensions could be resolved by the preferences of the academic staff concerned, provided the relevance was not actively de-valued.

Professional body expectations

Legal Services Act

The professions are facing major change. The implementation of the Legal Services Act 2007 is likely to have a profound effect on the nature of legal professional practice. It will enable the opening up of new business forms, including multi-disciplinary practices allowing lawyers to work with, for example, accountants, and legal disciplinary practices in which solicitors and barristers can combine. This likely to have a considerable effect on the training needs for the individuals working in those new organisations. At the same time the differences within the profession come into ever sharper profile. The small generalist High Street solicitor is faced with an increasingly bureaucratic and decreasingly lucrative future when undertaking a diminishing amount of publicly-funded work. Competition from enterprises which predominantly use paralegals, trained to undertake a narrow task and possibly developing high levels of expertise at it, may force a change of approach on traditional solicitors' firms. There may be a relatively small number of fully legally-qualified solicitors supervising this activity. This process has been happening for some time. As James O'Connell puts it:

'A few years ago, unheralded, solicitors and barristers became minority providers of legal services in this country. ... in less than a decade almost 4,000 paralegal advisory firms (PAFs) have registered with government.

'Individual practitioner numbers are equally astonishing: circa 132,000 UK solicitors and barristers, but circa 500,000 paralegals.'¹³

This suggests a real risk of reduction of demand for the conventional fully-qualified lawyer. The obvious opportunities to offer courses for the new aspirant paralegals has already been addressed by the University of West of England and Central Law Training, who offer a distance learning course as the mandatory course element of qualification with the Institute of Paralegals.¹⁴ One of the routes to qualification permits an 'approved

¹³ James O'Connell, op cit n. 9.

¹⁴ See <http://www.instituteofparalegals.org/>.

course' to substitute for two years' practice experience. The list of approved courses includes a bewildering variety, varying from Level 3 BTEC programmes to M-level BVCs. Nevertheless a number of law schools have applied to have their courses recognised.

If we are to maintain a distinctive value for our undergraduate programmes and the professional programmes to which they lead for many of our students we must make them distinctive in ways which will appeal to both the intellectual excitement of our most interesting students and to the professions which will continue to employ them. I suggest that a critical view of the real working of law in society with a focus on the behaviour of members of the legal profession is an important element of that endeavour.

Law Society Reviews

The direction of thinking may be seen from two recent reports commissioned by the Law Society. One source of an increasing professional interest in the student experience is the Hunt Review of the Regulation of Legal Services, undertaken for the Law Society between 2008 and 2009. The terms of reference for the Hunt Review were:

'In light of current and forthcoming changes in the Legal Services market, the differing needs of different types of client, current regulatory debates and the need to promote equality and diversity, to consider the appropriate regulatory rules, monitoring and enforcement regime to ensure high standards of integrity and professionalism for solicitors and their firms in all sectors, and to make recommendations.'

The recommendations include:

59. I recommend that the SRA should take a far more active and ongoing interest in the standards being demanded of law students in higher education and continuously assess how effective, relevant and practical their education is.

60. I recommend that, at the very least, Qualifying and Exempting Law Degrees ought to be subject to the same kind and level of scrutiny as that adopted for Graduate Diplomas in Law. This would involve, *inter alia*, the Joint Academic Stage Board itself determining, through procedures entirely separate from the provider-Higher Education Institution's own internal approvals system: whether a newly proposed degree programme should obtain Qualifying or Exempting status; and periodically whether an existing Qualifying or Exempting Law Degree should retain that status.

61. I recommend that the SRA should consider whether the standards it expects from a qualifying law degree are appropriate and enforceable. If it discovers that any university or college is failing to facilitate what is needed, the regulatory pillars of the Law Society and the Bar Council should remove qualifying law degree status and insist that all students, even those who have completed a law degree, must go on to complete the one-year graduate conversion course before taking an LPC course.¹⁵

¹⁵ Lord Hunt, 'Review of the regulation of legal services', Law Society, 2009, <http://www.legalregulationreview.com/files/Legal%20Regulation%20Report%20FINAL.pdf>

The report also provides detailed recommendations for a more intrusive approach towards the running of LPC courses.¹⁶ These are recommendations, and have not been accepted as yet by the professional bodies, but they are a clear warning of the type of pressure that will be placed on the JASB and, through them, on law schools.

The Hunt Report comments favourably on the second of these reviews: the Smedley Review of the Regulation of Corporate Legal Work.¹⁷ This has proposed that different regimes be developed for the regulation of solicitors' corporate as compared with private client work. Smedley, in effect, recognises a clearly segmented profession and proposes that firms 'which possess the necessary factors, including size, nature of client base, and infrastructural sophistication,'¹⁸ should be subject to a new regime by a distinct group within the SRA which had much greater expertise in the regulation of corporate work. Greater responsibility would also be given to firms. As Smedley puts it:

This style of regulation moves the SRA towards a combination of self-assessment by the firms (along the lines of the 'ethical infrastructure' approach pioneered in New South Wales), segmentation (as practised by such other regulators as the FSA and the ICA), expert advice by the regulator, and an overall model of supervision which is closer to engagement and partnership.¹⁹

The approach is described as that of a 'critical friend'²⁰ and is designed to improve practice rather than punish errors, although sanctions would still be available.

This new approach would commence 'restricted to a small number of the largest corporate law firms'²¹ and, once evaluated as a pilot, to other firms:

'if a firm can satisfy the regulator that it has suitable and sufficient arrangements in place, appropriate for its clients and its size and operational structure, it might be quite possible to expand the definition of corporate firms in due course.'²²

All this is likely to raise the significance of professional ethics. Firms which are not in the initial pilot will aspire to be included in the corporate sector for SRA purposes and to this end they will need to sharpen their internal procedures and structures, including the appointment of Risk and Compliance Partners. This will have an impact on what may be expected of legal education.

Joint Academic Stage Board

The Solicitors' Regulation Authority and the Bar Standards Board have recently recruited a new Joint Academic Stage Board (JASB) which has responsibility for the content and standards of qualifying law degrees. The Joint Academic Stage Handbook,²³ which

¹⁶ See *ibid* Recommendations 62 – 67.

¹⁷ Nick Smedley, 'Review of the Regulation of Corporate Legal Work', Law Society, 2009, http://www.legalregulationreview.org.uk/files/report_smedleyfinal.pdf

¹⁸ *Ibid*, recommendation 3.

¹⁹ *Ibid*. 4.10.

²⁰ *Ibid*. 4.18.

²¹ *Ibid*. 5.13.

²² *Ibid*. recommendation 2.

²³ <http://www.barstandardsboard.org.uk/assets/documents/JAS%20Handbook%202010.pdf>

contains those requirements, is being revisited. The professional regulators do not have the power simply to mandate change. For a start, the JASB has a number of academic members (three with their major experience of academic programmes and one of professional programmes) as well as members drawn from each branch of the profession. Any proposals for change then need to be the basis of consultation with bodies established by statute: the Association of Law Teachers, the Conference of Heads of University Law Schools and the Society of Legal Scholars (the Associations). On 10 December 2009, the Secretary to the JASB wrote to the statutory bodies asking them for comments on the composition and format of the Handbook, and 'on any areas of concern, ie if you think existing rules need to be amended or if there are areas where guidance is not currently published'.²⁴ Replies were to be sent by 15 January 2010, a short period given that Christmas and the New Year fell within it.

The Law Society is currently surveying the profession to find out what practising solicitors want from the qualifying LLB degree. There is likely to be a request for extra required subjects, Company Law and Family Law being obvious examples. However, the Associations are likely to resist any such demands for a variety of reasons. There will be a general reluctance for more compulsion, given its restrictions on academic freedom. More specifically, academics will oppose the inevitable deadening effect it will have on creativity within the undergraduate curriculum and the increasingly limited scope for option subjects. It will make combined qualifying Honours degrees (such as Law and Languages) virtually impossible within the conventional time frame of three years. It will be hard to see how a one-year Post Graduate Diploma to convert students with honours degrees in other disciplines could possibly manage to shoe-horn in extra subjects. So the pressure from the professions may point in precisely the opposite direction (longer, more expensive courses) than that from the government. In other words, there is likely to be a battle ahead without some very creative thinking. Any substantial change is likely to have profound knock-on effects for the professional programmes and probably also for training contracts, pupillage and even continuing professional development requirements.

As indicated above, alongside the pressure for new substantive subjects, there is likely to be greater pressure to address professional ethics in a more thoroughgoing way. This has been articulated in The Law Society's report on *Preparatory Ethics Training for Future Solicitors*,²⁵ which recommends that professional ethics be incorporated into the content of qualifying law degrees. The report recommends that consideration be given to whether this should be mandatory.

The outcome of these processes is uncertain. However, there is one major advantage if professional ethics were to become a required (or expected) element of the qualifying law degree. Although discrete courses addressing professional ethics can be an excellent way of introducing the relevant issues, it is perfectly possible to approach ethics in a different way. Indeed, many commentators have proposed that it should be a pervasive or continuing subject.²⁶ This can be approached in a variety of ways and could

²⁴ Notice from Secretary of JASB:

<http://www.barstandardsboard.org.uk/Educationandtraining/whatistheacademicstage/JointAcademic/>

²⁵ Kim Economides and Justine Rogers, *Preparatory Ethics Training for Future Solicitors*, 2009, Law Society.

²⁶ Classically, Deborah Rhode in 'Ethics by the Pervasive Method', 42 *J. Legal Education* (1992)

involve approaching existing subjects from a perspective that brings in a critical study of the ethical dilemmas which face legal professionals. Alternatively, the extra-curricular clinics which (in the form of student pro bono clinics) form part of the student experience in so many universities today can provide a powerful learning opportunity to address ethical issues.²⁷ Thus there may be means for university law schools to address some of the legitimate concerns of the profession without shoe-horning extra modules into an already packed curriculum and without sacrificing the critical educational perspective which should inform undergraduate legal education. The final section of this article proposes a new resource to assist with this.

Globalisation

The increasing mobility of capital and labour has had a profound effect on the most lucrative sector of legal practice. Firms are international and face competition from other international firms. Their market position is influenced by their reputations in a number of ways, as is made clear by the Smedley Report:

The English and Welsh solicitors' profession should aspire to be not just commercially successful, but also a role model and world leader in the ethical conduct of business – and the regulator should be helping the profession achieve this goal. In a time of ever-increasing ethical fragility, and a crisis in public confidence in the ethics of our business and political leaders, such a position would offer enormous market strength.²⁸

Even firms situated entirely within the UK are dealing with international commercial contracts where the parties are situated in different jurisdictions. Here, an element of the negotiations will include which law will apply to the contract and which court system will have jurisdiction should a dispute arise. This affects the nature of the education and training these firms will expect their entrants to have in terms of what will be regarded as core content. As well as making some subjects appear more important and others of less significance, it may well have an impact on the approach adopted towards study. Might, for example, a comparative approach to existing subject areas help to meet some of these concerns (and are we as a body of academic staff ready to provide that perspective effectively)?

Working with lawyers trained in different jurisdictions automatically means that one encounters people from different legal cultures. This can have a clear impact on the ethical behaviour to be expected. For example, at the International Bar Association Annual Conference in Madrid in October 2009 the Professional Ethics Committee organised a panel session addressing 'hot topics' in professional ethics. One of the topics chosen was the issue of how far lawyers could go in misleading an opponent in the client's interest. Although there was general agreement that one could not lie before a court, there was widespread disagreement as to whether one could lie in the course of negotiation. Panel members from common law jurisdictions agreed that although they

31, with ideas developed in Julian Webb, 'Inventing the Good: A Prospectus for Clinical Education and the Teaching of Legal Ethics in England and Wales' 30 *Law Teacher* (1996) 270; and Michael Robertson, 'Challenges in the Design of Legal Ethics Learning Systems: An Educational Perspective' 8, *Legal Ethics* (2005) 222 amongst others.

²⁷ Donald Nicolson: 'Education, Education, Education: Legal, Moral and Clinical', 42 *Law Teacher* (2008) 145.

²⁸ Nick Smedley, op cit n. 17, 4.19

were under no obligation to ensure that their opponent was not misled, they could not actively mislead. By contrast, those from Civil law jurisdictions accepted a certain degree of active misleading in the context of negotiation. When the question was put to the audience, the same distinction between common law and civil law jurisdictions emerged, with one delegate suggesting that negotiation would be impossible if one could not lie. This was a small group of lawyers with an active interest in professional ethics, and I would not suggest that it is necessarily representative. Nor does other evidence suggest that the legal profession in common law countries (particularly the largest) always displays the highest ethical standards. I simply use this anecdote to draw attention to the particular importance for global practice of having thought hard and critically about professional ethics, and to be self-conscious of the standards which one applied and could expect to meet from opponents. The varieties of standards to be found in practice in any single jurisdiction, of course, require caution in all circumstances.

An International Forum for Teaching Legal Ethics and Professionalism

The challenges which face law schools over the coming years will only be satisfactorily addressed by a continuing programme of creative responses, both individual and collective, over a range of areas. However, I have sought to argue that the issue of students learning about legal professional ethics is a theme which is relevant to many of the areas of concern and one which is of inherent value to the education of our students. It is important that it is addressed during the undergraduate stage as the approach in the professional courses focuses on Code compliance and, given the shortness of those courses, allows little time for critical reflection.²⁹ Many different approaches to the learning of ethics have been developed by law teachers over the years. Classical approaches to the study of ethics as a branch of philosophy often arise in jurisprudence courses. Others have addressed these issues through law and literature³⁰ or using film and other popular cultural media.³¹ The use of simulations has provided valuable experience both to address a critical understanding of the professions' ethical rules but also to address students' own moral development.³² The clinical movement has provided many opportunities for learning in professional ethics³³ and clinical programmes specifically designed with learning legal ethics in mind have been developed.³⁴ The variety of approaches is considerable, but to date there has been no repository where

²⁹ Nigel Duncan and Susan Kay, 'Addressing Lawyer Competence, Ethics and Professionalism' in Frank Bloch (ed) *The Global Clinical Movement: Educating Lawyers for Social Justice*, Oxford, OUP, (forthcoming).

³⁰ The journal *Law and Literature* provides a significant source (Details available on <http://ucpressjournals.com/journal.asp?j=la>). See also Patrick Hanafin, Adam Gearey and Joseph Brooker (eds): *Law and Literature*, (2004) 31, *Journal of Law and Society* (Special Issue), (Blackwell).

³¹ See <http://lib.law.washington.edu/ref/lawonfilm.html>, which is a resource in its own right, and provides details of a number of other sources.

³² Steven Hartwell, 'Promoting Moral Development Through Experiential Teaching', 1 *Clinical Law Review* 505 at 511.

³³ Nigel Duncan, 'Ethical Practice and Clinical Legal Education', (2005) 7 *International Journal of Clinical Legal Education* 7

³⁴ Curran, Dickson and Noone, "Pushing Boundaries: Designing Clinical Programs to Teach Law Students an Understanding of Ethical Practice," (2005) 8 *International Journal of Clinical Legal Education* 104

different approaches can be presented, examples and materials provided and discussion facilitated. This is the object of the International Forum.

This is a website which has been developed from an original proposal of the author's with the assistance of financial support from the UK Centre for Legal Education and the (US) National Institute for Teaching Ethics and Professionalism. At the time of writing the site is a pilot, still under construction, but it may be visited at www.teachinglegalethics.com. It is currently planned that it will go fully live in September 2010 in an English language version. Future plans are to extend to other languages to make the site more genuinely international in nature. The site will have as its aims to:

- consolidate and make easily available a wide range of materials, in both text and multimedia formats, on the teaching of legal ethics and professionalism, and organise these materials into a comprehensive, fully searchable bibliography
- allow registered users to create their own webpages, upload both scholarship and teaching materials to the bibliography, download a wide variety of materials created by others (including webcasts and other audiovisual material), and post comments on their use of such material
- provide a forum for original commentary and exchange of ideas for both teachers and practitioners on teaching ethics and promoting professionalism.³⁵

The website will provide direct access to a variety of articles and other publications in the public domain, and provide full references to those not freely available. It will have a facility whereby registered users may add links to and details of newly-published articles. In a similar way, links will be available to official reports from government and professional bodies. There will be a section in which materials will be made freely available for colleagues to use or, if they wish, to adapt for their own circumstances. Similarly, ideas for how to address issues of legal ethics or how to fit such learning into the curriculum will be posted. There will be a facility for alerting colleagues to forthcoming conferences and other relevant activities. In addition, there will be a discussion forum and provision for users to set up their own blogs about specific topics.

Interest in participation has already been received from legal academics, practising lawyers, members of the judiciary and professional regulators in a number of jurisdictions. With this scope in mind it is intended that the Forum will become the primary international online community of ethics teachers, scholars, practitioners and judges. It will be a valuable resource for teachers of legal ethics and their students and will contribute to a positive development in legal education and in the preparation of students for practice as lawyers. Readers interested in the teaching of legal ethics are encouraged to visit the site and contact the author if you wish to become involved in its further development.

In any event I trust that this is a resource which will help colleagues to take some significant steps towards addressing some of the challenges which currently face us. It will not save us from being caught out in this game of French cricket which we are in, but it may help us to address attacks from a number of different directions.

³⁵ Charlotte Alexander, Clark Cunningham, Nigel Duncan and Paul Maharg, proposal for workshop at LILAC 2010, <http://lilac10.wetpaint.com/page/International+website+for+teaching+ethics+and+professionalism%3A+I>