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Professional Legal Education Reviews: Too Many 'What's, Too Few 'How's

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ABSTRACT

Former colonies of the British Empire, Hong Kong and Australia inherited the common law system and the basic structure of legal education and training from England and Wales and remain the closest siblings in terms of proximity in distance and the high degree of similarity between their respective frameworks for legal education and training. This article first summarizes the major reviews of legal education and training in these three jurisdictions: England and Wales, Australia and Hong Kong over the last four decades and argues that while these reviews are keen on investigating 'what' is lacking in the curriculum and 'what' needs to be changed to equip graduates for the challenges of the day, they do not seem to have shown the same level of enthusiasm in identifying 'how' the intended outcomes prescribed can be achieved. Nevertheless, law schools in these jurisdictions recently began to tap on, and combine with the improved classroom pedagogy, clinical legal education and internship, innovative teaching tools and solutions in an attempt to deliver more enhanced learning experience to students. The article examines the role ascribed to technology in legal education and training with a particular reference to SimPLE, a e-learning platform developed in England and Wales which has been put to use in Australia as well, and the reform initiatives taken, and planned to be taken, by the Department of Professional Legal Education at the University of Hong Kong in its Postgraduate Certificate in Laws programme. This article concludes by pointing out the importance of collaboration among stakeholders including teachers, university administration and the legal profession in effecting a more active role of technology in legal education and training of today.

1. INTRODUCTION

The legal profession and other stakeholders call for reviews of legal education and training for want of a system that better produces lawyers who are up to the challenges of the day. The focus of such reviews, as shown in the cases in England and Wales, Australia and Hong Kong, has tended to be more on the content of the programme and who should teach. Stakeholders have an interest in what should be included in the curriculum and what graduates should know after graduation. Recent reviews have put increasing emphasis on pedagogical issues such as problem-solving, active learning and student-centred learning. Little, if any, attention has been given

to how students could be motivated and further assisted in their learning. The consultants of the Hong Kong review a decade ago might have had this in mind when they recommended employment of innovative teaching methods and inclusion of some distance learning approaches. [3] However, they gave little or no examples as to how these could be achieved. Particularly in this modern world of technology, the question of how best technology can be used to facilitate learning the law and lawyering skills should not be overlooked. Professional bodies have largely been silent about the role that technology can play in enhancing learning and training to prospective legal trainees.

This article sketches out the landmark reviews of modern legal education and training in England and Wales, Australia and Hong Kong. It then describes and evaluates the reform initiatives taken by the Department of Professional Legal Education at the University of Hong Kong in its Postgraduate Certificate in Laws programme (HKU PCLL) after the Hong Kong review. It continues to explain and examine the role ascribed to technology in legal education reform and development recently, with a particular reference to SimPLE, an e-learning platform developed in England and Wales, and a recent pilot survey on UK students' opinion towards it, which shed lights on the way forward for the HKU PCLL. The article concludes by listing out factors that are expected to be relevant to the success in the new venture undertaken by the HKU PCLL, one of which probably will be the stand taken by the regulators, particularly the legal profession.

2. LANDMARK LEGAL EDUCATION AND TRAINING REVIEWS

2.1 REVIEWS IN ENGLAND AND WALES

The Ormrod Report is frequently quoted as the starting point for reform for English legal education in the modern period. [4] [5] It served a 'turning point in the history of legal education' despite certain deficiencies in the Report itself. [6] Its impact has extended beyond the territory of the UK and influenced legal education reforms in its colonies including Hong Kong [see below]. Among other things, an important recommendation of the Report was the separation of legal education into three stages: the academic, professional and continuing education or training stages, which remains the case in many common law jurisdictions. Following the Ormrod report, a number of reviews were undertaken from the 1970s until recently to modify the content of legal education and training in England and Wales. The Benson Report in 1979, for example, called for a fundamental reform of the teaching methods and examination style to discourage cramming on the part of students, as 'vocational training should be more than an exercise in memorising facts'. [7] [8] In the late 1980s, the Marre Report recommended that the vocational stage should focus on teaching practical skills by using modern teaching and examining methods. [9] [10] Following through from these recommendations there have been major changes to the vocational stage of legal education with a greater emphasis on practical skills. These occurred with the introduction of the Bar Vocational Course (in substitution for the old Bar Final Examination) in 1989 and the Legal Practice Course (to replace the old Law Society Final Examination) for solicitors sanctioned in 1990 with its first cohort of students in September 1993.

Among the reports of the Lord Chancellor's Advisory Committee on Legal Education and Conduct in mid to late 1990s, the one in 1996 proposed a number of significant changes to legal education with a partial fusing of the training of barristers and solicitors in a common stage vocational course and a general statement of the aims of legal education and training comprising five key elements including (1) intellectual integrity and independence of mind; (2) core knowledge; (3) contextual knowledge; (4) legal values; and (5) professional skills. [11] In 2001 the Law Society initiated the Training Framework Review. Three consultation papers were published - in July 2001, September 2003 and March 2005 respectively. After further review and modification, in May 2006, the then Education and Training sub-committee of the Law Society's Regulation Board, currently known as the Education and Training Unit of the Solicitors Regulation Authority (SRA), agreed a detailed framework within which providers should design Legal Practice Courses (LPC) and within which the SRA would authorize and monitor them. [12] The new LPC, available from September 2009 and mandatory from 2011, was finally announced in March 2008. The new structure allows students flexibility over when the elective subjects can be completed. They are able to undertake the vocational electives during or after some work experience in the training contract or work-based learning and pursue practice-specific electives. [13]

The current Legal Education and Training Review, jointly undertaken by the SRA, the Bar Standards Board (BSB) and the Institute of Legal Executives Professional Standards (IPS) and intended to be the most substantial review since the Ormrod Report, commenced in June 2011. An independent research team was appointed and seven research questions were set to guide the research. [14] While the exercise is said to be largely concerned with the review of the regulatory aspects of legal education, its draft literature review seems to have given some insight and pointed to, more than tangentially, a newer direction in terms of delivery of legal education and training (see Conclusion below). Up to the end of November 2012, five briefing papers, three discussion papers and two headline findings have been published. Its final report is scheduled to be submitted by the end of December 2012 and published in January 2013, after the deadline for submission of this article.

2.2 REVIEWS IN AUSTRALIA

After the Martin Report 1964 which laid down the foundation for contemporary tertiary education, and specifically legal education, in Australia, the Pearce Report 1987 is often cited as the major milestone in legal education reform in Australia, despite earlier attempts such as the often overlooked 'Report on Legal Education in Australia Universities - Australasian Universities Law Schools Associations July 1977'. [15] The Report was initiated in 1985 under the leadership of Professor Dennis Pearce to assess the practices and performance of Australian law schools. [16] The Pearce Report, among others, recommended that law schools examine the adequacy of their attention to theoretical and critical perspectives and a standing curriculum committee be part of the management structure of all law schools. [17] Australia being a federation, the rules of admission vary between states and territories. A Consultative Committee of State and Territory Law Admitting Authorities, chaired by Justice LJ Priestley, released a Discussion Paper on Uniform Admission Requirements in 1992. The paper specified eleven broad areas of knowledge in which applicants for admission would need to demonstrate basic knowledge and competence

known as the Priestley Eleven: Criminal Law and Procedure; Torts; Contract; Property (including Torrens System Land); Equity (including Trusts); Administrative Law; Federal and State Constitutional Law; Civil Procedure; Evidence; Company Law; Professional Conduct (including basic Trust Accounting). [18] A minor change was introduced in 2008 to remove the requirement that Trust Accounting be studied as part of an academic (as opposed to practical) course and the present description for Ethics and Professional Responsibility was inserted. [19]

In addition to academic legal education, New South Wales, Tasmania, Victoria and Australian Capital Territory first decided to commence practical legal training in 1972. [20] In 1976, South Australia followed suit and Queensland was the last to do so in 1978. [21] Among a dozen approved providers, Practical Legal Training programmes may be up to 30 weeks in duration and are available on full-time, part-time and online modes, occasionally with professional placement. [22] One also notices that practical legal trainings are offered both within a university and vocational institutions. Of late, the focus of reform in Australia is directed at reforming the whole legal profession to bring about uniformity of regulation within the federation even though harmonised legislation has been introduced in all states and territories except South Australia. [23] The objectives of national legal profession reforms include:

- providing and promoting national consistency in the law applying to the Australian legal profession;
- enhancing the protection of clients of law practices and the protection of the public generally; and
- ensuring lawyers are competent and maintain high ethical and professional standards in the provision of legal services. [24]

Despite its yet broad and general terms, there is little doubt that the proposed professional reform will lead to flurry of activities on the part of legal education providers to reorganize their programmes.

2.3 THE REVIEW IN HONG KONG

Legal education and training in Hong Kong resembles largely that of England and Wales. It reflects the history of English legal education and its mix of training through traineeship and university education. [25] Undergraduate legal education has been provided at HKU since 1969, which was developed simultaneously with the deliberations of the Ormrod Committee. [26] A graduate of another discipline may now pursue the degree of Juris Doctor (JD) with any one of the law schools in Hong Kong. The practical and professional stage is undertaken by a year of postgraduate study leading to the award of the Postgraduate Certificate in Laws (PCLL). PCLL is provided exclusively by law schools within Hong Kong universities and is offered not only to local LLB (and now also JD) graduates but also to those who have completed a recognized external programme or obtained an LLB or any other qualifying degree at an overseas university. [27] On completion of the PCLL, graduates will have to undertake on-the-job training either as trainee solicitors (two years) or as pupil barristers (twelve months) before fully qualified.

For almost 30 years, there had not been any formal and comprehensive review of the system of legal education and training in Hong Kong despite calls for some times. [28] The then Advisory Council on Legal Education

(ACLE) in April 1998 eventually recommended to the Chief Executive of the Hong Kong Special Administrative Region, and who agreed, to conduct a full-scale review of legal education in Hong Kong. Two Australian consultants were appointed and the review was carried out during their visits to Hong Kong, once in each year of 2000 and 2001. [29] A consultation paper was published, between the two visits, in September 2000. The final report was published in August 2001. The full report is over 360 pages long with another 60 pages of appendices. A total of 160 recommendations were made. [30] Appendix I contains a table in which the recommendations are categorised into different aspects with the number of recommendations relevant to each aspect recorded. Again, similar to the relative indifference in identifying teaching tools and solutions in the reviews in England and Wales and Australia, only 13 out of a total of 160 recommendations touch upon teaching and learning. [31] For examples, to encourage and reward active participation in class, the consultants recommended students' participation as part of the assessment scheme of each subject. [32] The role of teachers should become not so much as providers of information but as stimulators, facilitators and modellers of analytical, critical, creative and deep thinking. [33] Introduction of a legal clinic was also highlighted. [34]

So far as the vocational stage is concerned, the consultants recommended replacing the PCLL with an intensive Legal Practice Course of four months which would take the form of solely practical training that is training in transactions and skills, within a strong ethical context. [35] Regarding teaching and learning methods, the only recommendation is that innovative methods should be employed, including learning-by-doing and the inclusion of some distance learning approaches. [36] Not all the recommendations in the Report were adopted. In particular, PCLL providers 'survive' the turmoil. Meanwhile, the two professional bodies, the Bar Association and the Law Society, set benchmarks for the PCLL. In their written guidelines, both bodies focus on the scope of training PCLL needs to provide, such as practical training in transactions and skills within a strong ethical context, without again spending much length in identifying methods and solutions for achieving these goals. In the Law Society's benchmarks released in April 2002, there is only a paragraph on teaching and learning methods. Apart from probably summarizing what the consultants have recommended, the Law Society suggests methods such as simulated practice, small group work, demonstration, video feedback and case scenarios. Yet, the discussion of possible choices of educational tools and solutions pertaining to these suggestions is lacking.

3. BRIDGING THE GAP: FROM 'WHAT TO TEACH' TO 'HOW TO LEARN'

So many of the reports and recommendations, but what changes have been brought to the actual teaching and learning of law? The call for legal education reform seems to gravitate toward the conclusion that students are not sufficiently prepared to enter into the legal profession. However, such review exercises, as seen above, are often short on providing answers to how legal education and training can be better delivered to equip students. The increasing number of reports averring that legal education should lead to producing lawyers who can hit the ground running with specified sets of skills and required level of professionalism will not help much. One may argue that reviewers should not dictate how educators devise their programme. However, as Molly O'Brien observes:

'Many legal educators have engaged in thoughtful analysis and explication of what needs to be changed in the law school curriculum..... The 'how to' aspect of legal curricular reform is generally only revealed by implication.' [37]

3.1 THE DALE'S CONE OF EXPERIENCE

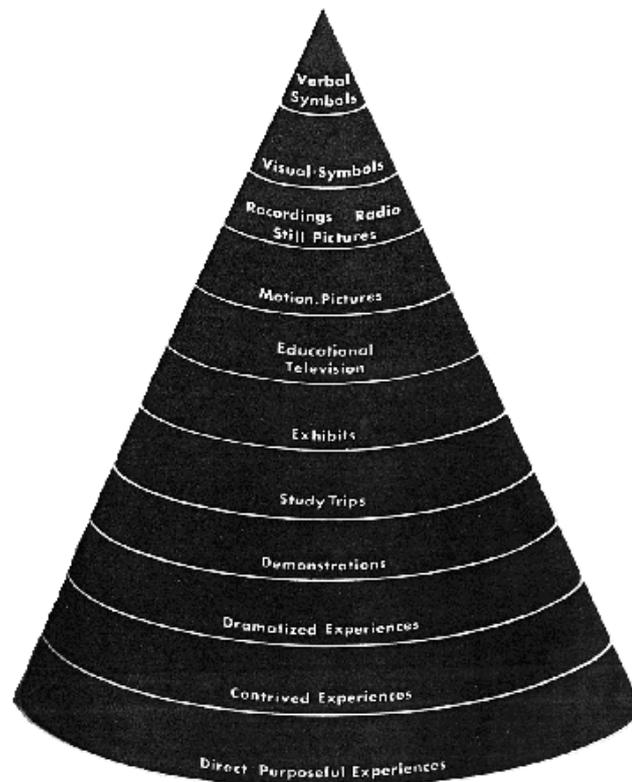


Figure One. Source: Dale, E. (1969) *Audiovisual Methods in Teaching* (3rd edition), p. 107

Edgar Dale's 'the Cone of Experience' (Figure One) seeks to hierarchically rank learning experiences from the apex to the bottom of the Cone in terms of greater concreteness. [38] It is right to say that those various activities should not be treated as discrete and isolated. There could well be 'a balanced combination, based on content, teacher background knowledge, resources, and student characteristics' which 'is likely to be most effective'. [39] Direct purposeful experience, in our view, is equivalent to 'doing the real thing', and occupies the most privileged position in the Cone, followed by contrived experiences, which in our view is equivalent to simulations. Both require the learners to 'do the thing' either in real life or through simulated case studies and exercises. [40] While learning activities remain varied and can take different forms and combinations, 'doing the real thing' and 'simulations' have been, and will continue to be, cornerstones for curriculum design, particularly in professional schools. [41]

3.2 THE (US) CARNEGIE REPORT 2007

The Carnegie Report states:

'Unlike other professional education, most notably medical school, legal education typically pays relatively little attention

to direct training in professional practice. The result is to prolong and reinforce the habits of thinking like a student rather than an apprentice practitioner, conveying the impression that lawyers are more like competitive scholars than attorneys engaged with the problems of clients.' [42]

A standard medical programme requires satisfactory completion of housemanship during the final year. As does the training of a dentist, a nurse or a teacher, although the practical element of each programme may bear a different name and may not be placed in the year immediately before the entry point to the profession. The two medical schools in Hong Kong provide housemanships via their linked hospitals to every medical student. The case is the same for the Faculty of Dentistry, the Faculty of Education and the School of Nursing at HKU. This report seems to suggest that better legal training can be offered in a setting that replicates the old apprenticeship style training, where pupils learned the law by doing.

3.3 DOING THINGS IN REAL LIFE

3.3.1 INTERNSHIPS

The three law schools in Hong Kong consider, rightly or wrongly that, learning the law may not solely and necessarily lead to a career as a lawyer in private practice. Internship, practicum or placement has therefore never been made compulsory. Indeed practically, it would be difficult, if not impossible, for the HKU Faculty of Law to replicate what the Carnegie Report advocates by arranging internships for all its final year undergraduate law students even though it has by far the largest alumni network and the longest history among the three. There are no fewer than 150 final year law undergraduates each year from either the single law degree or the various double degrees in conjunction with law at HKU. On the other hand, in terms of composition by reference to practice environment in 2009, 323 (44 per cent) law firms were sole proprietorships while 329 (45 per cent) had between two to five partners. [43] Only six law firms (one per cent) had partners of 20 or above. [44] As at 4 December 2012, among 805 registered law firms in Hong Kong, over 77 per cent of them are sole proprietorships or with no more than two partners. [45] Of all the sole practitioners, a significant number of them do not even employ any other legally qualified persons. [46] Thus, not all of them have trainees and apart from a few major international law firms, the number of traineeships in each firm is usually rather limited, let alone that of internships. The opportunity for internships was once thought to have even been endangered by the introduction of the statutory minimum wage since an exemption for student interns during a period of exempt student employment is not unconditional. [47]

Ensuring sufficient number of internships for PCLL students is even less likely. The three PCLL programmes are not only for law graduates of the three local law schools. In fact, competition for places to read the PCLL is open to law graduates from other parts of the common law world, either as returnees from overseas or via external programmes in Hong Kong. The total number of applications received by the three PCLL providers in recent years has been around 3,000 each year, whereas the success rate has just been about one in six. Finding and matching internships for 500 PCLL students each year is an insurmountable task. Many PCLL applicants will have already secured a training contract by the time they file their

applications. Indeed it is common for the major law firms to recruit trainees while the latter are still in their penultimate year of the academic legal studies. However the outcome of the PCLL admission cannot be dictated by this factor and it has been resolved that PCLL places must be allocated to applicants on the basis of merit. Inevitably at least a small number of applicants who have already secured a contract have been denied a place. Even if all of them were admitted to the programme, the number of internships required would not necessarily go down to a manageable threshold. On top of that, it may not be administratively easier to handle internships for all other successful PCLL applicants who are yet to have a contract. Furthermore, HKU runs a part-time PCLL to ensure fair access to professional legal education. Some of the part-time students may have had a full-time job and consider law as their second career. Making internships compulsory for them may be perceived as an unnecessary hurdle set against a policy of fair access.

3.3.2 LAW CLINIC

Unlike the medical schools which have their own 'teaching' hospitals, Hong Kong, for that matter any other law school, does not have any 'teaching' law firm. The closest resemblance to that perhaps is a law clinic administered and run by a law faculty. Probably long overdue, the Faculty of Law at HKU launched the Clinical Legal Education (CLE) course, the first of its kind in the territory, in January 2010 as a credit bearing course for its law students. The General Stream of the CLE course operates the Free Legal Advice Scheme (FLAS) on campus in which students in pairs take instructions from the client at an interview session and submit a case summary and legal research memo to the duty lawyer. They may need to attend follow-up session(s) with the lawyer and must be present at the advice session when the lawyer gives the preliminary legal advice. In parallel, the Specialised Stream jointly run with the Hong Kong Refugee Advice Centre offers general advice and legal assistance to asylum seekers and refugees in Hong Kong in relation to their applications for refugee status with the United Nations High Commissioner for Refugees. The CLE course generally and the two streams have been very well received. A prospective employer commented:

'If we had two otherwise equal applicants, but one had engaged in a clinic, they would not be equal applicants. The one who had taken the clinic is a better candidate.'^[48]

A student participant reflected on his learning experience in the clinic and wrote that he had learnt practical skills of:

'... keeping paper records of every single detail of a case; the art of communication with teammates, supervisors, teachers, clients, observer students and duty lawyers; and offering practical solutions to clients' needs, not only advising on how legal issues are likely to be dealt with in courts.'

Another student treasured most the opportunity to learn and practise what she had learnt at the same time which equipped her with the necessary knowledge and ability to help clients.

However, the CLE course started on a modest scale with just a small number of students although the total number of cases taken up and handled during the academic year 2011/12 was 75 and a wide variety of cases including

matrimonial, personal injuries, land and probate disputes, criminal litigation, contractual disputes and other matters such as water leakage, jurisdictional dispute and defamation have been dealt with. Further expansion of the CLE course requires additional human resources and perhaps, the backing of the professional bodies and in particular the Law Society of Hong Kong because, curiously, they have been sceptical about the idea since it was first brought up by the Faculty. After much time and effort spent on negotiation, a mutually agreeable model as it currently stands came about with much give than take. While both internships and clinical course can provide opportunities of doing the thing in real life for law students, the limited availability in internship places and the low scalability of the law clinic in Hong Kong pose significant constraints to the size of beneficiary in these initiatives.

3.4 SIMULATE THE REAL THING IN CLASSROOM BY CURRICULUM ADAPTATION

During the process of the Training Framework Review, some City firms and large regional firms in London had already partnered with LPC providers to adapt courses to City/commercial practice. [49] Under the new LPC, providers enjoy considerable freedom to work with firms and design tailored LPCs. The development in Hong Kong has, however, not gone that far. At all times, the HKU PCLL has adopted a mix of learning methodologies including, more frequently in the past, prescribed reading and lecturing, tutorials and occasionally, watching video demonstrations and scheduled court visits. The relative weight and hence time allocated to each of those methods have, however, changed over the years.

Consequential to the consultants' report of the Hong Kong review and the benchmark documents by the two branches of legal profession in Hong Kong, HKU PCLL curriculum had undergone a major reform since September 2002 and took its current form ("the new PCLL") in 2008. In addition to the structural changes in the curriculum, the new PCLL puts more emphasis on transactional knowledge and lawyering skills with its aim to train students in knowing legal practice rather than mere knowing the law. [50] Case files are being used more frequently across different subject areas. Knowledge is enforced in a number of other ways than lecturing such as quizzes (sometimes web-based), guided research and even through performing the skills exercises. On the other hand, skill learning in the HKU PCLL follows the basic format of first, presentation of skill theory followed by skill demonstration; analysis of demonstration; practice; feedback; and debriefing. [51]

An interim evaluation of the extent to which graduates understood the objectives of the new PCLL and how well they thought particular parts and aspects of the programme had contributed to realizing these objectives was undertaken in 2006, four years after the initial form of the new PCLL was launched. [52] Responses from students to the survey revealed a general level of satisfaction with the reformed programme, and high levels of satisfaction with some of the courses. Some of the further reform measures did coincide with what students would like to have seen. Another informal survey conducted by the Department in 2009, immediately after the first academic year in which the completely reformed HKU PCLL found that, while students found a problem-based learning style and the use of programmed instructions in small group learning useful and enjoyable, in general, however, they still encountered difficulties in making the transition

from the undergraduate to the professional stage of study. [53] Specifically, students found it difficult to practically apply the legal knowledge which they learnt from their undergraduate studies to solve legal problems. That also requires a change of student mind-set from studying about the law to applying the law in practice, which has shown not to be easy. [54] In a less perfect world where arranging internships and running the clinical course are subject to constraints and that simulating the real thing in classroom cannot address all problems, the HKU PCLL is determined to investigate if there is a hybrid between, in Dale's terms, 'simulation' and 'doing the real thing'. It is being done by drawing from the experience of other law schools, particularly in England and Wales, Australia and the United States, which have recently applied information technology to revolutionize their pedagogies in legal education.

4. DOING THE REAL THING IN A VIRTUAL LEARNING ENVIRONMENT (VLE)

4.1 ADVANCEMENT AND USE OF TECHNOLOGY IN LEGAL EDUCATION

Things have changed since 2001 when Honey contended that the 'e-learning industry is overselling its merits and not focusing appropriately on the learner's needs.' [55] For instance, internet bandwidth is no longer an issue in places like Hong Kong. Furthermore, segments of e-learning techniques are more advanced and cannot be referred to as e-reading where it simply 'regurgitates pages of text culled from books and classroom courses.' [56] The most appealing use of technology to assist learning is one that provides a virtual environment for simulation closest to reality. While the use of simulation in legal education has been with us for a long time, albeit in different forms, particularly in relation to training oral skills, what is attracting attention is the use of e-technology to boost simulation activities in learning other lawyering and professional skills. [57] [58] In this regard, the Simulated Professional Learning Environment (SimPLE) trialled by a consortium of five UK Law Schools is one of the pioneers. [59] The participants had reported very favourable outcomes. [60] SimPLE has also been adopted and integrated by the Australian National University with a Learning Management System (Moodle), an E-portfolio System (Mahara) and other learning technologies to create an Integrated Learning Environment (ILE) in its Graduate Diploma in Legal Practice (GDLP). [61] [62]

Another contender is Second Life, an online virtual world developed and launched by Linden Lab on 23 June 2003. [63] [64] The Berkman Centre for Internet and Society at Harvard Law School is one of the law schools to have staked a claim to a portion of the virtual world to run courses in its extension program. [65] Another example that integrates Second Life into the teaching of law can be found in Legal Ethics Paper at Queensland University of Technology, in which Second Life is introduced to facilitate a problem-solving approach based on real-world-type contexts. [66] Likewise, the University of Western Australia reports an encouraging feedback obtained from students who participated in a pilot virtual moot court using Second Life. [67] The same has also been used in other professions and examples include the Mayo Clinic in the United States, the Medical School of the Imperial College, London and nursing education in Glasgow Caledonian University. [68] [69] [70] In Hong Kong, the Polytechnic University of Hong

Kong (PolyU) has been using 3-D on a Second Life platform to create a virtual campus. [71] Thus far, although more than 15 courses have tried it, none of them are law courses. [72] Second Life platform had once been in use for second language learning and visual studies and design in Lingnan University. [73] Between the two, SimPLE is preferred, the major reason being that it is an open source originally developed by a consortium of educational institutions. Another key reason is that students should have direct and personal learning experience, not through an avatar. Although students play the role of a trainee under supervision in a SimPLE project, they act as themselves, bearing the responsibilities and receiving the credits direct.

The use of e-learning technologies at HKU has not been as widespread and advanced as many would like to have seen. It has just completed the process of replacing WebCT with Moodle. Training sessions have been offered and running. No formal study on how the response from teaching staff is has been published. Specifically, the HKU PCLL has and maintains its own student website which remains largely a portal for knowledge, information and communication management and in this sense limited and primitive. [74] Functions such as calendar, group email and discussion board are there but tend to have been under-utilized.

4.2 THE STUDENTS' PERSPECTIVE

4.2.1 STUDENTS GENERALLY

Students are more ready to take on the challenge. Most university students in Hong Kong nowadays belong to the so called Generations Y (broadly referring to those people born between 1982 and 2003) and Z (born between 2004 to date) are said to be the first generation with complete technology and do not know life without technology). [75] [76] Generation Y students dominate Hong Kong PCLL programs intake and universities are receiving students of Generation Z in the not too distant future.

4.2.2 A PILOT SURVEY OF UK STUDENTS WITH SIMPLE EXPERIENCE

Further to the SimPLE report, an independent pilot survey has recently been undertaken to evaluate and, to an extent, verify UK students' satisfaction over the use of SimPLE. [77] [78] Responses were collected from a total of 26 students, coming from three different institutions, with experience in SimPLE for at least a semester before the survey. Ten of this group are first year undergraduate students in law and the rest are pursuing their postgraduate diploma leading to professional qualification (equivalent to the PCLL). A general invitation to all students by the researcher was made via the course leaders using SimPLE. All respondents came forward voluntarily. The limitations in this pilot survey are well noted, particularly in light of the small sample size. However, the feedback collected seems still significantly indicative.

The questionnaire comprises three sections. The first section asks for respondents' self-assessment while the second requires them to assess the group they are in as a whole. Each of these sections comprises six statements started off with the phrase 'The simulation platform used in this course has...' to which respondents were invited to choose from a Likert scale of: (a) Strongly disagree; (b) Disagree; (c) Neutral; (d) Agree; and (e) Strongly agree. Questions in the first two sections along with the counts of responses

to each point on the five-point scale are presented in Appendix II. A preliminary analysis of the data shows that respondents found SimPLE had helped them learn better and their learning more enjoyable. There is also an overwhelming majority of respondents who stated that SimPLE had increased their interaction and collaboration with peers in learning. The last section consists of eight open-ended questions with the last soliciting students' view on whether they would support the use of SimPLE to be extended to all courses of the programme (Appendix III). Explanation, however, is still required. In short, the responses have been evidently positive and encouraging with some individual concerns and suggestions that invite action. Most of those relate to the technical side of the matter and in a few occasions students raised concern over consistency of different tutors when more than one teacher is involved. From the pilot survey, there is little question about the effectiveness of simulation technology in facilitating learning in both the academic and professional stages of legal training. There are also sound theoretical and pedagogical justifications for pursuing such use.

4.3 A PILOT RUN OF SIMPLE AT HKU PCLL

HKU PCLL plans to introduce SimPLE to its students. A pilot run is scheduled to take place from January to March 2013, in four out of ten electives in the HKU PCLL: Commercial Dispute Resolution, Personal Injuries Litigation, Matrimonial Practice and Procedure and Wills, Trusts and Estate Planning. Out of the 2012/13 cohort of 242 full-time PCLL students, 85 per cent of them will be able to experience SimPLE in at least one of those electives. It will be interesting to examine the outcome of this pilot run to see if the students' response may support its use to be extended to other courses or even programmes. It is worthwhile looking into the extent students' perceptions and degree of satisfaction over the learning experience may be different from their counterparts in England and Wales and Australia and, if so, the reasons for such differences. In a longer term, it may also be worthwhile to investigate how well employers and end-users of legal services receive graduates trained with SimPLE.

5. CONCLUSION

Legal education reviews tend to be indifferent in investigating new methods to enhance students' learning. Hence, there has been very little understanding of how increasing use of technology assisted legal simulation to train lawyers in a professional setting is viewed by regulators. Nevertheless, the above account has shown self-reflection and experiments by law schools in England and Wales, Australia and Hong Kong on their programmes, going beyond what is required of them from such reviews. In searching for their tools and solutions, coincidental with the Dale's model, towards educating law students by doing the real thing and doing the thing in real life, those law schools have introduced a simulated experience of legal practice to their students through the aid of information technology.

Publications so far by the research team in the current Legal Education and Training Review in the UK indicate a slightly different course this time round. For example, the interface of technology with legal education is examined under the broader theme of key regulatory issues from a comparative perspective in its draft literature review. [79] As the authors note, 'for regulators..... a key question is: can the Web encourage deep

learning amongst students? [80] In other words, how 'can regulators ensure that extensive multimedia and internetworked Applications will enhance the quality of student learning?' [81] While the remark is made in the context of distance learning, it can lead to a much wider impact on e-learning generally. The latest headline findings of the research team on workforce development, published on 26 November 2012, further indicate practitioners' increased awareness of changes of modes of service delivery: how rather than what. [82] Should the same paradigm shift not be relevant to the provision of legal education and training? It is hoped that its final report would shed more lights on how legal education and training could be enhanced through technology, internet or even social media. Any such recommendation may well have an impact on the legal profession in Hong Kong.

The pilot run of SimPLE at the HKU PCLL is just a small, and perhaps long overdue, step on the journey of enhancing the learning experience of legal education by using technology, internet and possibly social media. [83] It is also largely unknown whether the legal profession in Hong Kong, who are potential employers of PCLL graduates, may treat e-learning platforms such as SimPLE with scepticism. As one commentator aptly observed, in the US context:

'As ardently as law firm leaders and other practitioners say they want law schools to step up and better train lawyers, the legal hiring market has yet to signal that it recognizes the value of innovative teaching and curricula.' [84]

Even with careful planning, a critical mass of dedicated teachers and support from the university administration, it is hard to avoid learning from the inevitable errors. As compared with internship and clinical education, it is very likely that learners in web-based simulation platforms such as SimPLE, Second Life or alike may still find their experience different from those acquired from internship and legal clinic in terms of the realness of practitioner-client interaction. Nevertheless, the virtual space accommodates a larger group of learners interacting with imitated clients and other typical characters in a number of common legal transactions in a safe and simulated environment. The pilot test is, therefore, worth taking and may lead to one big leap in the history of legal education in Hong Kong, which in turn may have an impact on legal education and training in England and Wales and Australia.

Before any further step can be taken, a substantial amount of efforts and time are needed, at least in the case of Hong Kong, for legal educators to gain confidence and comfort in working with interactive e-learning platforms such as SimPLE in their law courses. With consistent positive feedback from a diverse group of students and hopefully their employers and end-users of their legal services, the legal profession in England and Wales, Australia and Hong Kong may be prepared to warm to, or at least show an interest in and remain open-minded to, more advanced innovative pedagogy and methods in the future.

APPENDIX I

Aspects		No. of recommendations		
Language				9
English		8		
Chinese		1		
Academic Stage				66
Goals and Objectives			10	
Structure			21	
	Graduate Law	3		
	four-year LLB	5		
	Double/combined	6		
	five-year law and non-law	5		
	five-year academic & prof.	2		
Funding			1	
Knowledge Content			10	
Teaching & Learning Methods			12	
Assessment			10	

Part-time			1	
Balance between providers			1	
Vocational Stage				27
PCLL			1	
LPC			26	
	Generally	2		
	Organization	6		
	Entry Quota	1		
	Premises	1		
	Establishment Grant	1		
	Funding and Fees	1		
	Characteristics	3		
	Teaching Methods	1		
	Curriculum	1		
	On-job Training	1		
	Teachers	2		
	Initial Planning & Design	1		

	Common Core & Options	1		
	Modularization	1		
	Part-time Mode	1		
	Assessment	2		
On-the-job training				10
Generally			6	
Pupillage			2	
Trainee Solicitor Contracts			2	
Common Admission Standard				13
Common Standard			2	
Conversion Course			7	
Overseas Lawyers Exam			4	
Academic Staff Development				4
Equity and Access				6
Part-time Law Degree			1	
Places in Conversion Course			1	

Distance Education			1	
Mature & non-law graduates			1	
Scholarships & Bursaries			1	
Artificial barriers / bottlenecks			1	
Bar's Advanced Legal Education				2
Law Society's CPD				5
Mandatory CPD			1	
Providers			1	
Accreditation			1	
Model Curricula			1	
Specialist Accreditation			1	
Academy of Law				1
Place of Values in Legal Education				11
Culture of public service			1	
Ethical capacity & social responsibility			8	
Knowledge Exchange			2	

Legal Qualifying Council				6
General			3	
Powers			1	
Composition			1	
Public accountability			1	

APPENDIX II

SELF-ASSESSMENT

The simulation platform used in this course has:

	(a) Strongly Disagree	(b) Disagree	(c) Neutral	(d) Agree	(e) Strongly Agree
1. Increased my interaction with teachers in class and online	0	2	7	11	6
2. Increased my interaction and collaboration with my peers in learning in class and online	0	0	2	6	18
3. Facilitated timely feedback from teachers	1	1	3	12	9
4. Increased my interest in the subject	0	0	3	13	10
5. Made it more enjoyable for me to learn	0	0	1	14	11

6. Helped me learn better	0	0	1	8	17
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PEER-ASSESSMENT

The simulation platform in this course has:

	(a) Strongly Disagree	(b) Disagree	(c) Neutral	(d) Agree	(e) Strongly Agree
1. Increased our interaction with teachers	0	2	9	9	6
2. Increased our interaction and collaboration in learning within the group	0	0	1	11	14
3. Facilitated timely feedback from teachers	0	1	5	14	6
4. Increased our interest in the subject	0	0	5	13	8
5. Made it more enjoyable for us to learn as a group	0	1	2	9	14
6. Helped us as a group to learn better	0	0	1	8	17

APPENDIX III

1. What do you think your lecturer was hoping to achieve by asking you to learn this course through the simulation platform? Do you think he/she made this clear to you at the beginning of the course?
2. What did you actually do in this course with the simulation platform? How did you use this opportunity? What was the most important thing for you?
3. What difficulty did you have in learning this course through the simulation platform? Did you manage to resolve it and if so, how?

4. In what ways did the simulation platform help you to learn in this course? How helpful were they? If they were not helpful, why was that so?
5. Did you find the simulation platform helped you to prepare yourself to be a legal practitioner? If so, in what ways? If not helpful, why was that so?
6. What are you proud about in the work you produced on the simulation platform?
7. What things do you think your lecturer can do to make the simulation platform more effective for future students of this course?
8. Would you support the use of the simulation platform in this course to be extended to all courses in the programme? Why or why not?

[1] Wilson Chow is Associate Professor and former Head of Department of Professional Legal Education, Faculty of Law, The University of Hong Kong. Part of this article is based on the authors' earlier presentation on the subject matter: "Is E-Learning a Boon to Provision of Professional Legal Education or a Mere Fad?" (with Hotten, K and Jen, J), in the Australasian Professional Legal Education Council Conference, Sydney, 10-12 November 2011. The authors would like to thank the reviewer and the editor for their comments and suggestions for revision. They are also greatly indebted to the assistance offered by Dr Michael Ng, Assistant Professor, Department of Professional Legal Education, Faculty of Law, The University of Hong Kong, during the revision process

[2] Firew Tiba is Lecturer, School of Law, Deakin University, Australia and formerly Post-Doctoral Fellow, Department of Professional Legal Education, Faculty of Law, The University of Hong Kong.

[3] Redmond, P and Roper, C (2001), Legal Education and Training in Hong Kong: Preliminary Review - Report of the Consultants (also known as 'Redmond-Roper Report'), 328.

[4] The Committee on Legal Education (1971), Report, (Cmnd 4595, HMSO, London).

[5] Barker, D (2005), 'Legal Education in the Commonwealth', [2005] ALRS 3. See the same also for a pre-Ormrod account.

[6] Twining, W (1994), Blackstone's Tower (London: Sweet & Maxwell) 36.

[7] The Royal Commission of Legal Service (1979), Final Report (Cmnd 7468, HMSO, London).

[8] The Royal Commission of Legal Service (1979), Final Report (Cmnd 7468, HMSO, London) at paragraph 39.44. See further Wu, R (2004), 'Reform of Professional Legal Education at the University of Hong Kong' Legal Education Review, Vol. 14(2), 153.

[9] The Committee on the Future of the Legal Profession (1988), A Time for Change (General Council of the Bar and the Law Society).

[10] The Committee on the Future of the Legal Profession (1988), A Time for Change (General Council of the Bar and the Law Society) at Chapter 14.

[11] Barker, D (2005), 'Legal Education in the Commonwealth' [2005] ALRS 3. Also see Halpin, A and Palmer, P (1996), 'Acquiring Values' New Law Journal, Vol 146 No. 6760, 1357-58.

[12] See Webb, J (2006), 'The LPC is Dead... Long Live the LPC', Direction (Autumn 2006), Editorial.

[13] See generally for part-time training contracts:
<http://www.lawsociety.org.uk/careers/becoming-a-solicitor/training-contracts/> (last visited on 5 December 2012).

[14] See <http://letr.org.uk/info/box/approach> (last visited on 5 December 2012). The seven questions are: (1) What are the skills/knowledge/experience currently required by the legal services sector? (2) What skills/knowledge/experience will be required by the legal services sector in 2020? (3) What kind of legal education and training (LET) system(s) will deliver the regulatory objectives of the Legal Services Act? (4) What kind of LET system(s) will promote flexibility, social mobility and diversity? (5) What will be required to ensure the responsiveness of the LET system to emerging needs? (6) What scope is there to move towards sector-wide outcomes/activity-based regulation? (7) What need is there (if any) for extension of regulation to currently non-regulated groups? Note: not intended to preclude consideration of the need (if any) to deregulate or otherwise revise the form or intensity of regulation of any part of the LET system.

[15] Barker, D (2005), 'Legal Education in the Commonwealth' [2005] ALRS 3.

[16] Chief Justice French, R, AC (2011), 'Legal Education in Australia- A Never Ending Story', Australian Law Teachers' Association Conference, Brisbane, 4 July 2011, 19, available at <http://www.hcourt.gov.au/assets/publications/speeches/current-justices/frenchcj/frenchcj04july11.pdf> (last visited on 5 December 2012).

[17] Chief Justice French, R, AC (2011), 'Legal Education in Australia- A Never Ending Story', Australian Law Teachers' Association Conference, Brisbane, 4 July 2011, 19, available at <http://www.hcourt.gov.au/assets/publications/speeches/current-justices/frenchcj/frenchcj04july11.pdf> (last visited on 5 December 2012).

[18] Chief Justice French, R, AC (2011), 'Legal Education in Australia- A Never Ending Story', Australian Law Teachers' Association Conference, Brisbane, 4 July 2011, 19, available at <http://www.hcourt.gov.au/assets/publications/speeches/current-justices/frenchcj/frenchcj04july11.pdf> (last visited on 5 December 2012).

[19] Chief Justice French, R, AC (2011), 'Legal Education in Australia- A Never Ending Story', Australian Law Teachers' Association Conference, Brisbane, 4 July 2011, 19, available at <http://www.hcourt.gov.au/assets/publications/speeches/current-justices/frenchcj/frenchcj04july11.pdf> (last visited on 5 December 2012).

[20] Langley, F (1985-1986), 'Preparing for the Practice of the Law: Post-Graduate Pre-Admission Training in Australia', Journal of Professional Legal Education, Vol 3, p.81.

[21] Langley, F (1985-1986), 'Preparing for the Practice of the Law: Post-Graduate Pre-Admission Training in Australia', *Journal of Professional Legal Education*, Vol 3, p.81.

[22] For instance, the Leo Cussen Institute in Victoria; see further http://www.leocussen.vic.edu.au/cb_pages/ptc_course_structure.php (last visited on 5 December 2012).

[23] 'National Legal Profession Reform- Background Information' available at http://www.lawlink.nsw.gov.au/lawlink/Corporate/ll_corporate.nsf/pages/lpr_backgrou (last visited on 5 December 2012).

[24] 'Council of Australian Governments (COAG) National Legal Profession Reform', available at http://www.lawlink.nsw.gov.au/Lawlink/Corporate/ll_corporate.nsf/pages/lpr_index (last visited on 5 December 2012).

[25] Redmond, P and Roper, C (2001), Redmond-Roper Report, 11.

[26] See Section 2.1. More generally on the history of the development at HKU of the LLB and PCLL programmes see Evans, D M E (1989), 'Taken at the flood: Hong Kong's first law school' in Wacks, R (ed) *The Future of Legal Education and the Legal Profession in Hong Kong*, 23-24. The other two law schools in Hong Kong are with the City University of Hong Kong (CityU) since 1987 and the Chinese University of Hong Kong (CUHK) since 2004.

[27] Those graduates of non-HK universities must now show competencies in certain core and HK law-specific subjects by having those courses included in their qualifying programme or by taking a centrally-administered exam. See further www.pcea.com.hk.

[28] Redmond, P and Roper, C (2001), Redmond-Roper Report, 3.

[29] Redmond, P (then Dean of Law, UNSW) and Roper, C (former Director of the Centre of Legal Education and then Director of the College of Law Alliance, Australia).

[30] A compilation of all recommendations can be found in Redmond, P and Roper, C (2001), Redmond-Roper Report, 349-367.

[31] Highlighted in bold in Appendix I. See further, Redmond, P and Roper, C (2001), Redmond-Roper Report, 355, Recommendations No. 52 to 63, some of them are being referred to in the text.

[32] Redmond, P and Roper, C (2001), Redmond-Roper Report, 355, Recommendation 58.

[33] Redmond, P and Roper, C (2001), Redmond-Roper Report, 355, Recommendation 57.

[34] Redmond, P and Roper, C (2001), Redmond-Roper Report, 355, Recommendation 63.

[35] Redmond, P and Roper, C (2001), Redmond-Roper Report, 356-358, Recommendations 76-81 and 90-91.

[36] Redmond, P and Roper, C (2001), Redmond-Roper Report, 358, Recommendation 92.

[37] O'Brien, M T (2011), 'Walking the Walk: Using Student -Faculty Dialogue to Change an Adversarial Curriculum', *Journal of the 2010*, 5-1986), Vol 3, p.Australasian Law Teachers Association, 129-130.

[38] Dale, E. (1969), *Audiovisual Methods in Teaching*, 128. For a general discussion, including misconceptions, misinterpretation, echoes and support, of the theory, see further, for example, Chow, W W S, Tiba, F, Hotten, K and Jen, J (2011) 'Is E-Learning a Boon to Provision of Professional Legal Education or a Mere Fad?', the Australasian Professional Legal Education Council Conference, Sydney, 10-12 November 2011 (document on authors' file).

[39] Lalley, J P and Miller, R H (2007), 'The Learning Pyramid: Does it Point Teachers in the Right Direction?', *Education*, Vol. 128(1), 64-79, at 69-70.

[40] Readers may note that in Dale's time, technology had not been so advanced for any simulated learning platform or environment in the online virtual world.

[41] See discussion in Sections 4.3 and 4.4 below.

[42] Sullivan, W M, et al (2007), *Educating Lawyers: Preparation for the Profession of Law* (The Carnegie Foundation for the Advancement of Teaching), 6.

[43] Yih, D (2009), 'Becoming a Lawyer in Hong Kong', powerpoint presentation (7 September 2009), slide 16, available at <http://stu.hksyu.edu/~lb/dieter.ppt> (last visited on 5 December 2012).

[44] Yih, D (2009), 'Becoming a Lawyer in Hong Kong', powerpoint presentation (7 September 2009), slide 16, available at <http://stu.hksyu.edu/~lb/dieter.ppt> (last visited on 5 December 2012).

[45] See Law List: www.hklawsoc.org.hk/pub_e/memberlawlist/mem_firm.asp (accessed and manually worked out the percentage by browsing the profile of all those firms on 5 December 2012).

[46] Law List: www.hklawsoc.org.hk/pub_e/memberlawlist/mem_firm.asp (accessed and manually worked out the percentage by browsing the profile of all those firms on 5 December 2012). As of 31 December 2011, 42 per cent of those firms did not have any legally qualified person other than the sole proprietors: http://www.hklawsoc.org.hk/pub_e/about/default.asp#profileprofession (last accessed on 5 December 2012).

[47] See Minimum Wage Ordinance (Chapter 608, Laws of Hong Kong) section 2 for definition of 'student intern' and section 3 the exemption for 'work experience student'. For explanation, see: http://www.labour.gov.hk/eng/news/pdf/Notes_for_Student_Employees_and_Employer (last visited on 5 December 2012).

[48] HKU Faculty of Law Newsletter, 2011 Autumn, 15 (document on authors' file).

[49] For example, from 2002 to 2006, eight leading City of London firms worked with three LPC providers on a distinct 'City LPC' and subsequently in 2006 five members of them sent all of their trainees to study a new

'enhanced' LPC with a 'MBA style' approach at BPP Law School while the other three sent trainees to study a specialized LPC at the College of Law.

[50] As it currently stands, the HKU PCLL curriculum is broadly divided into (i) Compulsory Core Practice Areas: Civil Litigation, Criminal Litigation; Corporate and Commercial Transactions I; and Property Transactions I and (ii) Elective Practice Areas, of which three must be selected by candidates: Trial Advocacy (which is made compulsory for students who intend to join the Hong Kong Bar); Commercial Dispute Resolution; Personal Injury Litigation; Matrimonial Practice and Procedure; Property Litigation; Corporate and Commercial Transactions II; Property Transactions II; Listed Companies; China Practice, Wills, Trusts and Estate Planning, Use of Chinese in Legal Practice and Mediation in Chinese. While professional ethics and tax issues are taught pervasively, Professional Practice and Management is discretely taught and assessed as another compulsory component.

[51] Chow, W W S, Wu, R W S and Chan, F W H (2006), 'Developing Active Learning of Skills in Professional Legal Education: From Theory to Ethnography', *Asian Journal of Comparative Law*, Vol.1 Issue 1, 6.

[52] Findings were presented by way of a conference paper: Chow, W W S, Chan, F W H, Dilena, M, Wu, R W S and Young, Y Y K (2007) 'Evaluation of skills and problem-based learning: transitional phase for professional legal education in Hong Kong', the Redesigning Pedagogy: Culture, Knowledge and Understanding Conference 2007, National Institute of Education, Singapore, 28 - 30 May 2007.

[53] Jen, J (2009), *The University of Hong Kong PCLL 2008-2009 Curriculum Review Report* (document on authors' file).

[54] J Jen, J (2009), *The University of Hong Kong PCLL 2008-2009 Curriculum Review Report*, paragraph 31 (document on authors' file).

[55] Peter Honey, P (2001), 'E-learning: a performance appraisal and some suggestions for improvement', *The Learning Organization*, Vol. 8 No. 5, 200-202.

[56] Peter Honey, P (2001), 'E-learning: a performance appraisal and some suggestions for improvement', *The Learning Organization*, Vol. 8 No. 5, 200-202.

[57] For examples, mock trials, moot court competitions, negotiations, client interviewing and the like are widely used.

[58] For examples, specific skills such as drafting and legal writing as well as soft skills such as time management, team work and communication skills.

[59] <http://www.ukcle.ac.uk/projects/past-projects/tle/> (last visited on 5 December 2012). The five law schools are, in addition to the Glasgow Graduate School of Law, the University of Glamorgan, University of Warwick, University of Stirling and the University of the West of England.

[60] <http://www.ukcle.ac.uk/projects/past-projects/tle/> (last visited on 5 December 2012): feedback from each law school can be accessed by clicking on the names of the schools.

[61] Moodle is an open source learning management system that educators can use to create "effective online learning sites": <http://moodle.org>.

[62] Knight, A and Busch, F (2009), 'The Development of an Integrated Learning Environment', the Australasian Society for Computers in Learning in Tertiary Education (ascilite) Conference, Auckland.

[63] For a list of educational institutions that have registered as participating in Second Life see:

http://wiki.secondlife.com/wiki/Second_Life_Education_Directory (last visited on 5 December 2012).

[64] <http://www.secondlife.com>

[65] The course entitled "CyberOne: Law in the Court of Public Opinion" is offered by Professor Charles Nesson, Co-founder of the Berkman Center and Rebecca Nesson. See the website of the Course at <http://blogs.law.harvard.edu/cyberone/> (last visited on 5 December 2012).

[66] Butler, D (2010), 'Entry into Vallhalla: Contextualising the Learning of Legal Ethics Through the Use of Second Life Machnima', *Legal Education Review*, Vol. 20, No 1/2, 85-108.

[67] Ireland, J, Sanson, M and Rogers, P (2010), 'Virtual Moot Court: A Pilot Study', *Journal of the Australasian Law Teachers Association*, Vol. 3 (1&2), 1.

[68] <http://www.mayo.edu/cme/files/dmFile/2012R050-secondlife.pdf> (last visited on 5 December 2012).

[69] <http://www1.imperial.ac.uk/medicine/teaching/elearning/secondlife> (last visited on 5 December 2012).

[70] However, it is understood that there has not been any central development or support for the project there since February 2012: <http://www.gcu.ac.uk/cuthere/index.html> (last visited on 24 March 2012).

[71] <http://coresl.edc.polyu.edu.hk/about.html> (last visited on 5 December 2012); the project is being supported by a joint effort with staff from the Department of Applied Social Sciences (APSS), the Department of Computing, the School of Hotel and Tourism Management (SHTM), the School of Design (SD), and the Pao Yue-kong library.

[72] <http://coresl.edc.polyu.edu.hk/about.html> (last visited on 5 December 2012).

[73] Source: Knutzen, B, Faculty of Education, HKU, formerly Educational Development Officer, Lingnan University.

[74] The website which is password protected serves a number of functions but mainly (a) as a repository of learning materials and (b) a communication facility for students, teachers and administrators.

[75] For characteristics of this generation, see generally Jorgensen, B (2003), 'Baby Boomers, Generation X and Generation Y: Policy Implications for Defence Forces in the Modern Era', *Foresight*, Vol. 4, No. 4, 43. For a thought provoking discussion of generation Y in a law firm context in the United States, see Dayton, A (2009), 'Why partners do not understand generation Y', available at <http://adriandayton.com/2009/05/why-partners-dont-understand-generation-y/> (last visited on 5 December 2012).

[76] Generation Z is sometimes said to refer to people born between 1994 and 2004: <http://www.elderlyjournal.com/generation/generation-z/Characteristics-Of-Generation-Z.html> (last visited on 5 December 2012).

[77] <http://www.ukcle.ac.uk/projects/past-projects/tle> (last visited on 5 December 2012): feedback from each law school can be accessed by clicking on the names of the schools.

[78] This significant leap would not have been possible but for the HKU funding under the inaugural Teaching Exchange Fellowship Scheme 2011 and the advice and support from Professor Paul Maharg, Professor of Legal Education, University of Northumbria, Newcastle, who kindly introduced and lined up his contacts. The leading author of this article was funded to visit the University of Northumbria for about one week.

[79] <http://letr.org.uk/literature-review/> (last visited on 5 December 2012).

[80] LETR, Literature Review- Key Regulatory Issues: International Comparisons of Professions and Jurisdictions, paragraph 55, available at <http://letr.org.uk/wp-content/uploads/2011/06/LR-chapter-8.pdf> (last visited on 5 December 2012).

[81] LETR (2012), Literature Review- Key Regulatory Issues: International Comparisons of Professions and Jurisdictions, paragraph 55, available at <http://letr.org.uk/wp-content/uploads/2011/06/LR-chapter-8.pdf> (last visited on 5 December 2012).

[82] LETR (2012), Workforce Development: Progress and Headline Findings from Stage 3 of the LETR Research, paragraph 11, available at <http://letr.org.uk/wp-content/uploads/2012/11/headline-findings2-31102012.pdf> (last visited on 5 December 2012).

[83] Social-media based legal advice platform such as LawGuru.com could be considered as one of the possible longer term models in legal training which would combine the merits of web-based simulation and clinical legal education. See Kimbro, Stephanie (2010), *Virtual Law Practice: How to Deliver Legal Services Online* (Chicago: American Bar Association) for examples of how such model works in the USA.

[84] Henderson, W. quoted by Sloan, K (2012), 'What is law school for, anyway?', *National Law Journal*, at http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202538352545&What_is_law_school_for_anyway&slreturn=1 (last visited on 5 December 2012).