



Education and Training Consultation

Initial feedback on responses – qualitative results

INTRODUCTION

Thank you for your continued interest in this project. Attached is an initial print-out of the free-text data we have received, each section has a header table containing the following information

Question Number:	The number of the question in the original questionnaire
No of responses:	The total number of people who submitted a free-text response to this question
Section Titles:	The section of the questionnaire in which the question was asked. For example, 'Contact Information (Organisations)'
Question Text:	The exact phrasing of the individual question asked. For example, 'Name of Organisation'

If you wish to look at the context of these questions within the overall consultation questionnaire then copies can be download in .pdf format from the consultation website.

SOME IMPORTANT POINTS TO NOTE

- This data is an initial release only. You should take great care in the way you examine, analyse and make conclusions from this initial data set
- These comments originate from a wide range of people including members of the public, those in training, those currently practising as a solicitor, and those working in other professions
- In a few limited circumstances data has been removed, this is where there is a concern the data would identify an individual or organisation (through the use of a name or through a set of facts which may lead people to an identity) and this was not thought to be appropriate. In all cases it is noted where text has been removed
- It should be noted that this data set only relates to data submitted using the online electronic forms. Submissions from organisations and individuals submitted in alternative formats will be made available in due course, and have already been provided to the decision making committees within the Society
- **The Society is NOT currently endorsing any views in these results**, this is currently the case even where there is a repeated theme to responses. All the evidence gathered during the consultation will be examined and discussed - policy announcements will be made through this website, the Journal, and the Ezine.



C. PEAT Stage 1 (Diploma) Outcome Statements

Question Number:	Q2
No of responses:	1
Section Titles:	Contact Information (Organisations)
Question Text:	Name of Organisation

1	to 46 = no responses
47	Faculty of Advocates
49	No more responses



Question Number:	Q20
No of responses:	6
Section Titles:	A. Professionalism
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 11 = no responses
12	Professionalism is a bigger subject than you have suggested, but the subjects covered here are along the right lines
13	to 33 = no responses
34	Need for independence, perception and role of lawyers in society, focus on a good work ethic, attention to detail. Perhaps more work needs to be done on defining what professionalism means in today's society, particularly in the eyes of the general public.
35	to 39 = no responses
40	There is a great deal of fairly meaningless - and immeasurable waffle in this
41	to 45 = no responses
46	Professional attitude is important, time keeping, attendance, organisational skills etc all need to be taken into account.
47	Type response here
48	No response
49	No response
50	All of these are essential to the standards of being a professional solicitor and protecting the public . plus an ability to work as a team member. It has now become vital that diversity is a very important topic - there are a lot of existing solicitors who still don't get that . I am not sure that an interest in pro bono should be part of the diploma - Council have never endorsed its importance : traineeship may be the place to deal with Corporate Social Responsibility and I suppose if a trainee is looking at a firm with a view to joining them this is one of the questions increasingly asked about .



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Question Number:	Q21
No of responses:	10
Section Titles:	A. Professionalism
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 3 = no responses
4	I think the Continuing professional education and personal development section is too vague and should either be reworded or replaced. For example, I think it would be difficult to come up with a conscious plan to "develop character".
5	to 9 = no responses
10	It appears unduly prescriptive, and fails to take account of the fact that different people have different approaches to learning.
11	No response
12	It is arguable that professionalism can be learned only in the context of a real office situation, ie during a proper traineeship, rather than in a an artificial Diploma.
13	the phraseology is confusing, convoluted and contains in some cases too many elements
14	to 30 = no responses
31	These are important and desired attributes to inculcate in the training and education of new solicitors, and I fully agree they should be included. However, some of these outcomes are extremely difficult to measure and enforce. Without appropriate support at all levels 'failing' a student for not demonstrating the 'Honesty and civility towards colleagues, clients and the courts' outcome, for example, may prove difficult if not troublesome in practice.
32	It strikes me that there is a very noticeable distinction between the positive and negative definitions leaving no doubt whatsoever for any dubiety.
33	No response
34	Whilst honesty and a good attitude are clearly very important I don't think this is something which can or should be formally assessed as part of the course.
35	to 37 = no responses
38	The idea of Diploma students assisting LLB students with their studies is great. This is a simple way of helping the importance of the Diploma filter down through to Undergraduate level. Whilst there is much criticism of the LLB and the Diploma, I think a lot of this stems from students' perceptions upon starting the Diploma that having studied difficult Honours courses, the Diploma is less difficult and less fulfilling. I believe managing students' expectations about the nature of legal practice, the "irrelevance" of Honours to a certain extent and at least trailing what they will study on the Diploma during the LLB is all very important. I believe the Diploma serves a very good purposes (but am not saying it could not be changed in some ways) but students' expectations are very important.
39	No response
40	The ordering of this is all wrong - these are qualities which can be taught and learned in context, not in the abstract way in which they are put forward here.
41	to 46 = no responses
47	Type response here



48	No more responses
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Question Number:	Q22
No of responses:	7
Section Titles:	A. Professionalism
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	No response
6	Question 1 is rather baffling- surely the "negative" elements are something the trainee must NOT display? The question says they are things the trainee must display?
7	to 11 = no responses
12	This section appears to assume that the Diploma or something like it is necessary. This is wrong. The Diploma is so out of step with what is needed that it cannot be properly improved and it needs to be completely replaced, preferably by an extra year's training, with compulsory CPD throughout the 3 years of traineeship, at a much higher level than 20 hours per annum, but including a wide choice of subjects, with only minimal compulsory subjects (Ethics, for instance). Applicants come from all sorts of backgrounds, such as - children of lawyers, people with poor financial backgrounds, people with some existing legal experience, young people, older people, people with young children (who may need to work to support themselves during training), people determined to be solicitors, people determined to be advocates. It is essential that training allows for all these people, especially since they all have different intentions as well as different backgrounds. We need to encompass all these different backgrounds and aims.
13	to 24 = no responses
25	Section 5 includes a mix of factors, some of which could be proven as a matter of fact (eg plagiarism, others of which are more subjective and in some cases may arguably be benefits (is a touch of arrogance a disadvantage in all circumstances? and is it right to penalise a character trait as opposed to specific actions that arguably flow from that trait?). But I'm sympathetic to the thrust of what is intended here.
26	to 38 = no responses
39	Not sure I fully understand the meaning of the candidate must display the following negative characteristics. I certainly agree with the positives and think the negatives are undesirable.
40	No response
41	Well, I *would* agree with this, but barring some rephrasing I think it still stands as a reasonable statement of values etc. But as I said previously, what matters is the negotiation of the clash of values, and the working-out of values within a practice context.
42	to 46 = no responses



47	Type response here
48	No more responses

Question Number:	Q29
No of responses:	5
Section Titles:	B. Communication Skills i. Professional Relationships
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	delete the leadership element as not appropriate to this level
14	to 30 = no responses
31	No need for group leadership skills to be demonstrated per se, rather individuals should be able to adopt a variety of group roles, depending on circumstances.
32	to 38 = no responses
39	Not happy with the first criterion. Image management or "dissembling" is a feature of many professionals according to the researchers. I would not have thought that we should require all our students to pursue this approach.
40	to 46 = no responses
47	Type response here
48	No response
49	No response
50	Again vitally important part of learning curve but only tested in real life situations. The number of trainees who cannot write a good letter is still amazing. Again a much easier topic to test in traineeship but grounding must be given. Art of précis , thinking about who your audience is and writing in plain English the recipient will understand



Question Number:	Q30
No of responses:	5
Section Titles:	B. Communication Skills i. Professional Relationships
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 12 = no responses
13	again there are too many composite elements and the phraseology is not helpful
14	to 31 = no responses
32	As for A above
33	No response
34	Re point 5 - feel that this is important for the student to have experience of and training on but should not be formally assessed as some people are not natural leaders - but this does not mean they will not be good lawyers. Also generally worth bearing in mind that people cannot entirely change their personalities.
35	to 37 = no responses
38	Focusing on communication and group work is one of the key elements of the Diploma. In fact, I have often thought that it is the professional and practical skills learned during the Diploma which are the most useful for students who the next year will enter the workplace (perhaps for the first time) and start to work under pressure and for clients and partners who can both be demanding. Communication is central to this. It is important for a trainee to be able to articulate their own development needs during the traineeship, and learning how to communicate with clients and colleagues and in groups during the Diploma is a critical step for the would-be trainee.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q31
No of responses:	3
Section Titles:	B. Communication Skills i. Professional Relationships
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 40 = no responses
41	Again... Well, I *would* agree with this, but barring some rephrasing I think it still stands as a reasonable statement of values etc. But as I said previously, what matters is the negotiation of the clash of values, and the working-out of values within a practice context.
42	to 46 = no responses
47	Type response here
48	Nom ore responses



Question Number:	Q40
No of responses:	7
Section Titles:	B. Communication Skills ii. Interviewing
Question Text:	Are there any other areas that should be added, or any that should be removed?

1	to 12 = no responses
13	some of this is pitched at too high a level for this stage
14	to 18 = no responses
19	I think it is important that emphasis be put on the fact that appropriate knowledge of the law applicable to a particular client may not be available. It is better to advise on what you know and to clarify matters than to offer legal advice which is not correct. This doesn't come across in any of the objectives as far as I can see.
20	to 30 = no responses
31	Indicators for advising client are far too advanced for students at this stage of their training.
32	At (1) I wonder if some recognition could be given to appropriate or adequate preparation prior to meeting the client?
33	No response
34	Learning on neuro-linguistic theory/techniques may be helpful as this aids development of listening and questioning skills.
35	to 46 = no responses
47	Type response here
48	No response
49	No response
50	Bit of psychology required here and anger management. Not everybody has the necessary people skills and up to this point very few will have been in this situation



Question Number:	Q41
No of responses:	4
Section Titles:	B. Communication Skills ii. Interviewing
Question Text:	Do you wish to comment on any STREGNTHS or WEAKNESSES of the suggested approach?

1	to 12 = no responses
13	as before the phraseology is convoluted and confusing
14	to 31 = no responses
32	As for A and B i above
33	to 37 = no responses
38	My earlier comments apply here also. It would be ideal if as many subjects as possible could be taught in a way which is interactive and suggests what practice is really like. Further to my comments on the LLB, interviewing a person in order to ascertain what their legal problem actually is is important, as extracting the correct information from perhaps a vulnerable person can be tricky, but is critical for a solicitor to be able to do their job. I understand that some Diploma providers use "actors" in interviewing situations. Extending the Diploma to include less exams and more simulated transactions, videod interviews with actors posing as clients, or actors posing as employers, would all help to prepare a student for the traineeship. For example, trainees are often given a piece of work which is small but critical to an overall project. Improving communication skills with the employer in order that the trainee has the right information to undertake their task proper ly is important. Dealing with confusing or incomplete instructions, or calls from the client when the supervising solicitor is unavailable, etc, are all examples of how learning interviewing skills on the Diploma is invaluable and builds confidence.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q42
No of responses:	6
Section Titles:	B. Communication Skills ii. Interviewing
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 31 = no responses
32	At (8) under 'Positive Indicators' I did query in my own mind the use of the word 'modifies' thinking that perhaps 'reassess' might be preferable. Having checked the meaning of 'modify' in the Thesaurus, however, perhaps 'modifies' is alright. This also applies to B(i) at 6 above and to B(iii) at 7, B(iv) at 6, B(v) at 8, B(vi) at 5 and B(vii) at 6 below.
33	No response
34	Suggest simplify into core concepts - e.g. listening, questioning, identifying issues, advising and recording.
35	to 40 = no responses
41	We also need to consider *how* providers provide training and experience in these and all other skills. This is critical, particularly if we want to raise standards across all providers.
42	No response
43	No response
44	Getting interview practice with 'mock' clients is really helpful. This not only gives you valuable experience but also boosts confidence. More time spend on evaluation and getting individual feedback would assist even further.
45	No response
46	No response
47	Type response here
48	No more responses



Question Number:	Q50
No of responses:	3
Section Titles:	B. Communication Skills iii. Negotiation
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	again much of this is pitched at too high a level for this stage
14	to 46 = no responses
47	Type response here
48	No response
49	No response
50	Communication with client throughout is essential risk management skill - not simply doing this but being seen to do it by letter writing and file notes. Time and time again this is where complaints arise - teach them how to cover their backs in practical terms.



Question Number:	Q51
No of responses:	5
Section Titles:	B. Communication Skills iii. Negotiation
Question Text:	Do you wish to comment on any STREGNTHS or WEAKNESSES of the suggested approach?

1	to 12 = no responses
13	again, some of the language is convoluted e.g. BATNA
14	to 31 = no responses
32	As for A and Bi and Bi above
33	No response
34	Did not understand point 5
35	to 37 = no responses
38	Whilst I agree with the competency statements, and that negotiation skills are integral to being a solicitor, in my mind they are perhaps less important at Diploma/Trainee stage than upon qualification and beyond. I suspect that during the traineeship supervising solicitors would not allow a trainee to carry out a negotiation on their own because of the risk. However, learning these important skills and knowing that they need developed is still important upon embarking on the traineeship and should be taught on the Diploma. I am inclined to think that interviewing and public speaking, rather than negotiation skills, are the most important aspects of communication skills at Diploma stage. I get the impression that of all the skills training firms would be willing to nurture, it would be negotiation skills. On the other hand, firms want their trainees to be articulate, confident, and able to liaise with clients straight away.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q52
No of responses:	3
Section Titles:	B. Communication Skills iii. Negotiation
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 35 = no responses
36	re Q 5 - I' not sure how this would work in the absence of the knowledge of the specific area of expertise?
37	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q59
No of responses:	6
Section Titles:	B. Communication Skills iv. Writing and Drafting
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 3 = no responses
4	The Diploma is often referred to as a "course in letter writing". It is essential that students appreciate that the style of writing they have developed during their studies may not be appropriate for communications with clients etc, but again, this could be developed using practical assessments in the LLB.
5	to 12 = no responses
13	again some of this at too high level for this stage
14	to 31 = no responses
32	Adherence to the use of plain English and not too legalistic terminology should always be at the back of the mind of the author
33	to 35 = no responses
36	Clear, accurate (and plain English) drafting is obviously a fundamental skill for all lawyers to acquire. Increasingly however I think that the trainees (and junior assistants) rely solely on email - and that some of the clarity which we would expect from (well written!) more formal letters is lost. At its best email is an invaluable tool to disseminate information fast and easily. But too often it allows for a reactionary approach and issues can become blurred - particularly if there's lots of "c.c'ing" involved. I think it could be useful to reinforce that email is not the only tool - and reminders that thought should always be given as to the most suitable medium - and level of language - for the situation.
37	to 46 = no responses
47	Type response here
48	No response
49	No response
50	Some of what I said above is answered here



Question Number:	Q60
No of responses:	6
Section Titles:	B. Communication Skills iv. Writing and Drafting
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 12 = no responses
13	again the phraseology is unhelpful in the sense of effective communication
14	to 31 = no responses
32	As for A, Bi, ii, and iii above
33	No response
34	Not sure that 5 is important. Being able to write in different styles which are appropriate to the audience is essential - something which many trainees currently struggle with. e.g. working in-house as I do requires quite an informal, non legalistic style, but this is very much adapted to the particular audience e.g. whether you are writing to the Managing Director, a colleague in the legal team or someone who works in a call centre.
35	to 37 = no responses
38	This is one area in which training firms seem to expect their trainees to have really developed during the traineeship. Communicating to the client in words that make sense to them and that are concise is very important The client does not need to know legal terms, he is paying the solicitor to translate into language the client understands. From listening to solicitors' views on this, this is a common complaint that trainees (who are used to dissertations and writing long rambling essays on law) cannot actually give legal ADVICE. This comes back to my comments on the LLB, instilling this concept in students from as early as possible, and really cementing the idea in their minds during the Diploma is critical. Attention to detail is also a critical skill to be learned during the Diploma. Training firms do not have the time to deal with trainees' "silly" mistakes because time is money. Understanding checking one's own work and being accurate, and that this is all critical to the success of a law firm, that getting it wrong is not really on the cards, is important for Diploma students to understand. Notes to file are an extension to this. It would definitely be worthwhile for Diploma students to be made to keep a paper file of their simulated transactions, and perhaps for them to be made to swap files half way through a transaction and take over someone else's. This is all furthering the idea that a solicitor' file is very important, and solicitors often talk about the "being hit under a bus" rule. If the solicitor is no longer available to do the work, the transaction still needs done and someone else should be able to pick it up, therefore notes to file are very important. Whilst I feel encouraging Diploma students to practise their own style and adapt it and make it better, I have often heard trainees complain that upon embarking on the traineeship, the training firm has a specific "style" which effectively all fee earners comply with in any event. This does not mean that this skill should not be taught on the Diploma, but it is an example of how, further to my comments on the main questionnaire, perhaps those firms who train solicitors should take it upon themselves (or be obliged depending on the size of firm) to be involved in the Diploma, thus joining up the dots.



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39	to 44 = no responses
45	Statements of positive indicators should generally be longer than the negative - more can be said in some cases to emphasise the positive qualities desired
46	No response
47	Type response here
48	No more responses



Question Number:	Q61
No of responses:	5
Section Titles:	B. Communication Skills iv. Writing and Drafting
Question Text:	Do you have any other comments on this section?

1	No response
2	No response
3	What is wrong with letters as opposed to emails?
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 25 = no responses
26	One cannot emphasise enough the importance of clearly written properly presented English.
27	to 43 = no responses
44	A lot of letter writing carried out at [text removed]) is done within our firms. Although it can be helpful to work with the others in your firm and learn from their styles of writing, i would find it far more helpful if we were to write letters as individuals. This would be far more realistic and with personalised feedback i believe more would be learnt from the task.
45	No response
46	No response
47	Type response here
48	No more responses



Question Number:	Q70
No of responses:	2
Section Titles:	B. Communication Skills v. Transactional Research
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	some of this must be covered at the earlier LLB stage e.g. sections 4, 5 and 6
14	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q71
No of responses:	2
Section Titles:	B. Communication Skills v. Transactional Research
Question Text:	Do you wish to comment on any STREGNTHS or WEAKNESSES of the suggested approach?

1	to 31 = no responses
32	As for A, Bi, ii iii and iv above
33	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q72
No of responses:	3
Section Titles:	B. Communication Skills v. Transactional Research
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 35 = no responses
36	I think that the comments which I put in for the last section apply equally here
37	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q78
No of responses:	5
Section Titles:	B. Communication Skills vi. Use of Technology
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	this is mostly pitched at too high for this stage especially sections 1 and 4 and will be covered by training firms in the context of their own systems
14	to 30 = no responses
31	Use of dictation equipment may be a useful addition.
32	No response
33	No response
34	Powerpoint and Excel training at least at a basic level. Important to teach about the dangers of email with reference to actual cases.
35	to 46 = no responses
47	Type response here
48	No response
49	No response
50	I think we all need to go back to be trainees as an awfl lot of us "silver surfers" know far too little about this topic - CPD necessary. With ARTL etc this is the future but the risk management is essential



Question Number:	Q79
No of responses:	6
Section Titles:	B. Communication Skills vi. Use of Technology
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 12 = no responses
13	again some of the phraseology is confusing
14	to 30 = no responses
31	Use of telephone is important skill to learn, but not sure if this stage is the correct place to learn or assess this.
32	As for A, Bi, ii, iii iv and v above
33	No response
34	Case management system N/A for in-house work and may be something which is very firm-specific so may not be useful.
35	to 37 = no responses
38	With the proliferation of the use of IT in the profession, using IT as a learning tool is very important during the Diploma in Legal Practice.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q80
No of responses:	5
Section Titles:	B. Communication Skills vi. Use of Technology
Question Text:	Do you have any other comments on this section?

1	No response
2	No response
3	Encompassing new technology is sometimes too demanding, certainly for the more mature private practitioner.
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 7 = no responses
8	avoid references to current technology e.g. MS Word, it'll change.
9	to 38 = no responses
39	Some of these requirements are quite stiuative and detailed. Again we need to be a little wary of problems of coverage.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q87
No of responses:	2
Section Titles:	B. Communication Skills vii. Advocacy
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 33 = no responses
34	Do not think that Advocacy should be mandatory for everyone as only really useful if you go onto do courtwork.
35	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q88
No of responses:	4
Section Titles:	B. Communication Skills vii. Advocacy
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 12 = no responses
13	most of this is pitched at too high a level for this stage - all elements need to be rephrased to a more basic level of skill
14	to 31 = no responses
32	As for A, Bi,ii,ii,iv,v and vi above
33	to 37 = no responses
38	For many Diploma students, the Advocacy course is important to further public speaking skills and build confidence. For that reason, and regardless of the type of traineeship a student will subsequently pursue, the course is very worthwhile in preparing students for the office.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q89
No of responses:	3
Section Titles:	B. Communication Skills vii. Advocacy
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 27 = no responses
28	The opportunity to have increased exposure to developing advocacy skills during the diploma would be beneficial.
29	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q93
No of responses:	1
Section Titles:	C. Client Care i. Who is the Client
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q94
No of responses:	4
Section Titles:	C. Client Care i. Who is the Client
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 12 = no responses
13	this section needs to be reframed to a more basic level of skills
14	to 31 = no responses
32	Good distinction between positive and negative indicators
33	to 37 = no responses
38	As identifying the client and from whom a solicitor can take instructions is essential risk management, this should certainly be taught at some stage prior to embarking on the traineeship itself.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q95
No of responses:	2
Section Titles:	C. Client Care i. Who is the Client
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q100
No of responses:	4
Section Titles:	C. Client Care ii. The Solicitor/Client Relationship
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	sections 2 and 3 are not relevant to this stage
14	to 30 = no responses
31	Communicate with client already covered under 'Communication Skills'.
32	At 1. Should reference be made to letters of engagement and terms of business although I do note that you mention the requirement to provide an estimate of fees and outlays At 2. under positive indicators do you mean a firm telephonist or a firm's telephonist?
33	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q101
No of responses:	3
Section Titles:	C. Client Care ii. The Solicitor/Client Relationship
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 31 = no responses
32	As for C i above
33	to 38 = no responses
38	Once again, these are the skills which will be invaluable for the trainee to have.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q102
No of responses:	3
Section Titles:	C. Client Care ii. The Solicitor/Client Relationship
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 30 = no responses
31	Need to be careful of overlap of these outcomes/indicators with other areas, e.g. Communication Skills, Professionalism.
32	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q106
No of responses:	4
Section Titles:	C. Client Care iii. Managing the Client's expectations
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	all of these sections needs to be rephrased especially section 2
14	to 31 = no responses
32	At i should specific mention be made of legal aid?
33	to 46 = no responses
47	Type response here
48	No response
49	No response
50	Tell them the consequences of not managing the client / solicitor relationship. Give examples of IPS and misconduct and what will happen if they are found guilty - the fiscal and professional disasters.



Question Number:	Q107
No of responses:	3
Section Titles:	C. Client Care iii. Managing the Client's expectations
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 12 = no responses
13	there are too many compound elements to each section
14	to 31 = no responses
32	As for C i and ii above
33	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q108
No of responses:	3
Section Titles:	C. Client Care iii. Managing the Client's expectations
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 30 = no responses
31	Again a lot of overlap with what has already been covered. Is 'Client Care' really just a sub-section of communication skills and professionalism? It's not clear enough where the distinction between some of these outcomes lie. They need to be more precise and unique.
32	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q113
No of responses:	2
Section Titles:	D. Business Practise i. Time and Diary Management
Question Text:	Are there any areas that should be added, or any the should be removed?

1	to 11 = no responses
12	You have over-emphasised Risk Management, with little or no attention to Quality, which is more important in the long term.
13	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q114
No of responses:	6
Section Titles:	D. Business Practise i. Time and Diary Management
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 9 = no responses
10	Takes no account of the very different working practices in the public sector.
11	No response
12	You have over-emphasised Risk Management, with little or no attention to Quality, which is more important in the long term.
13	to 31 = no responses
32	Clear distinction between the indicators
33	No response
34	No response
35	While the elements of practice management currently taught in the diploma are relevant to working life, i dont feel that the diploma is the best place to teach this. most people are able to plan and manage time and workload. But mainly i think these ideas would be best left to the traineeship which is after all the part of training actually in a practice
36	No response
37	No response
38	One of the most difficult things for a trainee to adjust to is time recording. Implementing an electronic style time recording system for time spent on tasks, which comprises part of the assessment, might be useful in order to prepare students for time recording which is so important to firms.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q115
No of responses:	3
Section Titles:	D. Business Practise i. Time and Diary Management
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 11 = no responses
12	Business Practice can be learned only in a real-life working context, not in a University, where the emphasis is always going to be on passing exams etc. The Diploma is, perhaps, worse than useless in this context.
13	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q118
No of responses:	6
Section Titles:	D. Business Practise ii. Regulatory Framework of the Profession
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 7 = no responses
8	the background to the requirement for regulation
9	to 12 = no responses
13	both sections need to be adjusted to a more basic skill level for this stage
14	No response
15	There is no mention of the role of the Scottish Solicitors' Discipline Tribunal. Many solicitors fail to appreciate the independent nature of the SSdT or the key role it plays. The new Complaints Commission will also require to be covered.
16	to 22 = no responses
23	More training given on the Law Society Rules and Regulations.
24	to 30 = no responses
31	Risk Management is not mentioned at all, and it should be.
32	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q119
No of responses:	6
Section Titles:	D. Business Practise ii. Regulatory Framework of the Profession
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	To 9 = no responses
10	Again fails utterly to take account of the public sector.
11	No response
12	There needs to be an acceptance that, at this stage of training, only a broad outline of the rules etc are required. The rest can be learned only within a real working context.
13	there are too many headings in each element
14	to 31 = no responses
32	As for D i above
33	to 37 = no responses
38	At Diploma stage, students are committed to the profession. However, to date there has been apathy on students' part to take an interest in the wider aspects of the legal profession in Scotland. Understanding and possibly being examined on the profession in Scotland should definitely be incorporated into the Diploma. There is even argument for it being incorporated into the LLB. In my responses so far I have commented on students' expectations and the need to manage those in relation to the profession, and at LLB stage to make them understand how useful the Diploma will be, and put it in context for them. Making this a formal part of the LLB would help the profession and the Society to do this. The Diploma DOES prepare people for the traineeship. The problem is they only realise that when they are on the traineeship and have the benefit of hindsight.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q120
No of responses:	5
Section Titles:	D. Business Practise ii. Regulatory Framework of the Profession
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 11 = no responses
12	It is impossible to teach this sort of subject properly except within a rela working context. The Diploma or any university-based replacement is incapable of providing a proper experience of regulation.
13	to 30 = no responses
31	Some of the indicators are not appropriate and, realistically, could not be measured.
32	to 38 = no responses
39	Heading 1 should include an awareness of the solicitor's obligations as a fiduciary / agent.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q124
No of responses:	4
Section Titles:	D. Business Practise iii. Conduct in the Office Environment
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	this whole section is poorly defined
14	to 30 = no responses
31	'Build an effective relationship with supervising solicitors' should be 'Build an effective relationship with working colleagues'
32	to 46 = no responses
47	Type response here
48	No response
49	No response
50	If the trainees are in the profession to earn a decent stress free (if that can ever be achieved) living then these sections are very important. It is no longer simply enough to have a good knowledge of the law but also knowledge of how to run an efficient business is very important. The teaching of the Regulations and business of law is not particularly well done at Diploma stage at present. Trainees should be aware of the cost of time and effective business strategy.



Question Number:	Q125
No of responses:	6
Section Titles:	D. Business Practise iii. Conduct in the Office Environment
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 11 = no responses
12	It is impossible to teach this kind of thing properly except within a real working context. In other words, this can be learned only in the office as part of a traineeship.
13	this whole section is poorly defined
14	to 30 = no responses
31	Difficult to measure any of these at this stage of training, as they all refer to conduct in the office and to 'trainees'.
32	As for D i and ii above
33	to 37 = no responses
38	These skills are very important. Whilst overall I think there IS cause for allowing various stage of education and training to be integrated, or opened up to other providers etc, it is important not to lose sight of actually training important skills such as these. Perhaps the traineeship and Diploma could be merged, but it seems skills such as these are a necessary precursor to the traineeship. I am not sure how a training firm would react to 4th year law students immediately starting to work with them without having first learned these skills. I'm not sure it is entirely satisfactory to ask training firms to teach these skills when the trainee is already working there. The current system, at least in the respect of learning Business Practice skills, works.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q126
No of responses:	4
Section Titles:	D. Business Practise iii. Conduct in the Office Environment
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	My only comment would be that this section is not assessable within the Diploma and should more properly be dealt with during the traineeship.
5	to 11 = no responses
12	It is impossible to teach this kind of thing properly except within a real working context. In other words, this can be learned only in the office as part of a traineeship.
13	to 30 = no responses
31	Not sure that references to the 'place' of the trainee are appropriate. Indicators are not appropriate measures.
32	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q131
No of responses:	2
Section Titles:	E. Ethics i. Conflict of Interests
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 31 = no responses
32	At 4. under positive indicators after 'appropriate solution' suggest adding 'or seeks further advice'
33	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q132
No of responses:	3
Section Titles:	E. Ethics i. Conflict of Interests
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 31 = no responses
32	Good distinction between positive and negative indicators
33	to 37 = no responses
38	Could Ethics be the kind of subject to be integrated into the LLB? I have already said that many students are applying for the Diploma without any true understanding of what that will entail, or what subsequently entering the profession will entail. Including some element of Ethics, or Client Care, or using simulated transactions at Undergraduate level could help students to make the informed decision to enter the profession, and I think this is just as important as making sure those who enter the profession have the requisite skills.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q133
No of responses:	3
Section Titles:	E. Ethics i. Conflict of Interests
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 38 = no responses
39	There is considerably more to Conflicts than this. See Chapters 7, 8 & 10 of Paterson & Ritchie Law Practice and Conduct for solicitors. What is contained here is less than is required for the current Diploma. A reduction in Professional Ethics exposure at this stage is not acceptable in my view.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q136
No of responses:	2
Section Titles:	E. Ethics ii. Confidentiality
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 38 = no responses
39	Confidentiality arises from the law of obligations, Fiduciary law / agency, professional ethics, privacy and Human rights. Solicitors should be aware of the first four at least as well as legal professional privilege under the law of evidence. All of these are covered in Ch 6 Paterson & Ritchie, Law Practice and Conduct for Solicitors
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q137
No of responses:	3
Section Titles:	E. Ethics ii. Confidentiality
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 31 = no responses
32	As for E i above
33	to 37 = no responses
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q138
No of responses:	3
Section Titles:	E. Ethics ii. Confidentiality
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 40 = no responses
41	I think we need to be very careful here. What we have is a highly regulation-focused structure. I do think we need to deepen the personal dimension of our whole ethics approach. We need to take account of the research into ethical learning (Kohlberg, Rest, Stern, many other med. educationalists), and ground that learning in our courses at a fairly deep and personal level, if we are to have any real effect. Above all, our institutions should become justice communities -- Dewey's Lab School is a good example. So while I agree with what's here, I think it shd go much much further.
42	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q142
No of responses:	3
Section Titles:	E. Ethics iii. Duty to the Profession
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	this section needs to be adjusted to a lower skill level for this stage
14	to 38 = no responses
39	Duties to the Court and the Profession are covered in Ch 13 & 14 Paterson & Ritchie, Law Practice and Conduct for Solicitors. I expect current Diploma students to cover far more than is set out in this section and I believe all Diploma units do. The requirements for ethics in this section are simply inadequate.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q143
No of responses:	3
Section Titles:	E. Ethics iii. Duty to the Profession
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 31 = no responses
32	As for E i and ii above
33	to 37 = no responses
38	My previous comments apply.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q144
No of responses:	4
Section Titles:	E. Ethics iii. Duty to the Profession
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	These criteria could be more properly assessed during the traineeship and as part of a compulsory ethics module incorporated within the LLB.
5	to 30 = no responses
31	Again, some overlap with other areas already covered under communications, professionalism etc.
32	to 40 = no responses
41	As before.
42	to 46 = no responses
47	Type response here
48	No more repsonses



Question Number:	Q153
No of responses:	3
Section Titles:	F. Business Structures i. Corporate
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	section 1 should be included in LLB stage
14	to 38 = no responses
39	All of the proposed areas are suitable HOWEVER we here hit the coverage problem again. Whilst I am prepared to accept the value of Business structures in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Business structures should be one of these electives.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q154
No of responses:	3
Section Titles:	F. Business Structures i. Corporate
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 25 = no responses
26	Well, these are all good things to know, but I don't think you need to know them all if you are never going to do corporate work. You need to be exposed to this stuff, but I am not sure if you need to know how to do it for ever. A reasonably acquaintance is good enough unless you are going to specialise in it.
27	to 37 = no responses
38	These are the more substantive skills of being a solicitor, and the actual job a solicitor does, that should be left out of the undergraduate stage and left until the professional stages of training. However, my point about touching on these issues as part of the Company Law course at undergraduate level would help to make the transition to Diploma more seamless. For example, there could be one lecture as part of the Company Law course which makes reference to how the Diploma will further learning in this area. It does not need to be examined, but has trailed the importance and the relevance of the Diploma in Legal Practice for students.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q155
No of responses:	2
Section Titles:	F. Business Structures i. Corporate
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	This subject is assessed at Ordinary level as Company Law. Unless the Corporate elective option is taken, it is not assessed in any meaningful sense at Diploma. It is therefore not appropriate to make it a compulsory part of assessment at PEAT stage 1.
5	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q159
No of responses:	3
Section Titles:	F. Business Structures ii. Partnership
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	section 1 should be included in LLB stage
14	to 38 = no responses
39	Whilst I am prepared to accept the value of Business structures in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Business structures should be one of these electives.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q160
No of responses:	3
Section Titles:	F. Business Structures ii. Partnership
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 25 = no responses
26	Partnerships don't need to worry about Companies House anyway, unless you mean LLPs. But as with the previous page, you don't need to know all this stuff unless you are going to specialise in it. A reasonable acquaintanceship is enough.
27	to 37 = no responses
38	My previous comments apply.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q161
No of responses:	2
Section Titles:	F. Business Structures ii. Partnership
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	This subject is assessed at Ordinary level as Company Law. Unless the Corporate elective option is taken, it is not assessed in any meaningful sense at Diploma. It is therefore not appropriate to make it a compulsory part of assessment at PEAT stage 1.
5	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q164
No of responses:	2
Section Titles:	F. Business Structures iii. Directors' Duties, and iv. Shareholders' Rights
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 38 = no responses
39	Whilst I am prepared to accept the value of Business structures in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Business structures should be one of these electives.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q165
No of responses:	3
Section Titles:	F. Business Structures iii. Directors' Duties, and iv. Shareholders' Rights
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 25 = no responses
26	Yeah, well, I suppose so!
27	to 37 = no responses
38	My previous comments apply.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q166
No of responses:	2
Section Titles:	F. Business Structures iii. Directors' Duties, and iv. Shareholders' Rights
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	This subject is assessed at Ordinary level as Company Law. Unless the Corporate elective option is taken, it is not assessed in any meaningful sense at Diploma. It is therefore not appropriate to make it a compulsory part of assessment at PEAT stage 1.
5	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q176
No of responses:	5
Section Titles:	G. Private Client
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	section 1 should be included at LLB stage sections 8 and 9 should be included (if at all) at a later stage
14	to 29 = no responses
30	Understanding of accounting aspects re executries & trusts and re Tax Returns ie IHT, CGT & Income Tax & reliefs available.
31	to 38 = no responses
39	Whilst I am prepared to accept the value of Private Client in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Private Client should be one of these electives.
40	to 46 = no responses
47	Type response here
48	No response
49	No response
50	Tax planning has certainly become a big part of private client work and this is the wealthiest generation that there has been - spread over the population as a whole. Ability to communicate the sometimes complex documentation is vital where you may be dealing with those unfamiliar with investment concepts etc Powers of attorney are also on the increase and trainees should be aware that often they have to give value judgements about capacity - it should be stressed that this is another area where serious allegations can be made eg the capacity of the person to sign/ understand the documentation , the existence of family feuds, the important help the medical profession can give and the role of the Public Guardian and Mental Welfare Commission etc should be stressed. Also a knowledge of Care for the Elderly and Care in the Community is important in private client work and how to handle Local Authorities claims on notional capital eg



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Question Number:	Q177
No of responses:	3
Section Titles:	G. Private Client
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 29 = no responses
30	The width of the subject means that it is difficult to cover the ground in the allocated time.
31	to 37 = no responses
38	There is an argument that at Diploma stage there should be an element of choice. Private Client, Family and Criminal Law are very obvious disciplines and those who wish to study those subjects, or not study those subjects, should be entitled to do so. Forcing students to study criminal law and private client at Diploma level creates the illusion that the Diploma is not truly preparing a person for the traineeship. By choosing a certain "stream" at Diploma stage, I believe Diploma students would be more engaged in the Diploma process. Students who later realise they should have studied these subjects could have the option of later embarking on these subjects either during the traineeship or the PCC or as part of CPD.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q178
No of responses:	3
Section Titles:	G. Private Client
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 29 = no responses
30	should there be a specialisation add-on qualification
31	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q191
No of responses:	5
Section Titles:	H. Conveyancing
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 10 = no responses
11	Comments on areas where I selected "Other": (1) Should be able to advise on marketability of title (3) Should be able to comment appropriately to client on title observations (4) Should be able to complete an SDLT 1/4/60 form correctly (7) Should understand the importance of the role of a building surveyor in relation to checking building and planning side of things (11)Should be able to advise client on lease and revisals
12	to 31 = no responses
32	At 7. I would suggest something along the following lines, Positive indicators - Has a knowledge of the relevant legislation and keeps up to date Re Q7 I would suggest the following, Positive - Has a knowledge of relevant legislation and keeps abreast of any changes. Applies the law accordingly Negative -Fails to appreciate relevant legislation. Fails to advise clients with any changes. Applies the law as appropriate Negative indicators - fails to appreciate any relevant legislation. Fails to advise accordingly Under 12. I would suggest a reference is made to arbitration in relation to a lease where it is mentioned under positive indicators
33	to 38 = no responses
39	Whilst I am prepared to accept the value of Conveyancing in the Diploma, I do not think that every Diplomate should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Conveyancing should be one of these electives.
40	to 46 = no responses
47	Type response here
48	No response
49	No response
50	Stress that the trainee should remember whpo the client is and be aware of conflict. Communication again is vital - cover your back with letters and file notes. Put explanations in writing re the contract.



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Question Number:	Q192
No of responses:	5
Section Titles:	H. Conveyancing
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 16 = no responses
17	I think the criteria are correct although fairly strict - would all qualified people pass all??
18	to 28 = no responses
29	It is really important that these core standards are laid down then assessed because it is not currently happening in practice.
30	No response
31	No response
32	Good distinction between the indicators
33	to 37 = no responses
38	I think it is important for all students to study conveyancing because it is a core element of solicitors' work in Scotland. However, once again I believe students need to be made very aware that the practical elements of a conveyancing transaction will be covered at Diploma level, through the Undergraduate course (per my comments on Company Law).
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q193
No of responses:	2
Section Titles:	H. Conveyancing
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q204
No of responses:	4
Section Titles:	I. Litigation i. Civil Litigation – Court of Session and Sheriff Court
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	most of this is set at too high a level for this stage too much emphasis on Court of Session work
14	to 17 = no responses
18	The emphasis on funding/expenses is out of all proportion to the skills a trainee is meant to be learning at this stage. Similarly the issues surrounding the instruction of Counsel are given far too much emphasis. Why of all court tactics and devices, caveats are singled out is a mystery, particularly when interim orders generally appear to be ignored. On the other hand there appears to be no reference to the ability to examine and cross-examine witnesses, which I have always found to be a helpful aid to the successful conduct of litigation. The core skills here should be:- 1 Understanding the nature of the client's problem and determining the route to its legal solution (if possible) 2 Obtaining all relevant information from the client and framing a precognition. 3 Identifying other evidence necessary to advance the client's case. 4 From the evidence, drafting and revising pleadings 5 A basic outline of Ordinary Cause procedure 6 Critically reviewing the strength of your case as it proceeds to include initiating or responding to settlement proposals. 7 Preparation for proof or debate 8 Conduct of proof or debate If there's time left then other issues such as interim remedies would still in my opinion rank some way ahead of understanding the system for accounting for counsel's fees!
19	to 38 = no responses
39	Whilst I am prepared to accept the value of Litigation in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Litigation should be one of these electives. I am happy with most of the criteria. However for the first criterion it is important to note that the biggest single weakness shown up by the civil legal aid peer review exercise was the failure to explain the operation of the claw back and the effect of legal aid on expenses. These are not clearly covered in the first criterion.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q205
No of responses:	1
Section Titles:	I. Litigation i. Civil Litigation – Court of Session and Sheriff Court
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 47 = no responses
47	Type response here
48	No more responses



Question Number:	Q206
No of responses:	3
Section Titles:	I. Litigation i. Civil Litigation – Court of Session and Sheriff Court
Question Text:	Do you have any comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 40 = no responses
41	Well-drafted in many respects, but I have fundamental reservations about the depth of the litigation course compared to all others -- it's massive, way too detailed and technical and MUST be reduced. As it stands, the course is a Stage 1 in Litigation, not Legal Practice!
42	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q211
No of responses:	5
Section Titles:	I. Litigation ii. Civil Litigation – Court of Session
Question Text:	Are the any areas that should be added, or any that should be removed?

1	to 9 = no responses
10	The entire area -- what trainee would reasonably be expected to instruct counsel?
11	No response
12	No response
13	again as before set at too high a level and too much Court of Session
14	to 17 = no responses
18	I am less than convinced that a separate division for the Court of Session is needed at all, given the very limited number of trainees likely to be practising in that Court
19	to 38 = no responses
39	Whilst I am prepared to accept the value of Litigation in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Litigation should be one of these electives. I am happy with most of the criteria.
40	to 46 = no responses
47	Type response here
48	No more responses



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Question Number:	Q212
No of responses:	2
Section Titles:	I. Litigation ii. Civil Litigation – Court of Session
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 17 = no responses
18	I am unclear why its deemed necessary to understand the working of the Offices of Court in the Court of Session but not apparently in the Sheriff Court.
19	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q213
No of responses:	3
Section Titles:	I. Litigation ii. Civil Litigation – Court of Session
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 40 = no responses
41	As before
42	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q222
No of responses:	4
Section Titles:	I. Litigation iii. Civil Litigation – Sheriff Court
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	generally too much emphasis on litigation
14	to 17 = no responses
18	Remit between courts is a very rare occurrence and its unclear why it is singled out for specific attention.
19	to 38 = no responses
39	Whilst I am prepared to accept the value of Litigation in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Litigation should be one of these electives. I am happy with most of the criteria.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q223
No of responses:	3
Section Titles:	I. Litigation iii. Civil Litigation – Sheriff Court
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 9 = no responses
10	Does not concentrate on the immediate post-Diploma stage: deals with many areas which are not likely to be immediately relevant, and hence will be out of date and overtaken by the time that they are appropriate.
11	to 37 = no responses
38	Reading this section has demonstrated just how much the Diploma actually covers. Leaving learning about the courts to the mercy of the traineeship itself is perhaps not appropriate. What of a trainee who embarks on a traineeship not involving litigation? It is fine to teach a broad spectrum of courses BEFORE the Diploma because understanding the profession in the wider sense is important. However, leaving this to traineeship stage might seem like more of a superficial exercise depending on the type of work being done, or might seem like duplication of work. Currently the Diploma provides the foundation for learning.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q224
No of responses:	3
Section Titles:	I. Litigation iii. Civil Litigation – Sheriff Court
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 40 = no responses
41	As before.
42	to 46 = no responses
47	Type response here
48	No more responses



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Question Number:	Q233
No of responses:	3
Section Titles:	I. Litigation iv. Criminal – High Court & Sheriff Court – Stage 1
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 17 = no responses
18	The emphasis on legal aid is disproportionate and ironically appears to assume all actions are legally aided, an error for which a fail is to be awarded in the context of civil litigation! Further, while an understanding of legal aid in criminal practice is clearly important it is inappropriate to have this as the first thing to be learned. No wonder the public can be cynical about lawyers priorities!
19	to 38 = no responses
39	Whilst I am prepared to accept the value of Litigation in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Litigation should be one of these electives. I am happy with most of the criteria but the first one overlooks the role of ABWOR in relation to criminal legal aid.
40	to 46 = no responses
47	Type response here
48	No more responses



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Question Number:	Q234
No of responses:	2
Section Titles:	I. Litigation iv. Criminal – High Court & Sheriff Court – Stage 1
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 37 = no responses
38	My comments to private client apply here. I believe there should be electives at Diploma stage, like there currently are for Corporate and Commercial/Public Administration. Criminal is even further removed from Corporate and Commercial than Public Administration in many ways! In fact, having an understanding of Public Administration Law can be a real benefit to someone embarking on a traineeship, and vice versa, because of the solicitor-client relationship, that solicitors will often either represent the public sector or be in a deal where the public sector is on the other side. For that reason it seems strange that Criminal and Criminal Court Practice are essential subjects on the Diploma.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q235
No of responses:	3
Section Titles:	I. Litigation iv. Criminal – High Court & Sheriff Court – Stage 1
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 40 = no responses
41	As before.
42	To 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q242
No of responses:	4
Section Titles:	I. Litigation v. Criminal – High Court & Sheriff Court – Stage 2
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	generally too much emphasis on Litigation
14	to 17 = no responses
18	There should be more emphasis on trainee work: taking statements, interviewing clients after taking initial instruction, the ethics and practice of prison visiting
19	to 38 = no responses
39	Whilst I am prepared to accept the value of Litigation in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Litigation should be one of these electives. I am happy with most of the criteria.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q243
No of responses:	2
Section Titles:	I. Litigation v. Criminal – High Court & Sheriff Court – Stage 2
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 37 = no responses
38	My comments "reject, not appropriate" are in response to whether these subjects should be essential elements of the Diploma. If they are electives, I agree with the competency statements.
39	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q244
No of responses:	4
Section Titles:	I. Litigation v. Criminal – High Court & Sheriff Court – Stage 2
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	to 38 = no responses
39	Overall it is impossible not to be struck by the very considerable amount of questions given over to litigation as compared with professional ethics. I know the latter is my subject but with great respect the balance between the two areas represented by this CP is quite inappropriate.
40	No response
41	Unbelievable! Seeing the sheer length of these outcomes has reinforced my views. This MUST be changed...
42	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q252
No of responses:	3
Section Titles:	J. Financial Awareness
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 12 = no responses
13	section 3 is far too wide reaching and should be removed remaining sections should be redrawn to a much lower level
14	to 38 = no responses
39	Whilst I am prepared to accept the value of Financial Awareness in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Financial Awareness should be one of these electives.
40	to 46 = no responses
47	Type response here
48	No more responses



Question Number:	Q253
No of responses:	2
Section Titles:	J. Financial Awareness
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 37 = no responses
38	Trainees will not be undertaking this work as part of the traineeship, nor is it likely that they will join a firm without an Account Department. This course should be an elective, and if so I agree with the competency statements. I agree with CPD changing and becoming more onerous, a course such as this should be prescribed for people intending to start their own firm, or becoming a Partner. This should be touched on during the Diploma. However, as a former Diploma student I found studying very hard for actual accountancy exams was really not relevant to my subsequent role as a trainee. However, learning about the concepts and how a firm operates it finances is appropriate.
39	to 46 = no responses
47	Type response here
48	No more responses



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Question Number:	Q254
No of responses:	3
Section Titles:	J. Financial Awareness
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	My only comment would be that this section could reasonably be assessed during the LLB as part of the core Ordinary subjects, with any perceived gaps being absorbed during the traineeship. The Diploma is not the most time or cost effective means of ensuring these core subjects are dealt with.
5	To12 = no responses
13	financial awareness is important and should be included but all of this is pitched at far too high a level
14	to 46 = no responses
47	Type response here
48	No more responses



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Question Number:	Q258
No of responses:	4
Section Titles:	K. Public Law
Question Text:	Are there any areas that should be added, or any that should be removed?

1	to 7 = no responses
8	Need for appreciation of public law within the UK context not simply Scotland
9	to 12 = no responses
13	this should be covered at LLB stage
14	to 38 = no responses
39	Whilst I am prepared to accept the value of Public Law in the Diploma, I do not think that every Diplomat should have to take all the subject areas. I am a strong believer in specialisation and having a core for the Diploma linked to a series of electives. Public Law should be one of these electives.
40	to 46 = no responses
47	Type response here
48	No more responses



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Question Number:	Q259
No of responses:	2
Section Titles:	K. Public Law
Question Text:	Do you wish to comment on any STRENGTHS or WEAKNESSES of the suggested approach?

1	to 37 = no responses
38	This is currently an elective. I believe it should be a required course.
39	to 46 = no responses
47	Type response here
48	No more responses



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Question Number:	Q260
No of responses:	3
Section Titles:	K. Public Law
Question Text:	Do you have any other comments on this section?

1	to 3 = no responses
4	Again, this section is only assessable at Diploma level if it is chosen as an elective. These criteria are appropriate, but this could easily be incorporated at LLB level.
5	to 40 = no responses
41	Possibly something more on local authorities...?
42	to 46 = no responses
47	Type response here
48	No more responses



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Question Number:	Q260
No of responses:	21
Section Titles:	Any Final Comments
Question Text:	Do you have any final comments?

1	The diploma should be abolished forthwith as it is a criminal waste of money, the law society should publish the non-diploma training route and not keep it secret forcing people to waste £4,000 on the diploma when they could be in a firm earning and training at the same time,[text removed], need i say more
2	No response
3	No response
4	I am generally concerned about the need to use the Diploma to assess the criteria outlined in this part of the consultation. I see it as a waste of time and money - for those students who are on unfunded places, it is a huge drain on resources. I feel that the assessment of the criteria in all of the sections above can be properly carried out at LLB and traineeship level. There is no need for the Diploma.
5	No response
6	This questionnaire was very long, and the number of positive and negative indicators means that answering with an agree/disagree-type answer was very difficult and often of little value. The negative indicators were incorrectly described in the question as something the trainee "must display", which will confuse the reader. Generally, I wondered what all these indicators would be used for- are these the criteria by which diploma success are to be assessed?
7	to 9 = no responses
10	The scope of each area seems quite frankly fantastic -- if candidates were allowed to specialise in one or more, it might be appropriate, but as it stands the depth required in each area seems wholly unattainable.
11	No response
12	You have assumed, as I knew you would, that some sort of intermediary step is required between Degree/Exams and a traineeship. For the large (very large) majority of potential solicitors, this is not true. By the end of their degree/Exams, they will, mostly, have considerable experience of working in a law office (and this should be encouraged). [text removed] and why it is unsuitable and un-necessary, and does not provide a proper gateway between University and a Traineeship. For those using the "Pre-Diploma Traineeship" route, it is even more unnecessary, as they will have already had 3 years experience in a law office. Not only is it unnecessary, the Diploma is damaging relations between the Law Society and its newest members (see [text removed] articles in the Gazette and the Journal). It is perceived as being unnecessary and an imposition. Abolish it and replace it with an extra year's training, with substantial CPD requirement throughout, largely chosen by the trainee. In the case of "Pre-Diploma Training" entrants, there is a need to reduce the length of their training. The Diploma is completely unnecessary for them, the training periods too long. A 4 year course, including the existing Exams and continuing CPD in, say, the third and fourth years, would be more than sufficient. These people may be the only way we can provide new solicitors to country practices or area of practice which are



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	unpopular with LL B students, such as Conveyancing, Executries etc. They are the future of some parts of our profession and we need to encourage them.
13	I appreciate that the Working Party has spent a good deal of time on this - however, a great deal of this needs rethought out and reworked - some sections are pitched too high, other too low and some should be removed completely
14	to 26 = no responses
27	I think the current diploma is not effective because it aims to teach skills that, in reality, can only be learned in practice. Firstly, it tries to teach 'soft' skills such as client care or prioritisation which are best picked up in practice. Secondly, it aims to teach certain specific specialist skills (such as detailed residential conveyancing) which are not needed by the majority of solicitors and can be more effectively picked up in practice by those choosing the particular specialism. I have two alternative suggestions: 1. Abolish the diploma and amend (slightly) the core syllabus of the LLB to include one or two more practical elements (specifically ethics, and the solicitor/client relationship). This could be effected either by adding practical elements to the syllabus of each of the core subjects or by rolling all the key points of the diploma into one new core subject on legal practice. 2. Give students the option to study for an LLM instead of the diploma as a prerequisite for undertaking a traineeship. Then students could spend the time and considerable cost of the diploma developing much more useful knowledge. The diploma is at present essentially a course for those who wish to become sole practitioners or work for small high street firms. There are many aspiring solicitors who would prefer to work in more specialised areas of the law and studying for a Masters would prepare them much better than the diploma for a career in a specialist area. I personally studied the diploma and a Masters back to back and have found the advanced research skills and knowledge acquired studying for the Masters to be more useful to me in my traineeship.
28	No response
29	I think the new process has been analysed quite well. It must surely all be about consistency and application of standards.
30	No
31	A lot of overlap in some of these sections - rationalisation required. Some refining of the wording of outcomes and of indicators required for consistency and to aid understanding. 'Awareness of' is not a measurable indicator. 'Demonstrate' or 'Demonstrate awareness of' is better.
32	No response
33	No response
34	It's essential that the communication training is based on real practice or on simulations which are as close to real practice as possible - e.g. use of role play - to ensure it is meaningful. It may help to introduce a competitive element to some parts of this - as this always encourages people to give it their best and take it seriously! Communication is essential to becoming a good lawyer so I think this should be a key focus of the course. I think more work needs to be done on professionalism and what it means. It is essential that the training is not private-practice or litigation-focuses - it must also cater for in-house work, which is often quite different. Although this is an individual response,[text removed]
35	No response
36	No response
37	The diploma should be scrapped and it should be integrated into the traineeship. It is unaffordable for many and doesn't seem to be worth it. Graduates will only learn the craft of being a solicitor from experience in the trade and not the classroom. They should have first hand experience and not be provided with useless assessments which are based on abstract ideas. I find it difficult to remain motivated in the diploma after a challenging degree. It seems the aims are pitched too low and the course is far too drawn out. In half of my classes the teacher reads the lesson straight from the prescribed reading which the students have already read. This is completely unacceptable at our stage.
38	The Diploma in Legal Practice DOES prepare people for the traineeship, and I would suggest that a year in between the LLB and the traineeship benefits trainees and firms alike. Overall,



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	there are elements of the Diploma which I believe are more relevant than others, but managing undergraduate students' expectations about the Diploma and the profession, and integrating this into the LLB curriculum, is one step to get around this. Of course, maintaining a "buffer" year means students are currently required to pay £4,000 before they can enter the legal profession. In my response to the main questionnaire I have said that cost and ensuring access to the profession is maintained is appropriate. Perhaps training firms in Scotland could start to adopt the practice of firms in England and Wales of paying for their future trainees' Diploma. This could be matched with the right for training firms to have a say in the design and delivery of the Diploma, and would also help them to build links with their future trainees prior to them starting work at the firm
39	There ought to be room for further electives / specialisations in the Diploma. An elective for would be legal aid practitioners which focused on the intricacies of legal aid and human rights would have merit.
40	As you can see I do not agree with the whole scheme of this part of the questionnaire. The "indicators" approach is far too detailed for this sort of survey; and is much more appropriate to a later stage of design and implementation - which will necessarily vary, as not all of this is possible. There appears to be an obsession with the process over the substance - again demonstrated by the pre-eminence given to nebulous allegedly transferable skills as opposed to what lawyers do. The length of this part compared to the rest indicates what can only be described as obsession with the Diploma stage, which the Law Society returns to again and again, like a dog to its vomit. If a tenth of the energy and effort devoted to preparing this part of the survey was instead devoted to the preparation of appropriate courses and materials for delivery in this part of legal training, we would have a PEAT Stage 1 (to use the neutral term) worth defending and developing to an even greater extent than is true now. I believe that it is already only necessary to adapt what we have and work at it, rather than devote such inordinate time, energy, money and effort to such dubiously valuable blue sky thinking. And we are scarcely asked whether there be such a thing in any event. Sometimes I despair.
41	Again: major, transformational change is what we need. Let's not lose the opportunity.
42	to 44 = no responses
45	I would like to see more recognition of skills that those who have previously worked in a legal office, e.g. as a paralegal or as a pre-Diploma trainee, may have gained which may make some or all of the Diploma course unnecessary for them. Can the Society not set its own Diploma-type exams as it does for the professional subjects not taken as part of a degree? Linked with this, I would like to make a more general point for which there may not be a specific place in these consultation forms. [text removed]. I suggest it is time to move away from such a prescriptive approach and that we should have an overarching statement of what an entrant should be able to demonstrate, rather than particular skills acquired at particular stages. This could be by means of a points system, whereby an applicant must acquire a minimum of (say for the sake of argument) 300 points, of which 100 must relate to demonstration of legal knowledge, 100 to practical skills and 100 to issues such as ethics, communication, professionalism and similar values. That way the acquisition and assessment of the various elements can be more flexible, less dependent on e.g. winning a scarce Diploma place, and better able to take account of those who have trained partly in another jurisdiction, or have relevant work experience which is not fully recognised by the current regulations, or have difficult home circumstances which make it harder for them to qualify by the standard route. Points can be awarded for all skills they have acquired in such a way as to recognise equivalents to what they would be expected to achieve via the standard route. This is only a very broad idea but I believe that something of this sort will be required in order to avoid an unnecessarily (and unworkably) prescriptive approach, or one that is excessively complex in trying to anticipate an increasing (and probably constantly changing) range of permutations. I suggest that the consultation will not achieve its aim unless it can take a step back from the detailed statements of aims and outcomes and look in addition at the fundamentals of how applicants may be permitted to achieve these. I don't
46	Students ought to achieve the outcomes as outlined, however there may be a danger that boxes are being ticked without the objectives being fully understood/imparted.



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47	The Faculty considers that it has as strong an interest in what is currently the Diploma stage as does the Law Society, and The Faculty fully endorses the results of the Diploma Working Party.
48	No response
49	The criteria for admission to the Diploma in Legal Practice is far too narrow. It is based solely on the academic marks obtained in the core LLB subjects. One's ability as a lawyer cannot possibly be determined by looking at these marks alone. The fact that an individual who has an LLB (with Honours) plus relevant practical legal experience plus a Legal Traineeship has no guarantee of obtaining a place on the Diploma in Legal Practice programme is extremely disheartening. Individuals who hold an LLB plus a Legal Traineeship should not be denied their career nor should they be debarred from obtaining a place on the Diploma as a result of a low grade point average. How can the legal profession in Scotland flourish if the criteria for admission to the Diploma is so narrow? I would suggest that there be an automatic right of admission to the Diploma for those who have Legal Traineeships.
50	Congratulations again for this tour de force. I think I will start all over again you have made it sound so interesting