

Northumbria Research Link

Citation: Alexander, Jill (2023) Modelling Employability Through Clinical Legal Education: Building Confidence and Professional Identity. *The Law Teacher*. pp. 1-20. ISSN 0306-9400 (In Press)

Published by: Taylor & Francis

URL: <https://doi.org/10.1080/03069400.2023.2179306>
<<https://doi.org/10.1080/03069400.2023.2179306>>

This version was downloaded from Northumbria Research Link:
<https://nrl.northumbria.ac.uk/id/eprint/51388/>

Northumbria University has developed Northumbria Research Link (NRL) to enable users to access the University's research output. Copyright © and moral rights for items on NRL are retained by the individual author(s) and/or other copyright owners. Single copies of full items can be reproduced, displayed or performed, and given to third parties in any format or medium for personal research or study, educational, or not-for-profit purposes without prior permission or charge, provided the authors, title and full bibliographic details are given, as well as a hyperlink and/or URL to the original metadata page. The content must not be changed in any way. Full items must not be sold commercially in any format or medium without formal permission of the copyright holder. The full policy is available online: <http://nrl.northumbria.ac.uk/policies.html>

This document may differ from the final, published version of the research and has been made available online in accordance with publisher policies. To read and/or cite from the published version of the research, please visit the publisher's website (a subscription may be required.)



Modelling employability through clinical legal education: building confidence and professional identity

Jill Alexander

To cite this article: Jill Alexander (2023): Modelling employability through clinical legal education: building confidence and professional identity, The Law Teacher, DOI: [10.1080/03069400.2023.2179306](https://doi.org/10.1080/03069400.2023.2179306)

To link to this article: <https://doi.org/10.1080/03069400.2023.2179306>



© 2023 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group.



Published online: 13 Mar 2023.



Submit your article to this journal [↗](#)



Article views: 1318




View related articles [↗](#)



View Crossmark data [↗](#)

Modelling employability through clinical legal education: building confidence and professional identity

Jill Alexander 

School of Law, Northumbria University, Newcastle upon Tyne, UK

ABSTRACT



As the graduate recruitment market becomes increasingly competitive, gaining insight into the types of activity valued by students and employers to enhance employability is crucial to shape the employability agenda. This article reports on the findings of an innovative empirical study, designed to answer the research question, “What are the perceptions of alumni and employers of the impact of clinical legal education (CLE) on employability?”. This research makes an original and significant contribution to knowledge and academic practice from its novel conclusions and through capturing and articulating stakeholder voices that are underrepresented in the literature, namely alumni from less privileged backgrounds studying at a post-1992 university and employers who recruit and employ graduates with CLE experiences. From analysis of 22 semi-structured interviews, the data revealed that the alumni lacked confidence prior to engaging with CLE and evidenced for the first time that CLE enhanced employability by increasing confidence and inculcating a professional identity. This article makes recommendations and reveals a bespoke employability model to be used with CLE students to instruct them on the impact of CLE on employability. The model can be used to enrich the student experience through clear signposting of the benefits and purpose of CLE from an employability perspective.

ARTICLE HISTORY Received 3 August 2022; Accepted 8 February 2023

KEYWORDS Graduate employability; professional identity; clinical legal education; law firms; law schools

Introduction

There has been an exponential growth in academic interest in employability since the start of this century. This has been attributed to government policy over many years,¹ including most recently the requirement for universities to supply data on the employment of their graduates for national performance indicator

CONTACT Jill Alexander  jill.alexander@northumbria.ac.uk  School of Law, Northumbria University, Newcastle upon Tyne, UK, NE41 8ST

¹Michael Tomlinson, “Forms of Graduate Capital and Their Relationship to Graduate Employability” (2017) 59 *Education and Training* 338. The policies include Committee on Higher Education, *Higher Education Report of the Committee Appointed by the Prime Minister under the Chairmanship of Lord Robbins* (Cmnd 2154, 1963) (“Robbins Report”) para 25; National Committee of Inquiry into Higher Education, *Higher Education in the Learning Society* (HMSO 1997) (“Dearing Report”); Lord Sandy Leitch, *Prosperity For All in the Global Economy – World Class Skills. Final Report* (HMSO 2006).

© 2023 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group. This is an Open Access article distributed under the terms of the Creative Commons Attribution License (<http://creativecommons.org/licenses/by/4.0/>), which permits unrestricted use, distribution, and reproduction in any medium, provided the original work is properly cited.

purposes.² The employability agenda in higher education (HE) is not restricted to the UK but is a worldwide challenge.³ It is influenced by its many stakeholders, including policy makers, higher education institutions (HEIs), students, graduates and parents.

At macro level, the pressures of increased costs, higher fees and loans and a highly competitive global market mean that employability will continue to be a key focus of HE.⁴ At micro level, within legal education, there has been a fundamental change in the way solicitors are required to qualify as solicitors in England and Wales with the removal of the need for a “qualifying law degree” providing challenge to existing provision within the sector as having a law degree will no longer be a prerequisite to being admitted as a solicitor.⁵ This seismic shift in how solicitors become qualified will potentially have an impact on legal educators, as students will find themselves with more choice as to routes to qualification and therefore the value of a law degree to students will be under close scrutiny.⁶ With both macro and micro level challenges,⁷ it is unsurprising that Sommerlad refers to there being an “unprecedented transformation” in legal education.⁸

The employability discourse is rich and wide ranging as is the discourse on clinical legal education (CLE), but the intersection of employability and CLE has had limited consideration in the literature. In this study CLE relates to a module (CLE module), undertaken at Northumbria Law School within its Student Law Office (SLO), where students represent clients under supervision. There are a number of “definitional challenges”⁹ to the term employability which is unsurprising given it is of interest to a range of stakeholders and consequently has been interpreted in a number of different ways and has evolved and adapted over time.¹⁰ Holmes’s processual approach

²The Teaching Excellence Framework requires universities to publish data to measure performance including employment outcomes: BIS (Department for Business, Innovation and Skills), *Success as a Knowledge Economy: Teaching Excellence, Social Mobility and Student Choice* (Cm 9258, 2016); Andrew Gunn’s article provides an interesting overview of the Teaching Excellence Framework: Andrew Gunn, “Metrics and Methodologies for Measuring Teaching Quality in Higher Education: Developing the Teaching Excellence Framework (TEF)” (2018) 70 *Educational Review* 129.

³See for example Senia Kalfa and Lucy Taksa, “Cultural Capital in Business Higher Education: Reconsidering the Graduate Attributes Movement and the Focus on Employability” (2015) 40 *Studies in Higher Education* 580; Cookie M Govender and Susanne Taylor, “A Work Integrated Learning Partnership Model for Higher Education Graduates to Gain Employment” (2015) 46(2) *South African Review of Sociology* 43; Samo Pavlin and Ivan Svetlik, “Employability of Higher Education Graduates in Europe” (2014) 35 *International Journal of Manpower* 418.

⁴Ann Pegg and others, “Pedagogy for Employability” (The Higher Education Academy 2012) <www.advance-he.ac.uk/knowledge-hub/pedagogy-employability-2012> accessed 14 November 2022.

⁵A degree in any subject or an experience equivalent to a degree is acceptable, and from 1 September 2021, to qualify as a solicitor a national centralised assessment regime has been introduced, the Solicitors Qualifying Examination (SQE), see <www.sra.org.uk/students/sqe/> accessed 10 November 2022.

⁶The degree apprenticeship is also a route to qualification, see <www.lawsociety.org.uk/en/career-advice/becoming-a-solicitor/qualifying-without-a-degree/apprenticeships> accessed 2 July 2022.

⁷Discussed in more detail by Steven Vaughan, Linden Thomas and Bharat Malkani, “Clinical Legal Education Reimagined” in Linden Thomas and others (eds), *Reimagining Clinical Legal Education* (Hart Publishing 2018) 1–2.

⁸Hilary Sommerlad and others, “The Futures of Legal Education and the Legal Profession” in Hilary Sommerlad and others (eds), *The Futures of Legal Education and the Legal Profession* (Hart Publishing 2015) 1.

⁹Michael Tomlinson, “Introduction: Graduate Employability in Context: Charting a Complex, Contested and Multifaceted Policy and Research Field” in Michael Tomlinson and Leonard Holmes, *Graduate Employability in Context, Theory, Research and Debate* (Palgrave Macmillan 2017) 5.

¹⁰See for example, Stella Williams and others, “A Systematic Review of Current Understandings of Employability” (2016) 29 *Journal of Education and Work* 877; Lee Harvey, “Defining and Measuring Employability” (2001) 7 *Quality in Higher Education* 97; Alex Tymon, “The Student Perspective on Employability” (2013) 38 *Studies in Higher Education* 841.

influenced this study,¹¹ reflecting the positioning of this research as advancing employability beyond the acquisition of skills to embrace a more nuanced conceptualisation of employability. The skills development approach to employability has been criticised as “too narrow”, does not “fully capture the complexity of graduate work-readiness”¹² and can appear to “blame”¹³ graduates for their perceived absence of the “right” skills. The processual approach recognises that employability is complex and multifaceted and captures how graduates construct their identity and the actions they take to position themselves within the labour market.¹⁴ Within the processual construct, Holmes devised a model (modalities of emergent identity) which attempts to show the trajectories of individuals as they transition *in, through and on from* education and/or training and into employment. If a claimed identity is affirmed by others (employers) it becomes an “agreed” identity; if it is disaffirmed it becomes a “failed” identity, which might result in the graduate being employed but not in a graduate position. The individual may not agree with how they are being ascribed or may later change their mind in relation to a particular job, in which case they have an “imposed” identity. Finally, there may be an indeterminate position where the interactions have not resulted in a definitive judgment, and this is called the “indeterminate” identity.¹⁵ Based on the research findings, Holmes’s model was developed by applying it beyond the trajectories of individual graduates to position it within a specific academic context, namely CLE. The new model looks at how professional identities developed from clinical experiences are claimed, disclaimed, affirmed and disaffirmed. Alumni and employer perceptions of the impact of CLE are explored through this frame of reference.

While Holmes focused on graduate identity, this research extended that construct to the development of a professional identity, which is particularly relevant where students are engaging with a CLE module. There is a paucity of literature that explores the development of professional identity through university, as was established by Trede and others¹⁶ who struggled to find a definition of professional identity, other than this “sense of being a professional”.¹⁷ They connected elements of professional identity to the pressure HEIs face in preparing graduates for the world of work and refer to that preparation as including learning professional roles, understanding workplace cultures, commencing the professional socialisation process and educating towards citizenship.¹⁸ In reviewing the literature they focus on the notion that professional identity “is a way of being and a lens to evaluate, learn and make sense of practice”.¹⁹ Ryan and Carmichael refer to professional identity as involving

¹¹Leonard Holmes, “Competing Perspectives on Graduate Employability: Possession, Position or Process?” (2013) 38 *Studies in Higher Education* 538.

¹²Denise Jackson, “Re-conceptualising Graduate Employability: The Importance of Pre-professional Identity” 35 (2016) *Higher Education Research & Development* 925, 925.

¹³Philip Brown, Anthony Hesketh and Sara Williams, “Employability in a Knowledge-driven Economy” (2003) 16 *Journal of Education and Work* 107, 110.

¹⁴Leonard Holmes, “Reconsidering Graduate Employability: The ‘Graduate Identity’ Approach” (2001) 7 *Quality in Higher Education* 111; Holmes, “Competing” (n 11).

¹⁵Holmes, “Reconsidering” (n 14); Holmes, “Competing” (n 11); Leonard Holmes, “Becoming a Graduate: The Warranting of an Emergent Identity” (2015) 57 *Education + Training* 219.

¹⁶Franziska Trede, Rob Macklin and Donna Bridges, “Professional Identity Development: A Review of the Higher Education Literature” (2012) 37 *Studies in Higher Education* 365, 368.

¹⁷Margo Paterson and others, “Clinical Reasoning and Self-directed Learning: Key Dimensions in Professional Education and Professional Socialisation” (2002) 4(2) *Focus on Health Professional Education* 5, 6.

¹⁸Trede, Macklin and Bridges (n 16) 365.

¹⁹Trede, Macklin and Bridges (n 16) 374.

... the understanding and application of particular disciplinary knowledge and skills that mark us out as members of a profession including an understanding of accepted ways of knowing, relating and being in that field.²⁰

While there is anecdotal evidence that CLE has employability benefits, there is no academic literature supporting this in the UK context, although extensive literature exists on CLE and the development of skills and attributes within a clinical setting.²¹ Given the importance of employability in HE and the cost of running clinical programmes, empirical evidence of the impact of CLE on employability is crucial for debate and development. There is currently no empirical evidence from employers who recruit and employ graduates with CLE experiences, making this research uniquely placed to fill that gap. Capturing alumni perceptions is also important, with Kemp and others calling for empirical research on the effect of clinical activities on careers to be explored.²² This important and timely research adds to the existing literature, which is limited from a qualitative perspective.²³ It offers significant new insights since it involves predominantly self-described working-class alumni from a post-1992 university who undertook a compulsory credit bearing CLE module. This article begins by explaining the context of the study before providing an overview of the methodology and then presenting the findings within the context of a new model. The model provides a new approach to supporting students undertaking CLE gaining greater insights into the employability benefits of this type of pedagogy and in how to use that to their advantage within the graduate recruitment market.

The context of the study

The site of this study was the Student Law Office (SLO) at Northumbria University which started in 1981 and is one of the longest running clinical programmes in the UK. At Northumbria, clinic is an accredited module (CLE module) that offers a full casework model, where students represent clients under the supervision of professionally qualified law staff. The areas of law offered are dependent on the teaching team, but generally include business law, welfare law, housing, employment, general civil and consumer, crime including criminal appeals, and family cases. Students are assessed and graded on their clinical performance and each student submits a portfolio comprising the work they have completed over the year.

²⁰Mary Ryan and Mary-Ann Carmichael, "Shaping (Reflexive) Professional Identities Across an Undergraduate Programme: A Longitudinal Case Study" (2016) 21 *Teaching in Higher Education* 151, 151.

²¹Rachel Dunn, "A Systematic Review of the Literature in Europe Relating to Clinical Legal Education" (2017) 24(2) *International Journal of Clinical Legal Education* 81; Rachel Dunn, "The Knowledge, Skills and Attributes Considered Necessary to Start Day One Training Competently and Whether Live Client Clinics Develop Them" (PhD thesis, Northumbria University 2017) <<http://nrl.northumbria.ac.uk/36261/>> accessed 10 November 2022.

²²Vicky Kemp, Tine Munk and Suzanne Gower, "Clinical Legal Education and Experiential Learning: Looking to the Future" (A Report commissioned by the University of Manchester, School of Law, 2016) 55 <<https://core.ac.uk/download/pdf/78911073.pdf>> accessed 10 November 2022.

²³See a UK pilot research project interrogating stakeholder perceptions of CLE framed around the CBI/NUS model of employability: Jill Alexander and Carol Boothby, "Stakeholder Perceptions of Clinical Legal Education Within an Employability Context" (2018) 25(3) *International Journal of Clinical Legal Education* 53; and a further UK study which used a survey to explore students' and alumni's perceptions of a voluntary clinical experience in a Russell Group university: Sarah Blandy, "Enhancing Employability Through Student Engagement in Pro Bono Projects" (2019) 26(1) *International Journal of Clinical Legal Education* 7.

While it is the case that not all law students will be employed as a solicitor or barrister, most of those studying law degrees in England and Wales intend to be so when they enrol on the programme.²⁴ Law students are entering a highly competitive jobs market due to the mismatch between students graduating with a law degree and the number of graduate positions.²⁵ As a law school with a strong commitment to CLE, a greater understanding was needed of the impact CLE can have on employability and how to optimise this impact. Perceptions from alumni and employers' perspectives are imperative to assist law students in navigating this highly competitive world, and to support and shape the employability agenda within HEIs. With social mobility stagnating²⁶ and access to the professions in the UK becoming "significantly more difficult for less privileged people",²⁷ the perceptions of alumni who studied in a post-1992 university offer important and impactful viewpoints to contribute to the discourse. With ever increasing numbers of students engaging with law clinics,²⁸ this study will be of significance to both legal educators and law students.

Methodology

This research is positioned within social constructionist assumptions and is informed by a broadly interpretivist perspective where alumni and employer perceptions of CLE were explored using a qualitative methodology. Semi-structured interviews were used to elicit the data since they can "achieve a level of depth and complexity".²⁹ Ethical approval for this study was granted and the research was conducted in accordance with Northumbria University's policies on ethics.

The approach taken to selecting participants was purposive.³⁰ Participants were not selected at random but were selected in a strategic way so they could address the research question,³¹ which was "What are the perceptions of alumni and employers of the impact of CLE on employability?". Consequently, selection had to be from alumni and employer groups who would be able to speak on the topics and issues that were

²⁴Melissa Hardee, "Career Expectations of Students on Qualifying Law Degrees in England and Wales: A Legal Education and Training Survey" (The Higher Education Academy 2012); Melissa Hardee, "Career Expectations of Students on Qualifying Law Degrees in England and Wales Interim Report: Comparing the First Year of the Cohort Study in 2012-2013 with the UKCLE Study March 2012" (The Higher Education Academy 2014).

²⁵Within the legal sector for example, in 2020–21, 31,585 UK students applied to study law at undergraduate level in England and Wales; 21,650 were accepted. To give a context to this figure, there were 5495 law training contracts and 371 pupillages, see Law Society, *Becoming a Solicitor: "Entry Trends"* <www.lawsociety.org.uk/career-advice/becoming-a-solicitor/entry-trends> and Bar Standards Board, "Pupillage Statistics" <www.barstandardsboard.org.uk/media-centre/research-and-statistics/statistics/pupillage-statistics/> accessed 10 November 2022.

²⁶Social Mobility Commission, *State of the Nation 2018-19: Social Mobility in Great Britain* (OGL 2019) page v reported that social mobility has stagnated over the last four years at virtually all stages from birth to work <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/798404/SMC_State_of_the_Nation_Report_2018-19.pdf> accessed 10 November 2022.

²⁷Louise Ashley and Laura Empson, "Differentiation and Discrimination: Understanding Social Class and Social Exclusion in Leading Law Firms" (2013) 66 *Human Relations* 219, 220.

²⁸Damian Carney and others, "The LawWorks Law School Pro Bono and Clinic Report 2014" (2014) 10 <www.lawworks.org.uk/sites/default/files/LawWorks-student-pro-bono-report%202014.pdf> accessed 10 November 2022.

²⁹Bridget Byrne, "Qualitative Interviewing" in Clive Seale (ed), *Researching Culture and Society* (4th edn, Sage 2018) 221.

³⁰Virginia Braun and Victoria Clarke, *Successful Qualitative Research: A Practical Guide for Beginners* (SAGE Publications 2013) 56.

³¹Alan Bryman, *Social Research Methods* (4th edn, Oxford University Press 2012) 418.

relevant to the research question. Each group had to meet certain selection criteria. For alumni, only those who had undertaken a CLE module could participate. The alumni participants had to have secured employment, whether that was within the legal or non-legal sector. In relation to employers, they needed to be involved in the recruitment of graduates and/or the supervision of graduates who have completed a CLE module.

The study sought perspectives from a range of graduate roles since the nature of the legal sector has changed in recent years with more paralegal positions being created. Therefore, paralegals and graduates in non-law jobs were included as not all law students ultimately pursue careers in law. Of the 12 alumni interviewed, 10 worked in the legal sector (six as paralegals, three as trainee solicitors and one as a solicitor), one alumnus worked in the financial sector as a tax assistant and the other was on a graduate training scheme in a local authority. The majority of the alumni self-described as working-class and pseudonyms were used to ensure anonymity.

All the employer participants were based in the north-east of England and were either senior lawyers or graduate recruitment specialists. Of the 10 employers interviewed, nine worked in the legal sector (six lawyers, two legal recruitment specialists and one head of operations). The non-legal employer was a learning and organisational development manager in a local authority. This participant was included in the data in order to allow their “voice” to be heard because they offered valuable and interesting insights. The focus of the interpretivist perspective is on gaining a greater understanding rather than establishing generalisability from a large sample size. After 12 alumni interviews and 10 employer interviews, no new themes developed from the data.³²

The interviews were all carried out face to face and ranged in duration from 45 minutes to an hour and a half. The interviews were audio-recorded and transcribed by an external transcription service approved by Northumbria University. The approach chosen to analyse and interpret the interview data aligns with Braun and Clarke’s six phases of thematic analysis.³³ The six phases consist of familiarisation with the data; generating initial codes; searching for themes; reviewing the themes; defining and naming the themes; and producing the report. As Braun and Clark remark, “themes do not passively emerge from data” but are the “product of deep and prolonged data immersion”.³⁴

Findings

The findings have been used to develop an innovative new model (Figure 1). This bespoke employability model is based on Holmes’s model of modalities of emergent identity.³⁵ Holmes’s model has been adapted to reflect the findings of this study to demonstrate how employability is enhanced through CLE and professional identity construction. The model signposts the actions taken when professional identities are claimed, disclaimed, affirmed and disaffirmed. The model should be used from the start

³²Barney G Glaser and Anselm L Strauss, *The Discovery of Grounded Theory: Strategies for Qualitative Research* (Aldine 1967) 61.

³³Virginia Braun and Victoria Clarke, “Using Thematic Analysis in Psychology” (2006) 3 *Qualitative Research in Psychology* 77.

³⁴Virginia Braun and Victoria Clarke, “Reflecting on Reflexive Thematic Analysis” (2019) 11 *Qualitative Research in Sport, Exercise and Health* 589, 591.

³⁵Holmes, “Reconsidering” (n 14); Holmes, “Competing” (n 11); Holmes, “Becoming” (n 15).

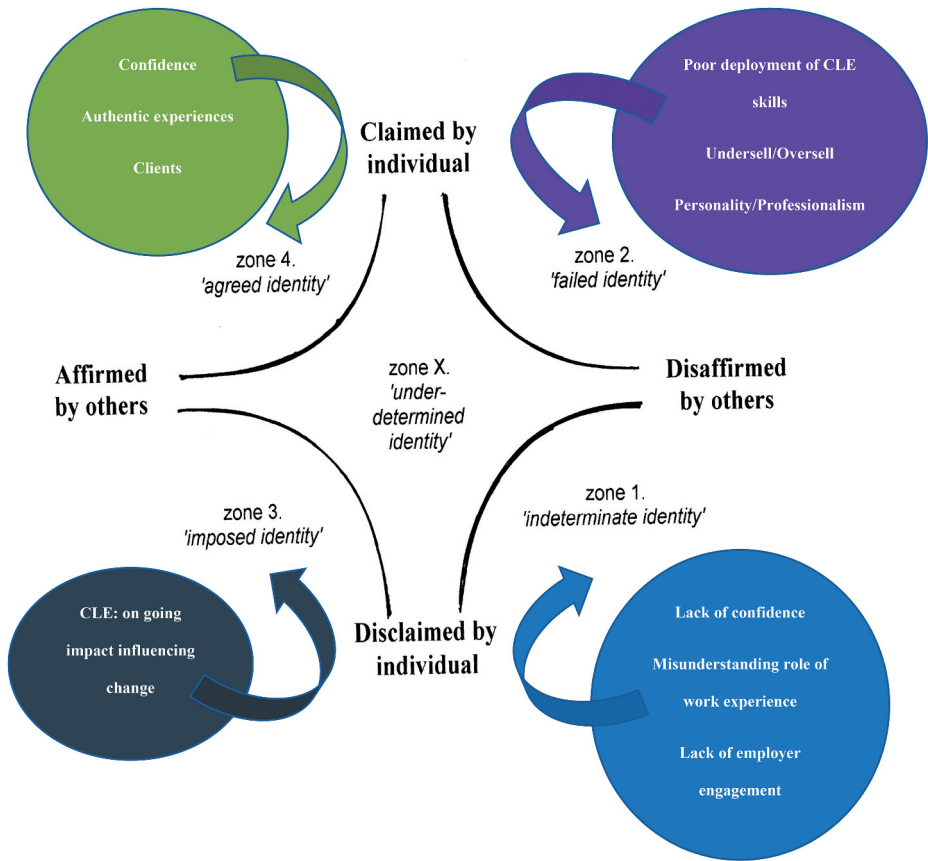


Figure 1. Enhancing employability through CLE and professional identity construction (developed from Holmes's model).^a

^aHolmes, "Reconsidering" (n 14); Holmes, "Competing" (n 11); Holmes, "Becoming" (n 15).

of any clinical activities and will significantly improve the student experience by instructing them on the benefits and purpose of CLE to enhance employability and support students as they construct a strong employability narrative.

In the following section, the model and the findings that underpin it will be explained.

Zone 1: indeterminate identity

Zone 1 in the lower right of [Figure 1](#) and labelled "indeterminate identity" shows that prior to the CLE module, the alumni's professional identity was indeterminate. This was because a claim to be recognised as a professional being worthy of being employed either has not been made (ie has been disclaimed by the alumni because no job application has been made) or has been made and has been disaffirmed (ie rejected by an employer). From the findings, the reasons for identity being disclaimed or disaffirmed are listed in the circle and each will be considered.

Lack of confidence

Prior to participating in the CLE module, the majority of the alumni reported that they lacked confidence during their early years at university, which had an impact on them in a number of negative ways. These included not joining societies, not engaging with employers, delaying applying for graduate jobs and anxiety around interacting with peers and clients. Only one alumnus did not describe themselves as lacking confidence. This was a self-describing middle-class student who had secured a training contract at first attempt in the second year of their studies.

The majority of the alumni in the study described themselves as working-class, and as one alumnus said, their background meant they were moving in “unchartered territory”. This affected their confidence and self-belief, worrying that they may not be any good at being a lawyer. Another provided insight into why they did not apply for any training contracts. Rowan said they had not applied because, “I wasn’t going to be successful” and did not apply to any large commercial firms because,

I always thought that these kind of law firms were for someone that wasn’t like me [working-class].

It is perhaps worth reflecting from these findings that in building an employability narrative, the greatest challenge for some students may not be having that externally validated by employers. It may be in convincing themselves before they do the CLE module that they can be lawyers.

Misunderstanding the role of work experience

The difficulties faced by non-traditional students being able to demonstrate their understanding of the legal profession during work experience, noted by Francis and Sommerlad, resonates with responses from one alumnus.³⁶ Jay was not considered for a training contract after their first vacation placement as they had been told they were not ready to speak to clients. Jay attributed this to their failing to understand what had to be demonstrated during a vacation placement; they had thought it was just about getting to know people and so spent too much time doing that, but Jay learnt the priority was to:

... get the work done ... if it’s not done by 5 o’clock, stay a bit later and do it.

Jay clearly failed to appreciate the practices that were appropriate in that occupational context, leading to their professional identity claim being disaffirmed by the employer.³⁷

While the alumni shared similar views on work experiences, it was apparent that they had not been clear on the purpose of legal work experience before doing it, only realising later that those experiences linked to training contracts were effectively “tests”. There was surprise at the lack of exposure to legal work during work experience. This finding suggests providing students with clearer guidance on the variety of work experience types and what to expect from each would be beneficial in building an understanding of the occupational context.

³⁶Andrew Francis and Hilary Sommerlad, “Access to Legal Work Experience and Its Role in the (Re)production of Legal Professional Identity” (2009) 16 *International Journal of the Legal Profession* 63, 78.

³⁷Holmes, “Competing” (n 11) 544.

Lack of employer engagement

The literature supports a conceptualisation of employability, where students engage with different landscapes of practice or networks³⁸ to build their professional identity so they can present what has been referred to as compelling narratives that convey their identities.³⁹ Despite alumni claiming to appreciate that they needed to network and professionally socialise with employers, many did not participate in the opportunities to meet employers through university-organised career fairs and other employer events.⁴⁰ Some insight was provided by the alumni into why this was the case, which refers back to the issue of confidence. Jay referred to being “scared of the unknown” and not really thinking at the early stages of university about “the end goal”. While the findings support the role professional socialisation plays in the cultivation of a professional identity, it is clear that not all the alumni appreciated how important professional socialisation was in gaining insights into the legal sector: insights that would have helped them frame the employability narrative employers expected in this sophisticated and complex market.

Sharing these findings from Zone 1 with students as they commence their CLE studies will offer valuable understandings. It may reflect and validate how they are feeling (underconfident) and provide insights into what may have halted their success in securing a graduate position so far.

Zone 2: failed identity

This zone is labelled “failed identity”. It is situated in the top right of [Figure 1](#) and at this point the alumni have undertaken the CLE module. Here a claim by alumni to a professional identity has been made but has been rejected by employers (dis-affirmed) and therefore failed. The reasons for this are listed in the circle, being a consequence of poor deployment of the skills and attributes gained during the CLE module through underselling or overselling the CLE experiences or lacking “personality” or “professionalism”.

Poor deployment: undersell or oversell

The employers in this study said that applicants (with CLE experience) always mentioned it in some way in the recruitment process and expected them to do so, with Bobby commenting “I think it is worth talking about”. All the employers in this study knew of the CLE module and recruited extensively from Northumbria Law School. The employers agreed that using the CLE module to demonstrate the development of skills and attributes was the right approach to take. While some applicants were adept at

³⁸Jackson (n 12) 926; Tomlinson, “Forms” (n 1) 342; Ann-Marie Bathmaker, Nicola Ingram and Richard Waller, “Higher Education, Social Class and the Mobilisation of Capitals: Recognising and Playing the Game” (2013) 34 *British Journal of Sociology of Education* 723.

³⁹Phillip Brown, Anthony Hesketh and Sara Williams, *The Mismanagement of Talent: Employability and Jobs in the Knowledge Economy* (Oxford University Press 2004) 36; Tomlinson, “Forms” (n 1) 346.

⁴⁰Other studies have shown lack of student engagement with career guidance before graduation, see for example, Ruth Bridgstock, “The Graduate Attributes We’ve Overlooked: Enhancing Graduate Employability Through Career Management Skills” (2009) 28 *Higher Education Research & Development* 31, 40; Fiona Christie, “Careers Guidance and Social Mobility in UK Higher Education: Practitioner Perspectives” (2016) 44 *British Journal of Guidance & Counselling* 72, 77.

using the CLE module to demonstrate skills and attributes, some employers felt this could be done better. Taylor commented that sometimes applicants could be “rather vague” about their CLE experiences, and they needed to be able to “articulate these things” [what they did in the CLE module] really well.

The employers had mixed views on how case work should be used. Some were interested in the detail of what the case had been about while others preferred the applicants to focus more broadly on what skills they had developed from their cases. Employers were interested in applicants demonstrating they can apply the law and wanted the CLE module to be used to demonstrate that applicants were self-aware. While they wanted explanations of what the applicant had done, they also expected reflection on their performance. This included being able to clearly explain what had gone well and what they would do differently next time. Drew cautioned against using the CLE module as a “tick box”, saying:

From the student’s perspective it’s important for them to understand as well that not just by doing the SLO or doing similar courses means that they have got the skills, sometimes because they’ve done it . . . it almost becomes a tick box on an application form to sort of say we’ve done the SLO that means “I’m great”, well you’re not telling me why you think it’s helped you and that comes down to the application form.

A key question during recruitment and selection is around why someone wants to be a lawyer. Employers felt that the CLE module could be used to demonstrate that they understood what the role entailed. However, while there was consensus around using the CLE module to show they were worthy of being employed, there was a clear message from some employers about the deployment of the CLE experience. A criticism made was that some applicants oversell their CLE experience, with Jesse saying that to avoid oversell they thought “the better way of doing it is for them to accept the level of responsibility they have versus what they perhaps want to *think* they’ve had”. That meant they had to have an appreciation of the context of their experiences. By overselling their experiences, they could give the impression of a naivety around understanding the realities of working in a law firm, with Frankie saying:

I think there’s a little bit of oversell because I think the SLO is good, I think it’s got its place and it gives them some good experience . . . however it is different to being let loose in practice and you worry if they think that they’re ready to run their own caseload here, that they’re actually a little bit naïve about what the world’s like out there.

The employers had mixed views on applicants treating the CLE module as if it were a more traditional form of work experience, which was tentatively discussed by Thomas. However, because the employers in Thomas’s study had not actually dealt with applicants with CLE experience the question was a theoretical one.⁴¹ The empirical evidence in this study does align with Thomas’s tentative conclusions in that for some employers, it was as valued as the more traditional forms of work experience. For others, it should be supplemented by seeing what an actual legal environment is like. One of the employers, Archer said:

⁴¹Linden Thomas, “It Puts the Law They’ve Learnt in Theory into Practice: Exploring Employer Understandings of Clinical Legal Education” in Linden Thomas and others (eds), *Reimagining Clinical Legal Education* (Hart Publishing 2018).

I would like it if they did because it [traditional work experience] gives them that variety, the student law office is great but it's a bubble, it's a very nice kind supportive environment which is obviously what all law firms should be but in reality they're not and I think it's good if people can actually see what it's really like in the environment of a law firm as well as the longer term experience, that's ideal but having said that, if I had to rank it is probably say first student law office and then work experience of the traditional sort.

On a broader issue, all the employers emphasised how important it was for applicants to recognise the skills that they had developed from everything they were engaging with. Some employers felt applicants underestimated the value of the skills that could be developed in for example part-time jobs. Jude, Frankie and Drew referred to applicants being self-aware so they can not only identify the skills they have developed from across all their experiences but can then explicitly match those skills to the job they are applying for. This requires a level of specificity that is sometimes lacking in applications and without that the professional identity that is being claimed by the applicant cannot be affirmed by the employer.

Employers referred to wanting well-rounded applicants and looked beyond university experiences to judge this. The legal employers wanted applicants who were committed to the sector (and the region) but their views on how commitment to the sector could be demonstrated did vary. There was consensus on wanting applicants to show commitment to the firm and the region, but employers felt applicants did not always fully understand what they were looking for. Bailey said this could involve looking beyond the firm website, at local newspapers, the wider media, projects they had been involved in or researching one of their clients. For Devin and Drew part of that research would be knowing who was going to interview you and having questions you could ask them. This again demonstrates that while applicants understand what employers are looking for in general terms, they sometimes lack the deeper understanding of what they need to do to demonstrate their interest.

What really stood out, and had not been seen in the literature, was the overwhelmingly glowing positivity from the non-legal employer to the experiences gained during the CLE module by one of their graduates. While only one non-legal employer was interviewed, it does provide an important insight into the potential transferability of this type of CLE experience into different graduate sectors.

As the graduates transitioned into the workplace, there were some very positive comments from employers with consensus around CLE graduates performing well in the workplace through being practical and more willing to speak to people, thus the professional identity developed from the CLE experiences extended into the workplace.

Personality and professionalism

What has been discussed so far positions employability within the agency of the individual as they make claims to have their professional identities affirmed. However, there is a further element that should not be ignored, particularly as this study involves alumni from a post-1992 university, many from working-class backgrounds, referred to as "outsiders" by Sommerlad.⁴² This connects to what has been referred to in the

⁴²Hilary Sommerlad, "Researching and Theorizing the Processes of Professional Identity Formation" (2007) 34 *Journal of Law and Society* 190, 198; Hilary Sommerlad, "The 'Social Magic' of Merit: Diversity, Equity, and Inclusion in the English and Welsh Legal Profession" (2015) 83 *Fordham Law Review* 2325, 2331.

literature as the positional conceptualisation of employability,⁴³ which relates to social and cultural capital, substantial factors in legal recruitment.⁴⁴ These social and contextual factors are part of the processual approach, which influenced this study, as identity claims do not exist in a vacuum.⁴⁵

What was evident from the data was the employers' emphasis on personality and fit, which aligns with existing research.⁴⁶ Employers looked holistically at the applicants' experiences beyond standard undergraduate studies as a way of judging whether a particular personality would fit into their organisation. Employers did accept how difficult it was to define exactly what they were looking for in graduates but referred to graduates being their authentic selves and showing their personality. Personality was linked to several traits including hard work and drive and what was interesting from the data was that employers placed great weight on confidence and fit. This was linked to a strong consensus around expecting applicants to be "professional" and/or "appropriate" during the recruitment process. These rather nebulous concepts did seem to be intertwined with their lack of specificity, perhaps making it more challenging for the non-traditional graduates to interpret and then enact during the recruitment process.

Unlike in other studies the employers did not make any explicit references to "polish"⁴⁷ although there were references to how applicants dressed and behaved. Surprisingly given the literature,⁴⁸ only one employer referred to accent. That was not in the context of it being a problem per se, but that in this particular applicant their accent was so strong that they could not be understood. A possible explanation of "polish" not being mentioned or a broader consensus on accent is likely to be the regional focus of this study.

The picture that developed from the findings was that the assessment of whether or not someone was professional appeared to be primarily determined by whether they could put an applicant in front of a client. Taylor for example said they were:

... looking for somebody that I feel I could put in front of one of my [named]⁴⁹ clients tomorrow ... and they could maintain a professional relationship.

It was clear from the employer data that some applicants did not present the professionalism expected by the employers and this may be linked to a perceived absence of social and/or cultural capital. When combined with the early recruitment practices of larger firms, this gives students who lack "professionalism" little time within university to develop it if they apply at the earliest opportunity. These applicants may not have had the benefit of the social networks and the cultural capital that provides the

⁴³Holmes, "Competing" (n 11) 538.

⁴⁴Francis and Sommerlad (n 36) 65.

⁴⁵Holmes, "Competing" (n 11) 540.

⁴⁶Mohamed Branine, "Graduate Recruitment and Selection in the UK: A Study of Recent Changes in Methods and Expectations" (2008) 13 *Career Development International* 497, 511.

⁴⁷Polish has been characterised as a high level of confidence; strong communication skills; and a "professional" presentation with respect to dress and appearance, see Louise Ashley and Laura Empson, "Understanding Social Exclusion in Elite Professional Service Firms: Field Level Dynamics and the 'Professional Project'" (2017) 31 *Work, Employment and Society* 211, 222.

⁴⁸See for example, Hilary Sommerlad and others, "Diversity in the Legal Profession in England and Wales: A Qualitative Study of Barriers and Individual Choices" (Legal Services Board 2010); Ashley and Empson, "Differentiation" (n 27) 224; Erez Levon, Devyani Sharma and Christian Ilbury, "Speaking Up: Accents and Social Mobility" (The Sutton Trust 2022) <www.suttontrust.com/wp-content/uploads/2022/11/Accents-and-social-mobility.pdf> accessed 14 December 2022.

⁴⁹Name redacted for confidentiality purposes.

framework for more privileged students to perform in ways that are part of the professional norm. One employer did make a reference to that. Consequently, disadvantage faced by these outsiders meant they struggled to deliver a confident performance at interview and thus were judged not to be a fit for the firm as they would not have the “personality” or lacked the “professionalism” to be put in front of a client. The alumni barely referenced structural inequalities, which reflects the literature where lack of success is attributed to a personal deficit.⁵⁰

The regional focus of this study may account for the less obvious references to social and cultural capital that had been seen in other studies, which have focused on employers from the London-centric elite legal sector.⁵¹ However, the references to being “professional” and/or “appropriate” during the recruitment process perhaps bring this in by proxy.

In sharing these findings from Zone 2 with students, they will have an appreciation of what employers expect them to demonstrate in the recruitment process.

Zone 3: imposed identity

Zone 3 is situated in the bottom left of [Figure 1](#) and is labelled “imposed identity”. It shows an identity that has been affirmed by an employer (evidenced by the alumni securing a graduate position) but is disclaimed by the alumni. From the findings, the reason for this imposed identity is shown in the circle and relates to a situation where CLE graduates question their existing role because of their CLE experiences. Consequently, they do not feel this is an identity they want ascribed to them and they decide to change role due to the experiences they had of dealing with clients and cases during the CLE module. Both Blair and Casey reported that their CLE experience propelled them to move jobs. For Casey, this meant a move into the legal sector from a position in local government, and for Blair, a move to a smaller organisation so they could have client contact, which they realised was important to the quality of their working life.

Zone 4: agreed identity

Zone 4 is labelled “agreed identity” and is in the top left hand side of [Figure 1](#) and shows a professional identity that has been both claimed by alumni and affirmed/agreed by employers. The circle lists the reasons from the findings for this successful claim and these are based on the confidence gained from the CLE module through authentic experiences and dealing with clients. Confidence is such a powerful trait, Yorke and Knight’s model of employability includes efficacy beliefs and self-theories drawing on work by Dweck.⁵² They argue that self-beliefs are “more powerful as determinants of people’s action than other parameters”, including their level of intelligence.⁵³ However,

⁵⁰See for example, Sommerlad, “Researching” (n 42); Sommerlad, “The ‘Social Magic’” (n 42); Heather Rolfe and Tracy Anderson, “A Firm Choice: Law Firms’ Preferences in the Recruitment of Trainee Solicitors” (2003) 10 *International Journal of the Legal Profession* 315.

⁵¹Ashley and Empson, “Understanding” (n 47).

⁵²Carol S Dweck, *Self-theories: Their Role in Motivation, Personality, and Development* (1st edn, Psychology Press 2000).

⁵³Peter T Knight and Mantz Yorke, “Employability Through the Curriculum” (2002) 8 *Tertiary Education and Management* 261, 266.

while it is generally agreed that confidence is a key element of employability development, it is less clear how HE can develop it pedagogically.⁵⁴

Boosting confidence

One of the most striking findings of this study was the effect CLE had on confidence. There was a dominant consensus from the alumni data that engaging in the CLE module had boosted their confidence. They had then been able to harness this confidence and utilise it not only in their studies but in their graduate job applications and as they transitioned into the workplace.

By engaging with legal case work, students appear to build their self-efficacy as they experience success or mastery of the cases they have been assigned.⁵⁵ These experiences can involve facing challenges but because they have built their self-belief through mastery experiences, they believe they have, “control over their own success in that context and will work harder to rise to a new challenge”.⁵⁶ That view would certainly appear to be supported by the findings in this study, with Blair saying:

I was in the business firm in the SLO and it didn't put me off, it didn't kind of . . . it just made me think “oh yeah I do kind of want to do business” . . . it was one of those and . . . based on the Companies Act and lots of legislative stuff and I still wanted to work with the companies, I still wanted to be involved with those decisions and I think, because I'd seen things go wrong, for it to come to the SLO, I was thinking, no, I would like to, probably, keep working and sorting these things out.

The CLE module had provided the link these working-class students needed to see their “future selves” as lawyers.⁵⁷ Jay gained reassurance from the experience that they “could do the job” and that they could “prove” that to an employer through the high grade they had gained during the CLE module. Charlie added:

. . . it wasn't really until being in the SLO and that sort of exposure that I decided actually, yeah, that's something I could go into now, so I actually thought about really applying more . . . I could actually see myself doing it as a career.

The findings support confidence being enhanced when the alumni commenced graduate jobs, not just in terms of skills enhancement but in finding the transition to work being less daunting. Kit commented that, “it actually prepares you so much more that I think people realise, than I even realised”, and that appears to be the case even across non-legal employment. Casey (a local authority graduate trainee) told me that without the CLE module they would have “felt like I'd started three or four steps back from what I actually started on”.

The alumni referred to their confidence being boosted as their experiences made them stand out from other graduates. Blair said that while interviewing skills improve

⁵⁴Jane Artess, Tristram Hooley and Robin Mellors-Bourne, “Employability: A Review of the Literature 2012 to 2016, A Report for the Higher Education Academy” (2017) <www.advance-he.ac.uk/knowledge-hub/employability-review-literature-2012-2016> accessed 10 November 2022.

⁵⁵Albert Bandura argues mastery experiences are the most effective way to build self-efficacy, Albert Bandura, “Exercise of Personal and Collective Efficacy in Changing Societies” in Albert Bandura (ed), *Self-Efficacy in Changing Societies* (Cambridge University Press 1995) 3.

⁵⁶Nancy K Turner, “Development of Self-belief for Employability in Higher Education: Ability, Efficacy and Control in Context” (2014) 19 *Teaching in Higher Education* 592, 597.

⁵⁷Andrew Francis, “Legal Education, Social Mobility, and Employability: Possible Selves, Curriculum Intervention, and the Role of Legal Work Experience” (2015) 42 *Journal of Law and Society* 173.

with practice, “at least I was a lot further on with that practice than other people”. Cameron referred to the differing skill sets of fellow employees who have not had a CLE experience and who “tend to focus more on an academic level” and do not have the same level of skills in communication and teamwork.⁵⁸ The employers shared extremely positive attitudes in relation to how well the CLE graduates performed in the workplace, with some employers comparing their performance to non-CLE graduates who they felt were less ready for the workplace.

What is abundantly clear is the significance of confidence as the currency for success. When students lack it, they make choices and decisions that, while understandable, limit their opportunities and their horizons. The findings demonstrate the hugely positive impact of the CLE experiences on employability, particularly for the alumni who described themselves as working-class. For those alumni, the CLE experience appeared to be the catalyst that sparked the confidence boost that allowed them to see themselves as future lawyers. While anecdotal evidence has made claims in the past to CLE increasing confidence, with scant empirical evidence,⁵⁹ this study offers important and encouraging findings confirming these anecdotal claims.

Unsurprisingly, given what has been seen from the data regarding confidence, there were no dissenting voices on the importance of this module and on how much the alumni had gained from it. Alex proclaimed it to be the “most valuable thing I did at university”.⁶⁰ The findings revealed why the CLE module is valued so highly. Alumni provided a range of reasons for this including learning to apply the law, learning to manage feedback, developing skills, and dealing with clients, all employability-enhancing concepts. Additionally, there was the powerful factor of enjoyment. Rowan elaborated on this, saying how hard studying law was and that they were starting to “fall out of love with doing it” until they did the CLE module, which restored that feeling. This is a striking endorsement of the impact of this type of pedagogy.

Authentic experiences and dealing with clients

The alumni data supported the finding that the CLE module had played a part in alumni constructing their professional identity. It would appear from the findings on confidence explored above that, prior to doing the CLE module, many of the alumni did not have a sense of their professional identity. This developed through what has been referred to in the literature as “authentic experiences”,⁶¹ which they gained during the CLE module. Often law schools are accused of teaching students to think like lawyers but not how to practise like lawyers.⁶² However, through these CLE authentic experiences, where Casey (alumnus) described what they did during the CLE module as being

⁵⁸Skills enhancement through the CLE module is consistent with the literature; see Bryan F Taylor, “Through the Looking Glass: Perceptions of The Law School Learning Experience” (2015) 61 *Loyola Law Review* 275, 278; Blandy (n 23); Francina Cantatore, “The Impact of Pro Bono Law Clinics on Employability and Work Readiness in Law Students” (2018) 25(1) *International Journal of Clinical Legal Education* 147; Francina Cantatore and others, “A Comparative Study into Legal Education and Graduate Employability Skills in Law Students Through Pro Bono Law Clinics” (2021) 55 *The Law Teacher* 314.

⁵⁹See the comparative (Australia, Chile and South Africa) study by Cantatore and others, “A Comparative Study” (n 58).

⁶⁰These views are supported in the American literature, see Rebecca Sandefur and Jeffrey Selbin, “The Clinic Effect” (2009) 16 *Clinical Law Review* 57, 85; Taylor (n 58) 278.

⁶¹Ruth Bridgstock and Denise Jackson, “Strategic Institutional Approaches to Graduate Employability: Navigating Meanings, Measurements and What Really Matters” (2019) 41 *Journal of Higher Education Policy and Management* 468, 475.

⁶²Taylor (n 58).

“real work and real pressure”, they gained some important insights into the “practices of that occupational” arena.⁶³ These practices, which involved interactions with qualified professional staff, solicitors, other students and clients helped the alumni gain understandings into what it is like to work within the legal sector. They gained an appreciation of what is expected, and of the culture and standards that apply. The findings highlighted the importance to the alumni of managing relationships and appreciating and getting an understanding of some of the pressures of the real world, including making mistakes and learning from them through reflection.⁶⁴

The interactions with supervisors were particularly important to the alumni. Casey referred to being able to “draw a lot from it” as it was the first time they had ever had “professional one to one contact”. However, the dominant finding from the alumni was the significance of the client interactions and what the alumni gained from those interactions. Kit said that having an understanding of how the client process worked made it easier to see how they could “fit into a firm as a lawyer”. Kit and Fin referred to the CLE module as being “a big selling point to firms” because of the experience of dealing with real clients and gaining what Fin referred to as “everyday real-life skills that you wouldn’t otherwise get to develop”. Charlie agreed and added:

But the main point is talk about the practical side of things that you’ve taken from the SLO; drafting letters ... it sounds daft but taking phone calls, dealing with clients and, you know, sometimes you get clients that might be upset with something you’re telling them and ... I can remember one experience in the SLO where you were having to tell clients that, you know, maybe actually it wasn’t going to be quite what they expected, so definitely playing on that massively and just showing that what you’ve learnt at uni, whilst studying, you can actually put into a practical situation.

There was complete harmony on the importance of the CLE experiences to the alumni in helping them navigate into graduate roles, and that employers were impressed that they had managed client relations. What was particularly interesting and has not been empirically explored in the literature⁶⁵ is that the alumni in non-legal jobs referred to employers being impressed that they had managed client relations. Both Blair and Casey who were employed in non-legal jobs had extensively used their client contact experience in the recruitment process and felt it could be transferred into many different sectors. Casey said:

... no other degree incorporates having real clients who are up for criminal and civil charges ... again, it really distinguishes yourself and really gives you practical and quite high ... I think it’s quite a high level, because obviously other people have, like, Camp America and stuff but to say you’ve been part of a working legal office, doing real cases and going to courts is ... you can’t really get that voluntary experience anywhere else.

Professional identity was also constructed from working within an office environment, which Kit referred to as being

... a bit of an eye opener [to the students] that what they do is very serious, the job is very serious, and they have to start behaving in a way that is appropriate.

⁶³Holmes, “Reconsidering” (n 14) 114.

⁶⁴This study reinforced the similarities in the skills the alumni perceived they had developed through CLE and those referred to in the literature, which was discussed and synthesised by Rachel Dunn: Dunn, “A Systematic Review” (n 21); Dunn, “The Knowledge” (n 21); Cantatore, “The Impact” (n 58).

⁶⁵Discussed in a theoretical way in a report by Kemp and others (n 22).

Alumni began to build an understanding of how the law worked in practice. Casey talked about the complexity of managing a live client case, where “clients are real people, they’re not fictitious scenarios which you can control”. Charlie expanded on this and said they came to appreciate the challenges of working with real clients, where the client may think their issue is one thing, but it is the lawyer’s role to “pick out and find out the finer details”.

The alumni reported on the ongoing impact of the CLE module as they transitioned into the workplace, with their claim to a professional identity being affirmed as they drew on their CLE experiences to navigate that transition. Alumni and employer perceptions were enormously supportive of the CLE experiences enhancing employability as graduates started their careers. The findings support the approach conceptualised by Holmes that through CLE the alumni were gaining insights into the practices of the sector and effectively acting in ways that they hoped would lead others to “ascribe to them the identity of being worthy of being employed”.⁶⁶

The employability benefits enjoyed by alumni from their CLE experiences are thoroughly explored in this zone, providing practical ways students can successfully showcase their CLE experiences.

Zone X: under-determined identity

Finally, there may be an “under-determined identity” position where the interactions have not resulted in a definitive judgment, and this is shown in Zone X. No circle has been added to Zone X as this represents situations where graduates are for example in temporary positions post-graduation, which was not relevant to any of the alumni in this study.

Limitations

As with any research, this study has its limitations. CLE has many different forms and therefore the findings of this study have to be viewed within that context and may not be replicated for every form of CLE. However, there is no reason why the findings cannot be used by other CLE providers who operate in a manner similar to the CLE module. This is a north-east focused study, with all the participants being based in Newcastle and surrounding areas and with only one non-legal employer participant.

Discussion

The new model, if used from the beginning of the clinical experience, can provide timely and significant support to ensure students understand the purpose and benefits of CLE from an employability perspective. Through early intervention, greater understanding of how to package clinical experiences and meet employer expectations can be gained. Working through the zones with students will encourage students to think positively and be proactive about their futures. They can replicate the success of the alumni in the study in building their professional identities and will be better able to negotiate the recruitment process and manage the transition to employment.

⁶⁶Holmes, “Competing” (n 11) 549.

To avoid the indeterminate or failed identities in Zones 1 and 2, students can be informed about employers' expectations around CLE during recruitment. Employers expect applicants to mention the CLE module and suggested it could be used to effectively showcase skills. Employers felt that there was work to be done on how well some applicants were able to articulate at interview the value to them of certain experiences in terms of aligning those to what the employer was seeking. Having this knowledge can help students focus on this alignment process. Employers were incredibly positive about the CLE module and so for both alumni and employers there was a clear perception that CLE improved employability. However, the employers mentioned that the CLE module had to be seen in its context, and if applicants did not see that then they gave an impression of naivety.

Furthermore, the employers emphasised that the CLE module should not be the only experience applicants used to demonstrate their skills, attributes and traits. Applicants were right in making it a key part of their personal marketing but only if they appreciated its limits and used it appropriately and proportionately. These are important pointers to work through with students when considering Zone 2 and failed identity.

In creating an agreed identity (Zone 4), there was no ambiguity in the data around how significant dealing with clients was to both the alumni and the employers. The legal employers made multiple references to judging applicants on whether they would be able to leave a candidate with a client. Alumni referred extensively to client interaction being responsible for the development of a range of skills that they would not otherwise have developed. The alumni who were not employed in the legal sector and the non-legal employer felt the experiences from client interactions were transferable across sectors. The picture that emanates from the data is that through the CLE module, the alumni gained relevant experiences as well as insights into the cultural norms and values of the sector, which were not otherwise available to them.

The CLE module appeared to build social and cultural capital, which boosted confidence and provided an understanding of the "rules of the game".⁶⁷ This enabled the alumni to portray the "personality" and "professionalism" that legal employers appeared to value, where they would be content to leave them with a client. Alumni had a unique opportunity through CLE to get insights into the cultural norms and values of the legal sector. Given the high percentage of the alumni who described themselves as coming from working-class backgrounds or who were first generation to university, they would have had limited opportunity to develop this elsewhere.

The alumni all emphasised how critical the CLE module had been in their development but what is seen from the alumni biographies is that successfully transitioning from university into a graduate role is complex and multifaceted. While pivotal, the CLE module was part of a bigger picture; all the alumni engaged, to varying degrees, with a range of other communities to build a professional identity as they came to an understanding that the competitive nature of the legal sector would mean having a degree was simply not enough, even one with the unique offering of the CLE module. Working through the model with students will provide another opportunity to

⁶⁷Bathmaker, Ingram and Waller (n 38); Ciaran Burke, Tracy Scurry and John Blenkinsopp, "Navigating the Graduate Labour Market: The Impact of Social Class on Student Understandings of Graduate Careers and the Graduate Labour Market" (2020) 45 *Studies in Higher Education* 1711.

emphasise the importance of engaging with employers and activities beyond their studies.

What is clear is how much CLE was and still is valued by the alumni and how significant that experience was for them in building their confidence and constructing their professional identities. They certainly perceived CLE as enhancing their employability both during the recruitment process and as they transitioned into the workplace. With the majority of the alumni describing themselves as working-class, access to an elite profession like law can be challenging but despite this, they have all managed to do so. The model can be used to reinforce a strong positive message for underconfident students that empowers them to see their “future selves” as lawyers.⁶⁸ The efficacy of the model could be tested through further research. One approach would be to use questionnaires to measure student understanding of how the CLE module enhances employability in advance of the module and then afterwards. The value of the model from an employability perspective can then be gauged and improvements made where necessary.

Conclusion

The new model can be used to enhance the student experience within a clinical context, giving students the insights to develop the employability skills needed to showcase their CLE experiences and deliver a strong employability narrative. Employability has never been more important at this time of “unprecedented transformation in the legal profession and legal education”.⁶⁹ Higher education providers recognise its importance and its value to students is clear but, in a very competitive and largely homogeneous market, differentiation can be difficult.⁷⁰ This research delivered powerful messages of support from alumni and employers for CLE. It demonstrated that it enhances employability through building confidence and inculcating a professional identity, which surely should be celebrated, supported and replicated. However, CLE is an expensive model to deliver and the practitioner focus, while clearly valued by students, is under threat from the research focus of most universities.⁷¹ Universities need to carefully manage their strategic objectives and determine financial priorities. Given the overwhelming support for this type of pedagogy, the investment must surely be worthwhile to offer students, particularly those from non-traditional backgrounds, unique opportunities to build confidence and professional identity and enhance their employability. Additionally, there is the added value that CLE activities may count towards the qualifying work experience required under the new admissions framework for qualification as a solicitor in England and Wales.⁷² A strong clinical programme

⁶⁸Francis (n 57).

⁶⁹Sommerlad and others (n 8) 1.

⁷⁰Alex Nicholson, “The Value of a Law Degree – Part 2: A Perspective from UK Providers” (2021) 55 *The Law Teacher* 241.

⁷¹Research Excellence Framework, which provides a national assessment of the quality of UK universities’ research and affects rankings and the allocation of research funding (*The Times Higher Education* <www.timeshighereducation.com/news/ref-2021-research-excellence-framework-results-announced> accessed 10 November 2022).

⁷²Rachel Dunn, Victoria Roper and Vinny Kennedy, “Clinical Legal Education as Qualifying Work Experience for Solicitors” (2018) 52 *The Law Teacher* 439.

offers differentiation from competitors, which in these turbulent times will be essential to survival⁷³ and in a post-SQE world unfettered by the professional body requirements,⁷⁴ embracing interesting and rewarding approaches will be key to sustained success.

Disclosure statement

No potential conflict of interest was reported by the author.

ORCID

Jill Alexander  <http://orcid.org/0000-0001-5894-4678>

⁷³Simon Baker, "Covid-19 Crisis Could Bankrupt a Dozen UK Universities, IFS Warns" *The Times Higher Education* (London, 6 July 2020) <www.timeshighereducation.com/news/covid-19-crisis-could-bankrupt-dozen-uk-universities-ifs-warns#:~:text=About%20a%20dozen%20UK%20universities,depts%2C%20new%20research%20has%20suggested> accessed 10 November 2022.

⁷⁴Mark Davies, "Changes to the Training of English and Welsh Lawyers: Implications for the Future of University Law Schools" (2018) 52 *The Law Teacher* 100.