their own educational programs and play a decisive role in policy-making. Programs should preserve judicial independence from any risk of indoctrination and judges should make up the faculty, being the only appropriate reservoir of expertise. Judges see themselves as the best arbiters of their own learning needs.

The Judicial Commission of New South Wales, Australia has developed a number of educational programs dealing with equality. Each program varies depending on the nature of the need and the context. The most effective judicial learning has been found to occur when (a) equality issues are treated within a broader educational framework of promoting equality before the law within a pluralistic society; (b) the educational process is court-led, independent, non-doctrinaire, voluntary and designed for all members of the court; (c) the objectives are to provide information and promote awareness, develop practical judicial skills and promote analysis and critical self-reflection of disposition, attitudes and values; (d) faculty is selected from the judiciary, academia etc; (e) the instructional design is workshop-based to facilitate active, participatory, self-directed learning. Examples of topic coverage and delivery methods of programs on women and the issue of gender equality, aborigines and the law, ethnic awareness in the courtroom and judicial skills and disposition are given.

Evaluation is also essential to judicial education, even though it is often based on inferential measurements of the quality of the educational process, rather than its outcomes. The quality of the individual judge's learning process and the impact of continuing education on judicial performance are ways in which judicial education may desirably be evaluated. The evaluation process varies depending on which purpose is being met: external accountability to a funding body or internal accountability.

LEGAL EDUCATION GENERALLY

An overview of the present status and future prospects of Australian legal education
M Tsamenyi & E Clark
29 Law Teacher 1, 1995, pp 1-32

Law faculties began to emerge in Australia by the mid-19th century but until the 1960s were relatively static, with teaching staff being drawn almost exclusively from the practising profession and the emphasis being upon vocational training to meet the requirements of the legal profession.

The period between the mid-1960s and 1987 represents a watershed, with the whole question of legal education and its relationship to the wider Australian society coming under scrutiny. This period culminated in the production of several significant reports on legal education, the most comprehensive being the Pearce Report. The main features of present day legal education in Australia are the increasing number of law schools, the emergence of full-time law teachers, the recognition of the desirability of small group teaching and clinical legal education, the expansion of law school curricula to include optional subjects, the emergence of post-graduate degrees in law, the integration of legal research into the mainstream university research activity and the introduction of combined degrees.

Australian legal education is torn between two aims: that of primarily producing professional lawyers and the view of the law school as being firmly located in the university, with an emphasis on the dissemination and development of abstract and theoretical legal knowledge. There is a push towards the development of law through interdisciplinary study. Australian law schools no longer seek to produce lawyers for practice but aim to offer a broad and generalist education to allow graduates to seek employment in other areas, such as politics, government and business. Contributing to and underlying this plurality of perspectives have been the challenges mounted by the critical legal studies movement, feminism and the impact of economic theory.

There has been a dramatic increase in the number of people studying to be lawyers, despite which the composition of the law student body is very much drawn from the middle and upper classes. The participation of women in legal education is now approaching that of men, although this equality in numbers is not reflected in the profession generally. The number of full fee paying overseas students has increased. Staff-student ratios continue to rise, women are particularly under-represented in the legal academy and the salaries of legal academics continue to lag hopelessly behind those of practising lawyers.

The commitment to teaching in law schools remains secondary to research and it is still too early to say whether a concern for teaching excellence will become a permanent feature of law school agendas. Research in the law school allows assimilation, criticism and reflection on emerging law and also seeks to promote and enhance the reputations of particular law schools. Legal research has a nature of its own

which is largely misunderstood by the university, which perceives legal research in much the same way as it perceives scientific research. Legal research, unlike scientific research, does not reveal new truths, but merely reviews and synthesises the past legal rules. Five features will dominate future research: (a) there will be more emphasis on group, interdisciplinary and empirical research; (b) there will be an emphasis on linkages with industry; (c) there will be a move away from general and unco-ordinated research to institutional specialisation and key research centres; (d) there will be an increased emphasis on the provision of research training and university-wide research infrastructure; and (e) law school teachers will need to demonstrate the managerial skills necessary to compete for and account for the expenditure of research funds.

Modern legal education requires computers, different teaching methods, clinical programs etc. A united front in support of greater funding is required. The Committee of Australian Law Deans has outlined the minimum desirable standard of funding and facilities that should be provided to Australian law schools. This Committee has also cautiously approved the idea of law school accreditation, with an eye firmly on the American experience, as a safeguard against the decline in the quality of legal education and a way to enhance its public reputation.

The Federal Government's initiatives to promote and recognise multiculturalism are set to change the face of legal education, with the key issue being whether the principles underlying the law take adequate account of the cultural diversity of Australia. Legal education in Australia has also adopted a more international outlook with the emergence of the global village.

Training to be a lawyer in Japan
A Watson
29 Law Teacher 1, 1995, pp 64-70

There are approximately 14,500 attorneys in Japan, compared with 70,000 in Britain, a country with less than half the population. Membership of the Japanese legal profession is only open to judges, public prosecutors and attorneys and is accorded high social status in a society where status is extremely important.

Becoming a lawyer in Japan is a long and arduous process. Candidates usually study at one of the 90 law schools to obtain a law degree. Places are hard to obtain and good results in high school and the faculty's entrance examination are required to secure a place. The study of law at the university level in Japan typically centres on the content and interpretation of the six Codes of Law, Japan being a civil law country whose jurisprudence is influenced by German law. Lectures are the dominant teaching method.

To become an attorney or part of the Japanese legal profession, law graduates must pass The National Examination which has been described as the most difficult examination in the world. Each year, between 30,000 and 50,000 candidates sit, yet only 700 pass. Many candidates will sit the exams six to seven times before they pass. Private law schools, referred to as 'cram schools', with the sole purpose of preparing candidates for The National Examination thrive and charge fees in the order of ¥1,000,000 (£6,000). Ninety-four percent of candidates who pass The National Examination attended the leading cram school, the LEC Tokyo Legal Mind School.

The National Examination consists of a series of increasingly difficult exams, the common emphasis being upon the ability to memorise the law. The first stage exams are designed to test the candidates' general academic ability. The second stage is a series of multiple choice tests on constitutional, civil and criminal law. Only 4,000 to 5,000 candidates pass this stage. The third stage comprises seven two hour essay style exam papers. Four of the seven cover constitutional, criminal, civil and commercial law. Candidates choose to do civil or criminal procedure as their fifth exam. For the sixth paper candidates may do the other exam not taken for the fifth exam or administrative, labour, public international or private law. The seventh paper is selected from an array of non-legal subjects such as political economy, accounting, finance, psychology and economic or social policy. The fourth and fifth stages of The National Examination consist of a series of oral tests. Not surprisingly, The National Examination is the source of much heartache, anguish and fatigue.

Those who pass The National Examination may then attend the Legal Training and Research Institute in Tokyo which is run by the Supreme Court. Training lasts for two years and is entirely practical in nature, concentrating on procedure, evidence, advocacy, drafting and legal research. At the conclusion of this course there is yet another exam, for which the failure rate is very low.

Reform of the system is unlikely. The Ministry of Justice wishes to maintain the exceptionally high standard of the legal profession. It is also of the view that more lawyers means more litigation, which is seen as an unproductive exercise and a squandering of the nation's wealth.