Thesis Title –

'To be generic or to be specific, that is the graduate attribute question':
exploring legal academics', law graduates' and legal employers' perceptions of
graduate attributes.

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Abstract

This thesis explores graduate attributes, which are the qualities, skills, and competencies that higher education expects graduates to possess upon completion of their studies. Specifically, it investigates stakeholders' perceptions of graduate attributes and offers a research-based synthesis of graduate attributes from the disciplinary perspective of law. Graduate attributes have predominately been constructed as generic, and thus separate from the disciplinary context, with universities positioning graduate attributes as evidence of graduateness. The concept of graduateness is connected to the marketisation of higher education. Policy drivers have impacted on universities, making them align more closely with the employability agenda and the labour market. The approach adopted by universities risks disregarding the significance of discipline-informed attributes. In this thesis, I examine graduate attributes as they are conceptualised within the discipline of law. Drawing on 43 interviews with legal academics, law firms and law graduates from across academic institutions and law firms, I argue that graduate attributes need to be conceptualised from a disciplinary perspective if they are to inform our understanding of graduateness and what it means to be a graduate in law. While other studies have explored graduate attributes, they have largely drawn on publicly available quantitative data to construct graduate attribute frameworks. In contrast to approaches that articulate graduate attributes as generic, this thesis contributes new knowledge to the field by conceptualising graduate attributes within the discipline of law and presenting the first empirically based constructs of the ideal law graduate. The findings focus on law students in that they identify experiences that support the development of discipline-informed graduate attributes, and on law schools in that they show how the integration of experiential learning pedagogies within legal education not only fosters graduate attributes, but also plays an important role in the development of professional identity. The findings also highlight the external forces influencing the evolution of graduate attributes and identify the implications for legal education and legal practice. Adopting a generic graduate attribute approach poses challenges for academics and students and for the inclusion of attributes within the curriculum. I argue that law schools should

embed discipline-informed attributes by shifting away from traditional pedagogical approaches and exploring the adoption of experiential learning strategies.

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Author's declaration: This thesis results entirely from my own and has not been offered previously for any other degree or diploma.

The thesis consists of 44,254 words and therefore does not exceed the permitted maximum word count of 45000.

Signature Francine Ryan

Publications derived from work on Doctoral Programmes

No sections of the thesis have been published or submitted for a higher degree elsewhere.

Chapter 1: Introduction

1.1 Introduction

The exploration of graduate attributes is a topic of significant academic interest, and an understanding of graduate attributes and how they are developed is relevant for students and higher education institutions. The legal profession and the practice of law are evolving, and this raises questions around how we effectively equip students with the essential attributes and skills to thrive in a changing legal landscape. This research explores stakeholders' perceptions of the attributes graduates need for a career in law, and the findings of this research contribute to the discourse on graduate attributes. This introductory chapter of my thesis starts by setting out the aims of my research (1.2) and outlining the research questions (1.3). It then outlines the context of the research by considering the policy drivers that are relevant for exploring the relationship between graduate attributes and graduate employment (1.4) the conceptualisation of graduate attributes (1.5) and examines the role of legal education and how our understanding of legal education and the legal profession are relevant to this research (1.6). It provides an explanation of the methods and methodology used in this study to explore qualitative conceptions of graduate attributes (1.7). My interest in this research comes from my own professional and academic background, which is explored in (1.8). In (1.9), I set out the argument for the originality and significance of my research, outline the structure of my thesis (1.10) and finish with a summary of this chapter (1.11).

1.2 The aims of this research.

Students are graduating into a post-pandemic global labour market that is impacted by technology and globalisation (Ancillo *et al.,* 2020; Vyas, 2022; World Economic Forum, 2023). Within higher education, employability is how universities prepare students to navigate the route into graduate employment (Bennett, 2019). Understanding this process requires an understanding of graduateness and of the attributes that students require to successfully transition and thrive in today's fast-moving world. This aim of this research is to

understand graduateness from the perspective of law and the graduate attributes required for a career in law.

Graduates are entering a labour market that is rapidly evolving, with advances in technology impacting on the different careers in law and the opportunities to practice law (Susskind, 2023). There is an oversupply of law graduates: in 2020/21, the Law Society reported that 21,650 UK students were accepted to study law, and the number of graduates was the highest on record at 18,927. The number of training contract registrations dropped by 2% to 5,495, which was the lowest for five years (The Law Society, 2022). The process of obtaining a training contract to work in legal practice is very competitive. Graduates are finding it more difficult to transition into graduate work, and it takes longer to establish a career (Bennett, 2019). These changes are what made me interested in exploring and gaining a deeper insight into the attributes and skills required for a career in law.

There is a lack of agreement around graduate attributes, with different views on how graduate attributes are conceptualised and developed (Barrie, 2006; Su, 2014; Oliver *et al.*, 2018; Smith *et al.*, 2018; Hammer *et al.*, 2021). There has been extensive research in the field of graduate attributes, which has predominately focused on generic attributes (Barrie, 2004; 2006; Green *et al.*, 2009; Su, 2014; Hill *et al.*, 2016; Kensington- Miller *et al.*, 2018; Lipan *et al.*, 2020). Although there has been a considerable focus on generic graduate attributes, there has been less research that has explored disciplinary constructions of graduate attributes and how to make them explicit in teaching (Jones, 2009a; 2009b; 2013). Through my research I want to explore stakeholders' perceptions of graduate attributes and understand the attributes they consider are required for a career in law. The aim of this study is therefore to develop a deeper understanding of the characteristics that define the ideal law graduate and to provide insights into what it means to be a law graduate and what makes a successful transition into legal practice.

There are few studies that have contextualised graduate attributes within a disciplinary perspective, and a paucity of research that has explored

graduateness within law and which has synthesised the perspectives of employers, graduates, and academics. The conceptualisation of graduate attributes is fundamental to our understanding of how we can best help students to develop such attributes. A clear conceptualisation of graduate attributes can inform curriculum design and assist students in recognising the attributes they require, and then cultivating them and understanding how they relate to their future career. Much of the previous research has considered how experiences both inside and outside the curriculum support the development of generic graduate attributes, but there has been less research that has considered the relationship between experience and the cultivation of attributes within the disciplinary context of law. There is therefore an opportunity to consider the relationship between graduate attributes and the disciplinary context and to consider how attributes are shaped by the discipline; such an investigation will further our understanding of how attributes can be developed.

There appear to be gaps in our understanding of how graduate attributes are developed within a disciplinary context. I was interested in exploring the types of experience that cultivate graduate attributes and considering whether this should be from inside or outside the curriculum. I was interested in examining how experiences support the development of graduate attributes and why they are important. I was curious about the role of legal education in fostering graduate attributes and whether there were aspects of the undergraduate law degree that could aid the development of graduate attributes. Oliver *et al.,* (2018) argue that graduate attributes need to be embedded within the curriculum to ensure that graduates can use them in real world settings. An exploration of legal education was a chance to determine whether there are opportunities for developing graduate attributes within the undergraduate law degree and to establish an evidential approach to teaching graduate attributes. One strategy for developing graduate attributes is to explore how experiential learning pedagogies that incorporate real-world situations might be integrated into the curriculum to foster the development of such attributes and the construction of professional identity.

My research was conducted during the Covid-19 pandemic. This was a difficult and challenging time that brought about fundamental changes to our society that have influenced this study (Brammer *et al.,* 2020). The pandemic changed people's perspectives on work, and it accelerated existing trends that were emerging around flexibility and the place of work (Ancillo *et al.,* 2020; Vyas, 2022; World Economic Forum, 2023). The scale of the transition in the workplace and its impact on the way we work are significant to the study of graduate attributes. The shifts in remote and flexible working and the accelerated adoption of technology that occurred during the pandemic are likely to continue (Desouz *et al.,* 2020; Konig *et al.,* 2020; Hong *et al.*, 2020; Śledziewska *et al.,* 2021; Eom *et al.,* 2022; World Economic Forum, 2023). The fact that the research was conducted during the pandemic provided an opportunity to discuss with the participants how the pandemic at that time was impacting on the delivery of legal services and on modes of work, and the insights which emerged have been captured in the findings of this research. It is important for this study to consider how changes that have emerged since the pandemic and the rise of emerging technologies are relevant to our understanding of the future of work and in turn of graduate attributes.

Overall, the aim of this research is to explore in depth the perceptions of graduate attributes of legal employers, law graduates and legal academics. I wanted to better understand stakeholders' perceptions of the graduate attributes necessary for a career in law and to consider the role of the disciplinary context in shaping an understanding of these attributes. There are differing perspectives around how graduate attributes are conceptualised, and the aim of this research is to produce qualitative understandings of these attributes informed by empirical evidence. The object of this thesis is to look critically at graduate attributes and offer an empirical contribution to the conceptualisation of graduate attributes that has been informed by the disciplinary context that tells us something about graduateness and what it means to be a graduate in law.

1.3 Research questions

The aim of this study is to examine and conceptualise graduate attributes within the context of law to better understand the graduate attributes required for legal practice. A preliminary review of the literature enabled me to identify gaps in the existing knowledge there were few empirical studies of graduate attributes in the context of the discipline of law. The research questions were constructed to uncover the perspectives of legal employers, legal academics and graduates in law and examine their perceptions of graduate attributes. To research these issues, I planned and conducted a qualitative study guided by three related research questions:

- How do stakeholders conceptualise graduate attributes for a career in law?

- Do different stakeholders have different conceptualisations of the ideal law graduate?

- Are stakeholders' views of the factors that support the development of a career in law related to their views of the ideal law graduate?

1.4 The policy context in UK: graduate employability and graduate attributes

There are discussions of employability around the world, but in the United Kingdom, the United States of America and Australia the focus on graduate employability is firmly entrenched (Tomlinson, 2012; Siivonen *et al.,* 2023). In the UK, government policies place expectations on higher education institutions to ensure that graduates can gain employment (Minocha *et al.,* 2017; Siivonen *et al.,* 2023). They measure and rank universities' performance in graduate outcomes surveys, leading to universities becoming increasingly strategic and competitive in relation to graduate employability (Minocha *et al.,* 2017). There are a number of different purposes of higher education (Ashwin, 2022), one of which is the production of academic and skilled graduates who contribute to the

country's economic development (Nghia *et al.,* 2022). In an environment where the focus is on the economic benefits of higher education, it becomes more challenging to demonstrate that a university education offers 'value for money' (Tomlinson, 2008; Siivonen *et al.,* 2023). There has been rapid growth in the provision of higher education along with significant changes in the labour market (Minocha *et al.,* 2017; Bennett, 2019; Burke *et al.,* 2020). In recent years, higher education policy has required universities to demonstrate how they are enhancing graduate employability (Clarke, 2018; Minocha *et al.,* 2017; Tomlinson *et al.,* 2020; Siivonen *et al.,* 2023). We are increasingly seeing the employability agenda embedded into higher education (Tomlinson *et al.,* 2020), and these policy drivers are placing universities under significant pressure to produce employable graduates (Small *et al.,* 2018; Minocha *et al.,* 2017; Jones *et al.,* 2019; Siivonen *et al.,* 2023). It has been argued that the massification of higher education and the diminishing value of a university degree have led to an increasingly unstable graduate labour market (Tomlinson, 2012; Tomlinson *et al.,* 2020; Burke *et al.,* 2020, Tomlinson *et al.,* 2022; Li, 2023).

Graduate employability and graduate employment are distinct terms, yet they are often conceptualised as the same. There is a distinction between obtaining a job (employment) and having the attributes, capabilities and skills required to secure work (employability) (Minocha *et al.,* 2017; Bennett, 2019). In recent years there have been changes to government policy, so we are now increasingly seeing graduate employment and graduate employability merging (Cheng *et al.,* 2022; Siivonen *et al.,* 2023). In the UK, since 2017, graduates have been asked to complete an annual graduate outcomes survey that captures their work activities and their salaries (HESA, 2023). The Graduate Outcomes Survey measures the number of graduates who have secured highly skilled employment (HESA, 2023). This is one of the metrics that informs university league tables to demonstrate how far a higher education institution is able to deliver employability. Universities are being measured on graduate outcomes, and the responsibility for delivering graduate employment is placed on higher education institutions (Cheng *et al.,* 2022; Siivonen *et al.,* 2023). Graduate employability is determined by a myriad of factors, but as it has become the central focus of higher education policy, the emphasis has shifted

to universities to ensure that graduates have the attributes and skills to prepare them for the labour market (Yorke, 2006; Holmes, 2013). Yorke (2006, p.4) defines employability as: "A set of achievements – skills, understandings and personal attributes – that make graduates more likely to gain employment and be successful in their chosen occupations, which benefit themselves, the workforce, the community, and the economy".

It could be argued that we have moved to a position where graduates are required to meet the demands of employers to secure employment and universities are required to meet graduate outcomes targets, and this re-positioning is redefining the responsibility of higher education in terms of employability (Tomlinson *et al.,* 2020; Cheng *et al.,* 2022). The problem with this approach, as Tomlinson, (2017) argues, is that it ignores the complexities of graduate employability. The labour market is subject to external economic and political pressures that impact on graduates' ability to obtain graduate work. This leads to a position where it could be argued that higher education must navigate the shifting policy landscape, and - on an individual level - that graduates must make sense of all of this to determine their relationship with the labour market. This could suggest that graduate employability is subject to and influenced by external factors that must be accounted for in the discussions around it (Tomlinson, 2017; Cheng *et al.,* 2022). There is no one agreed definition of graduate employability. Small *et al.,* (2018, p. 161) argue that it is "the capacity to be self-reliant in navigating the labour market, utilising knowledge, individual skills, and attributes, and adapting them to the employment context, showcasing them to employers, while taking into account external and other constraints".

The policy context is critical for our understanding of the relationship between graduate employment and graduate attributes. There appears to have been a change in emphasis within higher education, with a movement away from graduateness to employability (Keneley *et al.,* 2011). Graduate employability is subject to a considerable amount of debate, particularly in relation to how it is conceptualised (Minocha *et al.,* 2017). One aspect of graduate employability is how well a graduate transitions to post-graduation employment (Harvey *et al.,*

2005). The other aspect is the development of attributes that are considered necessary to secure graduate employment (Yorke, 2004; Yorke, 2006). Through its Graduate Outcomes Survey, the Higher Education Academy focuses on employment as a measurable outcome that determines graduate employability. However, the other dimension of employability is the development of graduate attributes as critical for graduates to enhance their ability to secure graduate employment (Minocha *et al.,* 2017; Siivonen *et al.,* 2023). Although graduate employability may be understood in these terms, the extent to which higher education addresses graduate employability is contested (Minocha *et al.,* 2017).

Previous research suggests that academic qualifications alone are not sufficient to ensure graduate employment and that work readiness goes beyond the acquisition of academic knowledge (Tomlinson, 2008: Mason *et al.,* 2009; Tomlinson, 2012). Bridgstock (2009) argues that the attainment of graduate attributes correlates to the work readiness of graduates and that employability is the ability of graduates to present those attributes and skills to employers (Small *et al.,* 2018). Definitions of graduate employability have evolved to recognise the role of graduate attributes in supporting graduates in gaining employment whilst acknowledging the impact of external factors on their ability to obtain graduate employment (Small *et al.,* 2018; Cheng *et al.,* 2022). The discussion of graduate attributes to support employability centres on the development of generic graduate attributes that sit outside the disciplinary context (Bennett, 2019).

There has also been a significant amount of research that has explored and conceptualised generic graduate attributes (Barrie, 2006; Barrie, 2012; Green *et al.*, 2009; Su, 2014; Hill *et al.*, 2016; Lipan *et al.*, 2020). The discussion of graduate attributes is relevant to our understandings of graduate employability, but linked to the employability agenda is the need for universities to demonstrate the 'value' of a university education and provide 'evidence' of how graduate attributes differentiate and distinguish their graduates (Barrie, 2006; 2012). Statements of generic graduate attributes focus on the world of work (employability), broader societal contributions and global citizenship (Bowden *et*

al., 2000; Christensen *et al.*, 2000; Wong *et al.,* 2021). The approach adopted by universities reflects a top-down institutional view of graduate attributes that suggest they are generic, go beyond the particular disciplinary context and are transferable across all disciplines (Barrie, 2006; Barrie, 2012).

The focus on generic graduate attributes alone is problematic because there are issues around the transferability of generic graduate attributes across disciplines and questions around the effectiveness of developing graduate attributes independently from the disciplinary context (Jones, 2009a; 2009b; 2013). There is an emerging body of opinion that suggests attributes cannot be separated from disciplinary knowledge, but can only be properly understood and have meaning from a disciplinary perspective (Jones, 2009a; 2009b; Jones, 2013).

1.5 The conceptualisation of graduate attributes

Graduate attributes comprise of a set of skills, attitudes, values, and knowledge that a graduate should develop by the end of their degree (Hill *et al.,* 2016). Often graduate attributes are presented as lists of desirable attributes that lack a specific definition with little agreement around whether they should be generic or discipline specific (Hughes & Barrie, 2010; Jones, 2009b; 2013; Kensington-Miller *et al,* 2018). The meaningful articulation of graduate attributes is complicated by arguments around whether attributes can be developed separately to the disciplinary context. Although attributes such as critical thinking are relevant across disciplines, critical thinking must be applied in context and arguably cannot be developed independently from the discipline (Green *et al.,* 2009). There is a lack of a shared vocabulary around the meanings of graduate attributes (Kavanagh & Drennan, 2008) and the way in which they are presented by universities is not fully contextualised (Aitken, *et al.,* 2019).

The table below explores how the literature has defined adaptability, resilience, confidence, and critical thinking.

Graduate Attribute	Definition	Illustrative literature
Critical thinking	Objectively analyse and evaluate an issue to form a judgement.	Clegg, 2013; Hodge *et al.,*2011; Prinsley & Baranyi 2015; Rayner *et* al.,2015.
	Critical thinking interchangeably with problem solving and linked to decision making.	Green *et al.,* 2009; Hammer *et al.,* 2021; Jones, 2009b; Christensen *et al.,*2000; Squelch *et al.,* 2017.
	Creative and reflective thinking.	Oliver *et al.,* 2018
	Developing an argument, questioning assumptions, awareness of ethical and social issues, questioning the status quo.	Jones, 2009b.
Adaptability	The ability to cope and adapt to changed circumstances.	Coll *et al.,* 2006; Rayner *et* al.,2015.
	The ability to respond to the work environment demanded by the employers.	Moalosi *et al.,* 2012.
	New ideas, innovate, adapt to different contexts, to work independently.	Oliver *et al.,* 2018;
	Perseverance, proactive, taking initiative and dealing positively with change.	Shima and Manwaring, 2017.
	Adaptability is part of self-awareness and lifelong learning and refers to the ability to change and respond to new and different situations.	Wong *et al.,* 2022a.
	The resilience, and ability to respond in different contexts and be	O'Donnell *et al.,* 2017.

	able to draw on existing knowledge to respond to changing circumstances and find solutions.	
Resilience	The skills and abilities to be able to respond to challenges and transform them into opportunities for development.	Shima and Manwaring 2017.
	Ability to work in difficult and challenging situations.	Middleton *et al.,* 2022.
	The ability to cope with change and uncertainty.	Susler and Babcan, 2021.
Confidence	Self- confidence and the ability to progress without reliance on others.	Rampersad & Patel 2014; Rayner *et al.,*2015.
	Capacity to build relationships and the ability to network.	Squelch *et al.,* 2017.
	The interconnection between confidence and resilience. Having the confidence in your ability to respond to new and perhaps challenging situations.	Shima and Manwaring, 2017.

Table 1.1 Definitions of graduate attributes: critical thinking, adaptability, resilience, and confidence with reference to relevant literature

If generic definitions of graduate attributes are be applied across disciplines they need to very broadly defined (Cook, 2018). If graduate attributes are contextualised in the discipline, then they are no longer generic and disciplinary understandings of graduate attributes are required (Jones, 2009b; Green *et al.,* 2009; Cook, 2018).

1.6 The changing nature of legal education

It is important to understand the framework of legal education and the legal profession in England and Wales as it underpins this research. The study of law in the UK is at undergraduate level and the award is an LLB or Bachelor of

Laws. The academic component of the law degree must comply with the QAA Subject Benchmark Statement for Law, and this includes the study of the seven foundations of legal knowledge subjects (criminal law, equity and trusts, law of the European Union, contract, tort, property/land law and public law (constitutional law, administrative law, and human rights law) (QAA, 2023). The traditional approach to these subjects has been the delivery of substantive legal knowledge which is then applied in problem and essay-based questions (Denvir, 2020). However, law schools are now incorporating clinical legal education pedagogies into the undergraduate law degree. This allows students to work on real-world legal problems within which they learn the foundations of legal knowledge alongside the development of practice and professional skills (Bloch, 1982; 2011; Giddings, 1999; 2014).

Although the approach to the education and training of law students is specific to a particular jurisdiction, there are key aspects of the training of future lawyers that are common across countries. The inclusion of clinical legal education pedagogies within legal education originates from the United States and has been widely adopted in Australia (Bloch, 1982; 2011; Giddings, 1999; 2014). It has been suggested that all future lawyers - regardless of jurisdiction - require academic legal knowledge and attributes and skills which are relevant to legal practice (Gorlova, 2023). Law firms have been growing their international presence to take advantage of emerging markets, and with the development of technology this has encouraged further expansion (Wright, 2023). There has been significant growth in global law firms where lawyers work across offices worldwide (Hall, 2013). Some of the stakeholders in this research were drawn from global law firms, so the findings of this research might be applicable to other jurisdictions.

The acquisition of a law degree does not give the right to practise law, there are different routes to qualification as a legal professional across the UK. The legal profession in England and Wales has different types of legal professionals, including solicitors and barristers. Solicitors are regulated by the Solicitors Regulation Authority (SRA) and barristers by the Bar Standards Board (BSB) (Robson, 2016). Barristers traditionally provide advocacy services and appear

on behalf of clients in courts, while solicitors represent clients and provide legal advice in many different areas of law (The Law Society, no date).

There have been changes to the process of qualifying as a solicitor that have had significant implications for legal education. In 2021, the Solicitors Regulation Authority introduced the Solicitors Qualifying Examination (SQE), which is the new way to qualify as a solicitor. The new route requires an undergraduate degree in any subject, passing SQE 1 and SQE 2, the completion of two years' qualifying work experience and passing the character and suitability requirements of the SRA (Solicitors Regulation Authority, 2021). The introduction of the SQE removed the requirement for a qualifying law degree (QLD), which was the academic part of the route to qualify as a solicitor, but the QLD remains a requirement for qualification to the bar. In the UK, law schools are faced with the challenge of considering how the undergraduate law degree meets the requirements of students who may now have different academic pathways to qualify as solicitors or barristers.

Law schools have always adopted different approaches to teaching law. Some law schools take a more traditional doctrinal approach, while others have incorporated a 'law in context' component and others have included elements of legal practice (Waters, 2018). Although there is an established relationship between legal education and legal practice, tensions exist between academic and vocational approaches to legal education which have been further exacerbated by the introduction of the SQE (Menis, 2020). The introduction of the SQE has been heavily criticised by the academy. There are fears that this is an attempt to professionalise the law degree and that the curriculum will become overly complex as it strives to meet the different requirements of students (Waters, 2018).

The introduction of the SQE means that law schools must consider how they are going to respond to the changes in the market and to the strategies adopted by other law schools (Menis, 2020). The policy context is challenging, requiring law schools to meet the demands of the professional regulators while continuing to sell to students the myth that studying law will guarantee entry into

the legal profession (Menis, 2020). Regulatory changes may provide an opportunity for law schools to reconsider the content of their undergraduate law degree and how their curriculum may adopt innovative pedagogy in response to these changes (Menis, 2020).

Some parts of the academy have been reluctant to incorporate practical pedagogical approaches into their law degrees, and this debate is also taking place in legal education in other jurisdictions, particularly in the United States and Australia (Keyes *et al.,* 2004; Robbins, 2009; Scott, 2012; Cantatore *et al.,* 2021). Notwithstanding the introduction of the SQE there continues to be increasing expectations that higher education and law schools should better prepare their graduates for the workplace (Christensen *et al.*, 2002; Archer *et al.,* 2008, Spencer *et al.*, 2012; Nagarajan *et al.*, 2012; Cantatore *et al.,* 2021). There has been criticism of law schools across jurisdictions for focusing too heavily on traditional teaching methods and resisting the inclusion of practice and professional skills into the curriculum to better prepare their students for legal practice (Christensen *et al.*, 2002; Robbins, 2009; Scott, 2012; Katz, 2013; Black-Branch, 2016; Cantatore *et al.,* 2021).

The policy context is a driver of change and offers an opportunity for law schools to re-evaluate their curriculum. In response, some law schools may consider incorporating more practical approaches to teaching law and exploring the inclusion of experiential learning in the form of clinical legal education programmes in their curricula (Bloch, 1982; Giddings, 1999; Barry *et al.,* 2000; Alexander, 2011; Bloch, 2011; Giddings, 2014; Virgil, 2016; Cantatore *et al.,* 2021). Proponents of clinical legal education argue that its value lies in the combination of theoretical academic knowledge and attributes and skills that are important for professional practice and offer a more rounded approach to preparing students for legal practice (Bloch, 1982; Giddings, 1999; Barry *et al.,* 2000; Alexander, 2011; Bloch, 2011; Giddings, 2014; Cantatore *et al.,* 2021).

The policy context is important for our understanding of graduate attributes, as the conventions and norms of the discipline are relevant to our understanding of graduate attributes and how they are developed (Green *et al.,* 2009; Jones,

2009a; 2009b). The policy context suggests that there is gap in current teaching strategies, and this offers an opportunity to explore whether clinical legal education pedagogies have the potential to facilitate the development of graduate attributes. This research seeks to determine what aspects of experiential learning might be important for the development of graduate attributes.

1.7 Methods and methodology

Previous studies on graduate attributes have often adopted quantitative methods focusing on measuring or rating graduate attributes by producing lists of individual attributes or clusters of attributes (Osmani *et al.,* 2015). The limitation of the quantitative approach is that it focuses on measuring the phenomenon and does not capture the voice or the context of the participants (Fetters, 2020). However, the aim of this research is to gather in-depth information on stakeholders' perceptions of graduate attributes in order to explore qualitative conceptions of graduate attributes (Roberts, 2014). The rationale for using qualitative research is that it elicits and contextualises the views and perspectives of the participants (Fetters, 2020). A qualitative approach was designed because it would best support an exploration of stakeholders' views and perceptions of graduate attributes from a multi-participant perspective (Creswell *et al.,* 2017). The study relates to the discipline of law and the participants sampled were legal employers, legal academics, and graduates in law across different types of law firms and academic institutions.

1.8 My interest in this research

My personal interest in this research arose from my professional and academic background. I studied law at university and practised as a lawyer for twelve years before moving into academia fifteen years ago. Since I moved into academia, I have had a growing interest in the relationship between legal practice and legal education, and how we teach students substantive legal knowledge but at the same time give them a practical understanding of how those rules and principles are applied in a professional context. I am particularly

interested in gaining a better understanding of the skills and attributes graduates require to transition to legal practice, because many of our students want to practice law. Legal practice has changed significantly since my time in practice. Graduates moving into a career in law face new challenges emerging from the increased adoption of technology (Susskind, 2023). How legal education responds to those challenges is of real interest to me. The insights I have gained from my own legal education and practice made me want to explore graduate attributes. Overall, I am keen to gain a better understanding of how we support students to develop graduate attributes relevant for a career in law to inform my own teaching.

1.9 Originality and significance

This study is significant because it provides an empirically based contribution to the conceptualisation of graduate attributes which takes account of the disciplinary context, as well as examining what it means to be a graduate in law from the perspective of different stakeholders. There is no previous research that has explored and synthesised the perceptions of legal employers, legal academics, and graduates in law to offer qualitative conceptions of graduate attributes. The findings of this research provide four constructs of an 'ideal law graduate': the adaptable graduate, the confident graduate, the resilient graduate, and the critical graduate.

The findings of this research add new knowledge to the literature on graduate attributes and contributes to the understanding of graduate attributes within the practice of law. The research investigates the relationship between graduate attributes and professional identity and contributes to our understanding of the experiences that bridge the gap between higher education and work which add value and promote the development of attributes. Furthermore, the findings of this research add to our knowledge of what and how experiences support the formation of graduate attributes and graduate identity. This study builds on existing research by providing further insights into the types of experience that support graduates as they move from university into the workplace (Wong *et al.,* 2022b).

This study contributes to the literature on how graduate attributes can be integrated into the undergraduate law degree and the role of experiential learning in supporting the development of such attributes. It adds to the literature on how graduate attributes contextualised within a discipline can be embedded into curriculum design and the role that clinical legal education can play in supporting the cultivation of professional identity by offering insights into the theoretical and practical aspects of the legal profession. It adds to the literature on the attributes which will be needed in the future by exploring the reasons for the evolution of graduateness and how changes in working practices and the transformation of legal service delivery necessitate the inclusion of technological proficiency and literacy within the scope of graduateness.

1.10 The structure of this thesis

The thesis is organised into six chapters. Following this introduction, Chapter Two identifies the gaps in the literature that inform the research questions of my study. The literature chapter grounds the study in the existing research and explores how it makes a significant contribution to the argument of this thesis. Chapter Three explains and justifies the method and methodology used in my study and outlines my research design, as well as discussing the rationale for the methods used for data collection and analysis. It provides a justification for the use of thematic analysis and the process involved in the generation and analysis of my data.

Chapter Four sets out the findings of the research by presenting an analysis of the data from the study. It provides illustrative quotes from the participants to exemplify the themes generated from the data. Chapter Five brings together and discusses the findings of my analysis in the context of the literature discussed in Chapter Two. Chapter Six concludes the thesis. It draws together the aims and outcomes of my research and highlights my original contribution to knowledge. It outlines the practical implications of this research and explores potential areas for further research.

1.11 Summary

In summary, this introductory chapter has set out the aims of my research and outlined the research questions. It has explored the context of the research and examined the policy drivers that are relevant to the relationship between graduate attributes and graduate employment as well as the role of legal education. It has provided an outline of the methods and methodology used in this study, and it has explained my personal interest in this research. It has offered an initial statement of originality and significance and provided an outline of the structure of my thesis.

The next chapter explores and synthesises the existing literature in relation to the research aims and questions of this study.

Chapter 2: Literature Review

2.1 Introduction

This chapter reviews and synthesises the existing literature in relation to the research aims and questions of this study. This chapter is organised as follows: it starts by outlining how I conducted my literature search (2.2), and then identifies the gaps in the existing knowledge that my research seeks to address (2.3). It positions my research in the literature on graduate employability (2.4) to explore the relationship between graduate employability and graduate attributes. The discourse on graduate attributes shows that there has been an increasing focus on the relationship between graduate attributes and graduate employability.

Section 2.5 considers definitions of graduate attributes which are important for our understanding of graduateness and what it means to be a graduate in higher education (2.5.1). It then explores one of the key themes in the graduate attributes' literature, namely the debate between the generalists and specifists in relation to the conceptualisation of graduate attributes (2.5.2). The role of the stakeholder voice in conceptualising graduate attributes is then considered, as well as the fact that it has been absent from much of the previous research (2.5.3). The discussion then turns to how previous studies have examined and defined graduate attributes (2.5.4), the conceptualisation of the ideal student or graduate (2.5.5) and the evolving nature of graduate attributes, which reflects the impact of the rapidly changing world (2.5.6).

The chapter then moves on to focus on graduate attributes in law (2.6) to examine how the literature suggests that attributes have been constructed and conceptualised for a career in law and then considers the impact of technology transformation on legal practice and how that might impact on graduate attributes in law (2.6.1). It then discusses the literature which has examined how graduate attributes can be developed (2.7) with reference to the role of part-time work (2.7.1) and legal work experience (2.7.2). The increasing expectation that higher education should do more than teach academic

knowledge is examined through an exploration of the role of legal education and experiential learning pedagogies in developing graduate attributes (2.8). Section 2.9 examines the relationship between graduate attributes and the development of professional identity and the role of clinical legal education in supporting the development of professional identity (2.9.1). The final section presents a summary of the chapter (2.10).

2.2 Literature search

I started with Google Scholar and conducted online searches in each of the areas discussed above to provide me with an initial idea of the existing literature and to identify additional areas for exploration. I chose Google Scholar because it is fast and easy to use and offers an effective starting point as a search method. It was convenient to use one platform as an efficient way of locating and collecting a substantial body of academic literature on the topic area (Haddaway *et al.,* 2015). I used Google Scholar preferences to get hyperlinks to my university library which would help me to navigate its resources. I also used reference lists and bibliographies at the end of articles and books, which were an excellent source of further literature. I used my university's online library databases to conduct a more focused search, experimenting with key words and revising them as I progressed. Throughout this process, where there was limited literature in relation to law, I broadened my search to look at other disciplines.

2.3 Identifying gaps in the literature

My research explores the graduate attributes required for a career in law and considers the mechanisms that influence the development of attributes. This research examines the role of legal education, and specifically experiential learning pedagogies, in supporting the cultivation of attributes. It reflects on the impact of the Covid-19 pandemic and the emergence of new technologies on the development of graduate attributes. I constructed my research questions on the basis of gaps in knowledge that I identified from my exploration of the literature.

The review of the literature showed that while a significant amount of research had explored graduate attributes, previous studies focused mainly on generic graduate attributes, and I discovered fewer studies that contextualised graduate attributes within a disciplinary perspective. In my exploration of the literature, I found a paucity of empirical research that explored graduateness within the discipline of law, and no research which had synthesised the perspectives of legal employers, graduates, and academics. There was some research that had explored how experiences outside of the curriculum supported the development of graduate attributes, but that was in relation to generic attributes. I found much less research that considered the relationship between experiences and the cultivation of attributes within a disciplinary context.

Previous studies had explored graduate and professional identity and their relationship with social and cultural capital, but I discovered little research that had related those ideas to legal work experience and clinical legal education and considered how that related to graduate attributes within the discipline of law. I found literature which examined experiential learning pedagogies and discussed the value of including them within the curriculum, but there was limited research that explored the role of clinical legal education in the development of graduateness and the construction of professional identity. I discovered a growing body of research exploring the post-pandemic transformation of work and the impact of emerging technologies on the delivery of legal services, but little discussion of the attributes related to law which future graduates would need and how they could be aligned within legal education to assist graduates in transitioning to legal practice.

2.4 The relationship between graduate attributes and graduate employment

Graduateness has been conceptualised in terms of graduate attributes, and is what distinguishes graduates from non-graduates and in turn increases their prospects of securing graduate employment (Yorke 2006; Chetty, 2012; Clarke, 2018). Graduateness is now more complex; it is no longer made up simply of the attributes that graduates develop through the course of their university

education. This also correlates with the massification of higher education that started in the latter part of the 20th century, which emerged from policy drivers that advocated the widening participation of higher education to increase social mobility and encourage economic development (Alves and Tomlinson, 2021). The marketisation of higher education has been fuelled by the introduction of tuition fees and the removal of the cap on how many students' universities can accept (Durazzi, 2021; Reynolds, 2022). There has been a change in students' expectations of higher education giving rise to students as consumers and the re-framing of the relationship between students and higher education (Reynolds, 2022). The discourse in the literature suggests that consumerism is changing the dynamic within higher education leading to more instrumental approaches to higher education (Reynolds, 2022). There is now a strong link between the marketisation of higher education and the emergence of the employability agenda with an increased emphasis on graduate employment as evidence of university quality and demonstrating the value of a degree (Jackson and Bridgstock, 2021; Durazzi, 2021). The expansion of higher education has led to more students from non-traditional backgrounds entering university. They often come to university with lower levels of capital and are less adept at adapting and navigating into graduate employment (Parutis and Howson, 2020). Tomlinson's (2017) graduate capital model suggests that graduate employment is multi-dimensional and that human, cultural, social, identity, and psychological all interconnect to tell us something about how different capitals are constructed and applied. How students from different backgrounds acquire and utilise different forms of capital provides a greater understanding of the relationship between capital and employability (Parutis and Howson, 2020). An increasingly competitive graduate employment market requires the mobilisation of different forms of capital, that not all students will have the advantage of (Bathmaker *et al.,* 2016; Tomlinson *et al.*, 2021).

The discourse on graduate employability has focused on the requirement of graduates to possess certain skills and attributes to transition into graduate employment (Holmes, 2013). This has led to an increasing focus on the link between graduate attributes and graduate employability (Bridstock, 2009; Chetty, 2012; Clarke, 2018; Green *et al.*, 2009; Jones, 2013; Tomlinson, 2012;

Osmani, *et al.,* 2015, Normand & Anderson, 2017). Universities are no longer merely institutions of learning; higher education is increasingly expected to ensure that graduates succeed in securing graduate employment (Groenewald, 2012; Holmes, 2015; Oliver *et al.,* 2018). Neoliberal policies impact on higher education, and they have sought to prioritise the production of employable graduates, which has become the driving force of the graduate employability agenda (Giroux, 2009; Ingleby, 2015; Hill *et al.*, 2016; Kensington-Miller *et al.*, 2018; Burke *et al.,* 2020). Discourse in the literature suggests that there has been a significant shift in the relationship between higher education and the labour market, with an increased focus on employability skills and a requirement for universities to meet the demands of employers (Tomlinson, 2008, 2012; Holmes, 2013). Although, as Bridgstock (2009) argues, employability extends beyond attributes that employers regard as valuable, the rising cost of higher education has led to a narrower focus on employability. Employability is important to students because of their personal investment in higher education (Heyler, 2011; Chetty, 2012; Tomlinson, 2012; Holmes, 2015; Gbadamosi *et al.*, 2015, Reynolds, 2022).

Graduate attributes have become an underlying topic of the discussions around graduate employability, with an expectation that the acquisition of graduate attributes will lead to graduate employment, but such assumptions ignore the complexities of graduateness (Holmes, 2001; Hinchliffe *et al.,* 2011; Holmes, 2015; Clarke, 2018). Tomlinson, (2012) argues that how far graduates succeed in their transition into the labour market may be less about attributes and more about how those skills and attributes have been developed through engagement in the workplace. Many graduates are unable to secure graduate employment, which suggests that connecting graduate attributes to graduate employability risks adopting a simplistic approach to graduate employability (Daniels *et al.,* 2014; Holmes, 2015). The link between graduate attributes and graduate employability is not straightforward, and focusing on that relationship ignores many of the other factors that impact on employability, but which are outside the control of graduates (Yorke, 2006; Gracia, 2009; Chetty, 2012). The pressure on higher education to produce employable graduates means that the focus on graduate employability and graduate attributes is unlikely to

diminish. There is significant interest in how graduate attributes assist students to develop the competencies that will support their future employability (Chetty, 2012). Although there is a debate around the responsibilities of universities to produce work-ready graduates, it is argued that graduateness is more than employability. The purpose of higher education extends beyond the employability agenda (Holmes, 2001; McLennan *et al.*, 2008; Hinchliffe *et al.,* 2011; Groenewald, 2012). Higher education has a broader role, which is to equip graduates with the capabilities to make positive contributions in their own lives and in their communities (Barnett, 2012; Hill *et al.*, 2016).

These shifts in higher education policy are impacting on the discourse of graduate attributes and on the relationship between graduate attributes and graduate employability (Tomlinson, 2012; 2017). It is suggested that graduate attributes facilitate graduates' transition into work (Staunton *et al.*, 2021). Although graduateness is complex and multifaceted, much of the discussion around graduate attributes and graduate employability relates to the development of generic graduate attributes that are situated outside of the disciplinary context (Bennett, 2019). Therefore, how graduate attributes are conceptualised is critical to our understanding of graduate employability.

2.5 Defining graduate attributes

As argued above, the increased marketisation of higher education has led to growing pressure on universities to produce employable graduates (Tomlinson, 2008; Green *et al.*, 2009; Su, 2014; Hill *et al.*, 2016; Lipan *et al.,* 2020; Bathmaker, 2021; Wong *et al.,* 2022a). Higher education is operating in an increasingly challenging context, which now requires universities to support graduates into graduate employment as evidence of the value of a university education (Tomlinson, 2008; Bathmaker, 2021, Reynolds, 2022). Universities have focused on graduate attributes as a way of demonstrating outcomes for graduates (Barrie, 2006), and this has been particularly evident in Australia, the United States, and the United Kingdom, where the impact of neoliberal policies on higher education has been significant (Barrie, 2004; Barrie, 2006; Barrie *et al.*, 2009; Green *et al.*, 2009; Chetty, 2012; Jones, 2013; Hill *et al.*, 2016, Alves

and Tomlinson, 2021). Graduate attributes are the qualities and traits that tell us something about graduateness and what it means to be a graduate (Hinchcliffe *et al.*, 2011; Spronken-Smith *et al.,* 2015; Normand & Anderson, 2017; Clarke, 2018). Previous research has conceptualised graduate attributes as generic qualities and skills. Bowden *et al.,* (2000, p.1) suggest that attributes are:

"The qualities, skills, and understandings a university community agrees its students should develop during their time with the institution. These attributes include, but go beyond, the disciplinary expertise or technical knowledge that has traditionally formed the core of most university courses. They are qualities that also prepare graduates as agents of social good in an unknown future."

This definition of graduate attributes tells us something about what it means to be a graduate in higher education, focusing on work and broader societal contributions. Much of the early literature conceives graduate attributes as generic qualities that are acquired alongside disciplinary knowledge, and support students in becoming active citizens who contribute to society (Barrie, 2006). Although descriptions of graduate attributes have evolved, the literature has for the most part conceptualised them as something generic which exists outside the disciplinary context (Jones, 2013). Universities have adopted institutional approaches to graduate attributes, and consider them to be transferable across all disciplines (Sanson, 2009). There are risks with such an approach which may reduce graduate attributes to a list of generic attributes and skills which are not necessarily transferable, and which fail to offer a more nuanced understanding of graduateness that relates to the formation of identity (Green *et al.*, 2009; Coetzee, 2014; Barr, 2019).

2.5.1   How should graduate attributes be conceptualised?

Definitions of graduate attributes have been criticised for lacking any theoretical foundation and reflecting the impact of neo-liberal policies on higher education (Hill *et al.,* 2016; Wald *et al.*, 2019). It is argued that the adoption of a graduate

attributes framework by universities is a marketing strategy to differentiate or position the institution within the higher education market (Bridgstock, 2009; Wald *et al.*, 2019; Lipan, 2020; Staunton *et al.*, 2021; Wong *et al.*, 2022a). University websites suggest what it means to be a graduate of a particular university on the basis of a combination of generic qualities, skills, and attributes (Sanson, 2009, Wong *et al.*, 2022a). The approach taken by higher education institutions to graduate attributes reflects a top-down consideration of attributes with little evidence to indicate how this aligns with the views of staff and students (Barrie, 2006; Su, 2014; Hammer *et al.*, 2021; Oliver *et al.*, 2018; Smith *et al.*, 2018), and it is often linked to graduate employability (Kensington-Miller *et al.*, 2018; Do *et al.,* 2021). Institutional frameworks for graduate attributes suggest that it is possible to align all students in relation to an institutional goal that does not include the disciplinary context (Staunton *et al.,* 2021). The top-down approach gives academics responsibility for incorporating university-specified graduate attributes into the curriculum (Barrie, 2006; Su, 2014; Hammer *et al.*, 2021; Oliver *et al.*, 2018). This approach is problematic because there is often limited consultation with academics, making it challenging for them to incorporate graduate attributes into the curriculum in a meaningful way (Green *et al.,* 2009; Osmani, 2015; 2017; Wald *et al.*, 2019). This is further compounded by academics' varying interpretations of graduate attributes and a lack of clarity on how they should be applied in a disciplinary context (Jones 2009a; 2009b). The result is a failure to align attributes with outcomes and very little evidence of how they are linked to learning outcomes (Barrie, 2006; Green *et al.,* 2009; Do *et al.,* 2021; Hammer *et al.,* 2021). The institutional approach often means that students are unaware of graduate attribute frameworks and their connection to their studies (Nagarajan *et al.,* 2014). The failure to conceptualise graduate attributes and ground them within a discipline, risks reducing them to a list of generic skills which are not meaningful to students (Barrie, 2009; Barr, 2019). This approach poses significant challenges for teaching graduate attributes and then students engaging with them (Jones, 2009b; Jones, 2013; Nagarajan *et al.,* 2014; Su, 2014; Coetzee, 2014; Oliver *et al.,* 2018). This leads to uncertainty around how the incorporation of graduate attributes should influence teaching (Green *et al.,* 2009). Furthermore, this approach risks ignoring the complexity and

multidimensional nature of graduateness, which includes different dimensions and elements across different disciplines (Chetty, 2012).

2.5.2   Generalist versus specialist approaches to graduate attributes

The issue of conceptual clarity is reflected in the discourse in the literature, where there is a debate between the generalists and the specifists on the approach to graduate attributes (Green *et al.*, 2009; Jones, 2009a; 2013; Su, 2014). The generalists argue that graduate attributes are generic qualities and skills that demonstrate graduateness and that all graduates should embody these qualities and skills irrespective of their discipline. They suggest that attributes can be developed separately from disciplinary knowledge (Green *et al.*, 2009). The generalist's position is that generic attributes are transferable across disciplines and careers (Green *et al.*, 2009; Su, 2014). On the other hand, the specifists argue that attributes should be contextualised and embedded within the discipline because this is the only way they can be effectively integrated into the curriculum to facilitate the development of graduate attributes (Christensen *et al.*, 2002; Jones, 2009b; 2013). There are also suggestions that there is a middle way that acknowledges the position of both generalists and specifists and argues that the role of the discipline is important, but that attributes are nevertheless generic and should be seen as transferable across all disciplines and work trajectories (Green *et al.*, 2009; Su, 2014; Hill *et al.,* 2016). There has been significant debate in the literature around this issue (Jones, 2009b; 2013; Hughes *et al.*, 2010; Kensington-Miller *et al.*, 2018).

The approach to graduate attributes is important; there are challenges in developing attributes which arise from a lack of shared understanding within disciplines about how graduate attributes should be conceptualised and developed. Generic definitions of graduate attributes require a broad definition (Cook, 2018) and once attributes are contextualised within a discipline, they cease to be generic and disciplinary understandings of graduate attributes are required (Jones, 2009b; Green *et al.,* 2009; Cook, 2018). It is also the position that generic graduate attributes are unlikely to be equally applicable to all

students (Holmes, 2013). There is a lack of agreement across disciplines; what is valued in one discipline may be less valued in another (Hill *et al.,* 2016; Kensington-Miller *et al.*, 2018). Jones, (2009b) argues that many academics do not consider graduate attributes important or include them within their teaching because they do not understand how graduate attributes are contextualised and shaped by their discipline. One of the criticisms of the generic approach to graduate attributes is that it is more challenging to teach generic attributes in a way that allows students to transfer them into a work context (Tomlinson, 2008; Clarke, 2018). This comes from a lack of awareness on the part of students of generic graduate attributes and how they are developed within the curriculum (Smith *et al.,* 2018, Bitzer *et al.*, 2020). A focus on generic attributes and skills prevents students from having a clear understanding of how such attributes link to their chosen profession (Jackson, 2016). There is also some resistance from academics to incorporating top-down approaches to graduate attributes and from students who are unclear about how generic attributes relate to their discipline (Jones, 2009b). Although the literature highlights problems that arise from generic approaches to graduate attributes, there is still limited research on discipline-informed graduate attributes.

2.5.3   Stakeholders' views on graduate attributes.

Definitions of generic graduate attributes often refer to the 'university community', but it is not always clear what is meant by the 'community'. There is a lack of clarity around why certain attributes feature in institutional graduate attributes frameworks, or how the community has contributed to or engaged in the discussion of graduate attributes (Bowden *et al.,* 2000; Lipan, *et al.,* 2020). Barrie *et al.,* (2009) argue that there needs to be an evidence base for our understanding of graduate attributes. This involves an understanding of what attributes mean to different stakeholders. They suggest that this is the starting point, and it should form the basis for engagement with stakeholders. They argue that an understanding of graduate attributes is the foundation that informs both curriculum design and the process of implementation (Barrie *et al.*, 2009). A clear understanding of the conceptualisation of graduate attributes by stakeholders is required before it can be determined how they should be

incorporated into the curriculum and how they might be relevant for students (Hill *et al.,* 2016). Some studies have started to feature the stakeholder voice in their research on graduate attributes. Research by Watson *et al.*, (2009); Owen *et al.*, (2010) and Osmani *et al.*, (2017) has examined academics' conceptions of graduate attributes. Bitzer *et al.*, (2020) report on students' perceptions of graduate attributes and Squelch *et al.*, (2017) on legal employers' perspectives. Although there are studies that examine stakeholder perceptions of graduate attributes (Normand and Anderson, 2017), there are none that synthesise the voices of legal academics, employers, and graduates.

It has been argued that the lack of commonality around graduate attributes is compounded by different interpretations of graduate attributes by different stakeholders, which stems from a lack of engagement between higher education and stakeholders in relation to graduate attributes (Ramsay *et al.*, 2017). This suggests that greater collaboration between universities and stakeholders could encourage more discussion on how graduate attributes are conceptualised and understood (Bernstein *et al.*, 2012; Katz, 2013). Increased stakeholder engagement would allow universities to gain a greater understanding of the external environment and gather new information that could be relevant for the curriculum (Katz, 2013). It would provide an opportunity to explore the potential mismatch between the various expectations of the attributes which graduates should possess (Bui *et al.*, 2010). There has been some resistance to this approach because of a perception that stakeholder engagement risks undermining the autonomy of universities (Jackson, 2016). Advocates of greater engagement suggest the focus should be on adding to and complementing current approaches to the curriculum (Bernstein *et al.,* 2012). The inclusion of stakeholder voices can inform and contextualise the set of qualities and skills seen as necessary for specific disciplines, and this may enhance curriculum design (Hill *et al,* 2016). A curriculum that has been informed by stakeholder voices might be more effective in helping students to contextualise graduate attributes, which in turn would support the formation of professional identity.

In the field of law, there is a link between the graduate attributes required by employers and the broader attributes required for the legal profession, and an important relationship exists between professional practice and graduateness for the construction of professional identity (Ramsay *et al.*, 2017). Although tensions exist around engagement between universities and stakeholders, and particularly employer stakeholders (Jackson, 2016), there is already a strong connection between legal education and legal practice. Professional practice is an important and valuable context for student learning, so capturing the voices of legal employers and graduates is important for our understanding of graduate attributes and how they are developed.

It is acknowledged in the literature that there are differences between employers and higher education around the expectations that universities should produce graduates who can transition into the labour market (Tomlinson, 2008; Tomlinson, 2012; Holmes, 2013). It is argued that there is a gap between the expectations of higher education and those of employers around graduate attributes (Bernstein *et al.*, 2012; Griesel *et al.*, 2009). The HEA Framework (2013) advocates a mutually agreed perspective on attributes which does not prioritise employers' views over those of other groups. Wong *et al.*, (2022a) argue that there is a need for the inclusion of academics and students in research on graduate attributes to provide a 'bottom-up' exploration of what it means to be a graduate (Oliver *et al.*, 2018). Green *et al.*, (2009) and Spronken-Smith *et al.*, (2016) argue that meaningful engagement with stakeholders (including employers, graduates, and academics from the discipline) is required to understand graduate attributes within a disciplinary context. Higher education has been criticised for its lack of engagement with stakeholders and greater collaboration has been identified as something that could facilitate new learning (Bernstein *et al.*, 2012). Although there has been some empirical work with stakeholders, there is currently no research that takes an inclusive approach to graduate attributes, including the perspectives of stakeholders on the discipline of law.

2.5.4   Studies on graduate attributes

Studies have adopted different approaches to conceptualising graduate attributes, with some research that explores individual attributes or clusters of attributes. Osmani *et al.*, (2015) reviewed thirty-nine studies on graduate attributes and found that overall, they discussed fifty-three graduate attributes, with attributes such as communication, interpersonal skills and teamwork being identified most often regardless of discipline. They found that most studies used quantitative methods to identify graduate attributes. These studies are useful in identifying attributes that are important for graduates to develop, but the focus is on individual attributes as opposed to offering a broader understanding of graduateness and professional identity. They do not provide a qualitative understanding of graduate attributes.

Other studies have mapped attributes across higher education; Oliver *et al.*, (2018) and Hammer *et al.*, (2021) mapped attributes found on websites and in publicly available documents in Australia. Lipan *et al.*, (2020) examined data from 27 university websites across the UK to create the 7i Model, which they argued could be a universal model of graduate attributes, and Wong *et al.*, (2022a) mapped graduate attributes across 137 UK university websites. This research is valuable for understanding generic graduate attributes, but it does not provide an understanding of the relationship between graduate attributes and the disciplinary context. Mapping graduate attributes only explores institutional understandings of graduate attributes and often does not include the broader voices of staff and students or stakeholders from a discipline.

Research suggests that for institutional models of graduate attributes to be meaningful to students, the students need to understand how those attributes relate to and are informed by their discipline (Su, 2014; Jones, 2009b; 2013; Oliver *et al.*, 2018; Bitzer *et al.*, 2020). An alternative approach is to focus on how attributes are shaped by the context and the culture of the discipline (Jones, 2009b; Green *et al.*, 2009). The disciplinary context has been explored within studies of generic graduate attributes by Jones (2009a; 2009b) and Kensington-Miller *et al.*, (2018) who both took a multi-disciplinary approach (which included law) to graduate attributes. O'Donnell *et al.,* (2017) explored graduate attributes with aircraft and aeronautical employers to construct a

disciplinary perspective of the adaptable graduate within engineering. Christensen *et al.*, (2000; 2002) examined graduate attributes within law and Penfold, (2014) explored the communication skills required of law students in the South Pacific. It is argued that to ensure generic graduate attributes are meaningful they ought to be informed by a disciplinary context in order to better understand how they are developed and incorporated within teaching (Jones, 2009b; Ramsay *et al.*, 2017). Currently, there are no studies that offer qualitative understandings of graduate attributes that synthesise the perspectives of different stakeholders in the discipline of law.

2.5.5 The conceptualisation of the ideal student or graduate

Weber (2009) first constructed a typology around the term 'ideal' as a method to compare and test a phenomenon's characteristics against the ideal type (Stapley, *et al.,* 2022). According to Stapley, *et al.,* (2022) the term 'ideal' does not imply 'best', but rather provides a means of representing an idea of something that makes it more relatable that has been developed from empirical research. This approach allows for an exploration of the similarities and variations in participants' perspectives. Exploring constructions of the 'ideal' graduate provides insights and knowledge that are valuable for understanding the expectations of students moving into graduate employment. Wong *et al.,* (2020; 2021; 2023) have suggested that the 'ideal type' approach, allows for a more meaningful discussion of the qualities and attributes that might be expected and applied across bodies of students. This is important at a time, when there is significant pressure on higher education to demonstrate the value of a university degree. It offers a way of considering different perspectives of the ideal student or graduate whilst recognising that it will be dependent on the viewpoint it is coming from (Wong *et al.,* 2020; 2021; 2023).

Studies by Wong *et al.*, (2020; 2021; 2023) have drawn on the perspectives of staff and students to conceptualise the ideal student. Wong *et al.* (2021, p.506) define the ideal student in terms of "the desirable but realistic expectations of students in higher education." Their research explores staff and student perceptions of the characteristics required of students for university study, and

they suggested eight possible characteristics of the ideal student (Wong *et al.*, 2023). Their research offers insights into the broader characteristics of the ideal student across disciplines to encourage a discussion around expectations of students (Wong *et al.*, 2021). Previous research has explored constructions of the ideal graduate in a range of disciplines (Low, M. *et al.,* 2016; Ingram and Allen, 2009; Gebreiter, 2020; Betari and Chowdhury, 2023; Szucs, and Harpur, 2023). The research of Kensington-Miller (2018) developed definitions of invisible graduate attributes which they discussed with participants across disciplines (including law) to explore what an ideal graduate might look like in particular disciplines. The constructs of the ideal student or graduate provide students with a better understanding of what are desirable graduate attributes recognising that some will be discipline specific (Wong *et al.*, 2021). Ingram and Allen (2019) argue that constructs of the 'ideal' graduate, benefit graduates who can demonstrate and embody key types of social and cultural capital. Understanding those characteristics is therefore important in identifying what forms of social and cultural capital, students need to acquire to move into graduate employment. Although other studies have conceptualised the 'ideal graduate' there is no research that has considered the 'ideal law graduate' from the perspectives of legal academics, employers, and graduates.

2.5.6 How graduate attributes are evolving

The impact of the Covid-19 pandemic coupled with increasing digital transformation has resulted in significant shifts in work that pose challenges to traditional ways of working (Lord 2020; Eom *et al.*, 2022). Desouza *et al.*, (2020) suggest that the advances in artificial intelligence and computing power are evidence that we are now in the fourth industrial revolution. The emergence of new technologies suggests that there needs to be a re-consideration of the skills and competencies required to navigate change (Hong *et al.*, 2020; Śledziewska *et al.*, 2021; Eom *et al.*, 2022). These external influences are significant factors which impact higher education and students who are graduating into an increasingly changing and uncertain world of work (Smith *et al.*, 2018; Hong *et al.*, 2020; Lord, 2020). The impact of technology and increased globalisation requires graduates to be adaptable and flexible if they

are to thrive in an uncertain world in which they will need to develop and evolve to meet the demands of changing job markets (Heyler, 2011; O'Donnell *et al.*, 2017; Shima & Manwaring, 2017; Hong *et al.*, 2020; Lord, 2020).

Generic graduate attribute frameworks highlight the importance of digital and technology attributes (Osmani *et al.*, 2015; 2017; Wong *et al.*, 2022a), but contextualising technological competence within a specific body of knowledge or a discipline is essential (Janecek *et al.*, 2021). Technological transformation is happening on a global scale (Lord, 2020), but there is a need for a more nuanced understanding of how it will be a driver of change within a disciplinary context. All graduates must be technologically competent because technology is impacting all careers, but different disciplines require different aspects of technological competence. It is therefore important for graduates to understand how technology is aligned with knowledge and applied in their discipline, and there are gaps in the literature around this (Smith *et al.*, 2018).

2.6   **Graduate attributes in law**

The definition proposed by Bowden *et al.*, (2000) conceptualised graduate attributes as generic, and in defining graduate attributes in law, the assumption remains that they are generic. This is reflected in early studies on graduate attributes in law (Christensen *et al.*, 2000; Cuffe, 2001; Christensen *et al.*, 2002). Christensen *et al.*, (2000, p. 207) suggest that:

> *"Graduate attributes may be broadly defined as the qualities, capabilities, and understandings of a graduate which a university community agrees students should develop during their time at the institution, both for their future professions and to make a contribution as ordinary citizen."*

The research of Christensen *et al.*, (2000) centres around generic definitions of graduate attributes which are then applied to the disciplinary context of law. There is a paucity of research that has explored stakeholders' perceptions of graduate attributes within law. However, there has been some research with

employers. For example, Squelch *et al.*, (2017) conducted a small-scale research project with legal employers in Australia and Hong Kong exploring attributes and skills for law graduates in a globalised world. They identified problem solving, research skills, inter-personal skills, teamwork, adaptability, and resilience as important graduate attributes. Their findings suggested that these attributes are important for all law graduates and not just for those who wish to practice in a global context. They also highlighted the importance of adaptability and resilience to support graduates responding to change in the external environment (Bernstein *et al.*, 2012; Chetty, 2012; Soga *et al.*, 2022; Straun *et al.*, 2023). Penfold, (2014) interviewed 80 lawyers in the South Pacific to identify the skills and abilities required for law students to prepare them for the workplace, and identified the importance of communication skills. Smith *et al.*, (2021) conducted a study in the United States that examined the preferred attributes of legal employers, and their findings suggested that grades and class rank were the most relevant factor in hiring decisions.

The predominant approach to the conceptualisation of graduate attributes in law has been to investigate institutional graduate attribute frameworks. Christensen *et al.*, (2000) constructed a table of attributes from reports, university generic attributes and academics within law schools. They listed attributes and skills under four headings - attitudinal skills, cognitive skills, communication skills and relational skills. Sanson, (2009) explored the incorporation into the law curriculum of an institutional attribute framework based on surveys with graduates from a range of professions. Owen *et al.*, (2010) conducted research with 30 of the 32 university law schools in Australia, each of which shared their graduate attributes framework, and they produced a non-descriptive graduate attributes framework to explore how law schools could work together to embed graduate attributes.

To date, research has conceptualised graduate attributes on the basis of either university descriptions or the views of one stakeholder group, and there has been little attempt to synthesise multiple perspectives on graduate attributes from legal employers, academics, and graduates in law. The disciplinary context is largely absent from the conceptualisation of graduate attributes, and

instead the approach is to adopt a non-discipline-specific institutional framework which law schools then translate into their own disciplinary context (Smith *et al.*, 2018). The result is that generic graduate attributes are considered to be distinct from discipline specific outcomes (Sanson, 2009).

There has been some research that has explored the different meanings of generic attributes within individual disciplines to provide a specific disciplinary understanding of generic graduate attributes. Jones, (2009b) explored the disciplinary meanings of critical thinking, problem solving and communication in interviews with academic staff in Australian universities. The research focused on exploring the different disciplinary meanings of attributes across five disciplines including law. The study identified different disciplinary approaches to critical thinking, problem solving and communication and argued that the inclusion of a disciplinary perspective in our understanding of graduate attributes was important. Students may have a conceptual understanding of generic graduate attributes but lack an awareness of how those attributes are translated and contextualised within their discipline (Smith *et al.*, 2018; Jones *et al.*, 2019). The disciplinary meanings of generic graduate attributes are therefore important in determining how we facilitate students' understanding of graduate attributes.

Although there are synergies around the types of graduate attributes relevant across all disciplines, there is an argument for a more nuanced understanding of graduate attributes. It would be beneficial to draw on stakeholders' perceptions of graduate attributes and articulate them within a disciplinary context. The exploration of what we mean by graduateness necessitates thinking beyond generic definitions and considering graduate attributes within the context of a discipline to ensure that attributes are meaningful to students (Jones, 2009b; Jones *et al.*, 2019). The adoption of this approach would result in a greater understanding of how attributes are informed by and aligned to a discipline. This in turn is relevant for considering how we equip graduates to navigate the transition into the workplace (Bridgstock, 2009). This approach recognises the complexity of graduateness and acknowledges that it goes

beyond attributes and skills to include ideas around the formation of graduate and professional identity (Hinchliffe *et al.*, 2011).

2.6.1 How technology is transforming legal practice and impacting on graduate attributes in law.

The increasing power of technology and the rapid rate of digital transformation are global phenomena (Śledziewska *et al.*, 2021; Eom *et al.*, 2022). These changes are having an impact not only on the substance of law (Konig *et al.*, 2020), but also on the practice of law (Denvir, 2020; Carpenter, 2020; Ajevski *et al.*, 2023; Rattray, 2023a; 2023b). Lawyers are operating in an increasingly technology-driven profession which requires a deeper understanding of and an informed approach to technology (Denvir, 2020; Suarez, 2020; Carpenter, 2020; Janecek *et al.*, 2021; Susskind, 2023). Law firms have an expectation that law graduates entering the profession will have the attributes they need to respond to the demands of a technology-driven world (Denvir, 2020; Cantatore *et al.*, 2021; Susskind 2023).

Technology is transforming the way law is practised, necessitating an understanding of the underlying technology and its relevance to legal practice (Suarez, 2020; Susskind, 2023). This requires lawyers to work in cross-disciplinary teams and to be able to collaborate with professionals from other disciplines (Suarez, 2020; Susskind, 2023). The emergence of artificial intelligence has led to the automation of legal work to increase productivity and efficiency, requiring lawyers to be proficient in partnering with technology (Konig *et al.*, 2020; Ajevski *et al.*, 2023; Rattray, 2023a; 2023b). The need for lawyers to be highly skilled remains, but the incorporation of artificial intelligence has the potential to fundamentally change the nature of legal practice (Susskind, 2023). This makes it necessary to develop not only an understanding of technology, but also broader skills such as adaptability and resilience to operate successfully in this context (Janecek *et al.*, 2021).

A contextual understanding of the relationship between technological competence and graduate attributes is important. This understanding is

relevant for teaching and learning, because without knowing the specific needs of a discipline, it is a challenge to embed these attributes into curriculum design (Janecek *et al.*, 2021). The future of work will require graduates to synthesise their knowledge and skills within emerging technologies (Konig *et al.*, 2020). Law students are graduating into an increasingly globalised and technology-focused world, and this requires law schools to consider how they are going to prepare students for a transforming world of work (Squelch *et al.*, 2017, Denvir, 2020). There is a lack of research that has considered how legal education could respond to emerging technologies and how attributes and skills required for a technology enhanced world of work should be embedded into the curriculum (Squelch *et al.*, 2017; Janecek *et al.*, 2021; Ajevski *et al.,* 2023).

2.7 How are attributes developed?

Understanding how graduate attributes are conceptualised is important because graduateness is constructed through the development of attributes alongside academic achievements (Brown *et al.*, 2004; Smertherham, 2006; Tomlinson, 2008; Brooks *et al.*, 2009; Tomlinson, 2012; Tomlinson, 2017). Clarke, (2008) argues that the employability literature suggests that graduates now have a greater responsibility to develop a range of experiences, knowledge and skills that go beyond their academic achievements, to support them in more challenging economic times and in a world of shifting career patterns. Tomlinson, (2012, p.25) argues that the key to helping graduates to secure employment commensurate with their qualifications in a competitive market is to ensure that they develop compelling narratives around the 'hard currency', or their academic achievements alongside their 'soft currency', or their cultural capital. This involves the development of human capital, which is knowledge and skills, social capital, a contextualised form of knowledge and skills derived from networks and connections and cultural capital, which is an understanding of the attitudes, norms, and values relevant for moving into professional practice (Tomlinson *et al.*, 2021). The research of Tomlinson *et al.*, (2021) highlights the importance of experiences outside of the curriculum that add value to academic achievements and support graduates as they position themselves more effectively within the employment market. Graduate attributes are developed in different ways, and this requires engaging in experiences

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outside of the curriculum that will support the development of graduateness (Brown *et al.*, 2004; Conrad 2008; Sawchuk, 2008; Tomlinson, 2008; Kensington-Miller *et al.*, 2018; Romgens *et al.*, 2020; Jackson *et al.,* 2022). This would suggest that students require an understanding of graduate attributes relevant to their discipline to support their development (Jones, 2009b). Qualitative understandings of graduate attributes would offer important insights into how such attributes are developed.

2.7.1   The role of part-time work in developing graduate attributes

Part-time work is an example of how experiences outside the curriculum can support the development of graduate attributes. The increasing cost of higher education has led to more students working during their studies (Manthei, *et al.*, 2005; Hall *et al.*, 2010; Robotham, 2012; Gbadamosi *et al.*, 2015). Part-time work provides students with valuable opportunities to enhance their employability (Tam *et al.*, 2005; Robotham, 2012; Gbadamosi *et al.*, 2015). However, students need to be aware of how those experiences are relevant to the development of graduate attributes (Davies, 2000). Although there is evidence that part-time work supports the development of certain attributes (Muldoon, 2009), there appears to be a lack of understanding among students around the value of those experiences for the cultivation of graduate attributes (Gbadamosi *et al.*, 2015). Part-time work has a role in enhancing 'soft currencies', and students who make those links benefit from the work (Gbadamosi *et al.*, 2015). The literature suggests that part-time work is important in supporting the development of attributes, but this has primarily focused on generic graduate attributes and there are no studies that have explored this phenomenon in relation to graduate attributes in law.

2.7.2   The role of work experience in developing graduate attributes

The literature highlights the value of legal work experience in supporting students as they negotiate links with the profession (Somerland, 2007; Francis *et al.*, 2009). Engagement in legal work experience supports the acquisition of cultural and social capital by providing graduates with access to social networks and professional connections (Brown *et al.*, 2004; Yorke *et al.*, 2005;

Tomlinson, 2008; Francis *et al.*, 2009; Tomlinson, 2012; Bathmaker *et al.*, 2013; Nagarajan *et al.*, 2014; Scott, 2014; Ashley *et al.*, 2017; English *et al.*, 2021). Francis *et al.*, (2009) argue that legal work experience provides an understanding of the realities of legal practice and of professional norms. Work experience is a process of socialisation by observing lawyers, and engagement in legal work provides an understanding of cultural norms and practice (Francis *et al.*, 2009; Hager *et al.*, 2009). Work experience provides opportunities for students to engage in legal practice, which helps them identify the relevant knowledge and skills for practice and offers insights into organisational cultures (Adams *et al.*, 2006; Francis *et al.*, 2009). This situational knowledge of the profession is important for later navigating professional work environments (Adams *et al.*, 2006; Sommerland 2007; Nadelson *et al.*,2017; Tomlinson *et al.*, 2021). Having work experience signals interest in and knowledge of the profession and represents the accumulation of social capital (Ashley *et al.*, 2017). The importance of legal work experience is recognised for accessing networks and forms of social and cultural capital that are relevant for progression.

The growing number of students attending higher education has resulted in a more diverse body of law students raising concerns about equitable access to the profession (Somerland, 2007; Francis *et al.*, 2009; Owen *et al.*, 2010). A lack of work experience is considered a potential barrier to entry into legal practice; however, law firms are the gatekeepers of work experience, and they determine which students have access (Somerland, 2007). Students who lack resources and an understanding of professional norms may struggle to obtain work experience, and this may negatively impact on their access to the profession (Alexander, 2023). The knowledge gained through work experience is both explicit and tacit, and tacit knowledge is significant for the formation of professional identity (Brown *et al.*, 2004; Moreau *et al.*, 2006; Francis *et al.*, 2009; Tomlinson, 2012; Morrison, 2014; Burke, 2015; McCracken *et al.*, 2016; Allen, 2016; Bradley *et al.*, 2017; Bathmaker, 2021). Moreover, a lack of work experience makes it more challenging for non-traditional students to access the professions (Cruess, *et al.*, 2019), and it is potentially even more difficult for them to attain positions in elite law firms (Eraut, 2000; Somerland, 2007).

Although the literature recognises the value of work experience for the development of social capital and professional identity formation there is a paucity of research that has explored the relationship between legal work experience and graduate attributes.

2.8 The role of legal education in developing graduate attributes

There are now greater expectations that higher education should prepare graduates for the workplace (Christensen *et al.*, 2002; Archer *et al.*, 2008; Spencer *et al.*, 2012; Tomlinson, 2012; Nagarajan *et al.*, 2012; Tomlinson *et al.*, 2020; Wong *et al.*, 2022b). Law schools have been criticised for focusing on traditional teaching methods and ignoring the importance of incorporating practice and professional skills into the curriculum to better prepare students for legal practice (Christensen *et al.*, 2002; Robbins, 2009; Scott, 2012; Cassidy, 2012; Katz, 2013; Black-Branch, 2016; Cantatore *et al.*, 2021). Traditionally the focus of legal education has been on teaching legal doctrine rather than exploring the relationship between knowledge and the application of knowledge, suggesting that academic law is more important than practical law (Christensen *et al.*, 2000; Kift, 2008; Cassidy, 2012). There is a close relationship between legal education and legal practice (Sherr, 2000; McNamara *et al.*, 2011; Steele, 2018), but there is a tension between academic and vocational approaches to legal education with resistance from some parts of the academy to the inclusion of practical pedagogical approaches (Keyes *et al.*, 2004; Robbins, 2009; Scott, 2012; Cassidy, 2012; Cantatore *et al.,* 2021). There have been challenges for law schools in considering how to integrate knowledge and scaffold skills into their curricula effectively (Keyes *et al.*, 2004; Steele, 2018). Watson *et al.*, (2009) mapped graduate attributes and provided insights into how law curricula could be designed to develop these. They identified the importance of collaborative work and highlighted the limited opportunities for this in traditional undergraduate law degrees, suggesting that this was an important element to include in the curriculum. Kift, (2008) also highlighted how the increasing demand to produce graduates with both knowledge and attributes to prepare them for transforming work environments has resulted in many law schools exploring alternative curriculum designs and pedagogies. There is limited research that has explored stakeholder

perceptions of the role of legal education in supporting the development of graduate attributes.

2.8.1 Work-based learning

Research has shown that the incorporation of work-based learning provides students with a deeper understanding of the relevance of graduate attributes and how they support their employment outcomes (Patrick *et al.*, 2004; Harvey, 2005; McLennan *et al.*, 2008; Rowe *et al.*, 2017; Jackson, 2018). Work-based learning can be a wide range of different types of experience including placements, work experience and community learning (McLennan *et al.*, 2008; Rowe *et al.*, 2017; Jackson, 2018). Work-based learning has the potential to foster graduateness, because graduate attributes are contextualised within the discipline (Cooper *et al.*, 2010; Groenewald, 2011; 2012). Work-based learning incorporated into a disciplinary context can support the connection between theory and practice, which can facilitate the transfer of the knowledge and skills developed to employment (Patrick *et al.*, 2004; McLennan *et al.*, 2008; Jackson, 2018).

2.8.2 Experiential learning

In the context of the work-based learning approach, there has been an increasing recognition of the value of experiential learning as a proven pedagogical approach (Kolb, 2014) which includes real world situations in legal education. Many law schools now incorporate experiential learning in the form of clinical legal education programmes into their curriculum (Bloch, 1982; Giddings, 1999; Barry *et al.*, 2000; Alexander 2011; Bloch 2011; Giddings, 2014; Virgil, 2016; Walkden-Brown *et al.*, 2018; Cantatore *et al.*, 2021). The approach of clinical legal education is to combine theoretical knowledge with attributes and skills that are important for professional practice, and this is considered a more holistic way of preparing students for legal practice (Bloch, 1982; Giddings, 1999; Barry *et al.*, 2000; Alexander, 2011; Bloch, 2011; Giddings, 2014; Walkden-Brown *et al.*, 2018; Cantatore *et al.*, 2021).

Clinical legal education pedagogy combines teaching academic knowledge with practice and professional skills, with students applying what they have learned to real-world legal problems to ensure that they are actively engaged in the learning process (Cantatore, 2017; Walkden-Brown *et al.*, 2018). Advocates of this approach argue that it enhances learning and better prepares students for legal practice. There is some limited research that has explored the value of experiential pedagogies for the development of graduate attributes (Staunton *et al.*, 2021). Clinical legal education allows students to engage in messy legal problems where they encounter unpredictable situations, which supports new learning. This has the potential to facilitate the development of attributes such as adaptability and resilience that are important for professional practice (Evans *et al.*, 2017; Walkden-Brown *et al.*, 2018; Cantatore *et al.*, 2021).

Moreover, clinical pedagogies offer students opportunities to step outside of their comfort zone and reflect on those experiences, which is integral to the learning process (Bailey *et al.*, 2007; Maute, 2007; Hall *et al.*, 2010; McNamara *et al.*, 2011; Scott, 2012). The collaborative and reflective approach embodied in clinical legal education has also been identified as a relevant strategy for more effectively supporting diverse student bodies (Owen *et al.*, 2011). The supported learning environment is an important factor which allows students to be challenged to go deeper and critically reflect on fundamental questions relating to law and the legal profession which supports the development of graduateness (Olsen *et al.*, 2002; Dunlap, 2005; Hovoka, 2009; McNamara *et al.*, 2011; Owen *et al.*, 2011). A critical aspect of experiential learning pedagogies is reflection, as it enables students to learn from their experiences and encourages growth and development (Monk, 2013; Fisher *et al.*, 2017; Schreck *et al.*, 2020). Placing students in unfamiliar and challenging situations has the potential to deepen their learning, and encouraging them to reflect on messy real-world situations may prepare them for future experiences (Scott, 2012). Self-reflection is an important element of professional practice, so encouraging reflection at university may better prepare students for legal practice (Calderhead, 1989; Bulman,1994; Ruch, 2000; Yip, 2006; Scott, 2012; Hamilton, 2013). Experiential learning pedagogies help students to reflect on their learning in a context in which they are encouraged to connect theory and

practice (Schon, 1983). Although the literature has considered how clinical legal education supports the formation of a professional identity as a future legal professional, there is less research that has explored this pedagogical approach for the development of graduate attributes.

2.8.3 The role of clinical legal education pedagogies in supporting the development of graduate attributes

Clinical legal education helps students to apply theoretical knowledge to real life situations and incorporates aspects of experiential learning pedagogies (Denvir, 2020). The research of Cantatore *et al*., 2021) reported that engagement in clinical work had a significant impact on graduate skills, giving students more confidence and facilitating the development of practical and professional skills that supported them as they entered the workplace. They argue that engagement in clinical work puts students at an advantage in the job market because they have increased levels of confidence (Cantatore *et al*., 2021). Clinical legal education helps students to develop practical and professional skills that demonstrate to future employers what they have learned beyond their academic knowledge and which are explicitly transferable into the workplace (Giddings, 1999; Heyler, 2011; Walkden-Brown *et al*., 2018; Cantatore *et al*., 2021) This is particularly important for students who are not able to access legal work experience, as clinical pedagogies provide learning in context that supports an understanding of legal practice (Alexander, 2023).

The adoption of reflective experiential pedagogy that challenges traditional approaches to teaching and embeds learning in models of community engagement activities has the potential to facilitate the development of graduate attributes (Mason O'Connor *et al*., 2011). Furthermore, the link between graduate attributes and the disciplinary context is relevant to exploring how clinical pedagogies afford students the opportunity to explore the potential of a career in law and develop a greater understanding of the requirements of working in legal practice (Wingate, 2006). These experiences are therefore important for learning about the legal profession and its values and beliefs, and support the cultivation of professional identity (Tomlinson *et al*., 2021).

2.8.4 The role of clinical legal education pedagogies in supporting resilience and well-being for legal practice

Previous research (Schiltz, 1999; Harrell, 2001; Krieger, 2002; Seligman *et al.*, 2005, Hagan *et al.*, 2007; Levit *et al.*, 2010; Medlow *et al.*, 2014; Collier, 2014; Baron, 2014; 2015; Rimmer, 2015; Collier, 2016; Krause *et al.*, 2019) has explored the issue of poor wellbeing in the legal profession which it is argued stems from the organisational practices and culture that pervade legal practice. This is a relevant issue for legal education because it is argued that changes in the way in which law is taught could improve wellbeing (Collier, 2016). Traditional approaches to teaching law prepare students in terms of academic knowledge but arguably do not adequately prepare them for the challenging realities of legal work (Keyes *et al.*, 2004; Collier, 2016). It has been suggested that a move away from traditional doctrinal and adversarial approaches in law to experiential pedagogies that reflect the real experiences of legal practice might cultivate attributes such as resilience, and are better able to help graduates to deal with the challenges they will face as they enter the profession (Galloway *et al.*, 2014; Collier, 2016). The issue of wellbeing has predominately been linked to the culture of legal practice, but lawyers also need the skills and knowledge to cope with the pressures of the responsibility for giving competent legal advice and dealing with the human relationships that are at the core of legal practice (Krause *et al.*, 2019). It is recognised that opportunities to put knowledge into practice are valuable in nurturing professional skills, and experiential learning provides the foundation for the development of practice-based skills and the construction of professional identity (Krause *et al.*, 2019).

2.9 Exploring the relationship between graduate attributes and the development of professional identity

Student identity is moulded at university through the engagement with higher education and learning from within the discipline (Hinchliffe *et al.*, 2011). It often starts as early as choosing a degree subject, and the decision to study law reflects many students' aspirations to have a career in law (Barbarà-i-Molinero

et al., 2017). The formation of identity is a phased process that starts with engagement with and the application of disciplinary knowledge in different contexts to support the development of pre-professional identities (Jackson, 2016). Identity formation begins at university, with students adopting different identities through their transition from education to work, and this requires them to engage actively in the process (Hinchliffe *et al*., 2011; Holmes, 2013; 2015; Tomlinson *et al*., 2021). Jackson's (2016; 2017) research developed the idea of pre-professional identity as the starting point for the shaping of identity. The formation of pre- and professional identity is built around ideas that a person has about their future professional life, their understanding of professional work and how they relate to their conception of a professional (Longan *et al*., 2019; Zheldochenko *et al*., 2020). The medical literature suggests that the most important factors that facilitate the development of professional identity are the guidance and support of positive role models coupled with experiential learning that incorporates reflection (Cruess *et al*., 2019). Students need to go through a socialisation process to allow them to internalise the characteristics and values of the profession (Cruess *et al*., 2019).

Law firms construct identities that embody their cultural norms, and these are reflected in the people who work there (Sullivan *et al*., 2007). They place a high value on attributes that demonstrate professionalism such as confidence and strong communication skills (Ashely *et al*., 2017). Students need to be cognisant of the professional values of law firms, which are part of a lawyer's professional identity, and to move into legal work they need to embody those aspects of practice (Sommerland, 2007; Longan *et al*., 2019). Bathmaker, (2021, p.87) argues that "career insight is not a generic form of capital, it involves knowing the norms and practices of a particular workplace, their career structures and what is needed to progress." Graduates acquire these insights from the cultivation of networks, without forms of social capital they will struggle to understand what is required for practice (Sommerland, 2007; Bathmaker, 2021). The opportunity to engage in legal work experience supports the acquisition of networks that provide access to the legal profession, but it also helps the development of an understanding of the professional context and professionalism that supports the formation of pre- and professional identity

(Francis *et al.*, 2009; Ashley *et al.*, 2017; Tomlinson *et al.*, 2021). The extent to which pre- and professional identity is actualised will vary across graduates, but the stronger the development of professional identity the more likely it is that graduates will demonstrate to future employers they should be employed (Tomlinson *et al.*, 2021). Graduates will need to demonstrate to an employer that they have acquired the attributes and skills they require (Tomlinson *et al.*, 2021). Legal work experience may be an important way of demonstrating attributes. Nevertheless, not all graduates will have the same opportunities to have experiences that underpin the development of their pre- and professional identity (Sommerland, 2007; Francis *et al.*, 2009).

Jackson, (2016) argues that the constructs of pre- and professional identity should be included in our understanding of graduate employment. Jackson (2016, p.926) suggests that this is because it gives students an "understanding of and connection with the skills, qualities, conduct, culture and ideology of [their] intended profession". Exploring this relationship provides for a greater understanding of the link between graduate attributes and professional identity, which can bridge the gap and thus support students in relation to future employment opportunities (Clanchy *et al.*, 2021). This allows for a different approach to graduate employability that focuses on the formation of pre-professional identity. It is important to encourage students to develop and link the acquisition of graduate attributes to increasing their graduate capital, which might support them in transitioning into specific employment areas (Tomlinson, 2017; Clanchy *et al.*, 2021).

2.9.1 Exploring the role of clinical legal education pedagogies in supporting the development of professional identity for legal practice.

The literature has considered the formation of pre-professional identity whilst at university, but there has been less exploration of how that is achieved (Jackson, 2016). It is suggested that learning about and encouraging the development of professional identity is a crucial aspect of the way higher education can enhance graduate employability. Traditional approaches to legal education have rarely included opportunities for learning by doing, which is a

crucial aspect of identity formation (Piazza, 2011). Engagement in experiential pedagogy, where students interact with forms of legal practice to contextualise their learning and work alongside legal practitioners, supports the navigation and construction of professional identity (Rowe *et al.*, 2012; Ewing *et al.*, 2017). Research suggests that students who are encouraged to develop a strong sense of professional identity early in their studies are more confident about moving into their chosen career and become more effective professionals (Barbarà-i-Molinero *et al.*, 2017).

The approach of clinical legal education is to encourage learning in context and support students in developing theoretical knowledge and professional and practice skills. It introduces students to ethics and values, providing insights into what it means to be a legal professional (Scott, 2012; Nadelson *et al.*, 2017; Tan, 2017; Van Der Merwe, 2017; Alexander, 2023). In clinical work, the students are supervised by lawyers, providing access to role models and mentors who review their work and play a crucial role in modelling good practice and fostering the development of professional identity (Cruess *et al.*, 2019). Clinical work offers meaningful engagement with legal professionals, and the elements of supervisory practice demonstrate the norms and expectations of the legal profession. Active engagement in clinical legal education supports the process of identity formation as it allows students to visualise themselves in these roles (Cruess *et al.*, 2019). Clinical work provides an introduction to legal practice, which fosters an appreciation of different types of legal work that helps to align aspirations and values to encourage the development of professional identity (Scott, 2012; Virgil, 2016). Through these experiences students are actively involved in aspects of legal practice which allows them to go through the process of negotiating their identity (Daniels *et al.*, 2014, Su, 2014; Hill *et al.,* 2016; Jackson, 2016). These experiences are also critical to giving students a better understanding of the realities of the profession and insights into the relationship between their values and beliefs and the profession (Barbarà-i-Molinero *et al.*, 2017; Tomlinson *et al.,* 2021). Through engagement in clinical work, students learn how to be lawyers, and with the assistance of their supervisors they build their confidence, which

encourages them to believe that they can be lawyers (Barbarà-i-Molinero *et al.*, 2017; Cantatore *et al.*, 2021).

This is important, because the literature suggests that non-traditional graduates find it more challenging to respond to the changing demands of employers because they come to university with lower levels of cultural and social capital and are therefore unable to demonstrate that they meet the requirements of elite employers (Brown *et al.*, 2004; Yorke *et al.*, 2006; Tomlinson, 2012; Bathmaker *et al.*, 2013; 2016; Ashley *et al.*, 2017). The link between legal education and the legal profession means that graduates who aspire to a career in law are more likely to want to want to develop strategies to support their future career progression (Tomlinson, 2012). Jackson, (2016) suggests there is a need for higher education to provide support, particularly for those students who lack networks and access to the profession, in the form of opportunities to connect and engage. Identity formation is constructed through engagement with communities and people aligned to a profession (Holmes, 2013), and participation in clinical legal education supports those interactions.

Identity is complex; it is a combination of who we are and our values, beliefs and our memberships of different groups and organisations. Identity is fluid; it evolves in response to our changing situation, and identities we inhabit may be abandoned or changed, or new ones may emerge (Jackson, 2016; Coulmas, 2019). Research around theories of capital have been influenced by the work of Bourdieu, (1977) suggests that those students who lack the cultural and social capital required to move into certain roles will often choose not to pursue those opportunities, and their relationship with the labour market is determined by their personal perspectives (Tomlinson, 2012; Grenfell, 2014). Students' experiences at university have a significant impact on and influence their graduate identities and their transition into the world of work (Tomlinson, 2012). Holmes, (2013) argues that employability is enhanced for those graduates who develop skills and attributes through their engagement with higher education that support the construction of their graduate identity. There is a strong correlation between cultural capital and performance in professional roles (Ashley *et al.*, 2017). The development of attributes that signal professionalism

is important for graduates to demonstrate that they align with the requirements of the profession (Ashley *et al.*, 2017).

Clinical work is important because it mirrors many aspects of legal practice and provides a supportive environment for students to learn about and explore the relationship between professionalism and professional identity (Rowe *et al.*, 2012). Professional identity goes beyond professionalism: it is also about lawyers' duties and their responsibilities for upholding the rule of law (Katz, 2013). The client relationship and service provided to the client are at the core of professional identity (Spaulding, 2003). Professional identity is facilitated and developed through students engaging in these 'real life' experiences (Katz, 2013). Experiential learning puts students in the position of lawyers and creates situations where they must deal with difficult situations, and it allows them to reflect on their decisions in a supported environment (Katz, 2013).

Merging theoretical and practical approaches to legal education is particularly important for those students who will not have opportunities outside of their studies to develop their professional identity. The formation of identity evolves over time, and it starts in law school through learning what it means to be a lawyer. Clinical work is important for supporting this progression because through 'acting as a lawyer' students start to visualise themselves as potential lawyers, and this continues as they transition into practice (Virgil, 2016). Students' experiences at university are therefore critical for the formation of their professional identity, and to encourage students to see themselves as future lawyers (Barbarà-i-Molinero *et al.*, 2017). Identity formation involves attributes, values, and characteristics, which need to align with employers' expectations, and those graduates who can signal they meet those requirements are more likely to be considered an appropriate fit for the organisation (Hinchliffe *et al.*, 2011; Tomlinson *et al.*, 2021).

2.10   Conclusion

This chapter has positioned my research in the literature on graduate attributes and explored the complexities around the conceptualisation of graduate

attributes. The review of the literature identified a significant amount of research on graduate attributes that has predominately focused on generic graduate attributes. However, there is limited research which has explored graduateness within the discipline of law. There is an opportunity to enrich current conceptualisations of graduate attributes because the focus on generic graduate attributes has left a gap in our understanding of discipline informed attributes.

The voices of stakeholders have largely been absent from previous research, so the inclusion of stakeholders can strengthen our understanding of graduate attributes and how such attributes can support a career in law. The stakeholder voice can provide deeper insights into how graduate attributes are shaped by the disciplinary context to make them more meaningful and more relevant for equipping graduates to navigate the transition into the workplace (Bridgstock, 2009).

Top-down constructions of graduate attributes permeate the discourse on graduate attributes in the literature, and more research is required to understand the different viewpoints of stakeholders and to offer more inclusive definitions of graduate attributes. The literature on digital transformation and the impact of the pandemic highlights the need to understand stakeholders' perspectives of how graduate attributes should evolve to support graduates as they now move into a transforming world of work. There is a need for discipline-informed understandings of future graduate attributes and a consideration of how digital transformation is shaping graduate attributes and why that is significant for law graduates and legal education (Janecek *et al.*, 2021; Ajevski *et al.*, 2023).

The role of graduate attributes has assumed greater prominence in the discussions around graduate employment and in preparing students for an uncertain future. There is an increasing expectation of higher education to produce more employable graduates which is impacting on universities (Tomlinson *et al.*, 2021). There are synergies around the types of graduate attributes which are relevant across all disciplines, but a more nuanced

understanding of graduate attributes is required to consider how they are developed both inside and outside the curriculum (Jones, 2009b). Understanding different stakeholders' perceptions of graduate attributes is therefore critical for considering how attributes are developed and how they may best be included in the curriculum.

The literature on legal education highlights the fact that there has been a growing shift from traditional teaching methods in law towards the adoption of experiential learning pedagogies. There is a requirement for a greater understanding of the role of clinical pedagogies in supporting the development of graduate attributes and the process of identity formation which is critical in supporting the transition to legal practice (Alexander, 2023).

The next chapter presents the methods used in this study to address the aims of the research and to answer the research questions.

Chapter 3: Methods and Methodology

3.1 Introduction

The purpose of this chapter is to outline the methodology and the methods used in my study to address the aims of my research and to answer the research questions. This research is an exploration of graduate attributes that provides insights into the characteristics that define the ideal law graduate, and an understanding of the different ways attributes might be developed. This chapter starts by setting out my research questions (3.2); it then considers my position as a researcher and discusses my epistemological and ontological positioning (3.3). It explores the dynamics of insider and outsider researcher perspectives and how this impacts on the research process (3.4) and considers alternative methodological approaches (3.5). The chapter then moves onto discuss the design and methodology of this research. The next section (3.6) explores qualitative and semi-structured interviews, Section 3.7 looks at data generation and section 3.8 provides a detailed account of reflexive thematic analysis, describing the six-stage process advocated by (Braun *et al.*, 2006, 2022) that I used to analyse the data and to construct the themes. It ends with a reflection on the ethical issues that were considered in this research (3.9) and a summary of the chapter in section 3.10. This chapter provides the context and lens from which the findings were derived and analysed.

3.2 Research questions

The research questions were constructed from the gaps in knowledge that I identified from my consideration of the literature, and the purpose of the research questions was to address those gaps. The questions were constructed to explore the perspectives of legal employers, legal academics and graduates working in law on the graduate attributes required for legal practice. The policy context suggests that the employability agenda is becoming an increasing focus for higher education and there is not always an alignment between higher education and employers around graduate outcomes (Tomlinson, 2012; Tomlinson *et al.*, 2020). Other studies have described graduate attributes as generic; however, in my study I wanted to consider how stakeholders conceptualise graduate attributes within the discipline of law and

to explore how far the views of different groups of are in stakeholders' alignment or whether they diverge. My study examines stakeholder perceptions of graduate attributes as a basis for developing a better understanding of how graduate attributes are developed and the relationship between experiences inside and outside of the curriculum. Beyond that, it is also important to consider how graduate attributes may evolve in response to external factors such as the covid 19 pandemic and advances in technology.

My study is guided by three related research questions:

- How do stakeholders conceptualise the graduate attributes required for a career in law?

- Do different stakeholders have different conceptualisations of the ideal law graduate?

- Are stakeholders' views of the factors that support the development of a career in law related to their views of the ideal law graduate?

3.3 The epistemological and ontological positioning of the research

My interest in this research comes from my professional and academic background. I practiced as a lawyer for twelve years, and then for the past fifteen years as a legal academic. My experience of working in legal practice has provided me with an understanding of the environment and culture of legal practice, and my role as a legal educator has provided me with an insight into legal education and the curriculum. Since I moved into academia, I have been interested in the links between legal practice and legal education, and in particular the skills and attributes which graduates require to transition to legal practice. This context is important because both these roles influence and give me a presence in this research. It is important to acknowledge my own position, presence, and perspective as a researcher and how these influence my research whilst also recognising the experiences and perspectives I have has enabled me to gain richer insights (Finlay, 2002). The lens I bring to this

research is derived from my personal experiences and professional background (Fetters, 2020). Reflexivity is an important aspect of qualitative research that involves highlighting my own participation and involvement in the research. As a researcher I am embedded in this study, but examining my own beliefs and views enriches not only the research process but also the research findings (Palaganas *et al.*, 2017).

Lincoln (2005, p.22) argues that "all research is interpretative, it is guided by the researcher's set of beliefs and feelings about the world and how it should be understood and studied. Some beliefs may be taken for granted, invisible, only assumed." My personal and professional background and beliefs impact on all aspects of this research, and recognising this has led me to reflect on the choices I have made (Braun *et al.*, 2022). I have considered the philosophical and theoretical assumptions that inform this research. The philosophical assumptions that underpin my beliefs and values about the nature of reality and how to acquire knowledge influence my thinking and how I conducted this research. The overarching perspective that informs my approach to this study and that aligns with my philosophical assumptions is critical realism. This is an approach which is particularly valued as a methodology that underpins qualitative methods (Roberts, 2014).

The critical realist position aligns with thematic analysis because the researcher is accessing the research subjects' perceptions of reality, which are shaped by many factors including cultural context, personal experiences and societal structures (Willig, 2021). The participants share their own interpreted reality, which is the data, which is then analysed by the researcher. The aim is to provide an interpretation of the data that reflects the participants' lived realities, which includes how their experiences and perceptions are situated within and shaped by the larger structures and forces of the world they inhabit (Sims-Schouten *et al.*, 2007). Critical realism allows for a focus on the participants' lived experiences, but also situates those experiences within a broader context and highlights some of the cultural and societal structures and forces that shape those experiences (Fryer, 2020). Thematic analysis aligns well with a critical realist perspective because it recognises the role of wider social and

cultural structures in shaping individual experiences and perceptions, while also recognising the researcher's active participation in knowledge generation (Wiltshire *et al.*, 2021; Fryer, 2022).

3.4 Insider and outsider researchers

Through this research project I have engaged in the process of reflexivity, which has allowed me to examine my own biases, preconceptions, values, and experiences as part of the process (Hellawell, 2006; Berger, 2015). The researcher is not a detached observer, and I play an active role in the research which influences the processes of data generation, analysis, and interpretation. Acknowledging this by reflecting on the decisions I have made, and how my own beliefs, identities, and experiences influence the research process and outcomes enhances the trustworthiness and authenticity of the research (Hellawell, 2006; Cresswell, 2014; Berger, 2015).

I consider that my status within this research to be both an insider and outsider. I am insider because I share some of the characteristics and experiences of the participants, and I recognise that as present and an important aspect of the study. My position as an insider researcher facilitated my access to participants, and it helped me to gain their trust and acceptance. Importantly, it gave me an understanding of some of the cultural nuances that are prevalent in both legal practice and academia (Dwyer, 2009). However, I am conscious that my personal experiences of legal practice and legal education influence and shape the research, but I also recognise that this is an inevitable part of the process (Finlay, 2002). Asselin, (2003) argues that an insider researcher should attempt to approach the research as if they know nothing about it, with their 'eyes open' and without assuming that they understand everything. Although I have worked in legal practice and in academia, I recognise how important it is to be aware of any biases, assumptions, or pre-conceptions that I might have so that I better understand the experiences of my research participants (Dwyer, 2009). Throughout this process, I have tried to challenge my own assumptions and engage in self-reflection by asking questions of myself to consider how my preconceptions might be influencing and informing the research (Braun *et al.*, 2022).

The difference between insider and outsider status is not clear cut; although I was an insider in many respects, for example because I had the same professional background and identity as the participants, I was an outsider in others. I don't share all the experiences of my participants because I have not practiced in the same areas of law, worked in similar types of law firms, or ever been employed in a redbrick university. Reflecting on the advice of Asselin (2003), I think these differences are important because throughout this process they made me recognise that there is a lot I don't know about legal practice and legal education. I hope that recognising the duality of my position and exploring those differences contributes to the validity and reliability of the findings.

3.5 Alternative methodological approaches

Bryman, (2012) argues that different approaches can be used to determine how the literature is used to inform the design of research and the identification of research questions. I conducted a preliminary review of the literature at the start of my research to gain a broad understanding of the topic and to explore the methodological approaches taken in other studies of graduate attributes. Different approaches have been used to consider graduate attributes, with some studies looking at individual attributes while others focused on clusters. Osmani *et al.*, (2015) reviewed 39 previous studies of graduate attributes and found most of the studies adopted a quantitative rather than qualitative approach to the research. Other studies (Oliver *et al.*, 2018; Hammer *et al.*, 2021; Wong *et al.*, 2022a) mapped graduate attributes from websites and publicly available data to construct frameworks for graduate attributes. It was useful to understand how other studies have explored graduate attributes although these studies focused on generic graduate attributes, while in my research I wanted to understand the relationship between graduate attributes and the disciplinary context. I wanted to explore how attributes are shaped by the context and the culture of the discipline, and the use of quantitative approaches would not provide those insights.

Within law, attributes and skills have been mapped across law schools in studies by (Christensen *et al.*, 2000; Owen *et al.*, 2010; Cantatore *et al.*, 2021), but I wanted to capture the stakeholder voice and to better understand how

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legal academics, employers and graduates conceptualised graduate attributes. Some previous studies have explored stakeholder perceptions of graduate attributes. Watson *et al.*, (2009); Owen *et al.*, (2010) and Osmani *et al.*, (2017) explored the academic voice, Bitzer *et al.*, (2020) the student voice and Squelch *et al.*, (2017) and Smith *et al.*, (2021) the legal employers' voice. Other research has taken a multi-disciplinary approach Jones, (2009a; 2009b) and Kensington-Miller *et al.*, (2018) explored how different disciplines define generic graduate attributes and these studies have revealed that there are clear distinctions in the meaning attached to attributes by different disciplines. In this research I wanted to go beyond university or law school descriptions of attributes to get a richer description of graduateness synthesised through the perspectives of stakeholders from within the discipline of law, and this informed my approach to the research design.

3.6 Data Generation: Qualitative Methods and Semi-structured interviews

There are different approaches that I could have taken to answer these research questions. Previous studies of graduate attributes have used quantitative methods and focused on measuring or rating graduate attributes to produce lists of individual attributes or clusters of attributes (Osmani *et al.*, 2015). There has been criticism of researchers who have sought to create lists of attributes without describing any methodological basis for how the list of attributes was derived (Nouwens, 2004). The limitation of a quantitative approach is that it focuses on measuring the phenomenon but does not capture the voice or the context of the participants (Fetters, 2020). The rationale for using qualitative research is that it elicits and contextualises the views and perspectives of the participants (Fetters, 2020). The aim of this research was to gather in-depth information on stakeholders' perceptions of graduate attributes as a basis for examining and understanding the issues relating to graduate attributes in more detail (Roberts, 2014). A qualitative approach was chosen because it would best support an exploration of stakeholders' views and perceptions of graduate attributes from a multi-participant perspective (Creswell *et al.*, 2018).

A gap exists in our understanding of discipline-informed attributes and a qualitative approach is required to elicit a deeper understanding of graduate attributes. This research was designed to address that gap by collecting data that provided rich descriptions of how participants made sense of the world and provided a basis for exploring their understanding of graduate attributes and how they relate to legal practice. This involved adopting an exploratory and inductive approach that would allow me to focus on people's experiences to make sense of them from their perspectives whilst also recognising that their views are shaped by social factors. The process involved forming my ideas from the data I had collected rather than before I collected the data (Merriam *et al.*, 2019). Qualitative research is characterised as interpretative, and this approach allowed me to explore participants' understandings, beliefs, and values, using an inductive approach that would produce the rich and detailed descriptions that were required for my study (Bryman, 2012; Merriam *et al.*, 2019).

Qualitative interviews are a key method of data generation in qualitative research, and I chose this method because it provides a richness that met with the aims and requirements of this research (Rowley, 2012). I selected interviews because they have the capacity to provide detailed insights into participants' perspectives and views relating to the context of the study (Bryman, 2012) as well as aligning with critical realism (Buch- Hansen *et al.*, 2020). What was key to this research was the participants' voice because that helps to ground the research in the lived experiences of individuals. This aligned with the adoption of an inductive strategy. One of the strengths of this approach is its openness to new findings. This is important because there is a paucity of previous research that has synthesised the perspectives of groups of stakeholders with a view to better understanding the characteristics that define the ideal law graduate.

I designed the research to answer the research questions and used semi-structured interviews because they allowed me to prepare in advance a set of open-ended questions but at the same time have the flexibility to ask to follow-up questions depending on the participants' responses (Bryman, 2012). Three

sets of interview guides were prepared for the three groups of participants. Each member of each group was asked all the prepared questions using similar wording, but they were also given the freedom to go beyond the questions to discuss matters that were of interest to them. The questions were predominately open and asked the participants to draw on their experiences to allow them to express their thoughts and ideas and offer richer and more detailed insights (Cohen *et al*., 2011).

The approach I adopted in this research differs from the approach used in other studies of graduate attributes (Osmani *et al*., 2015). Many previous studies have asked participants to select graduate attributes from a pre-prepared list. I chose not to adopt that approach because I did not want to influence the participants with any pre-conceived ideas I might have on graduate attributes, and also, I wanted to capture a richer description of attributes. Therefore, participants were not directed to any specific graduate attributes, but were rather asked to describe experiences which they considered demonstrated qualities that a graduate required for professional practice. This approach produced richer answers on the nature of attributes and participants' perceptions of how they were embodied in graduates. It also allowed me to explore participants' views around how attributes could be developed, and it led to some interesting discussions around the types of experiences that supported the development of attributes.

Throughout this research I have reflected on how my own background and experience may influence the research process. One of the decisions I made was not to make it known to the participants that I had worked in legal practice as I wanted to prevent them from making any assumptions about what I might already know. However, if the participants asked, I explained I had worked in practice prior to moving into academia. Some of the participants did ask and it seemed to reassure them that I had a good understanding of the issues they were discussing. This perhaps gave me some element of credibility and legitimacy with them because they considered me part of their group.

3.6.1 Selecting participants

There is previous research which has explored graduate attributes within the law field and has examined the perspectives of employers or academics, but no previous study has synthesised the perspectives of legal academics, legal employers and graduates working in law. The design of my research used two sampling strategies that align with thematic analysis: purposive and snowball sampling (Braun *et al.*, 2022). I began with purposive sampling, which is a non-probability sampling method that uses the researcher's judgement when selecting participants where rich, detailed, and in-depth insights are being sought (Bryman, 2012). It was important not to select the participants at random but to choose them because their background and experience could enable them to address the research objectives.

The participants chosen from the legal employer group were responsible for graduate recruitment, and were selected because they had oversight of graduates from recruitment through to post-qualification. They offered their own insights, but also broader perspectives from their law firm and the wider legal market (Holmes, 2013). As the focus of the study was an exploration of graduate attributes in relation to the transition into legal practice, all the graduate participants selected were either employed as trainee solicitors or had recently qualified as a solicitor within a legal practice. The nature of legal practice has changed in recent years, and there are many graduates working as paralegals within law firms (Alexander, 2023). Although the sample included graduates who had previously worked as paralegals, to be included in the study, the graduate participants had to have successfully navigated the graduate recruitment process and secured a training contract to qualify as a solicitor. The participants from academia were selected because they were part of a community of academics engaged in legal education with a special interest in the teaching of law and the practice of legal learning. They were selected because it was my belief that they would be able to offer insightful and useful information to address the research questions.

The participants were accessed through my network of contacts both in academia and legal practice. I used snowballing sampling methodology for the employer and graduate groups (Bryman, 2012). This involved asking initial participants to recommend others to allow me to access participants whose characteristics made them suitable for this study. The potential study population was very large. In December 2020, in England and Wales there were 10,056 law firms (Solicitors Regulation Authority, no date). In July 2021 there were 5,495 traineeships registered with the Solicitors Regulation Authority and 6,981 individuals admitted as newly qualified solicitors in England and Wales (The Law Society, no date). In 2020 - 2021 there were 285 higher education institutions in the UK (Universities, UK, 2023). It was therefore necessary for me to reduce the sample size to what was practical and manageable within the time constraints of this research. The objective was not to create a homogenous sample but to aim for maximum variation (Roberts *et al.*, 2019). This would allow for the recruitment of participants from different types and sizes of law firms and from across the university spectrum. I was able to draw on my professional practice experience and my academic background to make contacts with potential participants.

My initial aim was to recruit between ten and fifteen participants per group and by the time of the interviews I had recruited:

- Eleven legal academics, five from post-92 universities, five from Russell group universities and one from a traditional university in England and Wales.
- Sixteen law firms, one inhouse, one magic circle firm, one silver circle firm, two small firms, three regional firms and eight large firms.
- Sixteen trainees or new qualified lawyers, one from inhouse, two from small firms, eight from regional and five from large firms.

Magic circle, silver circle and large firms are firms with multiple offices across the UK and the world, some with and some without a London office. Regional firms are law firms with multiple offices across a region. Small firms are law

firms with one office located within a town or a city. Traditional universities are established universities that are not part of the Russel Group of universities. The Russel Group represents 24 UK universities. Post 92 universities are former polytechnics that were given university status in 1992 (Boliver, 2013).

When it comes to identifying the appropriate size of a dataset, (Braun *et al.*, 2019) and (Guest *et al.*, 2020) suggest that determining data saturation can be problematic. They emphasise that there are inherent difficulties and constraints in both conceptualising and establishing data saturation. An alternative approach to data saturation is to consider information power and focus on the richness of the data and how that fits with the study (Malterud *et al.*, 2016). Although there is not a straightforward formula for determining the size of a dataset, it is argued that the depth and richness that embodied in the forty-three participants within this study means that the sample size is appropriate for my study.

3.7 Data generation: Interviews

The interviews took place between August 2020 and March 2021, and were conducted via Teams or Zoom. The participants were provided with an information sheet which they were asked to read and sign to give informed consent. At the start of the interview the purpose of the research was explained. Each interview lasted between 45 minutes and 1 hour 30 minutes. The interviews were recorded, which meant that I didn't need to make notes and allowed me to listen actively to the participants and where necessary relate back to previous points they had made to explore their views in further detail. The benefit of conducting online interviews during the pandemic was that it allowed me to access geographically dispersed participants and it was much easier to facilitate meetings because participants were working from home. The pandemic led to an increased use in platforms such as Teams, and the participants appeared comfortable with the technology. The interviews all took place in private; all participants had their camera switched on, which was beneficial as it allowed me to establish rapport, observe their body language and foster a more conversational atmosphere than might have been possible in a more formal interview. I have conducted interviews in previous research and

in legal practice, so I was aware of the importance of allowing the participants to speak with minimum interruption (Bryman, 2012). I found the participants to be really engaged and supportive of my research, which was really encouraging as I was mindful of how busy they were and how generous they were in giving up their time to participate in the research.

The interviews were professionally transcribed verbatim from the audio recordings, which provided 'rich' data and an in-depth picture, which was an important aspect of my research aims (Coleman, 2021). From a practical point of view using a professional service was invaluable because of the length of time it would have taken me to transcribe forty-three interviews. I did make written notes after the interview to record my impressions, emerging ideas, and insights I had about the research, and this was also important for evaluating my own perspectives in this research (Coleman, 2021). This was important because the interviews were not transcribed until after they were all concluded. All the interviews were transcribed in full, which gave me a complete record of the data from which to code and a rich set of data within which to generate themes.

3.7.1 Legal Academic Participant Details

Table 3.1 Legal academics' participant details

Pseudonym	Type of University	Gender
LA: 1	Post 92 University	M
LA: 2	Traditional university	M
LA: 3	Russell Group University	M
LA: 4	Post 92 University	F
LA: 5	Post 92 University	F
LA: 6	Russell Group University	M
LA: 7	Russell Group University	M
LA: 8	Post 92 University	F
LA: 9	Russell Group University	F
LA: 10	Russell Group University	F

LA: 11	Post 92 University	M

3.7.2 Law Firm Participant Details

Table 3.2 Law firms' participant details

Pseudonym	Type of Firm	Gender
LF: 12	Inhouse Firm	F
LF: 13	Small Firm	M
LF: 14	Regional Firm	F
LF: 15	Small Firm	M
LF: 16	Large Firm	F
LF: 17	Magic Circle Firm	F
LF: 18	Large Firm	F
LF: 19	Large Firm	F
LF: 20	Large Firm	M
LF: 21	Large Firm	F
LF: 22	Regional Firm	F
LF: 23	Large Firm	M
LF: 24	Silver Circle Firm	M
LF: 25	Large Firm	M
LF: 26	Regional Firm	M
LF: 27	Large Firm	F

3.7.3 Graduate Participant Details

NQ: Newly Qualified

TS: Trainee Solicitor

Table 3.3 Law graduates' participant details

Pseudonym	Type of Firm	Type of university	Gender
NQ:28	Regional Firm	Traditional university	F
TS: 29	Small Firm	Russell Group University	F

NQ: 30	Large Firm	Post 92 University	F
NQ:31	Large Firm	Russell Group University	F
NQ: 32	Regional Firm	Post 92 University	M
NQ:33	Large Firm	Russell Group University	F
NQ:34	Inhouse	Post 92 University	F
NQ:35	Regional Firm	Traditional university	M
NQ:36	Regional Firm	Russell Group University	F
NQ:37	Large Firm	Russell Group University	F
TS:38	Regional Firm	Russell Group University	F
TS:39	Small Firm	Traditional university	F
TS:40	Regional Firm	Traditional university	M
TS:41	Regional Firm	Post 92 University	F
TS: 42	Large Firm	Russell Group University	M
TS: 43	Regional Firm	Traditional university	F

3.8 Data Analysis - thematic analysis

The aim of my research was to generate knowledge from the experiences of the participants. I chose thematic analysis because it is a qualitative data analysis method for finding and identifying patterns of themes within a dataset that provide answers to research questions (Braun *et al.*, 2022). I felt this would allow me to "study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them" (Denzin *et al.*, 2011, p.3). I chose thematic analysis because it is a qualitative research method that can be used with a range of theories and epistemological approaches and research questions (Maguire *et al.*, 2017; Braun *et al.*, 2023). The flexibility of this method supports inductively developed analysis, so it allowed me to take both a semantic approach in analysing the explicit content of the data and a latent approach that provides for a descriptive and interpretative approach to the data to be taken (Terry *et al.*, 2017). My research questions explore participants' perceptions of graduate attributes, so thematic analysis was chosen in the design of this research because it is an appropriate approach for examining the experiences of participants (Nowell *et al.*, 2017).

I designed this research around this method because it recognises that knowledge is context-dependent and is influenced by the processes through which it is created, including the perspective of the researcher (Braun *et al.*, 2022). The approach is inductive and based on a process to follow to identify and construct themes from the data, and I determined this would work best for my research questions because they are exploratory in nature (Roberts *et al.*, 2019). The inductive approach also aligns with my critical realist ontological approach where the experiences and insights of the participants are articulated in the analysis of the data (Roberts *et al.*, 2019).

Thematic analysis does not have to conform to any rigid process, and it is not necessary that it should operate as a linear process (Fryer, 2022; Braun *et al.*, 2023). The aim of thematic analysis is to identify patterns in the data which are then used to construct themes which address the research questions (Maguire *et al.*, 2017). I determined that thematic analysis was best suited for my research questions because it is question-driven and particularly effective for 'what,' 'why' and 'how' type questions, and this aligns with the research questions in this study. Furthermore, it allowed me to focus on the data set as a whole rather than focusing on the experiences of individual participants, which again aligned with the objectives of my research (Lochmiller, 2021).
I used the six-phase framework developed by Braun *et al.*, 2006; 2016; 2022; 2023). This approach to thematic analysis incorporates the flexibility and subjectivity suggested by (Braun *et al.*, 2006), but recognises the existence of an objective reality. The phases are distinct, but the reflective nature of thematic analysis allowed me to engage with the data in a flexible and recursive way, so the analysis was not a linear process and I moved back and forth between stages on many occasions as I was reviewed the data (Terry *et al.*, 2017).

Through the stages of thematic analysis, I constructed a narrative around different versions of the ideal law graduate that reflect the participants perceptions of the qualities and characteristics required for a career in law. The analysis of the data identified four constructs of the ideal law graduate, and these have been labelled as adaptable, resilient, confident, and critical. The

table below provides further details of the meanings of the individual constructs of the ideal law graduate generated by the participants, and how they relate to each other.

Table 3.4 The four constructs of the ideal law graduate

Adaptability	Confidence	Resilience	Critical thinking
The ability to adapt, change, respond as legal practice changes, new ways of working and make the most of new opportunities.	As law and legal practice change the confidence and the ability to be proactive.	The ability to learn from your mistakes and bounce back.	Analyse and form judgements, question biases and assumptions. Recognise the implications of how technology is changing legal practice.
Adaptability is linked to how technology is changing legal practice.	A confident communicator, someone who can make decisions and show aptitude for the work.	The ability to outperform, motivation, determination, and grit to succeed.	Critical thinking with the ability to learn from experiences to prepare for future work and changes in legal practice.
The ability to be proactive and take ownership and be prepared to learn and adapt.	Self-aware, forward thinking-confident and independent.	A strong work ethic and resilience, law is a stressful job. You need to be able to cope with working as a lawyer.	
There needs to be an awareness of what is happening in the legal sector and be adaptable and understand commercial awareness.	Confidence and professionalism are key. Interpersonal skills that are linked to professionalism and commercial awareness.	Resilience and agility to cope with change and have passion and personality.	
Flexibility linked to adaptability to be able to respond to	Good communicators who have character and personality.	Legal practice can be ferocious and law students need to be able to cope with that.	

changes in legal practice.			
You need a growth mindset to be able to adapt to change.	Leadership and networking with commercial acumen.	Brain power and character, the ability to overcome challenges and have the strength to cope in practice.	

In the next part of the chapter, I discuss how I used the six-phase framework to conduct my analysis in a way which ensured the process was transparent and credible (Guest, *et al.*, 2012).

3.8.1 Phase 1: Familiarisation with the data

In the first phase of the thematic analysis, I immersed myself in the data to become intimately familiar with the data set. This involved reading and re-reading the data and making notes on initial ideas that were formed (Braun *et al.*, 2023). In this phase I spent a considerable amount of time reading and re-reading the interview transcripts to become familiar with the dataset. This was particularly important because I had not transcribed the data myself. This was a significant task because of the size of the dataset, and I spent a considerable amount of time becoming familiar with the entire body of data. After reviewing each of my interviews I made initial notes that reflected my first thoughts and early impressions. I also wrote a brief synopsis of each interview to capture the key perspectives of each participant. At the same time, I was noting down initial ideas to allow me to search for patterns and meanings.

3.8.2 Phase 2: Coding

I entered the interview data into NVivo, which is a qualitative data analytic software package which allowed me to highlight and categorise text and apply codes to segments of the data (Roberts *et al.*, 2019). I found NVivo to be an invaluable tool for managing the dataset. I applied qualitative coding, which is a process that involves working through the data in a systematic and detailed way to label parts of the data that relate to the research questions and give them a

description (code) (Lochmiller, 2021). I did not use a specific framework for coding; rather it was an evolving process that allowed me to gain deeper insights through analytical engagement with the data (Braun *et al.*, 2022). I used both semantic and latent coding. With semantic coding I was capturing the exact meaning of the data, whereas with latent coding I was applying my own interpretation or meaning to the data (Maguire *et al.*, 2017; Braun *et al.*, 2022). I performed the inductive thematic analysis using open coding, meaning that I did not have any pre-determined codes. I adopted inductive coding because it allowed me to capture the richness of the views expressed by my participants (Braun *et al.*, 2022). I went systematically through the data set line by line, sometimes coding word by word, and sometimes coding passages that captured the meaning of that section of the data. I had a mix of longer descriptive codes for the reflections of my participants and some single-word codes that captured for example individual attributes or types of experience. Where appropriate I also coded sections of the data according to different themes. This reflects the approach I was taking in my research – i.e. that it is data-led as opposed to theory-led (Fryer, 2022). I constructed, developed, and refined the codes throughout the coding process.

While coding is recognised as a subjective process, and I brought my own experiences to interpretating the data, that subjectivity is considered a strength of the process (Saldaña, 2015). Critical realism tells us that the production of knowledge is imperfect, so there no way in which I can be removed from the research (Fryer, 2022). Coding plays a critical role because codes serve as the foundation on which the identification of patterns begins, and the codes generate an understanding of the data that guides the researcher in attributing significance to the different experiences and perspectives (Lochmiller, 2021). (Saldaña, 2015) argues that the process of coding is not intended to reduce the amount of data, but to refine it and summarise it as a way of enabling the researcher to group codes into larger themes, and as part of that process I was changing and removing codes.

3.8.3 Phase 3: Generating initial themes

In the third stage of the analysis, when all the data had been coded, I grouped together the codes which shared a central idea that might help answer the research questions. This process required me to organise all the coded data into themes; generating themes was an active process which I constructed from the data and linked to my thinking (Braun *et al*., 2022). During this phase I was grouping codes together that appeared to fit together into an initial theme and discarding codes that were no longer relevant (Braun *et al*., 2006). I spent a lot of time mapping codes, using diagrams to get a sense of the relationship between the codes. The challenge for me was to capture the stories in the data through the codes, and then to link them to initial themes. I was combining codes to help me generate different versions of the ideal law graduate and then considering whether other potential themes told me something helpful about the data and how that related to the participants' views of the ideal law graduate. For example, the participants discussed the role of legal education in supporting graduate attributes, and there were several codes that captured those insights. From those codes I was making choices and actively shaping the data (Braun *et al*., 2023). To identify the theme the relationship between the participants' views on the ideal law graduate and the role of legal education, the participants were asked about their views around the undergraduate law degree and table 3.5 identifies the codes that were generated from the data.

Table 3.5 Thematic codes

Codes
Disconnect between academic and practical law
Opportunities to put knowledge into practice
Engaging with the legal profession
Work-based learning opportunities
Types of extra-curricular activity
The development of transferable skills
Importance of skills and attributes
Are the right skills and attributes being taught?

Role of universities in making graduates work-ready
Ways in which law schools respond to changes in legal practice
Contextualising the understanding of law
Changes in the training of solicitors
Focus on knowledge within the curriculum

Table 3.6 shows how the codes were used to develop initial themes around the role of legal education.

Table 3.6 Initial themes

Initial themes
Law schools' response to the profession and legal work   - Ways in which law schools respond to changes in legal practice   - Are the right skills and attributes being taught?   - Engaging with the legal profession   - Opportunities to put knowledge into practice   - Disconnect between academic and practical law
Qualities and characteristics of a law school   - Contextualising the understanding of law   - Focus on knowledge within the curriculum   - Importance of skills and attributes   - The development of transferable skills   - Types of extra-curricular activities   - Work-based learning opportunities
External environment/factors impacting on legal education   - Changes in the training of solicitors   - Role of universities in making graduates work-ready

These initial themes were developed and reviewed and incorporated into the theme: the role of legal education.

3.8.4 Phase 4: Developing and reviewing themes.

In conducting the thematic analysis, I used my judgement to determine what constitutes a theme (Braun *et al*., 2006). The initial themes I generated were re-

considered by referring back to the data, and I spent time considering whether the themes offered a convincing narrative across the data. This involved making changes to the themes and reflecting on the connections between themes (Braun *et al.*, 2022). Although I had three groups of participants, I was examining the dataset as a whole, so this involved identifying patterns across the coded data. This was challenging, and involved the construction of several tables to map the participants' responses to enable me to construct the themes across the dataset. Diagramming helped me visualise the connections between the themes. I made detailed notes and tables, which are an important means of establishing trustworthiness in the research process (Nowell *et al.*, 2017). I found the challenge of considering the data 'as a whole' quite overwhelming at times, and it was not an easy task to synthesise the perspectives of all the participants. In this stage, I spent a considerable amount of time re-working and refining codes and themes. This involved reducing the number of themes and re-working them. I did find this process difficult and challenging. I spent a considerable amount of time re-visiting the data and refining the codes and the initial themes.

3.8.5   Phase 5: Refining, defining, and naming themes

In the fifth stage I tried to ensure that I was constructing my analysis around a strong central idea, which in my research is the different versions of the ideal law graduate: the adaptable law graduate, the resilient law graduate, the confident law graduate, and the critical law graduate. I was using the themes to help me generate different versions of the ideal law graduate, and then considering how the participants' views related to each of these constructions of the ideal law graduate. Table 3.7 shows the process of refining of the subthemes. Listed below the name of the sub-theme are the themes that were refined to become the sub-theme, for example, non-legal work and different types of legal work became the theme: the role of experiences outside of university.

Table 3.7 Refining the sub-themes

Sub-theme: the role of experiences outside of university.	Sub-theme: the role of legal education.	Sub-theme: the role of ongoing professional development.
Non legal work- part time work.	Qualities and characteristics of a law school.	How technology is changing legal practice.
Different types of legal work- work experience, paralegal work, pro bono volunteering.	External factors/environment impacting on legal education.	Impact of the pandemic- on ways of working and the delivery of legal services.
	Law school's response to the profession and legal practice.	The potential evolvement of graduate attributes in response to change.

I constructed the narrative around the different versions of the ideal law graduate and then explored the position of each construct of the ideal law graduate within the three sub-themes that I developed from the data analysis, which are:

- the relationship between the participants' views on the ideal law graduate and the role of experiences outside of university.
- the relationship between the participants' views on the ideal law graduate and the role of legal education.
- the relationship between the participants' views on the ideal law graduate and the role of ongoing professional development.

I considered the participants' views on each of the three sub-themes and how they aligned to their views of the ideal law graduate. I considered how I had ordered the consideration of the relationship between the participant's view on

the ideal law graduate on each of the issues to ensure they linked together. I constructed a table where I mapped each participant across the construct of the ideal law graduate and each of the subthemes which is illustrated in table 3.8.

Table 3.8 Mapping the relationship between the participants' view on the ideal law graduate across the sub-themes.

Participant	Category of participant-employer, academic or graduate.	Construct of the ideal law graduate	The role of experiences outside of university	The role of legal education	The role of ongoing professional development

This approach allowed me to organise the story more effectively and demonstrate how different constructs of the ideal law graduate related to the sub-themes that had been identified and how they related to the research questions.

3.8.6   Phase 6: Writing up.

In the writing stage I focused on presenting a convincing analytical account of the data which answered the research questions (Braun *et al*., 2022). In that process, I backed up the analytical account with extracts from the data and set the whole account in the context of the existing literature and research (Braun *et al*., 2006; 2022). I decided that it was important to include quotes from the participants in the findings chapter because they help to illustrate the constructions of the ideal law graduate and demonstrate the richness of the data (Nowell *et al*., 2017). I used the data in the findings chapter to build a coherent and credible argument that demonstrates the analytic credibility of this research. This ensures that the reader can be confident about the strength of my analysis and provides a clear understanding of how the conclusions have been drawn (Finlay, 2021).

This section of the chapter has explained my research design and how I used thematic analysis in a structured way to approach qualitative analysis (Braun *et al.*, 2022). The analytic process was recursive as it involved me moving back and forth between the phases as required. Adopting the framework of Braun *et al.,* (2006) ensured that I was producing trustworthy qualitative research that fulfilled its purpose of answering my research questions. I have discussed my role in the production of knowledge, and throughout this process I have engaged in reflexivity, which is one of the strengths of this approach (Finlay, 2021).

3.9 Ethical issues

The research was granted ethical approval by the Lancaster University Ethics Committee. The participants were sent a participant information sheet and were able to ask any questions before agreeing to participate in the research. The participants were sent a consent form to sign which confirmed their willingness to participate in the research after having been informed about all aspects of the research. At the start of each interview the purpose of the research was explained, and participants were asked if they gave their consent voluntarily and given an explanation of how they could withdraw their participation. All the data that was collected was anonymised and each participant was given a code to ensure that they were not identifiable. I am deeply grateful to the participants who made such a valuable contribution to this research.

3.10   Summary

This chapter has explained and justified the design of my research and why this research design allowed me to address the aims of the research and answer the research questions that were developed from the gaps in the literature I identified. In this chapter I have explored my position and perspective as a researcher and outlined my epistemological and theoretical stance, which is positioned within critical realism and informed by an interpretivist perspective. The chapter then discussed the design and methodology of this research. This involved a consideration of thematic analysis with an exploration of the six-stage process and an examination of how the data was analysed in accordance

with the principles constructed by (Braun *et al.*, 2006; 2022). The approach I adopted fits with the aims of the research.

The next chapter will discuss the outcomes of the research and explore the findings from the interviews carried out with legal employers, legal academics, and law graduates.

Chapter 4: Findings

4.1 Introduction

My analysis of the data shows that there are four descriptions of the ideal law graduate: the adaptable law graduate, the confident law graduate, the resilient law graduate, and the critical law graduate. These were identified by the participants on the basis of their understanding of the practice of law. There are synergies across the participants in their construction of the ideal law graduate. My research suggests that legal academics have the broadest understanding of the ideal law graduate, with legal employers having the narrowest understanding. The conventions of practice contextualised and underpinned their accounts of the graduate attributes required for professional practice. The disciplinary context is critical for our understanding of graduate attributes as it not only shapes what it means to be a law graduate but also influences how graduate attributes are developed. There is a relationship between the participants' views of the ideal law graduate and how this relates to their understanding of the role of experiences outside of university, legal education, and ongoing professional development.

This chapter starts by discussing the outcomes of my data analysis and explores the different constructs of the ideal law graduate which emerged from the analysis of the data (4.2). The position of each construct of the ideal law graduate is then explored in the context of the three sub-themes that were generated from the data (4.3). The role of experiences outside of the curriculum is explored (4.3.1), followed by the role of legal education (4.3.2) and finally the role of ongoing professional development (4.3.3). The chapter ends with a summary of the findings (4.4).

4.2 Constructs of the 'ideal' law graduate

The participants in this study were eleven legal academics, sixteen legal employers and sixteen graduates working in a law firm as either trainee solicitors or newly qualified solicitors. The findings synthesise the results across

all three groups. Participants were not directed to any specific graduate attributes or skills, but were asked to describe experiences which they considered demonstrated the qualities that a graduate required for professional practice, and what types of experiences would support the development of those attributes.

Through my analysis of the data, I developed four constructs of the ideal law graduate:

1. The adaptable graduate
2. The confident graduate
3. The resilient graduate
4. The critical graduate

I will now explore how the participant groups were distributed in relation to the four constructs of the ideal law graduate.

4.2.1   The adaptable graduate

Fifteen participants believed that the ideal law graduate was required to be adaptable and flexible so they would be able to respond to change. Ten participants focused on the ways in which graduates were required to work, suggesting that it was important they should have an open mindset and an awareness of what was happening within the legal environment. The participants discussed the office environment and talked about how demanding it could be and felt that graduates had to learn how to respond to different approaches from their supervisors.

There was also an exploration of the impact of the pandemic on ways of working, with participants suggesting that graduates needed to be able to adapt their working style in accordance with where they were working. Working from home required greater self-sufficiency and proactivity because there were not the same levels of supervision compared as in the office, where there was an

expectation of presence and of an ability to respond immediately to the needs of supervisors. Graduate TS42 explained:

> It is still tough in the office, but it is more difficult at home. It is
> easier for work to slip away because people aren't going to
> walk past you and say how are you are doing with this. Or have
> you got that thing for me yet?

In contrast, four participants viewed adaptability from the perspective of graduates understanding the role of technology within legal practice and their ability to adapt their approach to using technology to support new ways of working. Those participants focused on how technology would impact specifically on how cases were managed within law firms and in courts. The impact of the pandemic was also relevant for these participants, and graduate TS39 suggested that the pandemic had solidified the move online.

> Everything being electronic and easy to file and easy to use.
> Especially with the court system.

The participants suggested that adaptability was important because graduates would be required to work in different ways and use technology to support them.

4.2.2   The confident graduate

Eleven participants took the view that the ideal law graduate was required to have confidence and soft skills. Seven of those participants linked confidence specifically to soft skills because they considered the ability to develop relationships with clients was integral to the role of a lawyer. They stressed the importance of seeing the potential in graduates to project confidence with clients.

When they have had opportunities to connect with clients, have
they demonstrated an opportunity to build a rapport with clients
and a confidence in those situations? LF20

Three of the seven participants not only considered soft skills important, but also suggested that graduates needed to display a confident professional demeanour. In their view the confident graduate was someone who could not only handle the requirements of practice, but was also able to demonstrate their potential to advise clients in a proficient manner. Employer LF17 explained what she was looking for in graduates:

So, we look for people who have got people skills, are calm
and competent rather than you know too academic.

Two of the eleven participants suggested that confidence was linked to an awareness of commercial issues. Their view was that graduates needed to understand law as a business and the environment that law firms operate in. The academic participants in this group considered it was important because they saw it as a requirement of the profession.

Certainly, I strive to develop commercial awareness which is
something that I have a lot of feedback from employers. And
from research, it says employers, that is something they want.
LA7

On the other hand, three of the eleven participants did not see confidence as related to other skills. Their view was that graduates needed to demonstrate their worth through self-awareness and humility. Employer LF20 discussed the importance of graduates showing that they had a belief in themselves and their own capabilities.

But we still look for a degree of confidence that doesn't mean going out and shouting about how great you are but being a kind of inner confidence in your ability.

Confidence was closely related to graduates' having emotional intelligence for both the development of relationships with clients, but also for demonstrating self-confidence.

4.2.3 The resilient graduate

Fifteen participants suggested that the ideal law graduate needed to be resilient. Eight of those participants related resilience to surviving the requirements of legal practice. Their view was that the nature of the job required people with determination, grit, and motivation to succeed. Employer LF24 talked about how practicing law was demanding and stressful and that graduates needed to be able to cope in this environment.

I am not sure what it is, that thing called resilience….
Resilience in the sense of character. As you know law is not an easy job. It is physically draining, intellectually draining. Many parts of law have got that combative element to them… You need to be able to have the spine to be able to deal with that without completely having a breakdown.

This was reinforced by graduate NQ37, who talked about some of the challenging elements of the job and learning how to overcome them.

So, to be able to have that conversation whereas two years ago I would have probably cried. It's a horrible conversation to have, but actually to go well, I am really sorry, sir, but it's my job.

Four of the fifteen participants also agreed that legal practice was demanding, and that graduates needed to be resilient, although two of those participants suggested that graduates often lacked an understanding of the realities of working in legal practice. Their view was that graduates needed to have a better understanding of themself to determine whether they were suited to the profession. Academic LA9 suggested that graduates needed to have self-awareness to make informed decisions about the type of work and the type of law firm that would be most appropriate for them.

> I think getting people to think about what matters to you, what drives you, what motivates you and why is actually key because I think that you end up working in a Magic Circle firm because you think that is what you should do and what impresses people.

This also resonated with employer LF16 who talked about resilience from the perspective of self-reflection. Her view was that graduates needed to demonstrate that they could learn from their mistakes because she believed that a growth mindset was something that was required for success in practice. There was a suggestion from employer LF21 that graduates often needed a lot of reassurance around their performance at work, and some struggled to make the transition from academia to work:

> They have lost a little bit of resilience, especially people who have generally done well academically, they find it very difficult to come in and not be the best, to come in and not know everything. And to come in and sometimes fail and things do not go to well.

Resilience was also required from graduates to support them in dealing with the realities of working in a law firm.

4.2.4 The critical graduate

Two participants, both of whom were legal academics, suggested that the ideal law graduate should be a critical thinker. Their view was that it was important that graduates had the ability to analyse and form judgements and question their own biases and assumptions. Academic LA3 felt that that students should be encouraged to question and not accept the status quo:

> We want to ingrain a sense of social justice into the students
> and don't just accept things, they question things and that
> actually you don't have to accept that this is how it is, and you
> can actually change how it is…..get them to actually question
> critically what is happening and why it is happening.

The view of academic LA6 was more focused on the ideal law graduate engaging in critical self-examination and having the ability to question their own beliefs and assumptions:

> Because we are not here to brainwash, we are here to get
> them to engage in legal reasoning and presenting a case… so
> that is what they get assessed on. If they are honest and they
> are justifying their behaviour and analysing it and being critical
> of their own behaviour.

4.2.5 The composition of the groups

There were forty-three participants in the study: sixteen legal employers, sixteen graduates working in law and eleven legal academics. Eleven participants saw the ideal law graduate as confident, fifteen as adaptable, fifteen as resilient and two as critical. The findings demonstrate that three of the four constructs of the ideal law graduate were chosen by a similar number of participants, as shown in the chart below.
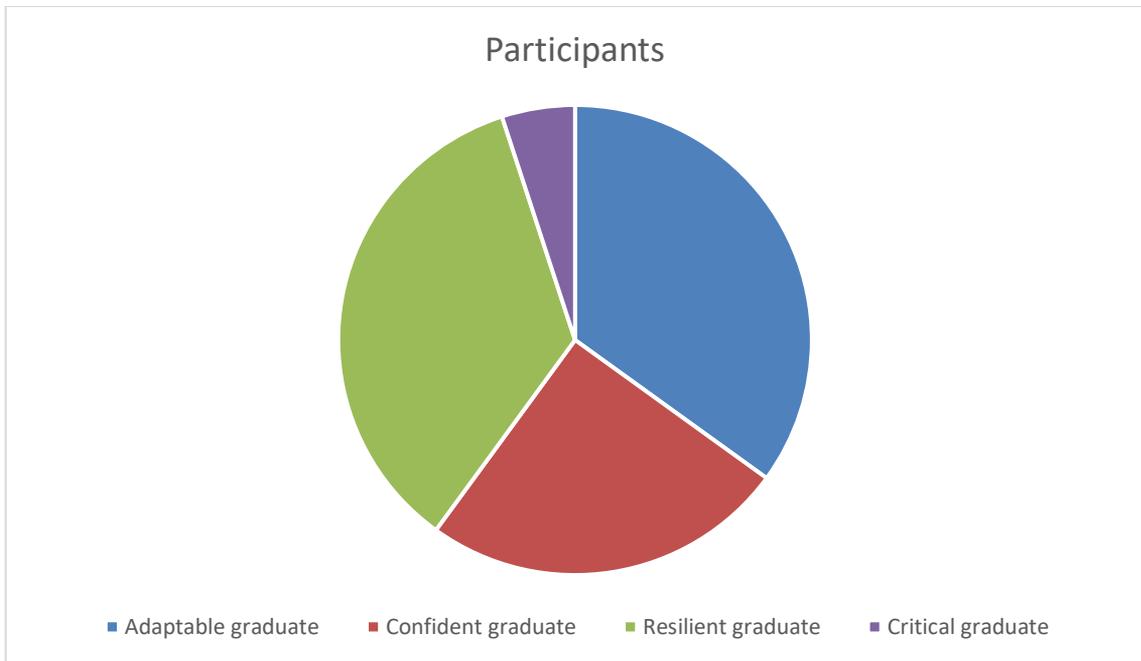
Figure 4.1: The proportion of research participants choosing each of the four constructs of the ideal law graduate.

The groups choosing each of the ideal law graduate constructs can be further subdivided:

- The adaptable graduate group has fifteen participants: four legal academics (27%) and eleven graduates (73%).

- The confident graduate group is made up of eleven participants: eight legal employers (73%), two legal academics (18%) and one graduate (9%).

- The resilient graduate group consists of fifteen participants: eight legal employers (53%), three legal academics (20%) and four graduates. (27%).

- The critical graduate group has two participants, and they are both legal academics (100%).

The chart below illustrates this.

The types of participant choosing the different constructs of the ideal law graduate as a percentage of all participants
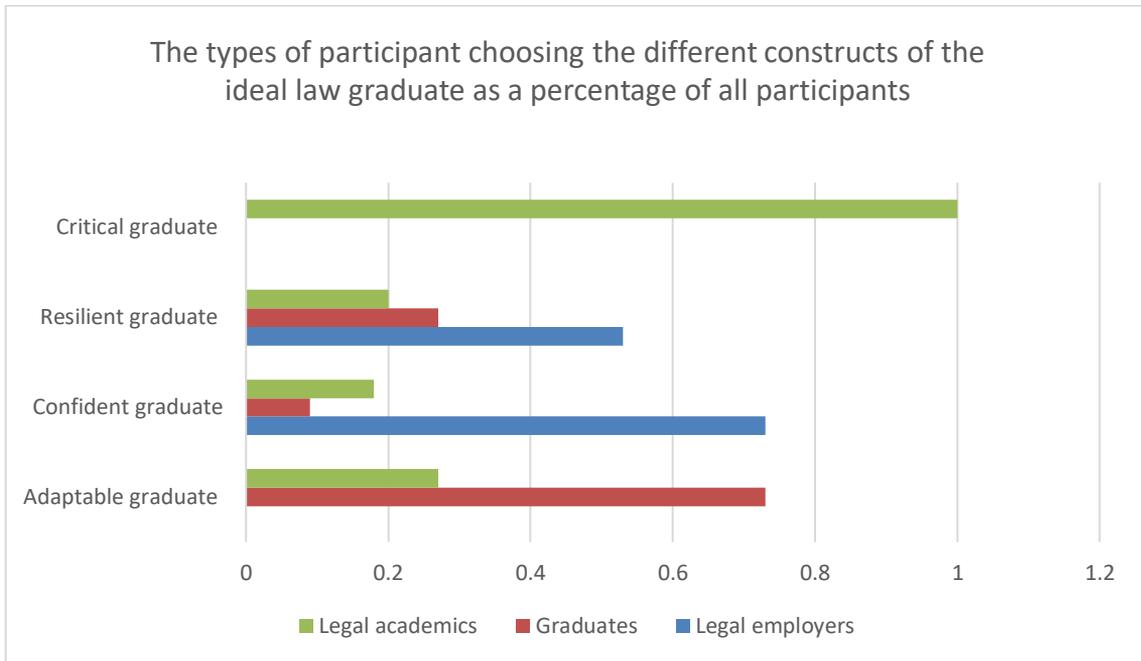
Figure 4.2: The types of participant choosing the different constructs of the ideal law graduate as a percentage of all participants

The findings show that legal employers see the ideal law graduate as confident or resilient; graduates as adaptable, confident, or resilient; and legal academics are represented across all four constructs of the ideal law graduate.

The chart below illustrates this.
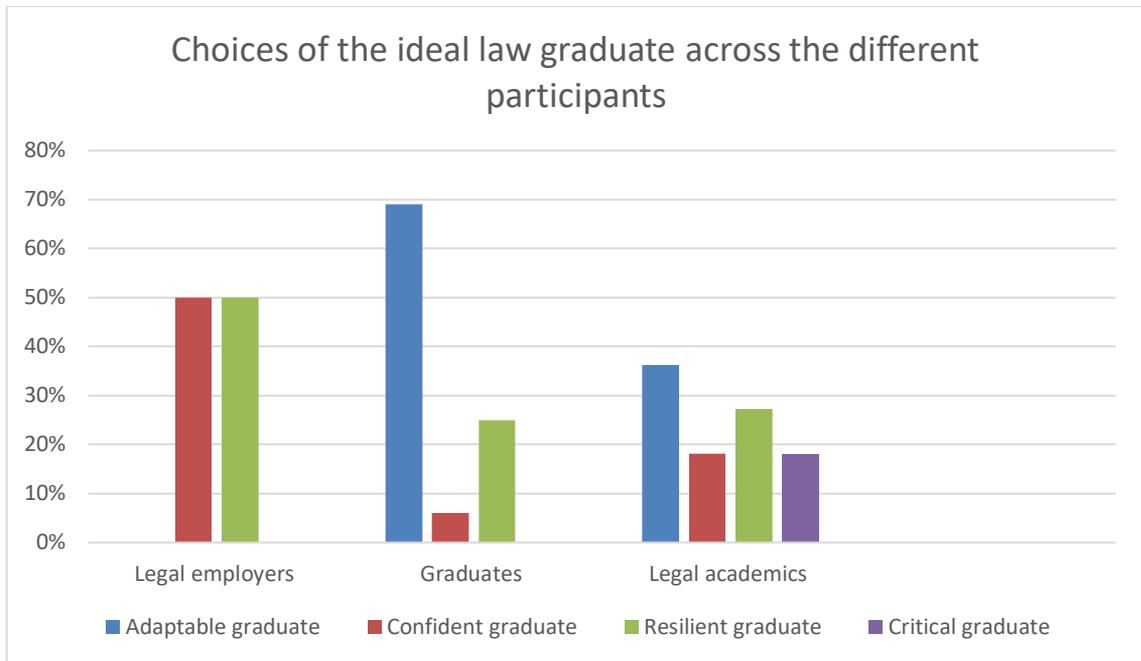
Figure 4.3: Choices of the ideal law graduate across the different participants

The legal academic group has a smaller number of participants than the graduate and legal employer groups. Legal academics represent 26% of the participants and legal employers and graduates working in law 37% each. The findings show that with the exception of the critical graduate there are synergies across the other constructs of the idea law graduate. All three groups see the ideal law graduate as confident or resilient; graduates and legal academics' view is that the ideal law graduate is confident, adaptable, or resilient. These findings demonstrate that there is agreement between those working in law (legal employers and graduates) and legal academics on the constructs of the ideal law graduate.

Furthermore, what is interesting in the findings is that only legal academics constructed the ideal law graduate as critical, while legal employers do not frame the ideal law graduate as adaptable and very few of the graduates in law see the ideal law graduate as confident. This would suggest that legal academics have the broadest understanding of the ideal law graduate, with legal employers having the narrowest understanding of the ideal law graduate.

The next section explores the different descriptions of the ideal law graduate that were framed by the participants' understanding of the practice of law. The conventions of practice contextualised and underpinned their accounts of the attributes required for professional practice. Each construct is now explored to review the variations between the descriptions of the ideal law graduate.

4.3 The relationship between the participants' views on the ideal law graduate

In my analysis of the data, I examined the participants' views on three sub-themes and how they aligned with their views of the ideal law graduate.

- The relationship between the participants' views on the ideal law graduate and the role of experiences outside of university.
- The relationship between the participants' views on the ideal law graduate and the role of legal education.
- The relationship between the participants' views on the ideal law graduate and the role of ongoing professional development.

In the next section I discuss the relationship between participants' views on the ideal law graduate and their views on the role of experiences outside of university, the role of legal education and the role of ongoing professional development.

4.3.1 The relationship between the participants' views on the ideal law graduate and the role of experiences outside of university

All the participants suggested that graduates could benefit from experiences outside of the curriculum to facilitate the development of attributes. Across all the groups part-time work was considered relevant, with different reasons given for its importance. Nine participants from the adaptable graduate group suggested managing work alongside studying was relevant for the development of adaptability. This contrasted with four participants from the confident graduate group who focused more closely on the type of part-time work; they highlighted the value of hospitality or retail work for the development of

attributes. Their view was that interaction with people was critical to the acquisition of soft skills, as explained by employer LF12:

> Through work experience, having a job outside of their studies, that could be a bar job, some form of part-time job that is customer-facing that enables them to develop the soft skills.

Hospitality work was also considered important by four participants from the resilient graduate group, who highlighted the fact that it could prepare graduates for certain aspects of legal practice. There was a sense particularly from the graduates in this group that there were very clear benefits from this type of non-legal work for transitioning into legal practice. Graduate NQ28 talked about how she was able to draw on her experiences of working in hospitality when dealing with challenging clients in practice.

> Yes, and I think the restaurants that I worked in, in X, you have got their level of aggression. And to be fair, I think one or two people that I have worked for have all said that they prefer candidates to have worked in those types of environments because they recognise that those skills and qualities bring you a certain experience to how you work.

Graduate TS38 also attached greater importance to non-legal than legal work because her view was that she had gained so much from the experiences of dealing with customers that helped her when she moved into practice:

> I have had a part-time job since I was 15. I think being around people as much as you can be, working with people, having to deal with customers and be able to talk to people was really helpful. I always prioritised that I did work experience in between rather than doing a job in between work experience.

Although the participants were clear that part-time work was relevant and important, what was interesting was that three participants from the adaptability group suggested that graduates often did not recognise the value of part-time work. Academic LA4 discussed how she had to actively encourage her students to talk about their part-time jobs:

> Lots of my students work in retail and hospitality. I am always saying to them, talk about it because you have got those skills, you'll learn law on the job. So, talk about what you can do and what you would be like to work for and work with.

It was suggested that many graduates did not understand the importance of part-time work or how to demonstrate that skills from part-time work were transferable to legal practice, and they were often reluctant to talk about their job. As academic LA8 pointed out, some graduates did not appreciate the value part-time work and attached greater value to legal work experience:

> Sometimes it does not appear on the CV. They don't think it's important. They think I haven't got legal experience, so they can't put it down.

There was also a strong emphasis from participants across all the groups on the value of legal work experience and paid legal work; four participants from the adaptable graduate group discussed how the importance of these experiences in helping graduates to learn how to manage and adapt to the workplace and navigate the culture of work. They suggested that being immersed in legal practice and particularly the office environment exposed graduates to the challenges of working with and communicating with different types of people, and this would help them navigate and adjust to change.

Working as a legal assistant, it was the first time I had worked
in an office, and I think people shouldn't sell it short, the idea of
working in an office environment. It is quite a different
environment. You have to balance a lot of people, the way
people work, and you don't want to offend anyone. NQ36

Two participants from the confident group focused on how legal work
experience could provide an increased awareness of legal practice that might
be a catalyst for the development of certain attributes, and particularly
commercial awareness. They suggested that legal work experience was an
opportunity to gain a greater understanding of what it meant to be a lawyer,
which could shape the formation of an identity which goes beyond graduate
identity to the professional identity of a lawyer and allow them to project the
confidence required to show they would transition to practice.

Work experience is important because again it helps you start
to develop that sense of commerciality understanding of how a
law firm operates, getting to know some of its clients, the kind
of work we do. LF20

Four participants from the resilient group placed significant value on working as
a paralegal because in their view it gave graduates greater insights into the
workings of a law firm, which could help them decide the type of work they may
be interested in pursuing. Employer LF22 talked about how her law firm and the
trainees both recognised that paralegal work provided an understanding of what
practice entailed and a taste of the formative experience of legal work before a
training contract was secured.

A good proportion each year come from the paralegal route.
And they have a good advantage I think partly because they
can demonstrate that commitment to a particular area. I think

probably some of the trainees would say it is an advantage to

have been a paralegal. LF22

Although they recognised the value of legal/pro bono work, both participants from the critical group acknowledged that there were challenges for students from widening participation backgrounds in accessing pro bono opportunities. Their view was that it was essential that universities should prioritise those students. Academic LA3 talked about their virtual vacation scheme and how it was designed to support those students who did not have connections to access legal work experience.

We give placements to those students with the least

experience on their CV. It will benefit them most by doing this

experience …… some of the students may not have had the

same opportunities, they may not have the same background,

they may not have the same social capital that other students

have whose parents are lawyers or whatever, so it is trying to

provide assistance to those who most need it.

Although there was a strong suggestion of the importance of part-time work and legal work experience for four participants from the resilient group, any experience was considered relevant, and it was a matter of personal choice. as explained by employer LF17:

Anything and everything. So, there is no definitive list. It's

dependent on the individuals. So, I have absolutely no

preference for how an individual demonstrates those particular

skills.

However, what those participants did suggest was that different experiences might offer different things to graduates. They talked about how non-legal work

might be more effective for the development of attributes, but legal work could provide insights that might help graduates make decisions around their legal career.

> Probably the most interesting thing that you have done, and you probably have gained more transferable skills from your job as a waitress or behind the bar than you have done in a week's work experience at a law firm down the road. I think it helps you make your decision around which firm might best suit you, but it doesn't give us anything interesting to talk about because it is the same experience that somebody else has had. LF16

This was echoed by three participants from the confident group, who suggested that what they were looking for was graduates who could show their personality, character, and things they were passionate about. All types of experiences were therefore relevant, and their view was that the focus should be on graduates being able to draw on experiences to show the value they could bring and how they were right fit for the firm.

> The competency-based questions are there for them to pick an example that obviously the best answers the question and that doesn't have to be from work experience or a legal setting. One candidate described planning a family party. LF27

Overall, the participants suggested that both part-time work and legal work experience were relevant for the development of attributes, but different experiences may offer different things for graduates.

4.3.2 The relationship between the participants' views and the role of legal education

University was also considered relevant for the development of attributes. Nine of the fifteen participants from the adaptability group suggested that adaptability could be developed at university. Two of the nine participants focused on the role of university in fostering independence because it required students to adapt to new situations and provided the opportunity for students to take responsibility for their own learning and manage their time.

> And at the end of it all I saw it as a bit more independent away from home and that kind of being independent a bit more and for own studies and that kind thing. TS39

Five participants from the resilient group did not comment specifically on the role of university in supporting the development of resilience, but one participant graduate (TS38) did suggest that university could foster independence. This graduate talked about her experience of university, and she explained that there was an expectation that she would be responsible for her learning and that she felt her university fostered a competitive environment. Although she had mixed views on whether this was the right approach, she did think it had made her more resilient, which was a quality she could draw on when she moved into legal practice.

> It was very few contact hours, and it was very very independent. There wasn't much support outside of tutorials. You were always left to your own devices. You were expected to get on with everything but also do everything to a very high standard. They put a lot of pressure on you, but that pressure was not during supervised hours, it was all afterwards. TS38

There was some criticism levelled at universities by four participants from the confident group who suggested that there needed to be changes to legal education to support the development of attributes. Their view was that the current approach to legal education was too narrow, and the curriculum needed to be broader with the inclusion of new modules that reflected the ongoing transformation of legal services and with a greater focus on the development of soft skills.

> And I think perhaps law schools need to take a step back and actually look at soft skills. So, I think more modules on finance, business skills, legal professionalism, tech, coding. Maybe introducing a little bit of coding. And basic beginners because it won't be for everyone. But if they have basic skills coming in that is going to be an asset to any firm. LF14

One participant from the resilient group concurred and suggested that there was a disconnect between academic and practical law and that it would be more useful for students to learn about law from the perspective of legal practice. Employer LF15's view was that the failure to link legal education to legal practice was detrimental to graduates when they entered the profession.

> In reality [law] is a practical subject and I think you should be teaching it with practice in mind even if you never gone onto practice it. So, learning law in theory is one thing. Trainees will tell you this and say ok they told us that at university but that is not how it works in practice. So wouldn't it be better to teach them how in university how it works in practice from the start.

These more critical views contrasted with those of two other participants from the confident group, who suggested that what was important was a dialogue between universities and employers. They recognised that some universities had more flexibility within their curriculum than others. Employer LF18 talked

about being on the advisory board of both the Russel group and the post-92 university in her city and although they had different approaches within their curriculums both universities recognised the importance of having a constructive dialogue with employers.

> It is quite interesting to see how they work in different ways really. Within these traditional redbrick and the X university, I think they have a lot more flexibility about how they design everything. But certainly, they both in their own way are trying to have conversations to create that bridge. LF18

Two participants from the resilient group also highlighted the importance of dialogue between employers and universities. Employer LF16 talked about her experiences of talking to universities, and pointed out that some universities already had quite practical degrees, but there were some more traditional universities where the focus was on regurgitating black letter law, which she did not think was useful for students who wanted to move into practice. Her view was that it was appropriate that there should be conversations between employers and universities around graduate attributes.

> And we do work with universities where we are happy to sit down and say this is the skill-set we think might be lacking, things that we might be able to do to support you do that. LF16

Employer LF17 agreed to the extent that she thought conversations between universities and employers should happen and, in her view, they were happening, but she felt that law schools should have the autonomy to determine the direction of their law degree. There were also strong suggestions from other participants of practical ways in which legal education could support the development of attributes. Three of the nine participants from the adaptability group focused on the role of university in providing knowledge of the law which would be fundamental for legal practice. Their view was that

following graduation students would then make connections between what they had learned at university to the practice of law and in their view that was something that could happen later.

> Getting an understanding of the law itself but also an inkling of how law firms actually worked. Having an understanding of business is super important and I don't think I went to uni with that knowledge. Whereas I came away from it thinking 'right, I have got an idea of the law now, but now I need to have an understanding of what that means in practice'. NQ30

Four of the nine participants from the adaptability group suggested that legal education could have a more prominent role in encouraging graduates to learn new ways of thinking. Their view was problem-style approaches to learning encouraged adaptability and flexibility. They explained that encouraging students to take legal principles and apply them to practical real-life legal problems allowed students to connect their academic knowledge to situations they might face in practice and gave them the skills to translate academic law into legal practice.

> I think rather than anything specific to an area of law, it was more structuring that argument, always tying it back to the situation in hand rather than just reeling off cases, but it's applying that to the facts you have been given. NQ31

Five participants from the adaptability group went further, suggesting that adaptability could be developed at university through the incorporation of experiential learning into the curriculum. They highlighted the fact that that clinical legal education encouraged 'learning by doing' and gave students the opportunity to engage in real-life cases with real-life clients which would foster the development of essential lawyering skills.

> The live client work is where they learn the most and where
> they are most challenged. LA4

The messiness of clinic work was recognised as important because it meant students had to respond quickly to the needs of clients and use their inter-personal and problem-solving skills to navigate through client issues. Their view was that clinic work required students to work outside of their comfort zones and adapt their approach to different clients and cases.

> The first thing is that they learn to identify the problem. So, the
> client arrives off the street and they present with a problem. But
> behind that say housing problem they are presenting with
> maybe a range of other issues. And sometimes it is not even
> clear what the problem is. So, it's like emptying out the
> shopping bag onto the table and then kind of like let's find the
> problem from the middle of this. LA8

Three of those five participants from the adaptability group also suggested that clinical teaching methods offered a different approach to learning law by giving students the responsibility to work with clients to identify their legal issues. They also highlighted the benefits for those students who came from non-professional backgrounds in terms of equipping with them with experiences to prepare them for legal work.

> And then trying to create a professional environment so they
> understand what a professional environment looks like and
> feels like, if that is not something that actually they have
> encountered as part of, you know. LA4

This was also echoed by six participants from the confident group who suggested that clinical legal education was an effective way for graduates to

develop attributes. Their view was that there were approaches to teaching and learning that could be incorporated into legal education that would give students the opportunity to acquire practical legal skills. Graduate NQ33 discussed participating in an innocence project and explained how the authentic experience of working on a live client case developed key skills for legal practice such as research and letter writing, but also broader skills like teamwork and leadership that gave her confidence.

> And it was the team work as well. And especially when I had to
> lead the team, it was quite tricky because it was in my third
> year. But you learn those types of skills as well as managing
> people.

Clinical legal education was also discussed by three participants from the resilient group as something which could develop resilience through contact, reflection, and feedback. Academic LA10 discussed the value of interaction and the level of feedback students received in clinical work, which included regular meetings with supervisors and detailed feedback on the work they produced in clinic, and how this supported skills development. Her view was that requiring students to reflect on their learning gave them the opportunity to analyse what they had learned and an opportunity to think about how they could improve. She felt that exposing students to real life problems gave them an appreciation of the realities of practice which through reflection helped them to develop and become better equipped:

> So, I think it enables them to develop a full spectrum of
> knowledge and skills. And they say to me that they just don't
> get this opportunity to grow in that way through their traditional
> academic modules. LA10

Both participants from the critical group talked about the value of clinical legal education and how it supported students through reflection to develop their

critical thinking. In their view the pedagogy of clinical legal education encouraged students to question and reframe how they looked at the law and to critique their own thinking. Academic LA3 considered that the reflective element of experiential learning could facilitate broader thinking:

> The law cannot continue as it has done - it needs to change, it
> needs to adapt, and part of the skills and knowledge I am
> teaching through clinical legal education is the need to adapt
> our thinking to think innovatively - not necessarily to think linear
> in straight lines - to think more holistically using reflective
> practice.

This view was developed by academic LA6 who talked about the responsibility of universities and the role of clinical legal education to support students to deal with how the law is changing. There was a sense of frustration that law schools were not adequately preparing students for future practice.

> I think law schools need to anticipate and that is what clinical
> legal education comes in. So, I think there is a duty on law
> schools to actually prepare them for them for dealing with
> future problems, not the problems I faced 20 years ago.

These comments suggest that embedding experiential learning pedagogies within the curriculum may help students to develop skills and attributes.

4.3.3 The relationship between the participants' views and the role of ongoing professional development

The participants discussed future graduate attributes and suggested that there were reasons why attributes would need to evolve over time. The first reason was related to changing ways of working and legal practice; five of the nine participants from the adaptable group who agreed that university was a place to

foster independence suggested that evolving ways of working and practice would require the evolution of attributes. They suggested that the pandemic had required both individuals and law firms to respond and pivot quickly to new ways of working, that flexibility and adaptability were now essential to being able to operate in a changing world of work. Their view was that graduates would need to be prepared for the changes that had been brought about by the pandemic and be able to respond to the shifts in the delivery of legal services.

> They'll need to be able to adapt to doing things remotely and
> virtually and thinking of ways around it. NQ36

They emphasised that technology was one of the factors impacting on ways of working and graduates would need to be willing to embrace advances in technology. Graduate NQ31 suggested that technology would have a broader impact on other attributes.

> I think that being flexible and adaptable to new practices and
> new technologies will be really important. Being able to adapt
> by embracing technology as it develops because it is
> developing as such a quick rate. And I think attributes will
> evolve with time, so the use of technology will impact on your
> time management and your communication skills.

Two of the participants in the confident group who felt that clinical legal education was an important aspect of legal education also talked about change, and their view focused mainly on evolving ways of working and practice. Graduate NQ37 talked specifically about changes to the way in which legal services would be delivered, which would require graduates to have attributes that allowed them to respond to future ways of working.

> Yes, I just feel change is coming, I think, yes with the way
> clients are able to get their advice.

Two participants from the resilient group who did not comment on legal education suggested that evolving ways of working and practice would impact future attributes. Employer LF19's view was that automation would impact on the delivery of legal services and that would reduce the opportunities for graduates. The skill set required would remain the same for those lawyers who could progress, but it was going to be more challenging to make that progression.

> I don't think my area will change much, but obviously there are
> large areas of law where they are trying to automate it or cut
> costs and that makes sense. I think if you want to become a
> senior lawyer you are going to still need all those skills. I
> suspect there will be fewer of those jobs available and more of
> the jobs that I have just described which, is the lower end work
> where you are churning.

Employer LF25's view was that specialisation would continue to be important and that the lawyer of the future would look very different to those encountered in the past thirty years.

The second reason for the evolution of attributes was the impact of technology on the delivery of legal services. Five participants from the adaptable group who identified the importance of clinical legal education within the curriculum and four participants who identified university as a place to foster independence suggested that the impact of technology was significant and would require attributes to evolve. Their view was that technology would redefine the provision of legal services with and had the potential to automate processes and tasks that would fundamentally change the way in which lawyers work. As a result, as discussed by graduate NQ30, this would require greater dialogue between lawyers and technology experts and an expectation that graduates

would have an understanding of technology that goes beyond the traditional conception of the lawyer role.

> I think lawyers who can use AI in a smart way and understand
> people in IT when they are talking about using these
> programmes will be quite important. I do think that there is
> definitely going to be a demand for lawyers to be more tech
> savvy. NQ30

Although graduate NQ32 recognised the impact of technology, his belief was that the core skills of being a lawyer would remain. Three of the academic participants within this group also voiced a concern around legal education ensuring that it was relevant to the needs of students transitioning into an evolving legal market.

> If legal education doesn't show any understanding of the
> impact that technology is having on society, it is going to be
> more abstract and divorced from the reality than it is at the
> moment. LA2

Two participants from the confident group who highlighted the importance of clinical legal education also focused on the impact of technology on future attributes. Their view was that it was not just about how technology would impact on ways of working, but that graduates would need to understand the relevance of technology for practice to be able to thrive in an evolving world of work.

> I think those who are tech savvy will stand out. An ability to
> really understand and articulate the benefits of technology and
> be innovative. And the ability to adapt to change quickly, to

> respond quickly. What do they say – 'technology never sleeps'
>
> LF20

The two participants from the confident group who suggested that it was important for there to be a dialogue between universities and employers suggested different reasons for the need for graduate attributes to evolve. Participant LF27's view was that graduates would need to embrace technology because the lawyers of the future would use technology to benefit themselves and their clients.

> But there is no getting away from the fact that they are going to
> have to take an interest and be confident with technology and
> how that is going to assist them and hopefully make them more
> efficient. LF27

Participant LF18 agreed that technology would impact ways of working, but their view was that it would never replace the human aspect of being a lawyer and those skills would remain fundamental.

Two of the three participants from the resilient group who suggested that clinical legal education was important for the development of attributes considered that graduates would be required to operate in an increasingly technology-driven world and therefore would need to understand the implications of technology for their areas of practice.

> I think there will be a change. I think definitely it will be geared
> towards well, I am assuming we are going to be using more
> tech and more sophisticated tech, they will definitely be gearing
> towards people who are savvy in these areas. NQ37

The other participant from the resilient group who didn't comment on legal education recognised that the increased use of technology platforms might open opportunities. The view was that attributes would remain the same, but that technology could bring benefits such as facilitating younger lawyers to have greater contact with clients.

> I don't think that the changes that are coming will change the
> skills that people need. There might be better opportunities
> maybe with technology to demonstrate things more because if
> you are able to do more things remotely then maybe you can
> take the lead more in situations where you wouldn't otherwise.
> LF22

The one participant from the resilient group who suggested that the law degree should be more practically focused commented that graduates would already have sufficient familiarity with technology. He suggested that what it meant to be a good lawyer remained the same.

> I think obviously a greater familiarity with tech is necessary …. I
> am not sure they will actively need to pursue skills that they
> need in terms of the added tech stuff because they will have it
> anyway. As far as the rest of its concerned, I don't think it is
> going to matter to that extent because the key things that you
> need to be a good lawyer aren't going to change. LF15

The view of academic LA6 from the critical graduate group was that the digitalisation of legal services and changes in technology would mean that graduates would operate in a legal world where technology advances would impact on ways of working:

I think legal services, so if we are talking about courts, I think

the court having a physical structure I think that is going to

change. I think it is going to be more digital. But in terms of

legal services the technology is going to really depend on

whether clients can actually access, it is already digitalised. So

yes, we will be seeing of course more of that, more advanced

and quicker.

Academic LA3 was also of the view that technology was going to impact on the ways in which lawyers worked, and graduates would need to understand how to use technology to help them. There was a suggestion that in the future there would be a need for graduates to understand tech alongside having legal knowledge and understanding.

I think they will need other things; they need to be able to and

you can't teach someone to think holistically and morally but

you can expose someone and it's about using legal tech, legal

tech won't replace lawyers, but it will assist lawyers.

The third reason given for the evolution of attributes was that graduates would need to respond more broadly to change, and although it was still recognised that technology and changing working practices were relevant, the importance of the human dimension to lawyering was still critical. Of the four participants from the confident group who suggested that legal education needed to change, two indicated that confidence and the ability to respond proactively to change were important future attributes. Employer LF13's view was that graduates would be predominately working online and that required them to be able to work more independently.

They just want somebody who can just get on and do it. Isn't

that going to be more the case when you have got people

working remotely? Yes. … just the ability to cope on their own

and that confidence to be able to get on with things, look things

up and ask if they need to.

The other two participants from the confident group also suggested that being adaptable to change was important because of the impact of technology on the profession, but that soft skills would remain key for lawyers.

Graduates are going to need the same soft skills, but they are

also going to need better IT skills. The need for lawyers will

change. LF12

There were six participants from the confident group who believed that clinical legal education was important for the development of attributes. Two participants from this group also suggested that soft skills remained critical, but their view was that the role of the lawyer in advising clients wouldn't fundamentally change and therefore that ability to connect with people would still be required, as explained by employer LF23:

We are still going to need personable people because

ultimately a lot of what we as a firm do anyway is advisory in

nature. You still need the ability to talk.

The third participant from the resilient group who suggested that clinical legal education was important for the development of attributes acknowledged the impact of technological advancement, but his view was that being human would remain the most important attribute for graduates.

I am not saying it is going to be future-proofing, but ultimately in

relation to the law of tomorrow and on, the computer is taking

over. Ultimately what is most important is absolute academic

excellence, an ability to be persuasive and integrity, but it is the

human factor, the ability to get on with people is going to be of
huge importance. LA11

One of the two participants who did not comment on legal education from the resilient group had a similar perspective to that of academic LA11. Her view was that being a lawyer was about the human connection and although she could see there were advances in technology, she did not think that these fundamentally changed what it meant to be a lawyer.

And I think people want more innovation in the way we work.
They talk about AI; I am never quite sure what that means as
being a lawyer. I hate the idea that a robot will replace us. I
always like to think that actually we are people, that is what is
important. It is not just being a lawyer, we are at the end of the
day, we are a people profession, and we work with people.
LF21

Technology and change were the key reasons given for the evolution of attributes, but many participants strongly suggested that the human skills of being a lawyer would remain.

4.4 Conclusion

The participants identified four versions of the ideal law graduate: the adaptable graduate, the confident graduate, the resilient graduate, and the critical graduate. The data analysis shows that there is agreement between those working in law and those working in academia on the constructs of the ideal law graduate. What is interesting is that all three of the participant groups categorised the ideal law graduate as confident or resilient. Graduates working in law and legal academics also categorised the ideal law graduate as adaptable. Only legal academics (two participants) categorised the ideal law graduate as critical. Furthermore, legal employers do not see the ideal law graduate as adaptable, and very few of the graduates in law associate the ideal

law graduate with confidence. It could be argued that legal academics have the broadest understanding of the ideal law graduate while legal employers have the narrowest understanding.

The participants highlighted how experiences outside the curriculum such as part-time work were important for the development of graduate attributes, but it was suggested that graduates did not recognise the value of part-time work or struggled to demonstrate how attributes developed in part-time work were transferable to legal work. It was suggested that graduates placed greater value on legal work experience because it offered a greater understanding of what it meant to be a lawyer and of areas of legal practice. Participants also suggested that legal work experience was relevant to formation of professional identity, but recognised that there were issues of equality and equity surrounding access to work experience. The perceptions of the role of experiences outside of the curriculum were that part-time work might be more effective for the development of attributes, but the value of legal work is that it provides insights that might help graduates make decisions around their legal career and the development of professional identity.

The experience of going to university was considered relevant to the development of graduate attributes as it fostered independence and supported adaptability. There was a suggestion that there was a disconnect between academic and practical law and that students needed to connect their academic knowledge to situations they might face in practice to support them in translating academic law into legal practice. It was highlighted that experiential learning pedagogies where students were exposed to 'learning by doing' was more effective for supporting the development of graduate attributes. It was also recognised that the incorporation of clinical legal education pedagogies was particularly important to support students who came from non-traditional backgrounds and who may struggle to access legal work experience to prepare them for legal work.

The participants emphasized that graduate attributes would need to evolve over time. It was recognized that the pandemic had brought about changes to ways

of working which were influencing legal practice and the impact of technology on the delivery of legal services. There were different views on how far technology had a disruptive effect on legal practice, and it was highlighted that the human aspect of being lawyer remained central to the role, but there was a need for graduates to understand the role of lawyers in the face of increasingly capable technologies.

This chapter has set out the key outcomes of my research, and the next chapter discusses the outcomes in conjunction with the literature discussed in Chapter 2.

Chapter 5: Discussion

5.1 Introduction

The previous chapters presented the key outcomes of the research. This chapter brings together and discusses the findings in conjunction with the literature reviewed in the earlier chapter. The chapter starts with an overview of the key outcomes of this study (5.2) and then goes on to explore graduate attributes and the construction of the ideal law graduate (5.3). It explores the experiences that bridge the gap to support the formation of graduateness (5.4) and considers how experiences outside of the curriculum support the development of graduate attributes. The chapter discusses identity - graduate, pre-professional, and professional identity (5.5), and examines the role of legal education in supporting the development of graduate attributes (5.6) and the formation of identity (5.8). The final section addresses the evolution (rather than the revolution) of graduate attributes (5.8) and explores the role of ongoing professional development and the relationship between the pandemic and the emergence of new technologies and their potential impact on future graduate attributes. The final part of this chapter brings together the discussion in conclusion (5.9).

5.2 Overview of the research outcomes

This thesis is a qualitative exploration of graduate attributes which discusses the qualities and characteristics that law students need to develop during their time at university. The graduate attributes identified in this study are significant since it synthesises the perspectives of three stakeholder groups into a model of attributes within a disciplinary context, adding a new dimension to the existing research on graduate attributes.

The four variants of the ideal law graduate were derived from my analysis of data from legal academics, legal employers and graduates working in legal practice. In this study I conceptualise graduateness through the development of four detailed descriptions of the ideal law graduate: the adaptable graduate, the confident graduate, the resilient graduate, and the critical graduate.

There has been a considerable amount of research that has looked at how to define the attributes, skills, and knowledge to include in graduate profiles. (Barrie, 2006; Barrie *et al.*, 2009). My research contributes to the discourse on graduateness to offer a research-based synthesis of graduate attributes from the disciplinary perspective of law. Previous research on graduate attributes has focused predominately on generic graduate attribute frameworks, with graduateness being constructed from generic top-down descriptions of graduate attributes as opposed to 'bottom up' discipline- informed graduate attributes (Barrie 2004; Barrie, 2006; Spronken-Smith *et al.*, 2015; Hill *et al.*, 2016). For generic definitions of graduate attributes to applied across disciplines they need to very broadly defined (Cook, 2018). While the attributes identified in this research might be relevant and similar to what is expected of graduates in other disciplines their interpretation, application and significance has been informed by the disciplinary perspective (Jones, 2009b). I argue that within the discipline of law graduateness is made up of knowledge, attributes and capabilities that reflect the conventions of legal practice. Therefore, this research offers an understanding of adaptability, resilience, confidence, and critical thinking that is informed by the context of law and has a law specific application. This characterization enables us to address some of the limitations and inconsistencies in the way in which graduate attributes have previously been understood (Barrie, 2006). My research constructs a definition of graduateness that is relevant for law.

Previous research on graduate employability suggests that there is a lack of agreement between higher education institutions and employers on graduate attributes (Bernstein *et al.*, 2012; Johnsson *et al.*, 2008; Griesel *et al.*, 2009). My study challenges those findings to suggest there are synergies between academics and employers in the construction of the graduate attributes which are relevant for a career in law. I present four variations of the ideal law graduate that demonstrate that there is agreement between academics and employers, but as well as this it is argued that legal academics have the broadest understanding of the ideal law graduate with legal employers having the narrowest understanding. Although the discourses on graduate attributes and graduate employability are closely connected, and the graduate attributes

identified in this study may be relevant to support the transition into legal practice, I argue there are factors outside of the control of graduates that impact on employability (Yorke, 2006; Gracia, 2009; Chetty, 2012).

In this study I provide new insights into the development of graduate attributes and how graduateness is formed. Although previous research has developed descriptions of graduate attributes, there is much less research which has explicitly addressed the question of how graduate attributes are developed (Barrie *et al.*, 2009). These insights are important because the development of graduate attributes might come from programmes of study or other aspects of students' lives. Previous research suggests that generic graduate attributes are hard to develop because of a lack of understanding of how they should be interpreted within a disciplinary context (Green *et al.*, 2009; Hill *et al.*, 2016). My research provides qualitative understandings of the types of experience outside of the curriculum that are important for the development of graduate attributes which contribute to the formation of graduateness (Brown *et al.*, 2004; Conrad, 2008; Sawchuk, 2008; Tomlinson, 2008 and Romgens *et al.*, 2020).

There is a lack of research that has considered how graduate attributes are developed in programmes of study and how teaching and learning might be designed to support the development of graduate attributes. My research explores how the undergraduate law degree might best be designed to support the development of graduate attributes. One of the key questions for academics is how graduate attributes can be incorporated into the curriculum, and insights from my study add to the literature on the role of legal education in developing attributes. Disciplinary knowledge is integral to the development of graduate attributes to support the formation of graduateness (Hill *et al.*, 2016). This study offers new insights into how the undergraduate law degree might assist the development of graduate attributes and identifies the value of embedding experiential learning pedagogies into the degree programme that directly link attributes with the disciplinary context (Cooper *et al.*, 2010; Groenewald, 2011, and Rowe *et al.*, 2017). I argue that findings from my study demonstrate how experiential learning approaches might be more effective than conventional pedagogical approaches in supporting the development of graduate attributes.

This study was conducted during the pandemic, when within a few weeks new ways of working were adopted and remote working became the new norm. Hybrid and flexible working arrangements are now reflected in this new post-pandemic work culture, and the findings of my study provide some insights into the impact of the pandemic on legal work (Susskind 2023). I argue that the findings of my study suggest that graduate attributes need to evolve in order to support graduates in navigating significant structural changes to work arising from technological advances, and the impact of the pandemic on ways of working (Lord, 2020; Edmondson, 2020; Bathmaker, 2021; Eom *et al.*, 2022; Susskind 2023). My study provides insights into how changes in legal practice are creating new opportunities for graduates and how technology is shaping the legal profession in a way that requires a discipline-informed understanding of future graduate attributes.

The remainder of the chapter explores those findings in more depth.

5.3 Graduate attributes

Students are graduating into a rapidly evolving post-pandemic world which is impacted by technology and globalisation (Eom *et al.*, 2022). My study tells us something about graduateness, i.e. the graduate attributes which students need to successfully transition and thrive in this fast-moving world. The findings of my study are underpinned by key stakeholders and provide new insights into the significance of adaptability, resilience, confidence, and critical thinking as essential attributes for law graduates. I argue that an important factor in conceptualising graduate attributes is that they should be considered within a specific disciplinary context because they are influenced by the disciplinary culture. My study adds new knowledge to the literature on graduate attributes in that it tells us something about graduate attributes contextualised within the practice of law. I argue that the findings suggest that graduateness encompasses adaptability, resilience, confidence, and critical thinking. Although these characteristics of graduate attributes will prepare students for a career in law, they extend beyond employability to support graduates in that they also

constitute the capabilities and capacities necessary to navigate the demands of work and life. My findings are important because understanding how we equip students' post-graduation to transition into a transforming world is a pressing and relevant issue for higher education, policy makers, students, and employers (Boyle *et al.*, 2023).

5.3.1   The four constructs of the ideal law graduate

There has been previous research that has explored graduate attributes and defined graduate outcomes in terms of a combination of knowledge and generic skills and attributes (Barrie, 2006; Barrie *et al.*, 2009). However, much of this previous research has excluded the disciplinary context, whereas this study defines what it is to be a law graduate and identifies the qualities and attributes a law graduate requires for legal practice. Drawing on the views elicited from different stakeholders, I have developed four constructs of the ideal law graduate which I argue that (alongside disciplinary knowledge) constitute the characteristics and attributes that make up graduateness.

Firstly, the adaptable law graduate which includes being flexible and having a growth mindset to be able to respond to changes in legal practice, the impact of technology and new ways of working. For graduates this is rated most highly. The resilient law graduate comprises of determination, grit, a strong work ethic and the ability to cope with the challenges presented in legal practice, but with an ability to self-reflect and learn from mistakes. For legal employers it is essential that graduates have these qualities to thrive in legal practice. The confident law graduate has strong inter-personal skills, is forward-thinking, independent, demonstrates professionalism and commercial awareness. They have self-awareness and humility with the ability to draw on these qualities to build deep relationships with clients. Finally, the critical law graduate which comprises of the ability to analyse and form judgements, question biases and assumptions, and learn from experiences that will prepare students for future work and changes in legal practice. Legal academics rated this highly. My research provides qualitative data that gives a more detailed understanding of

the different aspects of an 'ideal' law graduate. It builds on previous studies that have explored different dimensions of the ideal student and graduate (Kensington- Miller, 2018; Low, M. *et al.,* 2016; Ingram and Allen, 2009; Gebreiter, 2020; Wong *et al.*, 2020; 2021;2023; Betari and Chowdhury, 2023; Szucs, and Harpur, 2023).

The precise requirement for any one or a mix of the four constructs on the part of legal employers will vary across the sector, reflecting the distinct and differing nature of legal practice. I argue that the findings presented here are significant because they provide a deeper understanding of graduate attributes by moving them away from generically constructed definitions to exploring the disciplinary context from which they are derived. Furthermore, the qualities or characteristics that make up the 'ideal law' graduate is underexplored and my study tells us something about graduateness informed by the context of legal practice. I argue that this is important because these are the qualities stakeholders consider graduates must acquire if they wish to move into the legal profession. My research identifies the attributes that stakeholders collectively agree are required of law graduates, and it is intended that this will be valuable to law students because it gives them a greater awareness of stakeholders' expectations and with this knowledge the opportunity to cultivate these attributes. The constructs of the 'ideal law graduate' aim to make it clearer to students what stakeholders suggest are the graduate attributes required for a career in law to ensure that there is openness and transparency for all students (Wong *et al.*, 2021) Exploring constructs of the 'ideal law' graduate is important for understanding the types of social and cultural capital that graduates need to embody to demonstrate these qualities and characteristics (Ingram and Allen 2019). It is essential all students particularly those from non-traditional backgrounds are afforded the opportunities to develop these qualities and characteristics (Bathmaker *et al.,* 2016; Tomlinson *et al.*, 2021). While previous research from (Wong *et al.*, 2020; 2021;2023; Kensington-Miller *et al.*, 2018) has developed constructs of the ideal university student and the ideal law graduate, my findings offer a discipline-informed view of the desirable attributes that stakeholders agree are necessary for law graduates. My findings provide a foundation for discussing and negotiating the

attributes of an ideal law graduate. The term 'ideal' is not implying 'best', but rather it is representing the idea of the ideal law graduate in a way that makes it more relatable and that has been developed from empirical research (Stapley, *et al.,* 2022). Although these attributes might be relevant for all graduates, the contextual understanding of how they relate to the specific context of legal practice offers a richer understanding of the qualities and characteristics required for legal work.

The findings of this study suggest that the impact of the pandemic is relevant for our understanding of graduate attributes; the pandemic caused major changes to conventional working practices resulting in disruption to the global labour market (Lord, 2020; Edmondson, 2020; Eom *et al.*, 2022). These changes require graduates to be equipped to function in unfamiliar situations and for an unknown future. Previous research suggests that adaptability and resilience are increasingly important qualities for success both for university and for life (Farrell *et al.*, 2007; Bernstein *et al.*, 2012; Chetty, 2012; Normand and Anderson, 2017; Straun *et al.*, 2023). My study builds on these findings and aligns with the research of O'Donnell *et al.,* 2017 to argue that graduates must be able to adapt and thrive in new situations as well as having a growth-oriented mindset that encourages them to embrace challenges, overcome obstacles and learn from experiences and setbacks. My findings add a discipline-informed understanding of the significance of adaptability and resilience to our understanding of graduate attributes (O'Donnell *et al.,* 2017; Shimi and Manwaring, 2017) which are particularly important for law students in a time of significant change to the legal profession (Susler and Babacan, 2021).

This study provides empirical evidence on the aspects of legal practice that inform our understanding of graduate attributes. It is the complex nature of legal work, the significant pressures on lawyers to bill, attract and retain clients that requires graduates to have certain qualities to navigate challenging aspects of this professional life. The culture and competitive environment of legal practice requires resilience to cope with its pressures and demands. Students need a disciplinary perspective to understand the nature of legal practice to be able to develop attributes that might support them to manage challenging situations

and the uncertainty they will face when entering the legal profession (Susler and Babacan, 2021).   Moreover, understanding how these attributes fit within existing cultures is important because there are inherent and systemic problems that exist within legal practice. There is a body of research that has explored the prevailing issues within legal practice such as poor wellbeing that arise from the significant demands of legal practice and workplace culture (Krieger, 2002; Seligman *et al.*, 2005; Hagan *et al.*, 2007; Schiltz, 1999; Harrell, 2001; Levit *et al.*, 2010; Medlow *et al.*, 2011; Baron 2015; 2014, Rimmer, 2015; Collier, 2014; 2016, Krause *et al.*, 2019). The findings of my study suggest that fostering resilience is importance for supporting graduates to enable them to respond to the demands of legal practice.

The attributes identified in this research are not only relevant for preparing graduates to meet the demands of legal practice, but might also support them in navigating some of the uncertainties of a post-pandemic world. While these attributes have been discussed specifically within the disciplinary context of law, it is argued that they encompass qualities that are universally applicable to all graduates. The development of these attributes might enable graduates to respond to the demands and challenges they will encounter post-graduation. The findings of this study are relevant to understanding some of the impacts of the pandemic which have led to significant amounts of change and disruption in the legal context and more broadly in ways of working (Suarez, 2020; Lord, 2020; Śledziewska *et al.*, 2021; Eom *et al.*, 2022). The changes that have arisen from the pandemic require graduates to navigate very different ways of working which make increased demands in terms of digital technologies. Graduateness requires attributes that are not only situated within legal practice but also reflect the impact of the pandemic. This is highlighted in the importance of critical thinking and instilling in graduates a willingness to explore new ideas which are fundamental to effective decision making and problem solving. Jones, (2009b) in her earlier research identified the close links between problem-solving, decision-making, creativity, and communication. Graduateness requires an ability to question assumptions, consider different perspectives and be open to new ideas (Bui *et al.*, 2010). Critical thinking is imperative for adapting to new and unfamiliar situations.

The four constructs of the ideal law graduate are interconnected and mutually reinforce each other. Graduateness goes beyond acquiring knowledge and skills; my study highlights it as the ability to think critically, adapt to unfamiliar situations, demonstrate resilience in the face of setbacks and to have the confidence and self-belief to use and apply these attributes within the professional domain. Previous research has examined graduate attributes within the discipline of law and my study builds on those findings (Christensen *et al.*, 2000; Cuffe, 2001; Cuffe *et al.*, 2002; Watson *et al.*, 2009; Spencer *et al.*, 2012; Squelch *et al.*, 2017, and Smith *et al.*, 2021). My study defines graduateness in terms of four constructs of the ideal law graduate, providing new insights into graduateness in law that previous studies have not considered. This offers a richer description of graduateness that goes beyond a cluster of skills and posits that it is not a single but a multiplicity of identities (Hinchliffe *et al.*, 2011).

The discourse in the research suggests there is a gap between higher education and employers' expectations around graduate attributes (Bernstein *et al.*, 2012; Johnsson *et al.*, 2008; Griesel *et al.*, 2009), but my findings suggest that in the context of law there is less divergence around expectations. My study found synergies between stakeholders in their conceptualisation of graduate attributes and graduateness. Academics and employers were in line with each other on the broader purpose of higher education, which is to produce well-rounded graduates.

There were some interesting findings around the construction of the ideal law graduate; legal academics had the broadest understanding of the ideal law graduate and were the only group that focused on the ideal law graduate as 'critical'. This may link to academics' perception of their role and the role of university, which according to Bui *et al.*, (2010, p.24) lies in "developing students' intellectual capacity and ability to challenge conformity and convention and think for themselves." In contrast, legal employers placed greater emphasis on resilience and confidence, which may reflect their experience of what is required for the challenging realities of legal work (Keyes

et al., 2004; Collier, 2016). Most of the graduate group placed higher importance on adaptability, with very few of the graduates focusing on the ideal law graduate as confident. Perhaps this reflects their understanding of what is required to navigate and cope with career transitions and an evolving workplace and make sense of the expectations of legal practice (O'Donnell *et al.*, 2017).

Stakeholders' involvement in this research was critical because it is through their perspectives that we get a deeper understanding of graduate attributes from a disciplinary context. The examination of graduate attributes within the disciplinary context of law provides valuable insights that may not have been apparent when studying them in isolation. This study provides an understanding how attributes are conceived and valued within legal practice to offer a deeper and richer understanding of their meaning and significance. The focus on these three stakeholder groups is significant because this has not been done before in previous research and therefore it allows for fresh insights into graduate attributes within legal education (Christensen *et al.*, 2000; Cuffe, 2001; Cuffe *et al.*, 2002; Watson *et al.*, 2009; Spencer *et al.*, 2012; Squelch *et al.*, 2017; and Smith *et al.*, 2021).

The stakeholder groups shared their views of graduateness, and those insights are reflected and recognised within the constructs of the ideal law graduate that were developed. Stakeholders have a key role and voice in the conception, articulation and shaping of attributes (Staunton *et al.*, 2021), and because of the vocational nature of law, employers and graduates in law are particularly important for our understanding of how attributes are relevant to the transition into legal practice (Hughes, *et al.*, 2010). Previous research on graduate attributes has considered a single stakeholder group; Jones, (2009a; 2009b) and Osmani *et al.*, (2017) both looked at academic's conceptions of graduate attributes and Squelch *et al.*, (2017) focused on legal employers. This research makes an important contribution, since it synthesises the perspectives of three stakeholder groups into a model of attributes within a disciplinary context, adding a new dimension to the existing research on graduate attributes.

5.3.2 Beyond the discipline of law

Previous research by (Cuffe *et al.*, 2002; Jones, 2009a; 2009b; Spencer *et al.*, 2012) emphasises the importance of developing graduate attributes within a disciplinary context but also recognising that attributes have an application beyond any individual discipline. Although this study has explored graduate attributes within the context of law, it is argued that these attributes could have broader application beyond the disciplinary context. These attributes could be transferable to other disciplines and have a practical value beyond legal education.

The findings of this study suggest that graduates require attributes that will support them for an unknown future. The changes that have been brought about since the pandemic require graduates to be equipped with attributes that are relevant for the changing and evolving nature of work. The findings build on previous studies that have identified the importance of adaptability and resilience to support students' ability to respond to new and different contexts (Shima and Manwaring, 2017; O'Donnell *et al.,* 2017). Although, it is important to consider how we support graduates to transition into work, graduateness goes beyond employability. The relationship between graduate attributes and graduate employability is not straightforward; there is tension between graduateness and employability which has led to criticism of the articulation of graduateness within employability. This issue has been fuelled by the impact of neoliberal policies on higher education that argue for prioritising the production of employable graduates (Giroux, 2009; Ingleby, 2015; Hill *et al.*, 2016). The role of higher education is to equip graduates more broadly with the capabilities that support them in making positive contributions in their own lives and to their communities (Bowden *et al.*, 2000; Barnett, 2012; Hill *et al.*, 2016). This is particularly important because it is unlikely that graduates will work in one position or field throughout their working lives, and job requirements will continue to shift and evolve over time. (Helyer, 2011). We need to be cognisant of the graduate attributes that will enable graduates to succeed in a fundamentally changing world of work (Soga *et al.*, 2022). The four constructs of the ideal law graduate -adaptability, resilience, confidence, and criticality - represent broadly the characteristics and traits that both future life and work will

demand of graduates, and thus these findings are relevant for the discipline of law but deepen our understanding of graduate attributes applicable across all disciplines.

The outcomes of this research are important because they offer disciplinary descriptions of graduate attributes, which are required before there can be a consideration of how attributes should be developed. Academic staff need an understanding of how graduate attributes are conceptualised to support them in translating attributes into the curriculum. Students need to be better informed so that they can understand how experiences inside and outside of the curriculum might facilitate the development of attributes. The next section considers how graduate attributes might be developed.

5.4 The role of experiences outside university

This study provides a set of attribute descriptors that tell us something about graduateness. The attributes are relevant to supporting a career in law and more broadly to supporting students graduating into a post-pandemic world. It is important for students to understand how activities they engage in outside of the curriculum support the development of attributes. The findings of my study provide empirical evidence of the value of different experiences outside of the curriculum that facilitate the development of attributes. There are a range of experiences that demonstrate the development of graduate attributes that add value to academic credentials (Brown *et al.*, 2004; Smertherham, 2006; Tomlinson, 2008; Brooks *et al.*, 2009; Tomlinson, 2012; Tomlinson, 2017). Overall, graduates are required to build a compelling narrative around their experiences that will help them stand out and possibly enhance their employability.

The narrative on the expansion of higher education to increase social mobility (Alves and Tomlinson, 2021) and the justification for tuition fees has been on the basis that attending university results in graduates earning more than non-graduates (Durazzi, 2021). However, in an increasingly competitive labour market a degree alone is no longer sufficient to secure employment particularly

in elite professions such as law and therefore to enhance employability students are required to engage in experiences that allow them to acquire valuable capital to gain positional advantage (Tomlinson, 2008; Bathmaker *et al.,* 2016). For Bourdieu (1986) some students are more effective at positioning themselves to engage in and take advantage of experiences that will be useful for them in their career. Bathmaker *et al.,* 2016 argue that educational advantage is no longer secured based on academic achievements, but the bar has been raised, which has implications for higher education policy and practice. There is now an increasing focus within universities on additional activities to support students' employability in response to the graduate employment agenda (Jackson and Bridgstock, 2021). Understanding the constructs of the 'ideal law' graduate provides for greater transparency of the graduate attributes required for a career and the relationship between the social and cultural capital required to transition into graduate employment (Ingram and Allen, 2019; Wong *et al.,* 2021).

There are different currencies attached to different experiences (part-time work, legal work experience, pro bono volunteering and paid legal work such as working as a paralegal) as well as tensions around the attribution of value and utility of different types of experiences. Although graduateness is not solely dependent on one form of experience, legal work experience is often regarded as more beneficial because it is judged to be professional 'identity' work and because it potentially allows students to build valuable capital that will help them when entering the labour market (Francis *et al.*, 2009). The outcomes of this research suggest that there is a disconnect between part-time work and graduateness with only limited awareness of how part-timework contributes to the development of attributes.

Legal work experience is valuable because it supports the cultivation of attributes within the conventions and norms of the specific disciplinary context. Interacting with real lawyers and being exposed to different types of legal practice helps graduates imagine different types of career trajectories (Scott, 2012). Moreover, legal work experience improves graduates' understanding of legal practice, which in turn builds confidence and helps graduates explore and

understand attributes more explicitly within the practice of law. Graduates are graduating into a competitive labour market, and having legal work experience can provide valuable cultural and social capital (Brown *et al*., 2004; Yorke *et al*., 2005; Tomlinson, 2008; Francis *et al*., 2009; Tomlinson, 2012; Bathmaker *et al*., 2013; Nagarajan *et al*., 2014; Scott, 2014; English *et al*., 2021). Bourdieu, (1977) expanded the notion of capital beyond the economic sphere to include social, cultural, and symbolic forms (Grenfell, 2014). The development of graduate attributes requires the acquisition of cultural capital such as knowledge, skills and cultural competencies which relate to the understanding of how to succeed in legal practice (Francis *et al*., 2009). Through being exposed to legal practice, students begin to understand some of the complexities around social relations and social hierarchies that pervade practice (Hager *et al*., 2009). The value of legal work experience therefore extends beyond the provision of career insights, it provides positional advantages by enabling graduates to contextualise and situate the development of attributes within legal practice.

Cultural capital gained through work experience is valuable not only for the development of graduate attributes, but also because it can facilitate a smoother transition into legal practice. Work experience is a form of capital that provides credibility alongside the acquisition of social connections which can offer competitive advantage that is important for a legal career (Aitken, *et al.,* 2019). Legal work experience provides an understanding of the role of the lawyer that aids and supports the navigation of social relations and social hierarchies (Hager *et al*., 2009). As suggested by previous research (Tomlinson, 2017; Batistic *et al*., 2017; Bridgstock *et al*., 2009; English *et al*., 2021), establishing networks and connections through social capital enhances graduates' ability to access the resources, opportunities and support that are essential for securing future employment (Tomlinson, 2017; Batistic *et al*., 2017; Bridgstock *et al*., 2009; English *et al*., 2021). The value of legal work experience is that it offers the opportunity to build social capital within the legal profession through the cultivation of meaningful connections that can be essential for supporting the transition into a career in law (Tomlinson, 2017; English *et al*., 2021; Tomlinson *et al*., 2021). Moreover, it also gives graduates a greater

understanding of the employment market, which enables them to access opportunities more effectively (Tomlinson, 2017; Tomlinson *et al.*, 2021). Work experience has the potential to enhance cultural and social cultural and the acquisition of capital allows students to gain advantage (Francis *et al.*, 2009). However, as Bourdieu (1986) argued some students will already have significant cultural capital, through their family and their background and they are better able to acquire even more cultural capital. Therefore, those students who already have high levels of cultural capital are potentially going to gain further advantage from work experience and be able to use that experience to further progress their legal career (Aitken, *et al.,* 2019). The findings of this research support our understanding of the significance of legal work experience for the development of both cultural and social capital, but students do not have the same amounts of cultural capital and work experience alone does not level the playing field.

Although previous research has recognised the value of work experience (Brown *et al.*, 2004; Yorke *et al.*, 2005; Tomlinson, 2008; Francis *et al.*, 2009; Nagarajan *et al.*, 2014; Scott, 2014; English *et al.*, 2021), I would argue that the position is more complex and suggest that legal work experience will not always be sufficient for the development of cultural and social capital. To compete in a highly competitive graduate employment market requires the mobilisation of different forms of capital (Bathmaker *et al.,* 2016; Tomlinson *et al.*, 2021). Although such experience contributes to the construction of pre-professional identities and is valuable for supporting career goals, my findings suggest that for many graduates the transition into legal practice comes later, from paralegal work (Jackson, 2016; 2017; Tomlinson *et al.*, 2021). Tomlinson *et al.*, (2021, p. 888) emphasise the importance of "additional layers of valued experiences, insight, cultural knowledge, behavioural dispositions and attitudes". It is only through paralegal work that graduates become integrated into social structures within legal practice that provide the necessary insights and guidance to support the acquisition of a structured career path in legal practice. For some graduates, paralegal work allows for a closer alignment with the ideal of graduateness and because it is the only way for them to build capital that allows them to advance in the legal profession (Bathmaker *et al.,* 2016).

Previous research indicates that there is a correlation between part-time work and the acquisition of skills such as time management, communication and team working (Davies, 2000; Manthei *et al*., 2005; Tam *et al*., 2005; Muldoon, 2009; Hall, 2010; Robotham, 2012; Gbadamosi *et al*., 2015). Insights from my study suggest that part-time work is important for the development of talents such as interpersonal skills, teamwork and problem solving which are transferable to legal practice. The ability to manage part-time work alongside university studies encourages valuable traits such as a strong work ethic, resilience, and adaptability (Muldoon, 2009). Part-time work offers opportunities for self-reflection and affords students experiences which will allow them to gain a deeper insight into their strengths and weaknesses that could be invaluable in their professional development. Yet despite the significant benefits that can be gained from part-time work, my findings suggest that students often lack an understanding of how part-time work contributes to graduateness. There appears to be a lack of awareness on the part of some students of the transferable skills gained through part-time work that can enhance overall graduateness. Students perceive part-time work as less prestigious than legal work experience, and this would appear to contribute to the lack of recognition of the attributes and competencies gained through part-time work. Perhaps students do not know how to exploit the potential of part time work in contrast with legal work experience and translate it into forms of capital (Bathmaker *et al.,* 2016) The findings of my study highlight the need for greater awareness of the skills and attributes that can be developed and strengthened through part-time work and the value placed upon them by legal employers.

The findings of my research contribute to our understanding of the experiences that bridge the gap between higher education and work and that add value and enhance the development of attributes. Furthermore, these findings add to our knowledge of the benefits of different types of experience in terms of the acquisition of graduate attributes. My study builds on existing research by providing further insights into the types of experience that support graduates moving from university into the workplace (Jackson *et al*., 2022; Wong *et al*., 2022b).

5.5 Graduate, pre-professional and professional identity

The constructs of the ideal law graduate represent the qualities and characteristics associated with being a legal professional and they form the foundation upon which professional identity is built. The findings of my study provide an insight into stakeholders' conceptions of graduate attributes for a career in law. These attributes identify graduateness and this is what graduates need to demonstrate to prospective employers (Tomlinson *et al.*, 2021). Various forms of work experience, part-time work, extra curricula activities and volunteer work play a role in fostering the development of attributes (Jackson *et al.*, 2022). The experiences that bridge the gap between academic study and professional work offer opportunities for tacit learning that are instrumental for the development of graduate attributes that support the construction of professional identity. Graduate attributes serve as the foundation for the development of professional identity as they inform and support how graduates perceive themselves within the constructs of the legal profession. Holmes, (2013, p.549) describes identity work as learning to "act in ways that lead others to ascribe to them the identity of being a person worthy of being employed." The findings in my study add to previous research that suggests that relevant work experience is significant for the formation of professional identity construction (Brown *et al.*, 2004; Moreau *et al.*, 2006; Francis *et al.*, 2009; Tomlinson, 2012; Morrison, 2014; McCracken *et al.*, 2016; Bradley *et al.*, 2017; Burke, 2017; Ashley *et al.*, 2017; Bathmaker, 2021).

The formation of graduate identity involves the knowledge, skills, attributes, experiences, and values that have been developed by students through the academic journey that support the transition to professional practice (Hinchliffe *et al.*, 2011). Identity formation is considered a phased process starting with graduate identity. Although not all students who study law intend to practice, a law degree is closely linked to the legal profession (McNamara *et al.*, 2011; Steele, 2018). The findings of my research suggest that engaging in legal work experience is relevant for the next phase of identity formation, which is the formation of pre-professional identity, because it provides insights into the operations and behaviours relevant for practice. One interesting and surprising

finding from my study was the emergence of a contradiction around legal work experience. Many of the legal employers did not place a high value on legal work experience unless it was a vacation scheme that was linked to the training contract application process, but the reality for graduates was that some legal work experience was essential. The cultural understanding and knowledge gained from legal work experience was critical for graduates to effectively navigate the recruitment process and create leverage for themselves. The value of work experience for students was around having a better understanding of the culture and values of legal practice, which then allows them to align their identity to the values of law firms to demonstrate that they are a good organisational fit (Hinchliffe *et al.*, 2011; Tomlinson *et al.*, 2021). The findings of this study build on previous research that suggests that legal work experience helps students to imagine themselves in legal practice and this influences their identity formation (Sommerland, 2007; Francis *et al.*, 2009). Although legal work experience can shape identity formation as a future legal professional it is recognised that it is not always sufficient to obtain a training contract. Interestingly, the findings of my study suggest that the identity of some graduates was not fully formed until they transitioned into paralegal work, which then provided them with the ability to project themselves into the role of a prospective lawyer and demonstrate better alignment with the expectations of legal employers.

Previous research has suggested there are number of factors that impact on the formation of identity (Jackson, 2016, Tomlinson *et al.*, 2021). Graduates need to gain an understanding of the professional context to provide them with an enhanced understanding of professional behaviours and anticipated responsibilities that will support the development of their sense of self. It is important for there to be alignment between graduates' existing identities with those of the legal profession to allow them to establish stronger connections between different but related aspects of their education and work experience. Legal work experience has been considered a gateway that supports the development of networks which enhance social and cultural capital development and being immersed in a professional setting allows graduates to become more confident in navigating within legal practice (Francis *et al.*, 2009).

The findings of my research confirm the importance of legal work experience in facilitating the development of pre-professional identity. The knowledge gained through such experiences holds particular significance for law graduates because of the close connection between the law degree and the legal profession. The immersion within legal practice gained from legal work experience is critical for understanding how to navigate the intricacies and complexities of legal practice. Furthermore, it is important because it provides graduates with an opportunity to explore different career paths and gain insights into types of legal work and law firms that align with their individual strengths and preferences. Work experience enables graduates to develop a stronger sense of pre-professional identity with a deeper understanding of the norms and expectations of the legal profession. This is particularly important for enabling graduates to demonstrate that they are a good fit for a law firm's requirements, and especially for those graduates who have not had prior experience of the legal profession (Sommerland, 2007; Francis *et al.*, 2009). The cultural capital acquired through work experience serves as a foundation for graduates to demonstrate that they possess the self-awareness and qualities expected of the ideal law graduate.

Nevertheless, the reality is that all students are not equally positioned to access legal work experience and consequently many lack access to the cultural capital necessary to help them understand the intricacies and realities of law firm culture and practice (Francis *et al.*, 2009). Similarly, those graduates who are unable to secure legal work experience miss out on valuable opportunities that could contribute to the formation of their professional identity. Previous research aligns with the findings of my study that work experience is valuable and significant and it is particularly important in a field such as law where possessing professional knowledge is critical for successfully navigating the specific cultures that prevail in law firms (Adams *et al.*, 2007; Sommerland, 2007; Francis *et al.*, 2009; Nadelson *et al.*, 2017; Tomlinson *et al.*, 2021; Jackson *et al.*, 2022). But the problem is more complex. It is not just an issue of some students lacking access to legal work experience, for even when students, particularly those from non-traditional backgrounds, do secure legal

work experience, they still face significant challenges. There is a strong correlation between cultural capital and performance in professional roles, and without knowledge of professional norms and behaviours it is more challenging for those students to perform whilst undertaking work experience and demonstrate them in practice (Ashley *et al.*, 2017). A lack of familiarity with professional norms and expectations creates barriers to building professional identity (Alexander, 2023).

The provision of work-based learning opportunities could address the lack of access to legal work experience. Clinical legal education pedagogies can support the development of cultural capital and build the confidence of students who may not have had access to legal work experience to help them understand and navigate its complexities (Bathmaker *et al.*, 2013; Burke 2017; Tomlinson, 2017; Alexander, 2023). The knowledge and skills acquired by graduates through clinical legal education can lay the foundation for the development of a professional identity (Alexander, 2011; Tomlinson *et al.*, 2021; Alexander, 2023). Clinical legal education supports the transition from graduate identity to pre- professional to professional identity through the interaction with the profession by exposing students to role models who can help shape their identity (Sullivan *et al.*, 2007; Alexander, 2011; Alexander, 2023).

Clinical experiences provide students with the opportunity to develop knowledge, attributes, and skills which they can adapt and refine as they transition into the profession. Clinical pedagogies reveal to students the norms, expectations and culture of legal work; it is this experience, together with the socialisation process which serves to align graduate identity with emerging professional identity (Adams *et al.*, 2007; Sommerland, 2007; Alexander, 2011; Nadelson *et al.*, 2017; Tomlinson *et al.*, 2021).Through these experiences students are exposed to the values and ethics that guide the profession and which they can incorporate into their decision making-process as a way of shaping their identity. The experience gained from clinical legal education not only supports the acquisition of legal knowledge, but it can also help to build confidence, enabling students to develop their professional identity more

effectively, and this is recognised as an ongoing developmental process (Tomlinson *et al.*, 2021).

Despite the benefits of clinical legal education in supporting the formation of identity, Tomlinson, (2012) suggests that it may not necessarily be enough to address persisting disparities in students' acquisition of capital in accordance with the theory of social reproduction posited by Bourdieu, (1977). Some students will persistently have the privilege of greater access to resources than others, which will enable them to sustain their advantageous position. Wong *et al.*, (2022b) argue that real-world opportunities incorporated within the curriculum are vital for those students who lack access to the professions. Furthermore, they offer an important mechanism for addressing existing inequalities. There are disparities between graduates in terms of sourcing experiences that are not easily remedied, but building on the work of (Wong *et al.*, 2022b; Alexander, 2023) it is argued that clinical experiences offer important opportunities to support the development of attributes and the construction of professional identity.

5.6 The role of legal education

Although there has been previous research that has provided descriptions of graduate attributes, there has been much less research that has focused specifically on how attributes are developed within curricula and programmes (Barrie *et al.*, 2009). Previous research suggests there are challenges with the development of graduate attributes in higher education and issues around how they should be taught, assessed, and evaluated (Green *et al.*, 2009; Coetzee, 2014; Hill *et al.*, 2016). There are issues for academic staff around how to embed graduate attributes into teaching and learning, and Wingate, (2006) suggests there are difficulties associated with teaching generic skills and attributes as something distinct from disciplinary knowledge. Graduates' benefit from the adoption of more practical approaches within the curriculum to support the development of attributes, and this should include a greater recognition of how the external environment impacts on the delivery of legal services. Research has identified criticisms of universities focusing too narrowly on

academic pedagogies and not sufficiently preparing graduates for the workplace (Bell, 2000; Christensen *et al.*, 2002; Archer *et al.*, 2008; Spencer *et al.*, 2012; Tomlinson, 2012; Nagarajan *et al.*, 2012; Black-Branch, 2016). This is also reflected in the debate around the most effective ways of supporting students for legal practice, and there are tensions between conventional pedagogical approaches and experiential learning (Black-Branch, 2016). Law schools have predominately focused on instilling legal knowledge and legal skills with limited focus on supporting the development of resilience that students could transfer to work settings (Susler and Babacan, 2021). There is a strong argument for embedding experiential learning pedagogies into the curriculum to offer an integrated approach to developing knowledge, skills, and attributes.

The findings of my study contribute to our understanding of the role of experiential learning within legal education in the development of graduate attributes. My study adds to previous research that suggests it is important to contextualise graduate attributes within a discipline and then embed and integrate them into curriculum design as a more effective method of teaching and developing graduate attributes (Jones, 2009a; 2009b; 2013). The value of clinical legal education lies in its role in fostering attributes by engaging students in real-world opportunities that equip them for the realities and pressures of legal practice. My findings build on previous research that suggests that when students are afforded supported opportunities to work outside of their comfort zone and engage in reflective practice, it contributes to their growth and development (Bailey *et al.*, 2007; Maute, 2007; Hall *et al.*, 2010; McNamara *et al.*, 2011; Scott, 2012).

Clinical legal education supports the acquisition of knowledge, skills, and attributes (Bloch, 1982; Giddings, 1999; Barry *et al.*, 2000; Alexander, 2011; Bloch, 2011; Giddings, 2014; Walkden-Brown *et al.*, 2018; Cantatore *et al.*, 2021). Its strength in developing attributes stems from its experiential learning approach in which students work on real-world legal problems under the supervision of qualified lawyers (Cantatore, 2017; Walkden-Brown *et al.*, 2018; Cantatore *et al.*, 2021). Clinical legal work is challenging, but it normalises the

idea that learning comes from being uncomfortable (Spencer and Brooks, 2019) which can help students build adaptability and resilience which they can apply when they move into legal practice (Susler and Babacan, 2021). Clinical legal education includes the development of knowledge as well as practical legal skills such as drafting, legal research, interviewing and engagement with the profession, and it is recognised as a highly effective preparation for legal practice (Giddings, 1999; Walkden-Brown *et al.*, 2018; Cantatore *et al.*, 2021). Critically, it encourages students to be active participants in their own learning (Wingate 2006; Giddings, 2014; Van de Merwe, 2017).

The value of clinical legal education for supporting the development of graduate attributes is that it goes beyond equipping students with practical skills. It encourages the development of professionalism through promoting ethical values, supporting reflective practice, encouraging teamwork and collaboration and through supervision which provides mentorship (Bloch 2011; Giddings, 2014; Robbins, 2009; Hamilton, 2013; Cantatore *et al.*, 2021). These aspects of clinical legal education are critical to my research because they are relevant to the development of the four constructs of the ideal law graduate. The fundamental element of clinical legal education is the provision of opportunities to engage in authentic legal work (Cantatore *et al.*, 2021). What underpins these activities and makes them valuable for the development of attributes is that they support the application of theoretical knowledge to real-world problems, thus allowing students to gain a deeper understanding of the complexities of legal work and the profession (Giddings, 1999; Barry *et al.*, 2000; Alexander, 2011; Walkden-Brown *et al.*, 2018). The practical focus of clinical experiences enables students to gain insights into the intricacies of legal practice that encourage the development of confidence and a capacity to respond to the demands of the profession (Sullivan *et al.*, 2007; Rowe *et al.*, 2012). These activities develop confidence and capacity and have the potential to support the development of resilience that will support students for an increasingly disrupted and evolving career in law (Susler and Babacan, 2021). Attributes fostered alongside knowledge become an integral component of disciplinary expertise and lead to the creation of new knowledge (Barrie, 2006; Hill *et al.*, 2016).

The findings of this study suggest that aligning legal education with disciplinary understandings of graduate attributes rather than generic approaches to graduate attributes ensures that clinical work yields greater benefits. But the value of the constructs of the ideal law graduate also extends beyond the disciplinary context because they provide students with the attributes and skills necessary for all aspects of their lives (Barrie, 2006). The development of transferable skills is considered one of the most important aspects of higher education (Scott *et al.*, 2019; Wong *et al.*, 2022b), and there is scope for the discipline-informed constructs of graduate attributes to be transferable.

Reflection, which is an integral aspect of clinical pedagogy and forms a critical part of the experiential learning process, promotes growth and improvement which are recognised as important for the development of attributes (Monk 2013; Fisher *et al.*, 2017; Schreck *et al.*, 2020). Clinical pedagogies help students to reflect so that they can learn to better understand their strengths, weaknesses, and areas for improvement. This encourages students to take ownership of their own learning. The process of reflection can support the transition from university to professional practice because it provides opportunities for students to reflect and think about how they can translate their learning into legal practice or more broadly into work (Olsen *et al.*, 2002; Dunlap, 2005; Hovoka, 2009; McNamara *et al.*, 2011; Scott, 2012). Reflection goes beyond self-reflection it also includes students challenging the construction of law and practice and questioning norms and assumptions around the legal profession (Liu, 2020) To be successful in practice requires continuous engagement in reflection as it is essential for supporting professional understanding and generating new insights to inform future practice (Calderhead, 1989; Schon, 1993; Bulman, 1994; Ruch, 2000; Yip, 2006; Scott, 2012). Starting the process at university is likely to encourage an ongoing commitment to self-reflection, which is one of the mechanisms for supporting the transition from university into work (Scott, 2012; Hamilton, 2013).

5.7 Returning to the formation of professional identity

The findings of my research suggest the pedagogies of experiential learning are relevant for supporting the acquisition and application of the graduate attributes which contribute to the formation and development of professional identity (Ewing *et al.*, 2017). Engagement in clinical experiences allows students to develop an understanding of their role, values, and responsibilities within the legal profession and of how they see themselves within those roles (Alexander, 2011; Nadelson *et al.*, 2017; Tan, 2017; Van der Molen, 2017; Schmidt, 2017; Tomlinson *et al.*, 2021; Alexander, 2023). It provides opportunities for students to participate actively in shaping their own identity, fostering their empowerment, and promoting a sense of ownership of the process (Daniels *et al.*, 2014; Su, 2014; Hill *et al.*, 2016). There is a strong correlation between legal education and legal practice because many students who study law do so because they want to become practising lawyers. Law is both an academic and vocational subject. Consequently, embedding clinical experiences within legal education has the potential to give students valuable opportunities to cultivate their professional identity (McNamara *et al.*, 2011; Alexander, 2011; Katz, 2013; Alexander, 2023). Clinical experiences enable graduates to apply the attributes they have developed in real-world situations to facilitate and shape the construction of their professional identity (Alexander, 2011; Katz, 2013).

The legal profession is regulated by professional rules that include standards of integrity, ethical behaviour, and accountability (Longan *et al.*, 2019). There are codes of ethics that govern duties to the client and client confidentiality. Graduates who wish to enter the legal profession need an understanding of their ethical and professional obligations as they transition into legal practice (McNamara *et al.*, 2011; Katz, 2013; Longan *et al.*, 2019). The development of professional identity involves internalising these ethical principles and applying them in practice. Students need to be exposed to situations which require them to consider questions of professional identity (Katz, 2013). Clinical experiences enhance students' understanding of what guides ethical decision-making and behaviour because experiential learning places students in real life legal settings. This provides them with the opportunity to construct values and

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expectations and align them with those of the professional community and to develop their professional identity with the support of legal professionals (Katz, 2013; Steele, 2018; Alexander, 2023).

The findings in this study suggest that a client-centred approach is the foundation of all the constructs of the ideal law graduate. Sherr, (2000) argues that the client is the centre of all legal work, and as Spaulding, (2003) posits, a logic of service is embedded within the role of lawyers. It is therefore essential that graduates learn how to communicate effectively with clients to determine how to prioritise their best interest and work diligently to secure the best outcome. Professional identity is shaped through the process of socialisation, which involves interacting and engaging with the profession (Sommerland, 2007; Francis *et al.*, 2009). It involves learning about the norms, expectations, and culture of the profession, which helps graduates to navigate the complexities of the legal environment more effectively. Graduates who wish to move into practice benefit from experiences that facilitate the cultivation of professional identity.

My research contributes to our understanding of the role that clinical legal education can play in supporting the cultivation of professional identity by offering insights into the theoretical and practical aspects of the legal profession. Active involvement in these experiences can lead to a deeper understanding of the law and of legal procedure. Attributes fostered within this context enable students to present their attributes more effectively to prospective employers (Hill *et al.*, 2016). My study has shown that the provision of opportunities that support both the acquisition of legal knowledge and the development of practical legal skills including drafting, research, advocacy and advising is highly beneficial. Additionally, clinical experiences foster broader skills such as teamwork and interpersonal skills, all of which are crucial for enabling graduates to demonstrate proficiency and expertise in the legal profession. Clinical experiences are important, because the process of engaging in the practice of law with legal professionals supports identity formation (Piazza, 2011; Jackson, 2016; Alexander, 2023).

Engagement with the profession through clinical experiences supports the development of professional relationships and networking. This is critical for students who are unable to access legal work experience (Alexander, 2023). Insights from this research suggest that clinical experiences can support the development of professional relationships with the legal community that can provide insights into the profession as well as guidance, support, and mentorship. This allows students to acquire social and cultural capital which can support the transition into the legal profession (Tomlinson, 2017; Batistic *et al.*, 2017; Bridgstock *et al.*, 2009; English *et al.*, 2021). Clinical legal education pedagogies offer students the opportunity to start constructing their professional identity within the curriculum, potentially equipping them to navigate into the legal profession and beyond. Bathmaker *et al.,* 2016 argues in a shifting higher education landscape it is essential that universities offer experiences beyond the degree as a way of addressing the inequities experienced by students who lack the same social and cultural capital as their peers. It is recognised this is a complex issue, and the provision of clinical pedagogies alone will not always be sufficient to tackle the disparities faced by some students, but it is one strategy which aims to level the playing field (Alexander, 2023).

5.8 The role of ongoing professional development

The findings of my research suggest that the evolution of graduateness is being driven by changes in working practices and the transformation of legal service delivery. The pandemic brought about changes to work systems and a requirement to adapt to digital transformation that impacts not only the legal profession but all industries (Eom *et al.*, 2022). Innovations in digital technology, and particularly emerging technologies such as virtual reality, augmented reality, and Artificial Intelligence (AI) are creating both opportunities and challenges within our society (Desouz *et al.*, 2020; Konig *et al.*, 2020; Hong *et al.*, 2020; Śledziewska *et al.*, 2021; Eom *et al.*, 2022). The findings of my study show that new technologies and new ways of working are re-shaping the nature and delivery of legal work, with the potential of AI to eliminate some aspects of legal work (Denvir, 2020; Suarez, 2020; Susskind, 2023). AI

technology is advancing quickly automating many tasks that previously required human workers. The impact of the democratisation of AI through the launch of generative open AI tools such as ChatGPT, Google Bard and Bing has been more dramatic than perhaps could have been predicted, and there are implications for law and the delivery of legal services (Śledziewska *et al.*, 2021; Ajevski *et al.*, 2023). The adoption of AI systems by law firms such as Harvey and Auto-GPT makes it possible for them to leverage the benefits of technological advances (Ajevski *et al.*, 2023; Rattray, 2023a; Rattray, 2023b). The findings of my study add to our understanding of how law firms are engaging in digital transformation with the adoption of emerging technologies to facilitate legal research, document management and automation, due diligence, and e-discovery in a drive to increase productivity and efficiency. This is paving the way for new models and changes to existing business models of legal practice, reflecting changes that are happening in the broader economy (Denvir, 2020; Śledziewska *et al.*, 2021; Susskind 2023). These insights are significant because they provide legal educators with a deeper understanding of the professional environment in which lawyers operate which enhances our understanding of graduateness.

Advances in technology necessitate the inclusion of technology proficiency and literacy within the scope of graduateness. The impact of the pandemic has led to an increased adoption of technology and re-shaped the world of work, requiring the acquisition of new knowledge and skills, so technology competence is now an integral part of legal knowledge and understanding (Denvir, 2020; Janecek *et al.*, 2021). Although the increased adoption of technology presents new opportunities for lawyers and will change the process of lawyering, the essential human elements of what it means to be a lawyer remain the same. New opportunities are being created and new modes of work are emerging that focus on the human experience (Lord 2020; Śledziewska *et al.*, 2021; Eom *et al.*, 2022). This aligns with the findings of this study that graduates will need to manage the changes that are emerging from digital transformation, but the value of human skills and the human experience of being a lawyer remain at the core of their role.

Advances in technology broaden the scope of graduateness to include the ability to collaborate with professionals from other disciplines, and particularly those working in data analysis, cyber security, and artificial intelligence. The delivery of legal work is evolving and changing, requiring graduates to be proficient in using various digital tools and platforms to communicate, collaborate and solve problems effectively (Denvir, 2020; Janecek *et al.*, 2021). There is now an increased emphasis on graduates being able to demonstrate interdisciplinary skills and who have the ability to work with others across various fields. There is also greater potential for those graduates who can demonstrate innovative and creative thinking skills to help law firms to adapt to these changes.

Technological advances are happening at a rapid rate, with an expectation that graduates can learn and in particular adapt quickly to remote and flexible ways of working. Underpinning digital transformation is the need for graduates to have a strong ethical foundation for navigating the complex ethical issues that arise in a technology-driven world (Suarez, 2020; Susskind 2023). The findings of this study suggest that technological competence is now an essential aspect of graduateness, and this is important in informing approaches to teaching and learning. They also suggest that attributes will need to evolve to ensure that graduates can explicitly demonstrate technology competence, adaptability, and flexibility. However, these attributes need to be considered within the disciplinary context to properly understand how digital technologies are impacting specific occupations and careers (Janecek *et al.*, 2021). The structural changes in the external environment have increased the expectations placed on graduates. The increasingly competitive graduate employment market - especially within the context of rising technological disruption - means that graduates will have to excel in showcasing these attributes to distinguish themselves. The prevailing expectation suggests that to thrive in this rapidly evolving professional landscape, graduates must demonstrate an enhanced version of the ideal law graduate.

As technology advances and re-shapes, the world, graduates' attributes will need to evolve to ensure that they are prepared to meet the challenges and

opportunities they will face in a changing labour market and to ensure that they are better equipped to thrive in their career.

5.9 Conclusion

The findings of this research provide a deeper understanding of graduate attributes and highlight the process for the development of graduate attributes. Although it has been suggested that there is a lack of agreement between employers and academics around graduate attributes, the outcomes of my research suggest that there are synergies between stakeholder groups. This might reflect a move away from generic definitions of graduate attributes where they need to very broadly defined (Cook, 2018). It is argued that graduate attributes have greater relevance and significance if they are developed in collaboration with appropriate stakeholders and contextualised within a specific discipline. Moreover, disciplinary understandings of graduate attributes have a pivotal role in connecting learning with the legal profession and beyond. The findings of this study highlight the importance of experiences such as part-time work and legal work experience that support the development of attributes and contribute to the cultivation of professional identity. While professional identity is continually shaped by various academic and work-related experiences, graduates must demonstrate a strong professional identity to facilitate the transition into legal work.

The impact of the neoliberal agenda and the question of responsibility for graduate employability pose significant challenges for higher education institutions. However, there is an important role for legal education in supporting graduates as they navigate the complexities of graduate employability by embedding clinical pedagogies within the curriculum to improve the capacity and capital of all law graduates. Clinical pedagogies offer students a first-hand experience of legal practice, and are particularly important for students who have not had previous access to legal work experience as they develop forms of cultural capital that will support the development of attributes that enhance professional identity. The findings of this study describe the significant changes impacting on legal practice. In this context, there is a greater need for a more

comprehensive understanding of graduate attributes in the disciplinary context in order to enhance graduates' awareness of what is required to successfully navigate the rapidly evolving and dynamic legal landscape. While the human elements of what it means to be a lawyer will remain, graduate attributes will need to evolve to enable graduates to thrive in a time of technological transformation.

The next chapter brings together the conclusions drawn by my study, provides an overview of the thesis, explores my argument that the thesis makes an original contribution, considers the implications of the findings, and offers some recommendations for further research.

Chapter 6: Conclusion

6.1 Introduction

The last chapter of my thesis brings together the conclusions drawn from my study. It starts with an overview of the thesis and the purpose of my research (6.2). It then argues that it is an original contribution to the field and describes how the findings add to the literature (6.3). It acknowledges the limitations of the study (6.4), considers the implications of the findings (6.5), makes some recommendations for further research (6.6) and finishes with a summary (6.7).

6.2 Overview of the thesis

The purpose of this research is to describe the attributes required by graduates within the disciplinary context of law to consider how we prepare students for a career in law and life beyond university. In designing this study, my aim was to examine graduate attributes from the perspectives of key stakeholders, i.e. legal employers, law graduates and legal academics because there has been very little attention paid to defining graduate attributes from a disciplinary perspective. My research questions asked how stakeholders conceptualise graduate attributes required for a career in law, whether different stakeholders have different conceptualisations of graduate attributes and whether stakeholders' views of the attributes which support the development of a career in law related to their views of the ideal law graduate.

The overarching question that defined my study was how graduate attributes are conceptualised for a career in law, and I analysed and constructed four versions of the ideal law graduate which were built around the concept of graduateness. One of the critical aspects of this research was the importance of conceptualising graduate attributes within a specific disciplinary context so that it would take account of the influence and impact of the disciplinary culture on defining and developing graduate attributes. Understanding how graduate attributes are conceived and understood from the disciplinary perspective of law was critical for understanding how they are formed. Understanding stakeholders' perceptions of graduate attributes was essential for considering

how these attributes should be developed. The participants suggested that experiences outside of the curriculum such as part-time and legal work experience were important for the development of graduate attributes. The participants also described how legal education shapes the development of graduate attributes, and how these attributes could be translated into the curriculum through the incorporation of experiential learning pedagogies. The findings of my study suggested that experiential learning pedagogies embedded into the undergraduate law degree could support the development of attributes and contribute to the cultivation of a professional identity.

Previous research which has defined graduate attributes and other discussions of attributes have focused primarily on generic graduate attributes (Barrie, 2006; Barrie *et al.*, 2009). Top-down institutional frameworks of generic graduate attributes suggest that they are transferable across disciplines, and these frameworks are frequently used to conceptualise graduate attributes. The current research suggests that when graduate attributes are developed in collaboration with relevant stakeholders, they can be contextualised within a specific discipline to make them more meaningful. Although previous research has defined graduate attributes, the literature has been less explicit about how such attributes should be developed. Some research has explored how experiences outside of the curriculum support the development of graduate attributes, this has predominately been in relation to generic graduate attributes. My findings identify the relationship between experiences outside of the curriculum and the cultivation of attributes within a disciplinary context, and this highlighted the importance of part-time work and legal work experience in the development of graduate attributes for law students.

A growing body of research has explored the value of incorporating experiential learning pedagogies into the undergraduate law degree, particularly in relation to preparing students for legal practice (Walkden-Brown *et al.*, 2011; Cantatore *et al.*, 2021). The findings of this study concur with the literature in suggesting that including real-world experiences into legal education can have significant benefits. There has been limited research into the benefits of clinical legal education pedagogies for underpinning graduate the development of attributes.

The findings of my study suggest that the value of clinical legal education pedagogies goes beyond simply 'learning by doing' and can also support the development of graduate attributes. The benefit of articulating graduate attributes within a disciplinary context are that if clinical legal education pedagogical approaches are incorporated into the curriculum it can strengthen the development of graduateness and the construction of identity. Recent research suggests that in the post-pandemic era, work and the labour market are being transformed and that digital technologies are having a significant impact on the delivery of legal services. These changes link to my findings that highlight the importance of understanding how the post-pandemic landscape will impact on future graduate attributes and the relevance of the disciplinary context in ensuring that future attributes are aligned within the curriculum to support graduates in transitioning to a changing world of work and future legal practice.

6.3 The original contributions of this study

This study has made five contributions to the literature; contributions 1 and 2 are the main contributions to the literature on graduate attributes, while contributions 3 to 5 are more minor contributions:

1. My study adds new knowledge to the literature on graduate attributes by telling us something about graduate attributes in the context of the practice of law. It builds on literature which has explored the 'ideal student' (Wong *et al.*, 2020; 2021;2023) and the 'ideal' graduate (Kensington-Miller *et al.*, 2018; Low, M. *et al.,* 2016; Ingram and Allen, 2009; Gebreiter, 2020; Betari and Chowdhury, 2023; Szucs, and Harpur, 2023) to offer a discipline-based construction of an 'ideal law graduate', in the form of the adaptable graduate, the confident graduate, the resilient graduate and the critical graduate. Graduate attributes provide the foundation for the development of identity. These findings describe and articulate graduate attributes from the perspectives of stakeholders in law, and furthermore provide an understanding of how these attributes support the formation of professional identity.

2. It adds new knowledge to the literature to highlight the synergies between legal employers and legal academics in their construction of graduate attributes. The findings of this study show that there is a shared understanding across stakeholders in law around the description and articulation of the graduate attributes which are appropriate for a career in law.

3. This study identifies potentially important activities that might support students to develop graduate attributes, although these require further exploration. It identifies the types of activities that are important for bridging the gap between higher education and work which add value to and enhance the development of attributes. Furthermore, it provides a better understanding of the benefits of different types of experience and how they support students in developing graduate attributes. It builds on existing research by providing further insights into the different types of experiences that might support graduates as they make the transition from university to the workplace (Jackson, 2018; Jackson *et al.*, 2022; Wong *et al.*, 2022b).

4. It contributes to the literature by providing potentially useful insights into ways in which graduate attributes might be incorporated into the undergraduate law degree, and this requires further exploration. Further research could focus on the inclusion of clinical legal education pedagogies in the curriculum to support both the acquisition of knowledge and the development of graduate attributes. It adds to the literature by identifying how graduate attributes contextualised within a discipline can be embedded into curriculum design. This study also adds to the literature on the role that clinical experiences can play in fostering graduate attributes that support the cultivation of professional identity in offering insights into the theoretical and practical aspects of the legal profession.

5. Finally, it also adds to the literature in offering possible reasons for the evolution of graduateness and identifies possible reasons to explain how

post-pandemic changes in working practices and the transformation of legal service delivery might necessitate the inclusion of technology proficiency and technology literacy within the scope of graduateness.

This research makes an empirical contribution to the conceptualisation of graduate attributes which has been informed by the disciplinary context and which tells us something about what it means to be a graduate in law. It offers new insights into the formation of graduate attributes that is derived from meaningful engagement with stakeholders including graduates in law, legal academics, and legal employers to provide a 'bottom up' interpretation of graduate attributes and what it means to be a graduate in law. It shows that there are synergies between stakeholders in law around the construction of graduate attributes. It offers a negotiated and inclusive construction of the 'ideal' law graduate that has been shaped by stakeholders to provide an understanding of the graduate attributes which law students should be developing at university. The findings provide a foundation for discussing and negotiating the attributes of an ideal law graduate and contribute to the literature that has explored the ideal university student (Wong *et al.*, 2020; 2021;2023) and the ideal graduate (Kensington-Miller *et al.*, 2018; Low, M. *et al.,* 2016; Ingram and Allen, 2009; Gebreiter, 2020; Betari and Chowdhury, 2023; Szucs, and Harpur, 2023). The findings incorporate stakeholders' perspectives to offer a collective view of the constructs of an ideal law graduate. They reveal stakeholders' expectations of law graduates, and this will assist students to gain a better understanding of graduate attributes and, if desired, decide how to develop them. This is particularly important for law students because of the strong connection between the law degree and legal practice (Hughes *et al.*, 2010).

This study contains research-based findings on how graduate attributes might be developed both inside and outside of the curriculum. It identifies the value of legal work experience in the cultivation of attributes within the conventions and norms of the specific disciplinary context and how that might contribute to the construction of pre-professional identities required for graduates' transition into legal practice. This study offers insights into the potential importance of part-

time work for the development of attributes such as interpersonal skills, teamwork and problem solving, and how they are transferable to legal practice, and it highlighted the misunderstandings students may have about the value of part-time work.

Graduate attributes serve as the foundation for the development of professional identity as they inform and support how graduates perceive themselves within the constructs of the legal profession. The stakeholders in this research agreed that the inclusion of graduate attributes should be reflected in the curriculum and the findings in this study add to the literature to suggest the incorporation of clinical legal education pedagogies within legal education has the potential to support the development of graduate attributes and the formation of professional identity. Adopting experiential learning pedagogies in contrast with traditional teaching methods supports the application of theoretical knowledge to real-world problems thus allowing students to gain a deeper understanding of the complexities of legal work and the profession. Evidence from this research suggests that graduate attributes support the development of professional identity through engagement in work related activities that allows students to build a greater understanding of what it means to be a legal professional and to gain insights into the profession. These experiences enable students to develop social and cultural capital, which they require to harness and support their transition into legal work. It is through the articulation of those experiences that graduates can signal to prospective employers they align with their expectations and the requirements of their organisation.

The findings in this study add to the literature to suggest that technology is transforming, and new ways of working are re-shaping the nature and delivery of legal work necessitating the evolution of graduate attributes. Advancements in technology suggest the need for the inclusion of technology proficiency and technology literacy within the scope of graduateness meaning that technological competence is becoming an integral part of legal knowledge and understanding.

The findings in my research are important because they provide insights into graduate attributes that are relevant for the legal profession, law students and legal education. They have value because they are research-based findings and are produced by stakeholders who understand the disciplinary context and the graduate attributes required for a career in law. The findings from my study offer four constructs of the ideal law graduate which alongside disciplinary knowledge are the characteristics and attributes that encompass graduateness. This research defines what it is to be a law graduate and identifies the qualities and attributes law graduates require for legal practice. These findings are important for legal academics because it enables them to consider how to translate disciplinary constructed graduate attributes into the undergraduate law degree and it gives students the knowledge required to understand the importance of graduate attribute development.

This research offers a disciplinary perspective on graduate attributes which could assist law schools in embedding graduate attributes within the undergraduate law degree and identify to students how the curriculum supports the development of graduate attributes. It could help students recognise the value of experiences both inside and outside of the curriculum to the contribution of the development of graduate attributes and how that can support them transitioning into the workplace. The graduate attributes identified in this research have credibility and legitimacy because they represent the voices of legal employers, legal academics, and graduates working in legal practice. They also demonstrate synergies between legal academics and legal employers in their construction of graduate attributes and this should encourage law schools to consider incorporating these graduate attributes into their curricula. This will also bring benefits for law firms because law schools will be encouraging law students to develop the attributes, they consider important for legal practice. The benefits of this approach are that if students can engage in experiences that underpin the development of these attributes, it will support them when they transition into legal practice. Graduates may be better prepared and may have already started to develop and demonstrate the graduate attributes that are required for a successful legal career.

6.4 The limitations of this study

This research has explored graduate attributes in depth and in context. It has provided rich and detailed insights into the participants' experiences of and attitudes towards graduate attributes in the context of law. It is recognised the study has limitations. The study used a non-random sample, and it was necessary for me to reduce the sample size to what was practical and manageable within the time constraints of this research. Although the objective was not to create a homogenous sample but to aim for maximum variation, it is recognised that these results might not be generalisable across the entire study population or across disciplines.

Nevertheless, the study has produced rich and thick descriptions of graduate attributes, and it is hoped that they have been described and reported in sufficient detail to maximise their potential for transferability beyond the participant groups (Braun *et al.*, 2023). The study drew on participants from different types and size of law firms and from across the university spectrum. The study describes the characteristics of the participant groups and offers detailed insights into the participants' perspectives that contextualise graduate attributes and explores how they can be developed inside and outside of the curriculum, which it is hoped means that there is a potential to transfer these findings to other disciplines and contexts (Bryman, 2012).

I completed this doctoral study part-time while working full time work and managed to conduct the interviews within a relatively short period of time Nevertheless, it would have been useful to have had more time between interviews to reflect in more detail on each interview. The perspectives I bring to this research are influenced by my background in legal education and practice hopefully strengthen this research, I also recognise that this research is influenced by those factors. I have a role in the production of knowledge that cannot be eliminated, and I have engaged in reflexivity throughout to ensure the integrity of the research (Finlay, 2021).

6.5 The implications of my findings

Graduate attributes offer a view of graduateness that reflects what universities consider their students will achieve on graduation. There has been a substantial amount of research that has sought to describe graduate attributes and to articulate the qualities, skills, and capabilities that students should develop through university to prepare them for life and work post-graduation. However, the focus in the literature has been on generic graduate attributes, which suggests that there is a set of attributes often determined by higher education institutions that should be developed by all graduates regardless of their degree discipline (Barrie, 2006; Barrie *et al.*, 2009). Jones, (2013) has argued that it is problematic for different disciplines to try to embed generic graduate attributes because in reality 'there is nothing generic about graduate attributes' as they are interpreted differently in different disciplines and they need a discipline-specific focus (Jones, 2009a; 2009b). The literature has identified challenges in the development and implementation of graduate attributes. Although there has been a substantial amount of research articulating graduate attributes, there is less research that focuses explicitly with how graduate attributes are developed (Barrie *et al.*, 2009; Hughes *et al.*, 2010). The findings of my study offer a disciplinary perspective on graduate attributes and a description of graduate attributes, which is inclusive and reflects the views of legal employers, legal academics, and recent graduates in law. It also strongly suggests that a shared understanding between stakeholders can be fostered around how graduate attributes can be conceived and developed. If the findings of this study are accepted, there will be an opportunity to move towards discipline-informed views of graduate attributes that go beyond linking the disciplinary context to generically constructed graduate attribute frameworks. The findings of my study can strengthen academics' understanding of graduate attributes because these attributes are defined and informed by the disciplinary context, and this can enable them to design teaching and learning activities that support the development of these attributes. Incorporating graduate attributes which are informed by a disciplinary perspective may also be more effective in helping students to understand the relevance of graduate attributes for a career law. It may also help students when they engage in activities both inside and outside

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the curriculum to understand how these experiences might underpin the development of graduate attributes and help students to articulate and present evidence of attribute development.

My study offers suggestive empirical evidence of the ways in which experiences inside and outside of the curriculum are important for the development of attributes. It identifies the importance legal work experience in supporting the construction of professional identity. The inclusion of experiential learning in the curriculum can also provide students with experiences that are important for building their social and cultural capital. Engagement in real-world situations might also help students transfer attributes beyond university. Developing professional relationships with the legal community can provide insights into the profession as well as guidance, support, and mentorship to support the development of a professional identity and the transition into the legal workplace. If the tentative findings of my research are confirmed, there will be an argument for the further expansion of experiential learning within legal education. This is particularly important for supporting students who lack the social and cultural capital required to develop the attributes and capabilities that can be leveraged to support the formation of professional identity which is required to access employment opportunities.

6.6 Recommendations for future research and practical applications

Research into graduate attributes is important at a time when there are increasing expectations and pressures on higher education institutions to produce employable graduates for an evolving labour market. The findings of this research provide an understanding of the graduate attributes required for a career in law. Graduate attributes have often been determined by higher education institutions and applied across an institution to all disciplines, which has resulted in challenges around the acceptance and implementation of top-down constructions of graduate attributes. The research of Barrie *et al*., (2009) suggests an eight-factor model for the implementation of graduate attributes:

conceptions, stakeholders, implementation, curriculum, assessment, quality assurance, staff development and a student-centred focus.

This research offers insights into the first three factors of this model: conceptions, stakeholders, and implementation. It offers an inclusive definition of what it means to be a graduate in law which has been developed collaboratively with stakeholders from legal education and legal practice. This approach to the conceptualisation of graduate attributes should enable law schools to help students develop a more effective understanding of what these graduate attributes mean in the context of studying law. This research also offers insights into the implementation of graduate attributes in the curriculum, suggesting that the inclusion of experiential learning pedagogies has the potential to support the development of graduate attributes. Further research which explores to what extent graduates can develop these attributes through experiential learning and clinical legal education and how they support the formation of professional identity would be of great interest.

Moving forward, technology will continue to challenge our societal norms and values; this research suggests that advances in technology necessitate the inclusion of technology proficiency and technology literacy within the attributes of graduateness. There is a need for further research that explores how legal education supports students in mediating the relationship between law and technology and that prepares them to meet the challenges and opportunities they will face in an evolving labour market, which equips them to thrive in their career.

6.7 Conclusion

This final chapter has provided an overview of the thesis. It has explored my argument that this study offers an original contribution, acknowledged its limitations, considered the implications of the findings, and made some recommendations for further research. Combining part-time doctoral study with full-time work has been challenging but it has been a privilege to have this opportunity and I am incredibly grateful to all those who participated, as without their contributions this research would not have been possible.

This research has identified what it is to be a law graduate and identified the qualities and attributes a law graduate requires for legal practice. It has described four constructs of the 'ideal law graduate', which alongside disciplinary knowledge are the characteristics and attributes of graduateness.

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Appendix One: Interview questions: Legal employers

1. Can you tell me about your law firm?
2. Can you tell me about your position and what your job involves?

3. Can you tell me about the graduate recruitment process?

4. Thinking about the recruitment process and thinking about candidates you have made offers to, what attributes, skills and capabilities did they demonstrate?

5. How do graduates demonstrate attributes, skills, and capabilities?

6. What kinds of activities are you looking for students to have done?

7. Can you describe someone you have employed as a trainee solicitor who has made an effective transition into the firm/job, what did they do well, what attributes, qualities, skills did they display.

8. Can you describe someone you have employed as a trainee solicitor who has struggled with the transition into the firm/job, and explain what aspects of job they found difficult/challenging?

9. Do you think there should be dialogue/more dialogue between universities and law firms?

10. Can you tell me about your thoughts on the law degree?

11. Can you tell me about your thoughts on SQE (Solicitors Qualifying Exam) and what if any impact that will have on the skills and knowledge graduates have entering the workplace?

12. Can you describe whether/how your law firm has changed in response to the pandemic?

13. Can you describe what changes you see for the legal market in the next 5 to 10 years?

14. Can you tell me about your views on whether graduates will require different skills and capabilities over the next 5 to 10 years, if so, what would they be?

15. Is there anything else you think I should know to understand this better?

16. Is there anything you would like to ask me?

Appendix Two: Interview questions: Graduates

1. Can you tell me about your law firm?

2. Can you tell me about your position/what your job involves/what area you practice in?

3. Where did you go to university/what made you choose that university?

4. Why did you choose to study law?

5. Is anyone in your family connected to law/legal practice?

6. What were the most important things you got from your degree?

7. Can you tell me about your experiences of your undergraduate studies (Can you give examples from your studies of what you enjoyed most? Can you give examples from your studies of what you enjoyed least)

8. Can you tell me whether you did any clinical legal education activities whilst at university? If yes, can you describe what you did?

9. In undertaking clinical legal education activities can you tell me whether you developed other attributes or skills that you hadn't gained in your degree? Can you describe and give examples of those attributes or skills.

10. Can you describe the way in which your university prepared and supported students for work?

11. Can you tell me about the activities you were involved in at university?

12. What attributes, skills and capabilities did you get from undertaking these activities?

13. Were you involved in any pro bono work outside of your degree? If yes, what attributes, skills and capabilities did you get from that experience?

14. Can you tell me if you had a job before/while/after studying? Can you describe that job, what attributes, skills and capabilities did you get from that job?

15. Can you tell me whether you obtained any legal work experience/when/how/ and can you describe that experience and what did you get from that experience?

16. When you left university did you feel ready for work- did you feel prepared to work in law- can you describe what aspects of your studies prepared you?

17. Can you tell me how you came to be a trainee solicitor/ NQ solicitor.

17. Can you describe what makes you good at your job and what are the attributes, qualities, and skills are most important to you to do your job?
18. Can you describe whether/how your law firm has changed in response to the pandemic?
19. Can you describe what changes you see for the legal market in the next 5 to 10 years?
20. Can you tell me about your views on whether graduates will require different skills and capabilities over the next 5 to 10 years, if so, what would they be?
21. Is there anything else you think I should know to understand this better?
22. Is there anything you would like to ask me?

Appendix Three: Interview questions: Legal academics

1. Can you tell me about your role?
2. Can you tell me whether you have always worked in academia or whether you had a previous career in the legal profession?
3. Can you tell me about your law school/ what is the background of your students/PT/FT?
4. What do you think your students get from your degree/ what are the most important aspects of your law degree?
5. Can you describe the balance between learning academic/legal concepts and skills -how do you integrate knowledge and skills?
6. What extra curricula activities does your university offer and you can describe what students get from those activities?
7. Does your university incorporate clinical legal education into teaching - if yes, can you describe what you offer? What percentage of students engage in clinical experiences?
8. In offering CLE activities can you tell me whether students develop other skills or attributes that are not gained in their degree? Can you describe and give examples of those attributes/skills.
9. Are you aware of whether your students are working alongside their studies?
10. Can you describe the careers and employability support offered by your university?
11. Can you tell me about your thoughts on SQE (Solicitors Qualifying Exam) and what impact you think it will have on the skills and knowledge graduates have entering the workplace?
12. How should law graduates relate to the legal profession?
13. Can you see any changes to the legal market in the next 5 to 10 years and are any changes something law schools should be aware of/respond to?
14. Can you tell me whether over the next 5 to 10 years graduates will require different skills and capabilities, if so, what would they be?
15. Is there anything else you think I should know to understand this better?
16. Is there anything you would like to ask me?