



**QUEEN'S  
UNIVERSITY  
BELFAST**

## **Law for all: Report of Proceedings at the Workshop on Widening Access to Legal Education in the UK and Ireland**

Godden, A., & Granacka, J. (2023). *Law for all: Report of Proceedings at the Workshop on Widening Access to Legal Education in the UK and Ireland*.

### **Document Version:**

Publisher's PDF, also known as Version of record

### **Queen's University Belfast - Research Portal:**

[Link to publication record in Queen's University Belfast Research Portal](#)

### **Publisher rights**

Copyright 2023, the Authors & Queen's University Belfast

### **General rights**

Copyright for the publications made accessible via the Queen's University Belfast Research Portal is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

### **Take down policy**

The Research Portal is Queen's institutional repository that provides access to Queen's research output. Every effort has been made to ensure that content in the Research Portal does not infringe any person's rights, or applicable UK laws. If you discover content in the Research Portal that you believe breaches copyright or violates any law, please contact [openaccess@qub.ac.uk](mailto:openaccess@qub.ac.uk).

### **Open Access**

This research has been made openly available by Queen's academics and its Open Research team. We would love to hear how access to this research benefits you. – Share your feedback with us: <http://go.qub.ac.uk/oa-feedback>



**Law for All:  
Report of Proceedings at the Workshop on Widening Access  
to Legal Education in the UK and Ireland**

*Andrew Godden<sup>1</sup> and Justyna Granacka<sup>2</sup>*

## **Introduction**

On 17 November 2021 (World Access to Higher Education Day), dozens of legal scholars came together for a virtual workshop on widening access to legal education. The event was organised by Dr Andrew Godden from the School of Law at Queen's University Belfast, with assistance from Ms Justyna Granacka and support from the SLS Small Projects and Events Fund. Featuring a commencement address from Lord Stephens (UKSC), the workshop brought together academics from Law Schools across these islands and as far afield as India to explore the challenges associated with widening access to legal education for those who are the 'most able but least likely' to enrol on a Law degree. Papers were presented on a range of topics, providing a snapshot of the excellent work that is being done in areas such as pedagogical practice and programme management, along with research into cultural change and institutional reform in the context of legal education at Higher Education Institutions (HEIs).

The spectre of COVID-19 was ever-present during the proceedings, along with the emergent cost of living crisis. Colleagues reflected on the difficulty of recruiting and retaining hard-to-reach students during lockdown and the socio-economic challenges that lie ahead; challenges that exist alongside the 'routine' difficulties that arise when a student comes to Law School from a 'widening participation' background. The workshop thus provided an opportunity to reflect on recurring challenges for staff and students at a time when they are under increased pressure and to share examples of best practice. What follows is a summary of four inter-related themes that emerged during the day: 1) the use of appropriate language when engaging with widening participation students; 2) how to maximise the student voice across outreach programmes; 3) the increasing need for evidence-informed practice; and 4) the need for better institutional support for widening participation efforts. It is hoped that this report, and the workshop itself, will help to stimulate future conversations between scholars, educators and the wider legal community on how best to reach and retain this vital cohort of students; without which, the jurisdictions of these islands will never achieve the truly representative legal professions or benches that justice demands.

---

<sup>1</sup> Lecturer of Law at Queen's University Belfast.

<sup>2</sup> PhD Candidate at Queen's University Belfast.

## Theme 1: Use of Language

One of the first issues that became apparent at the start of the workshop was the diversity of terms that are used to designate students who fall within the widening participation category. While ‘widening participation (WP) students’ had the greatest currency and is thus the main term used in this report, colleagues used several other descriptors that were derived from their own practice, such as ‘socially-mobile students’, ‘under-represented students’ and ‘first-generation students’, among others.

The same diversity was observed in terms of the *criteria* that is used to classify students under such headings. With more and more universities prioritising the widening participation agenda in their corporate and educational strategies, the very category of ‘WP students’ is becoming more elastic. The chief criterion for many institutions is that students from this cohort should reside in a low-income household and/or a neighbourhood experiencing high levels of socio-economic deprivation. In that sense, ‘financial need’ is the determining factor when deciding which students are eligible for support. Mature students, who often enrol with alternative qualifications such as Access Certificates, may also be categorised within this group. The main reason for that trend is because mature students often come from less privileged backgrounds, which may have marred their performance in the mainstream education system, thus forcing them to seek alternative routes to HE in later life. For other universities, however, the category embraces ethnic and gender characteristics, so that it can be said to cover most students who come from ‘statistically under-represented groups’. Still others consider that it should extend to more discrete groups such as refugees and asylum seekers, while others would view such students as deserving of more tailored support.

Two challenges emerge in the face of this plurality, the first of which is the need to ensure that the concept of widening participation does not become so nebulous that its purpose becomes skewed. It was clear from the workshop that ‘disadvantage’ is the common criterion that unites the different conceptions of WP students, with lack of financial and social capital lying at its core. Going forward then, one recommendation would be that the widening participation agenda should focus on students who can satisfy that criterion, with resources being targeted accordingly. While socioeconomic disadvantage may be felt more acutely by women, particular ethnicities and other minority groups in different locales, resources already exist at many Law Schools to tackle student recruitment and performance disparities based on such factors. More generally, there is an increasing awareness of such disparities in Law Schools and a greater willingness to address them.<sup>3</sup> In contrast, it could be said that widening participation efforts should have a broader scope, the main purpose of which should be to provide a response to the *general* problem of socioeconomic disadvantage, not to *particular* problems associated with protected characteristics.

---

<sup>3</sup> Helen Mott, ‘Gender Equality in Higher Education: Maximising Impacts’ (*British Council*, 2022). Available at: <[https://www.britishcouncil.org/sites/default/files/gender\\_equality\\_in\\_higher\\_education\\_report.pdf](https://www.britishcouncil.org/sites/default/files/gender_equality_in_higher_education_report.pdf)> accessed August 2022.

The second issue relates to the challenge of ‘categorising without stigmatising’; in other words, how to identify and support students who aspire to go to Law School having met the above criteria, but without stereotyping them with unhelpful labels. Despite the strides that have been taken in recent years to diversify classrooms and courtrooms across these islands, colleagues agreed that a Law degree is still viewed by many hard-to-reach students as a remote opportunity reserved only for a privileged few. With feelings of ‘otherness’ already felt so keenly by many, it is incumbent upon Law Schools to adopt positive language when engaging in widening participation activities, in order to dispel perceptual barriers and reinforce a sense of belonging with the wider student body and legal community.

Categorising WP students based on their level of *disadvantage* may make that task more difficult. In terms of recruitment, for example, potential students from this group may feel even more unworthy – and less likely to enrol – if they detect a ‘charitable’ purpose behind outreach programmes that are designed to widen access. Retention may also be hindered if students feel they are being treated differently from the wider student population, who may already be viewed as somehow more ‘superior’ and ‘less like them’. Likewise, students may be unwilling to provide feedback on their experience after graduation to help staff make improvements to widening participation programmes, preferring to forge ahead with their future instead of being reminded of any negativity surrounding their previous status. The latter may be more likely when such graduates intend to progress into legal practice, believing that an ‘impressive’ social status (as correlated with a privileged pedigree) is a harbinger of acceptance and future success. Thus, while it may not be possible to employ the same terminology across Law Schools, participants agreed on the importance of using nuanced language that avoids negative stereotypes while promoting confidence, self-worth and a sense of belonging among WP students and the rest of the student network.

## **Theme 2: Student Voice**

Perhaps the strongest point of agreement between participants was on the need to infuse the voice of WP students throughout the design, delivery and review of all Law School programmes that are designed to widen access. It was felt that, too often, education and outreach programmes operate on a top-down basis, proceeding from staff conceptions about ‘what works best’, rather than the opinions and preferences of the students themselves. Inevitably, this practice could result in programmes that not only fail to address the issues that are of chief concern to the target group, but deter students from completing or even applying to them. However, the need to reflect the student voice throughout the project management cycle raised a significant problem: how to encourage WP students to come forward and communicate their thoughts and experiences. This problem was echoed by most speakers at the workshop, each of whom described the difficulty of attracting such students to provide feedback on the support they have received before and during their studies.

Some colleagues spoke of their efforts to run focus groups, often with incentives such as free food and shopping vouchers, but with hardly any students agreeing to participate. These difficulties appear to have been exacerbated by the COVID lockdowns, with colleagues speculating that many WP students felt even further detached from an already foreboding learning environment and were thus unwilling to speak up when the opportunity arose. The latter issue underscores the need for Law Schools to do more to reconnect with their WP students post-COVID and in the midst of the present cost-of-living crisis, which is causing significant hardship for students who have fewer financial resources to draw from as a means of supporting themselves.

However, it is clear that this issue is part of a longer-term problem with students failing to communicate with staff who are engaged in this line of work. This apathy may have its origins in several places, such as students not wanting to be identified with the widening participation agenda for reasons of embarrassment; not wanting to separate themselves from association with their peers; or simply believing that they no longer have need to engage in such discussions since, having entered Law School, they no longer consider themselves to fall within this category. Whatever the cause, colleagues agreed that incorporating the student voice into the project management cycle is paramount. It is the only way to ensure that outreach and support programmes are fit for purpose and able to have the desired impact in terms of raising aspirations, enrolment and attainment levels.

One method that has the potential to increase student participation in feedback opportunities is to set aside a dedicated budget that can be spent on widening participation initiatives at School/Department level, part of which can be devoted to organising events that are aimed at maintaining contact with students as they progress into and through their Law degree, as well as soliciting feedback as they move along. At least one colleague at the workshop has access to such a budget and it has proved effective in enabling them to schedule activities in quick order, without the need to compete for resources from management.

Another method is to work harder to remove any negative perceptions that may be associated with the widening participation cohort, by framing the demographic in more positive terms and in a more consistent manner. For example, Law Schools should highlight that it is no longer such a novelty to enter Law School from a non-traditional background, due to the increasing number of entrants who are doing just that. Law Schools can also do more to explain how the learning experience is enriched by students who bring different life experiences and opinions to the classroom, hence why WP students are such a valuable part of the learning community. Explaining the importance of having a more diverse judiciary and legal profession, and that such change begins with more diverse classrooms, may also help WP students to realise that they are part of a bigger movement and thus have a stake in shaping that movement for the future. Of course, these messages would only have the desired effect if they are deployed consistently within and between Law Schools, which, again, reinforces the usefulness of adopting similar language across institutions.

### **Theme 3: Evidence-Informed Practice**

Since widening participation programmes are a relatively new development in most Law Schools in these islands, many still lack supporting evidence as to their rationale and impact. This issue gathered a significant amount of interest during the workshop. Despite the fact that these programmes are well intended, it was noted that they do not always perform as efficiently as they could, owing largely to the lack of institutional support discussed below. This recognition led to discussion of the necessity of evidence-informed practice.

It was concluded that staff have an obligation to their WP students to conduct appropriate research into what works and what does not. This research, it was agreed, needs to cover the entire academic lifecycle, from project inception to delivery and review. Further, the review process should not be limited to the programme itself but should begin at the outreach and admission stage and follow the students through their legal education and beyond. This would allow staff to provide the students with continuous support as they progress to the next stages of their education and prepare for early employment. This, in turn, would ensure that programmes are sustainable and able to respond to the needs of future cohorts.

It was noted, however, that such a review process would not come without its challenges. Participants agreed that one of the biggest obstacles to a culture of evidence-informed practice is encouraging WP students to give genuine feedback on the support they received before and during their studies. Despite the incentives that are sometimes offered by Law Schools to encourage engagement, as mentioned above, students and alumni are often not willing to contribute their opinions.

In circumstances such as these, academic and support staff are left to consult data such as graduation outcomes, examining evidence pointing at the number of students from pathway programmes who have achieved a higher rate of First-Class and Upper Second-Class Honours degrees than the general cohort. Staff also observe the early withdrawal and non-completion rates among this group. Collecting quantitative data has obvious advantages, but with respect to widening participation programmes, attendees recognised that such data should not be the only means of assessing success. The *human* element, which sits at the core of these efforts, should not be lost when examining the statistics, as the aim of widening participation is not to boost Law School statistics, but to provide the ‘most able but least likely students’ with equal opportunities to succeed at university.

### **Theme 4: Institutional Support**

Despite the age-old criticism that higher education is an elite endeavour, and in spite of calls for more inclusive access to universities,<sup>4</sup> widening participation programmes are still an emerging trend. Not all universities have initiatives that offer supported entry to their

---

<sup>4</sup> Scottish Government, ‘A Blueprint for Fairness: Final Report of the Commission on Widening Access’ (2016) <<https://www.gov.scot/publications/blueprint-fairness-final-report-commission-widening-access/pages/2/>> accessed 30 May 2022.

undergraduate courses, so the widening participation agenda is therefore a work in progress. In that regard, a particularly important theme that transpired at the workshop was the issue of institutional support for staff who are involved in these initiatives.

The workshop drew attention to the impressive range of projects that are being operated by colleagues, some of which require significant resources in terms of personnel, time and money. Considering that WP students tend to lack familial support, financial means and social connections, several initiatives were discussed that help students overcome these barriers and navigate their journey toward the legal profession. Most universities focus on pastoral support, providing students with dedicated staff advisors, and financial support such as bursaries, hardship funds, laptop loans, or disability-specific support. In one initiative that was well-received by participants, groups of LLB students are paired with two Student Leaders who provide a support network to those who may not be in a position to ask family or friends for advice on university issues. Other Law Schools have similar schemes whereby students are matched with professional mentors such as solicitors or barristers, while others organise social events to connect students who have shared experiences. While attendees agreed that there is a clear need for dedicated systems such as these, there was also a clear consensus relating to the challenge of ensuring that they perform to their full potential.

This is where the issue of institutional support became evident. When the participants were asked what drives them to engage with WP students, most referred to their personal histories; it became clear that their passion for making a difference stemmed from the fact that they experienced similar hurdles to current students when they entered university and/or the legal profession, often many years ago. However, despite their passion and clear guidance from the national and devolved governments to make HE more accessible,<sup>5</sup> it was felt by colleagues that widening participation programmes are often still treated as an afterthought by senior management at HEIs. Oftentimes the academic staff simply do not have the time to make a tangible contribution to these programmes or to their students.

A common complaint was that responsibility for programme management and pastoral support is not built into staff workload allocations, meaning that it has become something of an ‘invisible job’. Workshop participants also agreed that the emotional energy that goes into working with WP students needs to be recognised, as each of these students has different needs based on their personal circumstances, whether they are experiencing socio-economic

---

<sup>5</sup> UK Government, ‘Widening Participation in Higher Education’ (2022) <<https://www.gov.uk/government/statistics/widening-participation-in-higher-education-2022>> accessed August 2022; Anna Connell-Smith and Sue Smith, ‘Widening Participation Strategy in Higher Education in England (*House of Commons Briefing Paper 8204*, January 2018) <<https://researchbriefings.files.parliament.uk/documents/CBP-8204/CBP-8204.pdf>> accessed December 2021; NI Department for Employment and Learning, ‘Access to Success’ (September 2012) <[https://www.economy-ni.gov.uk/sites/default/files/publications/del/Access%20to%20Success-An%20integrated%20regional%20strategy%20for%20widening%20participation%20in%20HE\\_0.pdf](https://www.economy-ni.gov.uk/sites/default/files/publications/del/Access%20to%20Success-An%20integrated%20regional%20strategy%20for%20widening%20participation%20in%20HE_0.pdf)> accessed December 2021; Scottish Funding Council, ‘Report on Widening Access 2020-2021’ (May 2022) <<https://www.sfc.ac.uk/publications-statistics/statistical-publications/2022/SFCST062022.aspx>> accessed September 2022; HE Funding Council for Wales, ‘Widening Access: Delivering for Wales’ (December 2014) <<https://dera.ioe.ac.uk/23944/1/HEFCW%20Widening%20Access%20Delivering%20for%20Wales%20English.pdf>> accessed December 2021.

deprivation, have been in foster or residential care, have experienced abuse or are a refugee or asylum seeker. Not only do staff need appropriate time to tend to these students' needs, but they also need appropriate support and training to do so effectively, which is something that is currently underdeveloped across universities regardless of jurisdiction.

## Conclusion

To summarise, without a consistent framework of sensitive and appropriate language, it can be difficult to attract WP students to consider taking a Law degree and to retain their attendance at Law School. In addition, it hinders efforts to mainstream the student voice across widening participation programmes and initiatives, given that unhelpful language can create negative perceptions as to the status of this group, which can deter student engagement in feedback and research opportunities. If these programmes are not informed by and responsive to the needs of their students, as communicated by the students directly, the programmes will lack a vital source of evidence that may render them ineffective. Finally, in the absence of sustained and dedicated support from senior management – budgetary, personnel, systems and training – the other three objectives are extremely difficult to meet.

While the problems exhibited by each of these themes have been exacerbated by COVID-19, one should not lose sight of the fact that they pre-date the pandemic by many years. Moreover, they will remain live issues during the ongoing cost of living crisis, which is impeding performance in the mainstream education system, degrading social and financial capital among potential students in areas that are already suffering from the effects of lockdown, and ultimately, lowering their aspirations.<sup>6</sup>

The challenges of recent years have undoubtedly had an impact on attempts to widen access to university for WP students. One such impact is that they have thrust the widening participation agenda into public view like never before,<sup>7</sup> exposing chronic disparities in the student population between privileged and less privileged entrants. If this workshop revealed anything about current trends within HE, it is that this attention has given educators greater impetus to reach WP students in new ways. These renewed efforts are clearly welcome and it can be hoped that they will continue to gather pace in the future. Nevertheless, in the context of legal education specifically, this workshop identified four outstanding challenges that have the potential to derail this progress. It is important that Law Schools work together, as they did at this event, to address these challenges. Failure to do so will not only result in the continuation of an unrepresentative student body, but an unrepresentative legal profession and judicial bench, the effect of which is to undermine the very concept of 'law for all'.

---

<sup>6</sup> Sutton Trust, 'Cost of Living and Education' (2 December 2022) <<https://www.suttontrust.com/our-research/cost-of-living-and-education/>> accessed December 2022.

<sup>7</sup> Rebecca Gladwin-Geoghegan and Christina Thompson, 'Legacy of Lockdown: Exploring the Opportunities for Development in Legal Education as a Consequence of the COVID-19 Pandemic' (2021) 3.1 *Journal of Ethics and Legal Technologies* 6, 6. Available at: <<https://jelt.padovauniversitypress.it/system/files/papers/JELT-2021-1-2.pdf>> access November 2021.

## Bibliography

Anna Connell-Smith and Sue Smith, 'Widening Participation Strategy in Higher Education in England (*House of Commons Briefing Paper 8204*, January 2018)

<<https://researchbriefings.files.parliament.uk/documents/CBP-8204/CBP-8204.pdf>>

Helen Mott, 'Gender Equality in Higher Education: Maximising Impacts' (*British Council*, 2022). Available at:

<[https://www.britishcouncil.org/sites/default/files/gender\\_equality\\_in\\_higher\\_education\\_report.pdf](https://www.britishcouncil.org/sites/default/files/gender_equality_in_higher_education_report.pdf)>

HE Funding Council for Wales, 'Widening Access: Delivering for Wales' (December 2014)

<<https://dera.ioe.ac.uk/23944/1/HEFCW%20Widening%20Access%20Delivering%20for%20Wales%20English.pdf>>

NI Department for Employment and Learning, 'Access to Success' (September 2012)

<[https://www.economy-ni.gov.uk/sites/default/files/publications/del/Access%20to%20Success-An%20integrated%20regional%20strategy%20for%20widening%20participation%20in%20HE\\_0.pdf](https://www.economy-ni.gov.uk/sites/default/files/publications/del/Access%20to%20Success-An%20integrated%20regional%20strategy%20for%20widening%20participation%20in%20HE_0.pdf)>

Rebecca Gladwin-Geoghegan and Christina Thompson, 'Legacy of Lockdown: Exploring the Opportunities for Development in Legal Education as a Consequence of the COVID-19 Pandemic' (2021) 3.1 *Journal of Ethics and Legal Technologies* 6, 6. Available at:

<<https://jelt.padovauniversitypress.it/system/files/papers/JELT-2021-1-2.pdf>>

Scottish Funding Council, 'Report on Widening Access 2020-2021' (May 2022)

<<https://www.sfc.ac.uk/publications-statistics/statistical-publications/2022/SFCST062022.aspx>>

Scottish Government, 'A Blueprint for Fairness: Final Report of the Commission on Widening Access' (2016) <<https://www.gov.scot/publications/blueprint-fairness-final-report-commission-widening-access/pages/2/>>

Sutton Trust, 'Cost of Living and Education' (2 December 2022)

<<https://www.suttontrust.com/our-research/cost-of-living-and-education/>>

UK Government, 'Widening Participation in Higher Education (2022)

<<https://www.gov.uk/government/statistics/widening-participation-in-higher-education-2022>>