

Micro, Meso, and Macro Factors Influencing the Acceptance of Reflective Practice as a Core Professional Competency: Findings from across disciplines and jurisdictions

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The Context: Doctoral Research Questions

- What promise does reflective practice offer to the education of legal professionals?
- What can we learn from how and why it is currently being operationalized in legal education?
- What factors have contributed to it becoming integrated into legal education?



Caveat & limitations...

- Reflective practice literature in law has not been synthesized in any country
- Doctoral research was empirically focused on the literature and insights gleaned from legal educators in Australia and Canada – UK and US perspectives were added through an analysis of the literature
- Reviewed literature of other disciplines - medical education was most in depth and fascinating so...



? Thought experiment –
what influences or
factors do you think
could contribute to
reflective practice
becoming accepted as a
legal professional
metacompetency in
Canada????



Factors Influencing Reflective Practice's Acceptance in Medicine



(Table 2.7, Leering, 2023, p. 80)

1.	Emphasis on educational theory to develop curriculum and best pedagogy
2.	Pervasive cultural expectation that all stakeholders are responsible to remediate deficiencies
3.	Degree of change and responsibility to stay abreast of research to improve professional practice
4.	Development of sophisticated and holistic competency frameworks
5.	Movement to Competency-Based Medical Education (CBME)
6.	Raise level of professionalism and prevent lapses in professional conduct
7.	Preparing for patient-centred and interprofessional practice (including the Social Determinants of Health and health advocate role)
8.	Has become an integral part of licensing and revalidation processes
9.	Support for educators to learn how to teach more effectively and undertake evaluative research

What factors might have led to it reflective practice becoming such a permeating influence in Australia?

(Table 4.5, Leering, 2023, p. 178)

Themes	Influence on individual educators
1.	Involved in professional upgrading in educational theory and practice
2.	Familiarity with educational theorists
3.	Participating in faculty curriculum projects
4.	Applying for, leading/participating in Teaching and Learning or research grants
5.	Capacity and knowledge required to teach particular courses
6.	Cross-disciplinary influences
7.	International literature/collaboration
8	Other - Values, beliefs, commitments, and experiences

Micro influences – cross-case analysis Australia & Canada

Professional upgrading in education	Familiarity with educational theory	Participating in faculty curriculum projects
Teaching and learning grants & fellowships	Capacity & knowledge needed to teach specific courses	Cross-disciplinary influences
International collaboration or literature	Other (values, beliefs, commitments, experiences)	Impetus for critique and critical reflection

(Table 6.4, Leering, 2023, p. 305)

What meso and macro influences might have led to reflective practice becoming such a permeating influence in Australia?

Table 4.6

Meso and Macro Influences Favouring Reflective Practice

Themes	System level influences favouring reflective practice
1.	Attention paid to legal education theory, practice, and the evolving SoTL
2.	Emphasis on integrating professional skills into the curriculum
3.	Degree of government involvement in and oversight of tertiary education
4.	Plethora of reports and studies related to legal education by various stakeholders
5.	Growing number of law schools and an evolving and diversified student population
6.	Institutional factors at the university level
7.	Implementing graduate level attributes and TLOs
8.	Evolving legal education curriculum with increased clinical legal education, skill-building, alternative dispute resolution/mediation/negotiation courses, and integration/offering of PLT courses in some faculties
9.	Cross-pollination of clinical/PLT educators teaching Priestley 11 courses
10.	Positive professional identity, and mental health and wellbeing movement – for both students and educators

(Leering, 2023, p.183)

Figure 6.5 -
*Ten Meso
and Macro
Level
Influences
on
Australians*



(Leering, 2023, p. 307)

Table 5.6 - *Meso and Macro Influences Favouring Reflective Practice Unique to Canada*

Themes	System Level Influences Favouring Reflective Practice
1.	Evolving legal education curriculum
2.	Increasing interest in developing professional competency frameworks
3.	SoTL as promoted by CALT, ACCLE, and CLEAR, and the ILSA CRN-19
4.	Access to justice imperatives

Factors favouring or influencing reflective practice's acceptance in England & Wales ...

- UK Centre for Legal Education
- Increased understanding of educational theory
- Parallel developments in HE sector i.e. PDP
- ACLEC (1996) & LETR (2013) reports
- QAA National Benchmark Statements for Law
- Regulator buy in & evolving competency statements
- Diversifying and more sophisticated understanding of RP (also cross-disciplinary)
- Clinical legal education
- Experiential learning
- PhD research
- Empirical research
- Law teacher associations & related initiatives (grants)
- Law teachers as reflective practitioners
- Legal Ed journals! (TLT, IJLP, IJCLE...)
- Entrepreneurial and social justice buy in (LawCare, Balint Groups, family law supervisors, IBA, Let's Think, etc.)

Meso,& Macro Factors: What could help here?

What influences could create favourable conditions?

1. Reimagine legal education by building a common vision for legal education along a continuum
2. An infusion of resources and expectations around SoTL including respect for educational theory, and available research grants
3. Articulate (integrative) reflective practice as a professional competency & normative expectation
4. Well-conceived and properly supported experiential education and learning opportunities (including problem-based and active learning)
5. Proactive leadership from law schools to clearly articulate competencies and shift to criterion-referenced assessment
6. Create more holistic and professional competency frameworks (like CanMEDs)
7. Law faculties and legal educators engage in cross-disciplinary and cross-jurisdictional initiatives around teaching and learning



(Leering, 2023, pp. 344–348)

For Reference

Leering, M. M. (2023). *Integrative reflective practice in Canada and Australia: Enhancing legal education, pedagogy, and professionalism*. Doctoral dissertation Queen's University. <https://queensu.scholaris.ca/items/c50f6ac8-05f2-4198-8282-f326bc24b993>

Medicine (pp. 80–84)

Australia (pp. 176–195)

Canada (pp. 269–277)

Cross-case analysis (pp. 304–310)

Conclusion (pp. 317–357)

England & Wales (Appendix X, pp. 656–677)

United States (Appendix Y, pp. 678–707)