

The myth of equivalency – lessons from a study of part-time law students

Dr Andrew Francis, Keele University

National Conference

Part-time study in Higher Education

A new deal for part-time and distance students?

Tuesday 26th October 2010, Inmarsat Conference Centre, London EC1

*Project funded by Nuffield Foundation Grant Reference SGS/00932/G and conducted with
Iain McDonald, University of West England.*



KEELE
UNIVERSITY

The myth of equivalency – lessons from a study of part-time law students

- Methodology (Questionnaire to 13 PT Law Providers/2 Focus groups)
- Myth of Equivalency
 - Managing Time, Cost and Emotions
 - Second Class Citizens
 - Access to the Legal Profession
- Questions on Study
- Questions for discussion



Demographics: Who are Part-time Law Students?

- **Gender:** 61.2% of the sample was female and 38.8% male
- **Age:** 18-21 year olds (4.9%). 39.8% of respondents aged between 22-30 and 37.6% of the sample between 31-40 years of age. Those in the 41-65 range comprised 17.7% of the sample.
- **Ethnicity:** 58.3% of respondents reported they were UK (or Irish) White and 32.3% indicated that they were part of an ethnic minority group or mixed race.
- **Highest Educational Qualifications:** 14.7% had an undergraduate degree, while A-levels were indicated by 36.7% and, GCSEs were indicated by 20.7%
- **Most study at 'post-92' universities.** Forty-five universities offering part-time LLB programmes in England and Wales, thirty-eight of these are post- 92 institutions
- Most are studying, not to further their current career, but explicitly to pursue a career in the legal profession – 'guerrilla' study



Myth of Equivalence

- Formal Equivalence: QAA benchmarks, recognition as Qualifying Law Degrees by professional bodies etc.
- Emphasis of equivalence subsumes difference
- Moreover, the experience is not equivalent
- The outcomes of study are also not equivalent (in both informal and, in some cases, formal terms)



Managing Lives: Time, cost and emotion

- 70% in full-time employment & 14.3% in part-time employment
- “I don’t see that many people could afford to give up work [all agree]. ... We all have other commitments, whether it be family or children, mortgages and the rest. Just speaking personally, there’s no way on earth that I could afford to give up my job.
- “too much pressure and work load left me being sick and taking time off work” (176)
- “I finish at 9, catch the bus, with assignments hanging over you, all the stress, it’s sometimes too much to bear” (9,#A)



(#B)

Family Pressures

- “a combination of work and part-time evening study leads to virtually non-existent social life (I know that’s my problem and not yours).” (16)
- “Wife divorced me. She did not like [me] to continue the course. No cooperation from friends to help with the course” (127)
- “Partner is worried about time spent away from herself and our son”. (147)
- “ Not enough recreational time, not enough time for young son when he finishes school” (152)
- “Always tired, non-existent social life, much less time for family and other commitments.” (227)



Second class citizens

- 55% of those on the 'evening only' route felt that provision was better for Full-timers
- They felt they 'are just there to make up the numbers' (95), or 'out on a limb' (154), "disconnected" (194) or 'treated like a second class citizen' (135) or a 'forgotten population within the university' (253)
- Also felt that there was insufficient institutional accommodation of their distinctive needs as part-time law students.



Development of (Legal) Professional Identity and Access to the profession

‘I feel very proud for being able to study successfully. However, my biggest fear is that the “real world” won’t recognise those achievements or will see them as inferior to those in full-time education’
(231)



What does the 'real world' recognise?

- **'Academics'**: (Predicted) 2 (i) and Strong A-level results. Firms 'extremely unlikely' to consider grades below BBC. Institution attended is also a factor (although not necessarily direct).
- **Work Experience**: Formal Schemes & Informally arranged. Paid Employment?. Just over half of sample did not have legal work experience:
- **Extra-curricular activities**: 66% had not participated in any extra-curricular activities, with women less likely than men to have taken part - 70% of women rather than 58 % of men not participating



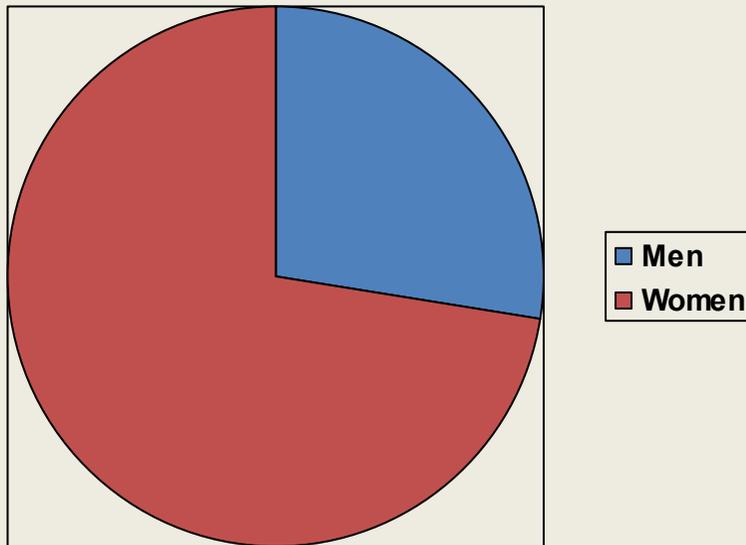
Part-time law students are likely to find themselves at the intersection of *multiple disadvantages*.

- They are older; the majority of our sample were over thirty, with thirty-eight per cent of our respondents aged between thirty-one and forty, and a further eighteen per cent over forty-one. Part-time students are more likely to be from an ethnic minority background; a third in our sample compared with a quarter of all law graduates. They are much more likely to have attended a new university, will have had a broken educational background and over 80% of our sample did not have relatives in the profession.



19 students had secured training contracts

- All, but one, already worked in a law firm



- “[My law firm are] brilliant. They pay my fees and give me time off. I am just about able to take it on, manage everything, my work and have a social life.” (6#B, Female)
- “ I work at the moment in a solicitors’ office, so I basically I work, at the moment, 1 day a week and they’re going to offer me a training contract when I finish... they’re treating me really well” (3#A, Female)



Discussion

- Questions on the Presentation????
- To what extent are these findings limited to Law? Is the 'myth of equivalence' a wider issue?
- What strategies can be developed that continue to emphasise important markers of formal equivalence, while recognising the different pressures faced by part-time students?



Discussion

- How do you ensure that part-time law students are more fully integrated within the learning environment, notwithstanding structural constraints?
- Working with Employers – Strategies to enable Employers to recognise ‘value’?
- Stratification of HE/Browne/Location of part-time study provision and ‘capital’ in graduate market?



Further Reading

- Francis, A. and McDonald, I. (2009) 'After Dark and Out in the Cold: part-time law students and the myth of "equivalency"' 36(2) *Journal of Law and Society* pp.220-47
- Francis, A. and McDonald, I. (2006) 'Preferential Treatment, social justice and the part-time law student – the case for the value added part-time law degree' 33(1) *Journal of Law and Society* pp.92-108
- Francis, A. and McDonald, I. (2005) 'Part-time Law Students: The forgotten cohort?' 39(3) *The Law Teacher* 277-298
- Contact: a.m.francis@law.keele.ac.uk

