

**The Apprenticeship as a Model of Learning and the Development of
Legal Education in the Twenty-First Century**

Roland Fletcher

A thesis submitted for the degree of Doctor of Philosophy

Cardiff University

July 2025

Abstract

The research in this study was conducted during the implementation and introduction of the solicitor apprenticeship in England as part of the Solicitors Regulatory Authority's new legal education framework. The introduction of a new solicitor apprenticeship standard, sanctioned by the Institute of Apprenticeships and Technical Education, created a diverse pathway to qualify as a solicitor. The apprentices are situated in a legal practice and work full-time. They have day-release to attend university as part-time undergraduate students. The data produced in this study sought to find out if this new entry point is opening up the profession to a wider sector of society. The data incorporates the biographical experiences of thirty-two solicitor apprentices. They explain why they chose this pathway to qualify instead of taking up a place at university. The interview data reveals how these solicitor apprentices developed their knowledge, skills and competencies to qualify as a solicitor. They are situated in two distinct environments – the legal practice and the university-based day-release – which induces different forms of knowledge and this is captured in the findings of this study. The lived experiences of these apprentices show how they developed as legal practitioners and prepared for the new end-point-assessment introduced in September 2021 by the Solicitors Regulatory Authority. The study took place over a period of seven years

and the data reflects the personal journeys of these solicitor apprentices at different stages of their apprenticeship. This revealed patterns that showed how these apprentices were maturing in their role as practitioners and how their professional identity was shaped and formed. An interpretivist approach was used as this reflected the individual experience inside their ever-changing world as they developed their professional skills through their exposure inside a legal practice. It is their inside view(s) that this study has used to develop a body of knowledge on how the solicitor apprenticeship, as a new entry point into the legal profession, is nurturing and preparing them to qualify as a solicitor.

The study included a second sample consisting of six-interviews with stakeholders who held a designated office (role) which had a direct relationship with the design, construction and delivery of the solicitor apprenticeship. They were able to respond to questions on the new legal education framework which incorporated the solicitor apprenticeship and the new end-point-assessment referred to as the solicitors qualifying exams. Each interviewee held a position which gave them a professional insight into the solicitor apprenticeship pathway. They were able to discuss the inception of the solicitor apprenticeship and provide a personal insight on the development of this new pathway to qualify as a solicitor. They were in a position to respond to questions on the removal

of artificial and unjustifiable barriers which prevented entry to the legal profession. Their contributions provided this study with new knowledge which had not previously been available. They had a body of working knowledge acquired through their professional role such as a regulator of the profession, employer of solicitor apprentices and their involvement in the design and delivery of higher education for the solicitor apprenticeship pathway. Collectively, this sample provided multiple lenses to view this new route to admission as a solicitor.

Acknowledgement

First, my thanks go to the thirty-two solicitor apprentices who gave up their time and shared their experiences. Without their participation this study would not have been possible. They responded to all of my questions and shared their individual journeys with me. It was a privilege to listen to them talk about their experience as a solicitor apprentice and provide a rich insight into their practices in the workplace and personal lives. I also wish to thank the six stakeholders who represented different sectors of the legal profession. They provided an insight into the governance of solicitors and the construction of the solicitor apprenticeship pathway. Your interviews were invaluable to me and provided materials that have added value to this research.

I would like to thank my supervising team, Professor David James, Professor Alison Bullock and in the latter stage of my supervision Dr Surhan Cam. David and Alison's approach to my research was positive and enthusiastic and this instilled in me the confidence I needed to continue with my research and produce this thesis. Their expertise and guidance has been invaluable over the last few years. I am truly grateful for their on-going support and their constructive feedback. I want to

acknowledge Dr Surhan Cam's pastoral support in the very latter stages of this journey. This is much appreciated, Surhan.

Lastly and most importantly I would like to thank my wife, Roma for her endless support over the last forty years and our wonderful family.

Table of Contents

Abstract.....	i
Acknowledgement	iv
Glossary.....	xii
Chapter 1 – The opportunity to qualify as a solicitor.....	1
1.1 Introduction	1
1.2 Research aims and objectives.....	5
1.3 Inequality and limited opportunity to qualify	9
1.4 Opening up the profession – the solicitor apprenticeship	22
1.5 An inside view of the solicitor apprenticeship.....	25
1.6 Maintaining standards in education and training	30
1.7 Concluding remarks	38
1.8 Structure of the thesis	40
Chapter 2 - The origin of the solicitor apprenticeship model	44
2.1 Introduction	44
2.2 Standards in the original apprenticeship model	44
2.3 The evolution of legal education.....	46
2.3 The shaping of legal education.....	51
2.3.1 The Royal Commission on Legal Services	52
2.3.2 The Marre Report.....	52
2.3.3 The work and organisation of the legal profession	53
2.3.4 Legal education and training.....	54
2.3.5 The introduction of the Solicitors Regulatory Authority	55
2.3.6 Co-regulation and legal education	57
2.4 Different journeys but the same destination	60
2.4.1 Learning inside a community	61
2.5 Concluding remarks	65
Chapter 3 – The Literature Review	67
3.1 Introduction	67
3.1.1 Elite occupations	67

3.1.2	Situated learning	69
3.1.3	Professional Identity	71
3.2	Gaining entry to the legal profession	73
3.3	Socio-economic background	77
3.3.1	The perception of debt	79
3.3.2	The apprenticeship levy	82
3.4	Inequality	85
3.5	Work-based learning theories	87
3.5.1	Community of practice	89
3.5.2	Moving from the outside to the inside of a community	90
3.6	The trailblazer apprenticeship	97
3.6.1	The solicitor apprenticeship	99
3.7	Learning from experience	101
3.7.1	Different forms of knowledge	102
3.7.2	Where knowledge is acquired	105
3.7.3	How knowledge is constructed	106
3.7.4	The hierarchy of knowledge	109
3.7.5	Invisible learning	112
3.8	The identity of the solicitor apprentice	115
3.8.1	Professional identity and professionalism	117
3.8.2	Identity of the apprentice	119
3.9	Concluding remarks	123
Chapter 4: Methodology and Methods		125
4.1	Introduction	125
4.2	Research paradigm	125
4.3	An inside view	128
4.4	Interpretivism	130
4.5	The views and perceptions of the solicitor apprentices	132
4.6	Methods used to discuss the experiences of the participants	133
4.7	Selecting, accessing and recruiting the sample	138
4.7.1	Accessing and recruiting	139

4.7.2 Interviews and transcription	143
4.8 Second Sample – Stakeholders	144
4.9 Virtual qualitative interviews during the COVID-19 period	149
4.10 Ethical considerations and approval	156
4.11 Reflexivity.....	158
4.11.1 A personal and professional interest	160
4.12 Thematic analysis	166
4.13 Concluding Remarks.....	170
Chapter 5 – Addressing inequality	172
5.1 Introduction	172
5.2 Socio-economic background	174
5.2.1 Inequality	174
5.2.2 Opportunity.....	175
5.2.3 Entry level as a solicitor apprentice	176
5.3 The individual journey of the solicitor apprentice	177
5.4 Education and destination	185
5.5 The apprenticeship levy.....	187
5.5.1 Tuition fees.....	188
5.6 Equality and equity.....	198
5.7 The employer perspective	202
5.8 The social divide which creates inequality	210
5.9 Concluding remarks	218
Chapter 6 – Learning inside the solicitor apprenticeship	223
6.1 Introduction	223
6.1.1 The internal structure	223
6.2 Qualifying work experience.....	225
6.2.1 Systematic knowledge	234
6.3 Informal learning.....	239
6.3.1 Transference of knowledge.....	243
6.3.2 Learning by doing.....	249
6.3.3 The level of support inside a legal practice	250

6.4	Formal Learning	258
6.4.1	Time management	260
6.4.2	Solicitors Qualifying Exams	263
6.5	Concluding remarks	277
Chapter 7 – Professionalism and professional identity		280
7.1	Introduction	280
7.1.1	Professionalism	281
7.2	Skills and competence	282
7.3	Professional formation	286
7.3.1	Labelling	288
7.3.2	A new community	296
7.4	The professional practitioner	301
7.4.1	Unlocking identity	303
7.5	Inhabiting a professional identity	311
7.6	Concluding remarks	312
Chapter 8 - Conclusion.....		315
8.1	Introduction	315
8.2	Opportunity - inequality of entry into the legal profession	316
8.2.1	Impacts of schooling on opportunities	316
8.2.2	Financial support	322
8.2.3	Age cap on the apprenticeship levy	325
8.3	Opportunity – opening up the profession.....	329
8.4	Processes – the nature of learning	332
8.4.1	Small and large firms – tacit and formal knowledge	333
8.4.2	Quality of mentoring and training	338
8.4.3	Time-management	340
8.4.4	Study leave.....	342
8.5	The formation of a legal practitioner	343
8.5.1	The apprenticeship label	346
8.5.2	Professional identity of the apprentice	347
8.6	Confidence and competence	350

8.7	Limitations and strengths	351
8.8	Recommendations	353
8.9	Future research.....	356
8.10	Closing remarks	357
8.10.1	Monitoring recruitment of apprentices	358
8.10.2	Structuring work-based learning	359
8.10.3	External regulation of work-placements.....	360
8.11	Final thoughts	360
	Reference List	362
	Appendices	409
	Appendix 1 – Interview Framework.....	409
	Appendix 2 - Solicitor Apprentices interviewed.....	415
	Appendix 3 - Inviting apprentices to take part in the research.....	417
	Appendix 4 – Participant Information Sheet.....	419
	Appendix 5 - Consent Form	426
	Appendix 6 – Email from Bally Sandhu.....	429
	Appendix 7 – Entries from the Research Diary.....	431

List of tables

Table 1 – Number of solicitor apprentices who joined the profession	26
Table 2 – Threshold standards at level three	36
Table 3 – Number of trainee solicitors in 2019-20 & 2020-21	76
Table 4 – Trainee solicitor placements 2021-22	77
Table 5 – Second sample of stakeholders	145
Table 6 – Themes and codes	169
Table 7 – The emerging practitioner	313

List of Diagrams

Diagram 1 – The old legal education framework	17

Diagram 2 – The new legal education framework	18
Diagram 3 – SQE areas of assessment	34
Diagram 4 – The micro and macro environments	64
Diagram 5 – The hierarchy of knowledge	111
Diagram 6 - Research questions, themes and codes	173

Glossary

The glossary is a set of defined terms used in the context of legal education and practice in England and Wales.

Term	Definition
APCL	Accreditation of prior certificated learning. This allows for previous qualifications to be aligned and used as an exemption against future studies.
APEL	Accreditation of prior experiential learning is similar to APCL but deals with using prior experiential learning as the equivalent of a formal qualification. For example, APEL would exempt solicitor apprentices from having a degree to qualify. Their six-years' experience in the workplace would meet the standards expected and this is confirmed by the SRA.
Barrister	A person called to the Bar by one of the Inns of Court and who has completed pupillage and is authorised by the General Council of the Bar to practise as a barrister
Behaviourism	A learning theory that focuses on shaping behaviours. The relationship between environment stimuli and the formation of behavioural characteristics. An example is the process of learning within a community of legal practice shapes and forms the identity of the solicitor apprentice.
CILEX	The Chartered Institute of Legal Executives is the governing body of Chartered Legal Executives. CILEX provide a route into the legal profession without the requirement of having a law degree. Chartered Legal Executives specialise in a specific area of legal practice such as conveyancing or civil litigation.
Character and suitability	A legal practitioner is deemed to be a fit and proper person. This is confirmed by

	undertaking a Disclosure and Barring Service (DBS) check that will disclose criminal convictions.
CIPD	Chartered Institute of Personnel Development. It is the professional body for human resources and learning. They set standards for the human resources qualifications.
COLP	Compliance officer for a legal practice and is able to sign off and confirm the qualifying work experience (QWE) of a solicitor apprentice.
Communities of practice	Social groups set up to fulfil a particular set of aims and objectives, and with rules for membership. This was one of the foundations of Lave and Wenger's research (1991) when they introduced legitimate peripheral participation as a concept and how it operated inside a community of practice.
Contextual location	This phrase refers to the location of the sample and includes surrounding factors like nearby people, objects and the overall environment.
CPE	Common Professional Examination. An academic award approved by the SRA for the purpose of completing the academic stage of training for those who have not completed a qualifying law degree.
Degree	A UK degree, awarded at level 6 (or above) of the Framework for Higher Education Qualifications, by a recognised degree-awarding body.
DBS	Disclosure and Barring Service. A UK organisation that provides a service which allows employers and the SRA to check if an applicant who is to be admitted as a solicitor has any prior criminal convictions.
EPA	This is the end-point-assessment in the form of the solicitors qualifying exams. These assessments are taken at the latter stages of the apprenticeship period. Successful completion of SQE 1 (functional legal knowledge) and SQE 2 is the qualification point of a day-one solicitor (Skills and application of the law).

Experiential Learning	Learning from active engagement with others inside the workplace.
Functioning Legal Knowledge	A body of legal knowledge covering specific areas of law. This body of knowledge is assessed in the Solicitors Qualifying Exam, part-one.
IATE	Institute of Apprenticeships and Technical Education. A quasi-body of the Department for Education. Created in 2017 and work with trailblazers (employers who share an occupational role) who identify the knowledge, skills and behaviours that are required in a specific profession.
Idiom	A phrase or expression whose meaning cannot be understood from the literal translation of its individual words. It's a figurative way of speaking. As an example, crossing the Rubicon which signifies an irreversible action has been taken and there is no point of return. This saying emanates from Julius Caesar's crossing of the river Rubicon to attack his enemy.
Labelling	The negative categorisation of individuals who are seen as different. An example, how solicitor apprentices are labelled and compared to trainee solicitors.
Lawyer	A member of the legal profession entitled to practise law.
Learning Outcome	An explicit statement describing what a learner will be able to do as a result of completing a course of study or learning experience, such as a specific skill.
Legal Practice Course	A postgraduate award which prepares students to work inside a legal practice. The contents of the award are prescribed by the SRA and take the form of practical methods and procedures inside a legal practice.
Legitimate Peripheral Participation	Newcomers in a community of practice develop a body of knowledge. They move from the periphery of the community to the core of the community.
LSB	Legal Service Board is an independent professional body that acts as a regulator for the governing bodies of legal practitioners in England and Wales, such as the Solicitors Regulatory Authority

	and the Bar Standards Board. The LSB was established under the Legal Services Act 2007.
OSCE	Objective structured clinical examinations that target different forms of knowledge. This can take the form of multiple choice questions when testing functioning legal knowledge in the SQE1. Simulation tests such as interviewing a client, taking an attendance note, undertaking research in order to advise the client and form part of the SQE2.
Principal	A qualified solicitor in a sole practice or a partner in a law firm. They take on the role as a mentor for solicitor apprentices and trainee solicitors.
Professionalism	A set of standards that an individual is expected to adhere to in a workplace.
Professional identity	A person's self-concept as a professional, which incorporates their professional values, behaviours and skills within a specific profession.
QLD	A Qualifying Law Degree included the core modules prescribed by the SRA. A QLD is now being phased out by the SRA. These prescribed subjects form part of the functioning legal knowledge which is assessed in the Solicitors Qualifying Exam, part-one.
Quasi	This is used as a prefix in a combination of words and means to some degree or partly. For example, quasi-autonomous non-governmental
Quasi-natural perspective	organisation (Quango) This refers to a study design that aims to establish a cause and effect in real world settings.
QWE	Qualifying work experience replaces the training contract. The SRA require a minimum of two years QWE in a legal practice. This must be real experience dealing with clients and legal matters. The SRA will not accept simulated legal work experience such as classroom exercises. The SRA allow for QWE before, during or after they sit the SQE assessment(s). You can use experience from previous roles. The SRA have designed the accumulation period to be

	flexible so it can take place in a wide range of organisations providing legal services. QWE may be gained in four organisations, paid or unpaid work.
Rate	This is shorthand for rating and is used when rating a role that requires a certain level of experience and skills such as an able-bodied seaman.
Recognised period of training	A compulsory two-year period of work-based training in a legal practice.
Record of training	A record created and maintained by a trainee solicitor, which contains details of the work they have performed as a trainee, how the trainee acquired, applied and developed their skills.
Reifiable	To regard something abstract as a material thing. It is capable of being made concrete or real.
Richard Review	A review of the apprenticeship model in England. It is the blueprint that created the trailblazer apprenticeship model, which focussed on occupational standards produced by a group of practitioners in a profession who are referred to as the trailblazers.
Roll of solicitors	The record of all solicitors who are regulated by the Solicitors Regulatory Authority. Any solicitor wishing to practise must be on the Roll of Solicitors and hold a current practising certificate.
Rubicon	This is an idiom which is used to signify a point of no return, where a decision or action cannot be undone and has significant, often irreversible consequences.
Statement of Legal Knowledge	This identifies the knowledge that a solicitor should have acquired at the point of qualifying. The knowledge is referred to as functioning legal knowledge and is assessed in the Solicitors Qualifying Exam part-one.
Statement of Solicitor Competence	This is a statement which sets out what a solicitor should be able to do in order to undertake their duties as a practitioner. It provides an indication of what you can expect of a practising solicitor. The statement is supported by a statement of legal knowledge and a table which indicates the threshold standards for a practising solicitor.

Solicitor	A person who has been admitted as a solicitor of the Senior Courts of England and Wales and whose name is on the Roll of Solicitors.
SQE	Solicitors Qualifying Exams. These are the assessments which are controlled by the SRA and since September 2021 the End-Point-Assessment which must be taken by all aspiring solicitors in order to qualify.
SRA	Solicitors Regulatory Authority. The SRA are the governing body of solicitors in England and Wales. They were established under the Legal Services Act 2007.
Threshold Standard	This is the standard expected of a day-one qualified solicitor. There are five levels of threshold standards. Each level has six specified area of skills and knowledge that should be achieved at the point of qualifying. The threshold standard expected at the point of qualifying is level three. This threshold is assessed as part of the Solicitors Qualifying Exam, part-two.

Chapter 1 – The opportunity to qualify as a solicitor

1.1 Introduction

Entry to the legal profession based on socio-economic background has prevented too many aspiring solicitors from having the opportunity to qualify as a solicitor (Ashley et al, 2015 and Reeves and Friedmand, 2024). Aspiring solicitors are required to undertake a period of recognised training (PRT) for two-years before they are able to qualify as a solicitor. The pre-qualification workplace experience period plays an important role when deciding who gets in and who is denied entry to the legal profession. This distinct feature of the English and Welsh system that requires workplace training, before qualifying as a solicitor, is referred to as the “power gap” which separates those who dominate elite professions (Sutton Trust and Social Mobility Commission, 2019, p.3). This study explored the Solicitors Regulatory Authority’s (SRA) claim that the introduction of a new entry point into the legal profession through the solicitor apprenticeship would open up the profession to a wider section of society (SRA, 2015a). The reality is that law firms are the gatekeepers and the literature (see chapter 3) has demonstrated how selection and entry into the legal profession in some law firms in the city of London is

not based on the candidate's merit but on their background (Ashley, et al, 2015). This was the position when the training contract was used as an entry point into the legal profession. It has been shown that just over half of these training contracts were based in London, and a third of them were being offered by city law firms (Bridge Group, 2017 and The Law Society Annual Statistics, 2022). The harsh reality is that individuals who are capable of qualifying as a solicitor are prevented from doing so (Malcolm, 2015). The cost of higher education tuition fees, front-loaded before obtaining a training contract, has been prohibitive alongside a bias against students from a socio-economic disadvantaged background. This has denied entry to the legal profession for many law graduates (Sutton Trust and Social Mobility Commission, 2019 and Ashley et al, 2015).

In September 2015, The SRA approved and introduced the solicitor apprenticeship as a new entry point into the profession. They originally targeted school leavers who had completed their A-Levels and their work-based learning training would last for a period of six-years. How this training took place was not prescribed by the SRA (Malcolm, 2015). The SRA believed the apprenticeship route would encourage diversity in the profession (Malcolm, 2015 and SRA, 2015a). This new entry point was part of the SRA's fundamental reforms which included the introduction of a centralised assessment referred to as the Solicitors Qualify Exam

(SQE). This is the end-point-assessment (EPA) which would need to be taken by all intending solicitors regardless of the pathway they followed. The SQE is in two-parts and the first SQE1 assessment was introduced in November 2021 and assesses functioning legal knowledge. The SQE2 was introduced in April 2022 and assesses legal skills through a range of legal practice areas. This was one of the fundamental objectives of the SRA. They wanted control over the entry point of the profession and to ensure there was consistency in standards (SRA, 2015a). They were critical of the inconsistent standards as they believed (Fletcher, 2016a) there was no mechanism in place to ensure consistency between different pathways (see diagram 1) to qualify (SRA, 2015a). Prior to these changes being introduced the SRA did not control the end-point of qualifying as a solicitor. This was under the control of the higher education institutions and the employer who provided a period of recognised training (PRT). There was no benchmarking or standardisation at the end of the PRT. The PRT was signed off by the training principal and the SRA claimed there was inconsistent standards at the point of entry to the legal profession (ibid). This form of assessment and qualification is now being phased out by the new legal education framework introduced by the SRA.

The new legal education framework has made some radical changes and there is now a new assessment regime which is independently assessed and controlled by the regulator. The SRA have defended these reforms by claiming there were too many inconsistencies in standards during the period of recognised training (PRT), which was then in the form of a two year training contract inside a legal practice (Malcolm, 2015 and SRA, 2015a). The standards inside a legal practice are set by the SRA but it was the employer who implemented them and signed-off the trainee solicitor as competent to qualify. The SRA were aware of the likelihood of inconsistent standards being set in the workplace as there was over 4000 firms authorised to offer the PRT (Malcolm, 2015). There would be different supervisors in the workplace and consistency in standards was hard to achieve (ibid). The introduction of one central assessment point for all intending solicitors would assess the various skills, competencies and knowledge which the SRA believed a day-one solicitor should possess in order to qualify. The impact of this new legal education framework and the introduction of the apprenticeship route has changed the way you can now qualify as a solicitor. For example, the six-year solicitor apprenticeship is a new entry point into the profession. This route qualifies for government funding for off-the-job training in the form of higher education. The funding is generated through a levy on firms whose Pay As You Earn (PAYE) scheme is over three-million pound per annum.

They pay a 0.5 percent levy which funds the level 7 tuition fees. This funds the higher education tuition fees for solicitor apprentices who attend university as part-time students. This places solicitor apprentices (in England) in a position where they are paid a salary, their tuition fees are paid and the period of recognised training (PRT) forms part of their employment. How this new apprenticeship model is operating is unknown. This study has produced data to advance a body of knowledge on the ability to integrate working and learning through this apprenticeship model. This qualifying route provides a lengthy period of time in which individuals are able to assimilate information and adjust to an unfamiliar culture inside a legal practice. This is likely to increase the context(s) in which these apprentices are exposed to different legal matters through their day-by-day activities in the workplace. How this is taking place and how their training is structured is revealed by the solicitor apprentices. They are able to explain how their lived experiences have prepared them to qualify as a solicitor.

1.2 Research aims and objectives

The aim of this study is to produce data involving the solicitor apprentice's journey and finding out if the changes made by the SRA has opened up the profession to a wider sector of society. The wider implications of the

study include the solicitor apprentices' journeys and how they acquired the different forms of knowledge that prepared them for the new end-point assessment introduced by the SRA. As a new pathway to qualify the apprenticeship is a unique experience for each of the thirty-two solicitor apprentices who took part in the study. They disclosed why they chose this route to qualify and how learning inside the workplace and classroom took place for them. Through their biographical accounts they revealed their concerns and the pressure placed upon them as A-Level students to pursue a uniform pathway to qualification through university instead of a work-based learning route. The traditional pathway would have required them to take on a significant financial burden in order to undertake their law degree and postgraduate qualification, the Legal Practice Course (LPC). A pathway that did not provide them with any assurance about the value of their financial investment due to the limited opportunity to obtain qualifying work experience in the form of a training contract. It is with these underpinning factors that this study has produced data that demonstrates the inequalities and challenges faced by aspiring solicitors.

The study has been guided by three research questions which materialised whilst undertaking the literature review (see chapter 3). The phrasing of the research questions had a direct relationship with the codes used inside each of the three themes that emerged whilst analysing the

data. The themes do not operate in a silo (isolation) as they have an inter-dependent relationship with each other and the research questions. The three research questions which have informed this study are:

1. How and to what extent has the introduction of the solicitor apprenticeship model addressed inequality of entry into the legal profession?
2. What is the nature of learning in the solicitor apprenticeship model and how is it taking place?
3. How and to what extent does the workplace contribute to the professional development and identity of the solicitor apprentice?

These questions are drawing on areas that have not been examined in the literature. Whilst there is data dealing with entry barriers to the legal profession there is limited data on the solicitor apprenticeship. As a new entry point into the profession the first research question discusses the new entry route and how it is addressing the inequalities that have existed. The second research question is finding out how learning is taking place for these apprentices. There is literature on how situated learning takes

place inside the workplace (Billett, 1994, 1996 and 2001) but there does not appear to be any data on how learning is taking place inside this solicitor apprenticeship model. It is a distinct model as it inhabits two separate environments: the workplace and the classroom with a unique central assessment point. These environments produce different forms of knowledge (Eraut, 2000 and Eraut and du Boulay, 2000) and the data in this study has captured how learning has taken place for these solicitor apprentices. The entry level of these solicitor apprentices is primarily aimed at school leavers. This places these apprentices in a position where their professional identity is nurtured by those who mentor them during a period of six-years. This has been explored with the apprentices who have provide an individual response. The apprentices have the same destination but each one of them had an individual journey and this is revealed in the findings. The third research question has sought to find out how their role as a solicitor apprentice has shaped their professional identity. The literature has produced data dealing with law students but does not deal with the transitional period that takes place during the RPT. The interviews with the solicitor apprentices provided the opportunity to discuss with them how they see themselves evolving inside their practice and how they identify as a practitioner. The study produced data dealing with the cultivation of a professional identity inside this apprenticeship model which is not reflected in the literature.

The research questions are addressed by using the data produced in this study. The data responds to the questions by demonstrating what has been taking place inside this apprenticeship model over the last seven years. The solicitor apprentices provided examples of their day-to-day activities in the workplace and how this is shaping their identity as a practitioner. They revealed how they are absorbing the professional values that guide them in their place of work and how this is shaping them as a lawyer. They reflect on their experiences and explain how they are learning through engaging inside a legal practice as part of their community. As a contemporary piece of research the apprentices in this study are among the first to have undertaken the new centralised assessment, the SQE. They are in a key position to reflect on their experiences and this is discussed in the findings of the study.

1.3 Inequality and limited opportunity to qualify

This study followed the development and introduction of the new legal educational framework for those who want to qualify as a solicitor in England (Richard, 2012). The trailblazer solicitor apprenticeship pathway is available in England as education and skills is a devolved matter in the UK. The trailblazer apprenticeship model is not available in Wales as the

trailblazer model was an initiative of the Westminster government for England only (Richard, 2012). It is for this reason why all of the solicitor apprentices who took part in this study are located in England and not in Wales. The SRA (2015a) have used this new apprenticeship model as an opportunity to open up the legal profession to a wider sector of society (ibid). The need to change how you qualify as a solicitor and how these changes have taken place are due to a number of factors. One of the main problems was the compulsory two-year work-based training contract. The training contract was the pre-qualification point initiated at the end of the academic stage. It was the transitional period whereby the trainee solicitor is exposed to a work-based learning environment. This was the entry point into the profession to qualify as a solicitor. The general approach to qualifying was the completion of a law degree, the Legal Practice Course (LPC), which prepared students for the workplace and then they had to compete for a training contract. The trainee solicitor would have acquired the legal knowledge from their academic studies and their on-the-job training would develop their work-based knowledge. Eraut (2007) referred to this latter form of knowledge as tacit knowledge gained through experience. The workplace provided the opportunity to acquire the skills and competences needed to practise law, as opposed to only studying law. The trainee solicitor would have been rotated in different areas of legal practice and this exposes them to a range of legal

matters. The principal, who oversees their training, signed them off at the end of their two-year training contract as competent to practise as a solicitor. This was the main entry route into the profession and it was not working for many aspiring solicitors from a socio-economic disadvantaged background (Sutton Trust and Social Mobility Commission, 2019). This pathway created a number of barriers for law graduates who wanted to qualify as a solicitor and this flaw in the route to qualification has been acknowledged by the SRA (SRA, 2015a).

The barriers faced by aspiring solicitors formed part of the research undertaken by the Sutton Trust and Social Mobility Commission (2019). They looked at the educational backgrounds of Britain's elite and found that the majority of these professionals had been privately educated and had attended one of the Russell Group universities. This is supported by the work of Reeves and Friedman (2024) who referred to this process as the "sociology of elite recruitment" (ibid, p.13). This is structural inequality based on social class and has been described as "... the invisible yet durable barriers that face [those from a lower socio-economic background] ..." (Friedman and Laurison, 2019, p.17). According to Friedman and Laurison (2019, p.14) this inequality has been allowed to go on with no intervention to change this position. This is reflected in the work of Bourdieu (1986) who identified different forms of capital that were

passed down by parents to their children. These forms of capital are significant in reproducing class privilege and was evident in the research undertaken by Ashley et al (2015). They were asked by the Social Mobility and Child Poverty Commission to undertake a qualitative study on social mobility. Their study focussed on entry barriers for certain professions which included law. They explained in their methodology section why law firms were used: "We included the legal sector because barriers to entry appear especially strong ..." (ibid, p.105). They found that individuals from less privileged socio-economic backgrounds were not being selected for training contracts in certain city law firms. Instead, selection was based on similar background characteristics as the selection panel. Such a system of recruitment is anti-competitive and un-meritocratic. The gatekeepers (selection panel) do not rely on the qualifications of the candidate or job-related skills and experience. Instead, they use a self-serving-selection process (Ashley et al, 2015) which reflects the sentiments of Wright Mills: "Conformity with the criteria of those who have already succeeded ... to be compatible with the top men is to act like them, to look like them, to think like them" (1956 in Friedman and Laurison 2019, p.148). It is unfortunate that selection to train and qualify as a solicitor is based on socio-economic background and not on personal merit. With too few training contracts and an in-built bias the opportunity to practise and qualify as a solicitor is not possible for everyone. Everyone with the

appropriate initial talent and potential should be given the same opportunity. Unfortunately, the evidence suggests that those from a lower socio-economic background are not treated the same as those who have been privately educated and attended a Russell Group university (Ashley et al, 2015). Boliver's research (2013) confirmed this very point when she produced data on the notion of 'fair access' to Russell Group universities. Her findings showed that "... when those from state schools do apply to Russell Group universities they seem to need to be better qualified than their private [educated] counterparts on average by as much as one grade at A-level before they are as likely to receive offers of admission." (ibid, p.359). This demonstrates the layers of exclusion even before competing for a training contract with a law firm. Green and Kynaston (2019) support this claim in their research. They believe the gatekeepers to elite professions have created a system where those who are privately educated are "over-promoted" (ibid, p.13) as there is evidence that demonstrates that state school students outperform privately educated students at university with the same prior education attainment (ibid, p.12). It is with these factors in mind that this research is looking at the SRA's claims that the solicitor apprenticeship model is addressing the inequalities and entry barriers to the profession.

A wealth of research has confirmed that “class origin casts a long shadow over people’s lives” (Friedman and Laurison, 2019, p.17). The denial of access to train in a range of professions was reviewed in 2012 by the then Minister of State for Business, Innovation and Skills, Pat McFadden. He commissioned a panel, led by Alan Milburn, to review fair access to the professions and how these professions may be opened up to wider sections of society. In the Foreword of the report McFadden summarised some of the main issues as:

There is nothing more tragic than someone having the ability or talent, but not the encouragement or opportunity to realise their potential. A high level of social mobility matters because it is the means by which people become what they can be. (2012, p.2)

Limited training contracts and a tendency for law firms to recruit from a narrow group of elite universities adds to the problem for those law graduates who wish to practise law as a solicitor. Without access to economic, social and cultural capital these are real barriers faced by law students. These economic inequalities have been transformed into educational inequalities (Reay, 2017, p.114). This is reflected in the work of Diane Reay (2017) and was evident in one of her interviews with a law student who expressed a feeling of being trapped by the educational system. The theme of the interview is “Outsiders on the inside: the working classes and higher education.” The statement taken from Reay’s

work is a reflection of the problem faced by law students and the economic gamble they take prior to obtaining a training contract:

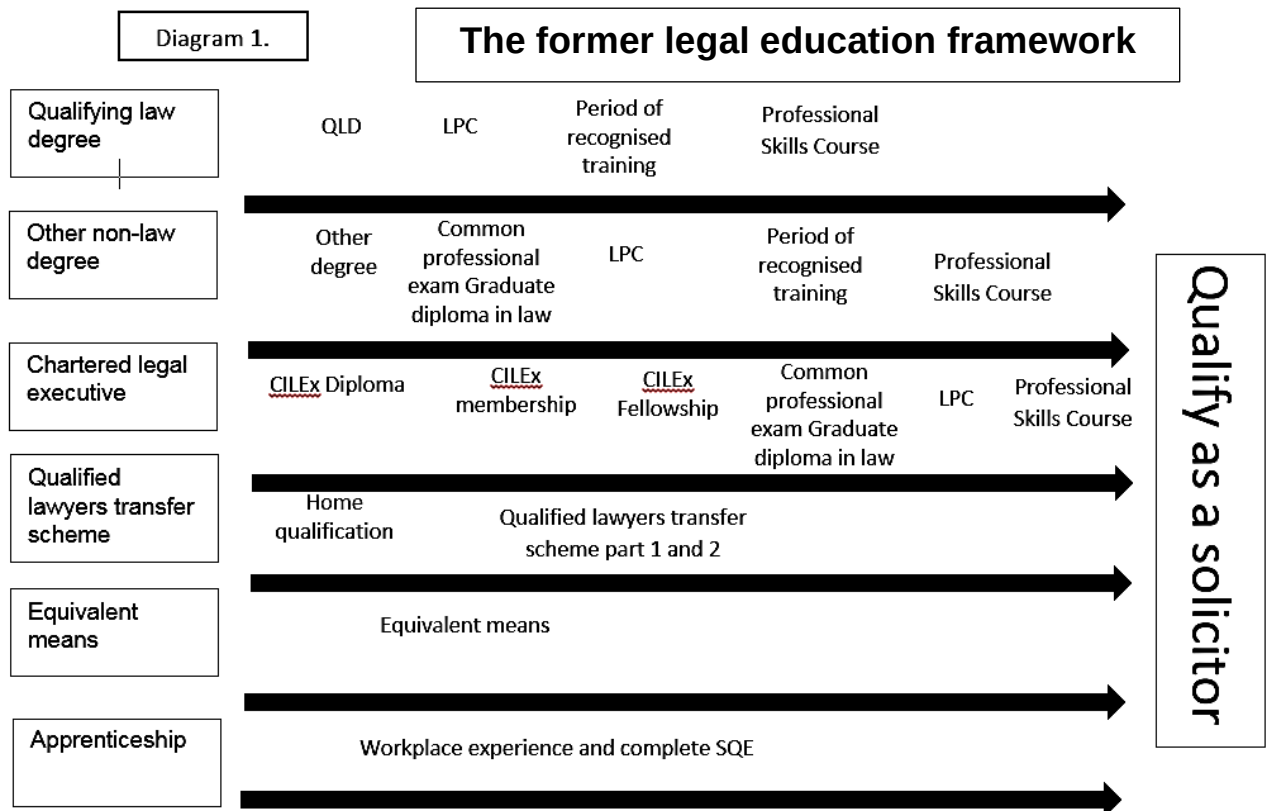
I feel an idiot. I guess I just didn't get the right advice so I started my law degree thinking that was all I needed to be a human rights lawyer and of course it's nowhere near enough. So now I am doing a master's and my debt level is over £50,000 ... and I'm suddenly thinking how on earth am I going to get a job as a lawyer. I'll probably still be working in Next in five years' time and the only difference between me and the other shop assistants is that I've got shed-loads of debt.

Reay, 2017, p.117

This is the reality for many law students who find themselves on the outside as they are not able to access qualifying work experience from the inside. They face higher education tuition fees (in the region of £27,000); they would have had to pay for the Legal Practice Course (LPC) (around £12,000) and without a training contract they would not qualify. This does not factor in the overheads for rent and utility bills. This has been the harsh reality faced by many law graduates who end up taking work in a law firm as either a paralegal or legal assistance. This is confirmed by Malcolm (2015, p.5) who found as a result of the lack of training contracts many law graduates find work as paralegals. This has increased this area of employment and a degree in law or an LPC is not needed for this type of work.

These are some of the issues which triggered a major review of legal education in England and Wales by the governing body of solicitors, the SRA. They were critical of the number of pathways and the lack of consistency and standards at the point of qualifying (SRA, 2015a). Under the old legal education framework there were six different routes and different forms of assessments built into these routes. The six-year apprenticeship route was introduced in 2015. It was an interim component which was made permanent when the educational framework was introduced. At this juncture there was no end-point-assessment for the solicitor apprentice. The SRA introduced the end-point-assessment as part of their new legal education framework in 2021. In order to visualise the routes to qualify two diagrams are provided. In diagram 1 the different pathways to enter the legal profession and qualify as a solicitor are shown prior to the new legal education framework.

The old legal education framework



Adapted from the Solicitors Qualifying Examination (SQE) Briefing, August 2020a at p.29

In the latter route, in diagram 2, you can see the sixth route to qualify. This was introduced in 2015 but there was no end-point-assessment. This assessment was still in the design stage and introduced in 2021. Diagram 2 illustrates the new pipelines and the removal of the old pathways. Under the new legal education framework, regardless of the pathway taken, all candidates must now undertake the same centralised assessment(s) to qualify as a solicitor. The SRA wanted to ensure there was consistency in the standards at the point of qualifying as a solicitor regardless of the route used to qualify (SRA, 2015a).

The new legal education framework

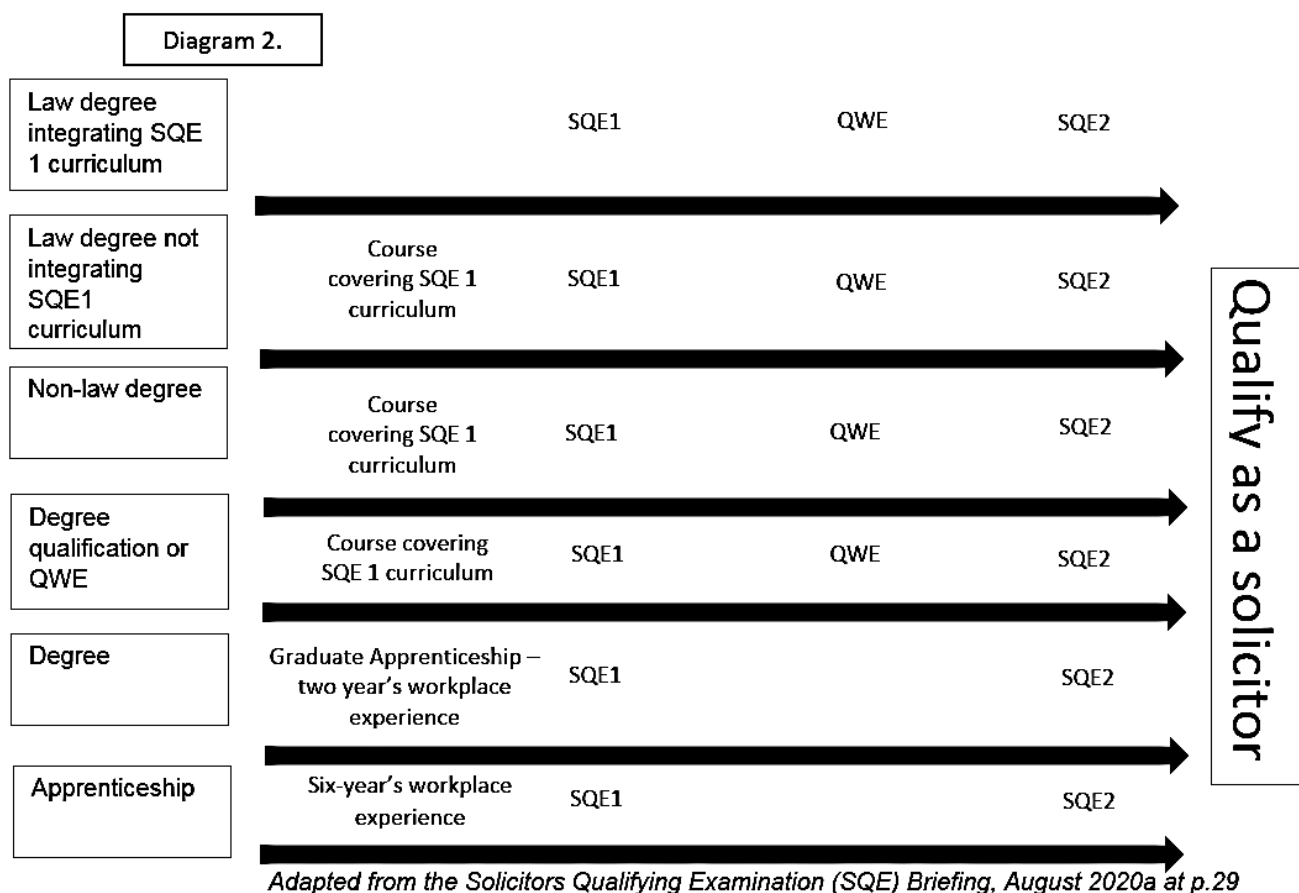


Diagram 2 illustrates the apprenticeship pathway which is undertaken over a period of six-years. The apprentice works full-time and in years 1-4 they study part-time for their law degree. During years 5-6 they prepare and take the SQE assessments. The passing of the SQE2 is the entry point to qualifying as a solicitor. This places the SRA in a position of control at the point of qualification into the regulated status which they govern. Alongside the apprenticeship is the graduate entry point which is a two-year solicitor apprenticeship. This allows graduates with a law degree or with a degree in any subject to qualify as a solicitor. This

introduces flexibility but regardless of the route to qualification all candidates must pass SQE1 and SQE2. Once they have passed these assessments they may apply to the SRA to be entered on the Roll of Solicitors. They will have to submit evidence of their qualifying work experience, which is confirmed by a solicitor or a compliance officer of legal practice (COLP). They will also have to undertake a background check of their character and suitability through the Disclosure and Barring Service (DBS). Once these checks have been confirmed and approved the status as a solicitor is conferred upon the applicant.

Diagram 2 illustrates that all pathways now lead to the qualifying assessments SQE 1 and 2. The SRA removed the five different pathways and maintained the apprenticeship route. The different forms of assessments that had existed are being phased out. The apprenticeship pathway was the SRA's new pipeline and the end-point-assessment is the SQE for all pathways. The apprentice will have a contract of employment which provides the qualifying work experience (QWE) and they are allocated twenty-percent (one day) of their contract for off-the-job training. They are reading for a degree in law and preparing for the SQE. The QWE is a vital stage of the professional development for the intending solicitor. The SRA discussed this in their consultation documentation (SRA, 2015a) and support the traditional (apprenticeship) method of

learning inside the workplace (discussed in chapter 2). This is a period of practical experience under instruction by a principal inside a legal practice. It is a cultural and transformative stage as they will be forming a deep sense of themselves as a practitioner and this is reflected in the following statement:

The period of pre-qualification workplace experience is an important rite of passage for all trainees. It exposes them to the realities of working as a solicitor and gives them the opportunity to practise their skills before being granted the title of solicitor.

(SRA, 2015a at p.23)

There have been fundamental changes in how QWE is accumulated. It is still a requirement that there must be a minimum of two-years QWE for graduates. However, it may now take place in a wide range of organisations who provide legal services. The period of time served can be in one block or may be accumulated over separate periods of time in up to four different organisations. The workplace experience can be paid or unpaid work. This can include a placement during a law degree, working in a law clinic, work undertaken at a charitable organisation such as the Citizens' Advice Bureau or time spent working in a law centre. The QWE is no longer signed off by a principal who once confirmed the candidate as competent to qualify as a solicitor. The QWE now only confirms that the candidate has had the opportunity to develop a level of proficiency inside a legal practice. The skills and level of competence to

qualify is assessed by a centralised (national) assessment referred to as the Solicitors Qualifying Exam (SQE).

The SQE is in two-parts. The first part assesses functioning legal knowledge through a range of topics which are presented in the form of multiple choice questions. The second part of the SQE assesses the practical skills of a solicitor, such as client interviewing; writing up attendance notes; undertaking legal research and drafting legal documents. Diagram 2 illustrates the point of qualification through the completion of SQE2. This is now the benchmark of a day-one solicitor who is deemed competent by passing this assessment point. The SRA believe this centralised assessment will instil confidence in the standards and justify the fundamental changes they have made. They claim they are complying with their statutory duty (Legal Service Act 2007) to regulate legal education:

It is our role to make sure both the public and employers can trust that those entering the profession are fit to practise. It also recognises that minimising regulatory barriers and introducing flexibility gives the most talented candidates the opportunity to qualify, and thus both broadens access and raises standards.

(SRA, August 2020a at p.6)

At an operational level the SRA have not produced any data on the lived experience of the solicitor apprentice. The data they are generating is

taken from the candidates who are attempting the new centralised assessment. This is quantitative data, identifying who is taking this assessment and their personal characteristics. In this study the data produced is revealing the individual journeys of the solicitor apprentices. Their individual journeys are contextualised in the data which reveals the problems faced by those who wish to study and qualify as a solicitor through the apprenticeship pathway.

1.4 Opening up the profession – the solicitor apprenticeship

Understanding the unequal access to qualifying as a solicitor is important as it highlights the inequalities that exist and provides an opportunity to address these problems. The SRA, as a statutory body (Legal Service Act 2007), is responsible for creating the educational framework which provides the pathway(s) to qualify as a solicitor in England and Wales. Reforming the pathways and the assessment point to qualify is the SRA's response to the issues relating to entry into the profession. As a regulator this is not a panacea for solving the deep-rooted inequalities that have persisted in the legal profession. They are trying to open up the profession to a wider and diverse section of society and this was one of their objectives outlined in their consultation report: Training for Tomorrow – Ensuring the lawyers of today have the skills for tomorrow (2013):

*Our reforms are intended to remove unnecessary barriers to qualification, **open up opportunities for a wider range of individuals to pursue a career as a solicitor and encourage others to innovate and reform some of the more traditional structures** of the current legal education system with resulting benefits for both those seeking to qualify and those seeking to employ them. We believe that a regulatory system which focuses on the outcomes to be achieved rather than the structure and processes within the system will have a positive impact on the quality of the legal services provided by those we regulate.*

(SRA, 2013 at p.5. Text in bold is for emphasis)

This statement refers to reforming traditional structures which is reference to work-based learning through the apprenticeship system. The SRA adopted the trailblazer apprenticeship model. A work-based learning model advocated by the then Department of Business, Innovation and skills in England (BIS, 2015). It was designed and introduced as a direct result of the Richard Review (2012). This review advised that employers are best placed to say what is required to practise a trade or profession by creating occupational standards and an assessment plan (BIS, 2015). The assessment plan, for aspiring solicitors, had to include an end-point-assessment (EPA) which assessed the apprentice's functioning legal knowledge and their practical skills through simulated tests. This apprenticeship model replaced the framework apprenticeship in England. A framework apprenticeship is distinct as it applied to all apprenticeships in England. This form of apprenticeship was aligned with an educational

qualification that was continually assessed during the apprenticeship. Richard (2012) was critical of this form of apprenticeship model and believed it only produced an “extraordinary number of qualifications ... but no clear accomplishment” (ibid, p.40). Whereas, the trailblazer occupational standard apprenticeship model identifies skills, knowledge and behaviours needed to perform the job (occupational standards). The trailblazer apprenticeship model is designed “... in terms relevant and meaningful for employers, what an apprentice should be able to do and know at the end of their apprenticeship” (ibid, p.41). This is the model adopted by the SRA when they designed the solicitor apprenticeship. This included the SQE assessment as the gateway to qualifying as a solicitor.

The SRA’s apprenticeship model places the solicitor apprentice, from day-one, in a position where they have qualifying work experience (QWE) built-in to their pathway and a government levy that pays for their tuition fees at university. The SRA (2023f) claim this new pathway to qualify is an “opportunity to earn-as-you-learn on the job, while removing the expense of training and the cost of taking exams” (ibid, p.4). The SRA have argued that this will encourage people from different backgrounds to become a solicitor (ibid). They believe this new route to qualify will address the inequalities that have existed (ibid). This study seeks to find

out if this apprenticeship pathway is addressing these inequalities through the data produced.

1.5 An inside view of the solicitor apprenticeship

As a new route for employers and apprentices it is important to understand how entry into the legal profession and how learning is taking place. There is limited data on the quality of the work-based learning experience of these solicitor apprentices (Fletcher 2016, 2022 and Casey, 2024). This was explored with the SRA during a Westminster Legal Policy Forum in July 2023. The Director of Legal Education for the SRA confirmed (ibid) they did not have qualitative data on the lived experiences of solicitor apprentices. The lack of data is partly due to the fact that solicitor apprentices do not need to be registered with the SRA or even inform the SRA that they have started their apprenticeship (SRA, 2024b). This is part of the SRA's deregulation (Hilborne, 2014) and allows a law firm to determine how they employ and train their apprentices inside their legal practice. Solicitor apprentices only register with the SRA once they have completed their apprenticeship and are in a position to apply for admission as a solicitor (SRA, 2024b and Sandu, 2025). It has been claimed that the SRA produced quantitative data which showed there were just over 300 solicitor apprentices taking this new route to qualify in the period 2016

to 2019 and a further 242 starts in 2020 (Casey, 2024, p.626). This is misleading as the data was not produced by the SRA (see appendix 6). This was confirmed by the policy officer at the Education and Training department of the SRA (Sandu, 2025). The figures used by the SRA on their website (SRA, 2023f) had been taken from data produced by the Department for Education (2025). These figures represent the number of solicitor apprentices who had joined the profession and not the overall number of employed solicitor apprentices (SRA, 2023f). The current number of solicitor apprentices who have been recorded each year by the Department for Education (2025) as joining the profession is reflected in table 1, below.

Table 1 - Number of solicitor apprentices who joined the profession

Year when apprentice joined the legal profession	Number of apprentices
2016/17	30
2017/18	107
2018/19	170
2019/20	242
2020/21	222
2021/22	584

Adapted from SRA, 2023f at p.4

The current figures produced by the Department for Education (2025) show that in 2023/24 there were 1,350 solicitor apprentices joining the profession. In 2024/25 an additional 1,250 joined the profession as a solicitor apprentice (Department for Education, 2025 and Sandu, 2025).

The collective number of solicitor apprentices currently enrolled on this new pathway to qualify is 3,710 (Department for Education 2025 and Sandu, 2025). The number of solicitor apprentices have significantly increased since its introduction in 2015. Prior to this study the quality of training and how learning takes place inside this apprenticeship was not documented. The data produced in this study provides an inside view of this apprenticeship model. It is important to know and understand how these solicitor apprentices are being prepared to qualify as solicitors. Dewey claimed that “Everything depends on the quality of the experience which is had ...” (1963, p.27-28) and the solicitor apprentices discuss in this study the quality of their training and experience.

The nature of learning and how learning is taking place is important to this study. The SRA’s new legal education framework is no longer prescriptive on how apprentices are supervised or the exposure to different areas of law. Law firms can tailor their training to align with their own business model (SRA, 2021a). There is guidance on what constitutes qualifying work experience and this is contained in section 12 of the Legal Services Act 2007 and described as a legal activity. This is interpreted by the SRA as providing legal services in real life and not through simulated exercises. This is an important factor in this research as one of the objectives of this study is to find out what is the nature of learning inside this apprenticeship

model. This study explored with the solicitor apprentices how their work is structured and if it involves a sequence of routine actions and how tacit knowledge is produced inside this apprenticeship model (Eraut, 2000). The apprentices' experiences should influence how knowledge is created in a practical context as opposed to a theoretical context. They need to understand legal procedures and processes whilst they work with the court clerks, social workers, probation services, the court of protection and other agencies. It is these authentic experiences which will shape their professional identity as a practitioner by mimicking their peers inside a legal practice (Billett, 2014). Billett (ibid) referred to this process as mimesis as it is the employer who is providing the qualifying work experience and should be shaping the professional persona of the apprentice. This learning process takes the form of modelling as it allows the practitioner to demonstrate professional behaviour(s), values and standards which are then adopted by the apprentice (Dreyfus and Dreyfus, 2004). It is the solicitor apprentice's perspective that is shared in this study as they are able to explain how they have accumulated different experiences from inside the workplace. It is their stories on how prior knowledge is used in a new setting and how this generates new knowledge inside a legal practice (Eraut, 2007). It is this form of learning that is distinct from simulated classroom learning which recreates legal scenarios and draws on case law and legislation as a means of solving

the problem. Billett (cited in Higgs et al 2012) is critical of trying to create work-based learning activities in the classroom. He has argued that:

... engaging in pretend procedures is not just a poor substitute for authentic engagement in such challenging activities; it fundamentally lacks the context in which such activities are enacted and the ways this work is performed and assessed, which are shaped by the practices of others as well as by the norms of the workplace.

Cited in Higgs et al, 2012, p.104

Billett (2012) believes that the lived experiences allow the participant to reflect on this learning process and this provides an opportunity to consider prior explicit knowledge as well as recent experiences inside a legal practice. In this study the solicitor apprentices are making sense of their everyday encounters within their physical world (Blaikie, 2010). They encounter personnel inside the legal practice and reinterpret the knowledge they are exposed to on a daily basis. Their observations allow them to construct knowledge from their past experience and how these new experiences develop the tacit knowledge needed to practise as a solicitor. They are inhabitants of this environment and will be interpreting and reproducing the knowledge that is being passed on to them. This is the lived experience that creates the competences required by a practitioner and is distinct from simulated exercises (Eraut, 1998). The SRA have made it clear in their documentation (SRA, 2023g) that

qualifying work experience should provide exposure to the challenges faced by practitioners through their work with their clients. The SRA will not accept qualifying work experience through simulated legal services or exercises in a classroom context as part of the qualifying work experience period (SRA, 2023g). The solicitor apprentices in this study have been exposed to a range of experiences which they reflected upon during their interviews. This provided the opportunity to explore and find out how higher education and vocational education is being delivered inside this apprenticeship model and how these two-halves make a whole.

1.6 Maintaining standards in education and training

As suggested in the earlier section of this chapter the SRA have been critical of the standards at the point of qualifying as a solicitor under the old-educational framework. This was one of the main drivers behind the removal and introduction of a new legal education framework. The SRA did not believe there was consistent educational standards set in higher education institutions. They were critical of law schools and those who signed-off the work-based experience in law firms (Malcolm, 2015). This is evident in their consultation paper where they stated:

*With 104 institutions [law schools] offering Qualifying Law Degrees; 33 offering the GDL [Graduate Diploma in Law]; 26 offering the LPC [Legal Practice Course] and over 2,000 firms offering traineeships, **the lack of a common basis for assessing the quality of output from these bodies, or at the end of the training contract**, is a cause of increasing concern ... [the] SQE will ensure that all aspiring solicitors, no matter what institution [law school] they attended or pathway they took, are assessed against the same high standards of competence*

(SRA, 2015a, p.4. Text in bold for emphasis).

This statement has created tension between the SRA, law schools who deliver legal education provision and law firms who trained aspiring solicitors (Fletcher, 2016a). The SRA have claimed the quality and standards provided in the past had not been good enough. As a regulator they have a statutory duty to maintain standards and ensure the public receive the appropriate services (Legal Services Act 2007). The need to change the existing framework was discussed in their consultation paper where they outlined their objectives:

Focus our regulatory effort more rigorously than we do at present on assuring consistent and comparable high quality standards at the point of admission across all the different ways of qualifying as a solicitor; and encourage the development of new and flexible ways to train to become a solicitor.

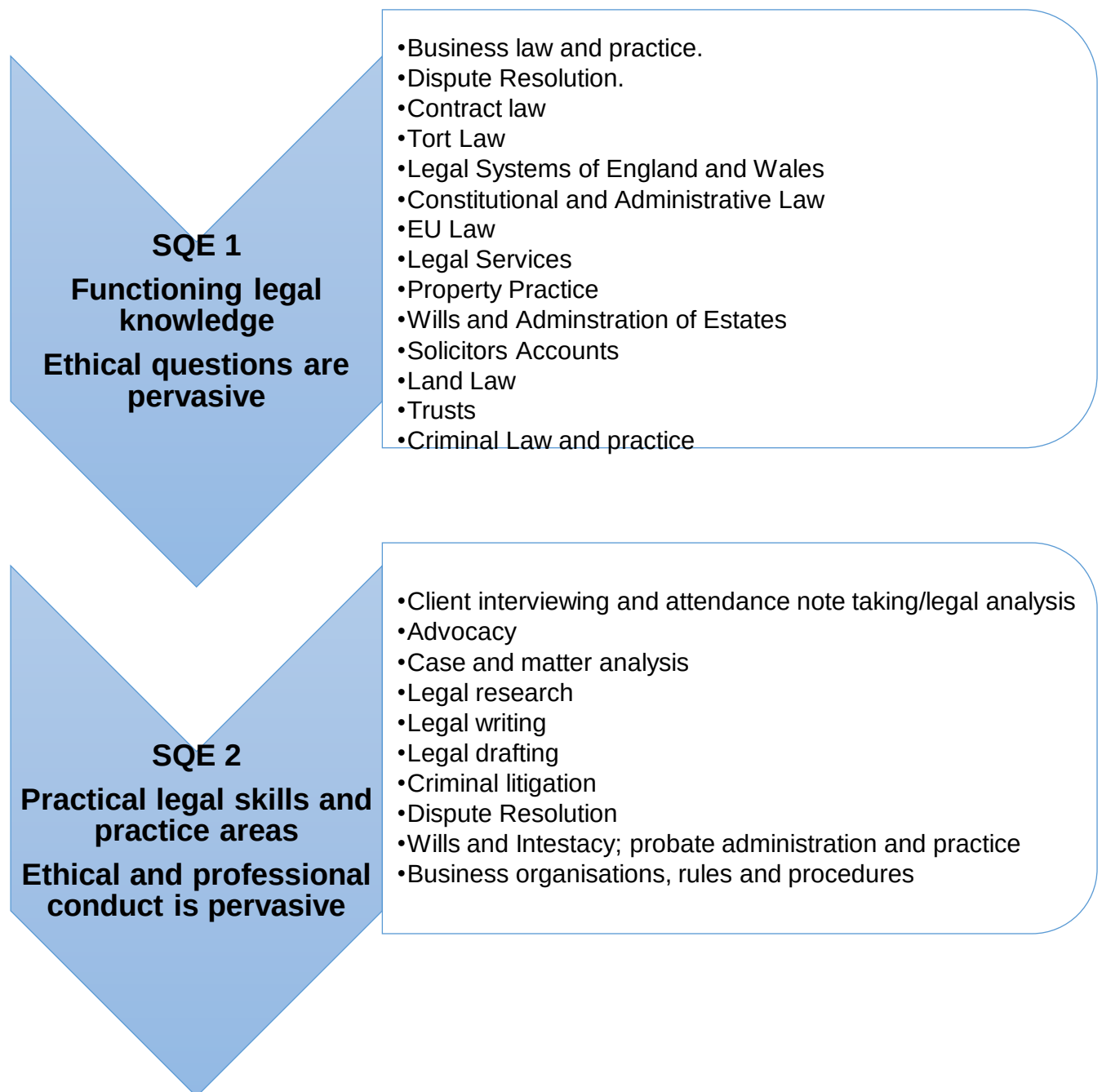
SRA, 2015a, p.4.

This raises the question why the SRA deregulated the training that takes place inside the workplace (Hilborne, 2014), and removed the requirement

to have a qualifying law degree to qualify as a solicitor? Deregulation removed the regulations which ensured trainee solicitor would be exposed to contentious and non-contentious work. The principal would have needed to provide work-experience in different areas of law inside a legal practice during their training. The deregulation of work-based learning no longer requires the SRA to monitor or stipulate what areas of legal practice should form part of the qualifying work experience inside a law firm. The signing-off as a competent practitioner by a mentor or principal is no longer required. The SRA now rely on the passing of the SQE2 as proof of competency. The SRA believes deregulation of qualifying work experience will open up the market and allow training to take place inside different types of legal practices, such as in the Citizens' Advice Bureau, Law Clinics and in other voluntary sector organisations who offer legal services. This, they have argued, will open the profession to a wider sector of society (SRA, 2015a). This has been explored with the solicitor apprentices and stakeholders involved in legal education, training and regulation. The participants discussed these points and how they see these changes having an impact on them through different perspectives. The fundamental change and impact on all of them is the phasing out of the old legal education framework and the introduction of the SQE. The old and new frameworks will co-exist during the transitional period which will be complete by 2032 (SRA 2020a). This time-frame is based on the

new rule that from September 2021 it is no longer possible to start a qualifying route as a solicitor outlined in diagram 1 (SRA, 2023e). This time-frame has been set to accommodate any students who had started studying and working towards qualifying under the old framework prior to September 2021. From 2032 the only point of entry into the legal profession, as a solicitor, is by passing the SQE assessments. Diagram 3 illustrates the areas assessed in part-one and part-two of the SQE assessments. These areas are incorporated into the threshold standards expected of a day-one qualified solicitor.

Diagram 3 – SQE areas of assessment



Adopted from the Solicitors Qualifying Examination Briefing, August 2020a at p.11

The threshold standards (SRA, 2022e) define the expectations of a day-one qualified solicitor. The SRA based these standards on their Statement of Solicitor Competence which is adapted from a quote taken

from the work of Eraut and du Boulay (2000, p.4) which states: "... competence in a job is defined as the ability to perform the tasks and roles required to the expected standards." The SRA adjusted this statement to meet their standards which they expect of a qualifying solicitor. This is their version: "The ability to perform the roles and tasks required by one's job to the expected standard" (SRA, 2022e). This is brief but a broad statement as it does not articulate any specific areas or criteria but merely that upon qualification solicitors must be able to perform their role to an expected standard. The SRA feel this statement recognises the requirements of a professional practitioner and allows for any necessary changes in the role which will be accommodated at different levels of competency, at different stages, of their professional career (ibid). The SRA have explained that this statement incorporates three distinct parts which need to be demonstrated by a newly qualified solicitor: the statement of competence, threshold standards and legal knowledge (SRA, 2015a and Fletcher, 2016a). They have aligned these three distinct parts which are embedded within the occupational standards of this apprenticeship. These standards were designed by the trailblazers who produced the assessment plan for the solicitor apprenticeship. These standards are assessed through SQE 1 and SQE 2 (see Diagram 3). They are aligned with the threshold standards graded at levels 1 to 5. At

the point of qualification a day-one solicitor should have demonstrated level 3. Table 2 illustrates the threshold standards expected at level 3.

Table 2 - Threshold standards at level three

Level	Functioning legal knowledge	Standard of work	Autonomy	Complexity	Perception of context	Innovation and originality
3	Identifies the legal principles relevant to the area of practice, and applies them appropriately and effectively to individual cases	Acceptable standard achieved routinely for straightforward tasks. Complex tasks may lack refinement.	Achieves most tasks and able to progress legal matters using own judgment, recognising when support is needed.	Able to deal with straightforward transactions, including occasional unfamiliar tasks which present a range of problems and choices.	Understands the significance of individual actions in the context of the objectives of the transaction or strategy for the case.	Uses experience to check information provided and to form judgments about possible courses of action and ways forward.

Adapted from materials in the SRA documentation 2022e

These threshold standards are embedded within the subject areas in diagram three. The third piece of the statement is the functioning legal knowledge (FLK) that solicitors are required to demonstrate at the point of qualification. The FLK is broadly the same areas that were covered in a QLD and illustrated in diagram 1. These subject areas underpin the law of England and Wales and are subject areas which will form part of the day-to-day work of a solicitor. For example, some of the subject areas such are the law of tort, property law, contract law, criminal law and trust law. As a practitioner they will be required to research and analyse primary sources such as case law and legislation in the subject areas outlined in diagram 3. These intellectual and practical skills formed the foundation of a QLD. This is why these subjects are contained in the

SQE1 assessment. As a default provision many law schools have repositioned themselves as a result of the new legal educational framework. They have been changing their curriculum to meet the demands set by the SRA (Fletcher, 2016b). They have maintained the QLD subjects and introduced multiple choice questions as a method of assessment for their law modules. This is the mode of assessment for the SQE1 assessment. SQE1 is made up of a total of 360 multiple choice questions. The assessment is divided between four separate sittings which takes place over two-days. There is a sitting in the morning and afternoon. Each sitting has 90 questions and this equates to a total of 180 questions for each day. The time frame for each sitting is two hours and thirty three minutes. This allows one minute and forty two seconds for each question to be answered. In this time-frame the candidate has to read the problem scenario and then select the correct answer. The SRA produced a pilot study on the SQE1 assessment in March 2019. There were 316 candidates who undertook the functioning legal knowledge (FLK) assessment. The assessment was taken in 46 centres based in England, Wales and abroad. The results of this pilot demonstrated that the assessment was fair, reliable and robust (Case et al, 2020). The knowledge required to undertake this assessment is acquired through textbooks and classroom activities. The findings in this study have questioned the fairness and appropriateness of this assessment for

solicitor apprentices. This is discussed in chapter 6 by using excerpts taken from interviews with the solicitor apprentices.

The SQE2 is designed to assess the core skills and competences acquired through the workplace experience. The workplace learning should be preparing these intending solicitors to pass SQE2. The SRA are aware that there are poor workplace experiences inside a legal practice (SRA, 2020a, at p.8) and have responded to this concern by stating: “Although we do not regulate the organisation, we regulate all solicitors that works within it and may take action if our requirements are not met” (SRA, 2021c). As a regulator of the profession, there is an implied expectation, there should be some internal regulation to act as a deterrent and maintain consistency of standards when training apprentices. The statement “we regulate all solicitors” is not referring to the training provided for solicitor apprentices. This study has produced the qualitative data that focussed on the training provided inside the apprenticeship model and is discussed in chapter 6.

1.7 Concluding remarks

This chapter has introduced the inequalities that have prevented aspiring solicitors from entering the legal profession. The SRA introduced the

solicitor apprenticeship to widen access to the profession. The research questions in this study have focussed on three specific areas. Widening access to the legal profession through the solicitor apprenticeship pathway. This study has explored this claim and is reflected in the data which is discussed in chapter 5. The second research question has produced data on how learning is taking place inside this new pathway to qualify as a solicitor. This is discussed in chapter 6 which explores the lived experiences of the solicitor apprentices. The data provides an account of the exposure to practise law and how learning is taking place inside this apprenticeship model. The data is responding to a number of questions such as how the solicitor apprentices are being prepared for the SQE1 and SQE2 assessments. The third research question is finding out how the workplace experience is forming and shaping the apprentices professional identity. As a new pathway to qualify as a solicitor it is a personal journey for each of the apprentices who took part in this study. They explain how their experiences inside a legal practice is transforming them from novice to practitioner. It is a unique experience for each of them and how they have shaped their identity as a legal practitioner. This is discussed through the data in chapter 7 which examines how the solicitor apprentices are forming a sense of who they are as a practitioner. They discuss their role and how they are developing inside this apprenticeship model. They discuss their hands-on experience in a legal

practice and how they adopted a role that has allowed them to reflect on who they are by looking back at the changes they see in themselves.

1.8 Structure of the thesis

In this final section, the structure of the thesis is outlined, together with a brief summary of each chapter. Chapter 1 introduced you to this study and chapter 2 provides the background of this study. It introduces you to the origin of the solicitor apprenticeship model which was entirely dependent on experiential learning and why this model was removed and has been reinvented as part of the Richard Review in 2012. Chapter 2 begins by explaining how the apprenticeship model has traditionally been used to pass on skills and knowledge associated with various crafts. The model is socially situated and creates lived experiences by participating inside the workplace. The evolution of this form of apprenticeship is explored and why it is now used as a new entry point into the legal profession.

Chapter 3 is a detailed account of the literature and draws on the seminal work of various authors who have produced materials on inequality and entry to the legal profession; work-based learning theories and professional identity. This divides the chapter into three sections which

reflect the themes which emerged whilst analysing the data. The chapter begins with elite occupations and how this has been a barrier faced by socio-economic disadvantaged individuals. Current debates through related research are presented and the limitations of current research on the solicitor apprenticeship pathway to qualify are discussed. This places this study in a wider body of work that exists and deals with learning through the apprenticeship model. This provides an opportunity to recognise the literature that has contributed to this study and show how this study has advanced this body of knowledge.

Chapter 4 sets out the methodology and research methods used in this study. The chapter outlines the research strategy used and explains why qualitative research was the chosen approach. This aligns with the research paradigm which discusses the ontological and epistemological assumptions used in this research. The function of this paradigm is explained and how it works with the theoretical framework of this study. The interpretivist approach has been adopted in this work as it captures the individual experiences inside a social context and focuses on human relationships that are formed inside this new route to qualify as a solicitor. The qualitative methods are discussed and how the sample(s) were recruited and accessed. In the latter stages of this chapter the ethical

aspects are outlined and how a strategy was used in the form of thematic analysis to manage and synthesise the data.

Chapters 5, 6 and 7 focus specifically on the empirical data and findings from the interviews. Each chapter focuses on a different research question. In chapter 5 the data focuses on inequality and entry into the legal profession. The overarching theme in this chapter is opportunity and this is underpinned by three main concepts: socio economic background, entry into the profession through the apprenticeship and tuition fees. In chapter 6 the data examines the nature of learning inside the solicitor apprenticeship model and addresses the second research question. There is limited information on this area as this is a new pathway to qualify as a solicitor. The introduction of a new legal education framework by the SRA alongside this work-based learning route has provided the opportunity to find out how these solicitor apprentices are acquiring different forms of knowledge. The overarching theme in this chapter is processes and is underpinned by qualifying work experience and how this is structured. The use of formal learning and informal learning which should be preparing these apprentices for the SQE assessments is explored with the apprentices. Chapter 7 responds to the third research question on professional development and identity of the solicitor apprentice. The theme of this chapter is professionalism. The chapter

explores how the apprentices see themselves developing as a practitioner and their perspective on how they are seen by their peers. The apprentices reflect on their early years and in later years as they mature in their role as a legal practitioner. This involved an interpretive self-history, narrated by the solicitor apprentices, through a period of time. Their reflections are a self-observation and their professional identity is revealed when they discuss their role as a practitioner and how they identity as a member of their work-based community.

Chapter 8 provides an overview of the key findings and contributions of this thesis, with some reflections on the process and value of this study. The chapter responds to each of the research questions and provides an explanation of the limitations, together with recommendations for future research on legal education through the apprenticeship pathway.

Chapter 2 - The origin of the solicitor apprenticeship model

2.1 Introduction

The purpose of this chapter is to provide an historical account of the solicitor apprenticeship. This gives an outline of different stages of legal education and explains why the solicitor apprenticeship pathway was abandoned. It was replaced with a front-loaded academic route which prepared aspiring solicitors for a period of training in a legal practice. This produced unintended consequences in the form of too many law graduates and limited training places inside a legal practice. The traditional apprenticeship pathway was reintroduced to widen access and address the inequality of entry to the legal profession.

2.2 Standards in the original apprenticeship model

Historically, entry into the legal profession was dependent entirely on the apprenticeship model. This was the traditional entry point into the legal profession. The legal profession relied on the apprenticeship model to train and qualify new solicitors. This was the model that was originally used and was similar to the craft apprenticeship (Sennett, 2008) which depended entirely on work-based learning. The original solicitor apprenticeship model had no formal classroom learning (Ormord, 1971)

and is reflected in the early records on legal education in the nineteenth century (Select Committee, 1846). Learning was situated in a work domain and mastering the skills needed for ongoing legal matters (Raelin, 2008). It was the every-day workplace practice(s) that contextualised the knowledge by putting it into practise. The employer, qualified solicitor, would determine the standard of performance for the apprentice. These standards and level of competences were built into the workplace practices (Raelin, 2008). The threshold standards and what was expected of an apprentice at this time was not explicit as there was no governing body in the early days of legal education. The structure of the apprenticeship was set by the employer who would sign-them-off as qualified at the end of the apprenticeship. On-the-job learning was informal and the quality of the training was dependent on the individual circumstances. Eraut (2001, p89) was critical of this approach and he was of the opinion that without specific standards and an ascribed structure this will lead to “people ... not necessarily learning the most important things nor even good practices.” This was an on-going concern in the legal profession in the nineteenth century. The quality of the solicitor apprenticeship was raised as a matter of concern by a Select Committee in 1846 who undertook a review of legal education. The Select Committee’s report revealed a number of concerns through interviews undertaken with solicitor apprentices. These interviews reflected the

educational standards of the solicitor apprenticeship at this time. The Select Committee (1846) were concerned about the level of training and that no formal education or assessment was part of the qualifying pathway as a solicitor apprentice. The content of the Select Committee report is discussed in a later section but at this juncture it is necessary to explain and distinguish between the two different legal systems that once operated simultaneously in Britain. This will contextualise the position of the solicitor apprenticeship and explain why formal education did not form part of the original solicitor apprenticeship.

2.3 The evolution of legal education

The lack of classroom legal education in England and Wales was a direct result of the evolution of the common law system; a legal system based on case law which follows previous decisions of the appeal (appellate) courts. During the thirteenth century the common law was a distinct indigenous system and was independent of the Civil (Roman) law, prevalent on the continent, based on written codes. During this period legal education provision in universities was based on the Civil Law system and not the Common Law System. The two legal faculties that then existed in England during the thirteenth century were the University of Oxford, which opened in 1096, and the University of Cambridge which

opened in 1209. Both of these universities, at this time, only provided legal education on Civil Law to the exclusion of local law, the common law (Ormrod, 1971). The use of the Common law system continued to evolve in Britain and was given the seal of approval by Henry II in 1150 when he instigated a unified system which meant the law that applied in one part of the country would also be applied in another part of the country. This approach explains the meaning of the phrase 'common law' in the sense that it was common to everyone, as the same rule applies to everyone, regardless of which part of the country the offence was committed.

The local customs and arbitrary remedies were abolished and a set of legal principles slowly developed. This was one of the reasons why the teaching of the common law was not available as formal educational provision during the early period of the solicitor apprenticeship. The apprenticeship model remained the route to qualify as a solicitor and in 1729 the Attorneys and Solicitors Act 1729 was introduced. This was the first piece of legislation on the training and qualifying pathway for solicitors. This was a turning point and eventually the point at which university faculties began to introduce legal education. In 1826 the University College London opened the first law school in England. It was not long after this that the Law Society, the original governing body of solicitors was established in 1827 in London. The Law Society's objective

was to introduce formal education for solicitors and they started by providing law libraries. This was followed by the introduction of a formal examination for solicitor apprentices which was initially introduced by the judiciary (Judges) in 1836. In 1843 the Solicitors Act was introduced and made it a statutory requirement to pass these exams before a solicitor apprentice would be admitted to the Roll of Solicitors. In 1846 the standard of legal education and how solicitors were qualifying was reviewed by Parliament. The House of Commons created a Select Committee to address the standards of legal education and training. The Select Committee (1846) found that the examination which articulated clerks (apprentices) needed to pass lacked any substance and this is evident from this statement made in their report:

The certificate of examination merely bears that the candidate passed are fit and capable of acting as attorneys [solicitors]; the degree of fitness or capacity the Examiners do not consider themselves warranted to determine. The examination thus serves merely as a guarantee against absolute incompetency.

(At page XVI)

The report went on to criticise the way solicitor apprentices developed their knowledge and skills inside a legal practice. It was found that there was a lack of any structure in place for the apprentice to develop the knowledge and skills needed to practise law. A statement to this effect was provided by a Mr Payne who gave evidence to the Select Committee.

At the time of giving this evidence it was noted in the records (Select Committee Report, 1846, p.30) that Mr Payne was an articled clerk (solicitor apprentice). He provided an account of his experience as a solicitor apprentice:

Indeed, it is a general complaint on the part of the articled clerk [solicitor apprentice] themselves, that very little attention is paid by the solicitor to the direction of their studies; ... without any exaggeration, it may be stated, that as far as any course of legal education is in question, the apprenticeship of the articled clerk is generally occupied in very little more than learning and applying technical terms, unless indeed by individual exertion he may qualify himself for duties of a higher order.

(p.14)

The substance of the Select Committee's evidence was developed by a number of witnesses who gave their accounts of the state of education and training of solicitor apprentices during this period of time. One such witness, Peirce Mahoney Esq, a practising solicitor of 32 years who was called upon to describe the state of legal education and how learning was taking place for the solicitor apprentice. He was asked to describe the character of the system of legal education that was prevalent in the nineteenth century. In response he stated:

It is entirely defective. It can scarcely claim the name of legal education. In the first year he [the apprentice] is occupied in merely copying; he acquires a habit of drawing law forms; as he advances he goes through the details of the business, and he at

last comes to be what is called an out-door apprentice, that is, doing court business. ... I have no hesitation to tell the committee, that when I was sworn in as an attorney [solicitor], I was utterly ignorant; I spent my time idling, and it was not until the necessity arose for my devotion to my profession for my own interest, that I began to acquire knowledge.

(Select Committee, 1846, pp.185-86)

This evidence presented, as part of the Select Committee report (1846), reflects the standards of educational provision of its time. The solicitor apprentices, or as they were originally referred to as articled clerks, were exposed to authentic experiences inside a legal practice but there was no formal education. There was no structure for the apprentices to follow or any form of independent regulation that needed to be complied with during this time. The training received by these solicitor apprentices was unsatisfactory. There was little evidence provided to the Select Committee which demonstrated an internal structure within the workplace which would support the professional development of these apprentices. The Select Committee was of the opinion that solicitor apprentices should receive educational provision which supported their understanding of substantive legal rules that underpin professional practice. This recommendation initiated formal classroom learning through higher educational provision. This also diminished the use of the original solicitor apprenticeship pathway by reversing the qualifying process by placing qualifying work experience at the end of the formal educational period.

This was the catalyst which would lead to a level of efficient and satisfactory education as part of a career pathway for would-be solicitors (Ormrod, at p.33, 1971).

2.3 The shaping of legal education

The report of the Committee on Legal Education referred to as the Ormrod Report (1971) was chaired by the Hon. Mr Justice Ormrod. The outcome of this report was that legal practitioners such as solicitors and barristers should be law graduates in England, Wales and Northern Ireland. This recommendation was implemented and the academic stage was to be undertaken at a higher educational institution. Solicitors would first acquire the legal principles and develop a depth of knowledge which would support them when they entered the workplace. The workplace experience was a period of two years as an articled clerk. This reflected the earlier period where the articled clerk (solicitor apprentice) would serve a work-based learning period of five-years but no classroom learning formed part of this earlier qualifying pathway.

2.3.1 The Royal Commission on Legal Services

In 1979 the Royal Commission on Legal Services produced a report on legal education. This report instigated a number of changes, most noticeably the core modules which formed part of the qualifying law degree (QLD) which you were introduced to in chapter 1. This also introduced a new postgraduate qualification in the form of the Law Society Finals Course (LSFC) for those who wished to practise law as a solicitor. A number of higher educational institutions were approved by the Law Society, who were then the governing body of solicitors, on the recommendations of this report. For example, the College of Law and seven polytechnics: Birmingham, Bristol, City of London, Leeds, Manchester, Newcastle and Trent.

2.3.2 The Marre Report

In 1988 the Royal Commission Report was followed by the Marre Report. This report made a number of recommendations on the future of the legal profession. The report was critical of the academic stage and found that the law degree was not preparing students who wished to enter the vocational stage and eventually qualify as a solicitor. The committee was

of the opinion that during the academic stage there needed to be a stronger focus on the development of the student's intellectual and analytical powers; written and oral communication skills and the ability to undertake legal research. The committee also recommended that the Law Society Finals course be re-considered and a more pragmatic approach taken when preparing law students who wished to enter the legal profession and qualify as a solicitor.

2.3.3 The work and organisation of the legal profession

These recommendations were taken forward in a Green Paper (government proposal) in the form of The Work and Organisation of the Legal Profession (January 1989). This was then converted into a White Paper (a government paper proposing legislative changes) called the Legal Services: A Framework for the Future (July 1989) which established the Courts and Legal Services Act 1990. This legislation introduced a number of changes to the way the legal profession was able to practise their profession. The Law Society undertook a review of legal education. They produced a consultation paper Training Tomorrow's Solicitors (1990). This paper put forward a number of proposals such as the removal of the Solicitors' Final Course and replacing it with the Legal

Practice Course (LPC). This new course would develop practical skills as well as knowledge of substantive law. It was also proposed that articles be replaced with training contracts at approved legal practices. These recommendations were approved in May 1990 and introduced in September 1993

2.3.4 Legal education and training

The above summary captures the changes that had taken place and in 1996 major changes were introduced. These changes were instigated by the Lord Chancellor's Advisory Committee on Legal Education and Conduct. This resulted in the production of a report on Legal Education and Training in 1996. Members of this committee were appointed under section 19 of the Courts and Legal Services Act 1990, which came into force on the 1st April 1991. Their report in 1996 focussed on the main two branches of the legal profession: solicitors and barristers. It recognised that since the last full-scale review of legal education, which was the Ormrod report of 1971, there had been a number of significant changes to the way legal education and training was provided in England and Wales. This report acknowledged the structural changes that were taking place in higher education and the need to maintain higher education as

part of the qualifying pathway. This was discussed in part-two of their report which was referred to as: A New Vision of Legal Education and is captured in the following statement:

The future of legal education and training cannot be separate from that of higher education in general. If the past is any guide, then developments in higher education may have an even greater impact on the education and training of lawyers, than will changes in legal practice or in the legal system

(1996, p.18)

The undertone of this statement reflects the criticisms of the 1846 report and the lack of formal education. Recommendations such as how the Legal Practice Course (LPC) should provide an opportunity to prepare students for working inside a legal practice. The LPC should develop knowledge and skills which are relevant to specific areas of legal practice: litigation, advocacy, wills, probate and administration. The student should be trained to interview clients, negotiate and resolve disputes and trained in drafting documents.

2.3.5 The introduction of the Solicitors Regulatory Authority

In 2007 the Solicitors Regulatory Authority (SRA) was created by the Legal Services Act 2007. This legislation created a new independent

regulator of solicitors in England and Wales. The Law Society now represent solicitors and the SRA set the standards required to qualify as a solicitor. The role of the Law Society is to support solicitors by producing advice and guidance on areas of practice (Fletcher, 2016a). In 2013 the SRA, along with other regulators of legal education, were party to a major review of legal education which produced the Legal Education and Training Review (LETR). The review was undertaken on behalf of the Bar Standards Board (BSB), ILEX Professional Standards (IPS) and the Solicitors Regulatory Authority (SRA). It was the first sector wide review of legal services since the Ormrod Report in 1971. There were a number of recommendations on the standards of legal education and pathway to qualify as a solicitor. The report found (2013, p.61) that there was an inconsistency of standards in the assessment of qualifying law degrees (QLD) and the legal practice course (LPC). These problems were difficult for the regulators to manage given the number of different providers of legal education and the different pathways to qualify as a solicitor such as through the Chartered Institute of Legal Executives (CILEX), Common Practice Exam (CPE) which is a conversion course for non-law graduates and the Qualified Lawyers Transfer Scheme (QLTS) for overseas lawyers to qualify as a solicitor in England and Wales. The range of pathways are illustrated in Diagram 1 in chapter 1. These perceived problems initiated the SRA's consultations reports in 2013 and 2015. These consultation

reports were the foundation of the new legal education framework which was introduced in September 2021. This framework confirmed the new entry point into the legal profession in the form of the solicitor apprenticeship. This route to qualify was initiated in 2015 and an end-point-assessment in the form of the SQE was available in November 2021.

2.3.6 Co-regulation and legal education

The main objectives identified in the above reports focussed on raising standards in legal education. The Select Committee (1846) produced documentary evidence which demonstrated the lack of regulation inside a legal practice. This allowed employers to decide how solicitor apprentices were trained and what work they would deal with on a day to day basis. With no professional regulator the drawbacks of the apprenticeship were apparent and this was the experience of various apprentices from positive to mere drudgery (Krook, 2017). There was no system in place to regulate standards and enforce disciplinary rules. This criticism highlighted the need to move away from the traditional craft apprenticeship model (Lave and Wenger, 1991) and develop an expansive model (Fuller and Unwin, 2003a) which introduced higher education as part of the qualifying route (Ormrod, 1971).

Self-regulation in the legal profession revealed fundamental disadvantages (Select Committee, 1846 and Anand, 2018). Solicitors who govern themselves may behave in a way that is in their self-interest and not always in the interest of their employees or the public (Anand, 2018). Self-regulation of the legal profession did not produce the standards and training for solicitor apprentices (Select Committee Report 1846). The 19th century was a time of change for the legal profession in the form of state intervention. The state (UK government) sought to take control of the legal profession by removing self-regulation and introducing an external regulator (Flood, 2011). Initially in the form of the Law Society who were given the powers to monitor the standards of legal education and discipline solicitors who did not demonstrate the standards expected of them (Davies, 2003). This has been described as a “regulatory bargain that professional self-regulating organizations strike with the state is that (sic) they will investigate and take disciplinary or corrective measures against their wayward members” (Brockman, 2004, p.55). This is the alternative to self-regulation and has been described as a model of “co-regulation, which is currently in place in England and Wales” (Anand, 2018, p.102). Co-regulation is a model which consists of the UK government and a regulatory body. The latter is created through the introduction of government legislation. Anand (2018) believes self-regulation by the legal profession in England and Wales has been

abandoned in favour of a co-regulation model after decades of scandals and reports which demonstrated how, the then regulator, the Law Society had abused their position by prioritising the interests of their members (solicitors) over the interests of the public (ibid, p.102). This criticism is aligned with the introduction of the Legal Services Act 2007 which removed the Law Society as the regulatory body and introduced the Solicitors Regulatory Authority (SRA). The SRA now regulate legal education and entry into the profession. The structure of this type of regulation has been described by Lester (2016) as an agency relationship between the state and a regulator. He refers to this symbiotic relationship as a “social contract that allows professions a degree of monopoly over their employment or services market in return for conducting themselves in the public interest” (ibid, p.1). This statement is reflected in the SRA’s powers of regulation and their new legal education framework. They have restricted entry to the profession. Only those who are able to meet their entry criteria are able to use the title solicitor (Adams, 2016). This demonstrates two distinct forms of delegated powers given to the SRA:

*The power to establish criteria pertaining to entry to practice (sic)
... [and] the power to govern practitioner behaviour to ensure
practice is conducted in an ethical and responsible manner*

(Adams, 2016, p.71).

This is the SRA's argument which they presented in their consultation documentation (SRA, 2015a). They believe their educational framework and new form of assessments aligns with the knowledge credentials which a day-one qualified solicitor should be able to demonstrate. How this new educational framework is operating inside the solicitor apprenticeship model is investigated as part of this study.

2.4 Different journeys but the same destination

The first intake of trailblazer solicitor apprentices began their journey in 2015. Their journey is made up of two separate pathways but with the same destination. The main-body of the journey takes place through work-based-experience. The second leg of the journey is attendance at a higher educational institution. In the former the apprentice is exposed to the working environment and shares the day-to-day experiences with their colleagues. Those who mentor them, instruct them on aspects of their professional life and these experienced practitioners guide their learning and act as a model for the apprentice. The apprentices are able to observe, listen and reflect on how the law is put into practise through day-to-day activities. These activities are shared with the apprentice who is able to ask questions and contribute to the activity under the guidance of an experienced practitioner.

2.4.1 Learning inside a community

This form of learning is reflected in the work of Lave and Wenger (1991) who discussed how learning is initiated by a community of practitioners from within the workplace. Lave and Wenger (ibid) focussed on how the apprentice internalises knowledge which is transmitted from others or an experienced interaction with their community of practitioners which contributes to the development of practical knowledge over a period of time (ibid, p.47). Their work discussed the craft-apprenticeship which formed part of their empirical study of various forms of craft-apprenticeships (1991). They provided a conceptual framework which visualised the journey of the apprentice who starts from the outside, becomes a member of the community and develops the skills and knowledge by participating inside the workplace. Billett (2016) sees this form of learning as constructing knowledge and skills from individual experiences. He describes this process as “constructing knowledge ... premised upon what we already know, can do and value arising from earlier experiences” (Billett, 2016, P.615). This model of learning also draws on the work of the anthropologist Marchand (2008) and social constructivist Vygotsky (1978 and 1986) whose research focussed on the way an individual constructs a schematic framework through their engagement with their everyday experiences. Their work focussed on the

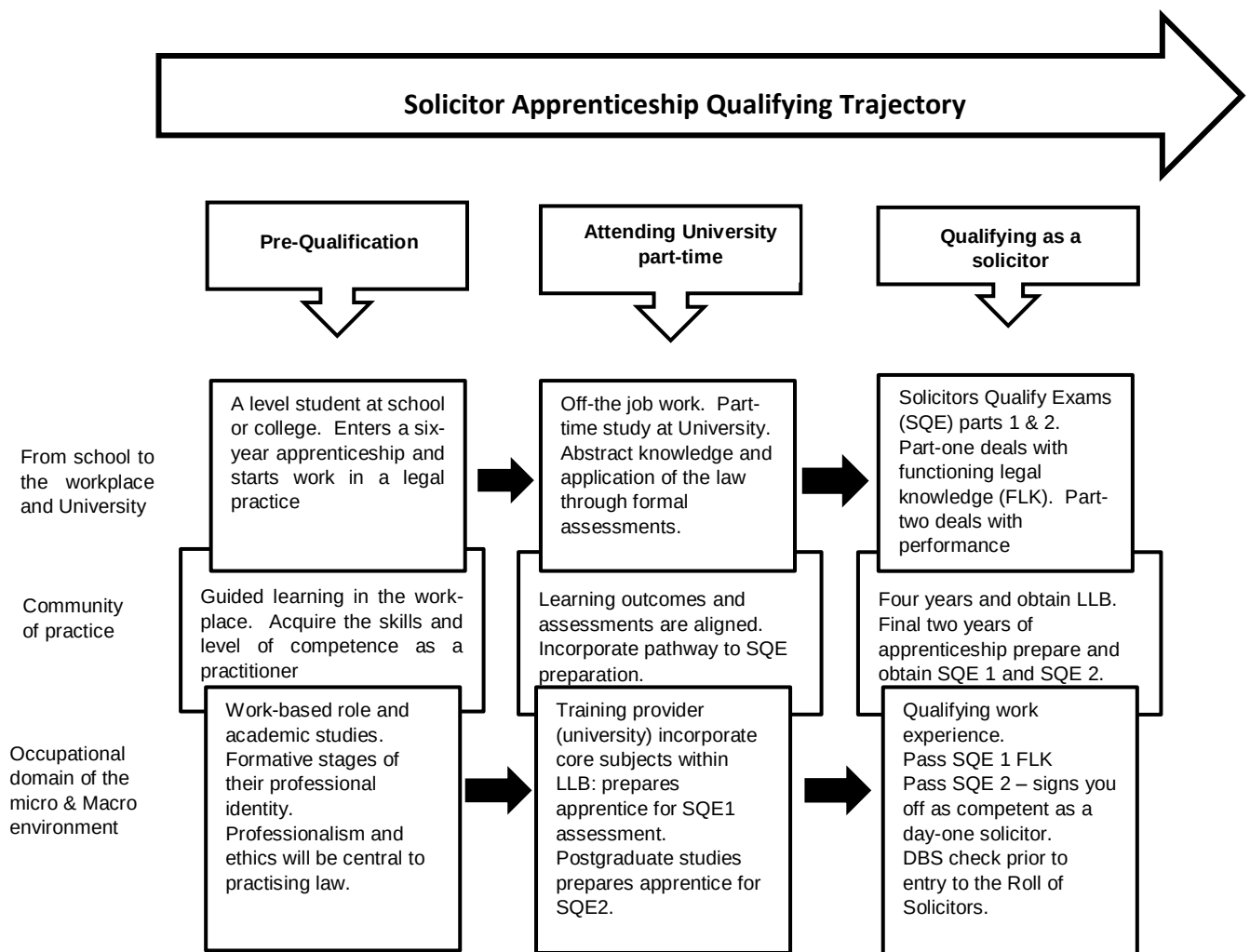
interaction with a community, society and how their workplace provided an opportunity to generate knowledge through shared activities. According to Vygotsky (1978) the workplace is a cultural tool with a function of providing a learner, such as an apprentice, with unstructured knowledge. Billett (2016) discussed the work of Marchand (2008) and Vygotsky (1978 and 1986) and supports their approach on how learning takes place. He also believes (2016) individuals construct a schematic framework and this is how they are able to perform new tasks whilst engaging in their everyday experiences. Marchand (2008) described this form of learning as:

Immersion in a learning environment that, in addition to facilitating technical know-how, structures the practitioner's hard-earned acquisition of social knowledge, worldviews and moral principles that denote membership and status in a trade
(p.246).

The distinction between formal and informal learning is important as the original (craft) apprenticeship model tended to use informal learning (Billett, 2012). However, the apprenticeship model has been moving away from the traditional craft apprenticeship. It has been evolving and this is demonstrated in the work of Fuller and Unwin (2003). They acknowledge that the apprenticeship is "... capable of innovation as it evolves and adapts to the changing contexts it inhabits" (2003, p.261). The traditional concept of the apprenticeship has been re-invented by successive

government intervention(s) over the last 30 years (Hordern, 2015). For example, the trailblazer apprenticeship in England (Richard, 2012) forges a stronger link between higher education and work-based learning. Diagram 4 captured the two journeys which is undertaken by the solicitor apprentices. Diagram 4 illustrates how this apprenticeship model is functioning inside a micro-environment which is controlled by their place of work. What happens inside this environment is controlled by the employer who decides how the apprentice is trained and the type of work they are provided on a daily basis. The second environment is the macro-environment which is dependent on government funding in the form of an apprenticeship levy. This funding pays the higher education tuition fees for these apprentices. The design of the curriculum is decided by the law school and includes a collection of modules that are studied at different levels (4, 5, 6 and 7) over a period of six-years. In the last two-years the solicitor apprentices prepares and undertakes the new Solicitors Qualifying Exams (SQE). The delivery of this formal learning is delivered online and with some face-to-face contact. These two distinct environments co-exist at the same time and produce different forms of knowledge which is needed to qualify as a solicitor.

Diagram 4 -The micro and macro environments



This diagram (above) illustrates the major developments in legal education which incorporated the new solicitor apprenticeship. The apprentice functions inside a macro (external) and micro (internal) structure. It demonstrates where know how and know that knowledge is created. The top, left row illustrates how the school leaver enters a six-year apprenticeship. Their off-the job work is in higher education and the far-right (top) is the formal assessment. The far-left, bottom row, is the workplace. As you move from left to far-right you can see how the different

forms of knowledge co-exist. The middle row (community of practice) is illustrating how these forms of knowledge are merging. They are distinct forms of knowledge but do not operate independently of each other. The functioning legal knowledge and practical skills are needed to complete the end-point-assessment (EPA).

This solicitor apprenticeship model is distinct from the original (craft) model and it is unknown how it operates in substance. You can see the structure emerging but what is taking place inside is unknown. This has been explored with the solicitor apprentices and stakeholders who have taken part in this research and is developed in chapters 5, 6 and 7.

2.5 Concluding remarks

This chapter has provided you with an overview of the original apprenticeship module that was dominant in the nineteenth century. The original solicitor apprenticeship model was an unstructured apprenticeship model (Ormrod, 1971 and LETR, 2013). The move to classroom learning and the abandonment of the original apprenticeship was discussed in the Ormrod paper in 1971. Mr Justice Ormrod acknowledged the importance of classroom learning but was apprehensive over the removal of the apprenticeship model. He had

concerns about supplementing this model with classroom learning and how aspiring solicitors would develop the skills and techniques which are essential to practise law. He summarised this in the following statement: “... the [legal] professions [are] emerging from the chrysalis of apprenticeship but have not yet discovered satisfactory alternative ways of developing wings” (ibid, p.33). This statement shows the past and how it is revealed in the present through the re-introduction of the apprenticeship model which is now a hybrid version combining formal and informal learning. It was important for this study to reflect on the past in order to show how it has been reinvented in the present. This new apprenticeship model has incorporated two distinct environments which are referred to as the micro and macro environments. In chapter 3 you are provided with a review of the literature which produced the three research question that are addressed in this study.

Chapter 3 – The Literature Review

3.1 Introduction

This chapter draws on the seminal work of various authors who produced materials that focus on inequality and entry to the legal profession; work-based learning theories and professional identity. This divides the chapter into three sections which reflect the themes which have emerged whilst undertaking this research. To begin, a brief overview is provided of each of these themes. They are then explored through the related literature.

3.1.1 Elite occupations

The first section explores the literature on entry to elite occupations and the barriers faced by socio-economic disadvantaged individuals. This develops a relationship with the solicitor apprenticeship model and the participants in this study. This is pivotal to this research as the SRA have claimed that the apprenticeship pathway is a mechanism used to widen access to the legal profession. In their initial consultation paper produced in 2013 they stated:

Our reforms are intended to remove unnecessary barriers to qualification [and] open up opportunities for a wider range of individuals to pursue a career as a solicitor (SRA, 2013 at p.5)

Opening up access to the legal profession is discussed in the literature and identifies specific areas where potential trainee solicitors have been excluded from entering the profession because of their socio-economic background. This was noted in the work of the Social Mobility Commission (2012, 2019, 2021 and 2024) and the Sutton Trust (2019) and their research is significant in this area of the study. The Social Mobility Commission (SMC), as an independent non-departmental public body has a duty to assess progress in improving social mobility in the UK and to promote social mobility in England. This duty is established under the Life Chances Act 2010, with some slight modification by the Welfare Reform and Work Act 2016. The SMC have produced a range of documentation which aims to improve socio-economic diversity and improve social mobility by highlighting the inequalities that exist through recruitment to elite professions, such as the legal profession. The data produced by the SMC demonstrates the bias and disproportionate selection of candidates from private schools and Oxbridge universities when selecting candidates to train as solicitors. The SMC have put forward a number of recommendations on how these unfair advantages may be addressed, such as amending their selection process and monitoring social diversity in the workplace (Sutton Trust and Social Mobility Commission, 2019). There was a clear message in the findings

of the Sutton Trust and Social Mobility Commission Report: “Access to opportunities should not be dependent on the social class you grew up in, and socio-economic background should be considered similarly to ethnicity and gender” (2019, p.8). Their Report provided a platform to develop this study alongside the SRA’s consultation documentation (SRA, 2013 and 2015b) which evaluates entry into the legal profession through the solicitor apprenticeship pathway. There is an imbalance in the literature produced by the SRA when they evaluate the pipeline to qualify as a solicitor. They have made claims but not followed them up with supporting evidence. For example, they have not produced qualitative data on entry into the legal profession for the solicitor apprenticeship route. As a new pipeline into the legal profession they have not undertaken an evaluation on why this pathway is taken up instead of going to university, or how it is operating inside a legal practice (Westminster Legal Forum, July 2023). This study has produced this data and is able to deal with the SRA’s claims on widening access from the perspective of the solicitor apprentice.

3.1.2 Situated learning

The next section examines situated learning and how learning takes place inside this new apprenticeship model. This form of learning is based on

being placed in a workplace environment which exposes the individual to the day-to-day work of a solicitor inside a legal practice. This is experiential learning in action as it contextualises the development of different soft-skills needed to perform the tasks of a practitioner (Billett, 2001 and 2014). The literature on vocational education and situated learning has a strong relationship with the social interaction that takes place inside a community of practice (Lave and Wenger, 1991 and Eraut, 2004 and 2007). These materials are used to generate ideas and reflect the nature of this study which is assessing how learning inside the solicitor apprenticeship is taking place. The initial materials used in this section of the chapter refer to the work of Lave and Wenger (1991), Billett (2001 and 2012) and Fuller and Unwin (2003, 2009 and 2011). Their research develops the context of how learning takes place through an apprenticeship model and how this model has expanded in the twenty-first century. Their work is then contrasted with alternative literature on work-based learning alongside higher education. The work of Eraut (2000 and 2007) and Eraut and du Boulay (2000) was used to examine professional education and how they saw the workplace as a site where professional practice is nurtured alongside formal learning. Their work (ibid) provides an expansion on Lave and Wenger's research (1991) as they investigated an inside view on how best to combine work, as a source of learning, alongside higher education. The research of Eraut and du

Boulay (2000) demonstrated how the values and attitudes of a practitioner are shaped as part of their on-going professional development. Together these materials build a relationship with this study and advances a body of knowledge which is tailored around the Solicitors apprenticeship pathway.

3.1.3 Professional Identity

The final section of this chapter undertakes an examination of professional development and identity of the solicitor apprentice. This involves an examination of the literature on the transformation from novice to practitioner (Tajfel and Turner, 1986 and Thomason, 2014). How the environment and exposure to legal procedure inside a legal practice shapes the professional identity of the solicitor apprentice as a practitioner. While working to qualify as a solicitor the apprentice will complete six-years of work-based learning. This is a nurturing process which shapes and forms the character of the practitioner in situ. The professional identity of the solicitor apprentice and how it is nurtured inside this apprenticeship is undocumented. The literature has focussed on the undergraduate and postgraduate law students preparing to work inside a legal practice (Longan et al, 2020 and Hamilton 2012). This study has produced data which reveals how the solicitor apprentices see themselves

and how they are changing over a period of time. These changes are documented in the data and reveal how these solicitor apprentices see themselves developing a professional identity inside this apprenticeship model. They are discovering the professional rules that govern their relationship with clients and how to conduct themselves (Blake, 2009). Billett (1995) referred to this transformation as “socio-cultural constructivism ... [and] interaction with a socially determined world in the forms of its culture, communication and practices” (1995, p.21). It is a metamorphosis that takes place over a period of time through an absorption of the day-to-day conduct of legal procedure taking place inside a law firm. In contrast, classroom learning within the apprenticeship is concerned with developing transferable skills which form part of an assessment process. It is the creation of these different forms of knowledge and experiences that lie at the heart of the professional identity of the solicitor apprenticeship (Susskind and Susskind, 2017). Finding out how the environment of the solicitor apprentice(s) has influenced their behaviours and professional identity is important. The data advances this body of knowledge that will sit within that landscape. This was underpinned by the materials produced by Tajfel and Turner (1986) on social identity theory. Their work provided an example on how experiences have impacted on a practitioner’s identity. They examined how individuals derive their self-identity through their membership in a

social group. Identity was important to the solicitor apprentices who took part in this study. They were among the first group of solicitor apprentices who were being integrated into the legal profession through this new pathway to qualify. Their role, and how they operated in the workplace, was new to their employers and the apprentices.

3.2 Gaining entry to the legal profession

The system for educating and training solicitors has been evolving for well over one-hundred and fifty years (Legal Education and Training Review, 2013). It has been described as an elitist profession (Sutton Trust and Social mobility Commission, 2019) and forty percent of graduate trainee solicitors in the top law firms in London were educated at fee-paying schools (Social Mobility and Child Poverty Commission, 2012). Only seven percent of students in the UK attend private schools, five percent attend grammar schools and eighty-eight percent attend comprehensive schools (Sutton Trust and Social mobility Commission, 2019, p.14). In contrast to state educated students, privately educated individuals are substantially over-represented in the legal profession (ibid). Alan Milburn referred to this situation as a “growing recognition that a society in which birth not worth dictates people’s outcomes is not only unfair; it is also unviable” (Social Mobility Commission, 2012, p.2). This situation is not

improving and the Social Mobility Commission in 2024 found that: "... young people from a lower working-class background are being held back, not only by lack of access to professional jobs, but also by the range of jobs above a routine manual level" (ibid, p.70). The SRA acknowledged these inequalities and this is reflected in their early consultation papers (SRA, 2013 and 2015a). They believe the apprenticeship as an entry point will address the problem by providing an opportunity for individuals from "... less traditional educational backgrounds to be able to enter the solicitors' profession" (SRA, 2013, p.13-14). However, at the time of this study the SRA have not produced any qualitative data on inequality and entry to the profession through the solicitor apprenticeship pathway (Westminster Legal Policy Forum, July 2023). They are not providing data at the grass roots level, such as the entry to the profession through the apprenticeship pathway (ibid). The data produced in this study is advancing this body of knowledge. It has examined this new route and provided an inside view through the lens of the solicitor apprentices who participated in this research. They provided real life stories which demonstrated the barriers they faced and explained why they chose the apprenticeship as an entry point into the legal profession, as opposed to going to university and then trying to gain entry by obtaining a training contract. There is quantitative data on trainee solicitors and this is included in the Law Society's Annual Statistics Report (ASR). This data

demonstrates the limited number of training contracts compared to the number of law graduates. For example, the Law Society's Annual Statistics Report in 2022 (pp.41-44) found that in 2021, 18,927 students graduated with a law degree. The number of trainee solicitor contracts available in 2020-21 was 5,495. A decline of two-percent from 2019-20 (ibid). The number of law graduates and limited training contracts each and every year placed aspiring solicitors in a precarious position. The data in the Law Society's Annual Statistics Report confirmed the majority of these training contracts were located in the City of London (see Table 4). These placements made up over a third of all registered trainee solicitors. Collectively, with the rest of London, the data is demonstrating that half of all the trainee solicitors are located in the Greater London regions. These figures are significant as Ashcraft et al (2015) found that a number of law firms in the city of London are biased in their recruitment and that individuals from less privileged socio-economic backgrounds were not being selected for training contracts. Limited training contracts and a tendency for law firms to recruit from a narrow group of elite universities (Ashley et al, 2015), added to the problem for those law graduates who wanted to train and qualify as a solicitor. Training contracts are now being phased out and replaced by qualifying work experience under the SRA's new education framework. The solicitor apprenticeship provides the qualifying experience as it is a work-based

learning model. Table 3 illustrates the number of law students graduating in 2011, 2016 and 2021. This demonstrates how the number of law graduates were increasing and Table 4 illustrates the limited number of training contracts available. This was compounded by the evidence in the research by Ashley et al (2015) who found that that selection for these trainee contracts was based on the candidate's school and the university attended and not their educational achievements. Ashley et al's research (ibid) supports the claims made by the Sutton Trust and the Social Mobility Commission (2019): the educational backgrounds of key professionals is how you get into the legal profession. This exposes the inequality that has existed when trying to get into the legal profession in the UK. Getting in is based on your background and not on merit. An individual's socio-economic background has been used to exclude those who are not privately educated or did not attend a Russell Group university (ibid).

Table 3 - Number of trainee solicitors registered in 2019-20 and 2020-21

Number of Law Graduates			
Year	Men	Women	Total
2011	5,434	9,425	14,859
2016	5,817	10,133	15,950
2021	6,426	12,501	18,927

Adapted from the Law Society Trends in the Solicitors' Profession
Annual Statistic Report 2022

Table 4 - Trainee solicitor placements in 2021-22

Trainee solicitor contracts in 2020-2021		
Location	Number	Percentage by region
City of London	1,780	32.4
Rest of London	910	16.6
South East	341	6.2
Eastern	209	3.8
South West	281	5.1
West Midlands	355	6.5
East Midlands	154	2.8
Yorkshire and Humberside	309	5.6
North West	572	10.4
North East	112	2.0
Wales	172	3.1
Abroad (incl NI and Scotland)	90	1.6
Not Known	210	3.8
Total	5,495	100.0

Adapted from the Law Society Trends in the Solicitors' Profession
Annual Statistic Report 2022

3.3 Socio-economic background

The Social Mobility Commission and Sutton Trust (2012 and 2019) have confirmed that entry to an elite profession, such as the legal profession, is biased and “it is not fair that the circumstances of birth should go on to dictate the opportunities of an individual’s life” (ibid, 2019, p.13). There is a dominant narrative in the literature on inequality and entry into the legal profession for those from state school backgrounds (Bridge Group, 2020b). Socio-economic background is key to understanding and addressing this inequality. The denial of entry and opportunity to qualify as a solicitor was discussed in the Bridge Report (2017). They found that

diversity and inequality in the legal profession needs to be addressed. They examined the impact of the new legal education framework on diversity in the profession and recommended there must be more rigour and accessibility to ensure students from all backgrounds have access to the profession (ibid). They were critical of employers and how selection of trainee solicitors had taken place in the past. They believe the employer is creating these inequalities and they should change how they recruit by undertaking “activities to promote diversity” (ibid, p.4). The Bridge Report put forward a concluding point in their executive summary which sums up their main argument: “There is no silver bullet to address diversity in the legal profession, because lack of diversity is constructed of a complex range of factors ... We therefore place emphasis on the gathering and analysis of accurate data ...” (ibid, p.4). The data in this study is exposing the apprentice’s socio-economic background and whether the apprenticeship pathway is addressing the inequality on entry to the legal profession. The data is addressing the criticisms of the Legal Services Board (LSB) who found that individuals from lower socio-economic backgrounds faced significant barriers to entry and progression in the legal profession (Sullivan, 2010). The LSB drew on the research by Rolfe and Anderson (2003) who claimed that some law firms developed stronger links with selective and independent schools, compared to comprehensive schools and this is supported by the later research by

Green and Kynaston (2019). These concerns were voiced in the Westminster Legal Policy Forum (2025) by Craig Westwood, the Chief Executive of the Legal Services Board. He spoke about equality, diversity and inclusion in the legal profession. He was of the opinion that there is a need to dismantle barriers in the legal profession in order to open up the profession to a wider sector of society: “It is time to begin a path of creating and sustaining a truly diverse and inclusive profession” (ibid, p.2). This study has explored the new pathway into the legal profession and whether or not it has addressed inequality.

3.3.1 The perception of debt

The link between going to university and the perception of high levels of debt deter some students from taking up their place at university (Singh, 2025). The literature on attitudes to tuition fees and student debt is explored in this section of the literature review as this study is finding out if the apprenticeship model is addressing the inequality and entry to the legal profession which has existed (see 3.3). Undergraduate and postgraduate tuition fees have been an economic gamble for many law students (see 1.3). The SRA have argued (see 1.4) the solicitor apprenticeship will address the inequalities that have existed. The

apprenticeship pathway removes the risks associated with student debt. This is particularly prevalent for those students who are from a low-level income family as compared to students from a middle-class background. Previous studies, using qualitative data, found that middle-class families are more likely to provide financial assistance for their children so they are able to take up their place at university. In comparison, lower-income families were not in a position to support their children and this suggests that student debt is more likely to have an adverse effect on those from a poorer background. This has shown to have a negative impact on students from poorer backgrounds (Riddell et al, 2016). Studies dealing with the debt perception and taking up a place at university had been undertaken by Callender and Jackson (Callender, 2003, Callender and Jackson, 2005, Callender and Jackson, 2008). They undertook a survey of more than 2000 prospect students across the UK. A stratified random sample of school and colleges were used. The data found that those students from a lower social class background had a fear of debt and this was more likely to deter them from taking up their place at university (ibid).

Neilsen (2023) believes this is “a psychological attitude based on an individual’s history and beliefs” (p.16). He supports this position by drawing on the individual’s background and the nurturing of their characteristics which were formed inside their family. A recent qualitative

study undertaken by Singh (2025) found working-class students had a perception of going to university as “expensive and risky” (ibid, p.11). There was a calculated financial risk as many of the participants in Singh’s study were of the opinion that “the failure to convert a degree into meaningful graduate employment ... can result in the internalisation of narratives of personal failure” (ibid, p.11). There is a strong link between “socioeconomic and educational inequality ... for students from lower socioeconomic backgrounds” (Furuta, 2024, pp.41-42). Bachan (2014) believes incurring high levels of debt is a barrier “for potential students from lower socioeconomic groups” (ibid, p.849). The earlier research produced by Purcell and Elias (2010) found that the perception of debt is intensified for those students from a disadvantaged economic background who did take up their offer at university. They found that these students had limited financial resources from their parents and had no alternative but to take on paid employment. This reduced their time and had an impact on their academic studies. In this study the solicitor apprentices have self-identified as coming from a socially disadvantaged background. Their perception of debt, working full-time and the impact on their academic studies is revealed during the interviews with the solicitor apprentices.

3.3.2 The apprenticeship levy

The use of a levy to fund higher education tuition fees for solicitor apprentices is a pull-factor. It has supported the SRA's claim (2015a) that the apprenticeship pathway is widening access to the legal profession as it removes the financial burden of higher educational tuition fees. This argument put forward by the SRA is vulnerable as the levy is a government policy and out of the control of the SRA's regulation. The use of the levy to fund level 7 apprenticeships has recently been debated by the (current) labour government. A new policy has been announced which threatened to remove this funding for the solicitor apprenticeship pathway. The Prime Minister Sir Keir Starmer and the Education Secretary Bridget Philipson have announced a new growth and skills levy. This will replace the existing apprenticeship levy and include a new foundation apprenticeship. The original plan was to focus only on lower level apprenticeship and cut the level 7 funding (Department of Education, 2024). As the solicitor apprenticeship is a level 7 apprenticeship this policy, if it had been introduced in its original form would have had a direct impact on the future recruitment of solicitor apprentices. In effect it would have removed the opportunity for social mobility for individuals or groups who are socio-economically deprived. The Chief Executive of the

University Vocational Awards Council (UVAC), Mandy Crawford-Lee, has voiced this concern and believes that: "... for apprenticeships to come under attack seems unthinkable when you consider how critical they are to promoting social inclusion, bolstering the wider economy, and addressing the skills gap across all sectors" (Crawford-Lee, 2024b, p.1). Removing this levy would have a direct impact on the recruitment of solicitor apprentices. Economic inequality restricts social mobility and the levy has been used to address this issue (ibid). The removal of the levy would mean equality of opportunity would be removed from this entry point of the profession (ibid). A recent survey undertaken by members of the UVAC found that 88 per cent of universities believe higher and degree apprenticeships are the key to economic growth and are addressing the skills gap in the UK (ibid). There are concerns about the way the Levy raises funds and how they are not used (Crawford-Lee, 2024a). Any unused funds acquired through the levy expire after 24 months. These unused funds are returned to the Treasury. Since the levy was introduced in 2017 it has been reported (ibid) that £2.7 billion raised by the levy had been returned to the Treasury.

The current government's recommendations have now been amended and funding at level 7 will continue but only for those apprentices who are aged 21 or under (or those existing apprentices) when they start the

apprenticeship. Any new apprentice starts who are over the age of 21 will not receive funding. This restriction will come into force from January 2026. The current Education Secretary, Bridget Phillipson, has released a press statement via The Department for Education (27th May 2025) which confirms these changes and provided a brief explanation why these changes are being made. She believes these changes are a way of:

... refocusing funding away from Level 7 (masters-level) apprenticeships from January 2026, while maintaining support for those aged 16 to 21 and existing apprentices. This will enable levy funding to be rebalanced towards training at lower levels, where it can have the greatest impact

The Law Society (2025) have released a statement which confirmed age restriction for funding will affect recruitment onto the solicitor apprenticeship. The Law Society have provided data on the age range of solicitor apprentices. In “2023/24 45% of people who started solicitor apprenticeships were between the ages of 20 and 24” (ibid, p.1). This material (restricting the levy) only became available at the very latter stages of this study and does not form part of the data produced in the form of interviews that took place with the solicitor apprentices or the stakeholders in the second sample. Instead, these materials are used as part of the on-going review of the literature as it has a relationship with this study. It will be commented upon in the conclusion in chapter 8 but will not form part of the findings of this study.

3.4 Inequality

There is a common pattern emerging in the literature and is summarised by the following quote: “educational privilege also buys lifetime privilege and influence” (Green and Kynaston, 2019, p.4). The literature revealed the problems of gaining entry to the legal profession. It is an elite profession and suffers from an in-built bias and excludes those applicants from a lower socio-economic background. This was confirmed by the Sutton Trust and Social Mobility Commission research (2019). They found that affluent candidates who attended fee-paying schools and went to Russell Group universities gained entry to the elite professions. If educational advantages favour the privileged classes there is also an argument that the lack of cultural capital, reproduced through private education, is also a barrier to enter the legal profession. This provides a wider perspective on this in-built inequality that is part of society’s fabric and takes the form of personal characteristics. Bourdieu (1986) has referred to this situation as cultural capital. He was of the opinion that cultural knowledge gives you a similar advantage to financial capital. This is a form of capital acquired through exposure to the arts and wider aspects of life. Bourdieu identified three types of cultural capital that shaped and formed an individual: embodied capital which included an individual’s accent and the way they conducted themselves; objectified

capital in the form of exposure to literature (books), works of art and how they are appreciated, and institutionalised capital through educational establishments and qualifications (Bourdieu, 1986, p.47). This is developed as part of the findings in 5.8 which discusses the concept of habitus clivé. This concept shows how an individual sees themselves and how inequality is reproduced through the way “employers’ practices constitute processes of social exclusion” (Ingram and Allen, 2019, p723). This form of bias and discrimination in the legal profession was referred to by the then president of the Law Society, Simon Davis, as the need to “fit in” (Bridge Group, 2020b). As part of the Bridge Group report (2020b) a webinar was produced. In this webinar Simon Davis refers to how people like to be surrounded by people who sound and think like each other (ibid, time-frame 6.20-6.46). This sentiment is an on-going problem and this study has examined how solicitor apprentices fit in.

The literature has revealed how the socio-economic background of an individual is a pre-determination of your life’s chances in terms of your career prospects and identity (Reeves and Friedman, 2024). The literature is consistently demonstrating inequality connected to specific professions which include the legal profession. This is explored through the data produced in this study by examining this new entry point into the legal profession and why the participants in this study chose this route

instead of taking up their place at university by responding to the first research question:

How and to what extent has the introduction of the solicitor apprenticeship model addressed inequality of entry into the legal profession?

3.5 Work-based learning theories

The next section explores the literature that has influenced this study on experiential learning and the different forms of knowledge created through work-based and classroom learning. The review builds a relationship with the solicitor apprenticeship, as a responsive model (Fuller and Unwin, 2009), for the changes needed inside a legal practice in the twenty-first century. This explores the conceptual framework linked to a range of authors who have developed theoretical constructs to address how learning takes place in the workplace. For example, social constructivism (Vygotsky, 1978 and 1986) which draws attention to how knowledge is socially constructed through social communities (Lave and Wenger, 1991). This underpins a discussion which addresses the interrelationship between cognition, context and how the process of learning involves reformulating existing knowledge into new knowledge through practice (Guile and Young, 1998). The authors selected in this section of the review reflected a quasi-natural perspective. This involves real world

settings and how the environment shapes and forms them as a practitioner. These materials develop a narrative around learning taking place through workplace practices (Guile, 2009). Authors such as Lave and Wenger (1991), Fuller and Unwin (2003, 2009 and 2014), Billett (2014 and 2001) and Eraut (2000, 2004 and 2007) are the main stem in this branch of the review. Their work is developed by drawing upon additional authors who have either collaborated with them, such as Eraut and du Boulay (2000) or have been referred to as part of their research such as Barbara Rogoff (1990, 1995 & 2003) and Stan Lester (2014). Their research is used to demonstrate different aspects on learning through work which have guided this study. For example, the acquisition of knowledge is distinct in different settings and the contextual determinants will guide how different forms of learning may take place. This is evident in the work of Sfard (1998) who identifies two metaphors which she refers to as 'acquisition' and 'participation.' Sfard's research will be used at a later juncture to demonstrate how different forms of knowledge are acquired in different contexts.

3.5.1 Community of practice

The work of Lave and Wenger (1991) developed the concept of a community of practice and how novices learn from practitioners in a socio-cultural context. This was expanded upon by Fuller and Unwin (2003) when they examined how an apprenticeship model was not fixed but was evolving with the demands of society and the skills needed in different sectors of society. Fuller and Unwin (ibid) referred to the policy documents produced by successive governments who have been the architects of different forms of apprenticeships, the latest being the trailblazer apprenticeship (Richard, 2012) adopted by the SRA. Fuller and Unwin make direct reference to the work of Lave and Wenger (1991) which provided a body of work on socio-cultural practices which influenced an apprentice's behaviour, skills and knowledge of their occupation. The phrase 'community of practice' was developed in their work (Lave and Wenger, 1991, p.29) when discussing how "... newcomers become part of a community of practice." The research undertaken by Lave and Wenger (ibid) provided an inside view on how learning was taking place for craft apprentices. Their account(s) were presented as a personal journey and how apprentices moved through this journey by becoming full participants in the socio-cultural practices of a

work-based community. They provided an example of different occupations and how knowledge and skills were created inside these communities of practice. Their starting point was that learning is a situated activity inside a community of practitioners. The practitioners within the workplace shared their expertise with these novices (apprentices) who observed, listened and mimicked the skills of the qualified practitioners. The values, social norms and occupational practices were passed on from one generation to the next. These observations provided by Lave and Wenger (1991) reflect the communities of craft apprentices in traditional societies, such as Yucatec midwives, Vai and Gola tailors, naval quartermasters and meat cutter apprentices. This provided an insight into how learning is created through participating in work-based tasks inside a community.

3.5.2 Moving from the outside to the inside of a community

Lave and Wenger (1991) discussed the trajectory of learning taking place as the apprentice moves through stages of their professional and personal development. The apprentice moves from the outer-circle to the inner-circle of their community. They become fully integrated into the socio-cultural practices of their community and practitioners of their craft (ibid).

Lave and Wenger (1991) referred to this process as 'legitimate peripheral participation'. As the apprentice develops their skills, knowledge and professional identity as a practitioner they move closer to their craft and community. The groups used in their studies worked with their hands and this is reflected in the knowledge they acquired through their lived experiences in their communities of practice (Sennett, 2008, p.151). The notion of learning by doing was an integral and inseparable aspect of social practice for Lave and Wenger (1991, p.31). They used the concept of situated learning as a bridge which was the pathway to create knowledge from inside a community. For Lave and Wenger (1991) it is the engagement in work-based activities that creates the body of working knowledge. This is the frame of reference they use when they explore how learning takes place through the apprenticeship model. They describe the learning process as if it: "...is not merely situated in practice – as if it were some independently reifiable process that just happened to be located somewhere; learning is an integral part of generative social practice in the lived-in world" (Lave and Wenger, 1991 at p.35). In his later work Etienne Wenger (1998) developed this point by explaining that "practice is a shared history of learning" (p.102). He describes the interaction of newcomers who are exposed to the history of learning that has taken place and how they re-construct and develop their practice.

This results in the reproduction of their profession within their community of practice.

Fuller and Unwin (2009) are of a similar opinion to Lave and Wenger (1991). They see the apprenticeship as a journey. It is a: "... a process of maturation ... to grow into the behaviours and understandings associated with being a useful citizen and sense of self. (ibid, p.405). In their earlier work Fuller and Unwin (2003) use a number of case studies to understand how the interaction with the workplace, the community, acts as a learning environment for apprentices. The work of Fuller and Unwin (2003) develops the narrative on different forms of apprenticeships which shape the lived reality of learning through contemporary apprenticeships that were emerging. They used different forms of apprenticeships in their cases studies which developed a discussion on access to academic qualifications which were introduced into knowledge-based vocational qualifications. They referred to this form of apprenticeship as 'expansive' and contrasted it with the craft-apprenticeship which they claim is narrow and only provides access to learning which is restricted to the workplace. They refer to this form of apprenticeship as 'restrictive' (ibid, p.410-11). Fuller and Unwin investigated the use of the Modern Apprenticeship which was a government apprenticeship model which was delivered by a range

of employers from 1993 until 2004. They found that the Modern Apprenticeship was restricted and that it was suggested by the then Department for Education and Employment that 'Technical Certificates' be introduced in the form of off-the-job training (ibid, p.424). Fuller and Unwin believe this approach:

... has the potential to add an important dimension to the programme because it would provide all modern apprentices with the opportunities to reflect, explore and cross into new communities of practice: in other words, to experience core features of an expansive approach to apprenticeship. (2003, p.424).

It is important to make a connection between the past and the present but it needs to have a dialogue between the different times and how different forms of apprenticeship have emerged during these periods. This will reveal how learning takes place through different apprenticeship models at different times. For example, the case studies of the craft apprenticeship presented by Lave and Wenger (1991) did not include a role for formal (classroom) education. This is something that Fuller and Unwin noted in their work (2003, p.408) and they saw this as the "... main shortcomings in Lave and Wenger's account of learning" (2003, p.408). An example of this criticism is reflected in Lave and Wenger's work (1991, p.73) when they endorsed the work of Edwin Hutchins (1993) an anthropologist and an open ocean racing sailor and navigator in their

work. They cited the work of Hutchins who published his research in Chaiklin and Lave (1993). Lave and Wenger refer to Hutchins' example of formal education as a hindrance when developing the practical skills of navigation for quartermasters. The following quote is taken from the work of Hutchins:

For a young person learning to be a quartermaster, there are many sources of information about the work to be done. Some go to specialized (sic) schools before they join a ship. There they are exposed to basic terminology and concepts, but little more. In some sense, they are "trained" but they have no experience. Most quartermasters learn what to do and how to do it while on the job. Some of the experience aboard ship is a bit like school with workbooks and exercises.

(cited in Chaiklin and Lave, 1993 at p.45)

When this statement was cited in Lave and Wenger (1991, at pp.73-74) they added a statement in parenthesis which stated:

In fact, the two quartermaster chiefs with whom I worked most closely said they preferred to get their trainees as able-bodied seamen without any prior training in the rate [role]. They said this saved them the trouble of having to break the trainees of bad habits acquired in school."

It is important to be aware of how materials are cited and used by different authors to support their arguments. For example, the text included by Lave and Wenger in their work (1991, p.73) is included as an end-note in

Chaiklin and Lave (1993). It is not developed as a structured criticism in the main body of the text written by Edwin Hutchins and contained in the work of Chaiklin and Lave (ibid).

Lave and Wenger have provided a rich body of work which has influenced this field of learning in the workplace. However, in light of on-going changes with the apprenticeship model the work of Lave and Wenger needs to be contextualised and then presented alongside contemporary apprenticeships which have incorporated higher education. Whereas, Lave and Wenger (ibid) had a strong focus on socio-cultural learning through a lived experience. An area which is developed in the work of Pyrko et al (2022) who discussed the concept of communities of practice by examining this through different theoretical perspectives such as focussing on the social learning mechanisms inside a community of practice. They provided a detailed debate in their research on how communities of practice are evolving in the twenty-first century in order to foster learning through workplace experience and sharing knowledge. Their work did not draw on formal learning as their study focussed on an integrative conceptual review of communities of practice and used different lenses to make sense of the way communities of practice are presented through theory and related literature. In this study the use of formal learning is an integrated part of the solicitor apprenticeship. It co-

exists with work-based learning and the different forms of knowledge acquired (Sfard, 1998 and Sfard and Prusak, 2005) are assessed at the entry point to qualify as a solicitor. It is with these caveats that Fuller and Unwin (2003) have been critical of Lave and Wenger's work (1991). Fuller and Unwin (2003) discussed the relationship of formal learning and how this may be integrated and developed inside a community of practice. Fuller and Unwin (ibid) see formal qualifications as adding value to the lived experience in the workplace. They believe qualifications will enhance and expand the features of an apprenticeship model. They suggest that this will support a deeper understanding of a profession in a contemporary apprenticeship. They warn of dangers when designing an apprenticeship and how successive governments have introduced models which had shortcomings as they did not prepare apprentices for work but only to pass formative assessments (ibid).

The design of the apprenticeship model and how it is delivered is an important factor and is explored in a wider context in Fuller and Unwin's work (2003). They drew upon government funded apprenticeship models which were attempting to do more than just integrate apprentices into a community of practice. For example, in their work they argued that there should be an expansion which included different forms of communities of practice. These communities would include formal learning, alongside

informal learning. Their work focussed on the Modern Apprenticeship and their suggestions were aligned with tertiary colleges. These colleges have expanded their portfolio of qualifications and franchise awards made available by higher educational institutions. This has provided access routes for degree apprenticeships. This is discussed in Fuller and Unwin's later work in 2013 on foundation degrees and progression to an honours degree. The expansion of the apprenticeship as a model for learning is prevalent in the form of the new trailblazer apprenticeship introduced in England.

3.6 The trailblazer apprenticeship

The Richard Review (2012) was the blueprint that created the trailblazer apprenticeship model. This report focussed on occupational standards created by a group of practitioners (trailblazers). This was one of the main features of the Richard Review (ibid). This allowed a profession (regulator) to say what an apprentice should be able to do after completing their apprenticeship. According to Doug Richard it is: "An apprenticeship model [which] delivers the most value when it involves sustained and substantial training, fully and closely integrated within the experience of learning and practising a real job" (Richard, 2012, p.5). He did not exclude the use of formal, classroom learning as he believed that:

... off-the-job, and off-site learning, typically delivered by a third-party organisation rather than the employer, adds value – it gives the apprentice safeguarded time away from their job to ensure they can do substantial training. It can give them a peer group of different apprentices and a wider perspective, ensuring that someone else other than their employer is inputting into their training which can add to transferability. (p.89)

Richard's work (2012, p.89) makes reference to the work of Fuller and Unwin (2003) and the importance of planned time off the job which provides apprentices with the opportunity to reflect on the learning process. He believed this approach accommodates the apprentice's development both as a student, employee and their development of different forms of knowledge and skills. A fundamental recommendation made by the Richard Review (ibid) was the introduction of a levy to fund off-the job training in the form of higher education. The funding is raised by a 0.5 percent levy on employers when their employee's Pay as You Earn (PAYE) exceeds three million pounds a year. Richard's recommendation was accepted and the tuition fees for higher education for trailblazer apprentices are paid for in England (Richard, 2012, p.90). This was an incentive for the SRA as this would support their claim that the apprenticeship pathway is widening access to a wider sector of society (2015a).

3.6.1 The solicitor apprenticeship

The SRA adopted the trailblazer apprenticeship model as the framework for their work-based learning route to qualify as a solicitor. The SRA have collaborated with the Institute for Apprenticeships (the Institute) which came in to being on the 1st April 2017. From the 31st January 2019 it became known as the Institute for Apprenticeships and Technical Education (IATE). This is a quasi-government body created using prior legislative powers of the Apprenticeships, Skills, Children and Learning Act 2009 (the 2009 Act) which has since been amended by the legislative provisions contained in part-four of the Enterprise Act 2016 (the 2016 Act). The 2009 Act delegates the underpinning powers to the Institute who work with stakeholders, such as the SRA and trailblazers by supporting them with the design, creation and approval of new trailblazer apprenticeships in England. At the latter stage of this study new legislation was introduced on the 16th May 2025 in the form of the Institute for Apprenticeships and Technical Education (Transfers of Functions etc) Act 2025. This legislation transferred the functions of the IATE to Skills England, an executive agency of the Department for Education (DfE). The DfE will now take responsibility for the way future trailblazer apprenticeships are designed. These forms of apprenticeship will continue to implement the recommendations of the Richard Review (2012) and include an end-point-

assessment that demonstrates knowledge, expertise and application of skills in a real world context to novel problems. The design of this form of apprenticeship model has two distinct, separate, pathways but with the same destination. The main-body of this journey takes place through work-experience and the second is attendance at a higher educational institution. In the former, the apprentice is exposed to the working environment and shares the day-to-day experiences with their colleagues. Those who will mentor them and instruct them on aspects of their professional life. Guided-learning by experienced practitioners which acts as a model for the apprentice who is able to observe, listen and reflect on how the law is put in to practise through day-to-day activities. These activities are shared with the apprentice who will be able to ask questions and contribute to the activity under the guidance of an experienced practitioner. The second pathway is formal learning in the classroom where the apprentice is exposed to the legal rules and sources of law. This will support solicitor apprentices with their activities in the workplace. This form of apprenticeship is distinct from the craft apprenticeship as it incorporates higher education whilst involving a community of practitioners. There are characteristics of the craft apprenticeship involved in the learning process but this is an expansive apprenticeship model (Fuller and Unwin, 2003). It is these two forms of knowledge

created inside the solicitor apprenticeship which are now explored in a wider context through the literature.

3.7 Learning from experience

The trailblazer solicitor apprenticeship is an expansive apprenticeship model. Fuller and Unwin (2003) have argued that an expansive apprenticeship will create a pedagogical work-based learning model that would incorporate a richer learning environment and foster deep learning. This argument is explored through an inside view presented by the solicitor apprentices who took part in this study. As a new pathway into the legal profession there is little or no guidance provided for the employer on how to structure and deliver this solicitor apprenticeship model. The practitioners, who deliver the work-based learning experience for the apprentices, would have qualified through the traditional two-year training contract route. In comparison, the solicitor apprentice is a school leaver, eighteen years old and likely to have little or no experience in a legal practice. Instead, they will have completed their A-Levels and will be entering the workplace for the first time. It is a new apprenticeship, and as such it is likely that there will be different approaches taken by different employers. It will be dependent on the resources available in each law firm. The community of practitioners who will be training these school

leavers would have gone to university and obtained their knowledge through formal learning prior to entering the workplace. They would have been prepared for the workplace by completing the Legal Practice Course (LPC). This was the traditional pathway to qualify as a solicitor (Ormrod Report, 1971, p.42). This places the trailblazer solicitor apprentice in an unparalleled position when comparing them with other apprenticeship models. They will be trained, monitored and will emulate the skills and behaviours of a community of practitioners who did not enter a legal practice through an apprenticeship pathway. The data in this study has created a body of knowledge dealing with the new solicitor apprenticeship model. This will advance this body of knowledge by adding a different dimension to the literature in the form of the lived experiences of these apprentices. They are able to explain how they have been nurtured inside their apprenticeship and how they acquired the different forms of knowledge to qualify as a solicitor.

3.7.1 Different forms of knowledge

As a professional practitioner these apprentices will need to have acquired the knowledge and competence to qualify through the new end-point-assessment introduced by the SRA. Eraut and du Boulay (2000) have

produced extensive materials dealing with the professional development of medical practitioners. Their work was used in this study as it has been adopted by the SRA (2015a) when they designed their Solicitor Statement of Competence. Eraut and du Boulay (2000) distinguished between performance and competence in their work. They examined the perceived gaps in professional practice when they examined different forms of knowledge used as a prediction of performance. They provided the following example when distinguishing between competence and performance:

One might be very content with a competent lawyer when buying a house, but look for an expert when seeking advice on a piece of complex litigation. Thus, being referred to as “competent” could in some circumstances be perceived as a rather negative comment. (Eraut and du Boulay, 2000 at p.6)

The implications of this statement is that different forms of work-based activities practice require different forms of knowledge. Eraut and du Boulay (2020, p.35) found that formal (classroom) knowledge is not always transferred into the workplace as there is not an opportunity to learn how to put that knowledge into practise. They have argued that in order for know-how knowledge to develop there must be an opportunity for work-based learning to transform know-that knowledge, created in the classroom, to be re-contextualised in the workplace environment. This is

the transformation stage of the professional practitioner and they see this process as a common problem when attempting to transfer knowledge "... from a university context to a professional practice context ..." (2000, p.35). Their research found that there was a separation between theory and putting that knowledge into practise. They found this to be a problem as it did not foster professional performance and competency. They discussed these concerns in the context of professional subjects, such as science and how it is taught independently from clinical aspects of medicine. They make reference to the work of Evans and Patel (1989, p.53) which confirms that there needs to be a form of clinical education that merges theory with workplace activities. Eraut and du Boulay (2000, p.38) summarise their concerns by explaining the need to understand the formation of 'expertise' through problem-solving tasks which develop a level of performance and will lead to a level of expertise through this experience. They see the repetition of case based experience, which involves the retrieval of information, will support with problem-solving tasks. Their work encourages the formation of a learning programme which fosters engagement and active learning that will develop a critical understanding of how learning takes place in clinical experience. Their research makes a clear link with formal knowledge, obtained through academic studies and re-contextualising that knowledge through workplace activities. This has a direct relationship with the solicitor

apprenticeship model which is combining formal and informal knowledge which is assessed through the end-point-assessment.

3.7.2 Where knowledge is acquired

There is limited materials on how solicitor apprentices are developing these different forms of knowledge inside this apprenticeship model. It is a personal journey for them and how they see learning taking place is under-researched. They are placed within a diverse legal environment, from the office, criminal courts, civil courts, police station, local government and in-house commercial work. The range of different forms of legal practice gives rise to questions about how their training and workload is structured. What needs to be discovered is how they are learning through participating in their work-related activities. This raises questions when considering how knowledge is acquired and the different forms of knowledge needed to be a practitioner. For solicitor apprentices their legal environment, their community of practice, will have influenced their professional development. Solicitor apprentices are exposed to the workplace from day-one of their apprenticeship. They are situated in the workplace, an environment which acts as a place for learning to take place (Billett, 2001). They will have a mentor or principal who will share their

experience with the apprentice. This engages the notion that new knowledge will originate from old knowledge which Sfard (1998) refers to “... as a conceptual transplant” (ibid, p.4) whereby the acquisition of knowledge takes place as the learner interprets and makes sense of their individual experience(s) through what they see and hear. For the solicitor apprentice they will refine their personal understanding of a situation by using their existing knowledge and build a relationship with new knowledge. They will need to construct their own learning, on their terms. They will be reconfiguring information and creating a mental framework. This will involve drawing upon previous experiences to support them with what they have already learnt and add to this on-going learning process (Piaget, 1972).

3.7.3 How knowledge is constructed

As the apprentice interacts with their peers and mentors they will be sharing this learning process. This is referred to by Vygotsky (1978) as social constructivism in real world problem solving situations. The work of Vygotsky (1986) used constructivism as the foundation of his argument about educational development. Vygotsky believed that the process of teaching, learning and cognitive development should not be considered

separately but should be conceptually brought together when developing a curriculum or in this instance the work-based curriculum. He coined the phrase the 'Zone of Proximal Development' (ZPD). The solicitor apprentice can be seen as positioned within this theoretical zone. The direct guidance of the employer, responsible for the apprentice's professional development, who navigates their course of learning. The relationship between the employer and apprentice should be an opportunity for the apprentice to develop independent learning skills. Through a sequence of events and wider exposure to legal processes the apprentice should be in a position to move from one position to the next position. They should be able to build upon each experience through a sequence of events. For example, the apprentice will observe work-related activities taking place; listening to colleagues discussing their work and solving legal work-based problems. This perspective is supported by the work of the sociocultural constructivist Barbara Rogoff (1990). Rogoff's work (1990 and 1995) explored situated learning and how relationships inside the workplace naturally engages participants. As an example, if the apprentice is asked to undertake a legal searches of a parcel of land. The apprentice will need to know how to undertake this search. This will involve procedural knowledge and skills. The apprentice has to evaluate the results (findings) and explain to the client any burdens or covenants (promises) attached to the land. The apprentice may have

observed this procedure taking place and is now mimicking (Billett, 2014) their mentor. The apprentice is absorbing this experience and as a form of self-discovery is able to write to the client and explain how specific covenants may restrain their client from using the land in a particular way. This process would develop a stronger understanding of different forms of covenants whilst finding out what is a covenant, how they operate in real settings. Vygotsky (1986) believed this form of learning is nurtured through various stages whilst assessing and measuring what has been learned. This process has been described as scaffolding which supports the learner. The phrase scaffolding is a metaphor which is a mechanism used to support the apprentice. The scaffolding is removed as the learner becomes more independent in their role. Applying this approach to each activity, undertaken by the solicitor apprentice, should have a goal and learning develops through a series of moment-by-moment interactions between the solicitor apprentice and co-participants (Rogoff 1990; 1995 and 2003). Prawat's (1993, p.10) believes "... formal apprenticeship arrangements, where novices are systematically coached and guided by expert practitioners, are thought to represent an even more powerful learning experience." This creates a structured learning experience for the solicitor apprentice (Billett et al 2004) whilst shaping their professional practice.

3.7.4 The hierarchy of knowledge

The ability to practise as a solicitor requires a combination of knowing the legal rules and how to put these rules in to practise. The research undertaking by Eraut (1994) provides guidance on professional education. Eraut believed that law and medicine are two of the most powerful professional occupations (1994, p.1). He was of the opinion that these professions are perceived as the 'ideal type' of profession which have control over their professional field as they are self-governing (Ibid, p.2). Eraut drew upon the work of Rueschemeyer (1983) who adopts a functionalist view when considering the moral probity and codes of conduct which are used to reinforce the use of self-governance for certain professions. Rueschemeyer (1983) summarises this as:

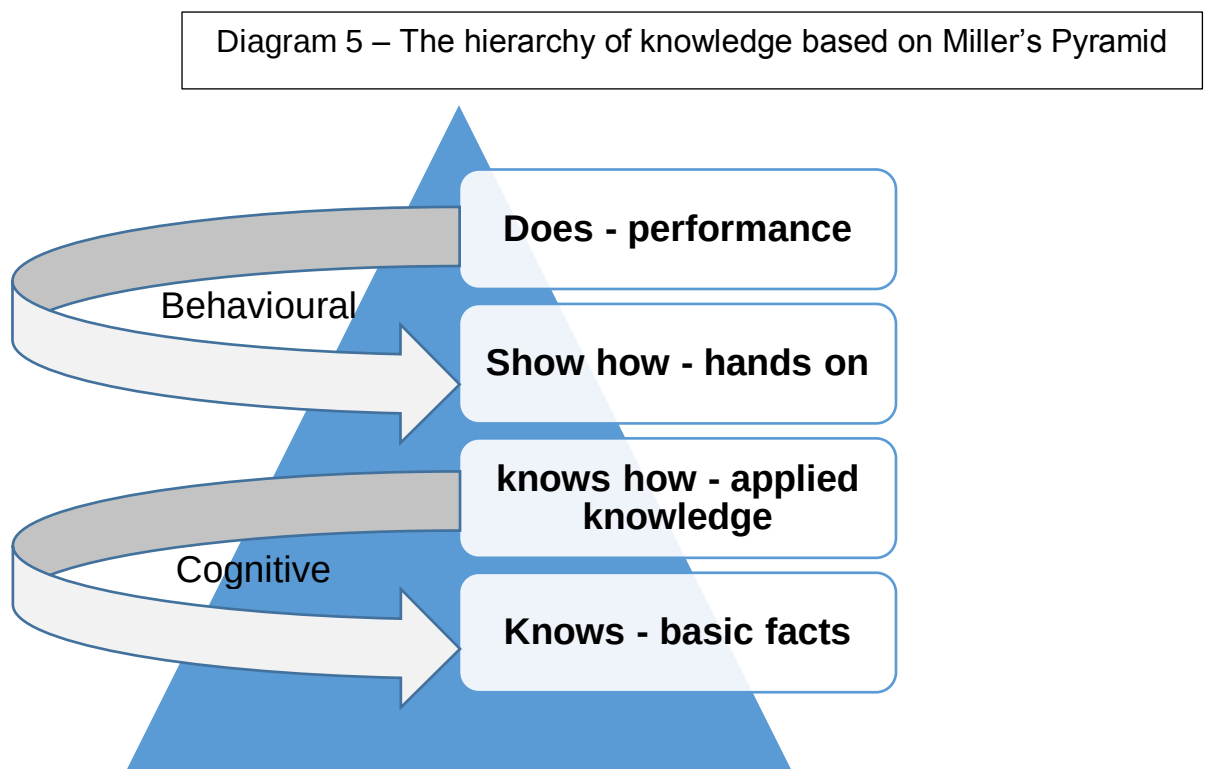
Individually and, in association, collectively, the professions 'strike a bargain with society' in which they exchange competence and integrity against the trust of client community, relative freedom from lay supervision and interference, protection against unqualified competition as well as substantial remuneration and higher social status (at p.41)

Rueshemeyer's statement is reflecting a trade-off with society as professions are regulated. This form of regulation should give society (customers/clients) assurances that the service provided is fit for purpose based on the formal education and training of the professional practitioner.

This is the argument put forward by the SRA who govern solicitors in England and Wales. They have a statutory duty (the Legal Services Act 2007) to ensure solicitors have the appropriate knowledge and are competent to practise before being admitted as a solicitor. The SRA discussed this in their consultation documents (2013 and 2015a) and forms the underpinning ethos of their governance.

As with any profession there must be a mechanism for independent governance which will instil standards inside a legal practice. In England and Wales those who qualify as solicitors must be competent, have the appropriate knowledge, skills and be a fit and proper person. These requirements are built into the new legal education framework which has a centralised assessment. The different forms of knowledge in this assessment are based on the work of Miller's hierarchy of knowledge (1990) which is presented as a pyramid. The different forms of knowledge which are assessed are behavioural knowledge and cognitive knowledge. Diagram 5, below, illustrates Miller's pyramid which is used by the medical profession to assess hierarchical knowledge (Norcini, 2003). The SRA adopted this form of hierarchy of knowledge which is incorporated into their end-point-assessment. The lower levels of the pyramid assess functioning legal knowledge (cognition) and the upper levels the threshold standards (behaviours) expected of a day-one solicitor. These four layers

are hierarchical in order of each level. Each assessment area forms part of the overall assessments on knowledge through to skills and competency of a practitioner (Norcini, 2003). At the apex is the highest level and focusses on the assessment of work-based competence. As you move down the pyramid (levels) the assessment areas target the lower levels of knowledge.



The hierarchy of knowledge - Adapted from the Solicitors Regulatory Authority's Qualifying Exams Draft Assessment, June 2017 at p.5.

The SRA (2017) are mindful of legal knowledge becoming increasingly complex as different forms of legal services are placing demands on legal professionals (Lord Chancellor's first report, 1996). The pressure to meet

these standards through an apprenticeship pathway have inevitably introduced additional layers that are now assessed as part of the objective structured clinical examinations (OSCEs) that target different forms of knowledge, such as formal knowledge through multiple choice question through to simulations tests such as interviewing a client, taking an attendance note, undertaking research, advising the client and completing the necessary documentation, such as drafting the client's Will. These levels of assessment are reflected in Miller's pyramid in diagram 5. The behavioural and cognitive levels in this pyramid reflect the underpinning knowledge (cognitive) and the skills needed to put this knowledge in to practise (behavioural). These distinct bodies of knowledge are acquired in different settings, such as the classroom and workplace and this is reflected in the work of Eraut (2004).

3.7.5 Invisible learning

The work of Eraut (2004) has influenced this study as he focussed on the different types of knowledge, skills and competences that were created from inside the workplace. As part of his research he interviewed a number of individuals and found that for them informal learning was invisible. The knowledge they had gained through their experience was

tacit rather than explicit knowledge. They were able to do the job but not explain how they had this form of knowledge. Eraut (ibid) found that some of his interviewees were not accustomed to discussing how learning was taking place for them. They found it difficult to respond to questions and when asked about their learning they were more likely to refer to formal learning, rather than non-formal learning. Eraut (ibid) notes that the interviewees just assumed solving a problem at work was not seen as part of the learning process. Eraut's approach is replicated in this study as similar interpretations may arise when asking the solicitor apprentices about their experience and how they see learning taking place for them. For example, Eraut et al (1998) found it difficult to get respondents to discuss many aspects of their work, or describe or discuss the nature of competence and their expertise which allowed them to undertake their day-to-day activities. Eraut et al (1998) discussed whether it was the way questions were being asked or phrased during the interview which may have confused respondents. He raises an important point as the questions should be phrased in a way that accommodate the interviewees' understanding (Bryman, 2012). These are lessons which will be adopted in this study and the interview framework will ensure the questions are in plain English and will be explained when interviewing the solicitor apprentices. In his later work Eraut (2000, pp.114-118) categorises different forms of knowledge acquired in different settings.

He makes reference to procedural knowledge and process knowledge which is captured in 'episodic memory'. He aligns this with the work of Kolb (1984) who developed a cycle of learning based on reflective practice whereby the practitioner is able to construct semantic memory which is used when performing a task. It is then tangible, concrete, as the performance is visible and demonstrates the knowledge in action. This form of knowledge and level of competence is what is measured when assessing the performance of a solicitor apprentice's ability to practise and qualify in the end-point-assessment. You are able to align Miller's pyramid and the work of Eraut with the SRA's different forms of assessments which are targeting different forms of knowledge which have been acquired in the classroom and workplace. According to the SRA (2015a) these new assessments are aimed at improving both the quality and the efficiency of the provision of legal services for the public. The data produced in this study is responding to these claims by addressing the second research question:

What is the nature of learning in the solicitor apprenticeship model and how is it taking place?

3.8 The identity of the solicitor apprentice

It is evident from the work of Lave and Wenger (1991) and Wenger (1998) that the community of practice acts as the chrysalis which nurtures and develops the apprentice's professional identity. As a contemporary apprenticeship model, the trailblazer solicitor apprenticeship is creating a community of practitioners. The solicitor apprentice is placed inside a community who will influence the apprenticeship's behaviour and develop their identity as a legal practitioner. The apprentice will be negotiating their identity whilst they are being formed and shaped by their community (Wenger, 1998). Wenger provides an example of this in his work on how the formation of the apprentice's identity is directly linked to their community of practice. As members of their community apprentices will have a sense of belonging and will define themselves as a practitioner of that community. They will be identified by their community and will develop their role as they position themselves inside this community of practitioners. The solicitor apprentices in this study are building relationships within their community, such as with the courts and personnel who manage trials and the day-to-day activities of the legal process. Wenger (1998, p.149) sees identity as a transformation which he describes as a "learning trajectory" which identifies where the

apprentice has been and their occupational destination which forms part of their journey.

The solicitor apprentices in this study are among the first apprentices to enter the legal profession through this gateway. It is a new experience for everyone involved and there is likely to be different perceptions on how the apprentices see their role and how those who are training them see them in this role. It is uncharted territory and the literature has focussed on preparing law students for working inside a legal practice by engaging them in simulating roles as a legal practitioner inside the classroom. The work of Lave and Wenger (1991) has provided guidance and supported this study. They have provided materials on how an identity is shaped and formed. However, in this study the apprentices will be operating in two-distinct environments, the workplace and university. As a new entry point into the profession the data is providing an inside view from the solicitor apprentice perspective. They are inside a legal practice and this is where they will be forming their identity as a legal practitioner. Dewey (1963) believed that the quality of this experience is important and that “every experience is a moving force. Its value can be judged only on the ground of what it moves toward and into” (ibid, p.38). The data produced in this study is able to respond to Dewey’s statement. The solicitor apprentices discussed how they see their identity being formed, shaped

and how they see themselves. It is an individual journey and each apprentice will have similar and different experiences. They share these experiences and this adds to the limited body of literature that is available.

3.8.1 Professional identity and professionalism

It is important to distinguish between professional identity and professionalism. In the context of this study the rules of professional conduct involve the formation of ethics whilst practising law. How the practitioner deals with clients, their manner and demeanour. Whereas, professional identity goes much deeper to the human form as a practitioner. This encompasses legal morality, values, decision-making process and who they are as an individual practitioner (Fruehwald, 2020). This identity emanates from inside a legal practice and this was discussed by Richard Williams, who works for the SRA (2021a), in a webinar. He discussed the purpose of qualifying work experience (QWE) and how this had an impact on the identity of the practitioner during their training. He believed the QWE is "... socialising individuals to the work and legal environment to help them prepare to become a solicitor" (timeframe 5.00-5.50). It is this socialisation process that induces the professional persona of the solicitor apprentice. It is a fundamental process as it introduces these

apprentices to the relationships and tensions between the client, the legal rules of procedure and who they are as a practitioner (Fruehwald, 2020). The work of Richard et al (2016) is drawn upon to develop this area of the study. They discuss professionalism and the formation of an individual's professional identity. They have argued that professional identity is the behavioural characteristics of a professional practitioner, such as morality, ethics and client care. This, they believe, should be assessed as part of an entry point into a profession. They refer to George Miller's work (1990) and have argued that a fifth level should be added to Miller's Pyramid (see diagram 5). This, they believe, is the point where the practitioner's identity is formed and revealed as part of an assessment point. They suggest this level should form the apex of Miller's pyramid. They based their argument on the premise that these behavioural characteristics should be embedded at the point where a practitioner is "capable of functioning independently" in a professional capacity (Richard et al, p.180). This suggestion has been incorporated as part of the SQE 2 and is discussed in chapter 7.

As newcomers to the legal profession, solicitor apprentices need to develop an inter-dependent relationship with those who train and support their professional development. They gain status as they acquire knowledge, skills and move from the outside of the community and

become a member of that community. This is an important factor when becoming a member of a profession (Higgs et al, 2012). It is the interaction with their peers that contributes to the learning experience and their development of their professional identity (Eraut, 2000). The solicitor apprentices discuss their role and how it is perceived by those who are new to this apprenticeship model and those on the outside.

3.8.2 Identity of the apprentice

The work of Lee (2012) has been used in this study as it supports the discussion on identity and those on the outside of the apprenticeship. Lee (ibid) examined the identity of the apprentice and how this label has negative perceptions. Lee is of the opinion that society has diminished the professional identity of the apprentice as they are seen as only fit for the young and those who engage in manual labour (ibid, p.228). Lee discusses what he sees as the “middle class perception” (Lee, 2012, p.229) of the apprenticeship by citing the work of Bawden (2011). Bawden’s article (ibid) reflects a negative view when choosing an apprenticeship, instead of going to university as a failure. The identity of the apprentice is viewed by some as less valuable than going to university. Bawden (2011, p.18) believes that:

We need to remove the snobbery that does down workplace learning. For many [are] put off by high [tuition] fees, this could and should be the route they take. Universities are getting more competitive and expensive ... work-based training can be a fine option for young people to consider.

The negative connotations discussed by Bawden (ibid) demonstrate how some view the apprenticeship pathway. This diminishes the identity of the apprentice and may influence how others in society see their role. Lee acknowledges that these perceptions are not true but they are damaging to the identity of the apprentice and misplaced. The research by Brockmann and Laurie (2016) had similar finding in their research. They considered some of the reasons why vocational education is viewed as inferior in comparison to academic courses. They found that a number of factors contributed to the stereotypical perception of the apprenticeship model which influenced this view. These factors ranged from government policy, the structure (framework) of apprenticeships and the tutors and employers who delivered the apprenticeship framework. Richard (2012) was aware of these negative perceptions and are reflected in his review. He argued that higher education and the award of a degree is valued by society as it is awarding a standard that has been met by the student (2012, p.6). Richard believes that the status of the apprenticeship is seen as inferior to higher education and the introduction of the degree-

apprenticeship is an opportunity to change these negative perceptions. According to Lee (2012) the introduction of a graduate apprenticeship pathway is improving the status of apprentices. These arguments have been explored with the solicitor apprentices in this study and discussed in the findings. They are in a unique position as they are apprentices and at the same time undergraduate law students. They are developing their craft in two-separate environments. They are practising their craft and studying the legal rules at university simultaneously. They are developing their identity as a legal practitioner and their role will require them “to act upon their education, experience, and expertise” (Hurst-Floyd, p.199) in the classroom and in the workplace. They are developing specialist knowledge and their professional identity simultaneously. Their identities co-exists as this is a hybrid apprenticeship. The emergence of a degree apprenticeship and the status this gives these apprentices is explored in this study. The opportunity to qualify as a solicitor and obtain their degree in law at the same time adds to the identity of these apprentices and this study advances this area of the literature as they are modelling their behaviour in the workplace and graduating with a degree that is valid by society. The apprentices are informing this study as they are able to explain how Identity is modelled on experienced practitioners. This is reflected in the literature as it has been shown how novices emulate their mentor(s) by adopting their behaviours in their occupational practice

(Billett, 2012 and Dreyfus and Dreyfus, 2004). These personal epistemologies are defined by Billett (2009) as:

... ways of knowing and acting arising from their capacities, earlier experiences, and ongoing negotiations with the social and brute world, that together shape how they engage with and learn through work activities and interactions” (p.1).

It is these epistemologies that Billett (2009) believes is shaping the professional identity of the practitioner. The apprentices lived experiences shapes their mannerisms and values which are emulated by observing their mentors in the workplace (Billett, 2014). The apprentice constructs their own understanding from their environment whilst engaging in goal-directed activities inside the workplace. Billett refers to this form of knowledge as “socially shaped personal histories” (ibid, p.466) which he terms as “ontologies” (ibid, p.466). He distinguishes this type of learning from formal learning that is devised and delivered in the classroom. This study is able to develop this body of knowledge as it has produced data on the graduate apprentice who is forming an identity inside a hybrid apprenticeship based on the expansive model discussed by Fuller and Unwin (2003) in their earlier research and responding to the third research question:

How and to what extent does the workplace contribute to the professional development and identity of the solicitor apprentice?

3.9 Concluding remarks

This chapter has provided a review of the literature in several key areas of relevance to this thesis: entry to elite occupations, situated learning and the development of professional identity through practice. The chapter has identified the current understanding of issues facing aspiring solicitor apprentices. The barriers to entry and findings of the Sutton Trust and Social Mobility Commission (2019) have shown how the entry to the legal profession for those from a socio-disadvantaged background have been denied entry to the profession. There was an in-depth consideration of communities of practice and how they operate as a site for learning. The literature in this chapter has demonstrated how different forms of knowledge is created inside the workplace and this has been distinguished from formal learning which takes place in the classroom. The work of Lave and Wenger (1991) is used in this study but their case studies were based on the craft apprenticeship. The expansive apprenticeship model by Fuller and Unwin (2003 and 2011) confirmed the limitations of Lave and Wenger's work and how the apprenticeship, as a model for learning, is expanding and evolving. The data produced is responding to the three research questions which are centred on the themes presented in this literature review. The next chapter is on the

methodology and methods used in this study and explains the design of the study, why qualitative methods have been used and how the data has been analysed.

Chapter 4: Methodology and Methods

4.1 Introduction

The purpose of this chapter is to set out the methodology and research methods used in this study. The chapter discusses the research strategy adopted and how this influenced the decision to use qualitative research methods in this investigation. Cohen et al (2004, pp.44-45) explains that the aim of methodology: "... is to help us understand, in the broadest possible terms, not the products of scientific inquiry but the process itself." This includes the philosophical strategy which involves the methodological assumptions employed and the method used to produce and analyse the data (Bryman, 2012). This is undertaken by situating the methodology in the context of the research paradigm.

4.2 Research paradigm

The research paradigm, according to Blaikie (2010) is "... the source not only of the theoretical ideas but also of the ontological and epistemological assumptions" (ibid, p.96). It is the paradigm that allows the researcher to piece together the building blocks which create their research strategy. It incorporates the ontological and epistemological assumptions of the

research. This forms the foundation of the study and instigates how it is undertaken. It is the theoretical framework which incorporates a range of working assumptions, beliefs and influences how the study is conducted. It is the paradigm that presents the research through a lens that defines the social world within which the subjects of this research reside (Burgess et al, 2007). The main subjects of this research are solicitor apprentices who are studying and training to be legal practitioners. They are situated in legal practices where they are training to qualify as a solicitor. As a new entry point into the legal profession this study sought to find out about their lived experiences inside this apprenticeship model. This involved finding out about their episodic memories created in the workplace (Eraut, 2000). Using an interpretive view this study has sought to find out about the participants' perceptions on learning in the workplace. As a researcher, creating and using qualitative data you are able to "... subject yourself, hopefully, to their [apprentices] life circumstances ..." (Lofland, 1989, p.125). This places you in a privileged position as you are sharing the lived experiences of your participants through semi-structured interviews which is an integral part of this study's paradigm.

The function of the paradigm in this study is that it acts as the scaffolding for the study. Bryman (2012) suggests the researcher must make a clear connection with the theoretical-framework within which the social

phenomenon can be understood. This will influence how data is collected and will assist when analysing the research findings. The framework is reflected in the choice of paradigm which supports the researcher in how they conduct their research. It is the theory that influences the way in which data is collected and interpreted. Blaikie suggests: "It is possible to choose a research paradigm for a particular research project just as it is possible to make choices between research strategies to answer research questions" (2010, p.97). In this study the paradigm accommodates the context of the research and, at the same time, provides an opportunity to answer the research questions.

There are different research paradigms that may be employed but a common distinction is made between two philosophical paradigms and they are: a positivist and an interpretivist paradigm. They are based on different assumptions about the nature of reality. They are distinguishable by their philosophical positions: a positivist philosophy is based on the natural sciences and this influences how the research process is conducted and how specific methods are used to produce the data (Grix, 2002). A positivist paradigm tends to favour quantitative methods which, it is argued, will measure and provide an objective outcome that is considered to be value free data (Williamson, 2006). This form of (deductive) reasoning is based on creating data that will prove, or disprove

a hypothesis that was identified during the early stages of the research design. The alternative paradigm is the interpretivist philosophy which takes a different view of reality. This approach is concerned with the experience of human beings and is based on an inductive style of reasoning which tends to use qualitative methods. Interpretivism embraces a constructivism approach and how individuals construct the world they inhabit, such as the work-based learning environment for solicitor apprentices. This is the position taken in this study as it is finding out why these apprentices chose the work-based learning route as an entry point into the legal profession. They are able to explain why they made this choice. They are in a position to discuss how they see learning through work taking place. They are able to explain how they see themselves and how their identity is changing during the course of their apprenticeship.

4.3 An inside view

This research takes an interpretivist approach as it is seeking to find out how solicitor apprentices are acquiring the skills, knowledge, competencies and behavioural characteristics such as their ethical approach to their work. Individuals attach meanings to their situations and interactions with others within their community of practice (Lave and

Wenger, 1991). The study provided the opportunity to explore with the participants their experiences and the effect of these experiences on them. This allowed the researcher to gain an inside view of the world which these solicitor apprentices experience through their place of work. The data produced in this study revealed a perspective from an insider's view (Hammersely & Atkinson, 1995). This allowed the researcher to interpret and report on the social world from the vantage point of the solicitor apprentice. It is their interpretation(s) of social reality, which they face on a daily basis, in the workplace and at university. The focus is on how solicitor apprentices see the world around them and explain what is happening to them (Gibbs, 2018). This aligns with the work of Alfred Schutz (1962, p.59) who believes that an interpretivist position is: "... a product of how people interpret the world ... In order to grasp the meanings of a person's behavior (sic) ... [and] attempts to see things from that person's point of view." In this research it is the views and perception provided by solicitor apprentices which are considered and explored whilst addressing the research questions. McQueen (2002, pp.54-55) used an interpretivist position in her research as: "... people have their own interpretations of reality [and they] ... view the world through a series of individual eyes ..." This allows participants to reflect on their individual experiences in a social context. It is important to capture the context of the social interaction of these solicitor apprentices as it is their workplace

environment, their peers, mentors and intermediary agents who are acting upon them (Denzin, 2001). This is their social world, their reality which is in a continuous state of construction and reconstruction (Bryman, 2012).

4.4 Interpretivism

The interpretivist approach allows the researcher to use a research method that will capture the individuals' experiences inside a social context. Williamson (2006, p.84) supports this approach: "since the central tenet of interpretivism is that people are constantly involved in interpreting their ever-changing world." The key aspect of an interpretivist epistemological assumption is that its focus is on human relationships and how constructing meaning from social issues has an impact on their behaviour (Grix, 2002). Blaikie (2010, p.99) develops this point in his research and provides a working definition of interpretivism and how it operates when undertaking qualitative research:

... social reality is regarded as the product of its inhabitants; it is a world that is interpreted by the meanings participants produce and reproduce as a necessary part of their everyday activities together.

This working definition is adopted as it allowed this study to explore the perceptions and emerging experiences of the participants (Thanh and

Thanh, 2015). It is this inside view that is seeking to develop a body of knowledge on how the apprenticeship, as a new entry point into the legal profession, is seeking to address the inequalities that were discussed in chapter 1. The data created in this study is seeking to show how different forms of knowledge are created in the macro and micro environments inhabited by these solicitor apprentices. This was illustrated in diagram 4 in chapter 2 which demonstrated the solicitor apprenticeship qualification trajectory. This route to qualify is explored with the apprentices and they discuss how their workplace activities are organised. They are in a position to explain how they engage in these activities and reveal how different forms of knowledge is constructed. Rogoff (1995) referred to this process as the construction of knowledge through moment-by-moment learning. There are different forms of moment-by-moment knowledge and this is dependent on where the learning takes place: in the classroom or in the workplace (Billett, 2001). This is central to this research as there is limited data on how the solicitor apprenticeship model is functioning at an operational level (Westminster Legal Policy Forum, July 2023). The majority of the 32 solicitor apprentices in this study are school leavers and immersed inside a legal practice full-time. Many of them left home and moved to central London, or other cities in England to take up their apprenticeship. Their life stories are unique in themselves. They explain how their apprenticeship is transforming their lives. They interpret their

experiences and say how their interaction with their mentors, peers and studies at university is shaping them as legal practitioners.

4.5 The views and perceptions of the solicitor apprentices

The ontological position adopted in this research is based on constructivism. A constructivist position places the researcher in a role where they are able to explore the views and perception(s) of the participants. The solicitor apprentices have provided the context whilst they discuss the internal operation of their apprenticeship. They constructed their views and opinions from their lived experiences. They are situated inside a legal practice where they are able to construct knowledge from their environment as “... everyday life revolves around persons’ interpreting and making judgments about their own behaviors (sic) and experiences and those of others” (Denzin, 2001, pp.2-3). The fundamental principle of this social phenomenon is the inter-dependent roles that arise inside this apprenticeship model. It is the actions, or events, that take place inside this work-based model that has influenced their professional development. They are located in different legal environments, such as the Crown Prosecution Service (CPS) which is responsible for prosecuting criminal cases which have been investigated by the police. They are situated in city law firms that tend to offer services

in commercial law. Alternatively, they may be employed in a company which handles insurance claims, personal injuries and civil litigation. It is these environments which provide the qualifying work experience. Their place of work has exposed them to authentic tasks on legal procedure. They are interacting with multiple agents, such as social workers, the police, barristers and the judiciary (judges). It is these interdependent relationship which have shaped and formed their performance as legal practitioners. Given the situated position of these solicitor apprentices an interpretivist constructivist approach is one best suited for this research.

4.6 Methods used to discuss the experiences of the participants

Qualitative methods have been used in this research to collect and create the data. This method is appropriate as it provided the opportunity for solicitor apprentices to discuss their experiences and how they see their role and identity as a legal practitioner. Bryman (2012, p.399) believes that qualitative, as opposed quantitative, research methods are more suited to finding out how an individual is constructing their world from an insider view: "The social world must be interpreted from the perspective of the people being studied, rather than as though those subjects were incapable of their own reflections on the social world." The work of Kelly (1955) considered how individuals make sense of their world and create

reality from a lived experience. The solicitor apprentices in this study will be constructing their understanding of their day-to-day activities. Qualitative methods provides an opportunity for them to discuss their feelings and how they see themselves developing as a practitioner. The work of Berger & Luckman (1967) adopted this perspective in their research on social constructivism. They provided a narrative on how individuals develop and respond to different social activities in their world. This aligns with the work of Sorrell & Redmond (1995) who believe the interview should be used to interpret shared meanings and to find out the context which shaped the lived experience of the participants at different stages of their lives.

It was essential for this study to have access to a sample of solicitor apprentices who were at different stages of their six-year apprenticeship (see 4.7). This provided the opportunity for them to discuss their experiences and compare their professional growth at different stages of their apprenticeship. The study was seeking to find out how these solicitor apprentices were nurtured and matured in their role as a legal practitioner. This would provide the opportunity to compare these stages of development and their professional identity. Having a sample of solicitor apprentices who had completed different periods (years) of their apprenticeship allowed this comparison to take place. Quantitative

methods would not have provided this deep insider view. The backstory of the solicitor apprentices and how they felt about different aspects of the lived experience was important in this study (Bryman, 2012). It is the solicitor apprentices' stories which have informed this study. It is for this reason why this study is employing a social science strategy which allowed the researcher to interact with the participants in a sensitive manner and is situated within the process being studied (Denzin, 2001). Each one of the solicitor apprentices has a unique history and social relationship with their community of practitioners. The methods employed in this study are used to extract the lived stories of the participants. Their narratives reflect the processes and changes that are taking place on a personal and professional level. Denzin (2001, p.60) refers to this process as "The narrated self, which is who I am, is a map; it gives me something to hang on to, a way to get from point A to point B in my daily life." These narratives, stories, connect the solicitor apprentices to their community of practice (Lave and Wenger, 1991). It is for this reason that this study has used semi-structured interviews. This allowed the researcher to develop a question or explore an answer in more detail. This form of interview encouraged the solicitor apprentices to talk freely and explain their version of reality. They were able to express how they felt about their role as a solicitor apprentice. This approach is supported by Silverman (2006a) who believes the use of semi-structured interviews will gain an insight into the

interviewee's social world. This form of interview, according to Silverman, creates an opportunity for the "... interview subjects [to] construct not just narratives, but social worlds" (ibid, p.126) and for further investigation to take place. This allows you to draw on aspects of the conversation(s) and encourage the apprentices to talk about their experiences and explain how they see themselves as a practitioner. They were able to explain how they developed the skills, knowledge and behaviours expected of them as legal practitioners. In particular, they were able to reflect on their journey and how they matured as a practitioner during their apprenticeship.

The interviews were recorded and transcribed by the researcher. The production of the transcripts provided an opportunity to listen and re-listen to the interviews. This created a strong relationship with the data and it was often possible to gauge the interviewee's emotions whilst they responded to the questions. Charmaz (1995, p.54) encourages this approach as it provides an opportunity to clarify any ambiguity and present an objective interpretation:

We start with the experiencing person and try to share his or her subjective view. Our task is objective in the sense that we try to describe it with depth and detail. In doing so, we try to represent the person's view fairly and to portray it as consistent with his or her meaning.

This is the stance taken in this study as it is the view point of the solicitor apprentice represented through the data. This created a unique opportunity to analyse the development of professional thinking and training taking place inside the solicitor apprenticeship. The collection of the data was an on-going process and the researcher was able to reflect on the transcriptions and make any adjustments to the interview questions. This was to maintain focus on the research questions and develop specific areas not covered in the previous interviews. The flexibility of using semi-structured interviews allowed for these adjustments. The interviews were underpinned by an interview framework (see appendix 1). This acted as an aide-mémoire for topics to be introduced and for specific issues relating to the research questions to be addressed. The solicitor apprentices' responses were encouraged by the researcher through prompts, such as acknowledging their answer or using a follow-up question such as probing for further information. This encouraged the solicitor apprentices to talk freely about their everyday workplace activities (Billett, 2014) and their part-time studies at university. It was their responses which guided the researcher, who intervened at the appropriate juncture to manage the time-frame, whilst covering a range of topics relating to the research questions.

4.7 Selecting, accessing and recruiting the sample

Purposive sampling was used as the two samples in this study had a relationship with the research questions (Bryman, 2012). A total of 350 solicitor apprentices were contacted and 32 agreed to take part. When selecting the sample it was important that each solicitor apprentice was a trailblazer solicitor apprentice. This criterion is strict as the trailblazer apprenticeship is only available in England. Education and skills is a devolved matter and the trailblazer solicitor apprenticeship is only used in England (see chapter 1). The solicitor apprentices had to have completed a range of years (period) of their apprenticeship. This is illustrated in appendix 2 which identified the time served as an apprentice at the time of their interview(s). This criteria was used as each solicitor apprentice would have acquired a level of knowledge and skills through their length of exposure inside a legal practice. This provided the opportunity to find out how these apprentices were maturing and developing inside this apprenticeship model.

4.7.1 Accessing and recruiting

The sample was contacted through the LinkedIn website. This is a professional website used by different professions to connect with professional practitioners. Each person who signs up to this site provides a professional profile. The profile includes their academic qualifications, an outline of their experience with previous employers, current employer and employment status. The website uses algorithms that match individuals with prospective employers and practitioners. There is a function mechanism on the website that allows you to search for a specific profession, such as a 'solicitor apprentice'. This search function was used and identified the solicitor apprentices who made up the purposive sample for this research. The use of a purposive sample is discussed by Patton (1990, p.169) who claims that:

... the logic and power of purposefully sampling lies in selecting information-rich case for study in depth. Information-rich cases are those from which one can learn a great deal about issues of central importance to the purpose of research; thus the term purposeful sample.

The trailblazer solicitor apprentices are essential to this investigation as they are the subjects of this new apprenticeship model that has been adopted by the SRA and used as a work-based learning route to qualify

as a solicitor. The sample in this study had a direct relationship with the research questions. The professional profile in LinkedIn of each solicitor apprentice provided their demographic characteristics such as age, gender and where they worked. They were situated in a range of different forms of legal practices such private law firms, large city firms, central and local government, the crown prosecution service and law centres. This provided the opportunity to select a set of individuals from a large population. These were narrowed down by age, gender and the number of years they had been a solicitor apprentice. All of the apprentices attended state school or college. There was no indication contained in their professional profiles on LinkedIn that any of the solicitor apprentices had attended an independent (private) school. The average age of the sample of solicitor apprentices in this study was 18 to 26. There was one solicitor apprentice who was aged 35 and a graduate. This reflected a section of solicitor apprentices who were either early starters, had completed a number of years inside a legal practice, had been direct entrants as school leavers or had worked in a legal practice as a paralegal prior to starting their apprenticeship. These different entry points and stages of progression provided the context that would support this study. The solicitor apprentices were in a position to discuss their professional development from different stages of their apprenticeship. This was important as this studying was finding how they had developed on a

personal and professional level. This was only possible by having a sample who reflected a range of entry points and were at different stages of their apprenticeship.

The initial contact of a large number of solicitor apprentices ensured the sample would demonstrate the criteria needed to address the research questions. The size of the sample used was influenced by the work of Mason (2010). Mason suggests that a qualitative research sample should be smaller than those used in quantitative samples because qualitative research is labour intensive. The size of the sample should also be conducive to the time-frame of the research. For example, transcribing long interviews and analysing a large sample will be time consuming and Mason (2010, p.2) warns of saturation. He explains and discusses the problem arising when an interview schedule is used. The schedule, such as the one used in this research, will draw on similar questions and themes:

... if the sample is too large data becomes repetitive and, eventually, superfluous. If a researcher remains faithful to the principles of qualitative research, sample size in the majority of qualitative studies generally follow the concept of saturation [Glaser & Strauss, 1967] – when the collection of new data does not shed any further light on the issue under investigation (Mason, 2010, p.2).

The sample in this study consisted of twenty-seven females and seven males. A limited number of males responded and took up the opportunity to be part of this research. There was no direct indications why fewer males than females responded. It was noticeable that there were fewer male solicitor apprentices, as compared to female solicitor apprentices on the LinkedIn website. This is a trend which is reflected in the Law Society's Annual Statistics (2022) when dealing with trainee solicitors and new entrants to the legal profession.

Each solicitor apprentice was contacted by using the messaging system available in the LinkedIn website. This initial contact consisted of a short message explaining why they were being contacted and if they would like to take part in this research by attending an interview. If the request was accepted an introductory letter was provided (see appendix 3). This outlined the purpose of the research and how the participant would be able to contribute to this investigation by attending the interview. The letter explained how the interview would take place and that the interview would be recorded and transcribed.

4.7.2 Interviews and transcription

The interviews took place between the 12th October 2020 and the 11th May 2022. Social distancing regulations were in place at this time. No face-to-face interviews were allowed due to the Covid-19 pandemic. This information formed part of the ethical application and approval which is discussed in more detail below. The transcriptions of each of the interviews were anonymised and this ensured any names used are removed during the transcription. The recordings and transcriptions are stored at Cardiff University using the OneDrive data storage facilities. This is a secure physical environment and access is restricted. This assured the participants that confidentiality would be maintained and that any data held would comply with the General Data Protection Regulations (GDPR).

Each participant was provided with an information sheet (see appendix 4) which developed a number of the points identified in the introductory letter. This document explained the purpose of the research, why the participant had been invited to take part, how the data is stored and compliance with the GDPR and links to information about data protection. Participants were provided with the name and contact details of the lead supervisor and the person undertaking the research. This document was linked to a

consent form which the participant needed to complete. The consent form (see appendix 5) asked the participant to confirm that they had read and understood the participant information sheet. They had to confirm they consented to being interviewed, select a choice on how the interview would be conducted and agree to how the transcript may be used. They were also informed that they had the right to withdraw from the research at any time without giving a reason. This form was signed by each of the participants and returned (electronically) to the researcher prior to each interview taking place.

4.8 Second Sample – Stakeholders

This sample consisted of six-interviews with stakeholders involved in the solicitor apprenticeship model. Each interviewee held a designated office (role) which has a direct relationship with the construction and delivery of the solicitor apprenticeship. The table below identifies these roles and each interviewee has been given a pseudonym to maintain anonymity. Their roles have influenced the design, construction and delivery of this apprenticeship model. For example, the Solicitors Regulatory Authority (SRA) representative had been involved in designing the apprenticeship model as an entry point into the legal profession. These Interviews developed the data by allowing the researcher to question any concerns

raised by the solicitor apprentices and clarify any points on the new legal education framework. It also provided an opportunity for key personnel to discuss their interaction with the solicitor apprenticeship model. They were able to explain their position and how they have contributed to this new work-based learning model.

Table 5 - Second Sample of Stakeholders

Interview Number	Pseudonym	Position	Date of Interview
One	Kane	Academic Registrar at a higher education institution. Designing legal education for the school of law which incorporates the solicitor apprenticeship model.	21 st July 2021
Two	Roma	Solicitor who runs a legal practice and training a solicitor apprentice.	17 th August 2021
Three	Margo	Tutor on the LLB in Legal Practice designed for solicitor apprentices and is also a researcher on legal regulation.	27 th August 2021
Four	Arlene	Programme Director of the LLB in Legal Practice for solicitor apprentices and a practising solicitor.	27 th September 2021
Five	Michael	Solicitor who runs a legal practice, trains solicitors, designs materials for the SQE and works part-time as a law tutor.	29 th November 2021

Six	Caitlin	Representative from the Solicitors Regulatory Authority (policy manager). Involved in the production and introduction of the solicitor apprenticeship model.	8 th February 2022

Semi-structured interviews were used for both samples and this allowed for flexibility when posing questions that had a direct relationship with the research questions. The stakeholders had been selected on their professional involvement with the solicitor apprenticeship model and route to qualifying as a solicitor. Marshall and Rossman (2006, p.105) refer to these types of interviews as:

An interview with an elite person ... Elite individuals are considered to be influential, prominent, and/or well-informed in an organization (sic) or community; they are selected for interviews on the basis of their expertise in areas relevant to the research.

These interviews are contextual as they reflect the views of the participants from different aspects of a profession. The SRA representative was involved in the design of the solicitor apprenticeship pathway and the end-point-assessment. The programme director of the LLB in Legal Practice was able to discuss the design and delivery of the new academic award that prepared solicitor apprentices for their SQE

assessments. The solicitors (interviews 2 and 5) were able to provide a perspective on the new legal education framework and the solicitor apprenticeship pathway to qualify. Each of the stakeholder interviews were grounded in their professional role and the office they held. These interviews created a body of knowledge which had advantages for this study. They held positions which had a direct relationship to the solicitor apprenticeship model. They were able to discuss the background to the changes that had taken place and policies from a particular perspective. Their contact details were made available through their organisation's website. They were emailed an introductory letter which invited them to take part in this research. Once they agreed to be part of this research they were sent a participatory information sheet. This was a bespoke information sheet based on their professional background and their involvement in this new apprenticeship model. The information explained why this research was taking place and how they would be able to contribute by attending an interview. They were informed that the interview would take place by zoom which they would be able to access using a specific meeting ID and a passcode. They were informed that this would maintain confidentiality. The interview would be recorded for the purposes of transcription and the transcription would be anonymised. They were provided with a consent form which they completed and returned (electronically) prior to any interviews taking place.

The interview questions used in the stakeholder interviews related to the professional role of the interviewees and the new qualifying pathway through the apprenticeship model. For example, when interviewing Arlene, questions focused on how the solicitor apprenticeship, as a new entry point, influenced the design of the LLB in Legal Practice. The bespoke participant information sheet informed Arlene how she would be able to contribute to this study. Arlene was in a unique position to discuss her role and experience as a programme director for this new educational pathway. Open-ended questions were used and this allowed for follow-up questions. As an example, Arlene was asked how the new award was operating and supporting these solicitor apprentices in their legal career? This form of questioning drew out the professional practitioner's perspective and informed this study. Bryman (2012, p.471) supports the use of open ended questions in a semi-structured interview. He believes it reveals "the participant's view" and the interviewer is able to draw on any specific points made by the interviewee. Silverman (2006, p.125) claims this type of questioning will "elicit authentic accounts of [a] subjective experience." The responses to probing questions in these elite interviews provided a depth of knowledge which was not available in the written text. These interviews provided an opportunity to listen to these stakeholders talk about their experiences and how they had contributed

to the construction and delivery of this new apprenticeship model. Their narrative provided a unique perspective which added value to this study.

4.9 Virtual qualitative interviews during the COVID-19 period

Qualitative interviews usually take place in person and this is seen as the “gold standard” (Novick, 2008; Opdenakker, 2006; Sy et al, 2020). The underpinning consensus appears to be that the use of a face-to-face interview provides synchronous communication in time and place (Opdenakker, 2006). This provides the interviewer with social cues such as voice, intonation and body language. This is providing the interviewer with additional information which are added to the verbal answers (ibid). There is also the advantage of spontaneous answers by the interviewee which allow the interviewer to probe and develop the discussion. Kvale (1983, p.174) describes this form of qualitative methods as: “An interview, whose purpose is to gather descriptions of the life-world of the interviewee with respect to interpretation of the meaning of the described phenomena.” Kvale’s guidance is used in this study as it is finding out about the lived experiences inside the solicitor apprenticeship.

The development of the data was initiated during the COVID-19 pandemic. The social distancing (contact) restraints and restrictions

placed on travel in the United Kingdom prevented in-person interviews taking place. These restrictive measures meant the traditional way of undertaking qualitative interviews had to be modified. The approach taken by Dodds and Hess (2020) was adopted. They faced the dilemma of introducing virtual interviews after they had started their research on youth alcohol consumption with in-person group interviews. The COVID-19 pandemic forced them to change to virtual group interviews. They argued (ibid, p.207) that:

There were no key differences between face-to-face and online [interviews] as both required the usual ethical procedures, such as gaining informed consent and ensuring anonymity, privacy and confidentiality of the participants' identity.

This study adopted the same approach and used Zoom software which allowed the interviews to take place in real time (synchronous) and maintained the physical safety of the participants and researcher. Pocock et al (2021) adopted the same solution to this problem and they believe that the use of synchronous technology platforms are “closely mimicking traditional in-person interviews or focus groups” (p.2404). Roberts et al (2021) discussed similar challenges due to the COVID-19 pandemic in their research. They used synchronous technology, such as Zoom, to conduct interviews remotely. This allowed their interviews to take place and with the consent of the participants each interview was recorded using

either audio or video or both simultaneously. The same approach was taken in this study. Video conferencing software was used to undertake the interviews. The participants were offered the choice of being interviewed without video and only recording the audio, or audio and video simultaneously. This was explained in the letter inviting them to take part in this study and they had to confirm their preferred choice when completing their consent form. Their selection was discussed and confirmed with them as part of the opening protocol of each interview.

The use of technology provided some advantages and disadvantages. The advantages involved overcoming the geographical restrictions of travel and the synchronous exchange during the interviews allowed you to build a rapport with the interviewees. As all the interviewees consented to using audio and video during the interviews you were able to see their body language and respond to these physical cues. The negative side to using technology is the glitches that may take place. For example, there may be problems with connectivity or the software and hardware may be faulty. These are real problems faced when using synchronous interviews. There was the odd occasion when connection problems did occur. This was anticipated and mobile numbers were exchanged in advance in case of such a problem. This did happen on two occasions and the interviewee was contacted by telephone and the interview was

rescheduled. These two interviews took place at a later date and there were no connection problems.

The advantages did outweigh the disadvantages. As an example, using synchronised software provided the interviewees with flexibility when arranging dates and times. The participants chose the date and time when the interview took place. This accommodated their time-frame and worked around their work-commitments. The solicitor apprentices chose to undertake their interview at home and their background image was usually blurred out. This was possible by using the virtual background (Android) filter or they had a plain surrounding background. This enhanced their privacy whilst they were using the video. The use of this technology allowed these interviews to take place and accommodated the time-frame of this study. The use of Zoom (software) created a virtual environment and it did feel as though you were in the room with each participant. All of the participants were familiar with using virtual interview tools through their employment and part-time study at university. The challenges of using virtual interviews, as opposed to face-to-face interviews, was explored in detail during the application for ethical approval. This is explained and developed in section 4.10 of this chapter which discusses the application of ethical approval for this study.

At the beginning of each of the interviews with the solicitor apprentices they were reminded of the purpose of this study and why they were being interviewed. This formed part of the opening protocol which was incorporated into the interview framework. These participants were reminded that this was a semi-structured interview and would involve finding out how learning is taking place through their work-based experience as a solicitor apprentice. In order to put the participants at ease the opening questions were framed around the purpose of the study and checking they had read through the participatory information sheet. They were asked to confirm that they had completed and returned the consent form. Each participant was asked if they had any questions or concerns before the interview started. This was to ensure they understood why and how the interview would take place. Once these pre-interview checks were completed the participants were then informed that the digital recorder would be turned on and, also, the recording button for the Zoom interview. The first question asked of all of the solicitor apprentices was: "So, if we can start the interview by telling me about yourself, for example, your background, and your age and why you have chosen the solicitor apprenticeship route to qualify as a solicitor." This line of questioning had a direct relationship to the first research question but more importantly it was a question that allowed the solicitor apprentice to reflect on their personal details and explain why they had chosen the

apprenticeship pathway to qualify as a solicitor. This opening question also allowed them to settle in and find their voice in the interview. As the participants responded to this opening question they were then guided towards the subject areas which were embedded in the research questions. The interview framework (see appendix 1) structured the interview and aligned the questions that would respond to the research questions. This approach created the opportunity for the participants to reflect on their role as a solicitor apprentice and provide an example of the type of work they were undertaking. They explained how they saw learning taking place in the workplace and contrasted this with their academic studies. In the latter part of the interview they discussed how they saw themselves as a practitioner and how they believed their colleagues viewed their role as an apprentice, as opposed a trainee solicitor. This provided some rich data, particularly those apprentices who had completed three or four years of their six-year apprenticeship. The interview framework supported the process and as the interviews progressed specific prompts were added. This provided an opportunity to draw out additional information and gain a deeper understanding of the participants' understanding of their role as a solicitor apprentice. This generated a rich body of data which reflected the range of lived experiences. As a new pathway to qualify and the first cohort this was a new experience for them and their employers. The apprentices, in this

study, deconstructed their practices through their experience in the workplace. There was a strong sense that they were trying to make sense of this new pathway whilst they were responding to the questions. Their responses focussed on specific points and how they expressed themselves in certain ways such as their tone of voice, repetition of a point or demeanour when responding to a certain aspect of their experience. Rubin and Rubin (2012) experienced this in their research and believe that qualitative interviews provide a depth of understanding that would not be revealed in quantitative data. They are of the opinion that interviews allow researchers to explore their participants' experiences and reflect on these experiences with the participants. This allows the interviewer to direct the interviewee and at the same time raise a new point or issue with the interviewee. This is the nature of the semi-structured interview which provides flexibility and allows the interviewer to respond to the participants' answers (Brinkmann and Kvale, 2015). This approach allows the interviewer "to understand the world from the subjects' points of view, to unfold the meaning of their experiences, to uncover their lived world" (ibid, p.3). This was the position adopted in this study and is reflected in the findings which are discussed in chapters 5, 6 and 7.

4.10 Ethical considerations and approval

Prior to contacting the solicitor apprentices and undertaking any interviews ethical approval was applied for and granted by the School of Social Sciences Research Ethics Committee at Cardiff University on the 3rd August 2020 (Ref: SREC/3854). The key issues that were discussed and approved by the Ethics Committee was the nature of this research and how it would be carried out. The interviews took place during the Coronavirus pandemic and social distancing measures were mandatory. This was discussed in the ethics application and meant that alternative virtual qualitative methods needed to be used. Zoom, video conferencing software was used for each of the interviews. This was approved by the Ethics Committee and complied with restrictions on social distancing and travelling outside restricted perimeters that applied in each nation state in the UK (Pocock et al, 2021). Ethical approval was granted and each solicitor apprentice was provided with an individual meeting ID and a passcode. This ensured confidentiality was maintained when accessing the interview and only the intended party would be able to access the virtual interview

A second ethical application was made to include the second sample. This was a small sample and accommodated the time-frame and

management of the transcription. The participants in this sample accommodated the areas that needed to be explored in order to respond to the research questions. The earlier information discussed above was included but in this application form specific holders of designated offices (roles) were identified. They had key positions that involved the construction of the solicitor apprenticeship model, legal education provision for solicitor apprentices and their training in the workplace. The ethical application stated that anonymity would be provided for these individuals during the transcript. The participant information form was adapted to meet the different requirement of the interviewees. This was also the case when the consent form was constructed to ensure a bespoke form was used for each of the different professions being interviewed. The changes to this research project was approved by the School of Social Sciences Research Ethics Committee on the 16th March 2021 (Ref.SREC/3854).

4.11 Reflexivity

Reflexivity provides an opportunity for the researcher to disclose themselves in this study. A summary of their background and how they are situated in this research inform their positionality (Ayton et al, 2023). This reveals the researcher's values, perspective and their motivation behind their research (Bukamal, 2022 and Folkes, 2023). It is also an opportunity to explain what has influenced them and why this research has been undertaken (Ayton et al, 2023). This openness is needed when undertaking qualitative research as the researcher is the architect of their study and their background will have an influence on the research process (McLaughlin, 2024). They design, collect and interpret the data and the sincerity of the study will be enhanced when researchers explicitly acknowledge and attend to their positionality" (ibid, p.1149). Reflexivity is also an opportunity to learn from this experience by undertaking a critical evaluation of actions taken during the research (Jordan et al, 2008). This allows the researcher to be self-conscious of their perceptions and this raises an awareness of how they "may interpret data through the lens of their own experiences ..." (McLaughlin, 2024, p.1150). It is by being mindful of this in-built bias that allows the researcher to stand-back and consider their positionality. This will allow the researcher to be explicit about what has influenced their research (ibid).

In this study reflexivity has been used in the form of a diary as well as in various ways such as drawing on the recorded interviews. Notes were made during the study and provided the opportunity to look back at different stages of the research process. The diary was used as a methodological tool which increased self-awareness of the emotions presented during the interviews with the solicitor apprentices (Mallman, 2017). The diary became an instrument which allowed reflection to take place during the on-going collection of the data. It was an emotional resource as this process allowed the researcher to situate themselves in the study and acknowledge the shaping of the solicitor apprentices' feelings which had been formed by their experiences inside a legal practice. Alley et al (2015, p.426) adopted this position and believes that reflexive practitioners "are able to critically examine the nature of their work and acknowledge biases, which may affect the knowledge translation process." The diary captured specific aspects revealed by the interviewees and allowed the researcher to reflect on what was said in the interviews. These diarised notes identified visual clues displayed by the interviews. All of the interviews were recorded (videoed) using Zoom and these visual cues were not lost during the interpretation of transcripts. Marshall and Rossman (2006, p.110) warns of the risk of losing visual cues during the transcription of the interview. This risk was

mitigated by noting the visual cues presented in the videoed interviews and allowed for a comparison of similar responses by the interviewees. Adopting this approach allowed the researcher to cross-check comments made in the interviews. This combination of reflexivity, alongside the data, has strengthened the interpretation of the lived experience of the solicitor apprentice and ensured their emotions are recognised when the data is presented (Marshall and Rossman, 2006). This demonstrates rigour, quality and instils a level of trustworthiness in the findings of this study (Bukamal, 2022, Ayton et al, 2023 and Folkes, 2023).

4.11.1 A personal and professional interest

A personal account of the researcher's background is provided in this subsection. The first-person narrative is used as it is the voice of the researcher and his personal connection with this study that is revealed.

Prior to undertaking my research as part of this PhD my personal and professional interest is based in legal education. I graduated with an LLB (law degree) and went on to practise law as a legal executive for a number of years. Although I was able to practise law I was not able to qualify as a solicitor. Obtaining a training contract was difficult as they were limited. This was a time when the SRA regulations stipulated that you had to

undertake an LPC, which was costly, and then obtain and complete a two-year training contract. The Law Society Annual Statistics (2022) in each and every year demonstrated the difficulties faced by law graduates. I faced this barrier to entry and although I successfully practised as a lawyer the opportunity to qualify as a solicitor was not possible. This is a situation which a number of law graduates faced. Graduating with a law degree and then taking on the overheads as a postgraduate student involved taking student loans to pay for the LPC. I began to question whether or not I would ever see a return on such a personal investment. There were too many barriers to qualify as a solicitor (see 3.1-3.4). I did manage to obtain a position in a law firm in Cardiff. This was possible as I had completed a correspondence course and was qualified to take up this post.

Whilst practising as a lawyer I continued to study and completed the postgraduate certificate in education (PGCE) and qualified as a teacher. I continued to practise as a lawyer during the day and in the evening I taught at a tertiary college. I taught on academic and vocational courses for five years. I then left legal practice and obtained a full-time position as a senior lecture at higher educational institutions where I worked for just over thirty years. During this period of time I engaged in the design and construction of the curricula for undergraduate and postgraduate law

courses in higher educational institutions. This experience involved the construction of pathways for alternative routes to study and qualify as a lawyer in England and Wales (see Diagrams 1 and 2 on pages 16 and 17). This experience provided me with an opportunity to engage with professional bodies that govern the educational pathways for lawyers in England and Wales. The two main governing bodies I worked with, whilst developing the curricula at undergraduate and postgraduate level, were the Bar Standards Board (BSB), who govern the legal education and code of conduct for Barristers, and the Solicitors Regulatory Authority (SRA) who govern the legal education for solicitors. The combination of these working relationships and my role dealing with the development of the curricula allowed me to develop a strong understanding of the professional pathways that existed to qualify as a lawyer. This experience provided me with a strong understanding of the pathways to qualify as a solicitor and the external regulations imposed on the profession by the SRA. The rigidity of these regulations controlled the nature of the subjects taught at undergraduate and postgraduate awards, such as the qualifying law degree and the Legal Practice Course.

As I developed in my role as an educationalist I felt as if my identity was mutating. I had taken on different roles which involved the quality

assurance of educational provision. I was in charge of the production of different courses which met the demands of the regulators, such as the SRA and the Quality Assurance Agency for Higher Education in the UK (QAA). The latter are an independent body responsible for safeguarding academic standards. My role as a teacher/lecturer in the classroom changed. I was moving out of the classroom and into the production of educational provision. I was moving away from preparing lessons and being in the classroom to producing undergraduate and postgraduate qualifications. These awards were for internal students at higher educational institutions and external students through public bodies and corporate clients. I was being asked to design and develop educational provision which was bespoke. I was placed in a position where I would work with a range of stakeholders who needed educational provision in order to develop knowledge, skills and the application of the legal rules that would support higher educational institutions and businesses (Fletcher, 2020). For example, I was contacted by the personnel at the Intellectual Property Office in Newport, South Wales and asked to design an LLM for their staff. The majority of staff who work at the intellectual property office have a background in science. I had to design an award that would develop their underpinning knowledge of the legal sources of law and a depth of knowledge in intellectual property law. I produced this award and it was successfully delivered. I was then contacted by Capital

Learning and Development, based in Covent Garden, London and asked to produce an LLM in Employment Law and Practice. I interviewed a range of personnel at Capital Learning and Development. These interviews allowed me to find out about the core requirements of this company and target the legal areas that would support their internal staff. I then designed and produced the LLM which was delivered in London. My role was merging, changing and I coined the phrase the “managerial tutor” (Fletcher, 2007). I am sharing this with you as I want to provide the backstory of my journey inside a legal practice and my professional career in legal education.

My experience has influenced and motivated me to undertake this research on the new educational framework introduced by the SRA. The phasing out of the qualifying law degree, Legal Practice Course and training contract “has sent shock waves through HEIs [Higher Educational Institutions] who have worked alongside the SRA by investing in an infrastructure which provides legal education for their students who wish to practise law” (Fletcher, 2016a, p.372). As an insider I have attended several conferences presented by the SRA and had the opportunity to discuss their proposal and changes which have taken place. This placed me in a position where I was able to question the SRA on their policies and arguments (Westminster Legal Policy Forum, July 2023). This

experience shaped my views on legal education under the old-legal education framework. This study provided the opportunity to engage with the new legal educational framework which introduced qualifying as a solicitor through the solicitor apprenticeship pathway. The argument for providing equal access and, in particular, opening up the profession to a wider sector of society resonates with my background and what I have experienced. I recognise how this will influence my views and perception. The use of a diary to note my reflections has helped me shape my ideas and to maintain a position of neutrality when reporting my findings. I am reporting on the narrative of the solicitor apprentices and their experiences. I am finding out how they have navigated this new route to qualify as a solicitor. Reflecting on my position has raised my awareness of being too subjective and that I am seeking to understand and report the lived experiences of the solicitor apprentices from their perspective (Bourke, 2014). I have presented the views of the solicitor apprentices through a wide selection of excerpts taken from their interviews. You will hear their voice, as they respond to my questions. The reflected points made in chapters 5, 6 and 7 which deal with the findings inside the data is the lived experiences of the participants. My own personal experience has stimulated my curiosity and finding out if the solicitor apprenticeship is opening up access to a wider sector of society is important. I have witnessed the disappointment faced by students who have worked hard

and obtained the grades and qualifications only to be denied entry to the legal profession. This study has provided the opportunity to find out if the new legal educational framework has made a difference. The biographical narratives of the solicitor apprentices will inform this study by interpreting the data from their position. Constructing a narrative that is taken from inside their world and presenting a thick description (Denzin, 2001) of their experiences will respond to the research questions which align with the methodology of this study.

4.12 Thematic analysis

Each of the interviews with the solicitor apprentices generated a transcript of between 8000 and 10000 words. NVivo was used to manage the 32 transcripts and create a Framework, an approach advocated by the National Centre for Social Research in the UK (Bryman, 2012, p.579). This is a strategy that has been described as a “method for ordering and synthesising [qualitative] data” (Ritchie et al, 2003, p.219). This involved constructing an index of central themes which are recurring in the text. In this study the core themes emerged through reading and re-reading the transcripts and reflecting on the notes in the research diary. The research diary was not digitised but in the form of a hard-copy. Notes and thoughts were added to the diary during the interviews and during the analysis of

the data. This embraced an inductive style of reasoning in order to discover what these solicitor apprentices had experienced (Braun and Clark, 2022b).

The NVivo tools allowed you to explore the transcripts individually or as a collective body. For example, using key words or phrases and then running a query search. This function allowed you to display the text as a tree-map, create a word-cloud or a numeric word frequency. This process helped identify patterns in the transcripts and to visualise the themes. Braun and Clarke (2006) advocated this approach when using thematic analysis. They described this form of qualitative analysis as “a method for identifying, analysing and reporting patterns (themes) within data” (ibid, p.79). In this study the use of a Framework strategy managed the data collection process and maintained a clear structure on how the data would be analysed. Each theme in this study is a category, identified during the analysis of the data. Each theme has a direct relationship with a research question. The research questions were constructed during the literature review (see chapter 3) and were integrated into the interview framework questions (see appendix 1). Each of the three themes that emerged during the analysis houses specific codes (concepts). The codes contain isolated selected passages taken from the interviews with the solicitor apprentices. The codes reflect a specific concept which is stored inside a

related theme. For example, the theme 'opportunity' houses a range of concepts, such as socio-economic background, apprenticeship and tuition fees. While reading the transcripts the initial codes were refined as they captured a shared meaning across the data set. Coding was an evolving process which involved tagging-sentences selected and was then attached to the code. The themes captured the patterns that emerged across the data set. This is how the Framework in this study was constructed.

Clarke and Braun (2022b) have used the Framework strategy in their research. They explain in their research how the codes need to be clustered and attached to each of the themes identified in the data (ibid). The NVivo software facilitated this process as it has specific functions which allow you to separate (isolate) each of the coded text and make it available as a collective body of separate passages with a designated code. Table 6, below, illustrates the themes and the cluster of codes identified in this study. In the first row of the table the themes are identified. In the second row are the codes (concepts) which are housed in each of the themes. Miles and Huberman (1994) advocate using a pictorial representation of the relationship between the themes and codes. In chapter 5 table 6 is reproduced in diagram 6 (p.173) which

demonstrates the interrelationship between each research question, theme and the codes.

Table 6 – Themes and codes

Theme	Opportunity	Processes	Professionalism
Codes	• Tuition fees • Apprenticeship • Socio economic background	• Structure • Qualifying Work Experience • Formal Learning • Informal Learning • SQE	• Competences • Skills • Confidence • Professional • Identity

Table 6 demonstrates how each of the codes are subsumed within each of the three themes. They capture the multifaceted ideas which are discussed in the analysis through passages taken from the interviews with the solicitor apprentices. The themes do not operate in a silo (isolation) as they have an inter-dependent relationship with each other and the research questions. They operate on a cross-functional basis as they captured the biographical experiences of the 32 solicitor apprentices. This allowed the themes to be multi-functional and not mutually exclusive when using the data to respond to the research questions. The themes guided the narrative which is reflected through the lived experiences of each of the solicitor apprentices. Each apprentice was asked a range of questions about their lived experience, such as why they chose the apprenticeship route; how do they see themselves developing as a professional

practitioner and they provided an example of the types of work they were undertaking as a solicitor apprentice. These types of questions provided an opportunity for the apprentices to share their lived experience. They reflected on their role as an apprentice and as a student. It is through these interviews that this research is "... exploring the ways in which subjects experience and understand their world. It provides a unique access to the lived world, who in their own words describe their activities, experiences and opinions" (Kvale, 2007, p.8). Employing thematic analysis allowed this study to identify patterns within and across the data.

4.13 Concluding Remarks

This chapter has provided a detailed account of the methodology and methods employed in this study. It has shown how and why a specific paradigm was selected and implemented in this study. An interpretive view was used as the solicitor apprentices' experiences inform this research and provided the opportunity to interpret their views. It is their voice and how they see themselves developing which is captured through an inside perspective. The method of data collection used was semi-structured interviews. This allowed flexibility when the interviews took place and supported the development of the interviews. Selection and accessing the sample(s) have been outlined and explained in this chapter.

There were unforeseen issues that arose in the form of a global pandemic and this was discussed as part of the ethical application and approval. This study used software that allowed the interviews to proceed in the time-frame of this research. All of the interviews took place using Zoom. This allowed for synchronised (live) interviews to take place and complied with the rules and regulations on social distancing. There were no major issues whilst interviewing the apprentices or the six-stakeholders who formed the second sample. There were some minor connection problems which only affected two interviews. These interviews were rescheduled and took place at a later date. The qualitative data produced provided a unique opportunity to see inside this new pathway to qualify as a solicitor and is discussed in chapters 5, 6 and 7.

Chapter 5 – Addressing inequality

5.1 Introduction

This chapter is the first of those presenting an analysis of the data generated by the semi-structured interviews with the solicitor apprentices and stakeholders involved in the design, delivery and regulation of this new pathway to qualify as a solicitor. The analysis is divided into three chapters, each chapter responds to one of the three research questions. The diagram below illustrates the themes which emerged whilst analysing the data. Each theme aligns with a collection of interdependent codes and respond to a related research question. The themes are wrapped around: opportunity, processes and professionalism. They are the unifying threads that connect with the lived experiences of the solicitor apprentices who took part in this study.

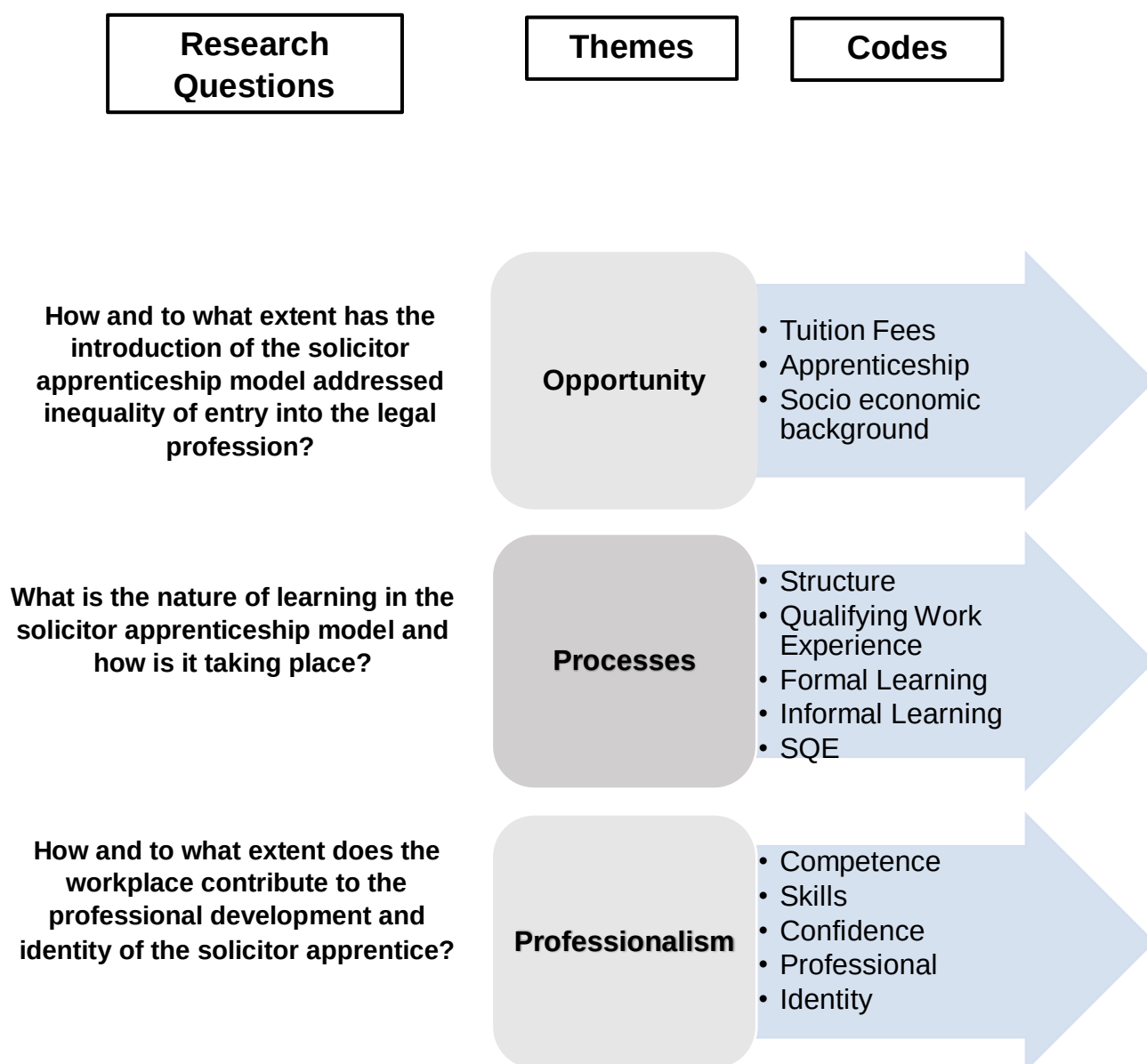


Diagram 6: The relationships between the research questions, themes and codes

5.2 Socio-economic background

Research question one:

How and to what extent has the introduction of the solicitor apprenticeship model addressed inequality of entry into the legal profession?

5.2.1 Inequality

This question is seeking to find out if the solicitor apprenticeship is opening up the profession to a wider sector of society. The data produced in this research is examining the basis of inequality and opportunity to enter the legal profession and whether or not the solicitor apprenticeship pathway is addressing these inequalities. This is pivotal to this study as previous research had only produced quantitative data on the number of law graduates and the limited number of training contracts (The Law Society, 2022). There is no database or central register on solicitor apprentices. This was confirmed by Julie Swan, the Director of Education and Training for the SRA, at the Westminster Legal Policy Forum (17th July 2023, p.13). This was followed-up with an e-mail to the Education and Training department of the SRA (see appendix 6). Bally Sandu, the Policy Officer at the Education and Training for the SRA confirmed that

“solicitor apprentices do not need to be registered with us [SRA] until they are ready to apply for admission as solicitors” (Appendix 6, p.432, 16th May 2025). This study has produced a rich body of data on the solicitor apprentices’ experiences from getting in and qualifying as a solicitor.

5.2.2 Opportunity

The emergence of the theme ‘opportunity’ came through in all of the interviews with the solicitor apprentices. Many of them felt that entry to the profession was the biggest problem they faced. Contained within this theme is a range of narratives, labelled under one of the codes (concepts), which were presented during the interviews. Opportunity was a dominant factor when discussing why these solicitor apprentices chose the apprenticeship pathway instead of taking up their place at university. During the interviews the apprentices explained how they saw inequality manifesting itself even before accepting a place at university. They explained how getting into the legal profession is not based on merit. They self-identified as socio-economically disadvantaged and explained how this had an impact on them. The 32 solicitor apprentices interviewed told their stories and revealed their personal journeys. There was a strong narrative around meritocracy and selection by law firms. The apprentices did not provide any evidence of direct discrimination but just because

there is no apparent overt discrimination that does not mean that law firms are meritocratic.

5.2.3 Entry level as a solicitor apprentice

As the interviews progressed it became apparent many of the solicitor apprentices believed they were being judged on their background at entry level. Their status as an apprentice was seen as inferior by some colleagues who entered the profession through the traditional university and trainee contract route. Those who are training these apprentices entered the profession through the traditional pathway. These aspects were explored with the solicitor apprentices and they were keen to explain how this new entry point into the legal profession provided them with the opportunity to practise, study and qualify as a solicitor. They explained how they felt about the apprenticeship and how it had changed their lives. They did have some concerns about how some insiders (practitioners) saw their entry point as inferior, compared to a trainee solicitor. The following sections of this discusses these concerns through the experiences of the solicitor apprentices.

5.3 The individual journey of the solicitor apprentice

The evidence collated in this study provided an inside view of the solicitor apprentice's journey. This is reflected in the excerpts used and amplifies the voice(s) of the apprentices who participated in this study (Hammersley & Atkinson, 1995). It is their lived experiences that informed this research and demonstrated the series of stages from novice to qualified solicitor taking place for them (Fuller and Unwin, 2009).

The first interview was with Afrosa who was 24 years old at the time of the interview. Afrosa had completed her A-Levels and had received an offer for a place at university when she was 18 years old. She declined the offer and chose the apprenticeship pathway instead. Afrosa had worked in a law firm for two-years as an apprentice paralegal at level three (National Qualification). She then applied and obtained a solicitor apprenticeship with another law firm and had worked there for four years at the time of the interview. Afrosa explained why she decided to follow the apprenticeship route instead of taking up her place at university:

So, I left school when I was 18. I had done three A Levels and I had a place at university. I was concerned about the debt I would get into if I went to university as it seemed very expensive ... so for someone like me, not from a great background and a lot of people I went to school with, it [the apprenticeship] does seem

like a viable option. A lot of people go to university but I don't think they think how it is going to affect them financially in the future.

This was an interesting response from Afrosa as it revealed how she identified with her background. Her statement: "... someone like me, not from a great background ..." was revealing. She was judging herself on her background, not on her own merit. She had obtained three A-Levels and had been offered a place at university. There was also a feeling of dismay when she talked about tuition fees and living costs (see 3.3.1. Riddell, et al, 2016). This was a concern raised by all of the solicitor apprentices interviewed. Some also had a self-perception of not being good enough to go to university. This emerged on several occasions during the interviews (see 5.8). The apprentices were reflecting on their background and, for them, it was a barrier. They wanted to train and qualify as a solicitor but had a number of concerns and one of the main concerns was gaining entry into the legal profession. Their narratives underlined the uncertainties of not having the economic safety net, the family support or right connections. This was apparent when interviewing Xavier. He was 24 years old at the time of the interview and was in the fourth year of his apprenticeship. Xavier was asked about his background, education and why he chose the apprenticeship pathway. He explained that he "comes from a working class family" and that he had

passed all of his GCSEs. He “didn’t fail anything and didn’t get anything below a C but certainly didn’t meet all of my targets.” Xavier went to college and studied for four A-Levels. He did well and obtained “A star, A, B and B” and obtained a place at a Russell Group university. He completed the first year and then deferred his studies for one-year. He then obtained a post at a law firm as a legal executive apprenticeship at level three. He completed that apprenticeship in two-years and then started his solicitor apprenticeship. He had accumulated four years inside a legal practice at the time of the interview. Xavier had a different starting position to Afrosa. He had taken up a place at university but explained the financial difficulties he had faced and this is why he deferred his studies for one-year. Having gained paid employment and completed a CILEX (chartered institute of legal executives) qualification he was now in a position where he was a fee-earner in the legal practice. Xavier was of the opinion that work-based learning provided him with the opportunity to qualify as a solicitor. He had recently become a parent and the apprenticeship route had provided paid employment, the opportunity to obtain a degree and qualify as a solicitor. He was asked how he felt about his decision to leave university and was the apprenticeship the right decision. The following excerpt explains why he left university and followed the apprenticeship route instead:

I can now say it was the right choice but did have some early reservations. ... hopefully I'll be awarded an LLB in Legal Practice and Skills. I walked away from [name of first university he attended] that opportunity to try and get that qualifying degree. When the apprenticeship came up I took it. So, at some point I'll receive my degree after four years of study. For the remainder of the course we will be doing SQE 1 and SQE 2 preparation.

Xavier tried the traditional route to qualify but this was not financially viable for him. He explained how his parents had started their own business and they were facing financial difficulties and were not able to provide him with financial support. He was also concerned about paying for a legal practice course in the region of £12,000 and he would still need to obtain a training contract. The anxiety of not getting a training contract was evident during the interviews with the solicitor apprentices. The data revealed how these apprentices were positioning themselves even before going to university, or as in the case of Xavier whilst at university. They explained how they saw their life chances being pre-determined by their background. This was evident when interviewing Cara. She was 24 years old and similar to Afrosa, Cara also worked as a para legal for two years prior to taking up her apprenticeship with her current employer. She had been a solicitor apprentice for four years at the time of the interview. When asked why she chose the solicitor apprenticeship route she provided the following response:

Firstly, because coming from an underprivileged background the prestige of law, I did feel there were some barriers because I didn't have the A's and A stars. I still managed to get my qualifications but I didn't think I had the top grades and I understand very much that if you do go down the traditional route the university you choose does play a role. So, for instance if you go to a Russell Group university as opposed to a non-Russell Group University and I didn't quite feel that I fitted into that pressurised environment.

Cara's response was reflected in several of the interviews. They did not feel that they would be able to practise law by going to university as a full-time student. Cara described herself as not having the right background or the right accent. She believed judgements would be made on the school she attended and not getting into the 'right' (Russell Group) university. She contrasted this with a person who came from a privileged background. She identified multiple indicators relating to a person's social position and the resources that prepared them for an elite occupation such as a solicitor (see 5.8). The following excerpt, taken from Cara's interview, demonstrates some of these factors and provides an insight in to how and why Cara felt disadvantaged when competing with someone from a privileged background:

When you are from a ... I think a more, you know, privileged background you have the ability to pay your hundred pounds for

a training contract prep course and all those costs begin to accumulate because if you want to compete against the very best people they will have had an arsenal of you know tips and coaching than an average person won't get. When it comes down to it, when it comes to the way you present yourself in general all that money you've spent in presenting yourself will get you the training contract.

Whilst listening and transcribing these interviews there was an opportunity to deconstruct these insider accounts. Denzin (2001, p.138) refers to this as the researcher "... living their way into and through the lives of others." The solicitor apprentices demonstrated an emotional attachment to their experiences and this was evident in the way they spoke about their experiences. They were reflecting a parallel view of a society which divided into different parts based on socio-economic backgrounds. They did not always acknowledge their academic achievements or their self-worth. When this was explored with them they expressed concerns of trying to compete against someone from an affluent background. These solicitor apprentices shared similar concerns whilst reflecting on their socio-economic status. There was a pattern emerging in the data that united them in their social setting and why they choose the solicitor apprenticeship. This is captured in the theme opportunity and at this juncture is reflected in the concept (code) of socio-economic background. This came through in all the interviews with the solicitor apprentices: the

way they positioned and compared themselves when considering a place at university or taking up an apprenticeship instead. An example is provided in the next excerpt taken from an interview with Nadia. She had been a solicitor apprentice for five years. She had obtained her A-Levels and had been offered a place at university. She was asked why the apprenticeship pathway and not university? Nadia explained why she did not take up her place at university:

My educational background is quite standard to be honest. I went to a state school. I've never been to sort of an independent or selective school or anything like that. So, I'm from Essex and went to state school ... Then I went on to college to do my A-Levels which was also a non-selective kind of college. You just needed the grades to get in and I did law at A-Level, along with psychology and English Literature. ... I assumed the only way getting into law was ... through the LLB, LPC and training contract. ... I was worried for multiple reasons really because the huge bottleneck of students coming out of university trying to get these training contracts.

Nadia was one of the first solicitor apprentices to follow this pathway to qualification. She was aware of "... the huge bottleneck of students coming out of university ..." and was aware of the limited number of training contracts. Without this entry point she did not see herself going to university or getting into the legal profession. For Nadia, she was adamant that the solicitor apprenticeship pathway was the solution. She explained how this entry point into the legal profession had addressed the

inequality that she said she faced. This was expressed in a later section of the interview:

It sort of answered all my worries because I would get six years' experience. I would earn a salary and so money would no longer be a worry for me ... all of my education funded and knowing if I did my bit I would qualify in six years ...

Nadia's response was common among the solicitor apprentices. They were mapping out their social realities through their personal experiences. They were telling their stories and providing a "thick description" (Denzin, 2001, p.138) of the barriers they faced and how they saw the apprenticeship route as the answer to their problem(s). They were of the opinion that the apprenticeship pathway provided them with an opportunity to study and train to be a solicitor. This was explored with the apprentices. They were asked why they felt the university route would exclude them from getting into legal practice? There was a strong reaction to this line of questioning. They reinforced the point that their socio-economic background had an indirect impact on entry level into the profession. They felt that those who had gone to private school and had attended a Russell Group university had developed the skills and cultural capital to present themselves as a match for the interview panel. These attributes were identified by many of the apprentices and they believed this would lead to selection and entry into the profession. Many of the

apprentices linked these attributes and educational background to the right fit for a training contract. They felt that they were being judged on their background and a selection panel would be recruiting on impression rather than on an objective and measurable criteria.

5.4 Education and destination

The inequalities expressed by the solicitor apprentices are a product of the education system in the UK (Sutton, 2019) and is reflected in the work of Green and Kynaston (2019, p.1) who have argued that:

... education is not just another material asset: it is fundamental to creating who we are. If we buy an expensive and exclusive schooling for our children, we influence how they grow, the sort of people they will become and what they will do.

Two-fifths (39%) of elite occupations in the UK are held by those who attended independent schools (ibid). Discrimination on a person's socio-economic background had been taking place when selecting candidates for a training contract (Ashley et al, 2015). The systematic inequality through self-selection based on socio-economic background was reflected in the narratives produced in the interviews with the solicitor apprentices. They had not attended an independent (private) school.

They went to a state school. They saw their background as a disadvantage when comparing themselves against someone who had been to a private school. These Social and cultural barriers should not exist but they do. They exclude individuals such as Cara and Afrosa from entering the legal profession through the traditional route. A pathway that was reproducing itself through a self-selection process. The selection panel in these law firms were self-identifying with applicants from independent schools. This is the crux of the matter and is summed upon in a statement by Simon Davis who was the president of the Law Society in 2020. He delivered a webinar as part of the Bridge Group's research project (2020b at time-frame 5.15-5.36) which highlights this direct discrimination: "The only barrier that I wanted there to be for entry into the [legal] profession and staying within it and progressing would be the lack of talent and that should be the only barrier but of course it's not." Access to the legal profession should not be dependent on an individual's social class, where they grew up and which school they attended. This is discrimination based on socio-economic background. Cara believed that the barriers faced by those from a socio-economic disadvantaged background was often overlooked. This was reflected in many of the interviews with the solicitor apprentices. They did not feel that they would have the opportunity to practise law but only the opportunity to study law if they had chosen the university pathway.

There was a wide spread representation in the interviews that there was little transparency in the way selection and entry into the legal profession was taking place. Some of the interviewees (apprentices) presented a situation where they would have had to persuade the selection panel that they were good enough to be selected. This was raised on a number of occasions by the solicitor apprentices. Despite these barriers the apprentices in this study, who self-identified as under-privileged, gained entry into the legal profession. This is an achievement but it does not necessarily address the issue of inequality in itself. This is explored in the next section by considering how the solicitor apprenticeship is addressing the inequality of getting into the profession and how this new pathway is providing an opportunity to qualify as a solicitor for those who are from a socio-economic disadvantaged background.

5.5 The apprenticeship levy

As the interviews with the solicitor apprentices developed it became evident that a number of them had been working in a legal practice prior to taking up their solicitor apprenticeship. This was due to a number of reasons, one being that the solicitor apprenticeship was a new entry point which only became available in 2015. Also, the apprenticeship levy only

came into force in April 2017. This is a major funding reform through a pay roll tax. This encouraged employers, particularly those who paid into this levy, to employ apprentices (Richard Review, 2012 and Wolf Reforms, 2015). This was a turning point as it provided funding for higher education tuition fees for solicitor apprentices.

5.5.1 Tuition fees

The apprenticeship levy is a key strategy in achieving greater social mobility (Cavaglia et al, 2022). This became evident as the interviews progressed and the emergence of socio-economic background had a direct relationship with higher education and tuition fees (see 3.3.1). The solicitor apprentices expressed concerns relating to the associated costs of going to university. They explained how they saw the costs of tuition fees and accommodation as a barrier for them taking up a place at university. For example, Lois who was 19 years old when interviewed and had been a solicitor apprentice for one-year. Lois had attended a state school and had obtained 3 A-Level. She had been offered a place at university but was not able to take up this offer. Lois was not in a financial position to leave home, pay for accommodation and tuition fees. The

solicitor apprenticeship pathway provided an alternative route to qualifying as a solicitor. Lois explained why she made this choice:

I was able to live at home and you don't have to pay any university fees or you don't have to pay for the Solicitors Qualifying Exam [SQE] which is about £10,000 [the SRA charge for SQE 1 £1,558 and for SQE 2 it is £2,422] the firm or government pay these fees for you.

There was a similar response to this line of questioning when interviewing Amelia who was 22 years old at the time of the interview. She had completed a business course at college and started working in a legal practice as a paralegal apprenticeship at the age of 18 years old. She completed this apprenticeship when she was 19 years old and then applied for a solicitor apprenticeship position with her, then, employer. She was not selected but continued to work for them as a paralegal for another 12 months. Amelia then applied and obtained a position as a paralegal with a new employer. Within one year of being in this post she obtained a solicitor apprenticeship. At the time of the interview Amelia had been working as a solicitor apprentice for just over 18 months and had been working in a legal practice for just over four years. Amelia explained why she chose the apprenticeship route:

... there is no student debt which is amazing. ... also by this point, now if I had gone to University I potentially would have been doing my LPC [Legal Practice Course] now, full-time and may have not had any work experience. Whereas at this point I'm twenty-two and I've had four years of really valuable experience. So by the time I do qualify in 2026 I [will] ... have had experience from when I was eighteen which I think will go a long way if and when I'm practising as a solicitor.

Cara and Afrosa had the same concerns when they discussed going to university or choosing an apprenticeship. Student debt and living costs, such as accommodation and utility bills, were a problem for them. They were not in a financial position to take on these overheads. This was explored with Amelia who explained the financial barriers she faced if she went to university. Her family were not in a position to support her financially. When she was asked why she chose the apprenticeship pathway this was her response:

So I knew the apprenticeship route would be a better route for me and I'm so happy that I did it. The other side of it as well is there is no student debt which is amazing.

Amelia wanted to practise law but had limited options when she first started working in a legal practice. She explained how getting a solicitor apprenticeship was not easy. Even when she completed her paralegal apprenticeship her first employer did not appoint her as a solicitor

apprentice. This was raised by a number of the apprentices whose employers did not want to commit to a six-year apprenticeship. Amelia had completed a one-year apprenticeship as a paralegal and would have acquired the skills and knowledge to perform certain tasks as a fee-earner. Employing fee earners as a paralegal reduces the overheads for an employer. This is common inside a legal practice and restricts progression within the profession (Malcolm, 2015, p.5). The use of non-qualified roles in legal practices was a point of concern in the Legal Education and Training Review (LETR) report (2013). The SRA were aware of these concerns and how law graduates were being employed as paralegals in a legal practice (SRA, 2015a, p.15). These are some of the key factors that contributed to the systematic inequalities that are entrenched in the legal profession. They underpin the barriers to qualify as a solicitor from inside a legal practice (Krengel et al, 2024). The Legal Services Board (LSB), who oversee the regulation of all of the legal professions in England and Wales, commissioned Krengel et al (2024) to produce a report on the inequalities that exist in the legal profession. It was found that many law firms have manifested many of the “root causes and impact” (ibid, p.6) on progressing or qualifying as a solicitor. This reflects Amelia’s experience and how the first law firm she had worked at made it difficult for her to qualify as a solicitor. There was a limited opportunity to develop beyond her role as a paralegal. This is why she

left and started working at a small legal practice. Her new employer recognised her potential and Amelia obtained a position as a solicitor apprentice. Amelia explained how her experiential learning helped her to grow as an individual and mature as a practitioner. She discussed her trajectory to qualify as a solicitor and the following excerpt captured this moment:

I think even just coming in [to practice] at eighteen. I think just generally my confidence has grown. My knowledge, my skills, just general, like, I've just developed a lot really over the past four years and it just really comes down to my work experience and ... going straight in to work at eighteen. You have to mature and the work, you work in, has been a great experience and I wouldn't change anything.

Amelia's maturity came through during the interview. She was 22 years old and able to discuss her career pathway in a way that reflected her past experiences and focussed on qualifying as a solicitor. The apprenticeship pathway was working for Amelia, Cara, Lois and Afrosa. They had faced a range of social, financial and cultural barriers but the apprenticeship pathway appeared to have been the right choice for them.

As a new pathway, the apprenticeship had provided an entry into the legal profession for the solicitor apprentices. The apprentices shared a

collective opinion that this route had given them the opportunity to qualify as a solicitor. They saw tuition fees and moving away from the family home as a barrier. Their families did not have the finances to support them at university. There was an expression of consternation when they discussed tuition fees and incurring large amounts of debt. An example is provided from an excerpt taken from an interview with Denise. She was 22 at the time of the interview and had been a solicitor apprentice for three years in a large city law firm. She had originally started work at the firm as a trainee legal executive. After working for the firm for two years she applied and obtained a solicitor apprenticeship. Denise explained why she did not go to university but chose the apprenticeship pathway instead:

So I wanted to get into the legal industry but I was really apprehensive about going to university and incurring the debt. Because, especially when the fees went up to £9000 per year. ... So I was looking for ways to get my foot in through the door without having to incur debt or face insane amounts of competition. So that's why I did the apprenticeship.

Denise's response was powerful during the interview. The inflection in her voice demonstrated the emotional fear of incurring a large amount of debt. Her body language and the tone of her voice clarified her experience and why she pursued the apprenticeship pathway instead of taking up her place at university. This came through in all of the biographical narratives

(Denzin, 2001) presented by these solicitor apprentices. They believed university would be an economic gamble. Moving away to study involved overheads, such as accommodation that needed to be paid for and this was something these solicitor apprentices were not in a position to fund. An example is provided by Cara. She had a number of concerns relating to tuition fees but her main concern was paying for accommodation whilst at university:

A lot of people can't afford to go to university because of the financial barriers. Those who go to university are having to work part-time to just fund their university [accommodation] as they don't have the support from home to be able to do more than that.

For Cara, Denise, Afrosa and Amelia these were financial barriers which they could not afford. They were aware of the risks and the apprenticeship pathway removed these risks for them. The narratives in the interviews were building a picture and revealing why these apprentices had chosen the work-based learning route instead of university. This was discussed with Harith in his interview. He had obtained 3 A-Levels and had been offered a place at university. He was 21 years old at the time of the interview and had been a solicitor apprentice for three-years in a large city law firm. When he was asked why did he follow the apprenticeship pathway instead of taking up his offer at university this was his response:

Experience is the main thing. When you consider the benefits such as you are going to be paying for university tuition fees and there is no guarantee that you will be able to train as a solicitor. Whereas the solicitor apprenticeship prepares each individual person for working as a solicitor. I've found that working in a legal firm has allowed me to work on different projects, different activities, different jobs and I've started looking after my own cases. I can get all that experience in the workplace whilst also getting my degree at the same time. It seems to be me to be the perfect opportunity to kind of have the best of both worlds in the sense of getting the experience and the education.

The deconstruction of this excerpt revealed a number of salient points. Harith believes that “the solicitor apprenticeship prepares each individual person for working as a solicitor.” It is this lived experience inside this environment which is shaping and forming the practitioner. Billett (2014) referred to this metamorphosis as ‘mimosis’. Where the apprentice is mimicking the behaviours and practices of their mentor. Harith goes on to explain that he “can get all that experience in the workplace whilst also getting my degree at the same time.” Harith talked about gaining experience and how he was developing the tacit knowledge needed to practise law, as opposed to merely studying law as a subject. He was of the opinion that this was “the perfect opportunity to kind of have the best of both worlds ...” As the interview progressed Harith explained how he saw himself maturing inside the law firm. He made reference to his role and how he had “grown-up, it made me mature at a quicker pace.” He

went on to explain how he had gained confidence and formed professional relationships inside the law firm. Harith discussed the difference between learning at university and what he had learned in the workplace. These two distinct forms of knowledge are explored in chapter 6 but reference is made to them at this juncture as gaining practical experience was important to Harith. He wanted to learn how to practise as a solicitor and not just study the law as a subject. He emphasised this on several occasions whilst being interviewed. Harith was aware of the barriers to getting in. He discussed similar reservations to those shared by Cara, Denise, Afrosa and Amelia. He was asked if entering legal practice as a school leaver was the right decision and this was his response:

My work colleagues understand the challenges that I'm facing and they are very supportive. They take their time with me and explain how to deal with any specific questions I have. They do expect me to try and work things out for myself and then go to them when I have explored the matter. I still have a lot to learn. My age, experience does not come in to play as I've been there [in a legal firm] for a number of year now, and getting on with my degree, that has relevance as well in that they [colleagues] appreciate and identify some of the problems I've faced.

Harith appeared to have a good relationship with his community of practitioners and was making progress. He believed the solicitor apprenticeship pathway had given him the opportunity to practise and qualify as a solicitor. He had reservations about the traditional university

pathway. He did not feel he would be able to compete with candidates from a privileged background. For Harith, the solicitor apprenticeship provided him with funding for his tuition fees and qualifying work experience. There was an underlying pattern emerging inside these interviews. As the interviews increased there was a feeling that these apprentices were evolving inside a social model. Learning through participation was taking place (Lave and Wenger, 1991). Unlike the craft apprenticeship this was a new form of apprenticeship which incorporated higher education funded through a levy. The levy removed the financial risks discussed by the apprentices and they gained entry work-based experience. The QWE was the underpinning key to unlocking entry to the legal profession. Without this experiential learning there is no opportunity to qualify as a solicitor. Training contracts were limited, in the past, and are being phased out in favour of gaining two-years QWE. The nature of the apprenticeship is QWE. It is inseparable and has the benefit of a levy that pays higher education tuition fees and one-working day a week is allocated for these studies. These are positive factors but there was still unanswered questions on whether in form and substance the apprenticeship route is addressing inequality of entry into the legal profession. There was evidence that it was providing entry for these apprentices. However, there was a feeling that they wanted to say the right thing and provide a positive response to the questions. Many of

these apprentices were already working in a legal practice when they obtained their apprenticeship. They were already experienced in legal practice and this placed them in a position where they would be fee-earners and this would benefit a legal practice. The levy was a strong pull-factor and did seem to be at the forefront of the conversation when asking why they pursued this route to qualify. There was a focus on tuition fees and limited opportunity to gain a training contract. Was this route opening up access to a wider sector of society? There was evidence that this route is opening up the profession but whether it is removing the inequalities that have existed is still in doubt.

5.6 Equality and equity

Studying law and the opportunity to qualify as a solicitor has too many economic challenges with little in the way of achieving the end goal (Sutton, 2019). The dysfunctional mismatch between studying for a degree in law and the opportunity to qualify as a solicitor has long been recognised by the Law Society (2022 and 2025) and the governing body for solicitors in England and Wales (SRA, 2015a). Tuition fees, the selection process and in-built bias based on an individual's background is endemic in the legal profession (Sutton Trust, 2019, Ashcraft, 2013 and Ashley et al, 2015). The participants in this study chose the

apprenticeship pathway as a solution. It gave them financial security and they were on a pathway to qualify as a solicitor. This was evident when the solicitor apprentices explained why they chose this pathway instead of accepting their university offer. At different points in their interviews they talked about the inequalities they faced if they went to university. They believed these inequalities exist because of their background. These solicitor apprentices were obtaining the A-level grades, obtaining a place at university but did not see this as a pathway to qualify as a solicitor. Equality and equity did not favour their social position and they were aware of these factors (Green and Kynaston, 2019). Opportunity and inequality emerged on several occasions in the interviews and united them in their decision to follow the apprenticeship pathway.

There was a pattern emerging as the apprentices responded to a range of questions. The use of the student loan and access to a maintenance grant was discussed with the apprentices. The solicitor apprentices saw the traditional university pathway as an economic gamble. An example is provided by Nadia. She explained how she saw the university pathway and entry to the legal profession:

... I had always had strong grades throughout school, throughout college and it wasn't necessarily a place at university that was

worrying me it was more the financial strain it would put on me because I don't come from a background that my parents would be able to fund my university [place]. ... I thought I don't want to go to university, and I might get my degree and I might get a really good grade, but I'll come out with next to no legal work experience. I won't know how the law is applied in practice and I may not, probably won't have a training contract because that's just the way it goes.

Nadia's perspective reflected the reality of how she saw her life's chances.

Singh's (2025) qualitative study revealed similar findings which revealed that the risk of incurring high levels of debt deterred students from taking up their offer at university. Singh found that working class students associated taking up a place at university as a risk based on their perception of debt (ibid and see 3.3.1). The earlier research undertaken by Callender and Jackson (2003, 2005 and 2008) reported similar findings which confirmed that students from a lower social background had a fear of debt and this was one of the main reasons why they did not take up their place at university. Each apprentice had their own lived experience but they all had an aversion to debt. They did not see tuition fees as an investment in their future. They did not see any economic return on their investment if they had taken up their offer at university. They believed their background would be a barrier and they would not obtain a training contract. There was a strong narrative around judgement and how they would be judged by prospective employers. They felt that assumptions

would be made about them based on their upbringing. Whilst listening to these solicitor apprentices explain why they did not follow the university route into the legal profession it was possible to gauge their dismay and disappointment with the traditional pathway into the legal profession. This was captured in a statement made by Nadia and formed part of the reflective commentary in the research diary. When Nadia was asked if she had made the right choice or did she have any regrets not taking up her place at university she immediately said: "If it were not for the solicitor apprenticeship I would not have gone to university. I went to work to go to university." At this juncture of the study 14 interviews with solicitor apprentices had taken place. It was noted in an entry in the research diary (See appendix 7, 17th March 2021) that there was a strong response when asking about why they chose the apprenticeship pathway. There was an enthusiasm in their voice when they spoke about the apprenticeship as an entry point into the legal profession. It had provided them with qualifying work experience and it had changed their lives. There were a number of negative comments and they related to the perception of the apprenticeship. As a vocational route it is not seen by some members of staff (inside their place of work) as an academic route. This divide between vocational and academic route to qualify was a concern for many of the solicitor apprentices. They had been made to feel that the apprenticeship route was for those who could not go to university. It was

option B if option A did not workout (see appendix 7). This concern was reflected in the Richard report (2012, p.6) who commented on the negative perception of an apprenticeship when comparing it with a university degree. This negative perception formed part of a wider discussion with the solicitor apprentices. There was a strong connection between how these apprentices positioned themselves and why they chose this pathway. They believed they would not fit-in or get in to a city London firm because of their socio-economic background. They explained why the apprenticeship pathway was chosen instead of going to university as a full-time student. The traditional pathway into the legal profession, for them, was dysfunctional. It did not provide the opportunity for these solicitor apprentices to qualify. Each of the solicitor apprentices had their own reason for following this pathway but there was a similar pattern: inequality and opportunity to qualify.

5.7 The employer perspective

In order to develop this narrative it was necessary to interview employers and obtain their perspective of this new apprenticeship pathway. The first interview was with Roma. She had been running a legal practice for twenty-five years. Roma explained that the legal practice is a small firm and had employed a solicitor apprentice for the last five years. During this

interview the discussion turned to inequality, opportunity and entry into the legal profession. Roma was asked: What are your thoughts on the apprenticeship pathway and is it creating an opportunity for a wider section of society to enter the legal profession? Roma explained how she was using the apprenticeship pathway in her legal practice to train an apprentice. She was aware of the inequalities that prevented access to the legal profession. Roma explained how she was trying to address this inequality by offering a place to an apprentice:

When it [the apprenticeship pathway] first started it seemed like some kind of people looked down their nose at it. ... more traditional firms looked down their noses at it and weren't particularly impressed or interested. ... I wanted to use it because I like to bring people on and the nature of the firm we are and where we are [is] going to be attracting more people applying to us who are not necessarily coming through the traditional route. ... we took them straight from school. We are not going to be asking for really onerous [qualifications] things. [It is] A good route for people who might not always get an entry into the profession. ... My concern is now that it's got really popular and those people who would have gone ... down the traditional route are seeing this as an opportunity to get their feet in the door.

Roma was concerned about the prejudices and barriers that prevented working-class students from getting into the legal profession. She believed the apprenticeship pathway may address some of these issues and encourage a diverse range of A-Level students to apply for the

apprenticeship. She went on to explain how her firm had provided an opportunity for those who wanted to practise law but for various reasons were not able to go to university. Roma believed that city law firms are now recruiting solicitor apprentices as they are paying into the apprenticeship levy. These law firms are able to draw down from the levy (they paid into) by employing solicitor apprentices. They also tend to ask for entry qualifications at the top end of the A-Level scale which you normally see in Oxbridge or Russel Group universities. Roma was asked how she had formed this opinion and this was her response:

... there is much more of an appetite for commercial firms for apprentices than there ever was. ... you got great A-Levels and they could have gone to university but instead have taken an apprenticeship instead of having to faff around with someone who hasn't got maybe the same level of cultural capital.

Roma's reference to cultural capital drew out an underlying concern raised by the solicitor apprentices. They made reference to not having the right background, accent or going to an independent school. Wong and Liao (2022, p.776) described this in their research as the "advantaged and disadvantaged [students]." Roma described it as not having "the same level of cultural capital" and acts as an invisible barrier which becomes tangible when trying to get into the legal profession. Roma and her colleagues wanted to provide an opportunity for those who found it difficult

to gain entry into the legal profession. This came through at various stages of the interview as she believed the apprenticeship pathway was: “A good route for people who might not always get an entry into the profession and an achievable route.” Roma had concerns on how this entry point was being eroded by those who would have traditionally gone to university. She developed this point by explaining she had attended an SRA webinar (2021c). She explained that one of the panellists, from a large city law firm, made reference to “picking out apprentices.” Roma saw this as self-selecting from a middle class background and she believed this would result in those from an under privileged background being “... squashed out again ...”

Roma’s insight was concerning as the *raison d’être* of the apprenticeship route was to open up the legal profession to a wider sector of society (SRA, 2015a). The sample in this study reflected this ethos but there had been similar concerns raised. There was a feeling that a social divide was emerging when selecting solicitor apprentices (Westminster Legal Forum, 2023 at pp.19-20). This concern was developed in a later interview with Michael. Michael owned a small legal practice in England. Michael had qualified as a solicitor in 2001. He qualified through the traditional route: law degree, LPC and two-year training contract. Since qualifying he had worked mainly in civil litigation and also worked as a part-time law tutor at

various higher education institutions. At the time of the interview he was developing assessment materials for the Solicitors Qualifying Exams. During the interview he was asked for his opinion on the new education framework and the solicitor apprenticeship route. This was his response:

I think the new system does create opportunities in that there isn't that high demand now for a fixed two years training contract. ... but it also creates the problem of how one evidences qualifying work experience. ... I think ... a lot of recruiting partners are still going to see the LPC as gold plated and it is more a fear of unknown. You know what you're doing with the LPC.

It was interesting to hear Michael's response. He was focussing on the past. He focussed on how recruitment and the route to qualification had taken place (SRA, 2015a). The LPC had been used as a preparation for legal practice and not as an assessment to qualify as a solicitor (ibid). Michael was not aware that the SRA were critical of the LPC and the employer signing off the trainee as competent to qualify (ibid). He was surprised to hear that this criticism initiated the phasing out of the LPC and training contract. These criticisms and changes were discussed with Michael. He was then asked for an opinion on the new route to qualify as a solicitor. This was his response:

Now it's being assessed centrally which is then removing the discretion of individual partners around the country. Having a different set of ideas of what a day one qualified solicitor looks like. ... So, whether that will then instil faith in the system, I've got my doubts but I can see that it will take a few years for that to happen.

Michael's response reflect how he felt about the changes that had taken place. He made specific reference to "removing the discretion of individual partners". He was referring to the signing off of trainee solicitors as being competent to practise as a solicitor. He did not recognise the concerns shared by the SRA and why these changes had taken place. It also became apparent (during the interview) that Michael was not aware of the deregulation that had taken place around qualifying work experience. Under the old legal education framework law firms needed approval from the SRA in order to employ trainee solicitors and provide a period of recognised training (SRA, 2023h). There were stringent rules in place such as the authorised training provider having a nominated training principal for the duration of the training contract. It was explicit in the SRA regulations that the trainee solicitor "be appropriately supervised by solicitors and other individuals who have adequate legal knowledge and experience in the practice area they are supervising and the necessary skills to provide effective supervision" (SRA, 2023h, regulation 4.6). The trainees would need to gain experience in at least three distinct areas of

English and Welsh law (often referred to as rotating seats) and this had to include contentious work (SRA, 2022g). Under the new legal education framework the SRA have removed these requirements (deregulated). According to the SRA this will promote QWE and provide placements for those who want to qualify as a solicitor. Employers are able to tailor their training and development for their solicitor apprentices in line with their business objectives and business model. They no longer have to rotate through different seats or areas of law (SRA, 2021g). When this was discussed with Michael he was not aware of this deregulation and this reflects his earlier comment he made about the “fear of the unknown”. Michael was aware of piecing together four placements to make up the QWE. He was positive and empathic when he discussed this point:

I think someone like myself who's come in through the route of smaller firms might have a better awareness or sympathy with the idea that people have to come in from different routes and have to piece together their own experience ... Because I'm one of these people who firmly believes that you learn more by doing and to some extent trial and error in a safe environment ...

Michael's comments recognise the difficulties faced when trying to obtain QWE and his latter comments referring to learning by doing was an interesting point. This was explored with Michael and he was asked if he

would employ a solicitor apprentice. He based his response on his business economic resources:

... there is a huge lack of information about it [the apprenticeship]. ... an apprentice is going to eat away all of my time. ... time is a commodity that is so precious to lawyers in practice and I think that's what the barrier is ... so all they [apprentices] can do is be a sponge really in those early days and just watch how it's done ...

Michael's firm is a small practice and he was of the opinion that his business did not have the resources to employ a solicitor apprentice. This is true of Roma's legal practice as well but she was prepared to give her time and nurture a solicitor apprentice. Roma had provided placements for aspiring lawyers for a number of years. When the opportunity arose to employ them through an apprenticeship she introduced this into her business model. Roma was planning to employ another solicitor apprentice and would use the existing apprentice as a workplace buddy. Roma explained that this would allow the current apprentice to share their experience and support the new apprentice in the workplace. This was encouraging as Roma's law firm was a small practice and specialised in specific areas of legal practice. It was evident from the way Roma talked about the apprenticeship pathway she supported its introduction but had reservations on how it may be used by large city law firms who were

paying into the apprenticeship levy and she believed this was why they were now introducing the work-based route to qualify.

5.8 The social divide which creates inequality

The solicitor apprentices in this study are a testament to the social divide and inequality of entry into the legal profession. Their narrative(s) revealed why they chose the apprenticeship pathway. It gave them entry and at the same time paid for their higher education tuition fees. The data is providing an insider view of this new pathway to qualify as a solicitor. It is advancing this body of knowledge as there is no qualitative data reflecting the lived experience of the solicitor apprentice inside this workplace model. This was discussed with Julie Swan, the current Director of Education and Training, at the SRA on the 17th July 2023. She was asked if the SRA intended to create any data that captures entry and progression to qualify as a solicitor through the apprenticeship pathway. This was her response:

... the solicitor apprentices, those following the school leaver route, it isn't early days because those who have now qualified as solicitors probably embarked upon their solicitor apprenticeship six or seven years ago. So it's a very long journey. And we don't yet have data on those individuals who are following the apprenticeship route. ... I think we will want to

look at the different ways in which the apprenticeship options are being used, and possibly the different characteristics of those following the apprenticeship route.

(Westminster Legal Education Forum, 17th July 2023 at pp.13-14)

This response is different to the argument made by the SRA when they designed the new legal education framework. One of the drivers behind the apprenticeship pathway was to open up the profession to a wider sector of society. The SRA claimed that this pathway would act as an entry point “... to applicants from varied backgrounds” (SRA, 2015a at p.4). The SRA have not initiated any study to find out if the solicitor apprenticeship is opening up the profession. More importantly, the SRA have not initiated any qualitative research on the individual journey of these solicitor apprentices. This study has responded to this gap in the literature. The data is suggesting that this new entry point is driving state educated school leavers into the apprenticeship pathway. Whilst this appears to be opening up access it is at the same time creating a two-tier system: the Oxbridge and Russell Group university route and the alternative route for those who can’t afford to go to university or compete for qualifying work experience. This criticism was made by Dana Denis-Smith who is an elective member of the Law Society, Chief Executive Officer of Obelisk Support and founder of the First 100 years’ campaign. Dana has argued that:

... one of the kind of selling points of the SQE was that by creating more diverse routes into the profession, it will create a more diverse legal profession. ... So we have created now a two path route. One is for SQE and one remains for the training contract. ... two-thirds of the training contracts are being given to Oxbridge graduates or Russel Group graduates. ... people from underprivileged backgrounds or from less prestigious schools end up having to battle through the SQE route. So that is one thing that we definitively are waiting for more data. We are waiting for more understanding of SQE ... I don't think the SQE is going to deliver [a] more diverse legal profession ...

(Westminster Legal Policy Forum, 17th July 2023 at pp.19-20)

The above statement has some merit but the training contract is being phased out. It is being replaced with two years' qualifying work experience (QWE). It is estimated that by 2032 (SRA, 2015a) the SQE and QWE will be the norm for all aspiring solicitor in England and Wales. The solicitor apprentices are enthusiastic about their apprenticeship but the underlying tone of this enthusiasm is focussed on gaining entry into the legal profession. This does not in itself mean the apprenticeship pathway is addressing inequality. It is creating a new pipeline into the profession but this in itself is not opening up the profession to a wider sector of society.

The solicitor apprentices in this study believed they had no choice but to pursue the apprenticeship pathway. This was noted in the research diary (see appendix 7) on several occasions. The apprentices referred to themselves as not fitting in and became anxious when they started to explain their position. They demonstrated a feeling of being lost during the early stages of their apprenticeship. There had been occasions when some of the solicitor apprentices struggled with their work-based relationship. They expressed concerns relating to issues of trust, for example instead of giving work to the apprentice it was passed to the legal secretary. These apprentices often felt as if they were “outsiders on the inside” (Reay, 2017, p.151). They expressed a feeling of inferiority when discussing the graduate entry route. This was raised by a number of solicitor apprentices in the early stages of their apprenticeship. They demonstrated a strong feeling of inequality and insecurity. They were experiencing a transition from one social world (school) to being inside a new environment. It was this lived experience that was evident as they talked about the changes taking place in their lives. As these solicitor apprentices discussed their position they demonstrated an internal tension with their self-identity. They had self-identified as coming from a lower socio-economic background. They had attended state school and these social influences formed their background. They were now trying to fit in to a new social environment. They demonstrated a feeling of anxiety

when they discussed their early years as a solicitor apprentice and explained how this had an impact on their emotional well-being. How they saw themselves and fitting in was an internal divide during the early stages of their apprenticeship. As they matured in their role they explained how their everyday activities was shaping them through their exposure inside a legal practice. Bourdieu's work (2004, p.127) discussed this internal division which he referred to as *habitus clivé*. A concept that describes the deeply ingrained habits and beliefs developed through an individual's experiences, education and social interactions. *Habitus* is shaped by social conditions and it reinforces existing structures in society by influencing how people perceive their possibilities, limitations and how you live your life (Paulson, 2016). Bourdieu's understanding of *habitus* is reflected in his own personal accounts (2004). He was born to parents who had limited access to education and was brought up in a small village in the French Pyrenees (Friedman, 2016). Bourdieu's high academic achievements and his low social origin had instilled in him a sense of self which resulted in an internal tension of his self-identity (Andrews et al, 2023). Friedman (2016, p.130) described this as a "crippling insecurity of a self-made Parvenu." Reay (2017, p.108) interpreted Bourdieu's concept of *habitus* as a "feeling of being torn that comes from experiencing success as failure, or, better still, as transgression." The experience of a co-existence inside different class structures signifies how this would have

an impact on an individual's identity and their relationship(s) in different environments (ibid). Reay (2005) has drawn on Bourdieu's habitus in her work when dealing with how individuals think and feel about their class. She refers to this as "the psychic landscape of social class ... [and] the intense emotional pressure that results from attempting to succeed against the odds" (2005, p.912). Reay developed Bourdieu's conceptual framework by including the emotional dimension of lived experiences in her research (Reay, 2015, p.9). In her earlier interpretation of Bourdieu's habitus she argued that Bourdieu had used habitus to reveal the multiple layers of society which is reflected in the collective history of the individual (Reay, 2004, p.434). She summarises this as habitus being osmotic as it is absorbed during the socialisation process (ibid). This is an automated response when trying to navigate the world in which you inhabit which influences everything from speech, lifestyle and social interactions. In her later work (2017) she uses different examples which demonstrate how habitus positions individuals and is central to their identity. Her interpretation of habitus is central to her argument when interpreting data she produced on elite and middle class students. She found that there was "a sense of intrinsic superiority was explicit in the words of many of the privately educated students whom I interviewed" (2017, 134). This is reflected in many of the interviews with the solicitor apprentices. They did not feel that they would be able to compete with students who had been

to an independent school. Reay's work (2021, p.56) acknowledges this position in her research dealing with the social and cultural hierarchies of students in higher education: "What working-class students discover right from the start of their university career is that they lack the social capital of their more privileged peers." Reay experienced this feeling when she was an undergraduate student which she describes as "disheartening, but also, at times, terrifying" (2017, p.151). She acknowledges "how different aspects of identity coexist within class" (ibid, 153). Her own experience of coexisting inside a dual class, whilst studying as an undergraduate student, was one of "class prejudice and bigotry that permeated the curriculum" (ibid, p.152). Reay has used the concept of habitus to show how a person's background, such as a student from a working-class background, is made to feel as though they do not fit in because they did not attend the right school, have the right accent or have similar behaviours and worldviews as students who attended a private school. This is supported by Ingram and Allen's research (2019) which found that institutional habitus operated when elite professions are selecting and hiring graduates. Their qualitative data "unmasked the ways in which employers' recruitment practices contribute to the reproduction of inequalities in graduate outcomes" (ibid, p.725). The solicitor apprentices in this study expressed a similar opinion and emotions when discussing why they chose the apprenticeship route. They did not feel as if they

would fit in or get in to a legal practice if they chose the traditional (graduate) pathway to qualify as a solicitor. This suggests they made choices which are underpinned by their habitus. This explains how social structures influence individual behaviour and the pathways they chose in life. It is these personal choices, shaped by an individual's background which influences how individuals perceive their possibilities and limitations.

Habitus, as a concept, is a valuable tool as it provides an understanding of the relationship between society and individual actions. It also introduces the argument that habitus is flawed as it is based on unconscious behaviours and internalised beliefs. This is a challenge as habitus relies on the premise of social conditioning and this suggests that individuals are limited by their background and upbringing (Friedman, 2016). The solicitor apprentices have exhibited a habitus which is influencing how they see themselves and their limitations if they had followed the traditional university pathway to qualify as a solicitor. The qualitative data produced in previous studies revealed the barriers they would have faced had they followed the university pathway (Ashley et al, 2012). This is supported by the later data produced in the Sutton Trust and Social Mobility Commission (2019) which found that elitist professions are self-selecting individuals from a similar background (habitus) as they

tend to have similar behaviours and preferences which would have been shaped by their social conditioning. The solicitor apprentices have made a choice based on their habitus (way of thinking) based on the social structures and barriers which they discuss in their interviews. The SRA recognise and acknowledge these barriers and they are claiming the solicitor apprenticeship route is addressing these inequalities. Introducing a new entry point into the legal profession has provided a new pipeline but whether or not it has addressed the inequalities of social structures, beliefs and ways of thinking is questionable. As habitus is based on social conditioning and it is reinforced through existing structures in society it is necessary to find out what is taking place inside a legal practice. How employers and peers are responding to this entry point and how solicitor apprentices, as school leavers, are seen and regarded by those who entered the legal profession through the university pathway.

5.9 Concluding remarks

The early stages of the interviews revealed the challenges faced by the solicitor apprentices. They explained why they pursued the apprenticeship pathway rather than taking up their place at university. They chose the work-based learning route (apprenticeship) as they believed the traditional pathway (university) would not provide them with the

opportunity to enter the legal profession. This decision was based on a number of contributory factors hinged upon their socio-economic background. They discussed their personal circumstances, and the barriers associated with entry into the legal profession such as family connections and an institutional bias when it came to selecting trainee solicitors who had Oxbridge credentials. The solicitor apprentices did not feel they were able to compete with candidates from a privileged socio-economic background. They worked hard in school and obtained the required A-Level grades. The majority of the solicitor apprentices had obtained a place at university but the social inequalities were evident as they narrated decisive moments that were pivotal in deciding on an apprenticeship, instead of taking up their place at university. They explained how they were competing against candidates who displayed the cultural characteristics city law firms were looking to recruit. Their concerns are real and are reflected in the research of Friedman and Laurison (2019, p.125) who refer to these cultural characteristics as "... behaviours considered acceptable in an audition ... " and they use the metaphor, developed by Karen Ashcraft (2013), "the glass slipper" effect. This refers to how certain individuals fit and others do not fit in with elite occupations. This metaphor is used to show how certain employers, occupations, expect individuals to have specific cultural characteristics such as attending a public school and the right family background. These

characteristics have been used by some city law firms in London when recruiting trainee solicitors (Ashley et al, 2015). This has little to do with the actual occupation but more with fitting in, just as the glass slipper was designed around Cinderella's tiny foot. This selection process is underpinned by habitus which is the social conditioning of those who are selecting and training solicitors. Habitus explains why people from similar backgrounds tend to have similar behaviours and wish to be surrounded by those who are similar to themselves (Bridge Group, 2017).

The interviews pieced together the factors which presented themselves as barriers to joining the legal profession. Socio-economic background is a determining factor that influences one's life's chances. Judgements are made on how you present yourself and what has shaped your formative years. This has shown itself to be an obstacle and denied talented young individuals the opportunity to train and qualify as a solicitor. This was reflected in the research undertaken by the Sutton Trust and Social Mobility Commission (2019). They found that where you were born, who your parents are and their occupation all contributed to the opportunities open to you in the future. Their research revealed that where you went to school and which university you attended also determined your life choices (ibid). The SRA (2013 and 2015a) are aware of these inequalities. They believe the apprenticeship pathway will open the

profession to a wider sector of society (ibid). The personal accounts provided by these solicitor apprentices identified the different social factors that contributed to why they chose the vocational pathway, as opposed university. These personal accounts are important to this study as they act as evidence when considering the apprentice's perspective. They demonstrated an emerging pattern linked to family background, state education and these social factors are considered, by some employers, when recruiting trainee solicitors. This was the findings in a study undertaken by Ashley et al (2015). They found that law firms were discriminating against candidates based on their socio-economic background. The candidates' grades at A-Level and their degree classification was not the determining factor in gaining entry into the legal profession. Instead, "... it was their cultural characteristics that provided entry to the profession. The tendency of individuals to recruit in their own image was acknowledged ..." in the findings (ibid, p.41). There was also the aspect of tuition fees and financial support whilst living away from the parental home. They explained what they coined as the economic gamble and limited opportunity to obtain a training contract. They would incur the debt but not reap the benefits of qualifying as a solicitor and their concerns were reflected in the data provided by the Law Society's annual statistics (2022).

The initial findings of this study have revealed that the apprenticeship pathway is opening up access to the legal profession as it is avoiding debt and these apprentices are on a trajectory to qualify as a solicitor. However, Roma had some reservations about the future recruitment of solicitor apprentices by large city law firms. She was of the opinion that they would be asking for higher A-Level entry grades. This would initiate the cycle of recruiting from an elite section of society. The Law Society Data (2022) has shown that the majority of recruitment takes place in central and greater London. There is an underpinning caveat in the findings that this will produce unintended consequences and the inequality of selection will raise its head once again. This is something that needs to be monitored and reported on by the SRA. The SRA are attempting to make change happen and it is a change in the right direction. What is not happening is a change in the way recruitment of aspiring solicitors in some city law firms in London is taking place. Dana Denis-Smith's sentiments reflect the attitudes and prejudgements made by some law firms. There is little or no evidence that these attitudes are changing. A number of city law firms have introduced the apprenticeship pathway but the SRA have not created any data on how selection is undertaken or the lived experience inside the solicitor apprenticeship. This is explored in more detail in the concluding chapter.

Chapter 6 – Learning inside the solicitor apprenticeship

6.1 Introduction

The previous chapter focussed on the theme opportunity to study law and qualify as a solicitor. The data demonstrated why the solicitor apprentices chose the apprenticeship pathway. They explained the barriers to entry and how they saw the work-based learning route as an opportunity to study and qualify as a solicitor. This chapter is responding to the second research question:

What is the nature of learning in the solicitor apprenticeship model and how is it taking place?

6.1.1 The internal structure

The theme aligning with this question is 'processes' which is illustrated in diagram 6 in chapter 5. The theme represents the internal structure of this apprenticeship model and identifies where learning is taking place and the nature of different forms of learning. The codes inside this theme reflect the key areas discussed by the solicitor apprentices. They

explained how they saw learning taking place in the workplace and classroom. Unlike formal learning in the classroom, which is structured around learning outcomes. Work-based learning is a distinct form of learning. It is driven by the requirements of the workplace and the demands of the business. The workplace activities become the curriculum which shape the learning experience(s) for the apprentice (Zemblyas, 2006). This should create the opportunity for the solicitor apprentice to think like a solicitor and not like a student. They are placed in a position where they are able to work with clients, prepare documentation and undertake legal procedures. These experiences (processes) provide the opportunity to acquire the implicit (tacit) knowledge which is often referred to as know how (Eraut, 2000). When the apprentices put this knowledge into practise it translates into explicit knowledge (Jordan et al, 2008). This is transforming the invisible into visible knowledge through work-based experience inside a legal practice (Kruse, 2013). This form of learning is context specific as the knowledge is acquired through their everyday lived experience. They are developing their own practices and routines inside their community (Wenger, 1998). This is the nature of informal learning (Eraut, 2001) and this study reports on how learning is taking takes place for these apprentices. They contextualised different examples of learning through practice and how they gained a level of competence in legal procedure. They explained

how these experiences, alongside their academic studies, built a mental representation of their environment. It is their experience(s) that has informed this study and is responding to the second research question.

6.2 Qualifying work experience

Where and how learning is taking place for these solicitor apprentices was key to answering the research question. The structure of each interview first focussed on work-based learning and then on classroom learning. This allowed the apprentices to consider different forms of learning and explain how they were developing the skills and knowledge needed to practise as a solicitor. They were asked how they saw themselves developing in their role as a solicitor apprentice. Their responses revealed the structure of their individual apprenticeships and how it was shaping learning for them. They explained how they worked full-time and attended university one day a week. It became apparent, as the interviews progressed, that there was no standard structure in place. The demands of the employer's business tended to dictate their experiences and how their workload was managed. Many of the apprentices opened up and explained how they struggled with their workload alongside their academic studies. They found working full-time and attending university at the same

time demanding. They explained that their academic studies and on-going assessments placed them under constant pressure. This was explored with Denise who had been introduced in chapter 5. She was asked about the structure of her work-based learning and managing her academic studies. Denise explained that her employer operated a rotation system which allowed Denise to change seats (departments) every 12 months for the first four-years and in the last two-years she would change seat every six-months. The latter stage is aligned with the qualifying period of a trainee solicitor. Denise was asked how she was managing her work, academic studies and how she felt about working alongside trainee solicitors:

It is difficult to balance work and study. Being at work feels like revision. When I've worked alongside trainee solicitors you know a bit more than the trainees do because you have been around a bit longer. I remember like towards the end of my seat in the last department I was doing work like drafting witness statements. It's really a lot of responsibility. Which is daunting but really good. ... Also they [the partners] trust you more with more complex research so I was able to implement that with the witness statement. I think it's just demonstrating that you are able to do more complex pieces of drafting.

It was interesting to hear Denise talk about trust and how she undertook more complex research tasks for the partners. The foundation of this trust is based on the level of performance presented in Denise's work. She explained how she had acquired the skills, language and how to draft

documentation. The repetition of this process developed this level of competence. In comparison with trainee solicitors they would have acquired a depth of know-that knowledge (Eraut, 2007) at university. This prepared them for the workplace but they still needed to acquire know-how knowledge (ibid). Denise was demonstrating know how knowledge as she discussed her experience as a practitioner. She knew how to structure witness statements that would support her legal argument in court. She had acquired this knowledge and skill through observing and participating in this procedure on many occasions. This process involves a level of mental (cognitive) and physical (behavioural) attitude. This was explored with Denise as the interview progressed. She was asked how her mentor and work colleagues supported her learning inside her legal practice:

Besides from the official mentor ... I would say I've learnt so much from so many people who have become unofficially my mentors. I can ask questions about areas I'm studying, that I don't understand or if I have an issue that I don't know how to deal with. I'm in the workplace and I can ask them for advice. I did a secondment at the [place of secondment] and I built relationships with them. I did some work with Counsel [a Barrister] and I've got a really good relationship [with] and he's always answering my questions or explaining things to me. I still have a fairly good relationships with colleagues from my old team.

These internal and external encounters with different work colleagues had built up a body of knowledge through experiences in the workplace. Experiencing an event, such as being in court, preparing a witness statement and cross-examining a witness provided Denise with an opportunity to learn from these work-based activities. As she discussed these experiences she was interpreting and making sense of what had taken place. Each event was building on a previous event and adding to the understanding of legal procedure through practice. Experience is an “active engagement with the environments, of which the learner [apprentice] is an important part” (Boud et al. 1997, p.6). Experiential knowledge was emerging through Denise’s experiences in the workplace. There was evidence emerging from this interview that Denise was modelling (Piaget, 1972 and Bandura et al, 1961) the techniques presented by her peers and those who had coached her during her secondment. Her community of practitioners provided support (scaffolding) when she needed guidance (Vygotsky, 1978). As she mastered a procedure her mentor(s) withdrew (faded) this support. This allowed Denise to move forward in the way she practised her skills in legal drafting. For example, as the interview developed it transpired that Denise had been given more responsibility as her relationship with different members of staff matured. Denise explained that her colleagues were able to see what she was able to do and how she was able to support

them in their role. This is what Lave and Wenger (1991) referred to as moving from the outside to the inside of a community. This was reflected in Denise's narrative when she referred to gaining their trust and given more responsibility on certain cases. This gave her a level of autonomy whilst working on legal transactions. Denise was asked how she was supported when she moved seats (departments). She explained how she was prepared for each seat before she moved to a new department:

So we get trained every time we start a new seat [on] ... the kind of work that we might be expected to cover. How to draft certain pieces of work that you might be expected to do on a day to day basis. And you always have associates and partners who are willing to answer your questions about any work you might be doing or the area of law. And you also have access to the [internal] library for your research.

This provided an inside view on how large city law firms are resourcing and supporting their solicitor apprentices. There was a mixture of formal and informal learning taking place. Denise was able to ask her colleagues and wider network for support. She was able to draw on their experience in legal procedure and develop her knowledge on legal processes. Denise's employer had an in-house library which provided the resources for her research. Her co-workers delivered in-house training sessions for the solicitor apprentices each time they started a new seat. This introduced them to different areas of law and information on the types of

documents they would be working on. These training sessions provided an opportunity to ask any questions. It also built a relationship with the new staff when starting work in a different department (seat). This latter point was explored with Denise. She was asked how her colleagues were responding to solicitor apprentices and how they understood their role:

So a lot of the time they will treat you or view you as a trainee [solicitor]. I think with some people that's because some people are not entirely sure what a solicitor apprentice is ... They get that you need time off to study and they'll also understand that they might need to explain things in more detail when they are setting a task or give you a bit more time just because you might not ... say with a contract if you haven't studied all of contract law yet.

Denise did reveal that she worked on her studies during the weekends and explained how she was managing her academic studies alongside her work. This was a pattern that was emerging in several of the interviews with the apprentices. Time-management was difficult and they were catching-up with their studies on the weekends and after work. The data was revealing what was taking place inside this apprenticeship model. There was similarities and differences in the way training is taking place for these apprentices. This is influenced by the economic resources available to a legal practice.

The apprentices are building knowledge by synthesising existing knowledge with new knowledge. This happens when they face new situations and draw on their existing knowledge whilst they work out how to proceed with the problems presented to them. An excerpt is taken from an interview with Jagadish. He was 22 years old at the time of the interview and had been a solicitor apprentice for three years. He worked in a large city law firm who rotated their apprentices every six-months. After three-months they have a mid-way appraisal and at the end of the seat they have an appraisal to look at how the objectives set have been achieved. They then set the objectives for the next seat. His first seat was in the information centre and involved undertaking legal research in the law library. The second seat was in risk management with the business intake team. Jagadish explained the purpose of the first two introductory seats was to see how the firm ran as a business and not just as a legal practice. He explained that the support he receives is intense and structured around guided learning through his workplace tasks. Jagadish was asked to explain how he saw this learning taking place and how his colleagues supported this process:

So, I think for me having experience in each of the seats I've done it's really helped me to develop and to then get in a position where I'm getting more responsibility. In terms of how that develops learning I think because you have that one to one relationship with your supervisor, you feel that much more

confident to approach them and ask questions which they help you to learn but also ask for feedback.

The same question was asked when Kayla was interviewed. She had been an apprentice for three years and was 26 years old. Kayla worked for a charitable organisation that provided QWE in immigration, human trafficking and family law. The organisation did rotate apprentices but seats may last 12 months or even 24 months. It depended on the resources available to the employer. Kayla had originally undertaken a degree in youth justice and had worked in a prison for a short period of time. Kayla explained how she was supported with her work:

So, I have my supervisor and I have a mentor as well who is, who is currently a partner in the firm. So, my mentor's changed. Like it's not supposed to but obviously with people leaving and everything like that, there's change. So it's just someone for like the mental well-being rather than just work. ... so I would definitely say that I started off with a massive imposter syndrome because I didn't know anything. I would say that lasted probably until up to this year. But, you sort of create a relationship ... we have like ... so far I've had two years in one seat and one year in my second seat so far. Whereas, a trainee would only have six months [in each seat] and I think to learn something in six months is so difficult and to get a full-grasp of what's going on. Because you can have so many different situation that could arise and I think the two-years gives you a better experience.

When comparing the above excerpts you are able to contrast the different patterns appearing in the data. The workplace experiences did create an

opportunity to construct an understanding of their work related tasks. As the interviews developed it was possible to hear the differences when listening to apprentices who were in different stages of their apprenticeship. As they matured in their role they demonstrated a stronger understanding of legal procedure. They were able to provide different examples of their day-to-day activities and interactions with their peers. They were engaging with external agencies and were confident when talking about themselves as a practitioner (see appendix 7). When comparing the apprentices' excerpts it was possible to see multiple realities existing. There were similarities, such as the development of generic skills, drafting emails, undertaking research and their familiarity with the electronic file management system. In all of the interviews there was evidence of guided learning which promoted self-directed learning. They were acquiring practical knowledge which was integrated within complex legal procedures. There was repetition in their work and this reinforced the skills needed to process procedures. An example of this was presented in an interview with Rose. She was 19 years old and had completed the first year of her apprenticeship. She worked in a large city law firm and had been placed in the motor fraud department. Rose was asked how she was learning from her experience in the workplace:

So I'm learning through the application of these [work-based] things. ... So if someone said this is how you fill out a witness statement it would probably go in one ear and out the other because you're not physically applying that knowledge but in applying it and repeating it I am really solidifying it in my head.

As Rose reflected on her experience she explained how she processed information and converted it into a body of knowledge through her work related activities. Rose was reusing knowledge in different situations and transformed that knowledge into new knowledge when completing different tasks. This pattern appeared in several interviews. The underpinning of this form of learning in the workplace was the apprentice's activities and how they built relations with their co-workers and supervisors. The apprentices were constructing knowledge whilst finding out how to proceed with different legal matters.

6.2.1 Systematic knowledge

It was interesting listening to the apprentices talk about their role and the different types of tasks they are now able to perform. A key feature that appeared in the interviews was systematic knowledge whilst putting the law in to practise (Brockmann et al, 2010). This was evident during the interviews when the solicitor apprentices recalled work-based experiences. They explained how they prepared documents after they

had interviewed clients. This demonstrated how they were taking instructions from their clients, making judgements and then processing information. They were demonstrating how they processed and organised information. They were creating a mental image of organised thought processing that they had developed from their previous experiences. They would recall events and how that event had influenced their behaviour and how they were able to undertake procedural tasks and build upon these tasks when undertaking different activities. This was a pattern that was emerging across the interviews. An example is provided from an interview with Phoebe. She had moved from Pakistan to live in the UK with her extended family. She wanted to study law and have the opportunity to qualify as a solicitor. She enrolled at a local college and studied for a BTEC (Business and Technology Education Council) qualification at level three. She applied and was offered a place at university. At the time of the offer Phoebe had not lived in the UK for three years. This meant she did not qualify for a student loan. Phoebe could have taken a gap year. She would then qualify for a student loan to pay her tuition fees. Instead, she decided on the apprenticeship pathway. At the time of the interview Phoebe had completed two years of her apprenticeship. She was employed by a local authority and was their first solicitor apprentice. She worked in different legal departments such as planning law, child protection, civil litigation, criminal law and commercial

governance. Phoebe was rotated within these departments and attended university one-day a week. Phoebe was asked about her role and training as a solicitor apprentice. She explained how each task was presented to her and how she responded:

So, I'm doing my training to hopefully qualify as a lawyer by the time that my apprenticeship finishes and that's the treatment I get from everyone else as well. So they do understand that I've not completed my law degree which means that if they are assigning me a task they will explain before-hand what it entails, what the legal principle is and then I just adapt to my work how it is required to be adapted really. So, I think most people understand my position.

Phoebe's response was explored with her. She confirmed that she looked at examples of earlier work completed by qualified members of staff. She then followed the same procedure, completed the necessary documentation and then forwarded to her mentor to check her work. Phoebe would meet with her mentor and discuss her progress. The feedback would identify any issues and developmental points. Phoebe confirmed that she was learning from this experience. It allowed her to familiarise herself with specific procedures. She did struggle with some of the terminology, the legal jargon that she had not heard or come across before. When Phoebe was asked about the structure of her workload she explained: "Because I'm the first [solicitor apprentice] I'm sort of the experiment to find the right way for what structure would work. Which way

to take forward.” This was explored with Phoebe who provided an overview of the departments and the types of works she is involved in with different teams:

So, I think one of the perks of working for a local authority is that they don't just specialise in one area. So, it's their statutory duty to have a child protection team, a litigation regulatory team that deals with criminal law of child protection, there's a property team, commercial governance. So, because of the work that they deal with there is varied work to be involved in at the local authority. Currently I'm in year three [of my degree] and I'm studying property law. So I'm currently working in the property and planning team. Which really helps with my studies and my studies helps me with my work.

The rotation of departments and her academic studies were advancing Phoebe as a practitioner. She was developing two distinct forms of knowledge which Eraut (2000) and Sfard (1998) referred to in their work. The practical knowledge (know how) and underpinning legal rules (know that) were evident whilst Phoebe discussed professional development. Phoebe was constructing an understanding of legal procedures. She was interpreting and making sense of the different experiences she had been exposed to in the workplace (Bruner, 1960). How this experience was structured was not clear as Phoebe did express some concerns and referred to herself as an experiment as she was the first solicitor apprentice employed by this local authority.

Employing solicitor apprentices was a new experience for the employer, as well as the apprentice. They were both adjusting to this new entry point into the profession. This revealed how law firms (personnel) were adapting their working structures to accommodate these apprentices. The division of responsibility inside this apprenticeship was starting to reveal itself. The following excerpt taken from an interview with Vera. She was 18 at the time of the interview and had been a solicitor apprentice for three-months working in a large law firm in the city of London. She was one of the first solicitor apprentices to be employed in this law firm. Vera disclosed how a community of legal practitioners are developing their role(s) and responding to the professional development of the solicitor apprentice. Vera was asked about learning by observing and hearing what is taking place in the workplace. This was her response:

Weirdly, I would say that I learn more from conversations than I do from just listening in because I think a lot of the time people are really busy ... when we get different tasks or if you just chat with someone ... they will explain it [the procedure] to you ... they will go through like the reason you need it, why you need it in this context ... so I would say less so from listening more so from conversations, actually talking to people.

Vera had formed a relationship with her community and was now able to engage in conversations with different members of this community who were sharing their knowledge, their experience with her. This practical

experience provided the opportunity to integrate new practical procedures with existing know how knowledge (Eraut, 2007). The professional norms of legal practice were being shared and passed on to Vera. She was developing the skills and absorbing the ethics of legal practice in an unstructured setting that cannot be duplicated in a simulated task in the classroom. Unlike a classroom exercise, which will involve an individualised clinical pedagogy (Jordan et al, 2008), Vera was immersed in a real-life setting and would need to achieve the client's objectives. She was drawing on the experience of qualified practitioners who were facilitating workplace learning through directed activities. What was learned was in the context of the specific task (activity) being undertaken (Wallis, 2019).

6.3 Informal learning

The above excerpts revealed how work-based experience was structured for these solicitor apprentices. They had to work four days and had day-release to attend university one day a week. This did not work well for many of the apprentices. They revealed in several of the interviews how their workload was not being managed around their day-release. Vera

was asked about her training and how she was treated by her colleague in the workplace:

I think a lot of the time higher up the chain people can be a bit worried about giving you work because when they find out you've got no experience it's kind of like, 'can they do it?' And I think the reaction nine times out of ten is that people are pleasantly surprised that like we can do the majority of the things that the trainees can.

As this interview progressed it was possible to hear how this apprenticeship model was evolving inside this legal practice. In the earlier excerpt provided by Denise she discussed her professional development. She had not only joined a community of practice but had entered into relationships with a wider community of legal practitioners. For school leavers, like Vera and those with some prior legal experience, this new entry point into the legal profession had provided them with an opportunity to qualify as a solicitor. For example, Denise had obtained two-year's experience inside a legal practice prior to obtaining an apprenticeship position. This provided her with a foundation and now she had the opportunity to train and qualify as a solicitor. It is these distinct differences, experiences, shared by the solicitor apprentices which gave an inside view of their professional development as a practitioner. This allowed for a comparison to be made between those who were in the early

years and those in the latter years of their apprenticeship. As an example, Vera was relatively new to the profession and faced issues of trust based on her ability to undertake specific tasks. Senior colleagues were concerned with giving work to apprentices because of their limited experience and knowledge of the law. Vera believed this perception was based on her position as an apprentice. Whilst discussing this with Vera she presented a position where senior staff were not aware of the apprentice's progress. They were only aware of the trainee solicitor route and had little understanding of how solicitor apprentices were developing the skills and knowledge inside a practice. This was captured in the following phrase in the above excerpt: "... we can do the majority of things that the trainees can." Vera was asked how she dealt with issues around trust and developing her role inside this law firm. She paused for a while and then explained:

The experience is amazing. You get to know what the day-to-day tasks are like ... I'm able to do a lot of the tasks and a lot of the things. I think the fact that I get eight seats is kind of crazy as I know some apprenticeships don't do the rotations. The chance to try all different areas of law is really interesting to me. So I think in actual terms of career prospects it has set me in perhaps better stead than if I'd gone the University route.

The dichotomy between classroom learning and putting the law into practise is reflected in the narratives provided by Vera and Denise. They

contextualise a wider framework which incorporates their lived experiences. They were situated inside a legal practice and rotation was taking place. This provided Vera with “the chance to try all different areas of law ... it has set me in perhaps better stead than if I’d [only] gone the university route.” As Vera discussed her work and how she acquired this work-based knowledge there was a direct connection with the real world inside a legal practice. The tasks she was undertaking were not simulated tasks in the classroom. She had previously sat-in and observed clients being interviewed and was now adopting this role. Her experience had created a body of tacit knowledge. Through her role as a practitioner she was now making this tacit knowledge visible.

There was a noticeable difference between the resources available to those apprentices in large city law firms and those situated in a small legal practice. It became evident whilst interviewing solicitor apprentices in small law firms or those located in a large company which housed a legal department that not all of the solicitor apprentices were being exposed to a range of legal practice areas. Many of these law firms did not have the economic resources to rotate their solicitor apprentices. Some firms did arrange secondments with other law firms in order to expose them to wider areas of legal practice. This did raise some concerns as the

purpose of the qualifying work experience is to prepare these solicitor apprentices for the end-point-assessment in the form of the SQE2.

6.3.1 Transference of knowledge

The key concept of experiential learning through practice is the transference of know how knowledge (Eraut, 2000) to a context where the legal rules are put in to practise. The solicitor apprentices made reference to their mentors and peers who broke-down and articulated the practical steps to perform a task (Kruse, 2013). This was evident in all of the interviews with the solicitor apprentices in the large city firms and small legal practices. These solicitor apprentices were developing episodic memories (Eraut, 2007) which they were able to draw upon when confronted with a new problem in the workplace. A form of germination which Sfard (1998) referred to as old knowledge creating new knowledge. It was the repetition of their work which was reinforcing their learning. Denise and Vera were constructing their work-based knowledge in the context of the environment in which it is experienced (Jordan et al, 2008). They were exposed to different aspects of legal practice areas and building on prior knowledge. This is active learning by participating in different tasks. This form of learning was evident when talking to the

experienced apprentices who had served a number of years, such as Denise and Freya (see chapter 5). During their interviews they tended to use language and mannerisms associated with a legal practitioner. For example, they used short-hand language (jargon) when referring to specific legal procedures, such as referring to a section 36 agreement (settlements in civil procedure). They demonstrated a level of confidence and were able to provide examples of how they were managing themselves in the workplace. The following excerpt, taken from an interview with Whitney, is an example. Whitney had originally taken up a place at university and completed the first year of a chemistry degree. Having left university she worked as a legal assistant in a conveyancing department for two-years and then one-year as a para-legal practising in child law. She had been a solicitor apprentice for two-years at the time of the interview. Whitney was asked about her prior experience as a legal practitioner and how this supported her in her role as a solicitor apprentice:

Yes, definitely. I mean it helped so much with my confidence. You kind of understand the lingo, what people are saying. ... You kind of understand how firms work. You understand how accounts work as well which is handy because a lot of people struggle to get to grips with that when they first start but I could jump in straight away. ... When I worked with fee earners [during the apprenticeship] they said that this is really great. They would never have expected me to be writing at that kind of

standard. This would usually take a first seat to develop these skills, such as what to write and how to say it. ... I feel confident with things like that and then also I think having the previous experience, so for example in child law I would draft witness statements, things like that.

Whitney presented herself with a level of confidence when discussing prior experience and her current role as a solicitor apprentice. She had acquired this tacit knowledge which instilled a level of competence before taking up the apprenticeship position. Whitney had gained specific skills and insider knowledge as a member of her community of practitioners (Brooks et al, 2020). This is the hidden curriculum that was revealing itself inside the solicitor apprenticeship, the informal structure(s) and experiences that are taking place. The interviews revealed there was a distinction between experienced solicitor apprentices and those who were relatively new to working inside a legal practice. It was tangible in their body language, tone of voice and instant response to questions in the interviews which demonstrated a level of transformation. The qualifying work experience is the bridge to acquire the tacit knowledge (Eraut, 2000), skills and approbation from their peers. This latter point was evident when praise was given in the feedback Whitney received: “... *this is really great.*” It was also evident that this experience was developing the apprentice’s professional identity as a legal practitioner (Wenger, 1998). As Whitney reflected on her lived experience it was noticeable how her social

interaction with her workplace environment influenced her behaviour. Her formation as a legal practitioner, and how this was evident in the way she discussed her past experiences and how this supported her going forward in her apprenticeship was evident.

As the apprentices completed a number of years inside a legal practice their maturity in how they expressed themselves and level of confidence was apparent. This was evident when interviewing Simon. He had been a solicitor apprentice for one year. He was based in a large city law firm in central London. Simon was asked how he saw himself developing in his role as a solicitor apprentice. He explained that he learnt more from engaging with practical tasks than theory. He was asked to provide an example of how he was learning inside the workplace:

... you're having exposure to these people [practitioners] and how they think and how they work. Even speaking to someone you're learning so much. Like when I'm on a few deals at the moment, for example and even if it's completely irrelevant to the task, the lawyers will always like contextualise everything you are doing and so this is what's happening on this deal and this is why. Even if you're just like proof reading a document, for example, so the fact that they are giving us that level of detail so we actually know about what we're helping on is really, really useful.

Simon's experience was similar to Vera's. Simon also referred to "speaking to someone you're learning so much." As the interview progressed it became evident that Simon's employer was one of the first law firms in London to take on solicitor apprentices. He was asked why they had started employing apprentices and he explained that they wanted to expand a skilled workforce and saw the apprenticeship as a means of building the experience from inside the law firm instead of having to go out and recruit externally for new talent. Simon was one of many solicitor apprentices employed in this law firm. They had the resources to provide one-to-one support while working on complex legal matters. Simon provided examples and explained how this was developing his role. He was involved in a legal matter in the UK and overseas. He was liaising with an associate solicitor who was based in Tokyo. He was enthusiastic whilst talking about this work and presented a positive picture of his role within the firm. He was asked to provide some examples of the benefits of work experience and how he compared work-based learning with his ongoing academic studies. He immediately started talking about opportunity and this next excerpt captures this narrative:

... you get to work in different offices and that opens up opportunities to potentially you know work on a secondment, internationally or with a client as well. So, yeah the opportunities

that are there as well opens up I'd say are probably better than the opportunities you'd get at university. In my opinion but I might be wrong but, yeah from what I've experienced so far I would say so. ... We are exposed to like the professional environment. So, we're going to develop a lot faster professionally than someone who is just exposed to a university environment if that makes sense.

It was interesting that Simon spoke about professional development and how the apprenticeship would advance his knowledge by working inside a legal practice. The apprenticeship by its very nature is workplace based and involves intensive on-the-job training. Simon was acquiring the work-based knowledge, alongside his academic studies. It was interesting to hear him refer to the apprentices developing “a lot faster professionally” when comparing the university route. This aligned with comments made in several of the interviews, such as with Freya, Denise and Nadia (see below). They had all been working inside a legal practice for a number of years and explained how they supported the trainee solicitors who had been to university and were undertaking a two-year training contract. These narratives showed the process that was transforming them as a legal practitioner.

6.3.2 Learning by doing

Getting into the legal profession, as a school leaver, exposed Simon to the working environment inside a legal practice at an early stage of his professional career. Even though Simon had only one year's experience it was noticeable how he was able to talk about the practical aspects of legal procedure in a confident manner. He was still observing and only taking on research tasks and just starting to draft documentation. His ability to talk about a range of legal procedures was noticeable. Similarly, when interviewing Denise it was poignant when she talked about her 'own' case files. She was proud to have reached a stage in her career where she was now trusted and managing her own cases under the supervision of her mentor. Vera had not reached this stage and had not experienced case management. It is these comparisons, between these different stages of the apprentice's journey that make it possible to see their individual progress and how learning is taking place on an individual level.

It was noticeable during the interviews how the apprentice's social interaction with their environment stimulated learning and created knowledge on a practical level. For example, when they were processing and managing legal procedures they were interacting with different

agencies, such as the courts, social services, probation services, court of protection and land registry. These interactions were creating new experiences and building on their tacit knowledge. This knowledge was internalised and reproduced through practice again and again. It is empirical and unstructured knowledge which is acquired naturally through work-based activities (Vygotsky, 1986). Vygotsky's research on social constructivism and his concept known as the zone of proximal development (ZPD) is evident in the way learning is taking place for these solicitor apprentices. They are mentored and provided with tasks to undertake as part of their legal practice. They are advancing their own learning as they mature in their role. For example, Denise and Freya (see below) discussed how they were initially supported in their role and have now acquired a level of autonomy when undertaking legal tasks. They have been able to move forward as a practitioner as they mastered tasks and gained more experience.

6.3.3 The level of support inside a legal practice

The level of support inside the solicitor apprenticeship was not universal and the determining factor was economic resources. This became apparent as the interviews progressed. The level of exposure and

opportunity to work in different departments in large city law firms was prevalent and limited in smaller law firms. The large city law firms were able to provide a wider range of exposure in different areas of law. They also had the personnel to provide additional internal support for their apprentices. An example is provided in the interview with Denise and in a later interview with Mateo. He had been a solicitor apprentice for four years at a large law firm in the city of London. He was asked how his employer had structured his workplace experience. He explained how his apprenticeship had been structured for him:

So the way that my firm does it is we have four one year, yearly rotations for the first part. The schooling part [university], and once the degree has been obtained we just sort of join the trainee [solicitor] cohort and do four six month. ... in my firm we stay in departments for a year. After six months the trainees will rotate. So they'll be brand new whereas I'll have had six months experience when they join [a department]. So, I'm not really inferior to them. It's more them asking me for advice at that point.

This pattern was common amongst the solicitor apprentices such as Denise and Vera who also worked in a large city law firm. They too supported the trainee solicitors who had less practical experience. It was interesting to hear Mateo comparing himself to a trainee: "So, I'm not really inferior to them [trainees]. It's more them asking me for advice ...". This came through in several of the interviews. There was an

underpinning view being presented by the apprentices. They may not, yet, have obtained their law degree or completed the Legal Practice Course but they have a superior range of practical knowledge. They know how to deal with legal procedure and pass on that knowledge to the trainees. They were demonstrating their status, as a practitioner, having completed a number of years inside a legal practice. It was as if the apprentices were mentoring the trainee solicitors. This was unexpected and something that was revealed when interviewing solicitor apprentices who were situated in large city law firms. The data showed there was a stronger internal support system for these apprentices in comparison to those situated in small law firms. The large city law firms had a range of resources and personnel which were made available to their solicitor apprentices. As an example the following excerpt provided by Mateo showed how he was provided with different levels of support:

I have a supervisor in every seat or will have going forward and have done previously. That supervisor tends to be either a senior associate or sometimes even a partner and I'm primarily their trainee or apprentice. I can ask questions of who I do work for and therefore from a pastoral point of view as well to just have a catch-up. I think it's very difficult to come in to an environment like a law firm as an 18 year or 19 year old. [Name of legal firm] made it very easier, they're very supportive.

This was similar to the experience of Denise and Vera. The smaller law firms were not always in a position to provide this level of support or rotate the apprentices. The main cause was the lack of resources and a niche area of legal procedure, such as employment law or civil litigation. An example is provided in the interview with Freya. She had been a solicitor apprentice for six years. This placed Freya in a good position to explain how learning in the workplace, alongside her academic studies, had taken place. Freya was asked how her apprenticeship had been structured and how she was learning to be a solicitor:

So, I've stayed in civil litigation the whole time of my solicitor apprenticeship. I've had exposure to different kinds of disputes that might arise. ... I've been moved to where demand is needed but a lot of apprentices at my firm do tend to stay with one team throughout. ... but to be honest I don't feel like [name of firm] really have much of a structure to how we develop. ... So I do think employers need to have more of a structure.

Freya's experience was a reflection on how smaller law firms structured their apprenticeship. Many of the solicitor apprentices who work in small legal practices or in a large corporation that housed a litigation department did not have a system of rotation. Some of the law firms arranged secondments with other law firms and this did provide wider exposure to different areas of law. The apprentices did not feel this was a problem but concerns were raised by some of the apprentices. These apprentices felt

they were supporting the demands of the business and this hindered their preparation for the SQE. They were acquiring tacit knowledge (Eraut, 2001) through their experience in the workplace but limited exposure to the wider areas of legal subject areas. An example is provided in an interview with Farah. She was 22 and had been a solicitor apprentice for three-years. Prior to this apprenticeship she had completed a two-year paralegal apprenticeship (level three) through the Chartered Institute of Legal Executives (CILEX). Farah was the first solicitor apprentice to be employed by her law firm. Farah was asked about her work and how she saw learning taking place. She began answering the question by explaining her employer's position:

... the solicitor apprenticeship is new. ... the firm are kind of trying to adapt because I've pointed out that I will only stay in my department for the rest of my time. I won't ... like a trainee [solicitor], I won't change seats. Which is kind of a barrier. So I will purely stay in clinical negligence. So, yeah I have quite an established role in the team so it would be hard for me to kind of move around. ... if I want to apply for a different area I would have no experience other than any other law graduate that's done a degree. It's only what I've studied on paper.

The data provided an opportunity to compare these different experiences and similarities inside the apprenticeship. The smaller law firms need additional support in order to provide their apprentices with a wider exposure to legal subject areas. There was evidence of work-based

learning taking place but the large city law firms had the resources to put in place a structure that would introduce the apprentices to a new department through a training session as part of the rotation process. This was not possible for small law firms and placed their apprentices at a disadvantage. Large city law firms were able to employ large numbers of solicitor apprentices. This became evident when interviewing Quincy. He was 19 years old and had completed his first year as a solicitor apprentice. He worked for a large city law firm and formed part of an intake of thirteen solicitor apprentices. This was the first cohort of solicitor apprentices employed by this law firm. He was asked about his background, his workplace experience and how his life had changed. Quincy discussed how his life had changed on a personal and professional level through his experience as a solicitor apprentice. Prior to obtaining his apprenticeship he had worked as a kitchen assistant. He reflected on this during his interview:

I had worked in a kitchen for so long. It was so graphic, it was so loud, there was music blaring. It was so like, so informal and to go from there to wearing a shirt and tie and walking into the office but honestly everyone was so lovely. Considering there are thirteen of us at [name of legal firm]. We are the first ever cohort of solicitor apprentices for them. So no one really knows what to expect or what to do but everyone is treated so nice. We weren't thrown in at the deep end and say go and do this. On the first day we were given a team manager who's like top level. Then we were given a supervisor who like helps us with our university work and everything. Then we were given a buddy ...

So, already on the first day you are given three people who if you had any problems, go to any one of them.

For Quincy, as with all of the solicitor apprentices, the apprenticeship pathway was life changing. He was now working in an environment that was so different to working in a kitchen. He was now working in a large city law firm which was able to provide one-to-one support. As the interview progressed with Quincy he explained that he had just finished his first 12 month seat in the Court of Protection team. This is an area of law concerning the financial and welfare matters of individuals who cannot make decisions, at the time they need to be made, because they do not have the mental capacity. Quincy explained why he had chosen the apprenticeship pathway. He wanted to study and practise law at the same time:

The thought of if you go to University you learn so many different things, so much knowledge everywhere but you don't necessarily get the chance to put that in action. I love the fact that I can go away and learn something from University and then I can bring that into the workplace and apply it there.

It was interesting to hear Quincy talking about putting the law into action. The apprenticeship model by its very nature is practising a profession as opposed to merely studying (Billett, 2014). The solicitor apprenticeship does appear to be providing this opportunity as this was a strong narrative

in all of the interviews with the apprentices. They were of the opinion that you are able to practise law, as opposed to only studying law. As the interview moved on Quincy discussed the level of trust and responsibility attached to the tasks he undertakes at work. He was asked to develop some of these points by providing an outline structure of his apprenticeship and how he saw himself developing as a legal practitioner:

... at least once a week they [the employer/supervisor] give me something that is directly related to university that I can bring my knowledge from university into the workplace and show what I've learnt.

Quincy's experience was different from that of Farah and Freya. His employer had the resources to rotate him and provide exposure to different areas of law inside this legal practice. Quincy would meet with this mentor and discuss the current subjects being studied at university. His mentor would then arrange work experience that aligned with his on-going studies. This was the only interview (with the apprentices) that revealed an alignment with on-going studies simultaneously with legal practice. Quincy explained that this supported his development in legal procedure alongside his academic studies. As a comparison, it was becoming evident, there was limitations with support and exposure inside some legal practices. This is not to suggest that apprenticeships in smaller legal firms were inferior but it did show how knowledge is

developing on a wider spectrum in the large city law firms. This was dependent on where the solicitor apprentice was situated and the internal support provided. The smaller firms can and do arrange secondments for their apprentices. This provides their apprentices with a wider experience and exposure to areas of the law.

6.4 Formal Learning

Many of the apprentices demonstrated a level of anxiety when they discussed the management of their workload alongside their academic studies. The pressure of studying and working full-time was evident when they talked about keeping up with their studies. Their narrative(s) captured their emotions, actions and how they saw themselves developing. They explained how the structure of their apprenticeship was fast-paced. This was exacerbated by the fact that there was no summer recess in their academic studies. This was discussed with Denise who was asked about time-management and her academic studies. Her response provided an inside view on the pressure she was under whilst juggling full-time work and the fast-track pace of her academic studies:

The downside potentially to being viewed as an apprentice most of the time is ... unless you can manage your workload and learn how to say no to people, which is something you learn. Like we have some apprentices who struggle to manage their workload

or find themselves doing late hours which can obviously affect their studies. But that is a learning curve. I mean I went through it and an apprentice at another firm went through it and it's just part of the learning experience. So the downside is that there is a lot of responsibility but that can be managed. That's something you learn. ... it can be quite intense. ... I just think you've got to make sure you are resilient.

Denise's experience showed the reality of the apprenticeship. There are elements of a hidden curriculum inside sections of the above excerpt. Denise had worked in a legal practice prior to taking up her apprenticeship. This provided her with inside knowledge and instilled in her a level of resilience. This prior experience provided her with the confidence to say no in order to manage her workload and studies. The majority of the apprentices were school leavers, and had no insider knowledge when they started their apprenticeship, they did not have the confidence to say no when managing their workload. The hidden curriculum is underpinning the normative rules that are not always explicit. Such as processes, language and how authority is used. Denise was aware of these underpinning rules and how to manage her wellbeing. She used the phrase "learn how to say no." The pressure of academic studies and working full-time was difficult for these apprentices to manage. Many of them explained how they were trying to adapt to the demands of legal practice whilst trying to keep up with their academic studies. This was a cause of concern which was raised on several occasions. They felt that

the fast-track delivery of their academic studies was not compatible with working full-time. They were catching up with their studies in the evening and over the weekend. This was compounded by the pressure of work and time-management was something they struggled to achieve. Denise provided examples of her workload, in the above excerpt, and she was confident in saying no to additional work and asking for study leave to catch-up with her studies. This was not the same experience for all of the solicitor apprentices. Many of them were struggling and found it difficult to manage their time. This was raised on several occasions during the interviews and was highlighted as a concern in the research diary (see appendix 7).

6.4.1 Time management

Saying no to work and managing their workload was a common problem for the apprentices. This was evident when interviewing Nadia. She had completed her A-Levels and started working at a law firm at the age of 18. Nadia had been a solicitor apprentice for five years and had completed her law degree. She was now preparing for the Solicitors Qualifying Exams (SQE). This placed Nadia in a good position to share her experience and tell her story. Nadia was asked how she managed her

workload and academic studies. The following excerpt gives you an inside view of Nadia's journey. It captures many of the feelings expressed by the solicitor apprentices in their interviews:

The one study day that you get a week isn't enough ... throughout my degree ... I would turn up to the office at 7am, after a two-hour commute and work for two-hours before anyone else would get in to the office ... if I did fall behind I knew that there would be no way that I would be able to catch-up. ... I was [one of] the first year solicitor apprentices so I didn't have the support from older people who had already been through the process. So I had to learn it for myself, how to do it. I didn't have anyone to ask. Which is the same with the SQE actually. ... so, learning to manage working and studying ... is a huge skill ...

The problem presented by these apprentices is fitting in the workload around their studies. They were not able to undertake the directed readings aligned with their seminars. This was having an impact on how learning was taking place. They expressed a feeling of disconnect when talking about their academic studies. They made it clear that one-day a week is not accommodating their on-going studies and assessments. This was an issue which was raised by all of the apprentices during their interviews. The apprentices felt isolated in their studies. Many of them were studying online and their lectures were pre-recorded. They had synchronous (real-time) workshops where they had interaction with other students (apprentices) but there was this feeling of separation when they

discussed their academic studies. An example is provided by Phoebe who was introduced in the earlier section of the chapter. She was asked about her academic studies and what changes would she make:

Most students can't get through reading all the materials in one day... If I were to make a change I would arrange for apprentices, at all stages of their studies, to come together a few days in the month ... We could come together and cry and discuss our problems.

Phoebe makes some good points and her suggestion of getting together would build a community. This would be a network where the apprentices (students) would share their experiences and support each other through the different stages of their studies. This would have an impact on their sense of identity as a solicitor apprentice. Tajfel and Turner (1986) found that groups define themselves by being placed in a group. This, according to Tajfel and Turner (ibid) would enhance their social status and increase solidarity when working on tasks together. This is what Phoebe was alluding to in the above excerpt. The apprentices would be able to share their experiences as practitioners and provide support for each other.

As the interviews developed the apprentice's academic studies was explored in more detail with them. They expressed concerns around the on-going changes being made by the SRA and the new legal education

framework. As many of the solicitor apprentices in this study were among the first to undertake this apprenticeship they were subject to the on-going changes being made by the SRA. There was praise and, again, enthusiasm for the tutors but there did not seem to be much in the way of an infrastructure beyond merely delivering educational provision and assessments.

6.4.2 Solicitors Qualifying Exams

The above issues were discussed with some of the stakeholders who had designed the educational provision for the solicitor apprentices; delivered this educational provision and those who regulate the legal profession of solicitors. This small sample of stakeholders provided the opportunity to explore the issues raised by the apprentices and the different aspects of learning taking place through this apprenticeship model. An interview was arranged with Arlene, a qualified solicitor and programme director of an LLB in legal practice. This programme of study was one of the first academic awards designed for the solicitor apprenticeship pathway. During the interview Arlene was informed of the issues of time-management and the impact it was having on the solicitor apprentices'

academic studies. She was asked if there was any room for improvement and how this could take place:

... an apprentice who studies all of the ingredients of a law degree over a four year period, before going on to SQE and only spending one day a week [at university] is tricky. I think that is difficult. ... if it is an issue then there has to be some recognition about the actual demands on a law course. ... So, you know the provision is that students [apprentices] should not be studying beyond their one day a week. In terms of any changes that the SRA should be making I think just giving a bit more guidance.

These were interesting points made by Arlene. It is a new scheme [pathway] to qualify as a solicitor. At an operational level there are issues emerging with the fast-track delivery and on-going assessments. Arlene is correct, these solicitor apprentices should not be studying beyond their one day a week. The reality is that they have to, studying in the evenings and weekends is how they are managing their studies. In order to explore this further this was discussed with Michael who had been introduced in chapter 5. Michael was asked to share his thoughts on the structure of the apprenticeship model, time-management and the issues raised by the apprentices. This was his response:

With these schemes [apprenticeships] it is likely that their studying will spill over into the weekends ... to catch-up on their reading or submit assignments and study for the SQE. ... It should be the exception rather than the expectation ... that it will

spill over into the weekend and evening. You should be able to manage everything within a forty hour week. ... so a ratio of 4 [days] to 1 seems quite heavy to me

It was interesting to hear Michael and Arlene's thoughts on time-management. They both worked in a legal practice and designed legal educational provision. They acknowledged the concerns of the solicitor apprentices but there was no recommendation on how the issue may be resolved. They were asked on several occasions to consider any changes to solve the problem. Arlene suggested the answer lies with the regulator of solicitors, the SRA. This was taken forward in an interview with Caitlin, a representative from the Solicitors Regulatory Authority (SRA). At the time of the interview Caitlin worked in the policy team and her main function is the quality assurance of the Solicitors Qualifying Exam (SQE). Prior to working for the SRA Caitlin had qualified as a solicitor and worked as a lecturer in several higher educational institutions. She taught on the professional and academic legal courses such as the Legal Practice Course, Common Professional Exam and LLB. The above issues were explained to Caitlin. She provided a detailed response and the salient points are captured in the following excerpt:

Well, first of all we wouldn't know [what is happening inside the solicitor apprenticeship] that necessarily. We wouldn't have that feedback but we do require Kaplan as the SQE end-point-

assessment organisation to do stakeholder engagement. So, if this came through via stakeholder engagement I think we might explore it. ... we are not regulating that space ... we are beginning to understand how the profession as an employer is responding to the SQE in the sense of qualifying work experience as opposed to that of the traditional two year [training contract]

Caitlin did not give a direct answer but did confirm a number of points. The SRA do not have data informing them what is happening inside the solicitor apprenticeship model. This confirms the response provided by Julie Swan, the Director of Education and Training (Westminster Legal Policy Forum, 2023, p.12-13). Caitlin added to this by confirming they do not regulate that [employer's] space. The feedback provided by Kaplan would not produce the inside knowledge on how solicitor apprentices are developing or the challenges they are facing inside their apprenticeship. Kaplan's data relates to the SQE assessment and whether or not the apprentices are passing the assessment. The correlation made by Caitlin was that if the apprentices are failing the SQE this would then be raised as an issue by Kaplan. It felt as if Caitlin was not addressing the concerns raised by the solicitor apprentices. Formal learning was an essential aspect of this apprenticeship model. The knowledge produced in the classroom would be assessed as part of SQE1. The aspect of working full-time and only one-day a week did not appear to be an issue for the SRA unless it was raised as an issue by Kaplan.

The use of formal learning is an integral part of the solicitor apprenticeship model. It co-exists with work-based learning but appears to be treated separately and not as a partnership. This is how it was presented in the interview with Arlene. She focussed on the structure of the curriculum but not on how these apprentices are managing their time alongside their full-time work. Caitlin explained that the SRA were not aware of any issues as they “are not regulating that space” but it was explained to Caitlin that the solicitor apprentices are saying they are struggling with their time-management and their studies. At this juncture of the interview Caitlin was asked: “What is actually happening inside this apprenticeship?” (p.5 of the transcript, 8th Feb 2022). Caitlin responded by saying:

The apprentices have performed better than non-apprentices, as a group. As the pass rate amongst apprentices is higher. We can't really say anything more than that because the institute really strictly regulates about it. But obviously those indications are that it's a successful model as we hoped it would be.

Caitlin was referring to the very first assessment of the SQE1 which assesses functioning legal knowledge (FLK). The assessment results Caitlin referred to took place on the 8th November (FLK1) and 11th November (FLK2) 2021. There were 1,090 candidates and this included 27 solicitor apprentices. All the solicitor apprentices passed the SQE1

and it was reported that “although numbers were small (27 candidates), the pass rate by solicitor apprentices were well above average” (SRA, 2022a, p.5). However, this was the first assessment and the numbers were small when comparing them against non-solicitor apprentices. The latest solicitor qualifying examination annual report 2023/24 (SRA, 11th March 2025) provides a mixed outcome of different sittings of the SQE1. There were 681 solicitor apprentices who took one or more of the assessments in this reporting period. This constituted an overall percentage of 5% of candidates (SRA, 2025, p.33). The pass rate for solicitor apprentices in January 2024 for the SQE1 was lower than non-apprentices. In July 2024 the SQE1 results were higher than those who were non-solicitor apprentices. There is a consistency in the pass rate despite the problems discussed by the solicitor apprentices. This does not mean that they are not finding it difficult to manage their studies alongside their full-time work. This was evident in a second interview with Freya. This interview took place after Freya had completed her apprenticeship and had now qualified as a solicitor. Freya was asked to reflect on SQE1 and SQE2 and her thoughts on these assessments. She provided an interesting response:

OK. Um, ok well now that I've past I think, I just think that at the time it was extremely stressful, particularly the process for SQE1. That exam was a lot more intense than SQE2 where you

just need to demonstrate your practical skills ... So, I found the SQE2 easier than SQE1. I just think that when I came out of the SQE2 exam I felt like I probably passed that. That was a much better feeling than SQE1 where I came out and thought oh my God. I don't know if I've passed that.

Freya's experience was similar to Beryl who had completed four years of her solicitor apprenticeship. Beryl had worked for different employers whilst undertaking her apprenticeship. She started in a law firm that managed claims on travel law, such as holidays and personal injury. She was immersed inside a legal practice and this is reflected in the following excerpt:

I had a massive case load. I ran cases to trial about 300 files at a time. Then I left my job and joined my University as a solicitor apprentice and I hated it basically, I really didn't enjoy that. So then I came back [to my first employer] and now I work on an inquiry that is happening at the moment, so I work on that so I can attend that. Obviously remotely at the moment because of Covid. I review documents and stuff. So, it's been three quite different roles.

When Beryl was asked about her academic studies and how she would prepare for the SQE1 there was a noticeable difference in her voice. She explained preparing for the SQE1 was confusing. She was getting different information and the structure of the assessment was changing. When she was asked how she felt about this new form of assessment to qualify this was her response:

I think, like I'm going to have to do it if I want to be a solicitor but I do think it's really unnecessarily hard and unfair like the fact that I'm going to have to be questioned on stuff I learnt in the first year of my degree which I can't even remember.

Beryl had concerns over her time-management and how she would prepare for the SQE1 assessment. This assessment is made up of 360 multiple choice questions. The assessments are taken over two-days in four separate sittings. Each sitting has a time-frame of two-hours and thirty-three minutes. This allows one-minute forty-two seconds to read the problem scenario and select the answer. This assessment is assessing the solicitor apprentice's functioning legal knowledge. This knowledge is acquired whilst they read for their law degree. The SQE is independent and separate to any assessment that take place as part of the apprentice's law degree. The SQE1 will include all the subject areas that would have been in the traditional qualifying law degree (QLD) plus areas on professional ethics and solicitor's accounts. The preparation for this assessment forms part of the new awards which have emerged and have been constructed such as the LLB in Legal Practice which Arlene discussed in her interview as a programme director. The concerns raised by the apprentices were discussed with Caitlin from the SRA. Caitlin explained that under the new legal education framework the SRA do not require solicitor apprentices to have a degree. Instead, they allow

accreditation of prior experiential learning (APEL) which is in the form of their six-years qualifying work experience. This is captured in the following excerpt:

... although we require a degree in any discipline from all SQE candidates we don't require it from apprentices. It's not a regulatory requirement.

When this was discussed with the solicitor apprentices they said they were not aware that the apprenticeship pathway was a non-graduate route. Freya's response on duplication of assessment is reflected in the following excerpt:

I think it is a little bit unfair for those who have done a law degree and then have to still do the SQE1. I don't know why they would have to do four years of law and then do another law multiple choice exam. I think fair enough if you are a history graduate but not if you're a law graduate. It seems very unfair to then still have to test you on your legal knowledge.

Freya was referring to accreditation of prior certificated learning (APCL). This is prior formal learning that takes place in the classroom and can allow for an exemption against future assessments. This is used in educational institutions if they can align the learning outcomes, at the same level, with prior qualifications. It allows students to be exempt from

part of their course of study or the whole of a particular award. This is dependent on a case by case assessment of the individual circumstances, qualifications and any regulatory body requirement (Bines and Watson, 1992). Whereas, the form of knowledge Caitlin referred to in her interview was accreditation of prior experiential learning (APEL) in the form of the work-based learning that takes place through an apprenticeship. This APEL is exempting the solicitor apprentices from having a degree to qualify. The alignment of like for like is not a direct comparison between APEL and a law degree. The SRA's regulations do permit an apprenticeship at level 6 (or above) approved by the department of England, Wales or Northern Ireland to be equivalent to a degree (SRA, 2023i). This was explored with Caitlin during her interview. She was asked why solicitor apprentices cannot claim accreditation of prior certificated learning against the SQE1 assessment. Her response was not direct but did reflect why the SRA had changed the legal education framework. They introduced the end-point-assessment to control entry through a centralised assessment of competence set by the SRA:

I think this is you know the SRA wanted to focus not on what you had done before you qualify if you like but what you were able to do at the point of qualification and so you know, I think the idea being that they didn't want to continue to regulate those inputs but to shift a focus ... it was to fix their regulatory, their regulatory focus where it needed to be and I think ... that was competence at the point of qualification and I think there is a very different

approach where you have an assessment regime designed by a regulatory body as opposed to a professional body. And I mean the SQE was you know the biggest change really in legal education in forty-years.

There were two specific points in this statement which need to be explored. The first is the SRA no longer wanted to regulate inputs which for a better word is the qualifying law degree and the Legal Practice Course. The second point is the phrasing “assessment regime designed by a regulatory body as opposed to a professional body.” The SRA wanted to take control of the entry point into the profession. The removal of the principal signing off the trainee solicitor as competent. These points are outlined in detail in the consultation documents produced by the SRA (2013 and 2015a). Caitlin is right when she refers to the biggest change in legal education in forty years. The SRA didn’t just make changes they dismantled the existing framework and introduced a completely new educational framework to qualify as a solicitor. A framework that supports the SRA but they are not prepared to address the concerns raised by the solicitor apprentices. They have to undertake a law degree as it prepares them for the SQE1 assessment(s). Passing the SQE1 assessment(s) is the gateway assessment which allows them to proceed, prepare and take the SQE2 assessments. This position is putting a strain on solicitor apprentices and is affecting their wellbeing. This was evident when

discussing SQE1 with Freya. She was asked how she felt once she had sat the SQE1 assessment:

I just thought I was going to fail and almost punished myself with the revision by doing it all day each day. So that can do more harm than good ... to pass the [SQE1] assessments it does require a lot of dedication. It's not like your university exams where you can do one at a time. It does require planning and a revision timetable. Yeah, dedication. If you want to pass the exams you need to put the time in and also to be focussed.

Freya had explained that she managed her revision time by taking four-weeks leave. This was the only way she was able to prepare for this assessment. At the end of her apprenticeship Freya's employer had offered her a contract as a newly qualified solicitor. Freya decided not to take it. She needed time-out and this is reflected in the following excerpt:

I went straight from sixth-form to doing the apprenticeship and working has all been very intense. So I never really got those years to go and take a gap year or go to university properly. So I'm going to take some time off and go travelling and then I can always come back and pick up where I left off. I've got that qualification behind me so, um, yeah, I think that will be what I do next.

Having shared Freya's journey with her it was interesting to listen and consider what she was saying in the very latter section of this interview. Her phrasing "So I never really got those years ..." resonated as this was reflected in Phoebe's interview as well. The SRA are the architects of this

new framework and are monitoring the SQE. They are not looking inside these apprenticeship(s) and finding out how experiential learning is functioning in the workplace.

The alignment of the law degree with SQE1 is a concern for the solicitor apprentices. There is duplication in the subject matter and assessment. Caitlin has a valid point when she said “I don’t know why they would have to do four years of law and then do another law multiple choice exam.” This was discussed with discussed with Kane. He was employed as an Academic Registrar at a university. He had responsibility for the entire academic registry. He had predominately worked in quality assurance within higher education, learning and teaching. During the design of the solicitor apprenticeship model in 2015 Kane worked with the National Working Group on Law Degree Apprenticeships for a number of years. This placed him in a position where he was able to provide a holistic view on studying law and the SRA’s new legal education framework. Kane was asked about his thoughts on the new legal education framework and the value of a law degree given the duplication of assessment. This was his response:

So, we’re about a decade on and I remember sitting in a meeting in a very strange conference centre in Birmingham where the SRA were presenting what they wanted to do. The penny

dropped about what they wanted to do. I think initially there were concerns around the concept of a qualifying law degree disappearing So the question was what's the law degree there for? ... I think the residual question for law schools though of course is so what is your law degree there for? ... the LLB has always directed students into becoming a solicitor or barrister... how we meet the needs of the employer but also ensure that we maintain standards.

This was an interesting point raised by Kane as standards are at the crux of the new legal education framework. The SRA removed the QLD and replaced it with an independent assessment which they now control. This has repositioned law schools who once controlled the academic entry point into the legal profession. This was discussed with Kane by asking him about integrating work-based learning pathways into the curriculum at university. He was enthusiastic about introducing new pathways and he was supporting these changes in the law school at his university. He believed that the law degree needs to change and have a direct relationship with how students (apprentices) will be assessed on the SQE. He developed this point by providing some examples on different forms of assessment through work-based learning placements:

... as part of their degree ... authentic assessments such as standing up in a court room and presenting ... If a student can start banking those types experiences ... When an employer asks what experience have got engaging with clients? What experience have you got in research? What experience have you got in sign-posting or providing advice? The student [apprentice] will have this experience.

Kane's insight on how law degrees should evolve and support the new legal education frame is taking place. New courses are emerging in the

market which are preparing students for the SQE assessments. These courses focus on preparation or mocks before undertaking the SQE. There are also apprenticeship degree pathways being introduced by some law schools such as the LLB in Legal Practice and this demonstrates how law schools are grafting on commercial courses alongside their academic courses. They are marketing their SQE preparation courses and amending their assessments in their undergraduate awards to reflect the SQE assessments. This is developed in more detail in chapter 8 when dealing with the findings of this study. This will provide an opportunity to see these changes taking place and how the data in this study has identified these changes taking place in a wider context.

6.5 Concluding remarks

The 32 solicitor apprentices who took part in this study provided a personal narrative that reflected their personal journey as a solicitor apprentice. There were patterns forming in the narratives which revealed the different forms of knowledge acquired in different contexts (Eraut, 2001 and Sfard, 1998). This was evident in the transcripts which demonstrated how and when participatory knowledge was created in a socio-cultural context. The lived reality of learning inside a legal practice was a personal experience for each of these solicitor apprentices and is

reflected in the data. They discussed how they were able to practise legal procedure and develop the skills needed. This created a body of tacit knowledge in legal procedure and is reflected in the excerpts that have been used. There were similarities and as the apprentice matured in their role they mastered the skills and a level of competence in the way they performed legal tasks. However, they also identified some disadvantages which were determined by the resources inside their place of work. When they discussed their place of work and the training they received they projected a positive experience.

As a new form of apprenticeship and entry into the legal profession this model for learning is distinct in nature. It is a hybrid model which is a combination of work-based learning alongside higher education. This distinguishes it from the craft apprenticeship which Lave and Wenger (1991) used in their case studies. The apprenticeship model in their research did not include a role for formal (classroom) education. Fuller and Unwin make reference to this point in their research (2003, p.408) and saw this as a "... shortcoming in Lave and Wenger's account of learning." These solicitor apprentices are studying for their degree in law but the majority of their studies takes place online. There are some annual events which are face-to-face. The apprentices found this blended learning approach to have some advantages, such as managing their time

but there were some disadvantages as well, such as feeling isolated. This was a demotivating factor for some of the apprentices. It was surprising to find out that none of the solicitor apprentices interviewed were aware that the solicitor apprenticeship pathway was a non-graduate route. However, without reading for a degree in law they would not be prepared for the SQE1 assessment. There was a clear discomfort when the apprentices talked about completing their degree and then having to be reassessed on the same subjects in the SQE1. There is an argument for standardising the content of a law degree and allowing for APCL for the SQE1. This is something the SRA are not keen on and this was evident when interviewing Caitlin. Whereas, the QWE is supporting the apprentices in their role, but their workload and preparing for the SQE1 is not being managed. This was raised by all of the solicitor apprentices during their interviews. The pass results are not reflecting a problem as they are passing with good grades. However, there is a concern over their wellbeing and how this may be affecting them on a professional and personal level.

Chapter 7 – Professionalism and professional identity

7.1 Introduction

This chapter responds to the third research question which is wrapped around the theme professionalism:

How and to what extent does the workplace contribute to the professional development and identity of the solicitor apprentice?

The body of literature on professional identity is significant and provided a thick description on law students forming an identity whilst at university (Longan et al, 2000). There is little critique of the relationship between the legal profession and how their identity as a practitioner is formed. At the time of this study there was no critical debate on the professional identity of the solicitor apprentice. In this chapter the solicitor apprentices talk about their experiences in the workplace, their professional development and identity. In the earlier chapters they talked about their hopes, goals and why they chose the solicitor apprenticeship pathway. They discussed how learning was taking place for them and the challenges they have faced. This chapter builds on these experiences by discussing their lived encounters in the workplace which have contributed to the formation of their professional development and identity as a solicitor apprentice. This adds a reflective layer that reveals where they

have been on their personal journey. It is their stories which inform this chapter as they discuss how they see themselves growing inside their apprenticeship. This approach is adopted as La Pointe (2010) believes story telling is a mechanism which reveals how identity is crafted as the storyteller is internalising an on-going story. The selected excerpts used in this chapter tell the solicitor apprentices' stories. They discuss their professional development and how they see their identity emerging inside their place of work.

7.1.1 Professionalism

Identity is created and re-created through the interactions inside a community of practice (Sfard and Prusak, 2005). The solicitor apprentices in this study are in an environment which will impact on how they behave and this will determine the dynamics which will shape their professionalism and professional identity. Professionalism and professional identity are two distinct concepts (Cedrone, 2013). Professionalism is an outward expression of shared norms, attitudes and behaviours of a professional community (Bloom and Dunn, 2022). For example, the SRA regulate professionalism through a code of conduct which describes the behaviour(s) and ethical rules expected of solicitors

(SRA, 2023j). Whereas, professional identity is an internalisation of these norms, attitudes and behaviours and is distinct from professionalism. Professionalism provides the foundational knowledge, values and standards of professional performance. Professional identity involves the socialisation process and becoming part of the community of practice (Lave and Wenger, 1991). The identity of the practitioner is constructed at a personal level as this involves thinking, feeling and acting like a solicitor (Bliss, 2017). The solicitor apprentices in their interviews revealed how their identity had been constructed from inside their workplace. They articulated how their role as a practitioner had influenced their behaviours (Longan et al, 2020). This socialisation process allowed them to form relationships and develop a sense of who they are as a practitioner. The data produced in this study revealed ways in which their identity was being formed as part of this internal process (Tajfel and Turner, 1986).

7.2 Skills and competence

The location of each of the 32 solicitor apprentices is central to their professional development and identity. They have been placed inside a legal practice from day-one of their apprenticeship. They entered as novices, with little or no knowledge of legal practice. Having served a

period of their apprenticeship they are now in a position to tell their story. It is their experiences which define them as a practitioner. This was evident when interviewing Jagadish. He was asked how he saw himself and his position inside his apprenticeship. His response captured the personal growth that had taken place over the last three years:

As from the age of 19 years old when I started to now and hopefully my view of myself as a future lawyer has evolved. Previously it seemed a long-way off and ... now I'm starting to kind of see where I'm going ... So I think that something has evolved over the last three years. I've become more comfortable. I would describe when I first started as some kind of imposter syndrome. I had just left school and suddenly I'm in this fantastic slinky office building in London and doing all this really interesting work.

Jagadish was able to see the different layers that had shaped and formed his role as a practitioner. Whilst reflecting on his experience(s) he used the phrases “see where I’m going” and “I’ve become more comfortable”. He was constructing an understanding of himself as a practitioner by reflecting on who he had become through his experience. Kayla shared a similar experience in the earlier chapter when she referred to imposter syndrome when first starting her apprenticeship. She also saw how she had developed as a practitioner and had acquired a professional persona. These apprentices were participating and gaining a position inside the workplace. They provided examples of how they had changed since

starting their apprenticeship. This was evident when interviewing Mateo. He was asked about his professional development and his identity inside his apprenticeship. His reflections inform how he had developed over a period of four years:

I think it's something you don't realise until you look back. You review meetings that you had or early pieces of work that you've done. You look at and think at the time I really struggled with that but now if I was presented with the same piece of work I would know where to start or would know what to say. So I definitely think I've changed a lot in terms of my own professional identity.

Similar to Jagadish, Mateo was reflecting on his encounters and how these experiences had influenced his behaviour. He did this by comparing his early experiences and where he was at the time of the interview. These lived experiences had contributed to their identity. This was developed in Simon's interview. He was asked how he saw his role and identity inside his apprenticeship:

I do see how I have developed. I felt like an imposter when I first started but as I've gained more and more experience I feel confident in my role and how I'm developing.

Simon was in the early stages of his apprenticeship and imposter syndrome was common among the solicitor apprentices during their early years. Having interviewed 32 solicitor apprentices it was possible to

gauge their professional development whilst listening to them talk about their role and how they see themselves developing as a practitioner. This was explored with Zia who was 20 years old and had been a solicitor apprentice for two-years. She was asked to share how she saw herself developing as a practitioner and her professional identity:

So I think the main thing is confidence. So, when I first started I'd never had a professional role like this before. So I think I was quite nervous to start with and it's kind of developing like what you're good at ... Being in the role every day you're practising those skills every day ... you're put in so many different scenarios that you sort of develop your knowledge and skills ... this develops your professional identity because I've become so much more confident in myself, just being in a professional role.

As these narratives were forming it was possible to see a pattern emerging. They were gaining confidence and feeling competent in their role as a professional practitioner. Their professional identity was emerging as they matured in their role. They revealed what it feels like to be a solicitor apprentice. How they see themselves evolving in this role. They discussed the changes they see taking place and how their role as a practitioner had provided them with an identity. It is possible to see how identity is important to them. It helps them navigate their social interactions whilst undertaking work-related activities. This became evident whilst they discussed how they are viewed inside and outside of a legal practice. This demonstrate self-awareness of their role and how

they are responding to internal and external perceptions of who they are as practitioners.

7.3 Professional formation

The biographical narratives produced in the interviews (chapter 6) showed how they gained status as they acquired knowledge and skills inside their community of practice (Higgs et al, 2012). As they reflected on their time served as an apprentice they presented the past and how they felt about their current position. Their work and integrated learning (Jackson, 2017) is based on the interconnected relationships inside their apprenticeship. This was particularly evident when interviewing Quincy. He had only completed 1 year of his apprenticeship. He was still adjusting to his role as a solicitor apprentice. He was asked what had influenced his behaviour and how he saw himself as a practitioner. This was his response:

My interaction with clients. You build a rapport with your clients. You get to know about their family and dealing with matters of the family for them ... it could be someone's estate, someone may have died and so on. So you know the client. You've been through it with them and they come to you for that support and you're there to support them and provide them with the advice and the practical skills.

Quincy was 19 years old and he was demonstrating empathy whilst he talked about his clients. They were his responsibility and he was there to support them through a difficult time in their life. His voice and tone

changed as he talked about his clients. He talked more slowly and his facial expression showed how he felt. He nodded and this was a cue to say “yes” and allow him to continue. Quincy’s excerpt provided a powerful image of a holistic approach as he focussed on supporting his client(s). His role had placed him in a position where he was acquiring the normative and ethical values of a practitioner. One of the most glaring elements that was revealing itself in these interviews was the interaction the solicitor apprentices had with their clients. The clients introduce their lived experience when instructing the solicitor apprentice. This is a fiduciary relationship underpinned by trust and confidentiality. This interactive experience with a client is unlike classroom learning, where the social context is often removed and is second-hand. This was reflected upon in the research diary (see Appendix 7, 23rd Jan 2023). This revealed how these apprentices were able to recognise their exposure to their clients was shaping them as a practitioner. It is these episodic memories which Eraut (2000, pp.114-118) refers to in his research. These lived experiences are ingrained in the memories of the solicitor apprentices. They are being exposed to the ethical demands of the profession and this may induce conflicting feelings with their own personal values, the values of the client and values of the legal system. There is likely to be tension in the client relationship when it is not possible to provide the outcomes expected. These experiences, which the solicitor apprentices are reflecting upon in their interviews, reveal the developmental changes that have taken place whilst working inside a legal practice.

7.3.1 Labelling

As a new entry point into the profession the label apprentice and how it is perceived by colleagues, clients and outsiders needed to be explored. It became evident there was tension with the label apprentice. It was seen by some mentors as inferior to the trainee solicitor. An example is provided in an excerpt taken from Afrosa's interview. She was asked how she thought her colleagues perceived her role and identity:

I think it really boils down to like the route of the whole perception of the apprenticeship. I think they've always been as like it's the easy way out. It's what people do that don't want to go to university because they're not smart enough or they don't have the ... I don't know like ... I just think that apprenticeships have always been viewed as like the lesser or the alternate B route. Like if A doesn't work out just do an apprenticeship but I don't think people realise like a degree apprenticeship is so hard.

This was a common response provided by some of the solicitor apprentices. They felt there was little known about the solicitor apprenticeship pathway. There was a feeling, amongst some of the solicitor apprentices, that entry into the profession through an apprenticeship was not as good as the trainee solicitor route. Afrosa believed the professional identity of the apprentice was viewed as inferior and seen as an easy route. Afrosa was asked if there had been any challenges or issues for her as a solicitor apprentice. This was her response:

Yeah I think it was kind of challenging at first ... So, it kind of fell on you like to try and like establish yourself in that department and it is very hard and it's like the one thing I even still find hard

today is moving departments and starting all over again because you feel like you've built up this work stream and relationship with people for a year and then you just move to somewhere new and the firm is quite big and you've never met these people, you don't know these people and you have to try again to re-establish yourself ...

Afrosa's voice was raised whilst she responded to this question. Having to prove your ability and make new relationships was challenging for her. She went on to explain that she was seen as a school leaver every time she started a new seat. She had to prove that she had gained the skills and knowledge to use in her new seat. When she refers to "starting all over again" and "re-establish yourself" there was an expression of consternation on Afrosa's face. There appeared to be a level of conflict between newcomers (apprentices) and old-timers (Billett, 2009). As a contemporary apprenticeship model the solicitor apprentices were negotiating their identity whilst it was being formed inside their community (Wenger, 1998). Unlike Wenger's research (ibid) which focussed on established apprenticeship routes, the solicitor apprenticeship is a new entry point. The old-timers in these legal practices had not qualified through an apprenticeship pathway. They were training school leavers to be solicitors. The data was revealing a negative tension in this relationship. Fuller and Unwin (2003) discussed this negative tension in their research. They believed the apprenticeship is expansive and it is viewed from the outside as restrictive. This is reflective of this new

pathway to qualify. This feeling of being an “outsider on the inside” (Reay, 2017, p.151) which was discussed in 5.8 was revealing itself again. This feeling of inferiority was being raised by the solicitor apprentices. This internal divide referred to as *habitus clivé* and discussed in chapter 5 was evident when discussing professional identity with the solicitor apprentices. An example of this tension is provided in an interview with Ella who was 19 years old at the time. She had been working as a solicitor apprentice for one year. She was asked about her identity inside the workplace and how her colleague saw her as an apprentice:

A lot of people think it's [the apprenticeship] kind of the easier way, rather than doing a law degree. I don't think a lot of people realise that you're still doing the law degree

This apprenticeship is expansive but is not seen in this way from the outside or by those who are training these apprentices. This is reflected in Afrosa's comments which captured a view from the past when she refers to “... the perception of the apprenticeship ...” and the apprenticeship being devalued when comparing the traditional university route (Richards, 2012). The notion of the apprenticeship model being an inferior pathway compared to the university route is discussed in the work of Brockmann and Laurie (2016) and in Brockmann's PhD (2009). They identified a number of factors that contributed to the stereotypical

perception of the apprenticeship model in the UK and why there is a divide between academic and vocational education. They found a number of factors which influenced their findings which ranged from government policy, the structure (framework) of the apprenticeships and the tutors and employers who delivered the apprenticeship framework (ibid 2016, p.232). In this study the data has provided examples of these negative stereotypes when interviewing some of the apprentices. Whilst there was an enthusiasm for this pathway to qualify it was not always well received by some mentors or those on the outside. For example, when interviewing Rose, who had been an apprentice for one-year, she was asked how she saw herself as a professional practitioner and this was her response:

We are sort of pioneers of this new pathway, like guinea pigs. When you look at it, you know, six-years [apprenticeship] versus two-years [trainee] of experience. Those six-years I'm not just going through my personal development but also my professional development. So it sort of coincides at the same time.

Rose was in the early stages of her apprenticeship and had only just completed her first year. Rose was asked how she saw her identity:

My identity, so within the firm because we are the first cohort of apprentices we are a bit of a hot topic. So, everyone knows who we are in the firm. They can tell we are a bit younger than everyone else. So I think that in regards to my professional

identity I'm obviously gaining experience but there is a misconception around the apprenticeship.

The latter part of Rose's response is similar to Afrosa and Kayla's experience. Rose also felt that some individuals did not understand the nature and structure of the solicitor apprenticeship. They did not see the apprenticeship as equal value to that of a trainee solicitor. This was followed up by asking Rose if the role and identity of the solicitor apprentice is similar or different to the trainee solicitor.

So, if I was to compare the two I would probably say the apprenticeship solicitor route is a bit more fulfilling and insightful because you are doing everything a trainee solicitor will be doing but so much more because you are starting from the bottom up. They [trainee solicitors] obviously enter the training contract at a certain level but ... they've done all that work [at University] and this is their first day in the legal industry. I will have had six years' experience when I complete my apprenticeship. They [trainees] will have had two years.

Rose was progressing in her role and had not, at this juncture, developed a sense of her status and identity as a legal practitioner. This was a pattern that emerged in many of the interviews with those apprentices who were in the early stages of their apprenticeship. Whereas, those solicitor apprentices who had completed a number of years were in a position to provide an opinion on how they are treated and compared their status with trainee solicitors. An example is provided in the following excerpt taken from an interview with Caitlin. She was 22 years old and had been a solicitor apprentice for four-years. Caitlin was asked how her identity as

a solicitor apprentice is perceived by her colleagues and legal practitioners outside her law firm. Caitlin's response provides an inside and outside view:

I have been doing this job for nearly four years so I do know what I'm doing and it is difficult to convey to people that haven't had the solicitor apprenticeship route. So we are actually getting a law degree alongside it and we do have legal knowledge. And also there is still the trainee solicitor, the usual route you would go through and it is difficult because they say we do exactly the same role ... there is a perceived difference in whether you are a trainee or an apprentice. Even though we do the same thing and I think trainees are more highly thought of and it is difficult when I have conduct [control] of a file and then my opponent is a qualified solicitor they automatically think they have one up on you when they see the job title apprentice.

Caitlin's frustration showed in the way she expressed these concerns by raising her voice. She did not feel that she was given equal status with trainee solicitors even though she had completed four years of her apprenticeship and was in the final stage of her law degree. She was confident when she talked about her role and how she conducted herself whilst undertaking a range of legal matters. The latter point in the above excerpt captures Caitlin's frustration "... they automatically think they have one up on you when they see the job title apprentice." Caitlin saw the title 'apprentice' as a master-status and she believed her level of competence, skills and how she conducted herself were overlooked. Instead, the focus was on her status as an apprentice. This was captured in Caitlin's statement: "... people that haven't had [experience of] the solicitor

apprentice route ...” do not understand how this new pathway to qualify operates inside a legal practice. The word apprentice was the dominating factor which determined Caitlin’s identity to those not familiar with the new entry route into the profession. Caitlin explained, on a number of occasions, that this is a professional apprenticeship. She was studying for her degree and undertaking qualifying work experience at the same time. Caitlin’s comments are unmasking the ingrained attitudes that exist inside a legal practice and the reproduction of inequalities (Ingram and Allen, 2019). The issue(s) that Caitlin raised was discussed with a representative from the SRA, who you were introduced to in chapter 6. She was asked about the status and identity of trainees and apprentices:

Well I think the fact that we require both [apprentices and trainee solicitors] non-apprentices and apprentices to sit exactly the same assessments indicates as between the two of them there is no hierarchy and we have actually been approached by a training provider who has been approached by employees and employers saying what does the SRA think ... what should we call our apprentices? Can we call them trainee solicitors and our response is that actually you can call them what you like ... So they asked if they could call them trainee solicitors and we said that’s fine. You just can’t call them [qualified] solicitors.

This confirmed the equal status between trainee solicitors and solicitor apprentices through their qualifications but did not address the issue of attitudes presented by members of the legal profession. The SRA see no difference between a trainee and apprentice solicitor but this message needs to be made clear by the SRA as a regulatory body. The SRA are

saying “there is no hierarchy” but this advice needs to be circulated amongst the profession. The distribution of literature and guidance for employers needs to improve as the apprentices are facing challenges based on a misconception of their professional identity. The solicitor apprentices faced similar challenges in different guises based on their status as an apprentice. There appears to be an on-going problem with the way apprentices are seen by some employers. This was evident when interviewing Michael. He is a qualified solicitor and you were introduced to him in chapter 6. The misconception of the solicitor apprentice was discussed with Michael. He was asked for his thoughts on the professional identity of the solicitor apprentices. This was his response:

... labels do help quite a lot and most lawyers, qualified lawyers in practice will immediately attach an impression by your label whether you call yourself paralegal or legal assistant, legal secretary, trainee, CILEX or Legal Executive and so forth. So, I don't have experience of receiving emails from a litigation team in another firm where somebody has signed themselves as apprentice and I think that is just a matter of time before that comes more common. But I can see that there might be a stigma attached to that ... I think that's the risk with apprentices ... almost to the point that you're seeing them just as a dog's body that has no sort of legal knowledge at all ... They just got to suck it up whilst they are in that situation.

This is insightful as it demonstrates a hierarchical attitude, tantamount to a pecking order and shows where the apprentice sits in this hierarchy. Some of the statements made by Michael reflect Caitlin's frustration showed during her interview. Having completed four years, had the skills, knowledge and level of competence to deal with her own files but the label used to describe her identity dictated how she was seen by some as “they have one up on you when they see the job title apprentice.” The solicitor apprenticeship is evolving and it is slowly being accepted as a new entry

route as more and more apprentices are employed by law firms. It is unfortunate that there are some qualified practitioners who do not understand or have limited knowledge when it comes to the solicitor apprenticeship. Attitudes are difficult to change because they are often deeply ingrained and resistant to change (Boulton, 2014).

7.3.2 A new community

As members of their community apprentices have a sense of belonging and will define (and re-define) themselves as a practitioner. The community of practice acts as the chrysalis which nurtures and develops the apprentice's professional identity (Ormrod, 1971). This was evident when interviewing Oscar. He discussed his identity and how he saw himself as a practitioner:

I think my professional identity has developed ... I'm constantly developing whilst I'm at the firm and whilst I join other departments and I'm meeting new people and dealing with new matters. I'm in a far better position than I was before I joined the firm.

Oscar made a strong connection with his community of practitioners as he discussed his role and relationships inside the workplace. He made reference to his work and the different areas of legal practice he had worked in over the last 12 months. He was proud of his achievement and

this came through in the way he talked about his progress and how it had shaped him as a practitioner. The following excerpt taken from his interview showed how Oscar was developing his identity inside his community:

... there are several ways in which I have developed. Before I joined the firm I would address emails in a specific way, or professional emails in a specific way in what I thought was best but we actually had training on that one when I first joined about how [name of legal practice] likes their emails to be addressed. So, even in terms as simple as email formation I think my professional identity has developed. There is a lot that I'm learning now in terms of terminology because I just joined a new department last week. There is a lot of new terminology that I'm getting to grips with.

Oscar had only served one year of his apprenticeship but he was confident when he talked about his role. He was modelling (Bandura et al, 1961) his behaviour on those who were mentoring him. He was building his identity whilst negotiating the meaning of his experiences as a member of his community (Wenger, 1998). There is a parallel between Oscar's identity as an apprentice and how he is developing as a practitioner. The former is his status and the latter is how he is engaging with his community. This was a pattern which was revealed in several of the interviews. For example, when Phoebe was asked how she saw her identity she explained how she had emulated the professional characteristics of those who were mentoring her:

I think that I do pick up quite a lot of characteristics from other people, like a certain way of talking to a client or certain way of writing an email for example.

There was patterns in the data that showed how these apprentices were acquiring their identity. They were confident, had the necessary skills and knowledge to undertake legal tasks but were not always treated in the same way as a trainee solicitor. Even when they had been in a legal practice for a number of years. An example is provided in an interview with Bianca. She was 24 years old at the time of the interview and had been a solicitor apprentice for four-years. She started work at her law firm at the age of 18 years-old as an office junior. Within one-month she obtained a position as a legal secretary which lasted two-years and in 2018 started her solicitor apprenticeship. When Bianca was asked about her professional identity she immediately compared her identity with a trainee solicitor:

I think it is quite hard to gain the same kind of respect in the legal profession as an apprentice, compared to a trainee [solicitor] or someone who's just qualified because it's a very old career. I think coming in as an apprentice, and this is a completely new thing. It's quite hard to gain that respect and for people to take you seriously. Not personally but professionally. ... When I first started [the apprenticeship] I felt as though I shouldn't be here. I questioned myself, like I don't have the same knowledge and experience as these [trainee solicitors] people. It's hard, it's hard to have my voice heard. Then as time's gone on and I would say

probably from year three when I really had two and a half-years' experience as an apprentice my knowledge has grown in terms of textbook knowledge and ... my practical knowledge has grown ... I think that was a turning point. ... people have been taking me more seriously, now.

Bianca's experience is a reflection of how she saw attitudes that exist inside a legal practice. The changes she had experienced are fundamental to this study as she is revealing how she had been made to feel as an apprentice. She was of the opinion that her status as an apprentice did not have the same respect as a trainee. As she matured in her role she found her voice and was taken "more seriously". The data is revealing how Oscar, Afrosa, Pheobe and Bianca were acquiring their identity through their professional development. They were adopting their role from inside a legal practice. Fuller and Unwin (2009, p.405) recognised this as a nurturing process and referred to this as "... a process of maturation ...". This did not detract from the negative connotations revealed by the apprentices. They explained how they are seen inside and outside of the legal profession. This was developed in an interview with Jagadish. During the interview he was asked how he was treated by legal practitioners in other law firms. This was his response:

... there is an external view when I'm sending out emails for someone and they see my role as apprentice solicitor in my signature. Are they going to think this is someone to take

seriously or should I speak to your boss? I can't control people's perception of me or my role.

This is a common perception when comparing academic routes with vocational pathways (Brockmann, 2009). The value of an academic qualification is inferred as it reflects a standard, a threshold that has been achieved. According to Richard (2012, p.6) vocational qualifications are not valued in the same way as academic qualifications. This sentiment was raised in an interview with Kayla. She was asked: how do you think people outside your firm, looking in see your role? Similar to Jagadish, Kayla believed there was a negative perception attached to the status of being an apprentice:

I still think people might still view solicitor apprentices as like I viewed them, and I hate to say this but I always thought that it would be like say if you were going to do hairdressing or building. That's what you sort of associated an apprenticeship with and I think it's so much more than that now. Especially the solicitor apprenticeship ... So, I do think it's very new so it'll be interesting to see where it goes.

Kayla's experience as a solicitor apprentice allowed her to see the value of the apprenticeship and not as an inferior pathway to qualify. These negative perceptions of the apprenticeship are linked to the past (Brockmann, 2009). As a new form of apprenticeship the data has revealed there is little understanding of this new pathway to qualify as a solicitor. There was no connection with the advanced knowledge and

skills attached to this apprenticeship model set at level-7 of the UK higher education framework. This is equivalent to a master's degree and is different to the craft apprenticeship model used in the work of Lave and Wenger (1991). Instead, this is a professional apprenticeship pathway leading to a qualified status as a solicitor

7.4 The professional practitioner

The data in this study acts as a lens to look inside the workplace with the solicitor apprentices. Their reflections are an “art of self-observation” (Rainwater, 1989, p.15) and professional identity is explicit when they discussed their role as a practitioner. According to Dewey (1963, p.39) this is how a professional identity is formed, from inside the apprenticeship. It is an interdependent relationship which induces a sense of belonging and the need to identify with members of a work-based community (Higgs et al, 2012). The solicitor apprentices are immersed inside a legal practice from day-one. They had to learn how to connect with their environment, their mentors and negotiate their role inside a legal practice. The data revealed how these apprentices gained their confidence, skills and competency which shaped their professional identity. A temporal process, presented in different stages (years) of the apprentice's journey. The apprentices were in a position to discuss the

emergence of their identity through their experience in legal practice. They revealed their insecurities and fears when they first entered the legal profession. For example, the apprentices explained how they did not know what was expected of them, and many of them had not been in a legal practice prior to starting the apprenticeship. It was a new role, a new identity, in the legal profession. The following excerpt provides an example which is taken from Simon's interview. He was asked how he saw his professional identity forming inside the workplace:

I definitely see it developing ... I joined my cohort with five apprentices and twenty trainee solicitors. ... In terms of like how I see it [identity] developing well I sit next to a third year solicitor apprentice in corporate transactions and I definitely see like how confident she is and the work that she does and how much she has developed since she started ... Like comparing what I'm doing and what she's doing it's crazy ... she's in her third year and she's doing tasks that are at trainee [solicitor] level or above trainee level.

As Simon discussed his role and identity there was a continual renegotiation of his identity by comparing himself with an apprentice in their third year. This was insightful as Simon was gauging his professional development. He compared the competence of the third-year apprentice with that of a "trainee [solicitor] level or above trainee level." This is interesting as he distinguishes between the status of an apprentice and trainee. The trainee is given a higher status, as claimed by Caitlin. This

was a view that was raised on several occasions by the apprentices. Simon and Bianca's excerpts revealed how they are seen inside a legal practice. As the apprentices are maturing in their role, their identity as a practitioner is gaining a stronger position. They have a voice and are able to command the respect they have earned. This was discussed with Freya who had completed her apprenticeship and Farah who had completed 3 years of her apprenticeship at the time of their interviews. Freya and Farah explained how their professional identity emerged as they developed their practical experience in civil litigation. They engaged in workplace activities and this experience was forming their professional identity. They were building relationships inside the workplace and externally with agencies such as the law courts and Counsel (Barristers). They were able to perform their role effectively within a specific context. They were developing generic skills, such as taking instructions from a client; writing up attendance notes and acquiring the procedural knowledge to process a legal matter. It is these experiences inside a legal practice which is shaping their professional identity.

7.4.1 Unlocking identity

The key to unlocking the identity of the solicitor apprentice was their role and how they had developed inside this role. This is reflected in an

interview with Grace. She was 25 years old at the time of the interview and had been a solicitor apprentice for two-years for the Crown Prosecution Service (CPS). Similar to Denise and Freya, Grace had a number of years' work-experience in a legal practice prior to obtaining her solicitor apprenticeship. She undertook an apprenticeship in commercial administration with the CPS for one-year. She was kept on at the end of this apprenticeship and worked in administration for eighteen-months for the CPS. She then obtained a paralegal apprenticeship with the CPS and was promoted to a legal assistant based at a Crown Court. Within twelve-months she was promoted to the position of a paralegal officer working on complex criminal investigations. She then obtained a secondment, based in London, with the International Justice Team for six-months. At the end of this secondment she then had an offer to start her solicitor apprenticeship and stay in London. Grace is now attached to a team who specialise in large cases which involve multiple defendants. While interviewing Grace she demonstrated a level of confidence whilst talking about her role in the specialist unit. She later revealed that her level of confidence had emerged due to the demands placed upon her in the workplace. The following excerpt captures this when she was asked about her role and professional identity whilst working for the CPS:

Obviously a lot of confidence with like say speaking to the public if they're witnesses or whatever a lot of that comes with the confidence of knowing what you're actually talking about. So, there might have been times when I was very new to the organisations but it would be really scary for me to meet strangers or victims or whatever. With experience I have all sorts of situations thrown at me and as a professional I've literally had to deal with them. Like I said earlier in the interview I can be the only person ... that tends to happen at court is that if the lawyers don't come we sort of take-over that and work with the Bar [Barristers] once it's at trial and there are situations all the time where it's just me and I have to make decisions which is obviously something I picked up by being in the job that I'm in.

Grace was revealing how she developed her professionalism and professional practice. She had worked in different roles and this provided the opportunity to acquire the insider knowledge. She had explained how her role had placed her in a position where she had to deal with a range of legal procedures in court. As she discussed her role she explained how she found it difficult and challenging at times. She reflected on this in some detail and her sense of professional identity as a practitioner came through at various points in the interview. This is captured in the following excerpt taken from her interview:

Knowing how to talk to certain people, everyone in a professional way. In a way like ... there's nice people I work with, there's not nice people I work with. It's just adapting being able to adapt to scenarios is probably the biggest thing I've learnt and continue to learn through the apprenticeship ... when I started I was 19 [years old] and I was young and I didn't really know what I wanted

to do and why I wanted to do it but I enjoyed it. As times gone on I know the sort of lawyer I want to be and I know what to work towards and what I need to do to get there and how to take things seriously. Be a professional person and just do my job to like the best I can do it. I guess that wouldn't come with the traditional route as well because I know that they say that you should go to university first for all the experience it brings but I've had so much experience like from doing this over the last six years. Like I said at the start I've been able to go on secondments, so experience all sorts of things.

Grace's experience was shaping her professional identity. She had internalised the norms, behaviours and skills which were reflected in the way she practised as a lawyer. She was taking the lead in decision making with different colleagues inside the CPS. Grace identified the professional milestones she had reached and how they had an impact on her on a personal and professional level. She was piecing together a range of experiences which had changed her behaviours over the four years as a solicitor apprentice. It was possible to compare Grace's professional development and identity with Phoebe and Vera. They explained how their confidence as a practitioner grew as they matured in their role as a practitioner. They were extending their existing knowledge and skills by completing independent tasks as they matured in their role.

The data was revealing how professional development was taking place inside this apprenticeship. The internalisation of their identity formation

deepens as the apprentice matures in their role. Professionalism was the foundation which was externally revealed by the expectations of a legal practitioner and professional identity was being fostered by their community of practice. An example is provided from an interview with Harith. He had been a solicitor apprentice for three years. He was asked how his experience in a legal practice had shaped his professional identity and this was his response:

I've found that real life situations have shown me how to respond to different situations. ... my ability to explain the law to clients, to deal with documents and apply the law is because of my experience in work.

The apprentices who had been in a legal practice for a number of years had matured in their role. The social context of how their professional development is taking place is evident from the way they talk about being around people who are older and adapting behaviour(s) which reflects their mentors and those who train them. Professional identity is inextricably linked with their experiences in the workplace. How these solicitor apprentices see themselves is important. Their statements show how their role is seen and accepted by those who are training them. This is reflected in the research diary on the 18th May 2022. It was noted that there is a feeling presented by the solicitor apprentices that their role does

not naturally fit with those who have entered the profession as a graduate and qualified through the trainee contract route. There was some hesitancy when the solicitor apprentices talked about how they had been compared with the trainee solicitor. It was becoming evident that many inside their place of work had a perception of the apprenticeship route to qualify as inferior to the graduate trainee solicitor pathway.

The role of the solicitor apprentice and how they are seen inside a legal practice needs attention. As the interviews progressed you were able to hear how enthusiastic these solicitor apprentice were to talk about their experiences and the formation of their professional identity. It was their opportunity to reflect on their own practise(s) and discuss their professional transformation. It felt as if they were discovering their role and identity whilst being interviewed. An example is provided from an excerpt taken from the interview with Zia. She had had been a solicitor apprentice for two years. She was asked how her work-based experience had developed her identity:

I'm running my own files, dealing with declaration of trusts and I'm getting so involved with other people's work and other people's cases ... It's absolutely not that you're a junior member of staff, although you are being trained but you're being treated exactly the same as everyone else.

You are able to compare Zia's excerpt with Amelia who had been a solicitor apprentice for four years. She was asked to explain the level of work she was undertaking and how she saw herself developing as a practitioner. This was her response:

Day-to-day literally I go in, get my task list and I'll prioritise what needs to be done first. This will involve drafting witness statements, making applications to meet deadlines, liaising with the court staff, speaking to clients, working with defendants as well as we are the claimants. I will have day-to-day contact with defendants. I also train the legal assistants in the team and getting them to a higher standard in their work. ... Working life is a challenge and is high pressure ... but I think it just builds character and how to do things when it comes to being a fully-qualified solicitor but it's definitely challenging.

Amelia was developing an autonomous role and was now training legal assistants who supported her in her role as a practitioner. It is by comparing these excerpts that you are able to hear the solicitor apprentices' professional development taking place through their experiences inside the workplace.

As this study matured it was possible to re-interview one of the solicitor apprentices who had now qualified as a solicitor. The following excerpt is taken from the second interview with Freya. She was asked about how

she saw her professional development taking place whilst undertaking her apprenticeship:

I think quite a lot of my learning has been around prioritisation and meeting deadlines. Because it's civil litigation we are under court time-scales. So I've definitely had to learn how to prioritise. Another skill or really where you would want to negotiate and prepare for tests for the SQE [Solicitors Qualifying Exams] which include negotiations. ... So, that's definitely an area that I have developed over the course of the apprenticeship which you don't get from law textbooks, really. ... If you don't have that kind of workplace experience, you don't ever get any real experience in negotiation. So that's definitely been one of the key skills I've developed due to the apprenticeship.

There was an air of confidence in Freya's voice as she discussed negotiating skills. She specifically referred to skills and how she used these skills whilst performing her role. It is possible to distinguish between the early year(s) apprentice and those who were near completion or had completed their apprenticeship. Their maturity and how they had acquired their identity was tangible as they discussed their level of work as a practitioner. This was a common pattern and an example is provided in the following excerpt taken from an interview with Nadia. She had been a solicitor apprentice for five years, at the time of the interview. Nadia was asked how she saw her professional identity developing in the workplace:

So now that I'm almost qualified ... people at work see me as a junior lawyer and they absolutely trust me. So I feel very confident and secure in my position and I'm just thinking ahead now to qualification next year. ... I've gained a lot of confidence and also I've learned the sort of person and lawyer that I want to be and the sort of person, sort of lawyer I don't want to be. So, it's given me a lot of clarity on where I want my career and my life to go from here

Nadia had internalised and processed who she was as a practitioner. The phrasing she used reflects earlier comments such as “they absolutely trust me” and “I’ve learned the sort of person and lawyer that I want to be ... [and] don’t want to be.” It was possible to hear how her experience over a period of time was transforming her identity as she neared her final year of her apprenticeship. She had gained the respect of her colleagues and they had trust in her as a practitioner. Nadia had an understanding of who she was as a professional. It is possible to see how their professional identity is emerging by listening to them talk about their personal experiences and how they now see themselves as a practitioner.

7.5 Inhabiting a professional identity

The solicitor apprentices responded to the questions and provided their version of professional identity. They inhabit a role which is dynamic in nature and establishes them as a practitioner. As this study matured the

data revealed how these solicitor apprentices were acquiring their identity. The following excerpt taken from Freya's interview provides an overview on how her journey from beginning to end has shaped her professional identity:

I think when I look back and consider my experiences since I was about nineteen years old and, I think I was a completely different person to who I am today because of the challenges that have been thrown at me, um, the pressure we've been put under. All the multi-tasking with working and studying as well. Having to adapt to different people's ways of working. I've definitely had managers that I haven't got along with as well as others. It's been quite character building and I feel like a practitioner. My identity is who I am as a practitioner.

The very last sentence captured the essence of this excerpt: "My identity is who I am as a practitioner." These interviews provided the apprentices with the opportunity to make sense of their experiences. They were able to reflect on the personal and professional changes they faced.

7.6 Concluding remarks

The data has demonstrated how these apprentices are maturing inside their community of practice. It is from inside their workplace these solicitor apprentices are forming their professional identity. The selected excerpts

provided an inside view on how experiential learning is shaping their professional identity. A selection of some of the key phrases captured in the excerpts used are identified in the table below which aligns with a timeline. This illustrates how they see themselves and identify with their role as a practitioner. The concepts (codes) contained within the theme professionalism is evident in these key phrases which has a direct relationship with how these solicitor apprentices see themselves as professional practitioners. The narratives of the solicitor apprentices have constructed an account of their professional development which is revealed through excerpts discussed in this chapter.

Table 7, below, captures the salient points from some of the interviews and you are able to compare the similarities and patterns emerging. You are able to see the process taking place as you move through the timeline from year one through to year six of their apprenticeship.

Table 7 – The emerging practitioner

Name of Apprentice	Section of excerpt	Time served as an apprentice
Rose	"Gaining experience"	One-year
Yasmin	"Definitely more confident"	Two-years
Kayla	"Need to manage people's expectations on what you can do, what you can't do."	Three-years

Harith	"The learning I get from experience is beneficial and this has really made me be the best person I can be."	Three-years
Mateo	"So you have to adapt your behaviour accordingly and the way you speak to people or the way you act around people."	Four-years
Afrosa	"It's a bit annoying when people just see us as an apprentice and not a practitioner."	Four-years
Zia	"Day-to-day literally I go in, get my task list and I'll prioritise what needs to be done first."	Four-years
Nadia	"So now that I'm almost qualified ... people at work see me as a junior lawyer."	Five-years
Freya	"I think I was a completely different person to who I am today." "My identity is who I am as a practitioner."	Six-years and now qualified as a solicitor.

Previous studies on professional identity of the lawyer have focussed on law students and preparing them for work inside a legal practice (Thomson, 2014, Brooks, 2012 and Jackson, 2016). This research focussed on the experience of the solicitor apprentices inside a legal practice. They are the authors of their stories and the data has provided the opportunity to understand how these apprentices are forming a deep sense of themselves as practitioners. The introduction of the trailblazer solicitor apprenticeship provided the opportunity to advance this body of knowledge. The data produced has shown how the professional development and identity of the solicitor apprentices is emerging through a period of time inside a legal practice.

Chapter 8 - Conclusion

8.1 Introduction

This study has produced a body of knowledge in the form of insider accounts (Hammersley and Atkinson, 1995) shared by the solicitor apprentices and stakeholders. Their accounts are a key contribution to this research. Their stories act as evidence of how this new pathway is opening up access to the profession. The solicitor apprentices talked about specific aspects of their lives such as why they chose this pathway and how they gained the knowledge and skills to qualify as a solicitor. They revealed how their identity was formed as a direct result of being exposed to work inside a legal practice. The apprentices looked inwards, sharing their past, imagining the future and how their lived experiences altered how they saw themselves inside the workplace. Their interconnectivity with their community had provided them with a feeling of self-worth and achievement. This is reflected in the way they talked about their training and how they saw themselves developing inside a legal practice. As they matured in their role it became evident their exposure to work-based learning provided them with the skills, knowledge and confidence to be a practitioner. Their professional identity emerged as a layering of events that took place over a number of years. Their social

interaction with their environment, colleagues and those who mentored them formed the layers of their identity. These layers provided a novel perspective as they talked about entering the profession and how this new pathway to qualify as a solicitor is operating inside a legal practice. Their experiences are documented in the data and the excerpts used tell their stories which are “anchored to the research questions” (Braun and Clarke, 2022b, p.198).

8.2 Opportunity - inequality of entry into the legal profession

The first research question of this study was formulated in order to explore and find out if the solicitor apprenticeship had addressed the perceived inequalities that excluded entry into the legal profession.

How and to what extent has the introduction of the solicitor apprenticeship model addressed inequality of entry into the legal profession?

8.2.1 Impacts of schooling on opportunities

The interviews with the solicitor apprentices produced a thick description (Denzin, 2001) of their experiences. They reflected on their aspirations as A-level students and their ambition to qualify as a solicitor. They

explained their concerns about the potential access issues at every stage of the pipeline to qualify as a solicitor. They were aware of the barriers to entry, a profession dominated by seven percent of the population who attended public (private) schools and one percent who went to either Oxford or Cambridge University (The Sutton Trust and Social Mobility Commission, 2019). This established the context of their concerns and how their decision to pursue an apprenticeship, instead of university, emerged during their interview(s). Their descriptive accounts provided an interpretation of their shared perception of their educational background. They believed the apprenticeship route was the key to 'getting in' to the legal profession as they felt excluded by the university entry route to qualify as a solicitor.

The solicitor apprentices identified as socio-economically disadvantaged and they characterised their personal upbringing which reflected their socio-economic conditions. None of the thirty-two solicitor apprentices were educated at an independent (private) school. A common pattern emerged as they responded to the early interview questions. They did not believe they would be able to gain entry to the legal profession because of their background. They were well informed and able to discuss the university pathway to qualify as a solicitor. They had been provided with information at school on this pathway. This was part of their preparation

when applying for a place at university. Even though many of them had been offered a place at a Russell Group university they did not believe a city law firm would select them at interview because of their background. They made reference to going to a state school and not fitting in with the selection panel's perception of what they were looking for when appointing a trainee solicitor. This is reflected in their *habitus clivé* (see 5.8) which was discussed through an interpretation of Bourdieu's theory (2004) by Reay (2004, 2005, and 2017). This theoretical concept was reflected in the concerns raised by the solicitor apprentices on how they would be judged by their accent and how they presented themselves. The capacity to present a polished appearance was raised on several occasions by them. They felt that those who had gone to an independent school and attended a Russell Group university had developed the skills and cultural capital to present themselves as a match for the interview panel. They believed their educational background excluded them from entry to the legal profession even before taking up a place at university. This negative perspective was reflected upon in the interviews with the solicitor apprentices. They were of the opinion that going to an independent school, having the ability to demonstrate good communication skills and act in a confident manner was seen as the key attributes which would lead to selection and gain entry to the profession. It was these attributes that

the solicitor apprentices felt they lacked. This is how they saw themselves and why they didn't take up their place at university.

The solicitor apprentices explained, during their interviews, the traditional route to qualify would place them at a disadvantage. This is concerning as these solicitor apprentices felt they would not fit in even if they had obtained the required qualifications. For example, Kayla presented a position of imposter syndrome and feeling that despite her efforts she did not fit into the traditional pathway to qualify as a solicitor. Jagadish also referred to imposter syndrome in his interview. He made reference to the transition from leaving school and working in a city law firm was overwhelming for him. This was an experience shared by Simon. He also makes reference to feeling like an imposter when he first started his apprenticeship. It was interesting that these feelings of imposter syndrome were prevalent amongst some of the solicitor apprentices who were in their early stages of their apprenticeship. This was experienced on equal measures amongst the male and female apprentices. As the interviews progressed the perception of fitting in was the underpinning reason why many of the solicitor apprentices had chosen the work-based learning route and not gone to university. This provided a powerful image as they talked about how they saw themselves and their formative years inside a legal practice.

The data provided a contemporary understanding of the motivation behind choosing the apprenticeship route to qualify. The apprentices were at different stages of their professional development and this provided an opportunity to compare their progress and see how they were developing on an individual level and as a collective body. This was evident in the way the solicitor apprentices spoke about their experiences. The interviews elicited authentic accounts about their choices and why they decided to pursue the apprenticeship pathway. They were enthusiastic when they discussed the opportunity to practise law, as opposed to only being able to study law at university. The combination of these two halves - practise and theory - were at the forefront of the conversation and ran throughout the interview(s).

Had this new entry point opened up the profession to a wider sector of society? The literature review demonstrated the inequalities that had taken place, how state school educated students were being denied entry in favour of public school students. The solicitor apprentices who took part in this study believed the university pathway to qualify as a solicitor would not work for them. They were of the opinion that this traditional route to qualify had been socially engineered by a class system that had dominated British culture. This was explored with the apprentices and they

reconstructed personal experiences which had a deep-level effect on them and how they positioned themselves when discussing entry to an elite profession.

It is deeply concerning that many of the solicitor apprentices did not demonstrate a level of self-worth and being accepted for who they are on their own merit. This was consistent with reference to their background, attending state school and not being able to compete against those who had been prepared by attending an independent school. This dominated their perception and it was disheartening to hear as many of these solicitor apprentices had achieved excellent grades at A-Level. They presented themselves in a confident and professional manner. Yet, they did not believe they would gain entry to the profession through the traditional route. Their perception of themselves was important as it showed how society had positioned them. It was as if a label had been placed on them and they were categorised as not fitting into a profession that was only open to an elite section of society. This is how they identified themselves and goes to the root cause of why they pursued the apprenticeship pathway. They believed they would not get into a legal practice if they had gone to university as a full-time student. This is an important finding as it is responding to the first research question. The SRA were aware of labelling and how the profession had favoured potential trainee solicitors

from a certain background (SRA, 2015a). There were ancillary matters riding alongside the apprentice's decision to follow the apprenticeship pathway. This was in the form of family support and economic resources (see 3.3.1).

8.2.2 Financial support

Each one of the apprentices discussed their personal circumstances and reflected on the economic cost of going to university. For example, moving away from home and the overheads such as rent, utility bills and tuition fees were an obstacle for them. The apprentices believed these factors were tantamount to an economic gamble as they believed they would not have the opportunity to qualify as a solicitor. It was possible to see why they had these concerns. Many of the solicitor apprentices referred to their parents' financial backgrounds and not being able to support them whilst they would be at university. These narratives were wrapped up in the theme 'opportunity' and their perception of debt (see 3.3.1). They wanted to study law but they saw too many barriers. They were of the opinion that their social class excluded them from getting in to the profession. Reay referred to this internal conflict as "the psychic

landscape of social class” (2005, p.912). This was evident when interviewing Afrosa and Cara who were from “an underprivileged background” (Ch.5, pp.177-181). They saw their socio-economic background as a barrier. They did not feel they were able to compete as an equal if they were applying for entry as a law graduate. An example was provided in Ch.5 (see p.183) whilst interviewing Nadia. She drew attention to the bottleneck for law graduates and this is in the quantitative data produced by the Law Society (2022) which showed there were 5,495 training contracts for 18,927 law graduates in 2021-22 (see 3.2, p.75). This was compounded by the evidence presented in the research by Ashley et al (2015) and the Sutton Trust Committee and Social Mobility Commission (2019) findings (see ch.3). Nadia was of the opinion that the solicitor apprenticeship provided her with entry into the legal profession. She did not believe the traditional university pathway would have provided this opportunity. The apprenticeship model paid her tuition fees and provided her with the qualifying work experience.

The mechanism used for funding the tuition fees for solicitor apprentices, as a part-time law student, was discussed by all of the solicitor apprentices. There was evidence emerging that this was key to unlocking entry to the legal profession. It provided the economic safety net as it paid their higher education tuition fees as a part-time student. The

apprenticeship pathway provided them with the opportunity to gain access to the profession, acquire the different forms of knowledge and skills to qualify as a solicitor. The employer is able to recover the tuition fees through the apprenticeship levy. It is encouraging that any SQE training costs over and above a law degree are substantially lower than the LPC. The LPC fees would have been in the region of £12,000 - £15,000. It has been suggested that the SQE costs (outside of the law degree) would be around £7,000 (Bridge Group, 2020a, p.19). These costs are subsumed as part of the LLB in Legal Practice for solicitor apprentices.

The SRA have grafted the apprenticeship pathway onto their new legal education framework under the guise of opening up access to the profession to a wider sector of society. This study has shown that this claim is vulnerable as the SRA do not control the funding mechanism which supports this apprenticeship pathway. The apprenticeship, as an entry point into the profession, is bridging the gap by providing an opportunity to get in and qualify as a solicitor. However, the funding mechanism for the tuition fees is a government led policy. The SRA have no control over its introduction or its removal. The SRA claim their solicitor apprenticeship is widening access to the legal profession (SRA 2015a) but this is dependent on an agency relationship with government policy in the form of the apprenticeship levy (Richard 2012). If this funding

mechanism is removed it is likely to diminish this entry level into the profession. This is explored in the next sub-section of this chapter and will highlight this precarious relationship between government policy and widening access to the legal profession for a wider section of society.

8.2.3 Age cap on the apprenticeship levy

There are aspects of the solicitor apprenticeship that have provided the practical means to support these apprentices such as the apprenticeship levy. This has proven to be a major funding reform for solicitor apprentices in England. This has promoted social mobility in the profession (Cavaglia et al, 2022). It is also a new pipeline into higher educational institutions and an exception to the rule as trailblazer apprentice tuition fees are state funded, not student funded. This form of funding has recently been under threat as the current Labour government announced a new policy which would have removed funding for apprenticeships at level 7 (Camden, 2025). The data in this study has shown that the solicitor apprentices pursued this pathway because of their background and did not have the economic support to take up a place at university. All of the solicitor apprentices made reference to tuition fees and student debt. This was discussed by all of the solicitor apprentices and evidenced in the excerpts taken from the interviews with Afroso (see p.177), Lois (see p.189),

Amelia (see p.189) and Denise (see p.193). They make reference to student debt and would not have gone to university if it had not been for the apprenticeship pathway and the funding of their tuition fees. The solicitor apprentices made reference to their parents' limited economic resources and how their parents supported them in pursuing an apprenticeship instead of university. The threat of removing this funding was not known when the interviews took place and therefore do not form part of the data. This change in government policy, instigated by the Education Secretary Bridget Phillipson, is referred to as part of the wider discussion but not included in the data or recommendations. Bridget Phillipson had written to the Cabinet Office Minister for intergovernmental relations, Pat McFadden, asking him to implement concessions that would remove the levy funding for apprenticeship standards at Master's level (Camden, 2025). The proposed cut to level 7 funding has since been amended (Department for Education, May 2025) and funding will continue for those apprentices aged 16-21 years old and existing apprentices (Fouzder, 2025). This confirmation of funding is welcomed but has re-introduced a key aspect of inequality for those aged over 21. This was discussed by the Chief Executive of the Legal Services Board, Craig Westwood when he talked about equality and diversity in the legal profession (Westminster Legal Policy Forum, 10th Feb 2025). He provided a strong argument on change through the introduction of regulation that

targets inequality. He made reference to the solicitor apprenticeship and believes it is important to "... create more routes for people to enter the [legal] profession and practice law ... The profession has deep-rooted problems ... people from state-funded schools face significant challenges in advancing within the legal profession" (ibid, p.1). This is a view shared by the Law Society President, Richard Atkinson (Fouzder, 2025) who has argued that there should be no age cap on the apprenticeship levy as it is supporting social mobility in the legal profession. He believes "Level 7 solicitor apprenticeships continue to be the only route outside of university to qualify as a solicitor due to specific qualifications set by the Solicitors Regulation Authority. Apprentices play a vital role in promoting social mobility" (cited in Fouzder, 2025 at p.2). If this funding is not available for those over the age of 21 it means that employers would have to fund these level 7 apprenticeships for anyone who exceeds this age limit. The reality of this change in government policy is that law firms will only be recruiting solicitor apprentices who qualify for funding under the levy. Any aspiring solicitor over the age of 21 is unlikely to obtain a solicitor apprenticeship in the near future. This form of age discrimination would place individuals like Kayla, who was 23 years old when she started her apprenticeship, outside of the funding mechanism. This is tantamount to disqualification through age discrimination. This would have also applied to Whitney who had worked for a number of years as a paralegal and only obtained her

solicitor apprenticeship at the age of 24 years old. These are real examples which show how this change in funding will have a direct impact on anyone over the age of 21 from January 2026.

Funding through the apprenticeship levy is critical as student debt and living costs are a concern for the apprentices in this study. When examining inequality and equality it is possible to see the main drivers inside this apprenticeship model. As a new entry point this pathway solves the problem of QWE and it removes the financial risks associated with going to university. This provides a strong argument that the funding of the tuition fees for these solicitor apprentices is opening up access to a wider sector of society. However, the introduction of a funding age cap of 21 does raise questions about the future recruitment of solicitor apprentices. These are dominant factors which would lead to the conclusion that the apprenticeship pathway has gone a long-way to removing inequality but is dependent on government funding. This was a view presented through the lens of the solicitor apprentices. They saw themselves as being subjected to these invisible barriers that Friedmand and Laurison (2019, p.17) discussed in their research. The data in this study demonstrated how the levy is a motivating factor for these solicitor apprentices. Removing this funding, based on an age restriction, will have negative consequences for the solicitor apprenticeship pathway. It

remains to be seen how this will work as large city law firms adapt to these new rules. Given the timing of this new government policy this study was not able to generate data involving the government age restriction on future funding of solicitor apprentices over the age of 21 from January 2026.

8.3 Opportunity – opening up the profession

As a new entry point into the legal profession the data is indicating this pathway is accommodating a wider sector of society. The solicitor apprentices were of the opinion that this new pathway is opening up the profession. The solicitor apprentices in this study believed this new entry point provided them with the opportunity not only to study law but also to qualify as a solicitor. They had formed an opinion that the new legal education pathway had removed the barriers they faced. This is questionable as these apprentices may have been given an opportunity to qualify but there is some doubt as to whether or not this has addressed the inequalities that have shown to exist. The apprentices presented a lens which provided a positive picture whilst discussing entry through the apprenticeship pathway. This may be true but on closer inspection of the data and re-examination of the transcripts there were patterns emerging which questioned the reality of their lived experiences. Attitudes inside

the legal profession are slow to adjust to this new entry qualification. This does raise the point that was discussed by Simon Davis when he alluded to self-selection and the inequalities inside the legal profession when he explained that “We all know that most people in life like to be surrounded by people who look like them, speak like them and think like them and therein lies the difficulty” (Bridge Group, 2020b, time-frame 6.44). This aligns with the work of Wright Mills (1956) who produced research on power and elite and Reay’s interpretation of *habitus clivé* (2005 and 2017). It is these cultural characteristics that need to be challenged if change is to take place and for there to be equality inside the legal profession.

The body of knowledge produced in this study demonstrated how solicitor apprentices see themselves and why they chose this entry point into the profession. Their mind-set and economic circumstances influenced their decision to choose the work-based learning route. They felt the odds were against them if they had to compete for a training contract against a candidate who had attended an independent school. The qualitative data in this study has provided a unique perspective on how these solicitor apprentices are making decisions as school leavers and why they chose the apprenticeship pathway. They believed the attitudes embedded in society are an on-going barrier to getting into the legal profession.

The apprenticeship pathway is trying to navigate the social barriers presented in the data. Elitism is a state of mind (Friedman and Laurison, 2019) and only time will tell if the apprenticeship route will change attitudes. This change is unlikely to happen unless there is a mechanism put in place to bring about change. Craig Westwood, the Chief Executive Officer of the Legal Services Board has argued that there should be some formal regulation which will remove elitist attitudes when selecting trainee solicitors and advances non-traditional career pathways such as the apprenticeship pathway (Westminster Legal Policy Forum, 10th February 2025). The current position is that discrimination based on a person's socio-economic background is not a protected characteristic under the Equality Act 2010. Section 1 of the Equality Act 2010 requires public bodies to actively consider how their decisions might increase or decrease inequalities resulting from socio-economic disadvantage when making strategic decisions; essentially, it forces them to think about the impact of their policies on people experiencing socio-economic hardship. This section of the 2010 Act has to be activated by a Nation State. It is a devolved matter under this legislation and has not been activated in England. Enacting the socio-economic duty clause of the Equality Act 2010 would impose a position on public bodies to consider the social disadvantages faced by some candidates who are seeking entry to the legal profession. The data produced in this study demonstrates that there

needs to be both structural and cultural intervention. The introduction of legislation and regulation would be a structural intervention. It would be unthinkable to imagine that there was no legislation on gender equality which has made a significant difference. If socio-economic disadvantage was a protected characteristic this may have an impact on entry to the elite professions which includes the legal profession. The data has identified the problem and the solution is to introduce some measure which would provide some form of protection for social mobility. There does need to be some safeguard for candidates who are not treated on their merit and not selected because of their background.

8.4 Processes – the nature of learning

The second research question aligned with the theme on processes. This involves the internal structures of a legal practice (micro environment) and external structures (macro environment) in the form of higher education and the EPA. The apprentices provided a useful lens to see how workplace learning and their academic studies were being managed. Their stories, contained in the data, provided a deeper understanding of what is taking place inside their place of work and classroom. This provided the opportunity to respond to the second research question:

What is the nature of learning in the solicitor apprenticeship model and how is it taking place?

The professional development of these solicitor apprentices has been influenced by a range of factors including the way their work is organised and how their time is managed for their academic studies. These factors are summarised in this section of the conclusion.

8.4.1 Small and large firms – tacit and formal knowledge

Having access to these 32 solicitor apprentices provided the opportunity to explore with them how they saw learning taking place. They were able to reflect on their experience and say how they saw themselves being shaped as legal practitioners. They did this by discussing their day-to-day activities in the workplace. It became apparent that each apprentice was on an individual journey. There were similar and different experiences shared as they talked about how their training was structured. This was particularly evident when interviewing those apprentices who were situated in large city law firms. These law firms rotate their solicitor apprentices. This placed these apprentices in four different seats (departments) and each seat was for a duration of twelve months. The last two years of the apprenticeship consisted of four seats and each of

these seats was for a duration of six months. This covered the full six years of the apprenticeship and provided them with exposure to different areas of the law. This internal structure was evident when interviewing Phoebe, Denise and Jagadish. They were rotated and developing the tacit knowledge needed to practise as a solicitor. Their daily exposure to specific tasks was building up their tacit knowledge and demonstrated through their performance in the workplace. They expressed a level of confidence as they discussed their work. They had a mentor appointed each time they started a new seat and an induction was arranged with key members of staff in each new department. These internal structures provided an opportunity for learning inside the workplace. Their exposure to different forms of legal practice was compartmentalised. They were developing generic skills, such as how to undertake research and apply the legal rules. They were learning how to focus on the client's position and how to take forward a legal matter. These skills and competencies developed as they matured in their role. An example is provided by Phoebe when she talked about the types of work she was undertaking alongside her part-time studies (see Ch.6). This was also evident when interviewing Denise (Ch.6). She had completed 3 years of her apprenticeship. Denise was now undertaking complex legal tasks such as preparing witness statements and drafting legal documents for partners in the firm. The partners had a level of trust in Denise's drafting skills.

The day-to-day repetition of practical tasks had developed her knowledge of legal procedure and how to prepare key documentation.

The data revealed two parallels consisting of formal and tacit knowledge. These forms of knowledge came together in professional performance. The apprentices were able to translate theory in to practise by giving examples of their academic studies and the legal rules when dealing with legal procedures. An example was provided by Jagadish (ch.6) when he discussed how he saw learning taking place and how his confidence had developed. Similarly, Denise provided some examples of her work and how she had learnt so much from her mentor and colleagues in the workplace. When Phoebe was asked how she saw learning taking place inside her apprenticeship she reflected on her professional progress. She explained how she was able to undertake a wide range of work in different legal matters. This was not the same experience for those solicitor apprentices who worked in small law firms or were housed inside a company that had its own legal department. These solicitor apprentices tended to have limited exposure to a wide range of legal practice as rotation was not available to them. Their structure was dictated by the demands of the business. An example was provided by Roma who was training a solicitor apprentice. Her firm specialised in niche areas of legal practice and only had 5 employees. This limited the apprentice's

exposure to areas of legal practice. Roma arranged secondments for her solicitor apprentice. This ensured wider exposure to different areas of legal procedure inside different law firms. However, this was not always possible because of the demands of the business and this put a strain on the economic resources of Roma's business.

These differences, in the way exposure to different areas of the law inside a legal practice is taking place is a reflection of the deregulation of QWE. Unlike the training contract which was regulated by the SRA who imposed a strict criteria and this ensured the trainee solicitor would be exposed to a range of legal procedures whilst undertaking their training. This regulation no longer applies for QWE. There is a positive and negative position of the deregulation of QWE. The positive is that QWE is now flexible and has allowed firms to provide work experience in circumstances where they would not have been previously allowed. This may encourage more law firms to employ solicitor apprentices. The downside is that small law firms tend to have niche areas of legal practice, such as in Roma's firm. Their economic resources do not allow them to rotate apprentice solicitors and provide a depth of exposure to different forms of legal procedure (Bridge Group, 2020a). This was reflected in the interview with Michael who ran a small firm. When asked if he would employ a solicitor apprentice he said no as they would take up his time.

He was of the opinion that an apprentice would need support that he would not be able to provide during the early stages of the apprenticeship. He gave examples, such as filling in the substantive law and guidance on legal procedure. This is the reality for small law firms who are struggling to provide the appropriate resources for their solicitor apprentices. This is a negative aspect of the apprenticeship pathway for apprentices in small law firms. There is no economic support (beyond the apprenticeship levy for tuition fees) for small law firms to employ solicitor apprentices. This is an area where government policy may be able to address this problem. For example, government funding may be made available to small law firms who employ less than 10 members of staff. This funding would pay the salary of a solicitor apprentice. This is paid out of the unused funds acquired through the levy which are currently returned to the Treasury if they are not used within a period of 24 months. It has been reported (Crawford-Lee, 2024a) that since 2017 £2.7 billion has been returned to the Treasury and it is these funds which would pay for the salaries of solicitor apprentices employed by small law firms. The salary may be capped in order to make sure there is a distribution of these funds and this would encourage small law firms to employ solicitor apprentices and widen access to this pathway to qualify as a solicitor.

8.4.2 Quality of mentoring and training

The quality of the apprentice's training was explored with the apprentices. Despite there being no formal system to audit the quality of their training the apprentices provided assurances, on several occasions, that they were being supported in their training. They explained how they were developing the skills and knowledge which enabled them to progress within and beyond their current role (see chapter 6). The interviews with Phoebe and Denise discussed the types of work they were undertaking and how this developed their tacit knowledge. They mapped out how, as school leavers, they were novices when they first started their apprenticeship. Having served a number of years inside a legal practice they now commanded a level of expertise and competence when undertaking legal transactions. Jagadish supported this position when he discussed how he had been supported in the workplace and was learning how to undertake different legal matters. He had regular one-to-one sessions with his supervisor. He had a mentor who he was able to approach for advice and support. Mateo and Denise had a similar structure in their workplace. This was not the same experience for all of the apprentices. It did depend on the resources available to train them. Not all of them had a positive experience. In the early years of Kayla's

apprenticeship the level of support in the workplace was not consistent. As time passed she gained a level of confidence and was able to manage a range of tasks but this was based on her perseverance and tenacity.

As the study progressed it was possible to see a direct relationship between the professional development of the apprentice and the way their work is structured. The city law firms were able to provide a structure and had staff to mentor the apprentices on a one-to-one. This was not the situation for those apprentices situated in a small law firm or housed inside a large company. These apprentices tended to have limited exposure and structure in the workplace. There did not appear to be any workplace curriculum put in place for these solicitor apprentices. It was a matter of fitting in with the existing working day. This is how Caitlin saw her training taking place. She had stayed in the same area of practice, civil litigation, for the whole duration of her apprenticeship. Rotation did not take place inside Caitlin's place of work and she did not see any structure put in place to support the learning process. This is a concern and the SRA need to implement a system which would require formal monitoring and progress reviews.

It would be advantageous if some measures were introduced to ensure the welfare of the solicitor apprentices are monitored and realistic objectives are identified. These would then need to be measured every six-months and check how the individual apprentice is progressing. There was some evidence of this taking place but it was only mentioned by a minority of the apprentices who confirmed this process was taking place inside their apprenticeship. This should be standardised and there needs to be some external control on how these issues are managed and checked.

8.4.3 Time-management

Alongside the development of their work-based knowledge the apprentices had one-day set aside for their academic studies. The structure of their workload alongside their academic studies was a challenge for them. There is an inherent problem with time-management and this was having an impact on their academic studies. The demands of their work inside a legal practice was prioritised over their academic studies. This was evident when interviewing Phoebe who felt like she was part of an experiment and that her employer was working out how to structure her workload and experience. There was a noticeable tension

when the solicitor apprentices discussed their time-management and academic studies. There was a collective opinion that working full-time and studying part-time was not working. There was a strong feeling that a work-life balance did not exist. The apprentices expressed a feeling of non-stop assessment as they only had a two-week break in their academic studies. As their role matured, as a practitioner they were given more work and more responsibility. This was particularly evident when speaking to those apprentices who had been inside a legal practice for three or four years. They expressed a concern over the constant pressure they faced by trying to manage their work-based tasks and meet the deadlines for their assignments. During this section of the interviews there was a feeling that these apprentices did not want to raise these concerns with their employer. Their demeanour changed as they discussed their concerns and their anxiety was tangible. They were hesitant in the way they talked about time-management. This is an area which must be addressed. It is having an impact on the well-being of these apprentices. This was pertinent when they discussed their last two years of their apprenticeship. At this stage they would have completed their law degree and were now preparing for the SQE assessments.

It was noticeable when the apprentices talked about their fifth and sixth year of their apprenticeship that their workload increased. The data

showed that their time-management issues escalated once they had completed their degree. They were now being charged out as fee-earners. At the same time they had to prepare for the SQE assessments. When these concerns were raised with the SRA representative the answer given was “we are not regulating that space” (ch.6, p.266). During this interview the SRA representative confirmed that the solicitor apprenticeship route is a non-graduate pathway. The six-year workplace experience is treated as the equivalent to a degree. This introduces the argument that apprentices should be exempt from SQE1 based on accreditation of prior experiential and certificated learning. They will have accumulated six-years of practical experience and have a degree in legal practice. This proposal would remove the pressure on the solicitor apprentices during the first four-years of their apprenticeship. This would place them in a position where they would have extra time to prepare for the SQE2 assessment in the final year of their apprenticeship.

8.4.4 Study leave

Study leave was provided for some solicitor apprentices but this was not consistent. The solicitor apprentices were taking their paid holiday leave to prepare for their exams. There should be an in-built time-frame which

allows these apprentices study leave as part of their apprenticeship contract. This should be separate from their paid holiday leave. This would support them with their preparation for their assessments and maintain their well-being. The SRA are able to monitor this as part of the feedback questionnaire which is provided at the end of the SQE assessment(s). The SRA may include a question asking if solicitor apprentices had been provided with paid study leave to prepare for their assessment. This would then form part of a checks and balance as part of the well-being monitoring of these solicitor apprentices.

8.5 The formation of a legal practitioner

The third research question is aligned with the theme professionalism. The data captured the personal stories told by each of the solicitor apprentices on how they see themselves developing as a practitioner. They reflected on their lived encounters in the workplace which have contributed to the formation of their professional development and identity as a practitioner. This provided the opportunity to respond to the following third research question:

How and to what extent does the workplace contribute to the professional development and identity of the solicitor apprentice?

As a new entry point into the legal profession there is no critical debate on the solicitor apprentice's professional development or their identity as a practitioner. The data produced in this study is contributing to this body of knowledge through the narratives shared by the apprentices who took part. It was possible to compare their professional development at different stages of their apprenticeship such as from novice, intermediate and qualified solicitor. It is their personal epistemologies that is shaping their professional development and how they see themselves. They were able to reflect on their early years and compare themselves in the latter part of their apprenticeship. This produced a time-frame which showed how they matured and adopted their role. It was a personal journey and each solicitor apprentice gave an individual response to how they saw their professional development and identity. They explained how their way of thinking and behaviour as a solicitor had taken place. They discussed their challenges and how they had internalised their professional values which was reflected in their professional identity.

Professional formation in the context of the solicitor apprenticeship was discussed during the interviews and produced a narrative on the entry point of the apprenticeship and how 'old-timers' (Lave and Wenger, 1991, p.29) were not familiar with, or would not have had experience of legal practice as a school leaver. The solicitor apprentices demonstrated an

awareness of their mentors' qualifying pathway and how it differentiated to their route to qualify. Many of the solicitor apprentices had entered the profession as a school leaver and not as a postgraduate who had been prepared for work inside a legal practice. The apprentices discussed the changes they saw in themselves and how their role as a practitioner had evolved. As the interviews progressed it was possible to hear and see how these apprentices had adopted their identity by emulating those who were training them. This was evident when interviewing Jagadish, Mateo and Quincy (ch.7). Their professionalism and professional identity became evident as they reflected on how they saw themselves in their role as a legal practitioner. They discussed the nature of their exposure to different areas of legal procedure and made reference to the governance of their profession in the form of a code of conduct. They had internalised the norms and behaviours expected of them as a solicitor whilst talking about their professional development. There was evidence in the data of professionalism and professional identity co-existing. These concepts were mutually exclusive but came together through their everyday experience in the workplace. For example, when Caitlin (see Ch.7) talked about how she had developed as a practitioner over a period of four years. She had gained hands-on experience and was confident when speaking about her role. These solicitor apprentices were able to explain where they had been and how they saw their future progression.

It was their lived experience inside a legal practice and how they now saw themselves whilst reflecting on their journey. This was evident in the way they discussed their past experiences and how this supported them going forward in their role as a solicitor apprentice. They expressed a sense of belonging and had forged relationships inside their community with a wider network of agencies, such as the personnel in the civil and criminal courts, probationary services and social workers. They spoke about these relationships. They had a deep sense of who they were as a practitioner and the type of solicitor they wanted to become in the near future.

8.5.1 The apprenticeship label

There was a negativity attached to the status of being an apprentice. Caitlin made reference to this in her interview and believed that this negative perception was based on a lack of understanding. The SRA did not have a problem with removing the title apprentice and calling them trainees instead. The phrasing trainee solicitor apprentice may alleviate this misconception and improve the public image of equality when referring to the apprentice's identity. This would also address the issue that was raised by some of the solicitor apprentices who had faced similar misconceptions by some employers, such as Michael. When he

discussed the professional identity of solicitor apprentices he agreed that there might be a stigma attached to the status of being an apprentice. He described this status as being seen “just as a dog’s body that has no sort of legal knowledge at all ... They just got to suck it up whilst they are in that situation” (ch.7, p.295). Changing the name to trainee solicitor apprentice would be a move in the right direction.

8.5.2 Professional identity of the apprentice

The solicitor apprentice is placed in a position where their professional identity has been constructed over a period of time by those who train and mentor them. As a member of their community these apprentices demonstrated a strong belonging to their profession and they saw themselves as a legal practitioner. As many of the apprentices in this study were among the first to follow this route to qualify as a solicitor they did find it challenging at times. They had to overcome the pre-judgements levelled against them and prove themselves. It was a learning trajectory and as many of the apprentices in this study have now qualified they are a testament to their identity as a professional practitioner.

The inception and formation of these apprentice's identity is nurtured inside their community of practice. This induced a psychological processes of self-formation within the parameters of their work-based relationship (Giddens, 1991), a process referred to as internalisation which shapes and forms the standards and principles of the legal practitioner (ibid). This is the stimulus which has induced their professional identity. The excerpts used in chapter 7 demonstrated the challenges faced by the apprentices. The solicitor apprentices explained how they were confronted with the ethical principles of legal practice whilst undertaking legal tasks. They are situated in a position where they are responsible to their clients, the courts, third parties and to the public. Their experiences have given them an appreciation of who they are and how they identify in their role as a practitioner.

The solicitor apprentices were growing into their role, their identity, as a practitioner. This period of socialisation was influencing how they spoke, dressed and conducted themselves. They provided examples of how they accommodated their role when attending court and how to address different personnel. This direct exposure shaped them and was integral to how they identified as a practitioner. They had faced a number of challenges as many of the court staff and qualified lawyers were not aware of the solicitor apprenticeship as an entry point into the profession. They

did not understand the status of the apprentice as it was new to them. This did improve inside their own legal practice as they matured in their role and made relationships with their peers. Their identity and acceptance as a practitioner had not been easy for them. They had changed over a period of time and examples were provided during the interviews.

The data revealed a strong sense of internal reflection taking place when the apprentices interpreted their position and status. A turning point for many of the solicitor apprentices was the completion of their degree in law. This confirmed their position inside their community and instilled a feeling of belonging. This did not remove the challenges of prejudgement based on their status as an apprentice. There was a stereotypical perception of vocational education being seen as inferior to the graduate entry route. This was reflected in the interview with Bianca who struggled with her identity when she first started her apprenticeship. She felt as if she did not belong in her community of practice. She found it hard to have a voice and believed there was a lot of negativity about the role of the apprentice inside her community. She had matured in her role and gained the respect and trust of her community. She now saw herself as a practitioner and on track to qualify as a solicitor. Denise had faced similar experiences and the main issue for her was trust. She believed that

apprentices were treated differently to the trainee solicitors. There was an aspect of trust and the type of work being allocated to apprentices. Denise explained how she had to build a relationship of trust with the senior solicitor who did not see the apprentices as able as the trainee (graduate) solicitors. As Denise matured in her role she noticed that different members of staff treated her differently and would start giving her more complex tasks.

8.6 Confidence and competence

In the final stages of the interview(s) the solicitor apprentices were asked what advice they would give to a solicitor apprentice on their first day at work. Their responses showed how they now saw their role and how they had evolved inside their legal practice. The data captured their advice and how they were starting to re-define themselves. They were from a diverse background and shared similar experiences which had acted upon them and influenced who they are as a practitioner. When they offered advice they would say things such as don't be afraid to ask questions and make yourself visible; avoid sitting there just thinking how you do something and ask for support. The advice they were offering for a first-day apprentice revealed the insecurities and challenges they had faced in their early years. Entering a legal practice was an overwhelming

experience for them. They did not know how they would fit in and what was expected of them. They did not know how to think like a lawyer in their early days. This is something that they learnt by observing, listening and participating in tasks at a low-level and working towards more complex matters such as drafting documents. Slowly this feeling of imposter syndrome which Jagadish, Kayla and Simon had referred to in their interviews was now in the past. They had acquired the values inherent in the role of a lawyer. They talked about how they put the law in to practise and the ethical requirements that were running through their everyday tasks, such as undertaking a due diligence check on a new client. The legal standards required of them were demonstrated in how they undertook their duties and this was discussed on several occasions. These were characteristics of professionalism and their own professional identity. They were emotionally sensitive to their clients care and were able to support them through difficult stages of their lives. They provided a professional service and explained how they were compliant with the codes of conducts that regulated their behaviour as a legal practitioner.

8.7 Limitations and strengths

The initiation of this study was undertaken during the early stages of the policy making process and introduction of the new legal education

framework to qualify as a solicitor (SRA 2013 and 2015a). The SRA consultations took place over a period of seven years accumulating in the introduction of a new form of assessments to qualify in 2021. During this period of time there was uncertainty on how this new form of assessment would function. Also, the funding mechanism in the form of an apprenticeship levy was not introduced until 2017. This delay hindered the recruitment of solicitor apprentices as there was no direct funding for the tuition fees for these apprentices. Questions are being raised over this funding mechanism and how it is used in the near future. The age cap was not foreseen by the SRA as it had not been part of the then government's manifesto commitment. The new Labour government has introduced new policies. They introduced Skills England, a new body within the Department for Education. This new body has taken over the functions of the Institute for Apprenticeships and Technical Education (IfATE). This was possible by introducing the Institute for Apprenticeships and Technical Education (Transfer of Functions etc) Act 2025. This legislation included the provision to abolish the IfATE which has now taken place. These government policies and legislative provisions were not forecasted and raise concerns over the funding for solicitor apprentices in the near future. The limitation of funding would derail social mobility as this was a key finding in the data. These are unforeseen consequences which have not been explored with the solicitor apprentices. The

interviews with these apprentices took place between the 12th October 2020 and 11th May 2022. Similarly, the interviews with the stakeholders took place between the 21st July 2021 and 8th February 2022. Had these changes been made known earlier there would have been an opportunity to re-interview some of the apprentices and stakeholders.

The strengths of this research is the data produced in this study. It has provided an inside view on a new entry point into the legal profession. The unique accounts provided by the solicitor apprentices have revealed a view from the inside. The data has added a narrative and advanced a body of knowledge on inequality, opportunity and identity inside this apprenticeship model. This data has addressed the three research questions in this study and provided an opportunity to put forward a number of recommendations based on the findings revealed in the data.

8.8 Recommendations

This study has produced a unique body of knowledge which has shown how the inequalities faced by law students have not been completely addressed by the SRA. Their reforms have opened a new entry point but this is no silver bullet given the nature of social inequality. The following recommendations have been extracted from the concluding points

discussed in this chapter. They identify areas of concern and should be considered in order to make the necessary adjustments to the current legal education framework that now houses the solicitor apprenticeship pathway.

1. The SRA should amend their monitoring system for legal practices. They should include a section which deals with the recruitment of solicitor apprentices. This should capture specific points on their background, such as the type of school they attended and the entry qualifications required. This will reveal how legal practices are recruiting and selecting solicitor apprentices.
2. The LSB, Law Society and SRA must consult with the Senedd Cymru (Welsh Parliament) and discuss the implementation of the trailblazer solicitor apprenticeship. This would allow for the solicitor apprenticeship levy and funding of higher education fees to apply in Wales. This would require the removal of the framework apprenticeship system and replacement with occupational standards produced by trailblazers (employers and/or specialist body).

3. The data in this study has revealed the challenges faced by solicitor apprentices as a direct result of time-management. The one-day-a-week off-the-job training needs to be reconsidered. The apprentices are placed in a position where they are using their weekends to catch-up and this is having an impact on their well-being. There needs to be more structure and time allocated to their academic studies and how their workload is managed. The SRA need to introduce a monitoring system which can be attached to the SQE feedback questionnaire. This would incorporate a section to find out how solicitor apprentices are being managed in the workplace and how study time is allocated. There must be an opportunity for these solicitor apprentices to have paid study leave to accommodate their preparation for their assessments. There is no formal requirement in place and this is currently operating on an ad hoc basis by some employers.
4. The SRA should consult and consider removing the SQE1 assessment for solicitor apprentices. The SRA acknowledge the six-year's work experience as equivalent to a degree. This allows this route to be the only non-law graduate route under the new legal education framework. The solicitor apprentices are reading for their degree in law, at the same time as working full-time, as this prepares

them for the SQE 1 assessment. Accreditation of prior experience and certification should exempt solicitor apprentices from the SQE1 assessment. Passing the SQE2 assessment will confirm their level of competence and that they have met the required threshold standards to qualify as a solicitor. This recommendation reflects the fact that these solicitor apprentices are undertaking six-years QWE as opposed to only two-years which is the current requirement set by the SRA.

5. The funding of apprenticeship placements for small law firms would increase the uptake of solicitor apprenticeships. These placements may be funded by the levy funds that have been returned to the Treasury. This recommendation should be considered and developed as part of a wider consultation.

8.9 Future research

The SRA regulate legal education and the qualifying pathway to qualify as a solicitor in England and Wales. The apprenticeship pathway is only being taken up in England and not in Wales. This is as a direct result of the funding mechanism attached to this pathway to qualify. The Law Society in Wales is advocating for the Welsh government to introduce funding for level 7 solicitor apprenticeships. This would introduced social

mobility to a sector of society (in Wales) who are not gaining entry to the legal profession.

The data demonstrated a strong feeling among the solicitor apprentices that they were not good enough to compete and qualify if they had taken up a place at university. A new study would advance this area on the feelings expressed by state-school educated apprentice solicitors who did not take the university route. Do they have a feeling of imposter syndrome because they were apprentices, rather than because they were state-educated? This is something this research was not able to explore.

8.10 Closing remarks

The solicitor apprenticeship pathway appears to be opening up access to the legal profession but the “... invisible, yet durable barriers” referred to in Friedman and Laurison’s (, 2019, p.17) research is emerging in the narratives of the interviews with the apprentices. The apprenticeship pathway may be the key to unlocking the barriers that denied entry into the profession. However, the data did reveal concerns around those who act as the gatekeeper inside the legal profession. They need to move forward with the apprenticeship route and ensure access remains open to those from socio-economic disadvantaged background.

8.10.1 Monitoring recruitment of apprentices

The next step would be for law firms to have more engagement with the apprenticeship pathway by undertaking training on recruitment which highlights the concerns reflected by the solicitor apprentices in this study. Law firms need to put in place a recruitment system that will ensure selection is based on merit and not on background. There needs to be an independent system that would monitor the recruitment process and the governing body of solicitors needs to be party to this process. This would produce data that would be transparent on how selection of trainee solicitors is taking place and how this operates when selecting solicitor apprentices. Law firms have to be part of this conversation and this should be initiated by the SRA. There should be a system put in place that is not a tick-box exercise but reflects diversity in the workplace and demonstrates how law firms are actively engaging in widening access to the legal profession. The SRA are in a position where they can encourage this process as they already require law firms to report on their firm's diversity (SRA, 2025c). The regulatory requirement places an obligation on law firms, regardless of their size, to collect, report and publish data about the diversity make-up of their workforce every two years. The SRA are in a position to make some amendments to this process and ask about their recruitment process for solicitor apprentices. This should include

how and why they selected the apprentice and provide information on the apprentice's background, such as the type of school they attended. This will generate public records and demonstrate transparency on how recruitment is taking place. This will place law firms in a position where they can demonstrate how they are addressing inequality when recruiting trainee solicitors and apprentices.

8.10.2 Structuring work-based learning

Law schools need to build stronger relationships with law firms. There needs to be a wider discussion on how work-based learning is structured and the development of legal education within law schools. There is a tendency for law schools to simulate work-based exercises inside the classroom and provide exposure to real-life experience through legal clinics. This does provide students with some transferable skills but this does not remove the barriers that law graduates have faced in the past. Getting in and being able to qualify as a solicitor is not available to everyone. The data in this study supports this argument and law schools need to create stronger links with law firms.

8.10.3 External regulation of work-placements

There is a limited understanding of the new solicitor apprenticeship pathway and the demands placed upon these apprentices. With no external regulation of these work-placements the employers have been allowed to accommodate their own framework and this is based on the demands of their business. Some form of monitoring system and guidance on how the workplace learning is structured should be provided by the SRA. This would support the employers by giving them direction on how best to accommodate the apprentice's workplace training.

8.11 Final thoughts

The longevity of this study allowed it to develop alongside the changes being made and implemented by the SRA. The narratives of the solicitor apprentices and the stakeholders have provided an in-depth account of their experiences. This has provided this study with the opportunity to identify the recommendations outlined above. The final thoughts of this study are drawn from the Ormrod Report (1971, at p.33) which was drawn upon in chapter 2. The report reflected on the nature of legal education and training in the past. The quote below has a powerful attachment to this study and this is why it is used (again) at this juncture. It reflects how

the novice, the apprentice, is nurtured and formed inside the solicitor apprenticeship which is taking place in the twenty-first century:

... the legal profession ... have largely relied upon the apprenticeship method ...to supplement the training in professional skills ... the professions are emerging from the chrysalis of apprenticeship but have not yet discovered satisfactory ways of developing wings.

This new solicitor apprenticeship is still emerging and has not proven itself to be satisfactory in many areas. The recommendations outlined in this study would address the problems identified and support future solicitor apprentices.

Reference List

Adams, T.L. (2017) Self-regulating professions: past, present, future, *Journal of Professions and Organizations*, Vol.4, Issue 1, pp.70-87.

Al-Eraky, M. and Marei, H. (2016) A fresh look at Miller's pyramid: assessment, the 'Is' and 'Do' levels, *Medical Education*, Vol.50, pp.1253-1257.

Alley, S., Jackson, S.F. and Shakya, Y.B. (2015) Reflexivity: A methodological tool in the knowledge translation process? *Health Promotion Practice*, Vol.16, No.3, pp.426-431.

Anand, A.I. (2018) Governance gone wrong: examining self-regulation of the legal profession, *Legal Ethics*, Vol.21, No.2, pp.99-118.

Anand, G., Larson, E.C., and Mahoney, J.T. (2020) Thomas Kuhn on Paradigms, *Production and Operation Management*, Vol.29, No.7, pp.1650-1657.

Andrews, J., Burns, E., James, C. and Rajčan, A. (2023) Bourdieu's habitus clivé in voicing, feeling, being Aboriginal, *Journal of Sociology*, Vol.59, Issue 2, pp.290-299.

Ashcraft, K. (2013) The Glass Slipper: "Incorporating" Occupational Identity in Management Studies, *Academy of Management Review*, Vol.38, Issue 1, pp.6-31.

Ashdown, J. (2015) Shaping Diversity and Inclusion Policy with Research, *Fordham Law Review*, Vol.83, Issue 5, pp.2249-2275.

Ashley, L. and Empson, L. (2012) Differentiation and discrimination: Understanding social class and social exclusion in leading law firms, *Human Relations*, Vol.66, Issue 2, pp.219-244.

Ashley, L., Duberley, J., Sommerlad, H. and Scholarios, D. (2015) *A Qualitative Evaluation of Non-Educational Barriers to the Elite Professions*, Commissioned by the Social Mobility and Child Poverty Commission, available at: https://dera.ioe.ac.uk/23163/1/A_qualitative_evaluation_of_non-educational_barriers_to_the_elite_professions.pdf [Accessed December 2020].

Ayton, D., Tsidos, T. and Berkovic, D. (2023) *Qualitative Research – A practical guide for health and social care researchers and practitioners*, Melbourne, Australia: Monash University.

Bachan, R. (2014) Student's expectations of debt in UK higher education, *Studies in Higher Education*, Vol.39, No.5, pp.848-873.

Bailey, J. (2008) First steps in qualitative data analysis: transcribing, *Family Practice*, Vol.25, Issue 2, pp.127-131.

Bandura, A., Ross, D. and Ross, S.A. (1961) Transmission of aggressions through imitation of aggressive models, *Journal of Abnormal and Social Psychology*, Vol.63, pp.575-82.

Bawden, T. (2011) Degree or apprenticeship: which works best in the job market? *The Guardian*, 15th May. Available at: www.guardian.co.uk/money/2011/may/15/graduate-jobs-university-work-experience-apprenticeships [Accessed 9th June 2025].

Beard, C. and Wilson, P. (2006) *Experiential Learning: A Best Practice Handbook for Educators and Trainers*, (2nd Ed), London and Philadelphia, Kogan Press.

Bedard, K. (2001). Human Capital versus Signaling Models: University Access and High School Dropouts, *Journal of Political Economy*, Vol.109, pp.749-775.

Becker, H.S. (1982) Culture: A Sociological View, *Yale Review*, Vol.71, pp.513-27.

Beckett, D. and Hager, p. (2002) *Life, Work and Learning: Practice in Postmodernity*, London: Routledge.

Berger, P.L., & Luckman, T. (1967) *The social construction of reality: A treatise in the sociology of knowledge*, New York, Anchor Press.

Bernstein, B (2000) *Pedagogy, Symbolic Control and Identity*, Rowman Littlefield, Lanham, MD.E

Billett, S. (1994) Situating Learning in the Workplace – Having Another Look at Apprenticeships, *Industrial and Commercial Training*, Vol.26, Issue 11, pp.9-16.

Billett, S. (1995) Workplace learning: its potential and limitations, *Education and Training*, Vol.37, Issue 5, pp.20-27.

Billett, S. (1996) Situated learning in the workplace – having another look at apprenticeship, *Commercial Training*, Vol.26, Issue 11, pp.9-16.

Billett, S. (2001) *Learning in the Workplace: Strategies for effective practice*, Australia: Allen & Unwin.

Billett, S. (2002) Critiquing workplace learning discourses: participation and continuity at work, *Studies in the Education of Adults*, Vol.34, No.1, pp.56-67, Spring 2002.

Billett, S., Barker, M., & Hernon-Tinning, B. (2004) Participation practices at work, *Pedagogy, Culture and Society*, Vol.12, Issue 2, Pp.233-258, available at

<https://www.tandfonline.com/doi/pdf/10.1080/14681360400200198>
[Accessed 28th May 2018].

Billett, S., (2009) Personal epistemologies, work and learning, *Educational Research Review*, Vol.4, No.3, pp.210-219, available at 57459_1.pdf;jsessionid=5EF1AE2089868C9ADD1B405F714AA720 (griffith.edu.au) [Accessed 24th August 2021].

Billett, S. (2011) *Curriculum and pedagogical bases for effectively integrating practice-based experiences*, Sidney: Australian Learning and Teaching Council.

Billett, S. (2012). *Towards an account of learning through practice: Traditions, practices and potentials*. University of Paderborn, Department of Business and Human Resources and The Centre for Vocational Education and Training, [Online Video]. Available from: <https://www.youtube.com/watch?v=dh7Fl1oJpuo> [Accessed: 23 August 2017].

Billett, S. (2014) Mimesis: Learning Through Everyday Activities and Interactions at Work, *Human Resources Review*, Vol.13, Issue 4, pp.462-482.

Billett, s. (2015) Work, discretion and learning: processes of life learning and development at work, *International Journal of Training Research*, Vol.13, No.3, pp.214-230.

Billett, S. (2016) Apprenticeship as a mode of learning and model of education, *Education + Training*, Vol.58, Issue.6, pp.613-628.

Bines, H. and Watson, D. (1992) *Developing Professional Education*, Buckingham: Open University Press.

Blaikie, N. (2010) *Designing Social Research*, 2nd Ed, Cambridge: Polity Press.

Blake, S. (2009) *A practical approach to effective litigation*, 7th Ed, Oxford, Oxford University Press.

Bliss, J. (2017) Divided Selves: Professional Role Distancing Among Law Students and New Lawyers in a Period of Market Crisis, *Law and Social Inquiry*, Vol.42, Issue 3, pp.855-897.

Bloom, T.J. and Dunn, B.J. (2022) Understanding Professionalism's Interplay Between the Profession's Identity and One's Professional Identity.

Boliver, V. (2013) How Fair is Access to More Prestigious UK Universities, *British Journal of Sociology*, Vol.64, Issue 2, pp.344-364. Available at: <https://doi.org/10.1111/1468-4446.12021> [Accessed 28th October 2024].

Boliver, V (2017) Misplaced Optimism: How Higher Education Reproduces Rather Than Reduces Inequality, *British Journal of Sociology of Education*, Vol.38, No.3, pp.423-432.

Boon, A. and Webb, J. (2008) Legal Education and Training in England and Wales: Back to the Future? *Journal of Legal Education*, Vol.58, No.1, pp.79-121.

Bourdieu, P. and Passeron, J.C. (1977) *Reproduction in Education, Society and Culture*, London, Sage.

Bourdieu, P. (2000) *Pascalian Meditations*, Cambridge, Polity Press.

Bourdieu, P. (2004) *Esquisse pour une Auto-Analyse*, Paris, Editions Raisons D'Agir.

Bourdieu, P. (2007) *Sketch for a Self-analysis*, Cambridge, Polity Press.

Bourdieu, P. (1986) *The forms of capital*, in J Richardson (ed) *Handbook of Theory and Research for Sociology of Education*, New York, Greenwood Press.

Bouton, M.E. (2014) Why behaviour change is difficult to sustain, *Preventative Medicine*, Vol.68.pp.29-36.

Bridge Group (2017) *Introduction of the Solicitors Qualifying Examination: Monitoring and Maximising Diversity*, Available at: <https://static1.squarespace.com/static/5c18e090b40b9d6b43b093d8/t/5cd1814424a694c851539d54/1557234002824/06+Research+2017+Solicitors.pdf> [Accessed 20 March 2018].

Bridge Group (2020a) *SQE: Monitoring and Maximising Diversity*, Available at <https://www.sra.org.uk/globalassets/documents/sra/news/sqe-monitoring-and-maximising-diversity.pdf?version=4a00fc> [Accessed 21 May 2021].

Bridge Group (2020b) *Research, Action, Equality: Socio-economic background and progression to Partner in the law*, 25th September 2022 webinar, Available at: Bridge Group launches report on socio-economic diversity and progression to partner in the law — Bridge Group (thebridgegroup.org.uk) [Accessed 13th October 2022].

Bridge Group (2020c) *Admissions to Selective UK Law Schools Report*, undertaken in collaboration with York Law School of the University of York and supported by Clifford Chance, July 2022. Available at: <https://sphere-goose-wlgr.squarespace.com/news/admissions-to-law> [Accessed 22 May 2024].

Brinkmann, S. and Kvale, S. (2015) *Interviews: Learning the Craft of Qualitative Research Interviewing*, 3rd Ed, Thousand Oaks, CA, Sage.

Brockman, J. (2004) An Update on Self-Regulation in the Legal Profession (1989-2000): Funnel In and Funnel Out, *Canadian Journal of Law and Society*, Vol.19, No.1, pp.55-84.

Brockmann, M. (2009) *The Learner Biographies of Retail Motor Vehicle Maintenance Apprentices in Germany and England*, PhD Thesis, University of Westminster, London, 2nd November 2009.

Brockmann, M., Clarke, L. and Winch, C. (2010) The Apprenticeship Framework in England: a new beginning or a continuing sham? *Journal of Education and Work*, Vol.23, No.2, pp.111-127.

Brockmann, M., Clarke, L. and Winch, C. (2011) *Knowledge, Skills and Competence in the European Labour Market: What's in a Vocational Qualification?* Oxford: Routledge.

Brockmann, M. and Laurie, I. (2016) Apprenticeship in England – the continued role of the academic-vocational divide in shaping learning identities. *Journal of Vocational Education and Training*, Vol.68, No.2, pp.229-244.

Brooks, S. (2012) Meeting the professional identity challenge in legal education through a relationship centred experiential curriculum, *Baltimore Law Review*, Vol.41, pp.395-440.

Bruner, J. (1960) *The Process of Education*, Cambridge, MA: Harvard University Press.

Boud, D., Cohen, R. and Walker, D. (1997) *Using Experience for Learning*, Buckingham, Society for Research into Higher Education and Open University Press.

Boud, D. and Solomon, N. (2001) *Work-based Learning: A new Higher Education?* Buckingham: Open University Press.

Braun, V. and Clarke, V. (2006) Using thematic analysis in psychology, *Qualitative Research in Psychology*, Vol.3,

Braun, V. and Clarke, V. (2013) Teaching thematic analysis: over-coming challenges and developing strategies for effective learning, *The Psychologist*, Vol.26, Issue.2, Pp.120-123.

Braun, V. and Clarke, V. (2016) (Mis)conceptualising themes, thematic analysis, and other problems with Fugard and Potts (2015) sample-size tool for thematic analysis, *International Journal of Social Research Methodology*, Vol.19, Issue.6, Pp.739-743

Braun, V., Clarke, V. and Hayfield, N. (2022a) 'A starting point for your journey, not a map': Nikki Hayfield in conversation with Virginia Braun and Victoria Clarke about thematic analysis, *Qualitative Research in Psychology*, Vol.19, No.3, pp.424-445.

Braun, V., Clarke, V. (2022b) *Thematic Analysis: A Practical Guide*, London: SAGE Publications Ltd.

Bravenboer, D. (2016) Why co-design and delivery is “a no brainer” for higher and degree apprenticeship policy, *Higher Education, Skills and Work-Based Learning*, Vol.6, No.4, pp.384-400.

Brewer, D. J. Gates, S. M. and Goldman, C.A. (2002). *In Pursuit of Prestige: Strategy and Competition in US Higher Education*, New Brunswick: Transaction Press

Bryman, A. and Bell, E. (2011) *Business Research Methods*, 3rd Edition, Oxford: Oxford University Press.

Bryman, A. (2012) *Social Research Methods*, 4th Ed, Oxford: Oxford University Press.

Bukamal, H. (2022) Deconstructing insider-outsider researcher positionality, *British Journal of Special Education*, Vol.49, No.3, pp.327-349.

Burgess, H., Sieminski, S. and Arthur, L. (2007) *Achieving your Doctorate in Education*, London: SAGE Publications Ltd.

Burke, J.W. (1989) *Competency Based Education and Training*, London: The Falmer Press.

Burnard, P., Gill, P., Stewart, K., Treasure, E. and Chadwick, B. (2008) Analysing and presenting qualitative data, *British Dental Journal*, Vol.204, No.8, pp.429-432.

Byrne, B (2004) *Qualitative Interviewing*, in C. Seale (ed), *Researching Society and Culture*, 2nd Ed, London, Sage, pp.179-92. Cited in Jordan, A., Carlile, O. and Stack, A. (2008) *Approaches to Learning: A Guide for Teachers*, Berkshire, Open University Press.

Caddy, p., Jackson, D. and Randle, T. (2023) *Legal Practice in the Digital Age*, Surrey, Globe Law and Business Ltd.

Calleja, C. (2014) Jack Mezirow's conceptualisation of adult transformative learning: A review, *Journal of Adult and Continuing Education*, Vol.20, No.1, pp.117-136.

Callender, C. (2003) *Attitudes to Debt: School Leavers' and Further Education Students' Attitudes to Debt and their Impact on Participation in Higher Education*, London, Universities UK.

Callender, C. and Jackson, J. (2005) Does the fear of debt deter students from higher education, *Journal of Social Policy*, Vol.34, Issue 4, pp.509-40.

Callender, C. and Jackson, J. (2008) Does the fear of debt constrain choice of university and subject of study? *Studies in Higher Education*, Vol.33, Issue 4, pp.405-29.

Camden, B. (2025) Phillipson to exempt young people from level 7 apprenticeship funding axe, *Further Education, Skills and Apprenticeship News*, 2nd May 2025. Available at: <https://feweek.co.uk/phillipson-to-exempt-young-people-from-level-7-apprenticeships-funding->

axe/#:~:text=But%20who%20the%20hell%20will,Absolutely%20illiterate%20policy%20making...&text=Any%20Level%207%20course%20for,needed%20within%20the%20NHS%20itself. [Accessed 5th May 2025].

Case, S., Coombes, L., Fry, E., Swanson, D. and Wakeford, R. (2020) *The Solicitors Qualifying Examination Pilot of the Assessment of Functioning Legal Knowledge: a psychometric and statistical analysis*. Available at: https://kaplan.co.uk/docs/default-source/pdfs/about/sqe1-pilot-full-report.pdf?sfvrsn=87364401_2 [Accessed 6th July 2021].

Casey, C. (2024) Managing uncertainty and risk in access to the solicitors' profession in England: Classed pathways? *Sociology*, Vol.58, Issue 3, pp.623-640.

Cavaglia, C., McNally, S. and Ventura, G. (2022) *The Recent Evolution of Apprenticeships: Apprenticeship pathways and participation since 2015*, Centre for Vocational Education and Research, The Sutton Trust, 8th December 2022, London. Available at: <https://www.suttontrust.com/wp-content/uploads/2022/12/The-recent-evolution-of-apprenticeships.pdf> [Accessed 18th March 2023].

Cedrone, M.J. (2013) The Developmental Path of the Lawyer, *Capital University Law Review*, Vol.41, pp.779-835.

Chevalier, A. and Conlon, G. (2003) *Does it Pay to Attend a Prestigious University?* Centre for the Economics of Education (CEE) Discussion Paper P0033.

Clarke, V. and Braun, V. (2017) Thematic Analysis, *The Journal of Positive Psychology*, Vol.12, No.3, pp.297-298.

Clark, C. (2003) *The future of higher education*, Department for Education and Skills (Cmnd.5735, January 2003). Available at: <https://education-uk.org/documents/pdfs/2003-white-paper-higher-ed.pdf> [Accessed July 2021].

Chambers Student (2018) *Legal Apprenticeship*, May 2018. Available at: <https://www.chambersstudent.co.uk/where-to-start/newsletter/legal-apprenticeships> [Accessed July 2018]

Chaiklin, S. and Lave, J. (1993) *Understanding practice: Perspectives on activity and context*, Cambridge & New York: Cambridge University Press.

Charmaz, K. (1995) Between Positivism and Postmodernism: Implications for Methods, *Studies in Symbolic Interaction*, Vol.17, pp.43-72, in Silverman, D. (2006a) *Qualitative Research: Theory, Method and Practice*, 2nd Ed, London, SAGE Publications at page 127.

Cohen, L., Manion, L. & Morrison, K. (2004) *Research Methods in Education*, 5th ed, London, Routledge Falmer.

Cohen, L., Manion, L. & Morrison, K. (2007) *Research Methods in Education*, 6th ed, London, Routledge Falmer.

Coy, M.W. (1989) *Apprenticeship from Theory to Method and Back Again*, Albany NY, SUNY Press, cited in Marhand, T.H.J. (2008) Muscles, Morals and Mind: Craft Apprenticeship and the Formation of Person, *British Journal of Education Studies*, Vol.56, No.3, pp.245-271.

Crawford-Lee, M. (2024a) *Lunchtime Reading: Does the Apprenticeship Levy need reforming?* The Higher Education Policy Institute, 29th May 2024. Available at: <https://www.hepi.ac.uk/2024/05/29/lunchtime-reading-does-the-apprenticeship-levy-need-reforming/> [Accessed 6th September 2024].

Crawford-Lee, M. (2024b) *The future of higher and degree apprenticeships under Labour*, 12th September 2024, Wonkhe. Available at: <https://wonkhe.com/blogs/the-future-of-higher-and-degree-apprenticeships-under-labour/> [Accessed 15th September 2024].

Davies, M. (2003) *The Regulatory Crisis in the Solicitors' Profession*, *Legal Ethics*, Vol.2, No.2, pp.185-216.

Denzin, N. (2001) *Interpretive Interactionism*, 2nd Ed, California: Sage Publication.

Department for Business, Innovation and Skills (2015) *English Apprenticeships: Our 2020 Vision*, HM Government. Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/482754/BIS-15-604-english-apprenticeships-our-2020-vision.pdf [Accessed 26th July 2021].

Department for Education (2019) *Apprenticeship Off-The-Job Training, Policy Background and Examples*, Version 3, September 2019. Available at: [OTJ_Guide_v3_-_12092019_Final.docx](#) (live.com) [Accessed 17th September 2021].

Department for Education (2024) *Skills England: Driving growth and widening opportunities*, September 2024. Available at: https://assets.publishing.service.gov.uk/media/66ffd4fce84ae1fd8592ee37/Skills_England_Report.pdf [Accessed 10th January 2025].

Department for Education (2025) *Starts, Achievements at Level 7, Solicitor Apprentices*, 2023/24. Available at: 'Subjects - Starts, Achievements, Enrolments by Age, Sex, Ethnicity, LLDD, SSA, Detailed level, Standard-framework name and code' from 'Apprenticeships', Permanent data table - Explore education statistics - GOV.UK (explore-education-statistics.service.gov.uk) [Accessed 27th May 2025].

Department for Education (2025) *Starts, Achievements at Level 7, Solicitor Apprentices*, 2024/25. Available at: 'Subjects - Starts, Achievements, Enrolments by Age, Sex, Ethnicity, LLDD, SSA, Detailed level, Standard-framework name and code' from 'Apprenticeships', Permanent data table - Explore education statistics - GOV.UK (explore-education-statistics.service.gov.uk) [Accessed 27th May 2025].

Department for Education (2025) *Next generation of builders and carers set to rebuild Britain*, Press Release 27th May 2025. Available at: <https://www.gov.uk/government/news/next-generation-of-builders-and-carers-set-to-rebuild-britain> [Accessed 28th May 2025].

Dewey, J. (1916) *Democracy and Education: An Introduction to the philosophy of Education*, New York: Macmillan.

Dewey, J. (1963) *Experience and Education*, New York: Collier Books.

Dey, I (1993) *Qualitative Data Analysis: A User Friendly Guide for Social Scientists*, London: Routledge. Cited in Blaikie, N. (2010) *Designing Social Research*, 2nd Ed, Cambridge: Polity Press, at page 211.

Dismore, H. (2014) Experiencing the transition from an apprenticeship to higher education, *Journal of Education and Work*, Vol.27, Issue 6, pp.585-607, DOI 10.1080/13639080.2013.802831.

Doak, S. and Assimakopoulos (2007) How forensic scientists learn to investigate cases in practice, *R & D Management*, Vol.3, No.2

Dodds, S. & Hess, A. (2020) Adapting research methodology during COVID-19: Lessons for transformative service research, *Journal of Service Management*, Vol.32, Issue 2, pp.203-217.

Drydakis, N. (2016) *The Effect of University Attended on Graduates' Labour Market Prospects: A Field Study of Great Britain*, Anglia Ruskin University and the Institute for the Study of Labor in Bonn, Discussion Paper No.9826, March 2016. Available at: <https://docs.iza.org/dp9826.pdf> [Accessed 26th May 2024].

Dreyfus, H. and Dreyfus, S. (2004) The Ethical Implications of the Five-Stage Skill-Acquisition Model, *Bulletin of Science, Technology & Society*, Vol.24, No.3, pp.251-264.

Eraut, M. (1994) *Developing Professional Knowledge and Competence*, London: The Falmer Press.

Eraut, M., Alderton, J., Boyaln, A. & Wraight, A. (1995) *Learning to Use Scientific Knowledge in Education and Practice Settings*, English National Board for Nursing, Mid-wifery and Health Visiting, London.

Eraut, M. (1997) Perspectives on defining 'The Learning Society', *Journal of Education Policy*, Vol.12, No.6, 551-558.

Eraut, M., Alderton, J., Cole, G. & Senker, P. (1998) *Development of knowledge and skills in employment*, Research Report No.5, University of Sussex Institute of Education, Brighton.

Eraut, M. (1998) Concepts of competence, *Journal of Interprofessional Care*, Vol.12, No.2, pp.127-139.

Eraut, M. (2000) Non-formal learning and tacit knowledge in professional work, *British Journal of Educational Psychology Society*, Vol.70, pp.113-136.

Eraut, M. and du Boulay, B. (2000) *Developing the Attributes of Medical Professional Judgement and Competence: A Review of the Literature*, September 12 2000, University of Sussex. Available at: <https://www.sussex.ac.uk/informatics/cogslib/reports/csrp/csrp518.pdf> [Accessed 26th February 2023].

Eraut, M. (2001) The Role and Use of Vocational Qualifications, *National Institute Economic Review*, No.178, pp.88-98.

Eraut, M. (2004) Informal learning in the workplace, *Studies in Continuing Education*, Vol.26, No.2, 247-273.

Eraut, M. (2007) Learning from other people in the workplace, *Oxford Review of Education*, Vol.33, No.4, pp.403-422.

Evans, D.A. and Patel, V.I. (1989) *Cognitive science in medicine – biomedical modelling*, M.I.T. Press, Cambridge, Massachusetts.

Felstead, A., Fuller, A., Jewson, N. and Unwin, L. (2011) *Praxis, Working to learn, learning to work*. Available at: Praxis 7 - Working to Learn AW.pdf (ioe.ac.uk) [Accessed 18 January 2018].

Field, S. (2018) *Taking Training Seriously: Lessons from an International Comparison of Off-The-Job Training for Apprenticeships in England*, The Gatsby Charitable Foundation: London. Available at: <http://www.gatsby.org.uk/uploads/education/final-apprenticeships-and-off-the-job-training-may-2018.pdf> [Accessed on the 22 July 2021].

Flanagan, C. and Joyce, Y. (2024) The recognition and negotiation of class-based barriers to progression in accounting professional service firms, *Accounting, Organizations and Society*, Vol.112, pp.1-16.

Fletcher, R. (2007) The Managerial Tutor: A producer of knowledge in a global arena, *Journal of Higher Education Policy and Management*, Vol.29, No.3, pp.303-313.

Fletcher, R. (2016a) Legal Education and proposed regulation of the legal profession in England and Wales: a transformation or a tragedy? *The International Journal of Legal Education, The Law Teacher*, Vol.50, No.3, pp.371-385.

Fletcher, R. (2016b) *The trailblazer apprenticeship – is this the magic bullet that will cure the skills deficit?* International Legal Ethics Conference VII, 14-16th July 2016, Fordham University, New York. Available at:

Roland Fletcher (0000-0001-8428-7106) - ORCID [Accessed 28th July, 2018].

Fletcher, R. (2018) *The hidden Dimensions within the trailblazer solicitor apprenticeship*, International Legal Ethics Conference 8, 6-8th December 2018, Melbourne Law School, Melbourne, Australia. Available at: Roland Fletcher (0000-0001-8428-7106) - ORCID [Accessed 15th January 2017].

Fletcher, R. (2019) *The evolution of the apprenticeship model in the UK through work-integrated higher education and employer-led standards*, The Law Teachers' Annual Conference: Legal Education for many, De Montford University, 8-9th April 2019. Available at: Roland Fletcher (0000-0001-8428-7106) - ORCID [Accessed 20th April 2019].

Fletcher, R. (2019b) *Experiential learning and experience of learning through vocational education: the trailblazer apprenticeship*, The 110th Annual Conference of the Society of Legal Scholars, 3-6th September 2019, University of Central Lancashire, Preston. Available at: Roland Fletcher (0000-0001-8428-7106) - ORCID [Accessed 15th Sep 2019].

Fletcher, R. (2020) Working on Modules in Production: Employability and Careers, *Producing modules and Creating Employability through Higher Education at the Open University, School of Law*, 25th November 2020, doi: 73817, Pp.1-19. Available at: Roland Fletcher (0000-0001-8428-7106) - ORCID [Accessed 21st June 2021].

Fletcher, R. (2022) *The International Legal Ethics Conference: Lawyers in a world crisis*, 13-15th August 2022, University of California, Los Angeles School of Law,. Available at: Roland Fletcher (0000-0001-8428-7106) - ORCID [Accessed 30th August 2022]

Flood, J. (2011) The re-landscaping of the legal profession: Large law firms and professional re-regulation, *Current Sociology*, Vol.54, Issue 4, pp.507-529.

Folkes, L. (2023) Moving beyond 'shopping list' positionality: Using kitchen table reflexivity and in/visible tools to develop reflexive qualitative research, *Qualitative Research*, Vol.23, Issue 5, pp.1301-1318.

Fouzder, M. (2025) DfE scales back funding cut for solicitor-apprentices, *The Law Society Gazette*, pp.1-2. Available at: <https://www.lawgazette.co.uk/news/dfe-scales-back-funding-cut-for-solicitor-apprentices/5123407.article> [Accessed 1st June 2025].

Frank, Jerome. (1933) Why not a clinical lawyer-school? *University of Pennsylvania Law Review*, Vol.81, No.8, pp.907-923. Available at: https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=8615&context=penn_law_review [Accessed 4 February 2022]

Friedman, S. (2016) Habitus clivé and the emotional imprint of social mobility, *The Sociological Review*, Vol.64, pp.129-147.

Friedman, S. and Laurison, D. (2019) *The Class Ceiling – Why it Pays to be Privileged*, Bristol: Policy Press.

Fruehwald, E.S. (2020) Developing Law Students' Professional Identities, *University of La Verne Law Review*, Vol.37, No.1, pp.1-36.

Fuller, A. and Unwin, L. (1998) Reconceptualising apprenticeship: exploring the relationship between work and learning, *Journal of Vocational Learning and Training*, Vol.50, No. 2, pp.153-173.

Fuller, A. and Unwin, L. (2002) Developing pedagogies for the contemporary workplace, in Evans, K., Hodgkinson, p. and Unwin, L. (eds.) *Working to Learn: transforming learning in the workplace*, London: Kogan Page.

Fuller, A. and Unwin, L. (2003a) Learning as Apprentices in the Contemporary UK Workplace: creating and managing expansive and

restrictive participation, *Journal of Education and Work*, Vol.16, No.4, pp.407-426.

Fuller, A. and Unwin, L. (2003b) Fostering Workplace Learning: looking through the lens of apprenticeship, *European Educational Research Journal*, Vol.2, No.1, pp.41-55.

Fuller, A. and Unwin, L. (2009) Changes and continuity in apprenticeship: the resilience of a model of learning. *Journal of Education and Work*, Vol.22, No.5, pp.405-416.

Fuller, A. and Unwin, L. (2011) Apprenticeships as an evolving model of learning, *Journal of Vocational Education & Training*, Vol.63, No. 3, pp.261-266.

Fuller, A. and Unwin, L. (2013), *The Gatsby Charitable Foundation, Apprenticeship and the Concept of Occupation*. Available at:

<https://www.gatsby.org.uk/uploads/education/reports/pdf/apprenticesfullpvs.pdf> [Accessed 23 September 2021].

Furuta, K. (2024) The burden of student loan debt: differences in socioeconomic background and attitudes towards higher education, *British Journal of Sociology of Education*, Vol.45, No.1, pp.41-59.

Geiger, R. L. (2004). *Knowledge and Money, Research Universities and the Paradox of the Marketplace*, Stanford: Stanford University Press.

Gessler, M. (2017) Educational Transfer as Transformation: A Case Study about the Emergence and Implementation of Dual Apprenticeship Structures in a German Automotive Transplant in the United States. *Vocational and Learning*, Vol.10, Issue 1, pp.71-99.

Gibbs, G.R. (2018) *Analyzing Qualitative Data*, 2nd Ed, London: SAGE Publications Ltd.

Giddens, A. (1976) *New Rules of Sociological Method*, London, Hutchinson.

Giddens, A. (1979) *Central Problems in Social Theory: Action, Structure and Contradiction in Social Analysis*, London, Macmillan.

Giddens, A. (1991) *Modernity and self-identity: Self and society in the late modern age*, Stanford, California, Stanford University Press.

Green, F. and Kynaston, D. (2019) *Engines of Privilege: Britain's Private School Problem*, London, Bloomsbury Publishing.

Grix, J. (2002) Introducing Students to the Generic Terminology of Social Research, *Politics*, Vol.22, Issue 3, 175-186.

Guile, D. & Young, M. (1998) Apprenticeship as a conceptual basis for a social theory learning, *Journal of Vocational Education & Training*, Vol.50, No.2, pp.173-192.

Guile, D. (2009) Conceptualizing the transition from education to work as vocational practice: lessons from the UK's creative and cultural sector, *British Educational Research Journal*, Vol.35, No.5, pp.761-779.

Hampton, D., Melander, S., Tovar, E., Falls, C., Makowski, A., Grubbs, A.B., Chitwood, H. and Scott, L. (2024) Value of Miller's Pyramid for Clinical Skills Assessment in Evaluation of Competency for Nurse Practitioner Students, *The Journal for Nurse Practitioners*, Vol.20, pp.1-6.

Hager, P. (2004) The conceptualisation and measurement of learning at work, in Rainbird, H., Fuller, A. and Munro, A. (eds.) (2004) *Workplace Learning in Context*, London and New York: Routledge.

Hamilton, N. (2012) Fostering Professional Formation (Professionalism): Lessons from the Carnegie Foundation's Five Studies on Educating Professionals, *Creighton Law Review*, Vol.45, pp.763-798.

Hammersley, M. and Atkinson, P. (1995) *Ethnography – Principles in Practice*, 2nd Ed, London and New York: Routledge.

Hancock, M. (2013) *The Future of Apprenticeships in England: Implementation Plan*, Department for Business, Innovation and Skills. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/253073/bis-13-1175-future-of-apprenticeships-in-england-implementation-plan.pdf [Accessed 17th March 2018].

Handley, K., Clark, T., Fincham, R. and Sturdy, A. (2007) Researching Situated Learning: Participation, Identity and Practices in Client-Consultation Relationships, *Management Learning*, Vol.38, Issue 2, pp.173-191.

Hanlon, G. (2004) Institutional forms and organizational structures: Homology, trust and reputational capital in professional service firms. *Organization*, Vol.11, No.2, pp.187-210.

Hazelkorn, E. (2008). Learning to Live with League Tables and Ranking: The Experience of Institutional Leaders, *Higher Education Policy*, Vol.21, pp.193-215.

Higgs, J., Barnett, R., Billett, S., Hutchings, M. and Trede, (2012) *Practice-Based Education: Perspectives and Strategies*, Rotterdam: Sense Publishers.

Highfield, A. (2023) *Addressing the Talent Challenge within the Legal Sector*, PricecooperWaterhouse. Available at: Addressing the talent challenge within the legal sector - PwC UK [Accessed 18 July 2023].

Hilborne, N. (2014) *SRA Pushes Ahead with Deregulation of Training*, available at: <https://www.legalfutures.co.uk/latest-news/sra-pushes-ahead-deregulation-training> [Accessed 8th October 2025].

Hodkinson, P. (ed.) and Issitt, M. (ed.) (1995) *The Challenge of Competence: Professionalism through Vocational Education and Training*, New York, Cassell.

Hodkinson, P., Biesta, G. and James, D. (2008) Understanding Learning Culturally: Overcoming the Dualism Between Social and Individual Views of Learning, *Vocation and Learning*, Vol.1, Issue 1, pp.27-47.

Hordern, J. (2015) Higher apprenticeships in England: professional and vocational formation. *International Journal of Training Research*, Vol.13, No.3, pp.174-193.

Hughes, J., Jewson, N. and Unwin. L. (2007) *Communities of Practice: Critical Perspectives*, London, Routledge.

Hurst-Floyd, D. (2012) Practical Wisdom: Reimagining Legal Education, *University of St. Thomas Law Journal*, Vol.10, Issue 1, pp.195-226.

Hutchins, E. (1993) *Learning to Navigate*, cited in Chaiklin, S. and Lave, J. (1993) *Understanding practice: Perspectives on activity and context*, Cambridge & New York: Cambridge University Press.

Illeris, K. (2003) Workplace learning and learning theory, *Journal of Workplace Learning*, Vol.15, Issue 4, pp.167-178.

Institute for Apprenticeships and Technical Education (2017) *Institute for Apprenticeship Statement: Quality Apprenticeships*, London, Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/662192/Institute_for_Apprenticeships_Statement_-_Quality_Apprenticeships.pdf [Accessed 18th Oct 2018].

Inglehart, M. and Brown, D.R. (1990) Professional Identity and Academic Achievement – Consideration for the Admission Process, *Academic Medicine*, Vol.65, No.9, pp.59-60.

Ingram, N. and Allen, K. (2019) Talent-spotting or social magic? Inequality, cultural sorting and construction of ideal graduate in elite professions, *The Sociological Review*, Vol.67, Issue 3, pp.723-740.

Institute for Apprenticeship and Technical Education (2021) *Apprenticeship Standard Leading to Qualification as a Solicitor Assessment Plan*, May 2021. Available at: <https://www.instituteforapprenticeships.org/media/5124/solicitor-apprenticeship-assessment-plan-v4-280521.pdf> [Accessed 6th July 2021].

Iya, P.F. (1993) The proposed program for service of articles in the campus law clinic: reflections on implementational issues, *Journal of Professional Legal Education*, Vol.11,

Jackson, D. (2017) Developing pre-professional identity in undergraduates through work-integrated learning, *Higher Education Journal*, Vol.74, pp.833-853.

James, D (2015) *How to get clear about method, methodology, epistemology and ontology, once and for all*, ESRC first year student conference, City Hall, Cardiff, 29th January 2015 [Online Video]. Available from: https://www.youtube.com/watch?v=b83ZfBoQ_Kw [Accessed: 25 May 2023].

Johnstone, S.M. and Soares, L. (2014) Principles for Developing Competency-Based Education Programs, *Change: The Magazine of Higher Learning*, Vol.46, No.2, pp.12-19.

Jordan, A., Carlile, O. and Stack, A. (2008) *Approaches to Learning: A Guide for Teachers*, Berkshire, Open University Press.

Kjelland, J. (2008). Economic Returns to Higher Education: Signaling Versus Human Capital Theory; An Analysis of Competing Theories, *The Park Place Economist*, Vol.16, pp.69-77

Kvale, S. (2007) *Introduction to Interview Research*, London: SAGE Publication Ltd.

Kelly, G. (1955) *The psychology of personal constructs*, New York, Norton.

Kitching, J. (2007) Regulating Employment Relations Through Workplace Learning: A Study of Small Employers, *Human Resource Management Journal*, Vol.17, No.1, pp.42-57.

Kolb, D. (1984) *Experiential learning*, Englewood Cliffs, NJ: Prentice Hall.

Konstantiou, I., and Miller, E. (2021) Self-managed and work-based learning: problematizing the workplace-classroom skills gap, *Journal of Work-Applied Management*, Vol13, No.1, pp.6-18.

Krengel, R., Yau, M.Y. and Graf, A. (2024) *Mapping Systemic Barriers to Equality, Diversity and Inclusion in the Legal Professions*, The Social Change Agency, March 2024. Available at: <https://legalservicesboard.org.uk/wp-content/uploads/2024/08/Mapping-Systemic-Barriers-to-EDI-in-the-Legal-Professions-Final-1.pdf> [Accessed 10th January 2025].

Krook, J., (2017) A brief history of legal education: a battle between law as a science and law as a liberal art, *Legal History*, Vol.17, No.2, pp.30-61. Available at (PDF) A Brief History of Legal Education: A Battle Between Law as a Science and Law as a Liberal Art (researchgate.net) [Accessed 10th March 2021].

Kruse, K.R. (2013) Legal education and professional skills: myths and misconceptions about theory and practice, *McGeorge Law Review*, Vol.45, pp.1-43.

Kuhn, T.S. (1970) *The Structure of Scientific Revolution*, 2nd Ed, Chicago: Chicago University Press.

Lafton, T. and Furu, A. (2019) Constructing learning spaces – knowledge development in work-based learning, *Higher Education, Skills and Work-Based Learning*, Vol.9, No.4, pp.677-687.

Lareau, A. and Weininger, W. (2003) Cultural capital in educational research: A critical assessment, *They and Society*, Vol.32, pp.567-606.

Lave, J. and Wenger, E. (1991) *Situated Learning: Legitimate Peripheral Participation*, New York: Cambridge University Press.

La Pointe, K. (2010) Narrating career, positioning identity: career identity as a narrative practice, *Journal of Vocational Behaviour*, Vol.77, pp.1-9.

Lee, T., Fuller, A., Ashton, D., Butler, P., Felstead, A., Unwin, L. and Walters, S. (2004) *Workplace Learning: Main Themes & Perspective*, Learning as Work Research Paper, No.2, June 2004, Centre for Labour Market Studies, University of Leicester. Available at: https://eprints.hud.ac.uk/id/eprint/5586/1/Workplace_Learning_Final.pdf [Accessed 18 July 2020]

Lee, D. (2012) Apprenticeships in England: and overview of current issues, *Higher Education, Skills and Work-Based Learning*, Vol.2, Issue 3, pp.225-239.

Legal Education and Training Review (2013) *Setting Standards: the future of legal services, education and training regulation in England and Wales*, Available at: <https://letr.org.uk/the-report/index.html> [Accessed 15 May 2017].

Legal Services Board (2020) *Summary of Decision to Grant Approval for the Solicitors Qualifying Examination* [online] <https://www.legalservicesboard.org.uk/wp->

content/uploads/2020/10/20201027-Decision-Notice-SQE.pdf [Accessed June 2021].

Leitch, S. (2006) *Leitch Review of Skills: Prosperity for all in the global economy – world class skills*, HMSO: The Statutory Office. Available at: https://dera.ioe.ac.uk/6322/1/leitch_finalreport051206.pdf [Accessed 28th Sep 2019].

Lemanski, T. and Overton, T. (2016) The development of mapping tool for work-based learning activities, *Higher Education, Skills and Work-Based Learning*, Vol.6, Issue 3, pp.277-287.

Lester, S. (2014) Professional standards, competence and capability, *Higher Education, Skills and Work-based Learning*, Vol.4, No.1, pp.31-43.

Lester, S. (2016) The development of self-regulation in four UK professional communities, *Professions and Professionalism*, Vol.6, No.1, pp.1-14. Available at: <https://journals.oslomet.no/pp/article/view/1441/1487> [Accessed: 13 October 2025].

Lofland, L.H. (1989) On Fieldwork – Erving Goffman, *Journal of Contemporary Ethnography*, Vol.18, No.2, pp.123-132.

Lodge, R.C. and Frank, S. (1947) *Plato's Theory of Education*, Routledge. Cited in Billett, S. (2012). *Towards an account of learning through practice: Traditions, practices and potentials*. University of Paderborn, Department of Business and Human Resources and The Centre for Vocational Education and Training, [Online Video]. Available from: <https://www.youtube.com/watch?v=dh7Fl1oJpuo> [Accessed: 23 August 2017].

Longan, P.E., Floyd, D. and Floyd, T. (2020) *The Formation of Professional Identity: The Path from Student to Lawyer*, London and New York: Routledge.

Lord Chancellor's Advisory Committee on Legal Education and Conduct (1996) *First Report on Legal Education and Training*, London.

Loveland, I. (2021) *Constitutional Law, Administrative Law, and Human Rights: A Critical Introduction*, 9th Ed, Oxford: Oxford University Press.

Lune, E. (2015) Settling for Six: Should the American Bar Association Have Done More to Promote Experiential Learning in Law Schools? *The Journal of the Legal Profession*, Vol.32, Issue No.2, pp.305-322.

Mack, L. (2010) The philosophical underpinning of educational research, *Polyglossia*, Vol.19, pp.5-11.

Madison, B.V. (2017) Professional Identity and Professionalism, *The Professional Lawyer*, Vol.24, No.3, pp.16-20.

Malcolm, K. (2015) *Indicative economic impacts of a new qualification framework for solicitors*, A report for the SRA, October 2015 available at: Indicative economic impacts of a new qualification framework for solicitors (sra.org.uk) [Accessed January 2022].

Mallman, M. (2017) The perceived inherent vice of working-class university students, *The Sociological Review*, Vol.65, Issue 2, pp.235-250.

Marchand, T.H.J. (2008) Muscles, Morals and Mind: Craft Apprenticeship and the Formation of Person, *British Journal of Educational Studies*, Vol.56, No.3, pp.245-271.

Marshall, C. and Rossman, G.B. (2006) *Designing Qualitative Research*, 4th Ed, London, Sage Publications.

Mason, M. (2010) *Sample Size and Saturation of PhD Studies Using Qualitative Interviews*, Forum: Qualitative Social Research, Sozialforschung, Vol.11, No.3, Art.8, September 2010. Available at: View of Sample Size and Saturation in PhD Studies Using Qualitative Interviews (qualitative-research.net) [Accessed 15th July 2019].

McFadden, P. (2010) *Unleashing Aspiration: The Government Response to the Final Report of the Panel on Fair Access to the Professions*, commissioned by the Department for Innovation and Skills (Cm.7755, 2010) available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/238476/7755.pdf [Accessed January 2021].

McLaughlin, S. (2024) When I say ... positionality, *Medical Education*, Vol.58, Issue 10, pp.1149-1150.

McMahon, M. and Watson, M. (2013) Story telling: crafting identities, *British Journal of Guidance & Counselling*, Vol.41, No.3, pp.277-286.

McQueen, M. (2002) *Language and Power in Profit/Non-Profit Relationships: a grounded theory of inter-sectorial collaboration*. PhD Thesis, University of Technology, Sydney. Available at: www.merylmcqueen.com/wp-content/uploads/2014/11/mcqueen-phdthesis-2002.pdf [Accessed 20th March 2021].

Mezirow, J. (2000) Learning to think like an adult , in J. Mezirow and associates (eds) *Learning as Transformation*, San Francisco, California: Jossey Bass.

Miller, G.E. (1990) The Assessment of Clinical Skills/Competence/Performance, *Academy of Medicine*, Vol.65, No.9 S.63-67.

Miller, G.E. (1990) The Assessment of Clinical Skills/Competence/Performance, *Academy of Medicine*, Vol.65, S.63-67, cited in Cruess, R.L., Sylvia, R., Cruess, M.D., and Steinert, Y. (2016)

Amending Miller's Pyramid to include Professional Identity Formation, *Academic Medicine*, Vol.91, No.2, pp.180-185.

Miller, J. & Glassner, B. (2006) *The "inside" and the "outside": finding realities in interviews*, in Silverman, D. (2006) *Qualitative Research, Theory, Method and Practice*, London: SAGE.

Mills, C.W. (1956) *The power elite*, Oxford, Oxford University Press, cited in Friedman, S. and Laurison, D. (2019) *The Class Ceiling – Why it Pays to be Privileged*, Bristol: Policy Press at p.148.

Mohajan, H.K. (2017) Roles of communities of practice for the development of society, *Journal of Economic Development, Environment and People*, Vol.6, Issue 3, pp.1-23, available at: MPRA_paper_82954.pdf (uni-muenchen.de) [Accessed 15 Nov 2021].

Neilsen, S. (2023) Debt Perception: Student Loans, Financial Literacy, and a new Generation of Students, *About Compus*, Vol.28, Issue 5, pp.15-23.

Newton, B., Miller, L., Williams, J., Buzzeo, J. and Hinks, R. (2015) *Process Evaluation of the Apprenticeship Trailblazers: Final Report*, prepared by the Institute for Employment Studies for the Department for Business, Innovation and Skills (Research Paper 256), available at: <https://assets.publishing.service.gov.uk/media/5a803d28e5274a2e8ab4eff0/BIS-15-629-process-evaluation-of-apprenticeship-trailblazers.pdf> [Access June 2017].

Nicolini, D., Pyrko, I., Omidvar, O. and Spanellis, A. (2022) Understanding Communities of Practice: Taking Stock and Moving Forward, *Academy of Management Annals*, Vol.16, No.2, pp.680-718.

Norcini, J. (2003) ABC of learning and teaching medicine: Work based assessment, *British Medical Journal: Clinical Review*, Vol.326, pp.753-755.

Novick, G. (2008) Is there a bias against telephone interviews in qualitative research? *Research in Nursing & Health*, Vol.3, pp.391-398.

Oakeshott, M. (1962) *Rationalism in Politics*, in *Rationalism in Politics and Other Essays*, London: Methuen.

Opdenakker, R. (2006) Advantages and disadvantages of four interview techniques in qualitative research, *Forum: Qualitative Social Research*, Vol.7, Issue.4, pp.175-189.

Orasanu, J. and Connolly, T. (1993) The reinvention of decision making, in G.A. Klien, J. Orasanu, R. Calderwood and E. Zsombok (eds), *Decision Making in Action: Models and Methods*, Norwood, NJ: Ablex Publishing Corporation, 3-20.

Ormrod, R. (1971) *Report of the Committee on Legal Education* (Cmnd.4595, 1971).

Orr, J. (1996) *Talking about machines: An Ethnography of a Modern Job*, Ithaca, New York, Cornell University Press.

Patton, M.Q. (1990) *Qualitative evaluation and research methods*, (2nd Ed), Newbury Park, California, Sage Publications. In Williamson, K. (2006) Research in Constructivist Frameworks Using Ethnographic Techniques, *Library Trends*, Vol.55, Issue 1, pp.83-101.

Paulson, E.L. (2016) A habitus divided? The effects of social mobility on the habitus and consumption, *European Journal of Marketing*, Vol.64, Issue 1, pp.148-165.

Pettigrew, A. (1997) What is a Processual Analysis? *Scandinavian Journal of Management*, Vol.13, pp.337-48.

Piaget, J. (1972) *To Understand Is To Invent*, New York: The Viking Press.

Pocock, T., Smith, M. and Wiles, J. (2021) Recommendations for Virtual Qualitative Health Research During a Pandemic, *Qualitative Health Research*, Vol.3, Issue.13, pp.2403-2413.

Poortman, C., Illeris, K., and Nieuwehuis, L. (2011) Apprenticeship: from learning theory to practice. *Journal of Vocational Education and Training*, Vol.63, No.3, pp.267-287.

Powell, A. (2020) *Apprenticeships and Skills Policy in England*, Briefing Paper Number CBP 03052, 7th September 2020, House of Commons Library. Available at: <https://researchbriefings.files.parliament.uk/documents/SN03052/SN03052.pdf> [Accessed 26th July 2021].

Pratt, D. 1992 Concepts of teaching, *Adult Education Quarterly*, Vol.42, No.4, pp.203-220.

Prawat, R.S. (1993) The Value of Ideas: Problems versus Possibilities in Learning, *Educational Researcher*, Vol.22, No.6, pp.5-16.

PricewaterhouseCoopers (2023) *Agility through turbulent times*, PwC Law Firms' Survey 2022. Available at:

<https://image.uk.info.pwc.com/lib/fe31117075640475701c74/m/7/Law+Firms+Survey+2022.pdf> [Accessed 18th July 2023].

Purcell, K., and Elias, P. (2010) *The impact of paid and unpaid work and of student debt on experience of higher education*, Futuretrack Working Paper 3, Warwick, Institute for Employment Research, University of Warwick.

Quality Assurance Agency (2019) *Characteristics Statement: Higher Education in Apprenticeships July 2019*, available at :

https://www.qaa.ac.uk/docs/qaa/quality-code/characteristics-statement-apprenticeships.pdf?sfvrsn=12dac681_17 [Accessed 7th July 2021].

Raelin, J. (2008) *Work-Based Learning: Bridging Knowledge and Action in the Workplace*, John Wiley & Sons.

Rainwater, J. (1989) *Self-Therapy*, London, Crucible.

Reay, D. (2004) It's all becoming a habitus: beyond the habitual use of habitus in educational research, *British Journal of Sociology of Education*, Vol.25, No.4, pp.431-444.

Reay, D. (2005) Beyond Consciousness? The Psychic Landscape of Social Class, *Sociology*, Vol.39, Issue 5, pp.911-928.

Reay, D. (2015) Habitus and the psychosocial: Bourdieu with feelings, *Cambridge Journal of Education*, Vol.45, No.1, pp.9-23.

Reay, D. (2017) *Miseducation, Inequality, education and the working classes*, Bristol: Policy Press, University of Bristol.

Reay, D. (2018) Working class educational transitions to university: The limits of success, *European Journal of Education*, Vol.53, Issue 4, pp.528-540.

Reay, D. (2021) The working classes and higher education: Meritocratic fallacies of upward mobility in the United Kingdom, *European Journal of Education*, Vol.56, Issue 1, pp.53-64.

Reeves, A. and Friedman, S. (2024) *Born to Rule – The Making and Remaking of the British Elite*, Massachusetts and London, Harvard University Press.

Reber, A.S. (1989) *Implicit Learning and Tacit Knowledge*, Journal of Experimental Psychology: General, Vol.118, No.3, pp.219-235.

Reber, A.S. (1993) *Implicit learning and tacit knowledge: an essay on the cognitive unconscious*, Oxford, Oxford University Press, cited in Eraut, M. (2000) Non-formal learning and tacit knowledge in professional work, *British Journal of Education Psychology Society*, Vol.70, pp.113-136.

Reddy, M. (1978) *The Conduit Metaphor: A case of conflict in our language about language*. In Ortony, A. (1993) *Metaphor and Thought*, 2nd Ed (1993), Cambridge; New York: Cambridge University Press, pp.164-201.

Richard, D. (2012) *The Richard Review of Apprenticeships*, School for Startups, Strand: London. Available at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/34708/richard-review-full.pdf (Accessed 28 August 2017)

Richard, L., Cruess, M.D., Sylvia, R., Cruess, M.D. and Steinert, Y. (2016) Amending Miller's Pyramid to include Professional Identity Formation, *Academic Medicine*, Vol.91, No.2, pp.180-185.

Riddell, S., Weedon, E. and Minty, S. (2016) *Higher Education in Scotland and the UK: Diverging or Converging Systems?* Edinburgh, Edinburgh University Press Ltd.

Ritchie, J., Spencer, I., and O'Connor, W. (2003) *Carrying out Qualitative Analysis*, in Ritchie, J. and Lewis, J. Eds (2003), *Qualitative Research Practice: A guide for Social Science Students and Researchers*, London, Sage.

Rogoff, B. & Lave, J. (1984) *Everyday Cognition: Its Development in Social Context*, Harvard University Press: Cambridge, MA. Cited in Billett,

S. (2001) *Learning in the Workplace: Strategies for effective practice*, Australia: Allen & Unwin.

Rogoff, B (1990) *Apprenticeship in Thinking: cognitive development in social context*, New York: Oxford University Press.

Rogoff, B. (1995) Observing sociocultural activities on three planes: Participatory appropriation, guided appropriation and apprenticeship in *Sociocultural Studies of the Mind*, Eds Wertsch, J.V., Del Rio, P. & Avez, A., Cambridge University Press: Cambridge, Pp.139-64.

Rogoff, B., Paradise, R., Arauz, R.M., Correa-Chávez and Angelillo, C. (2003) *First hand Learning Through Intent Participation*, Annual Review of Psychology, Vol.54, Pp.175-203.

Rolfe, H. & Anderson, T. (2003) A firm choice: Law firms' preferences in recruitment of trainee solicitors, *International Journal of the Legal Profession*, Vol.10, No.3, pp.315-334.

Rubin, H.J. and Rubin, I.S. (2012) *Qualitative Interviewing: The Art of Hearing Data*, 3rd Ed, Los Angeles, Sage.

Rueschemeyer, D. (1983) *Professional autonomy and the social control of expertise*, in Dingwall, R. and Lewis, P. (eds) *The Sociology of the Profession: Lawyers, Doctors and Others*, London: Macmillan, pp.38-58.

Ryle, G. (1949) *The Concept of Mind*, New York, The University of Chicago Press.

Sandu, B. (2025) *Register for number of solicitor apprentices*, email to Roland Fletcher, 16th May.

Saraswat, A., (2016) Higher apprenticeships and the new apprenticeship standards, perceived potential and limitations, *Higher Education, Skills and Work-Based Learning*, Vol.6, No.4, pp.401-416.

Savanta ComRes (2016) *Solicitors Regulatory Authority Solicitor's Education Research*, online survey undertaken on the 17th and 18th August 2016 on behalf of the Solicitors Regulatory Authority. Available at: <https://www.sra.org.uk/sra/research-publications/independent-regulation-of-solicitors-public-opinion-poll-findings/> [Accessed 4th July 2021].

Schön, D. (1987) *Educating the Reflective Practitioner*, San Francisco, Jossey Bass.

Schutz, A. (1962, *Collected Papers I: The problems of Social Reality*, The Hague, Martinus Nijhof. Available at: <https://www.scirp.org/journal/paperinformation?paperid=58714> [Accessed 19th January 2023].

Select Committee, *Report on Legal Education together with minutes of evidence*, (House of Commons), 25th August 1846, 686.

Sennett, R. (2008) *The Craftsman*, London: Penguin Books Ltd.

Sfard, A. (1998) On Two Metaphors for Learning and the Dangers of Choosing Just One, *American Education Research*, Vol.27, No.2, pp.4-13.

Sfard, A. and Prusak, A. (2005) Telling Identities: In search of an Analytic Tool for Investigating Learning as a Culturally Shaped Activity, *Educational Researcher*, Vol.34, No.4, pp.14-22.

Shalleck, A. (1993) Construction of the Client within Legal Education, *Stanford Law Review*, Vol.45, No.6, pp.1731-1753.

Silverman, D. (2006a) *Qualitative Research: Theory, Method and Practice*, 2nd Ed, London, SAGE Publications.

Silverman, D. (2006b) *Interpreting Qualitative Data*, 3rd Ed, SAGE Publications, London.

Singh, A. (2025) Managing Risk & Seeking Dignity: Working-Class Perceptions of University in London, Rochdale & Morecambe, *British Journal of Sociology*, pp.1-13, Wiley Online Library, Open Access. Available at: <https://onlinelibrary.wiley.com/doi/epdf/10.1111/1468-4446.70021> [Accessed 26th October 2025].

Snell, K.D.M. (1996) The Apprenticeship System in British History: the fragmentation of a cultural institution, *History of Education*, Vol.25, Issue 4, pp.303-321.

Schön, D. (1987) *Educating the Reflective Practitioner*, San Francisco, California, Jossey Bass.

Social Mobility and Child Poverty Commission (2012) *Fair Access to Professional Careers: A Progress Review*, Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/61090/IR_FairAccess_acc2.pdf [Accessed June 2021].

Social Mobility Commission (2021) *Simplifying how employers measure socio-economic background*, An accompanying report to new guidance. Available at: https://assets.publishing.service.gov.uk/media/60a787f7e90e071b4f64fd64/Understanding_a_workforce_s_socio-economic_background_for_change_Updated_May_2021.pdf [Accessed 18th March 2022].

Social Mobility Commission (2024) *State of the Nation 2024: Local to National, Mapping Opportunities for all*. Available at:

<https://socialmobility.independent-commission.uk/app/uploads/2024/09/State-of-the-Nation-2024.pdf>
[Accessed 10th December 2024].

Solicitors Regulatory Authority (2009) *Regulating alternative business structures. Legal Services Act: New forms of practice and regulation*, Consultation paper 18 (1st June 2009). Available at: Regulation alternative business structures - Legal Services Act: New forms of practice and regulation - consultation paper 18 (sra.org.uk) [Accessed 6th March 2023].

Solicitors Regulatory Authority, (2013). *Policy Statement: Training for Tomorrow. Ensuring the Lawyers of Today have the skills for tomorrow*, available at: <https://www.sra.org.uk/globalassets/documents/sra/training-tomorrow.pdf?version=4a1ac7> [Accessed 17 August 2017]

Solicitors Regulatory Authority (2015a) *Training for Tomorrow: Assessing Competence*. Available at <https://www.sra.org.uk/globalassets/documents/sra/consultations/market-sound-exercise.pdf> [Accessed 9th July 2018].

Solicitors Regulatory Authority (2015b) *Education and Training: A report on authorisation and monitoring activity for the period 1 September to 31 August*, May 2015. Available at: <https://www.sra.org.uk/pdfcentre/?type=ld&data=1941550463> [Accessed 19th January 2018].

Solicitors Regulatory Authority (2017) *Solicitors Regulatory Examination: Draft Specification*, June 2017. Available at: <https://www.sra.org.uk/globalassets/documents/sra/news/sqe-draft-assessment-specification.pdf?version=4a1acb> [Accessed 10th December 2018].

Solicitors Regulatory Authority (2019) *SRA Code of Conduct for Solicitors* (June 2019) and available at: SRA | Code of Conduct for Solicitors, RELs and RFLs | Solicitors Regulation Authority [Accessed 15 January 2022].

Solicitors Regulatory Authority (2019) *Kaplan Report on: SQE Stage One Pilot*. Available at <https://www.sra.org.uk/globalassets/documents/SRA/research/kaplan-report-sqe1.pdf> [Accessed 6th July 2021].

Solicitors Regulatory Authority (2020a) *Solicitors Qualifying Examination (SQE) Briefing, August 2020*, available at: <https://www.sra.org.uk/globalassets/documents/sra/news/sqe-briefing.pdf?version=4a3d31> [Accessed 23rd March 2021].

Solicitors Regulatory Authority (2020b) *SQE Fees Confirmed and Transitional Arrangements Updated*, 30th July 2020, available at: <https://www.sra.org.uk/sra/news/press/2020-press-release-archive/sqe-final-design-costs/> [Accessed 15th May 2021].

Solicitors Regulatory Authority (2020c) *Independent Report Highlights 'Powerful Potential' of SQE for Diversity*, 14th July 2020 available at: <https://www.sra.org.uk/sra/news/press/2020-press-release-archive/sqe-for-diversity/> [Accessed 26th June 2021].

Solicitors Regulatory Authority (2020d) *Solicitors Qualifying Examination – Equality, Diversity and Inclusion Risk Assessment*, May 2020 available at: <https://www.sra.org.uk/globalassets/documents/sra/equality-diversity/sqe-edi-risk-assessment-may-2020.pdf?version=49ab68> [Accessed 28th June 2021].

Solicitors Regulatory Authority (2021a) *Qualifying Work Experience – Answers to Common Queries*, SRA Webinar 21 January 2021 [Online Video]. Available from: Qualifying work experience - answers to common queries - YouTube [Accessed 18 March 2021].

Solicitors Regulatory Authority (2021b) *Training Template – Recording your Qualifying Work Experience*, 31st March 2021. Available at: <https://www.sra.org.uk/trainees/qualifying-work-experience/qualifying->

work-experience-candidates/qwe-training-template/ [Accessed 2nd July 2021].

Solicitors Regulatory Authority (2021c) *Apprenticeships: What Law Firms Need to Know*, 19th April 2021. Available at: <https://www.youtube.com/watch?v=B91OvfkVqCI> [Accessed 19th April 2021].

Solicitors Regulatory Authority (2021d) *Population of Solicitors in England and Wales*, May 2021. Available at: https://www.sra.org.uk/sra/how-we-work/reports/statistics/regulated-community-statistics/data/population_solicitors/ [Accessed 28th June 2021].

Solicitors Regulatory Authority (2021e) *Qualifying Work Experience for Employers*, 8th June 2021. Available at: <https://www.sra.org.uk/trainees/qualifying-work-experience/qualifying-work-experience-employers/> [Accessed 27th June 2021].

Solicitors Regulatory Authority (2021f) *How Qualifying as a Solicitor is Changing*, 17th June 2021. Available at: SQE - how qualifying as a solicitor is changing - Bing video [Accessed 28th July 2022].

Solicitors Regulatory Authority (2021g) *Your organisation's approach to qualifying work experience*, September 2021. Available at: <https://www.sra.org.uk/pdfcentre/?type=ld&data=923510003> [Accessed 5th October 2021].

Solicitors Regulatory Authority (2021h) *SQE Equality, Diversity and Inclusion Risk Assessment*, available at: <https://www.sra.org.uk/pdfcentre/?type=ld&data=1654508705> [Accessed July 2022].

Solicitors Regulatory Authority (2022a) *First SQE Assessment Results*, 21 January 2022. Available from:

<https://www.sra.org.uk/pdfcentre/?type=Id&data=795390863> [Accessed 23 January 2022].

Solicitors Regulatory Authority (2022b) *Navigating the SQE Training Market*, SRA Webinar 8 March 2022 [Online Video]. Available from: Navigating the SQE training market - YouTube [Accessed 9 March 2022].

Solicitors Regulatory Authority (2022c) *Qualifying Work Experience for Candidates*, 5th April 2022. Available from: <https://www.sra.org.uk/pdfcentre/?type=Id&data=1601701785> [Accessed 7 April 2022].

Solicitors Regulatory Authority (2022d) *Qualifying Work Experience Explained*, 6th April 2022. Available from: Qualifying work experience explained - YouTube [Accessed 12th July 2022].

Solicitors Regulatory Authority (2022e) *Statement of solicitor competence*, 9th August 2022. Available at: <https://www.sra.org.uk/solicitors/resources/continuing-competence/competence-statement/> [Accessed 6th March 2023].

Solicitors Regulatory Authority (2022f) *Getting the best out of your qualifying work experience*, 11th March 2022. Available at: <https://www.sra.org.uk/become-solicitor/sqe/qualifying-work-experience-candidates/best-qualifying-work-experience/> [Accessed 5th July 2022].

Solicitors Regulatory Authority (2022g) *What is a period of recognised training?* November 2022. Available at: <https://www.sra.org.uk/pdfcentre/?type=Id&data=242660537> [Accessed 18th January 2023].

Solicitors Regulatory Authority (2023a) *Apprentices Perform Well on New Solicitors' Exam*, 9th February 2023. Available at: SRA |

Apprentices perform well on new solicitors' exam | Solicitors Regulation Authority [Accessed 26th March 2023].

Solicitors Regulatory Authority (2023b) *How Qualifying as a Solicitor is Changing*, 23rd March 2023. Available at: SRA | Qualifying work experience for candidates | Solicitors Regulation Authority [Accessed 26th March 2023].

Solicitors Regulatory Authority (2023c) *First SQE Assessment Results*, 30th March 2023. Available at: https://www.sra.org.uk/sra/policy/solicitors-qualifying-examination/first-sqe-assessment-results/#tab_a0832 [Access 2nd April 2023].

Solicitors Regulatory Authority (2023d) *SQE Assessment Specification*, July 2023. Available at: <https://sqe.sra.org.uk/exam-arrangements/assessment-information/sqe2-assessment-specification> [Accessed 18th August 2023]

Solicitors Regulatory Authority (2023e) *Degree or Equivalent*, 25th October 2023. Available at: <https://www.sra.org.uk/become-solicitor/sqe/degree-equivalent/> [Accessed November 2023].

Solicitors Regulatory Authority (2023f) *Education and Training – Corporate Report 2020/22*, 23rd July 2023. Available at: <https://www.sra.org.uk/sra/research-publications/education-training-2021-22/#:~:text=September%202021%20marked%20the%20introduction,flexibility%20and%20choice%20in%20training> [Accessed 15th January 2024].

Solicitors Regulatory Authority (2023g) *Questions and Answers: Can I gain qualifying work experience through simulated legal services?* 3rd October 2023. Available at: <https://www.sra.org.uk/pdfcentre/?type=Id&data=1953630097> [Accessed 18th November 2023].

Solicitors Regulatory Authority (2023h) *SRA Education, Training and Assessment Provider Regulations*, 28th August 2023. Available at: <https://www.sra.org.uk/pdfcentre/?type=id&data=1931775049> [Accessed 10th November 2023].

Solicitors Regulatory Authority (2023i) *Degree or Equivalent*, 25th October 2023. Available at: <https://www.sra.org.uk/become-solicitor/sqe/degree-equivalent/> [Accessed 10th November 2023].

Solicitors Regulatory Authority (2023j) *SRA Code of Conduct for Solicitors, Registered European Lawyers and Registered Foreign Lawyers*, 6th June 2023. Available at: <https://www.sra.org.uk/pdfcentre/?type=id&data=705327156> [Accessed 10th January 2025].

Solicitors Regulatory Authority (2023k) *One year review of SQE shows good progress*, 16th March 2023. Available at: <https://www.sra.org.uk/sra/news/press/2023-press-releases/sqe-annual-reports-2023> [Accessed 21st May 2023].

Solicitors Regulatory Authority (2024a) *Qualifying Work Experience*, 26th January 2024. Available at: <https://www.sra.org.uk/become-solicitor/sqe/qualifying-work-experience-candidates/> [Accessed 10th March 2024].

Solicitors Regulatory Authority (2024b) *Questions and Answers*, August 2024. Available at: <https://www.sra.org.uk/pdfcentre/?type=ld&data=742244648> [Accessed September 2024].

Solicitors Regulatory Authority (2024c) *Experiences of qualifying work experience: survey findings*, 10th April 2024. Available at: <https://www.sra.org.uk/pdfcentre/?type=ld&data=1150641280> [Accessed 18th January 2025].

Solicitors Regulatory Authority (2025a) *Solicitors Qualifying Examination Annual Report 2023/24*, 11th March 2025. Available at: https://sqe.sra.org.uk/docs/default-source/pdfs/reports/sqe-annual-report-2024.pdf?sfvrsn=2ce59e1a_2 [Accessed 15th March 2025].

Solicitors Regulatory Authority (2025b) *Studying for the SQE: key insights from aspiring and qualified solicitors*, Webinar 25th June 2025. Available at: <https://www.youtube.com/watch?v=cB6QXJj7hmc> [Accessed 26th June 2025].

Solicitors Regulatory Authority (2025c) *Reporting your firm's diversity data*, 2nd April 2025. Available at: <https://www.sra.org.uk/solicitors/resources/equality-diversity/your-data/> [Accessed 30th June 2025].

Sorrell, J.M. and Redmond, G.M. (1995) Interviews in qualitative nursing research: differing approaches for ethnographic and phenomenological studies, *Journal of Advanced Nursing*, Vol.21, Issue 6, pp.1117-1122.

Stein, R.M. (1981) The Path of Legal Education from Edward I to Langdell: A History of Insular Reaction, *Chicago-Kent Law Review*, Vol.57, No.2, pp.429-454. Available at: The Path of Legal Education from Edward I to Langdell: A History of Insular Reaction by Ralph Michael Stein :: SSRN [Accessed 27 May 2022]

Sturt, G. (1976) *The Wheelwright's Shop*, Cambridge: Cambridge University Press.

Sullivan, R. Legal Services Board (2010) *Barriers to the Legal Profession*, July 2010. Available : <https://legalservicesboard.org.uk/wp-content/media/2010-Diversity-literature-review.pdf> [Accessed 20 June 2020].

Sullivan, W.M. (2018) After Ten Years: The Carnegie Report and Contemporary Legal Education, *University of St. Thomas Law Journal*, Vol.14, Issue 2, pp.331-344.

Susskind, R. and Susskind, D. (2017) *The Future of the Professions: How Technology will Transform the Work of Humans*, Oxford: Oxford University Press.

Sutton Trust and Social Mobility Commission (2019) *Elitist Britain 2019: The educational backgrounds of Britain's leading people*, The Social Mobility Commission. Available at: <https://www.suttontrust.com/wp-content/uploads/2019/12/Elitist-Britain-2019.pdf> [Accessed 14th July 2022].

Su, N., Wilensky, H. and Redmiles, D. (2012) Doing Business with Theory: Communities of Practice in Knowledge Management, *Computer Supported Cooperative Work*, Vol.21, pp.111-162.

Sy, M., O'Leary, N., Nagraj, S., El-Awaisi, A., O'Carroll, V. & Xrichis, A. (2020), Doing interprofessional research in the COVID-19 era: A discussion paper, *Journal of Interprofessional Care*, Vol.34, Issue 5, pp.600-606.

Tajfel, H. and Turner, J. (1986) *The Social Identity of intergroup behaviour*, in S. Worchel and W.G. Austin (ed.) *Psychology of Intergroup Relations*, Chicago: Nelson-Hall.

Thanh, N. and Thanh, T. (2015) The Interconnection Between Interpretivist Paradigm and Qualitative Methods in Education, *American Journal of Educational Science*, Vol.1, No.2, pp.24-27.

The Law Society (2022) *Trends in the solicitors' profession Annual Statistics Report 2021*, September 2022. Available at: <https://www.lawsociety.org.uk/topics/research/annual-statistics-report-2021#download> [Accessed 12 July 2023].

The Law Society (2025) *Level 7 Solicitor Apprenticeship Funding*, 28th May 2025. Available at: <https://www.lawsociety.org.uk/topics/hr-and->

people-management/level-7-solicitor-apprenticeships-funding [Accessed 29th May 2025].

Thomason, D.I.C. (2014) "Teaching" Formation of Professional Identity, *Regent University Law Review*, Vol.27, Issue 2, pp.303-338.

Thornton, A., Sutton, R., Stanfield, C. and Leach, A. (2016) *The UK Commission's Employer Skills Survey 2015 (updated 2018): UK Results*, London. Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/525444/UKCESS_2015_Report_for_web__May_.pdf [Accessed 15 November 2017].

Thomson, D. (2014) Teaching Formation of Professional Identity, *Regent University Law Review*, Vol.27, No.2, pp.303-337.

Unwin, L., Felstead, A., Fuller, A., Lee, T., Butler, P. and Ashton, D. (2005), *Worlds within Worlds: The Relationship between Context and Pedagogy in the Workplace*, Learning as Work Research Paper, No.4, July 2005. Available at: https://orca.cardiff.ac.uk/id/eprint/68490/1/Worlds_within_Worlds_final.pdf [Accessed July 2020].

Vygotsky, L. (1978) *Mind in Society: The development of higher psychological processes*, ed. Cole, M., Cambridge, MA: Harvard University Press.

Vygotsky, L. (1986) *thought and Language*, ed. Kozulin, A., London: MIT Press.

Wallis, P. (2019) Between apprenticeship and skill: acquiring knowledge outside the academy in early modern England, *Science in Context*, Vol.32, Issue 2, pp.155-170.

Wass, R., Harland, T. and Mercer, A. (2011) Scaffolding critical thinking in the zone of proximal development, *Higher Education Research and Development*, Vol.30, No.3, pp.317-328.

Webb, J. and Fancourt, A. (2004) The law society's training framework review: on the straight and narrow or the long and winding road? *The International Journal of Legal Education, The Law Teacher*, Vol.38, No.3, pp.293-325.

Weber, M. (1947) *The Theory of Social and Economic Organization*, translated by Henderson, A.M. and Parsons, T., New York, Free Press.

Wenger, E. (1998) *Communities of Practice – Learning, meaning, and Identity*, Cambridge: Cambridge University Press.

Wenger, E., McDermott, R. and Snyder W.M. (2002) *A guide to managing knowledge: cultivating communities of practice*, Harvard Business School Press, Boston, Massachusetts

Wenger, E. (2006) Communities of practice: a brief introduction, available at: A brief introduction to CoP (uoregon.edu) [accessed 14th November 2021].

Westminster Legal Policy Forum Keynote Seminar (2023), *Next Steps for Legal Education and Training*, Monday 17th July 2023. Available at: file:///C:/Users/Roland/Downloads/WLPF%20Legal%20Education%20Transcript%20-%2017.07.23%20(1).pdf [accessed 20th July 2023]

Westminster Legal Services Forum (2025) *Next Steps for Equality, Diversity and Inclusion in the Legal Profession*, 10th February 2025. Available at: <https://reshapinglegalservices.org.uk/2025/02/11/education-as-a-catalyst-for-change-and-the-role-of-the-lsb/> [Accessed 15th February 2025].

Williamson, K. (2006) Research in Constructivist Frameworks Using Ethnographic Techniques, *Library Trends*, Vol.55, Issue 1, pp.83-101.

Winch, C. (2009) Ryle on Knowing How and the Possibility of Vocational Education, *Journal of Applied Philosophy*, Vol.26, No.1, pp.88-101.

Wolf, A. (2015) *Fixing a broken training system: the case for an apprenticeship levy*, Social Market Foundation. Available at: <https://www.smf.co.uk/wp-content/uploads/2015/07/Social-Market-Foundation-Publication-Alison-Wolf-Fixing-A-Broken-Training-System-The-Case-For-An-Apprenticeship-Levy.pdf> [accessed 19 November 2016]

Wong, Y.L. and Liao, Q. (2022) Cultural capital and habitus in the field of higher education: academic and social adaption of rural students in four elite universities in Shanghai, China, *Cambridge Journal of Education*, Vol.52, No.6, pp.775-793.

Wong, A and Trollope-Kumar, K. (2014) Reflections: an inquiry into medical students' professional identity formation, *Medical Education*, Vol.48, pp.489-501.

Yanow, D. & Schwartz-Shea, P. (2011) *Interpretive Approaches to Research Design: Concepts and Processes*, Netherlands: Routledge.

Zemblyas, M. (2006) Work-based learning, power and subjectivity: creating space for a Foucauldian research ethic, *Journal of Education and Work*, Vol.19, No.3, pp.291-303.

Legislation

Apprenticeship, Skills, Children and Learning Act 2009 available at: <https://www.legislation.gov.uk/ukpga/2009/22/contents> [Accessed 7th July 2021].

The Enterprise Act 2016, part-four available at www.legislation.gov.uk/ukpga/2016/12/contents [Accessed 4th January 2024].

The Legal Services Act 2007 available at:
<https://www.legislation.gov.uk/ukpga/2007/29/contents> [Accessed 6th July 2021].

The Apprenticeship (Miscellaneous Provisions) Regulations 2017 available at: <https://www.legislation.gov.uk/uksi/2017/1310/contents> [Accessed 7th July 2021].

The Institute for Apprenticeships and Technical Education (Transfers of Functions etc) Act 2025 available at:
<https://www.legislation.gov.uk/ukpga/2025/14> [Accessed 5th June 2025].

Three areas were focussed on and developed with the participants during the interviews. The interviews are semi-structured and the areas identified below are used to focus the interview on specific areas that will have a relationship with the research questions

- A. Addressing inequality and entry to the legal profession through the solicitor apprenticeship pathway.**
- B. The development of professional education inside the solicitor apprenticeship model.**
- C. Developing a professional identity inside a community of practice.**

Opening protocol

1. Thank you for completing the participant consent form.
2. Ask the participant to confirm that they have read and understood the participant information sheet.
3. Remind the participant that the interview is being recorded and will be transcribed. The transcription will be anonymised.

Opening questions

4. Tell me about yourself, such as your age, education and background.
5. I want to explore your role as a solicitor apprentice. It would be helpful if you would first tell me why you decided to undertake an apprenticeship route to qualify as a solicitor and how long you have been a solicitor apprentice?
6. What did you do before undertaking the apprenticeship?

A1. Choosing the apprenticeship pathway

Tell me about your role as a solicitor apprentice.

To give me an insight into your role as a solicitor apprentice, tell me what you have been doing at work in the last week?

Are there any examples you can provide to illustrate the types of skills and knowledge you have developed through your workplace experience?

Give me a specific example of the type of training you have undertaken in your workplace.

How do you see your development whilst undertaking this apprenticeship?

A2. Work-based Knowledge

What do you feel you are learning from working in a law firm?

How would you describe learning in the workplace?

How would you describe your level of confidence and competence in the workplace?

How has your work been structured in the workplace and how do you feel about this structure?

Give me an example of something you know or can do that you picked up from a colleague or mentor in your place of work.

Tell me about your role with your colleagues and how do you see this role developing.

A3. Developing work-related knowledge through your academic studies

Tell me about your academic studies at university.

How are your academic studies in the classroom supporting you in the workplace?

Give me an example how you have used (applied) your legal studies in the workplace.

How would you describe your level of confidence and competence in the workplace since using your legal studies as part of your day-to-day activities?

How do you feel about the structure of your academic course?

What changes would you make to the way your academic course is structured and why make these changes?

B1. Professional Development

How would you describe the training and professional development you are receiving as part of your apprenticeship?

Explain how you see your development as a legal practitioner since starting your apprentices.

How is your professional performance monitored and reviewed?

Are there any changes you would make to the way your training and professional development in the workplace is structured?

B2. Acquiring and developing legal skills

Tell me about the skills you have developed since starting your apprenticeship.

Give me an example how you have used these skills in the workplace.

What skills do you need to further develop and why?

Are there any mechanisms in your workplace to discuss the development of training and addressing any skills gaps and how do you see this being implemented for you?

B3. Preparing for professional exams

How is legal practice preparing you for the Solicitors Qualifying Exams?

Have you taken any of the Solicitors Qualifying Exams and, if so, what are your thoughts on this form of assessment?

How do you see the knowledge acquired in the classroom will support you with the Solicitors Qualifying Exam?

Give me an example of how you have acquired knowledge in one context and used that knowledge in a different context.

C1. Professionalism and professional identity

Tell me how your apprenticeship has developed your professional identity.

How do you see your role as an apprentice and as a professional practitioner?

How do you see yourself developing as a practitioners?

Provide me with an example of how you behave differently in the workplace since starting your apprenticeship and explain how this change happened.

C2. Professional identity within a community of practitioners

How do you think your colleagues see your role and development as a practitioner?

How do solicitors in other firms perceive your role as a solicitor apprentice?

How do you compare your qualifying pathway with a trainee solicitor who is undertaking a training contract?

Tell me about any challenges you have faced as a solicitor apprentice.

C3. Professional identity through the apprenticeship pathway

What have been the advantages and disadvantages of the solicitor apprenticeship pathway route for you?

What has influenced your professional development since starting your apprenticeship?

How do you feel about your title as a solicitor apprentice?

What do you like the most and least about your apprenticeship?

If you were able to change anything about your solicitor apprenticeship, what would you change and why?

Give me an example of any challenges that have had an impact on you and influenced your role as a professional practitioner?

What advice would you give to a new solicitor apprentice on their first day at work?

Closing protocol

Thank the solicitor apprentice for their time and taking part in the interview. Remind them of confidentiality and anonymity. Ask them if it would be possible to follow-up any further points in the near future.

Appendix 2 - Solicitor Apprentices interviewed

Number	Pseudonym	Date of Interview	Education	Gender	Age	Time served as apprentice
1	Afrosa	12 th Oct 2020	State School	Female	24	4 years
2	Beryl	16 th Oct 2020	State School	Female	23	4 years
3	Caitlin	16 th Nov 2020	State School	Female	22	4 years
4	Denise	26 th Nov 2020	State School/College	Female	22	3 years
5	Elizabeth	13 th Jan 2021	State School	Female	20	2 years
6	Farah	16 th Jan 2021	State School/College	Female	22	3 years
7	Grace	18 th Jan 2021	State School	Female	25	4 years
8	Harith	26 th Jan 2021	State School	Male	21	3 years
9	Ida	28 th Jan 2021	State School/College	Female	21	3 years
10	Jagadish	29 th Jan 2021	State School/College	Male	22	3 years
11	Kayla	4 th Feb 2021	State School (graduate)	Female	26	3 years
12	Lois	10 th Feb 2021	State School/College	Female	19	1 year
13	Mateo	15 th Feb 2021	Grammar School (state)	Male	22	4 years
14	Nadia	17 th March 2021	State School	Female	23	5 years
15	Oscar	8 th Oct 2021	State School	Male	20	1 year
16	Phoebe	12 th Oct 2021	State School	Female	21	2 years
17	Quincy	13 th Oct 2021	State School	Male	19	1 year
18	Rose	28 th Oct 2021	State School	Female	19	1 year
19	Simon	30 th Oct 2021	State School	Male	19	1 year
20	Tania	29 th Nov 2021	State School (graduate)	Female	35	14 Months
21	Ursula	29 th Nov 2021	State School	Female	19	1 year
22	Vera	15 th Dec 2021	Grammar School (state)	Female	18	3 Months

23	Whitney	10 th May 2022 ¹	Grammar School (state)	Female	26	5 years
24	Xavier	12 th Jan 2022	State School	Male	24	4 years
25	Yasmin	13 th Jan 2022	State School	Female	21	2 years
26	Zia	14 th Jan 2022	State School	Female	20	2 years
27	Amelia	1 st March 2022 ²	State School	Female	22	4 years
28	Bianca	21 st Jan 2022	State School	Female	24	4 years
29	Cara	8 th Feb 2022	State School	Female	24	4 years
30	Dakota	14 th Feb 2022	State School/College	Female	22	3 years
31	Ella	5 th May 2022	State School/College	Female	19	1 year
32	Freya	11 th May 2022	State School/College ³	Female	26	6 years

¹ Original interviewee had cancelled. This slot was filled at a later date and interview took place on the 10th May 2021. This is why the number and date is out of sequence.

² Original interview had cancelled. This slot was filled at a later date and interview took place on the 1st March 2022.

³ Solicitor apprentice has completed SQE 1 and passed this assessment and has completed SQE 2 and was awaiting the result at the time of this interview. In a follow-up interview the solicitor apprentice revealed she had passed her SQE 2, law degree and qualified as a solicitor.

Appendix 3 - Inviting apprentices to take part in the research



Dear Solicitor Apprentice

Re: Research interview dealing with the Solicitor Apprenticeship

The purpose of this letter is to invite you to an interview which will form part of the research towards my PhD. The interview will focus on the role and development of the solicitor apprentice. I am interested in discussing your experience in the workplace and your professional development.

The interview will be recorded using a digital (audio) recorder which will allow the interview to be transcribed. The transcription will be anonymised. Neither you nor your employer or anyone else will be identified in the transcript. The name and place of your employment will not be used at any point in the transcription. An alternative name for both the employee (apprentice) and place of employment will be used to ensure total anonymity is maintained. Any reference to an organisation, such as a higher educational institution will also be anonymised. The recording and transcript will be encrypted and stored at Cardiff University using the OneDrive data storage facilities. This is a secure physical environment with appropriate access restrictions ensuring the safeguarding of the recordings and transcription.

The interview will take place through video conferencing using Zoom. You have the option to have the meeting video recorded or audio only. You will need to indicate your preference when completing the Consent Form. You will be able to access the meeting using a specific meeting ID and a passcode. This will ensure confidentiality is maintained. The interview will last approximately 45-60 minutes. The interview will be semi-structured so there will be some set questions and an opportunity for you to discuss your personal experience and your development as a legal practitioner.

If you wish to take part in this research please complete the enclosed consent form and return by email to me at: XXXXXXXX@cardiff.ac.uk

Alternatively, if you would like further information please telephone me on this mobile phone number XXXXXXXX. In the meantime if you need further information about my research and the interview I have attached a participant information sheet with some questions and answers.

Yours sincerely
Roland Fletcher
Enc

The apprenticeship as a model of learning and the development of legal education in the twenty-first century

You are being invited to take part in a research project. Before you decide whether or not to take part, it is important for you to understand why the research is being undertaken and what it will involve. Please take time to read the following information carefully and discuss it with others, if you wish.

1. What is the purpose of this research project?

This research is being undertaken as part of my PhD course at Cardiff University. I am interested in understanding how solicitor apprentices are developing the necessary knowledge and skills through work-based learning. I would like to develop my understanding of the professional role of the solicitor apprentice and how work-based learning is supporting your development as a legal practitioner. I am particularly interested in hearing how you feel about your role as a solicitor apprentice and how you perceive your identity as a legal practitioner.

2. This research is developing an understanding of the integration of legal education through the trailblazer solicitor apprenticeship model. A new pathway to qualify as a solicitor in England using work-based learning, alongside formal education that takes place in the classroom. This form of work-based learning is a professional apprenticeship which has been introduced by the governing body of solicitors in England and Wales, the Solicitors Regulatory Authority (SRA). Taking part in this research will provide an insight in to how learning is taking place from the solicitor apprentice perspective.

3. Why have I been invited to take part?

You have been invited because you are undertaking a trailblazer solicitor apprenticeship. You are undertaking qualifying work-based experience as part of your apprenticeship contract and studying part-time

for an LLB. This places you in a unique position to discuss your experience as a solicitor apprentice.

4. Do I have to take part?

No, your participation in this research project is entirely voluntary and it is up to you to decide whether or not to take part. If you decide to take part, I will discuss the research project with you and ask you to sign a consent form. If you decide not to take part, you do not have to explain your reasons and it will not affect your legal rights. You are free to withdraw your consent to participate in the research project at any time, without giving a reason, even after signing the consent form.

5. What will taking part involve?

You will need to attend an interview which will last approximately 45-60 minutes. Due to the Covid.19 pandemic the interview will need to take place using Zoom. This is a video conferencing system that will allow us to have a live conversation (interview). If government guidelines allow this interview may take place face-to-face at your place of employment. This is an option that we may have in the near future but current guidance encourages social distancing and this is why Zoom is being used. You will only need to attend one interview but at the end of the interview you will be asked if you may be contacted to develop any follow-up questions. With your permission, the interview will be video recorded through Zoom but this is optional and you should indicate your preference when completing the consent form. The interview will need to be recorded using a digital (audio) recorder which will assist with the transcription of the interview. Once the interview has been completed, the interview will be transcribed (typed-up). The recording(s) and transcript will be encrypted and stored at Cardiff University using the OneDrive data storage facilities. This is a secure physical environment with appropriate access restrictions. Using this facility will ensure the safeguarding of the recording(s) and transcription.

6. Will I be paid for taking part?

No. You should understand that any data (recording of the interview and transcript) you give will be as a gift and you will not benefit financially for taking part.

7. What are the possible benefits of taking part?

By taking part in this research it is an opportunity to consider your role and perspective as a solicitor apprentice. This will allow you to reflect upon the training you are receiving and the development of your skills and knowledge as a legal practitioner.

Your contribution to this research will have a direct impact on the understanding of the solicitor apprenticeship pathway. It will provide an opportunity to see inside the solicitor apprenticeship. It will support with the body of knowledge dealing with how learning is taking place for you as a solicitor apprentice. Your interview will provide an opportunity to discuss how you are developing as a professional practitioner and how you see your role whilst undertaking your apprenticeship. This will allow me (through my research) to learn from your experience.

8. What are the possible risks of taking part?

Some interviewees may demonstrate different emotions whilst talking about their experiences. This is natural and normal as it involves you expressing your thoughts and feelings about yourself and your experiences.

The interview will take place through video conferencing unless agreed otherwise as outlined in point 5, above. This avoids any physical contact and the transmission of Covid-19. The questions are framed in a sensitive manner and participants will be reminded that they can stop the interview at any time.

During the interview you will be given total anonymity. Neither your name nor your employer's name will be used as part of the transcript.

Your name, any personal details or your employer's details will not form part of any electronic or paper copy of the interview.

9. Will my taking part in this research project be kept confidential?

All information collected from (or about) you during the research project will be kept confidential and any personal information you provide will be managed in accordance with data protection legislation. Please see 'What will happen to my Personal Data?' (below) for further information.

10. What will happen to my Personal Data?

The General Data Protection Regulation (GDPR) will govern how data is collected, stored and destroyed. This means any information relating to an identifiable living person who can be directly or indirectly identified in particular by reference to an identifier. This may include information such as an individual's name, address, email address or date of birth will be protected under the GDPR. In this research neither your name nor your employer's name will be used as part of the transcript. Your name, any personal details or your employer's details will not form part of any electronic or paper copy of the interview.

The data produced from the interview recording and the transcript will not be retained for no less than 5 years or at least 2 years post-publication and then destroyed in accordance with GDPR. All data produced from this interview will be stored at Cardiff University using the OneDrive data storage facilities. This is a secure physical environment with appropriate access restrictions. Using this facility will ensure the safeguarding of the recordings and transcription.

Cardiff University is the Data Controller and is committed to respecting and protecting your personal data in accordance with your expectations and Data Protection legislation. Further information about Data Protection, including:

- your rights
- the legal basis under which Cardiff University processes your personal data for research
- Cardiff University's Data Protection Policy
- how to contact the Cardiff University Data Protection Officer
- how to contact the Information Commissioner's Office

may be found at <https://www.cardiff.ac.uk/public-information/policies-and-procedures/data-protection>

If you do not have access to the internet please let us know and printed copies of the above-mentioned documentation and privacy notices (hard-copies) will be made available for you.

Your data will be processed over a period of between 6 months - 2 years from the date of your interview. This time-frame will provide an opportunity to transcribe the interview; consider any information/themes within the interview and develop this data as part of this research.

At all times, such as during transcription, your data will be anonymised as discussed, above. Your consent form will be maintained as it aligns with this research project, with the exception of your consent form for a period of time in accordance with the GDPR and thereafter destroyed in accordance with these Regulations

If you decide to withdraw from this research project within six months of the interview all data collected will be destroyed. However, please note that it will not be possible to withdraw any anonymised data that has already been published as part of this research.

11. What happens to the data at the end of the research project?

The data produced as part of this interview will form part of the research materials in my PhD. My research (findings) from this study will be published in a Thesis in order to fulfil the requirements of a PhD. Again,

I wish to confirm that total anonymity will be provided and no personal details will be used (as outlined above) as part of my PhD.

12. What will happen to the results of the research project?

The submission date of this research needs to take place by 2025. A copy of the PhD thesis will be published and will be made available via Cardiff University Library. If any of the materials or data from this thesis is used as part of any further research or publications, such as in a journal article or in a conference paper participants will not be identified in anyway. Any report, publication or presentation will maintain anonymity.

13. What if there is a problem?

If there is a problem you may notify, in the first instance, Professor David James. Professor James is supervising this PhD and his email address is XXXXXX@cardiff.ac.uk If you wish to raise a complaint and feel this needs to be dealt with by the Chair of the School Research Ethics Committee please email socsi-ethics@cardiff.ac.uk Please address your email to the Chair of the Ethics committee and provide an outline of your concerns.

14. Who is organising and funding this research project?

This research is being undertaken as part of my PhD at Cardiff University and funded by the Open University.

15. Who has reviewed this research project?

This research project has been reviewed and given a favourable opinion by the SOCSI School Research Ethics Committee, Cardiff University.

16. Further information and contact details

Should you have any questions relating to this research project, you may contact us during normal working hours:

Roland Fletcher (PhD student)

EmailXXXXXXXX@cardif.ac.uk

Telephone: xxxxxxxxxx

Professor David James (Supervisor)

EmailXXXXXXXX@cardiff.ac.uk

Telephone xxxxxxxxxx

Thank you for considering taking part in this research project. If you decide to participate, you will need to complete and sign the consent form which will confirm you have read and understood this Participant Information Sheet. You do not have to physically sign the form but may type your name. The completed form should be returned to me using my email address: XXXX@cardiff.ac.uk

The purpose of this form is to demonstrate you have read the participation information sheet and understand the nature of this research. By signing this form you are stating that you are making an informed decision to participate in this research.

Aim of this research

Developing an understanding of the integration of legal education through the trailblazer solicitor apprenticeship model. A new pathway to qualify as a solicitor in England using work-based learning, alongside formal education that takes place in the classroom. This form of work-based learning is a professional apprenticeship which has been introduced by the governing body of solicitors in England and Wales, the Solicitors Regulatory Authority (SRA). Taking part in this research will provide an insight into how learning is taking place from the solicitor apprentice perspective.

Please consider each of the following statements and place a [Y] in the box if you are in agreement with the statement or a [N] if you do not consent.

1. I agree to be interviewed for the purpose of this research which is dealing with the solicitor apprenticeship and provide an account of my experience as a solicitor apprentice. ☐
2. The interview will be undertaken by Roland Fletcher (postgraduate student with Cardiff University) and the interview will be digitally recorded. The digital recording is necessary in order to transcribe the interview. The recording will be stored in a secure environment and any electronic version will be password protected. ☐
3. The interview will need to be undertaken using zoom. The interview will be recorded. Please indicate the preferred medium to be used for your interview and recording: ☐

➤ The zoom interview may be recorded using audio and video

➤ The zoom interview may be recorded using audio only a ☐ video

4. I have read the 'Participant Information Sheet' which provided a range of questions and answers dealing with this research. ☐

5. I agree that the recording of the interview will be reviewed (heard) by Roland Fletcher as part of his PhD. ☐

6. I understand (from the information sheet) that the finding from this research will form part of the researcher's Thesis and may also form part of future publications and/or conference papers. I also understand that the details of any interviewees (participants), their employer and any educational institution will be anonymised ☐ documentation, conference papers and/or publications.

7. I am aware (from the information sheet) that I may withdraw from this research at any time and will not have to give any reason for my withdrawal. If I (the apprentice) withdraw from the research within six months of undertaking the interview any recording, transcript howsoever held, such as electronic or hard-copy relating to the interview will not be used as part of this research.

☐

Participant's

signature:.....

Participant's

name

in

BLOCK

letters.....

Date:.....

Researcher's
signature:.....

Researcher's name in BLOCK
Letters.....

Date:.....

Please complete and return prior to the interview taking place. You may sign by typing your name in the participant's signature. The consent form should be returned by email to: XXXXXXX@cardiff.ac.uk

Appendix 6 – Email from Bally Sandhu

Dear Sir/Madam,

I was informed that my original email request, which I have pasted below, was forwarded for your **attention** on the 10th April 2025. I am contacting you in case my request was not received by you. Would you **please** coniser

I've been undertaking research for my PhD on the solicitor apprenticeship pathway. I've been looking at your SRA documentation on the number of solicitor apprentices. Below is a table which I've reproduced from your documentation dated 20th July 2023 and is located through this link<<https://www.sra.org.uk/pdfcentre/?type=id&data=1890411680>>. The figures suggest you maintain a register for solicitor apprentices. However, I've noted that solicitor apprentices do not have to be registered with the SRA. This is stated in your SRA document dated August 2024 and is located at this link<<https://www.sra.org.uk/become-solicitor/sqa/sqa>> and under the heading Do solicitor apprentices need to be registered with the SRA? it states : "No, apprentices do not need to be registered with us nor do we need to be told they have started their apprenticeship. Apprentices will only register with us when they have successfully completed their solicitor apprenticeship and are ready to apply for admission as a solicitor. Apprentices will need to complete the registration process on the SQE assessment website to book their assessments."

My question is how are you calculating the number of apprentices? I assumed you were taking the numbers from the SQE assessments when the solicitor apprentices register and take their assessment. Then I realised that the SQE did not start until September 2021 but the table below starts at 2016/17. I have tried to locate the answer to my question but without any success. The only other document I found was an SRA document dated 9th Feb 2023 which stated that there are more than 1,300 solicitor apprentices going through this programme in England. This document is available via this link<<https://www.sra.org.uk/pdfcentre/?type=id&data=1288369102>>.

I would be grateful if you would be able to explain the figures in the table below and confirm whether or not you have a register which provides the number of Solicitor Apprentice starts for each year as outlined in the table; or is the table representing the number of solicitor apprentices who started their apprenticeship in each of these years and this data is taken from their SQE application and sitting?

Kind regards

16/05/2025 11:19

81

Show Image

Sensitivity: General

Dear Roland Fletcher

Thank you for your email and for sharing your research on the solicitor apprenticeship pathway, I apologise for the delay in our response.

To address your query, the figures in the table you referenced are based on the number of solicitor apprenticeships that started each year. These figures are not from a register maintained by the SRA, as solicitor apprentices do not need to be registered with us until they are ready to apply for admission as solicitors.

The data on solicitor apprenticeships, including starts, enrolments, and achievements, is provided by the Department for Education (DfE). Here are the latest figures:

For 2023/24:

- Achievements: 210
- Enrolments: 3020
- Starts: 1350

You can access this information via the Gov.uk website through this shared link: <https://explore-education-statistics.service.gov.uk/data-tables/permalink/647ed77e-6563-4302-9651-08dd865738b16>

For 2024/25:

- Achievements: 110
- Enrolments: 3710
- Starts: 1250

These figures are reported to date and can be accessed through this shared link: <https://explore-education-statistics.service.gov.uk/data-tables/permalink/36d5cf17-bc6e-4130-b99b-08dd866b22bc>

To clarify the terms:

- **Achievements:** Number of apprentices who successfully achieved their apprenticeship, measured by passing the EPA (End Point Assessment (SQE2)) within a particular year.
- **Enrolments:** Number of individuals currently enrolled in an apprenticeship programme.
- **Starts:** Number of individuals starting an apprenticeship.

Regarding the number of apprentices who have taken SQE1 and SQE2 within any yearly reporting period, this information, including pass rates, is published in the annual SQE report. You can find the latest report and relevant information under 'Solicitor Apprentices' on our [website](#).

I hope this clarifies your query. Please let me know if you need any further information.

Best regards,

Bally Sandhu (Mrs)

Policy Officer, Education and Training

Solicitors Regulation Authority/Awdurdod Rheoleiddio Cyfreithwyr

www.sra.org.uk

Appendix 7 – Entries from the Research Diary

Entry used in 5.6

17th March 2021
Having undertaken 14 interviews and listening to the Solicitor apprentices talk about why they chose the apprenticeship, it is now possible to understand why they made this choice. It has changed their lives. It provided them with an entry point into the legal profession. It is providing them with the qualifying work experience which should prepare them for their end point assessment. There are a number of negative comments and they relate to the perception of the apprenticeship. As a vocational route it is not seen by some members of staff inside the legal practice as academic. Even some of the Solicitor apprentices revealed this view before they undertook this route to qualification. This divide between vocational and academic qualifications is causing concern for many of the Solicitor apprentices. They believe the apprenticeship is seen as the route to follow if you cannot go to university. Instead, you choose the apprenticeship. This is how many of the apprentices have been made to feel.

29th November 2021

21 interviews undertaken with the Solicitor apprentices. When asked to provide an example of the work they did last week they demonstrated a depth of knowledge on legal procedure. It was possible to see the difference when you listened to apprentices who were at different stages of their apprenticeship. As they matured in their role their underpinning knowledge of legal procedure came through. The examples from their day-to-day activities and interaction with their peers and external agencies demonstrated a level of competence. Having apprentices at different stages is revealing a trajectory. Comparing an apprentice with 12 months experience to one with 3 years experience shows a distinct difference. Their tacit knowledge, combined with their academic studying comes through as they discuss their professional development.

8th January 2022

Saying no to work and managing their workload was a problem for the solicitor apprentices. Their fast-track LRB and no summer recess was a concern. They were not managing their time and had to catch-up with their studies on the weekend and in the evenings after work. The level of anxiety was clearly expressed in their interviews. Their well-being is not factored in when they have such a heavy workload. This is being raised in many of the interviews.

18 January 2023

Replaying the interviews allows you to see and hear things you did not focus on in the early stages of the study. This was evident whilst I constructed Chapter 7 on professionalism and Professional identity. One of the most glaring elements that had been missing was the experience with Clients. The client introduces their lived experience by sharing it with the solicitor-apprentice. Unlike classroom learning where the social context is often removed and it is second-hand, historical, whereas the lived experience of the client and court-room is learning from exposure through your own lived experience. I still remember my second day in practice when I was asked to go to the Crown Court and instruct the Barrister who was acting for our client. The charge was robbery and I had given the client's full bail off. I went to the Crown Court. The exposure, experience I have never forgot. Discussing the case with the Barrister who then asked me to go down stairs to the Tolls and get our client ready. I had to go through his statement with him and in effect

Cross-examine the evidence. I learnt so much from this experience. How to present myself as I stood behind the Barrister and in front of the Judge where my Client stood. Taking instructions from my client and passing information to the Barrister during the trial. This shaped and formed my behaviour and how I saw myself as a practitioner. While I watched and listened to the solicitor apprentices I was able to recognise how their exposure to their clients and their interactions inside a legal practice was shaping them as a practitioner.

May 18 2022

All 32 interviews have now taken place. There is a strong emotional response when they discuss their role and how they see themselves. They compare themselves with the graduate trainee solicitor. There was a feeling that this comparative view has been shaped from inside their legal practice. The apprenticeship is a new entry point. These apprentices are school leavers, not graduates. There is a feeling expressed by the solicitor apprentices that their role does not naturally fit with those who had entered the profession as a graduate or qualified through the trainee contract route. It is this cultural fit or belonging which emerged on several occasions in the interviews. When they were asked how they saw themselves, alongside the graduate solicitor their demeanour would change. There was a tendency to refer to the number of years' experience

they had, as compared to the
Trainee Solicitor. This was
their advantage point. They
had acquired a body of tacit
knowledge. It was their episodic
memories which demonstrated
their performance inside a
legal practice. This was
particularly true when
interviewing apprentices who
had completed three or more
years of their apprenticeship.
They demonstrated a level of
confidence when they talked
about their role and
work they had undertaken.
When these apprentices compared
themselves with the Trainee Solicitor
there was a change in body
language. There was some
hesitancy in their voice and
it became evident that
many inside their workplace
had a perception of the
apprenticeship as inferior
to the graduate Trainee Solicitor.