

search tasks and oral presentations, including the holding of a moot, which is put on video and played back to the students to allow them to comment on, and learn from, their own and each other's performances.

Consideration of both the shared characteristics of adult learners and individual differences enables the tutors involved in delivering the program to develop more understanding of problems which may arise and consequently meet the needs of the students more effectively. Access courses acknowledge competing interests by timing classes to fit in with school hours and holidays and making provision for part time study. Students are encouraged to use past relevant experiences and are offered practical support to enhance their learning.

The role of the personal tutor is a central one not only in forming a link between the student and other services which may be required, but also in terms of what such an individual can offer to a student. A lecturer performing the role of personal tutor has to have a high level of commitment to the task and must be able to give emotional as well as practical support.

Giving students a voice, not just to air personal problems but also to express their opinions on the course itself, has also been seen as an essential ingredient of the program. Involving the students in discussions and decisions relating to their course is of particular importance when dealing with the adult learner. Retention can be improved if students have an active role in the monitoring of their courses and feel that their opinions and suggestions are valued.

Access students and widening participation

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In the context of the UK Government's commitment to widening participation in Higher Education (HE) among under-represented groups, it is important not to forget Access students, who are often drawn from more working-class backgrounds

than the general intake of 18-year-olds fresh from school or college.

Over the past two decades, there has been a vast expansion of Access provision nationally, in order to help mature students without the standard qualifications to enter higher education. In the case of Law, some students are entering the LLB through special 'Access to Law' courses, while others are coming through the more general 'three subject' route. In both types of program, Access courses contain compulsory, assessed elements which help students develop study skills, like note taking, essay writing, research methods and the delivery of seminar presentations. Recently, basic maths and IT skills have also become mandatory.

Manchester Adult Education Service has for many years offered a wide range of provision and qualifications, much of it far removed from the popular 'flower arranging' image. It works on a relatively small scale at local centres right across the city, most sites being open throughout the day and not just for evening classes. The main Access courses, sending more than thirty students to university, serve three very deprived, working class areas of high unemployment. The students are very diverse and come from many different ethnic and social backgrounds. Probably the single most noticeable characteristic of all the Access students is their strong motivation and will to succeed.

The apparent success in preparing these mature students academically for university probably stems from high standards and expectations from course tutors, on the one hand, and the large amount of personal support given to students in terms of regular individual tutorials (both subject and general) on the other. There is also a great deal of small group and discussion work, with emphasis on active participation by all students in the class. These elements appear to bring positive and confidence-building results.

A Law degree seems to be still perceived by our students as more difficult and academic than many other subjects,

and Law is definitely seen as a high status subject and profession. This is probably to do with its strong association in the public mind with the upper middle classes. From the evidence of class discussions, it seems our students have an impression of both barristers and judges, in particular, as white, male, elderly and public school educated stereotypes, which is, of course, still largely the reality. Students do not seem as aware of the fact that so many Law undergraduates today are female.

On the Access courses, teachers help students to gain the confidence to apply for university and we have a very high rate of acceptance. However, there are problems for students when they arrive in the higher education institutions which often seem huge, impersonal, unwelcoming and indifferent to them. Some mature students are so discouraged and demoralised by this that they drop out within a few weeks. Another recurring problem occurs in seminars, where mature students (who are used to participating in discussion and speaking up) are placed with silent, reticent eighteen year olds.

Amongst suggestions for improvements are the following: appoint someone at each university to be responsible each year for new mature students and introduce a mentoring system in each institution, allowing second-year mature students to link up with first-years on a regular basis to offer support. New mature students should have a personal tutor in their department who actually makes a point of seeking them out and making an appointment with them at the start of the first term. Summer bridging courses between Access programs and their local universities should be much more widely available.

Training in group work teaching methods for all university lecturers who take seminar groups would be very helpful. These are all ways in which more students from non-traditional backgrounds can more effectively be brought into higher education, including LLB courses, and, once there, prevented from drop-

ping out. Because Access students are a valuable resource for society, as well as being individuals with great potential and determination to succeed, we should be finding ways to help them more, rather than putting obstacles in their way.

GENDER ISSUES

'The adequacy of their attention': gender-bias and the incorporation of feminist perspectives in the Australian introductory law subject

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Since the Pearce Committee's review of Australia's then law schools in 1987, there has been a strong movement toward the incorporation of feminist (and other) theoretical and critical perspectives in the introductory courses. However, there are still a significant number of courses that approach the subject-matter uncritically with very little or no feminist content. A law course that uncritically presents legal doctrines risks adopting and perpetuating the unstated point of view of a particular cultural group in our society. Legal education should be openly self-conscious on the culturally-specific point of view of the law and should recognise and address its own partiality.

Feminist scholars have argued that to fail to consider and teach the law critically, and instead to consider and teach it in isolation from its relationship with the rest of the world would be to fail to consider and acknowledge the underlying masculinity of law and legal systems. They argue that legal education delivers inaccurate messages about women because these messages derive from an androcentric perspective. From this perspective, men represent a paradigm and women are portrayed as different: a difference that is thought to make women inferior to men. Yet, paradoxically, at other times, women are also portrayed as having needs and experiences that are no different from that of men because the male is the measure of the legal person - the subject of the law.

For the purpose of the present study, legal education is considered to disclose gender-bias if it portrays the stereotypical male and his values as the paradigm and ignores the diversity of the lives of individual men and women. The extreme manifestation of gender-bias is an absence of women and women's needs from legal education, virtually giving the appearance that women do not exist.

There are at least three closely-related reasons for conducting a feminist analysis of legal education. The first is that legal education is a socialising process. Any experiences, philosophies and prejudices that a student may encounter at law school concerning men and women and their respective social roles will contribute significantly to the formation of the law graduate, as well as reinforcing or challenging any pre-existing biases. The second reason for conducting this kind of analysis flows from the ultimate societal roles of most law graduates, who clearly have the capacity to participate in and influence social and cultural outcomes, shape social and cultural development and pursue or resist change to the social and cultural status quo. A third reason why a feminist analysis of legal education is important is that modern legal education affects the quality of legal services that women in our community receive.

The objective of this study was to conduct a very detailed analysis and critique of the contents of the introductory law subject. After communicating with each Australian law school teaching a law degree and requesting the course outlines and reading lists of their introductory courses, it was possible to include in this analysis 36 introductory courses from every such law school bar one.

The introductory law subject typically covers certain issues fundamental to the Australian legal system. Australian legal and constitutional history is a very common topic in the introductory law subject. The very important part played by women of different social and cultural backgrounds in the development of An-

glo-Australian legal history and Australian nationhood was discussed in one law school only.

A consideration of the sources of Australian law, including its English sources, is also common in introductory courses. There was some exploration of feminist issues in several of the courses. Legal analysis and dispute resolution involves the reinterpretation of individual human problems to fit within pre-constructed legal categories. Law students are taught to approach the resolution of human problems by this method. An important question, therefore, is from whose standpoint these legal categories have been constructed. Feminists argue that it is an androcentric standpoint and that women have not participated in the construction of these categories. None of the courses in this study engaged with this important feminist discussion.

Introductory courses usually also include an exploration of the Australian legal system in the state and federal context and its various components, such as parliaments, courts, the Crown and the executive. No course introduced any feminist content in teaching this broad area.

In the broad area of legal reasoning, introductory courses teach methods and tools of legal reasoning and judicial decision-making. Primary among these are the doctrine of precedent and the methods and rules of statutory interpretation. The process of common law reasoning and *stare decisis* has been subjected to feminist criticism in that, without statutory intervention, the common law is often slow to respond to women's needs and experiences of life, and helps perpetuate the existing androcentricity of the law. The common law has, for example, been slow to recognise what is known as battered woman syndrome to assist women who have been victims of domestic violence. These important feminist issues were raised in two law schools. Including feminist perspectives on the topic can help students to understand that the doctrine of *stare decisis*, an apparently neutral legal doctrine, is capable of having a gender-biased effect on the law