

# Regulatory relationships and legal education: the case of innovation

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The LETR Report on legal services education and training (LSET), published in June 2013, is the most recent of a series of reports dealing with legal education in England and Wales in the last half century. The reports focus mostly on the content of legal education, or aspects of the educational framework, or educational methods. What might be regarded as meta-questions about regulatory relationship in legal education are rarely asked or answered – for example, what is regulatory relationship? Who is regulating what? How can educational process and outcome best be regulated, and what are the underlying purposes?

Prior to LETR, regulatory reports did not deal in detail with either innovation in education or in technology theory and use, either in legal practice or in legal education. This is a pattern that is evident in reports in most other common law jurisdictions. Throughout the last 30 years, however, the use of digital technology has increased substantially. Educational innovation has increased, and not just in LSET. Innovation is now a permanent feature of the legal services landscape. In this context, LETR set out a fresh approach to educational innovation, and technology use and theory.

In this paper I shall argue that, amongst much else, the LETR report articulates change in the regulatory relationship. The concept of ‘shared space’ outlined in the Report and Literature Review is significant for the emergence and development of new regulatory relationships in the legal educational field. Furthermore, LETR points to the importance of regulatory relationship and shared space for the future regulation of innovation, in contrast to earlier reports in England and Wales, and those from other jurisdictions, notably those in the USA.

In the discussion I shall explore LETR’s position and compare it with regulatory statements on technology and legal education in England, Australia and the USA (in particular the latest legal educational report from the ABA Task Force). Based on a review not just of recent practical technological implementations but of theoretical educational and regulatory literatures, and with illustrative examples, I shall argue that change in the regulatory relationship is vital for the success of innovation in LSET and legal education in England and Wales.