

Training the lawyers of the future – A regulator’s view

David Edmonds, Lord Upjohn lecture, 19 November 2010

I am delighted and honoured to be asked to give this Upjohn lecture.

I am very conscious that I am following a long line of distinguished judges and educators in standing on this platform.

I am not bringing their degree of specialist knowledge to the subject, but I hope that, as a still relatively new face on the scene, I can share emerging thoughts on the possible implications for legal education and training of changing legal landscape – commercial and regulatory – and the changing educational landscape post the Browne Review.

I’m bringing questions, not answers, but questions on which I think there is an emerging broad consensus within the regulatory world.

And consensus, not just about what the questions are, but about how they should be addressed.

A Changing Environment

The legal services market in England and Wales is in a state of transition – or rather, one of rapid evolution.

I would love to say that that change is solely due to my Board’s leadership of the implementation of the Legal Services Act 2007.

But, of course, regulation is only one of the factors in play. Let me briefly list some of the others:

- Consumerism – a word that is controversial in some quarters, but one for which I don't apologise.

The consumer isn't always right – and indeed lawyers are never more loyal to their professional responsibilities than when they have to tell demanding clients that they are wrong.

But consumers are right to expect quality, value and respect – and the pressures on lawyers to deliver that kind of service, rather than the paternalistic model of old, will only increase.

- Technology – the head of the American Bar Association, Steve Zack, said at a recent Harvard Conference, that he only kept law books in his office to try and convince clients that he could read.

He could not recall the last time that he had opened one to find a fact, rather than finding it on line.

And, of course, technology doesn't just change the way lawyers access case law and information.

It alters the speed and manner in which they interact with clients.

Perhaps even more importantly, it alters the way clients interact with the law – sometimes cutting out the legal middle man in the process all together!

- Broader social change – the population of Britain looks very different to how it looked at the time of the Ormrod Report in 1971.

Or the Benson Royal Commission at the end of the seventies. Or even the Clementi report in 2004.

And that change is about need – the ever increasing number of questions which can be addressed by the law, the increasing volume of legislation and the need for consistent vigilance to ensure that the relationship between individual and state remains healthy – quite as much as about diversity per se.

I'll add other factors as I continue my remarks. But let me return to regulation.

A Changing Regulatory Landscape

My Board's role is essentially to free up the regulatory framework to enable lawyers to react as flexibly as possible to this ever changing landscape, whilst maintaining and improving consumer protections.

I would contend that, with our partners in the frontline regulators – the Solicitors Regulation Authority, the Bar Standards Board, ILEX Professional Standards and others – we have made a strong start.

The initial phase of reforms has focused on institutional change. We are embedding independence across the frontline regulators.

We are driving a new outcomes-focused approach to regulation, backed by better risk management and enforcement.

I believe that this is essential to give the right incentives for ethical practice.

We are liberalising the market to stimulate innovation – by new entrants and existing firms and chambers alike. That innovation is already underway.

The new regulatory framework for Alternative Business Structures which will be in place in just under a year will enable that change to accelerate by allowing an even greater diversity of partnerships and business models.

Clearly it is practitioners and businesses, rather than consumers, who innovate – but consumers decide whether innovation succeed and this drives the future.

Above all, we have been working to address the regulatory objectives that we share with the front line regulators in the round.

So, for example, meeting the regulatory objective of improving access to justice is, for me, ultimately what Alternative Business Structures are about.

A more accessible service for those whom legal aid will never reach, even in the most favourable of economic conditions.

Likewise, we are rigorous in testing all our work against its impact on our objectives about the rule of law and the wider public interest, as well as that of consumer benefit more narrowly.

Regulation and Education

My Board also looks at the issues that most concern the audience here today.

We have a Regulatory Objective to *'encourage an independent, strong, diverse and effective legal profession'*.

We also have a specific duty: to assist in the maintenance and development of standards in relation to the education and training of authorised persons.

Those are important issues in their own right.

But they underpin the entirety of our wider agenda.

If the lawyers and the law firms don't exist, it doesn't matter if we have the most wonderfully efficient market in theory, nothing much will happen in practice!

That's why we will be giving workforce development increasing weight in the coming year.

If the law is to ever more effectively serve the public, then the profession – or rather the entire legal *workforce* – needs to have the right skills and knowledge.

That includes the capability to constantly update both skills and knowledge.

In other words, meeting the objective isn't just about making sure that people jump the right hurdles in their early twenties.

It isn't about making sure that people attend the odd agreeable seminar – or even Friday evening lecture – later in their career!

It's about achieving a constant interplay between practice and education, with the two spheres in constant dialogue, each driving improvement and innovation in the other to the broader public good.

I have a hypothesis.

My hypothesis is that that dialogue and interplay isn't happening at the level that it should. Some go further and say that the current framework is simply not fit for purpose.

If that's right – and it is what I hear consistently from educationalists and practitioners alike – then there is a clear need for the current education and training arrangements will need to develop at a much quicker pace to keep up to date with the challenges lawyers will face day in, day out in the future.

I don't think that it is at all inevitable that the danger will eventuate.

Our partners in the frontline regulators have already started to act, with a range of solid initiatives to which I will return.

But my questions for this evening are these: "Can we be doing more and faster? And how can we ensure a consistent strategic framework in which these initiatives take place?"

Changes in legal education – numbers and requirements

Let me return to changes in the market – the legal education market as well as the legal services market.

Much good work was done in the 1990s by ACLEC (the Lord Chancellor's Advisory Committee on Legal Education and Conduct).

But the last fundamental analysis of education and training in the legal services sector as a whole was the Ormrod review in 1971.

It took more than three years and produced a 250 page report.

The members of that Committee would believe that they had returned to a different world entirely, were they to resume their work today, just at the level of sheer numbers.

We currently have almost 14,000 students annually graduating with a Qualifying Law Degree, and around 5,000 enrolled the Graduate Diploma in Law.

Of those, over 11,000 enrolled last year on either the Legal Practice Course or the Bar Professional Training Course.

Following the postgraduate stage, 6,271 commenced either a training contract or a pupillage.

So the field of education has widened and expanded: but are the needs of participants in terms of preparedness to practise still being met properly met ?

Any attempt to answer that question must be made against an understanding of wider changes.

As the market changes, as the needs of clients change, as the body of law changes, so must the disciplines and competencies covered at all stages of education and training.

Clearly one major issue is the impact of globalised markets.

Many larger firms are transnational entities, operating across a number of jurisdictions.

The transnational barrister is a growing phenomenon, as indeed is the international mediator, using English and Welsh law to resolve disputes on the other side of the world.

The development of European Union trading and commercial laws has run alongside economic integration.

And, of course, it's not just the law itself but the needs of clients.

We need look no further than the banking crisis to see the scale of inter-dependencies between nation states, with changed technologies underpinning closer commercial relationships across the world.

So many American Law Schools are now arguing that international and comparative law needs to be taught more rigorously and at an earlier stage of professional formation.

Is that right for England and Wales as well?

In that globalised market – but also on the High Street - we are increasingly seeing legal services being delivered in partnership with other professional services – tax advice, property services, accounting.

As I implied earlier, external ownership via ABS is, in a real sense, taking changes that are already taking place in the market to the next logical level – rather than being some radical outlandish experiment.

ABS will clearly trigger specific education and training requirements, around governance issues for example.

But I would argue that it will trigger wider needs as well, with more employers thinking more broadly about the development needs of their entire workforce.

Lawyers are already working in more diverse business models.

The problem is that the pre-ABS regulatory regime finds it difficult to manage risk of consumer detriment from abuse without causing potentially greater detriment by restraining innovative practitioners.

The SRA and BSB's latest proposals have set the ball rolling in moving beyond this tension by seeking to bring regulation up-to-date.

The impact will be that we begin to see more - and more diverse - relationships between lawyers, providers of other professional services and investors.

The market is now characterised by increasing plurality, but a rather unique plurality in which there is BOTH more commoditisation AND more specialisation.

The spectrum of services is widening – ranging from large corporate firms with 400 or more partners to near industrial scale personal injury firms to small specialist 'boutique' practices and new 'virtual law firms'.

In parts of this world at least, commercial and management skills are as important as legal skills for the senior leadership of firms – and indeed for many in the centre of organisations as well.

So are general management skills and commercial awareness no longer discretionary, but something that is needed at an earlier stage of education – to meet the needs of employers as well as their commercial clients ?

I will add here that this is about the skills of all those who work in businesses supplying legal services – not just the lawyers.

They, the lawyers, need to decide what skills they are best placed to deliver – leaving officers in other divisions to deliver the remainder, for example IT, financial and HE leadership.

In this world, only a minority of practising solicitors and their other qualified staff do ‘a bit of everything’ in the way that traditional high street practices commonly offered in the past.

Even fewer barristers would claim to be legal G.P.s.

Then, it was relatively easy to devise an education and training framework for a world where all lawyers ran their business in broadly the same way.

It was relatively easy to teach regulatory obligations against a set regulatory rulebook.

But how do we ensure that the framework evolves – and continues to evolve – against the changes to the market and the more sophisticated outcome-focused approach to regulation that I have described ?

As a minimum, I think that we will be looking at a changed and earlier emphasis on the teaching of professional ethics and wider responsibilities to the client, a point I hear repeatedly from practitioners.

I will return to this in looking at the right balance between innovation and maintaining core professional principles.

Changing conditions do not simply have an impact on ancillary skills. We need to look again at the very nature of what it means to be a lawyer – and then evaluate what skills we need, how we develop them and how we test for them.

One feature of modern life, for example, is the increasing amount of legislation being passed onto the statute book: 14,580 pages per year in 2005 compared with 8,270 pages in 1975¹.

This has brought increasing complexity to the function of the individual lawyer.

So the key legal skill is increasingly about how to find the legal principles and apply them to the circumstances of the case rather than about accumulating knowledge per se.

There is, of course, still great value in historical understanding of the evolution of law, but practitioner skills are increasingly about the application, rather than merely the academic knowledge, of those principles.

¹ <http://www.parliament.uk/documents/commons/lib/research/notes/snsg-02911.pdf>

Alongside this, we are increasingly seeing collapsing boundaries between different types of lawyer.

The extension of higher court rights of audience to solicitors and the emergence of Legal Disciplinary Partnerships are illustrations of this phenomenon.

There will be others.

Ruth Deech commented eloquently earlier this year that it was odd to force students into specialisation decisions at the age of 20 or 21, before they really understand the demands of different branches of the profession and have the maturity to understand their own fitness for them.

I agree with that analysis.

I am tempted to go further and say that it is even odder to force an early decision in a world where the decision may be becoming ever more irrelevant in the medium-term.

In the past, there was greater uniformity in the skills and knowledge needed to practice successfully.

There was greater predictability in the setting in which lawyers applied those skills.

But we are now in a paradoxical time: a time in which we see both ever greater specialisation and complexity within the profession, but ever more fluid boundaries between the traditional branches of the profession and between that legal services sector and other areas of the economy.

What does that mean for how we train people – and when and how we ask them to decide to make major decisions about their future career direction and degree of specialisation ?

So, to sum up, the demands of modern practice have changed and will continue to do so.

This can be seen in the breadth of business acumen required, in the level of commercial understanding required from practitioners, and in terms of the essence of 'lawyering' itself.

Educational practice and the regulatory requirements in relation to education and training are evolving in the light of that.

But regulators, educators and practitioners alike must not see that process as a one-off "modernisation", but need to rise to the challenge of keeping requirements moving at the pace of a 21st century, wired (or rather, wireless) world.

Priorities for education and training

Clearly, identifying ways of meeting a challenge of this scale is far from easy.

Identifying the way forward is going to take a period of deliberation and dialogue, potentially with competing priorities across the workforce.

An important starting point is to acknowledge that there are almost certainly going to be a number of approaches that meet that challenge.

A single magic bullet for education and training is no more credible than a single business model for firms or chambers.

In fact, we are already seeing plurality through different and equally effective ways of delivering the same outcomes – for example academic study versus so called "clinical

legal education” versus on the job experience for those entering the profession via further rather than higher education.

One crucial yardstick is that the outcomes of all those diverse routes must deliver the important professional attributes demanded by the Regulatory Objective – independence, strength, effectiveness and diversity – and must also ensure that the professional principles are lived out in practice.

The key issue is what works.

The models might be – must be - diverse, but in all cases they must deliver the full range of skills that consumers need to see from practitioners.

Multiplicity can never be a synonym for dumbing down.

Let me, as a layman, suggest some areas that education and training needs to cover:

- Navigating the law
- Professional skills – particularly in applying legal principles to the facts of the case, but also the procedural knowledge applicable to different areas of law
- Functional skills, such as drafting and advocacy
- Client-handling and other wrongly termed soft skills – every other part of the economy regards those as professional and rightly so.
- Management skills and commercial awareness
- Ethics – last, in this case, implies anything but least.

I hope that there would not be much dissent from that as a high level list – the challenge is about precisely what should be taught at what stage and how.

And that is where I, as a layman, bow out and invite the profession and educators alike to consider – but with the final suggestion that there is unlikely to be a single answer.

The boundaries between different levels of education and training in other words may need to be as fluid as those increasingly porous divisions I have already described.

The Place of CPD

Nobody has all the answers.

Genuine and effective enquiry into these issues relies on regulators working with academics, educators and practitioners to tell us what capacity-building steps are necessary in the system for education and training.

We need to ask firms and chambers what skills they need amongst the next generation of pupils and trainees.

As part of that discussion, we need to get their views on the extent to which the current framework prepares lawyers for practice, as well as what steps are needed to develop fledgling practitioners once in the job.

Continual professional development is a critical part of ensuring that the workforce can react to change, but the early period of practice is a uniquely sensitive one in which competencies are framed.

Is there a case for an accountancy style model of initial training?

In that model professional training takes place during full-time employment.

It must be worth considering whether such a model could be developed for law, to address the issue of students completing the vocational stage (and accumulating significant debts in the process) without the offer of a training contract or pupillage on completion.

Indeed, do we need to assume that the training contract and pupillage need to be inviolable parts of *everybody's* career progression or should they be one route among others ?

We also need to consider how we approach post-initial qualification training to ensure competence is maintained and developed into specialist skills.

What is unequivocal, however, is that we are seeing a premium placed on those lawyers who offer more than just technical expertise.

Alongside aptitude to be a lawyer, practitioners need to demonstrate professional service skills and the ability to relate to clients' needs responsively.

General legal knowledge needs to be supplemented by specialist knowledge and skills – fortified by programmes of continual professional development that are respected as both worthwhile and reflective of changed practice.

Ethics and Professionalism

I mentioned professional ethics earlier.

Let me return to that theme.

The strategic objective is clear: to equip the workforce to deliver for consumers at a time of heightened change and expectations, whilst also maintaining the intellectual integrity, the ethical strength and the global competitiveness of our legal qualifications.

I don't apologise for mixing morality and economics in that sentence.

The strength of the legal profession and the legal services sector relies on precisely that admixture – and I'd argue that the strength of legal education ought to lie in precisely the same mix.

The teams around lawyers are changing: the ABS framework envisages a Head of Legal Practice taking on a key role in governance and accountability, for example, and the SRA's proposals see a similar arrangement in mainstream firms.

Already many lawyers work in new business models, supervising unregulated - but not unskilled - paralegals.

The emerging plurality of provision and education to which I have referred challenges old orthodoxies, but has the potential to stimulate partnerships and new ways of working that can both serve consumers better and enhance the reputation of the profession.

Notwithstanding this, there are enduring values for legal professionals, values at the centre of the rule of law.

The core elements are independence and integrity, a commitment to the best interests of the client and the overriding duty to the court.

All of these are, of course, in the professional principles spelled out in the Legal Services Act.

When I say the interests of consumers are at the core of professional service, there is sometimes perceived to be a disconnect with those principles.

But the best interest of the client is at the heart of that list.

Whilst ethics teaching cannot instil integrity in and of itself, the education stage needs to expose students to some of the complex ethical scenarios they are likely to encounter in practice.

Of course, maintaining the collective sense of identity across the profession is a key part of incentivising properly professional conduct.

The challenge is to retain and enhance that but without sustaining unnecessary barriers to entry and restricting competition.

Competition can have a positive effect on consumer choice, but can also help import new working practices into the profession and challenge orthodoxies in a positive way.

Legal ethics has a lot to teach general business ethics – but exclusion and misplaced moral superiority aren't among the relevant lessons.

Importantly, we should always remember that lawyers are in a special position of trust – with consumers engaging lawyers at particularly sensitive times in their lives and in the course of their business dealings.

Research shows that clients struggle to evaluate the quality of service they receive, meaning they need to trust and rely on the provider.

Regulation needs to ensure that this trust is well placed.

These twin duties to the client and to the court (and, through that, public service) form the pillars of professionalism in the industry.

With all the talk of change – and the volume of real and pressing change - we must not forget that the real challenge is how we educate in a way that both reflects changed consumer expectations and ensures the maintenance of these fundamental values.

My Board’s statutory duty in relation to education is rightly framed. “Maintenance and development of standards” – it’s both, not a choice.

Reserved Activities – A wider issue

Let me raise two wider issues.

Legal services regulators can set the terms of debate only for the range of activities over which we have responsibility.

A crucial part of the next stage of our work is to examine the scope of regulation and the appropriateness of the areas over which we have oversight.

This is why my Board is looking again at the extent of reserved legal activities, the regulatory landscape and the impact this has on education and training.

The recent work from the College of Law’s Policy Institute carried out by Stephen Mayson demonstrates that the definition and scope of reserved legal activities, which has evolved over time, is arbitrary – laughably arbitrary in fact.

It bears only the slightest relationship to the interests of consumers now and probably not enough for the consumers of the future.

But the powers that Parliament has consciously given my Board enable us to address the question of the appropriateness of that landscape and how best to protect those future consumers.

The evolution of that regulatory framework, by essence, has an impact on how we resolve to reshape education and training.

The purpose of that system is to produce lawyers who are theoretically competent for practice across the range of reserved activities.

To some extent, it is that range of activities which drives the scope of the current curriculum, particularly at the vocational stage of training.

Broader questions, therefore, surround whether regulation in general (and education and training in particular) ought to be so focused on the reserved activities, to the exclusion of other elements of legal work.

The fundamental question of risk of consumer detriment needs to be the starting point, with regulatory requirements being tailored appropriately.

Diversity and Social Mobility

Second, workforce diversity is a crucial driver for education and training policy.

Both the current and former Governments have kept alive a debate on the role of the professions in promoting diversity and social mobility – with access and progression amongst practitioners from non-traditional backgrounds being a key measure of success.

Achieving that step-change at senior levels of the profession – and I should acknowledge right away the excellent progress made at entry level - is a complex challenge, with drivers running right the way back to early years education.

But there is great commitment in the profession and we need to develop that momentum.

It is not just a moral cause.

It's also in the pragmatic interests of the profession itself, of the legal system and of the rule of law that we widen participation to the best and most able lawyers regardless of background.

There are some difficult trade-offs.

I understand the worries of those who feel that we are in danger of training people who have little or no chance of making a successful professional career in the current environment.

The danger is that initiatives to protect the over optimistic educational consumer may inadvertently have the effect of reinforcing stereotypes about the exclusivity of the profession.

We should make sure that managing unrealistic expectation doesn't lead to legitimate aspiration being dampened.

Regulators and educationalists alike need to contribute to the public policy debates that determine priorities for spending and support.

We need to be alive to the impact of the Government's proposals on Higher Education funding, whilst creating a sharper focus on the postgraduate stage and what changes will mean for students who wish to enter the profession later in life.

An emerging opportunity for the sector is the increasing number of non-graduate entry routes to access – and I would like to see regulators do more to consider what this means for improving the 'gene pool' of talent in the market.

There are perhaps lessons from past apprenticeship" models, which are worthy of being revisited.

There used to be the old five year route from school to professional qualification - the market place has delivered a contemporary version of that today.

Technology has liberated legal education so that students can now do an on line law degree/Graduate Diploma in Law and the LPC with just four weekends of face to face.

That can be studied from home or better still the workplace combining study with work based learning and new forms of apprenticeship. I find myself in the rare position of calling for the reinstatement of tradition!

Across the sector we can already see examples of initiatives aimed at widening access to the legal profession, led by educators and regulators.

One impact of these programmes has been the acceptance of greater flexibility at the postgraduate stage.

Alongside this, integrated courses have been developed that enable students to complete the various stages of qualification as part of a single course. And we should surely be able

to make transitions easier – I understand why people argue for aptitude testing, but shouldn't any qualifying degree worth its name of itself give people the necessary aptitude?

Over time, we have seen the development of delivery methods that more closely align teaching to the demands of legal practice.

As student finance becomes ever more difficult, I really hope that we see this type of initiative being taken even further.

For those leaving school and aiming for a legal career, we need to see the total length of time spent in education – and so the total amount of debt – shrink.

This is linked to ensuring that students do not need to make crucial, and costly, investment decisions too early on, before getting a real 'feel' for the area of practice and all that it will involve.

For those already in the sector, we need to see multiple routes to progression.

I refuse to believe that it's not in the wit of those in this room tonight to find ways of doing that without reducing standards in any way.

A Good Base on Which to Build

Reforms led by the regulators are already playing a major role in modernising education and training.

For example, the SRA has introduced much less prescriptive requirements for the LPC that are designed to enable educators to be more flexible on course design and delivery.

Alongside this, they are looking ahead to help students bridge the gap between the postgraduate stage and the demands of the first year of training.

New work-based learning pilots are providing 'on the job' training that, whilst not requiring a formal training contract, enables students to be assessed against 'day one outcomes'.

I also welcome progress at the Bar. Lord Neuberger's report on entry generated many new initiatives.

Their implementation has been overseen by the Bar Council but also embraced by Derek Wood QC, who has also taken on other onerous responsibilities in reviewing the BVC, pupillage and now CPD requirements.

Looking slightly further back, we have seen a stronger emphasis on practical training events, particularly on advocacy.

This is supplemented by the work of other bodies on supporting preparedness to practise, particularly the Inns of Court in the field of advocacy through the development of the Advocacy Training Council, a resource to which I hope all sections of the profession with rights of audience will have access.

That level of rigour, imagination and sheer hard work represents an excellent base on which to build.

And I am delighted to announce tonight that there is agreement on the broad shape of those next steps.

The Regulators' Review

The LSB has been discussing how to make further progress with the Solicitors Regulation Authority, the Bar Standards Board and ILEX Professional Standards.

I can report that there is consensus on the need for a more overarching strategic review to complement and frame existing initiatives.

We have agreed what the main questions are – although I am sure that these will develop further as the dialogue broadens in the coming months.

Let me just run through them:

- First, what should be the contribution of legal education and training to the delivery of the regulatory objectives set out in the Legal Services Act 2007, taking account of the factors I have discussed today:
 - The likely shape of and demands on legal services by 2020 in the light of changing consumer/client demand, technological change and other factors
 - The effects that the shape of legal services may have upon the legal and other skills demanded from different kinds of lawyers and others employed in legal services in the future.

This is about a fundamental re-evaluation to meet the needs of the workforce of 2020
 - The need for high quality, competitive legal services and education and training providers and high ethical standards for lawyers and legal services entities.
 - The need to promote social mobility and diversity

- Forthcoming changes to the education sector and how these may affect legal education and training
- Second, what might be the specific consequences of the implementation of the Legal Services Act for the system of legal education and training?
- Third, to what extent (if any) should the formal regulation of legal education and training be extended to include groups other than those regulated by the SRA, BSB, ILEX Professional Standards and other Approved Regulators (e.g. paralegals, other providers of legal services and those employed in entities)?
- Fourth, what measures can or should be taken to address the issue of career development and mobility between branches of the legal profession at all stages of the student experience and legal careers?
- And finally, what recommendations arise for the Legal Services Board, Approved Regulators and other bodies from these questions ? – none of us are interested in this being an academic exercise in the pejorative sense of the term.

The answers to these questions need to be considered in the context of the complex domestic and international changes to the landscape which I described earlier.

Making the Review Work

This is very much an exercise in the spirit of oversight regulation.

We have developed the thinking jointly with the front line regulators.

It's their agenda and their review. I'm now looking forward to their practical proposals on how they will address it.

But let me say a little more about what needs to be done if this is to be a genuine watershed.

First, we all agree strongly that joint consideration of the issues that span the entire workforce is necessary if we are to reach a set of conclusions that have cross-sector application.

It's not about one regulator going alone or one part of the profession being looked at independently. Nor is it about any part of the student journey being considered off limits.

Second, this is genuinely ambitious and forward-looking in scope.

There will need to be new evidence-gathering, with original research being funded and commissioned where deeper insights are needed.

Part of that process of collecting evidence needs to look beyond the boundaries of the legal profession, outside the sector and beyond the UK to the experience of other jurisdictions, to learn from wider experiences.

Third, the Joint Review needs to complement existing initiatives rather than duplicate the detail of them.

Collective endeavour mustn't lead to individual planning blight.

Fourth, the Joint Review will need to engage the widest range of stakeholders – including students and firms – not just the usual regulatory and educational suspects.

And, as I have already said, but make no apologies for reiterating, most importantly of all, the Review needs to generate concrete recommendations that can be agreed and implemented by all relevant parties. If this produces papers for learned journals alone, it will have failed.

Work needs to begin this year and we will expect to see conclusions begin to emerge during 2011. What this Joint Review absolutely cannot represent is any kicking-into-the-long-grass of these crucial issues.

These are the yardsticks against which my Board will assess the credibility and effectiveness of the Joint Review.

They are the essential characteristics needed to demonstrate that this initiative is capable of living up to the scale of the challenge on workforce development. We need a blueprint for action to give society the legal workforce it needs for the future. I am confident that our partners can and will deliver this.

We will offer constructive challenge throughout the process, filling any gaps that emerge that would benefit from support at oversight regulator level.

Conclusion

That is a daunting agenda, but I believe that it is challenging and stimulating, rather than worrying.

Above all, it is a necessary agenda, one which cannot be delayed for much longer if we are to give students, employers and, above all, the public the certainty they need – the certainty that the building blocks are in place to ensure that the lawyers of the future and the legal services market of the future are going to be ever more able to meet the changing demands of justice in an increasingly demanding future.

I applaud the frontline Regulators, both for their initiative in launching the review and for the collaborative way in which it is being approached.

Educators have a critical role to play in preparing the workforce of 2020 for practice – and maintaining their standards when they are practicing.

I look forward to the next stages of developing the partnership with regulators and professionals that can best acquit it.