

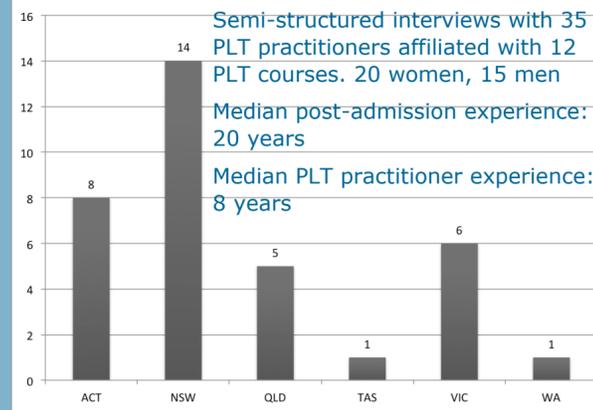
# A SCHOLARSHIP OF TEACHING AND LEARNING IN PRACTICAL LEGAL TRAINING?

KRISTOFFER GREAVES AUSTRALIAN LAWYER— BA LLB (HONS) GDP MPET— DOCTORAL CANDIDATE—K.GREAVES@RESEARCH.DEAKIN.EDU.AU



**Practical Legal Training ("PLT") is mandatory post-graduate legal skills training for admission to the legal profession**

**Scholarship of Teaching and Learning ("SoTL")**  
**Problematic term, but here: engagement with knowledge about teaching and learning**



## THEORETICAL FRAMEWORK

Drawing on Bourdieu's "reflexive sociology" and de Certeau's "heterologies" and "practices in the everyday".

Individual and extra-individual dimensions.

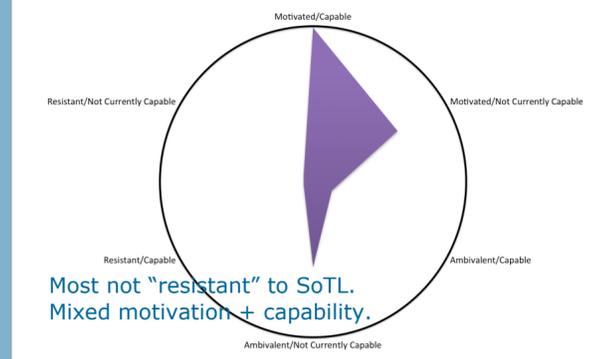
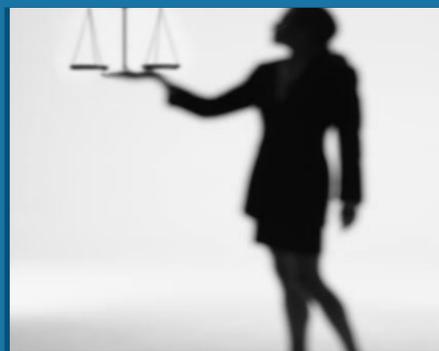
Are structures *inscribed* into practices? Can practices *affect* structures?

Reflexivity—"two steps back", "objectify the objectification."

Heterology— take "bird's eye" and "kerb-side" views together, neither sufficiently articulate in isolation.

discipline + discourse + relation of (discipline + discourse)<sup>(period + subject matter + place)</sup>

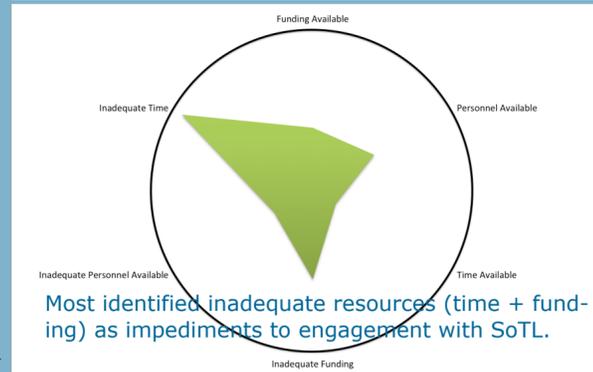
Few PLT Practitioners have published re SoTL in PLT <17% nationally<sup>1</sup>  
 (Paucity of Australian SoTL literature re PLT programs)



<sup>1</sup>Greaves, K 2012, 'Learning Leadership is in Your Hands: Toward a Scholarship of Teaching in Practical Legal Training', *JALTA*, vol. 5, no. 1/2, pp. 1-264.

Few PLT Practitioners hold a teaching qualification <25% in some states<sup>1</sup>  
 (Mostly Grad Cert IV Training & Assessment)

**PLT PRACTITIONERS**  
 ...are usually **LAWYERS**. They teach legal professional skills.



I researched a history of PLT in Australia, the laws and conventions re training lawyers, statistical studies re the socio-economic status of law students, lawyers, statutory reports re legal education, and legal education scholarly works.

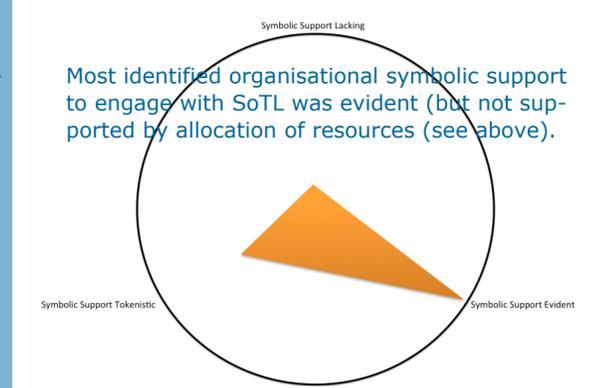
Tentative Conclusions—drawing on "habitus", "categories of capital", "reproduction", "alterity", "strategies", "tactics"

## GUIDING QUESTIONS<sup>2</sup>

The research explores individual and organisational domains of PLT practitioners' engagement with SoTL.

Re the individual domain, investigate PLT practitioners' **motivations and capabilities** to engage with SoTL.

Re the organisational domain, investigate symbolic **support and allocation of resources** to SoTL.



- \* The profession desires vocationally-focused "work-ready" law graduates; resists law schools' emphasis on intellectual competencies.
- \* Law schools protective of the intellectual domain; resists "vocalisation of the academy."
- \* The judiciary (regulators) protective of the "majesty" of the law; resists critique of the juridical field.
- \* PLT impliedly constructed as critique-free vocational space; emphasizes "practice;" commercially focused; SoTL a "non-earner".
- \* SoTL could open up critique of practices and means of reproduction.

<sup>2</sup> Drawn from Lynch, J, Sheard, J, Carbone, A & Collins, F 2005, 'Individual and Organisational Factors Influencing Academics' Decisions to Pursue the Scholarship of Teaching ICT', *Journal of Information Technology Education*, vol. 4, pp. 219-36.