

Submission to the Commission on Justice in Wales

1. Introduction

- 1.1 The Hillary Rodham Clinton School of Law is Wales' largest law school and Wales' top ranked law school¹. It is achieving significant and sustained growth and has an ambitious development plan that will support its transformation as a sector-leading centre for education and research in law and criminology. The School delivers education, training and research that equip students, staff and partners with the skills and experiences necessary to understand the changing legal landscape. Its undergraduate degree programmes include qualifying law degrees and criminology courses.
- 1.2 All Swansea's undergraduate law programmes cover the foundations of legal knowledge specified by the UK's Solicitors Regulation Authority and Bar Standards Council. The School also provides one of the widest choices of elective modules in the UK legal education sector, meaning that students are able to personalise their learning experience. Longstanding strengths in commercial and maritime law are complemented by research in human rights, environmental law, youth justice, cybercrime and terrorism, Wales as a jurisdiction, and access to justice.
- 1.3 The School takes pride in offering an exceptional student experience and a progressive curriculum, with modules designed to enhance the employability of its graduates. International collaborations with academic, commercial and public sector organisations support student mobility as well as research that makes a difference around the world, while links with other academic disciplines innovative thinking about the application of Law and Criminology.
- 1.4 The School offers an environment of internationally recognised research excellence that regularly connects academic theory with practical applications. The 2014 Research Excellence Framework recognised the School's emphasis on the real-world application and value of research: the assessment ranked the School in the UK top 30 for the quality of its research impact, with 80% of its impact case studies (including on children's rights) identified as internationally excellent or world leading.
- 1.5 The School recognises that the legal profession is changing. Social media, Big Data, cloud-based computing, artificial intelligence, cybersecurity and virtual reality all present challenges – and opportunities - for the legal profession. The profession must evolve if it is to address these challenges effectively as well as to take advantage of the opportunities afforded by digital technologies. Legal professionals must also be equipped with the skills necessary to advise on issues such as the use and re-use of data, privacy, digital intellectual property, security, and human rights and ethics compliance in digital settings. Equally, the dawn of the Internet of Things and the arrival of driverless cars raise questions about safety,

¹ Times Good University Guide 2018

liability and data management. The next generation of Law and Criminology graduates will therefore be increasingly exposed to technological innovation in the legal workplace.

1.6 In response, the School has agreed an ambitious strategic plan focussed on six core objectives, to:

- deliver excellence in learning and teaching to attract and retain the best students and to deliver an exceptional student experience;
- expand the curriculum to respond to the demands of the changing legal profession;
- enhance opportunities for employability and experiential learning so that Swansea becomes the destination of choice for students seeking an education that will give them the best possible start in their careers;
- grow research and innovation activity to attract new research teams, expand the postgraduate research community, and increase research funding;
- strengthen partnerships with local, national and international stakeholders to support all aspects of the College's development, and
- develop a suite of commercial and training services to support practitioners with (e.g.) Continuing Professional Development and consultancy .

1.7 This submission to the Commission on Justice in Wales highlights the steps the School is taking to ensure that the education it provides remains relevant in a changing legal sector.

2. Centre for Innovation and Entrepreneurship in Law

2.1 The Centre for Innovation and Entrepreneurship in Law (CIEL) was established at Swansea University in August 2017 to support a rethinking of the nature of legal education and practice and to promote the acquisition of high-level skills related to technology-driven legal practice. All Law academics in the School are affiliate members of the Centre. An advisory board has been constituted with a remit to provide guidance and direction to support the successful development and delivery of the Centre's activities across its education, innovation and engagement programmes. The Advisory Board comprises representation from a range of stakeholders in the regional, national and international legal, technology and academic communities.

2.2 CIEL's academic lead is Dr Adam Wyner, Associate Professor in Law and Computer Science. Collaboration with Computer Science. Adam is a Computer Scientist who specialises in knowledge extraction, representation and reasoning for the management, analysis and interpretation of large volumes of textual data in Law (legislation, regulations, case law), with particular strengths in the application of artificial intelligence and machine learning within the legal domain. He has an international reputation in the field of legal informatics. Adam is a joint appointment between the School of Law and the University's Department of Computer Science, which is fully supportive of the School of Law's ambitions to grow expertise in the development and application of technologies that support access to justice and legal service delivery.

3 Enhancing the curriculum

3.1 It is increasingly clear that a traditional law degree may not in the future be sufficient to equip graduates with the skills necessary to meet the changing nature of legal practice. In the same way that practices are starting to embrace new technologies and new ways of working, so law schools must consider what they can do to prepare their students for the changing demands and expectations of a 21st century legal career. Law schools must

understand how they can train students for types of job that might not yet exist while at the same time reassuring them of the continuing value of a law degree.

- 3.2 The School of Law sees the introduction of the Solicitors Qualifying Examination as an opportunity to introduce additional skills-based and experiential learning to the traditional legal education. It is the School's intent to preserve the academic integrity and rigour of the law while taking advantage of the SRA's more flexible expectations of legal education to ensure that the law degree remains relevant and that it will enhance the employability of their students in the increasingly competitive employment market. To achieve this, the School of Law is enhancing its curriculum with academic and experiential learning modules that add value to the traditional law degree and which will enable students graduate not just with the required legal knowledge, but with a skillset that enables them to:
- seek innovative solutions to problems;
 - work effectively in multidisciplinary teams;
 - be entrepreneurial in their approach;
 - be flexible and agile, and, most importantly,
 - be "work ready" even, perhaps, before they have secured a training contract.
- 3.2 Since January 2018, second year undergraduate Law students have been able to take an optional "**coding for lawyers**" module that provides an introduction to computer programming and coding principles, tailored to students on the qualifying law degree. Students will acquire the skills to undertake program development in Python and gain further insight in the typical design, structure and application of technical solutions. The School does not subscribe to the view that all lawyers will need to code, nor that all lawyers will need to gain specialist technology skills. However, the School believes that it will become increasingly important for lawyers to be able to find common ground with in-house IT teams. Consequently, the School is committed to providing development opportunities for those law students who want to understand how coding works, to apply computational thinking to legal issues and to be able to map processes that deliver solutions to clients' problems.
- 3.3 In July 2018, the School of Law provided **Legal Project Management** training to a group of students on the Legal Practice Course. Delivered by Legal Project Management Ltd, the sole UK provider of training for the International Institute of Legal Project Management (IILPM), the short course gave students the opportunity to enhance their technical abilities in areas such as resource management, risk management and project planning, as well as expanding their negotiation and presentation skills. The course complements the legal knowledge students gain through their law degree with practical experiences and capabilities which are attractive to employers. It also accredits them as IILPM Legal Project Associates.
- 3.4 It is planned that the School of Law will provide an opportunity for students to acquire the **Legal Technology Core Competencies** Certification Coalition (LTC4) standard. LTC4 sets a global standard for legal technology proficiency. Students will be able to complete ten scenario-based workflow learning plans, gaining practical experience in, for instance, working with legal documents, eDiscovery/eDisclosure, working with spreadsheets, and client relationship management.
- 3.5 **Street Law** is a legal education programme delivered to schools or community groups to empower people by informing them about the law, legal system and human rights in a democratic society. This module enables students to develop and deliver a Street Law

session on a selected topic, with the expectation that they will accurately present, recall and describe the law in ways that are accessible to the lay audience.

- 3.6 The **Miscarriage of Justice Project** module encourages students to work on a real life alleged miscarriage of justice case, where there is doubt about the safety of the conviction, with a view to submitting an application to the Criminal Cases Review Commission (CCRC) either for the case to be referred back to the Court of Appeal or for the CCRC to exercise its investigative powers. If the investigations show the convicted person is not factually innocent, the case will be closed. Students' work is supervised by academics in conjunction with practising solicitors, barristers, forensic scientists and others.
- 3.7 A **Clinical Legal Education** module examines, in a clinical setting, a number of issues surrounding the provision of legal advice and involves students training as advisers with the Swansea University Law Clinic. This provides practical experience of advice work, mainly, but not exclusively, of a legal nature. Students are directly involved in providing advice work and give, with appropriate supervision and support, advice over a range of areas which could include social security law, prison law, equality law, housing law, consumer law, contracts, miscarriage of justice cases and employment law. In order to complete this module, students are committing to train and volunteer as clinic volunteers. Therefore they are undertaking obligations to the clinic including the commitment to behave ethically according to professional legal norms.

4 LLM in LegalTech

- 4.1 The School's Master's (LLM) in LegalTech will welcome its first cohort in September 2018. This is an innovative and topical programme, which explores how technologies such as Artificial Intelligence and Blockchain impact on legal services. Organisations from both the legal and the tech worlds will be involved in the delivery of the programme, which will offer opportunities to work with artificial intelligence systems; to develop LegalTech apps and solutions; to become comfortable working with Big Data, and to understand the legal and regulatory challenges associated with technology.
- 4.2 Students on this programme will gain the knowledge and experience to develop into a 21st century lawyer/legal service practitioner able to deploy different technologies to aid legal practice and to drive innovation across the profession. They will discover how Artificial Intelligence is applied to the Law (e.g. introduction to theory, techniques, and tools) as well as how the Law is applied to AI (e.g. legal, regulatory and ethical impacts of automation and information access).
- 4.3 It is planned that students will benefit from opportunities to work with artificial intelligence; to develop their own LegalTech solutions; to become comfortable working with Big Data, and to gain hands-on experience of applying their knowledge in practice. Students will complete taught (compulsory and optional) modules in a range of topics, including:
- Artificial intelligence and legal practice
 - Artificial intelligence and the law
 - Automating legal services
 - Legal services in a digital world
 - LegalTech entrepreneurship
 - Quantitative analysis and working with Big Data
 - Digital IP
 - Rights, trust and accountability in modern legal practice
 - Clinical Legal Education in the Digital Economy

- Blockchain / distributed ledger technology

5 Legal innovation

5.1 Successful lawyers are characterised by their ability to apply their core legal knowledge and by the creativity of the legal mindset. The School believes that there needs to be a balance that favours the acquisition of legal knowledge and experience but which also recognises the need for an additional layer of skills, for example, to give students an appreciation of how software development might lead to innovation in legal services. The School is consequently embracing opportunities to promote legal innovation / legal research and development alongside the curriculum. Three examples include the development of a chatbot, student participation in hackathons, and the establishment of a LegalTech Wales network.

5.2 The School's Children's Legal Centre is in the process of establishing a Virtual Legal Practice (VLP) to support the Centre's work to provide information and access to legal advice and representation for children and young people (bilingually, Wales-wide), and to advocate for reform in law, policy and practice. The VLP will be an online portal where legal cases are generated and triaged. A collaboration between the School of Law and the Department of Computer Science has led to the development by a Master's student of **an innovative chatbot**, which will provide an interface for children to use the platform, and which will:

- act as a personal assistant to help the child navigate the information that is available on the web site and find what they are looking for, and
- act as a triage service, enabling automated referral to the virtual legal practice.

A PhD project supervised by colleagues in Law and Computer Science will seek to expand this work, with the aim of developing approaches to delivering online advice to a wider constituency in accessible lay terms.

5.3 The School of Law was pleased to be able to participate in the **Online Courts Hackathon** in July 2017. Swansea supported students from Law and Computer Science to enter a joint team with developers from Mishcon de Reya and a dispute resolution specialist. The team worked for 24 hours to develop an online dispute resolution platform for family law.

5.4 The School is leading on the development of a **LegalTech Wales** network in collaboration with Law Society Wales, to support the development of the region's LegalTech community. The inaugural conference took place on 31st January 2018 at the Liberty Stadium, Swansea and was attended by 100+ delegates from the legal sector, postgraduate students and academics. The programme included presentations from:

- Professor Richard Susskind OBE
- Christina Blacklaws, (then) Vice President, The Law Society
- Karim Derrick, Head of Legal R&D, Kennedys Law LLP
- Karl Chapman, Riverview Law
- Peter Lee, Wavelength Law
- Kerry Beynon, Acuity Legal
- Abigael Gaskin, Cognitiv Plus
- Alun Thomas, Kalypton
- Declan Goodwin, Capital Law LLP
- Talks from LegalTech companies, including Seedlegals, Properr, Prizsm, F-Lex, and Howla

6 Infrastructure

- 6.1 The School of Law is in the process of procuring a developer to lead the design, planning and delivery of a new, sector-leading Law School, to open in 2020/2021. This represents one of the most significant investments in facilities for UK legal education in recent years and will deliver a unique research and innovation capacity in the application of artificial intelligence and machine learning in legal practice and national security. It will create an opportunity for Wales to develop a specialist research environment that leads advances in artificial intelligence, machine learning, natural language processing and logic applied to LegalTech innovation. Key facilities planned for the new building include:
- 6.2 A **Legal Centre**, an externally facing part of the building where members of the public, SMEs and community groups can obtain legal advice;
- 6.3 A **Justice Centre**, which provides high-quality teaching space and meeting rooms that can be configured to replicate a real life courtroom environment, providing students with an exceptional experiential learning facility. The suite will be used to support advocacy training (for practitioners), while the Moot Court can be used by the Ministry of Justice, and for international arbitration/tribunals.
- 6.4 An **AI and Law laboratory** where researchers in Law and Computer Science can develop, test and apply new techniques in artificial intelligence, for example to improve efficiencies in legal service delivery or to produce toolkits that can be deployed in counterterrorism situations.
- 6.5 A **LegalTech R&D Centre** that will support legal innovation across the Welsh legal sector, led by AI and machine learning research, and stimulating spinouts and economic impact. It will provide a space for law firms and technology companies to collaborate with Law and Computer Science staff and students on the development of technologies that can be deployed for counterterrorism initiatives and legal services.
- 6.6 A **Counterterrorism research suite** that will be used as a secure space where the School of Law's partners from (e.g) the Global Internet Forum to Counter Terrorism can meet to conduct and discuss research, and to work on data provided by (e.g.) EUROPOL, NATO and the Home Office.
- 6.7 A **Quantitative Methods Suite**, a facility to train students in statistical analysis and quantitative research methods for the social sciences. Increasingly, careers in the legal sector require applicants to possess high level data analysis and data handling skills.
- 6.8 A **Hydra Suite**, a unique, high-fidelity learning and collaboration environment that enables the monitoring of real-time leadership and decision making in critical incidents (for example, terrorist attacks, murders, abductions). Recent exercises have also involved education, health, and social service professionals in simulated multi-agency incidents
- 6.9 The plans also include **commercial space** for law firms, technology companies and NGOs to co-locate within the Law School. The aim is to facilitate economic and societal impact through establishing a research and development environment that will work for the Welsh and UK legal and counterterrorism sectors, and which will develop a strong culture of LegalTech innovation, adoption and entrepreneurship in Wales.
- 6.10 Locating Law and Criminology on the Bay Campus alongside the School of Management and the Computational Foundry represents an exciting opportunity for Swansea to take a lead in shaping the future of legal education, practice and research, and to make a serious,

impactful contribution to legal and criminology research, external engagement, and the delivery of commercial services and professional training.

- 6.11 The School has been invited to submit a funding application to the Wales European Funding Office to support the cost of establishing the AI laboratory, counterterrorism research suite and legal R&D centre.

7 Concluding observation

- 7.1 The School of Law believes that law firms will very shortly start broadening the types of trainee they recruit to their organisations to ensure a balance of skills and capabilities across their practices. The Law Schools cannot, however, work in isolation and cannot deliver law degrees that second-guess the needs of the sector. They need the legal profession to work with them to help shape the curriculum and to pinpoint the development needs of different legal roles. The primary role of the Law Schools is, after all, to ensure that the students they educate will find opportunities to thrive in this changing sector and that they have the skills to develop (and succeed in) rewarding careers.

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