

**Reflective Practice in Legal Education and the Profession:
An Annotated Bibliography of Doctoral Theses and Research
Summary created by Research Assistant Nicole Berezin (June 2026)**

Introduction

This bibliography brings together ten doctoral theses and research outputs that engage with reflective practice in legal education. The works collected here span multiple jurisdictions including England, Australia, and Canada and reflect a growing international body of scholarship examining how reflection can be meaningfully embedded in legal training and professional development.

Reflective practice has long been recognised as a cornerstone of professional competence in fields such as medicine, nursing, and teacher education. Its formal integration into legal education has been comparatively slow, yet the works gathered here demonstrate that momentum is growing. Collectively, they address reflective practice from a range of perspectives: as a pedagogical tool for law students; as a component of professional identity formation; as a framework for ethical and philosophical reasoning; as a mechanism for workplace and continuing professional development; and as a subject for rigorous empirical and design-led research.

This bibliography is intended as a living resource. If you are aware of further doctoral theses or research outputs that engage substantially with reflective practice in legal education and that are not listed here, we invite you to bring them to our attention by writing to rpsymposium@queensu.ca or michele.leering@queensu.ca. We are committed to expanding and updating this collection as the field continues to develop.

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McDonald, Bernadette Teresa (2025)

Title: *From Theory to Practice: Designing Reflective Practice Solutions for Legal Education, A Design Science Research Approach*

URL: <https://researchonline.ljmu.ac.uk/id/eprint/26048/>

Institution: University of Chester, England

Contribution to Reflective Practice Scholarship: Introduces the ViewFinder™ Model of Reflection and a new definition of Legal Reflective Practice; presents a gamified online workbook artifact for teaching, learning, and assessing reflective practice.

Abstract

In the modern regulatory landscape of legal practice, reflective practice is essential for aspiring solicitors, offering a systematic approach to examining experiences, beliefs, and actions. This thesis addresses the necessity of embedding reflective practice in legal education to meet professional competency requirements and enhance the educational experience for future solicitors.

Despite regulatory requirements for solicitors to engage in reflective practice, there is a significant gap in systematic methodologies for teaching reflective practice in legal education that aligns with these standards and professional needs. The current literature lacks tailored frameworks and practical tools to effectively integrate reflective practice into the legal curriculum.

This research aims to develop a comprehensive framework for teaching reflective practice to student solicitors. It seeks to design, build, and evaluate an effective tool that facilitates reflectivity, aligns with professional competencies, and integrates seamlessly into the legal education curriculum. Employing a Design Science Research (DSR) methodology, involving multiple cycles of design, build, and evaluation phases, this thesis utilizes a Kernel Theory Framework integrating Normalization Process Theory, Self Determination Theory, Novelty Categorization Theory and Automaticity Theory. Together this Kernel Theory Framework supports the pedagogical design of an Artifact to answer Leering's (2019) call for a form of law school course design that moves away from formulaic or tick-box reflection to a theoretically grounded, practical form of legal reflective practice suitable for tomorrow's legal professionals. Focusing on solicitors in England and Wales, this thesis contributes to knowledge by offering a new definition Legal Reflective Practice, sets out legal reflective competencies, and presents a new model of reflection, the ViewFinder™ Model of Reflection. Combining design theory and kernel theory framework, a comprehensive Learning-Centred Design Framework is developed to support the design of the pedagogical Artifact. The Artifact presented is an online workbook featuring gamified structured legal reflective practice. The Artifact provides a method of teaching, learning, and assessment that promotes habitual reflective practice, enabling students to engage in reflective practice both intentionally and automatically.

The thesis offers an innovative structured methodology for teaching reflective practice in legal education, bridging the gap between academic objectives and professional requirements. It introduces new theoretical frameworks and evaluation techniques, including the Design Evaluation Wheel, and proposes a third quality criterion in DSR methodology by adding the need for reflexivity in addition to relatability and rigour. These contributions extend the applicability of DSR in qualitative pedagogical research and promise long-term benefits for the legal profession by supporting a cohesive approach to professional learning and development.

Leering, Michele (2023)

Title: *Integrative Reflective Practice in Canada and Australia: Enhancing Legal Education Pedagogy and Professionalism*

URL: <https://queensu.scholaris.ca/items/c50f6ac8-05f2-4198-8282-f326bc24b993>

Institution: Queen's University, Canada

Contribution to Reflective Practice Scholarship: Demonstrates how the five domains of integrative reflective practice can strengthen legal education and professionalism by embedding systematic reflection across the legal education and training continuum to enhance professional competency, ethical judgment, an access to justice consciousness, leadership, and well-being.

Abstract

The need to reimagine legal education as a more vibrant, engaging, and rigorous professional learning experience has become a pedagogical imperative for Canadian law schools. A stronger culture of reflective inquiry and professionalism within the legal profession has also become essential. To be better prepared to face a myriad of interconnected and complex challenges, twenty-first century legal professionals need to strengthen their capacity to be systematically and constructively reflective. Law has been slow to recognize the pedagogical value of reflective practice, with the result that it has been under-theorized, under-valued, and under-utilized across the entire professional learning spectrum. This contrasts significantly with a growing body of theoretical, empirical, and applied scholarship recognizing its value in all other professions. To address the lacuna in legal education pedagogy and scholarship, this dissertation explores why and how reflective practice should be cultivated as an important professional competency during law school. Using a multiple case study methodology that included interviews with more than 50 legal educators, I compare and contrast how reflective practice is understood and implemented in Canadian and Australian legal education. Micro, meso, and macro influences favouring reflective practice as a professional competency for both educators and students are discerned. I identify ten types of benefits for students, as well as seven variations of opportunities and catalysts for introducing it and 15 categories of pedagogical methods. A theoretical framework for integrative reflective professionalism is proposed to guide implementation efforts. To explain how different domains or dimensions of reflection (on learning/practice, self, critical, collective, and integrative) can be nurtured, research findings from other professions and US and UK legal education scholarship, coupled with discoveries from the case studies, are presented and curated. A synthesis of the findings informs recommendations for reimagining legal education by implementing a pedagogy of reflection iteratively across the curriculum, including perils and pitfalls to be avoided. The micro, meso and macro factors that might best enable its acceptance as a professional competency in law in Canada are identified. The capacity for disciplined and systematic integrative reflective practice will better equip future legal professionals to provide responsive, visionary, and ethical leadership on a myriad of issues, including access to justice and creating people-centred justice systems, and to respond to the dire reality of a future of unrelenting and disorienting change and increasing challenges to the rule of law.

Madhloom, Omar (2022)

Title: *Philosophy in action through clinical legal education pedagogy*

URL: <https://researchportal.northumbria.ac.uk/en/studentTheses/philosophy-in-action-through-clinical-legal-pedagogy-3/>

Institution: Northumbria University

Contribution to Reflective Practice Scholarship: Provides a philosophical and ethical framework (Kantian) for critical reflection.

Abstract

Traditional university education promoted a separation between theory and practice. This divide, which is particularly prominent in the teaching of law, together with the dominance of the doctrinal approach in legal education, risks giving students the impression that the study and practice of law is mainly concerned with rules and principles. This thesis commentary seeks to challenge this approach by arguing that philosophy can inform both legal education and professional legal practice. It will be demonstrated that philosophy can play a role in developing students' ability to engage in reflective practice, expand legal ethics beyond the codes of professional conduct, and promote feelings such as compassion and empathy. In other words, a holistic approach, underpinned by philosophical theories, can allow educators to address the aims of legal education. It will also be argued that Clinical Legal Education (CLE) is an optimal methodology for teaching philosophy in action.

Drake, Phil J. (2020)

Title: *Clinical Legal Education and Reflective Practice: A Journey of Professional Identity Formation*

URL: <https://eprints.hud.ac.uk/id/eprint/35314/>

Institution: University of Huddersfield, England

Contribution to Reflective Practice Scholarship: Links reflective practice directly to the development of a client-centric professional identity and social justice values.

Abstract

This thesis analyses professional identity formation in a university legal advice clinic and the tensions, dilemmas and conflicts that arise between contrasting idealistic and technocratic ideologies. The research is built upon solid theoretical foundations and draws upon the concepts of Bourdieu's habitus and field, Weber's value spheres and rationality for social action and Knorr Cetina's epistemic cultures. Through embedding theory into the research, the study acknowledges the participant's agency but also considers the underlying generative structures for knowledge and action. The thesis considers the literature outlining the destruction of the personal narrative in dialogical interactions between lawyer and client. It also examines the neutrally detached case method approach to legal education and alternative approaches to both traditional lawyering practices and educational pedagogies. Adopting a predominantly ethnographic approach, with idiographic elements, it presents a robust methodology, including uncomfortable reflexivity and a rigorous iterative analysis, within a pilot study, to reduce potential bias. The thesis examines the participants' sense of meaning and the explicit, implicit and tacit messages relayed within dialogical discourse. A range of identities emerges, with the experiential context of both the students and supervisors proving important to their rationalities. The students display dispositions ranging from anxiety to kinship and a beneficent character, whereas the supervisors

relate the importance of procedure and collection of information. Analysis also identifies the influence of the formalistic and economic spheres of power and the tensions and conflicts that arise in seeking to invoke a more personal and relational approach to the learning of law. This innovative research moves the field of legal education forwards into a new domain, at a time when legal educators need to both question current methods and invoke new ways of thinking about the law. It considers not just what legal education is, but what it ought to be.

Brooman, Simon (2019)

Title: *The value of using education research to enhance the curriculum in legal education*

URL: <https://researchonline.ljmu.ac.uk/id/eprint/10827/>

Institution: Liverpool John Moores University, England

Contribution to Reflective Practice Scholarship: Focuses on student learning, well-being, and the 'intrinsic value' of the reflective process itself.

Abstract

This submission for PhD brings together five publications that illustrate how my work has had an impact on legal education at Liverpool John Moores University, and further impact on the external higher education landscape. It demonstrates how extrinsic evidence and action research methods were used to develop aspects of the curriculum and overall academic experience of law students. The impact of these innovations was analysed with qualitative and quantitative education research methods, which are rarely used in legal education. The development of this research is traced from 2001 and details how it grew from a desire to improve the law student experience, into a body of education research that has had impact both in law and other higher education disciplines. The articles in this submission are published in high quality higher education journals, an achievement which is still relatively unusual in legal education. Four of the five are published in journals ranked in the top twenty for higher education research by Google Scholar and academics (Tight, 2017). They form a coherent body of education research with demonstrable results for legal education and beyond. The first indication of impact is that, together, these publications have been cited 180 times. The original findings in these publications are discussed such as the discovery that self-awareness literature and diary-keeping can help students in their transition to university. Other discoveries include findings that: reflective practice has intrinsic value in higher education regardless of whether students become 'good' reflectors; the importance of a long transition process rather than a traditional induction process and; the benefits of student voice and participatory action research for legal and other higher education disciplines. This submission discusses how this body of research has impacted on students, law staff at Liverpool John Moores University (LJMU), colleagues in other disciplines and outside LJMU. The impact of these innovations in bringing reflective practice, self-awareness literature, and the use of diaries to legal education for the purposes of helping to improve retention rates and student performance is demonstrated (Publications 1 and 2). Analysis was undertaken using qualitative education research techniques, particularly the use of interpretative phenomenological analysis (IPA), which is uncommon in legal education. Publication 3 highlights the value of a longer transition process and the value of quantitative education research techniques in legal education. Publications 4 and 5 take legal education development into the emerging area of student voice by employing participatory action research with students. This type of research is also rare in legal education. The potential of this approach

to gathering data, analysis and publication, which might influence on-going conversations about the development of legal education, including testing learning environments that prepare students for the Solicitor's Qualifying Examination is discussed. The methodological reasoning for using the chosen methods of research is also discussed, as is the general need to test innovations in law curricula. In summary, these publications illustrate the use of education research methodology and methods that are seldom employed in legal education. The sustainability of this approach, the value of communicating with students and potential further research that could be informed by these publications is deliberated. A final conclusion drawn is that there should be more engagement from legal scholars with the external education research community.

Gibbons, Jen (2018)

Title: *A Bernsteinian analysis of the interplay between legal knowledge and the legal professional in university law schools in Yorkshire and Alberta*

URL: <https://eprints.lancs.ac.uk/id/eprint/140666/>

Institution: University of York, England

Contribution to Reflective Practice Scholarship: Analyses the assessment of reflection and its role in a problem-based learning law curriculum.

Abstract

This thesis explores University-level legal education in England (specifically Yorkshire) using a theory-oriented case study method as a way to analyse and develop to a new context a suite of concepts derived from the work of Basil Bernstein, including classification and framing, the pedagogic device and pedagogic identities. It uses Canada (specifically Alberta) as a comparator research site using a structured, focused comparison approach (George & Bennett, 2005). The research was triggered by concerns about the impact on University-level legal education of the ongoing changes to the entry level qualifications for the legal profession in England that have been initiated by the Solicitors Regulation Authority, and the rapid expansion in the numbers of students studying law. The research is centred on a macro-level study of the interplay between the legal professional and his/her documentary and visual representation and the classification and framing of legal knowledge in university law schools in England. It identifies, illustrates and analyses some of the nuances in the interplay between the actors and substantive knowledge base in what Bernstein refers to as the Official Recontextualising Field (ORF) and the Pedagogic Recontextualising Field (PRF) of legal education. It develops Bernstein's concepts in the context of legal education, most notably through analysis of what is referred to here as a Specialised Recontextualising Field (SRF), which incorporates the contemplation of a range of specialised discourses in legal education. This leads to the development of specialised theoretical identities that emerged from analysis of the research data. These are referred to here as the Democratic Intellectual, the Democratic Professional and the Democratic Technologist. The key findings are discussed leading to proposals for their use in legal education curriculum design and policy development.

Douglas, Kathy (2012)

Title: *The teaching of ADR in Australian law schools: promoting a reflective professional identity*

URL: https://research-repository.rmit.edu.au/articles/thesis/The_teaching_of_alternative_dispute_resolution_in_selected_Australian_law_schools_towards_second_generation_practice_and_pedagogy/27340653?file=50728896

Institution: RMIT University, Australia

Contribution to Reflective Practice Scholarship: Specifically ties reflective practice to dispute resolution and the ADR space.

Abstract

Alternative dispute resolution (ADR) theory and practice can contribute to the development of non-adversarial practice in law; an approach that privileges non adversarial options over litigation and better addresses clients' needs including the emotional concerns inherent in many legal disputes and issues of power and culture in conflict resolution. Additionally, emergent theory in negotiation and mediation, sometimes known as second generation practice and pedagogy, contends that these processes can lead to conflict transformation between parties, where there is fundamental change in the ways that parties perceive each other, the conflict and the larger societal issues that pertain to the dispute. Second generation practice differs from first generation paradigms in negotiation and mediation, because it is interactional rather than transactional and instrumental, relational rather than individualistic and does not privilege the rational over emotional concerns in conflict.

Despite the potential of ADR to contribute in a positive manner to law, lawyers and parties a number of initiatives in ADR have been subverted by the traditional adversarial mindset of many lawyers. The rise of evaluative mediation, where parties are advised about the likely court outcomes of a dispute and sometimes pressured to settle, means that in the court-connected context the potential of alternative processes can be compromised. Evaluative mediation undermines party self-determination and the experience of procedural justice, whereby parties experience benefits from a third party hearing the story of their conflict.

Legal education is a key site for the construction of legal practice. ADR in legal education is important to research in order to understand the ways that this area might better contribute to shaping the lawyers of the future. The teaching of ADR in legal education can contribute to law students developing a professional identity that privileges non-adversarial practice, and understanding the full potential of negotiation and mediation. This thesis explored the content and pedagogies used by law teachers in teaching the discipline area of ADR. The research was primarily constructivist and considered the teaching of ADR in two states in Australia, Victoria and Queensland. The methodology adopted included both qualitative and quantitative data through interviewing or surveying twenty nine ADR teachers and the content analysis of thirteen 'main' course guides dealing with the area of ADR. The data was gathered in late 2007 and 2008. This thesis uses various theoretical lenses to analyse the data, including non-adversarialism, particularly the works of Julie Macfarlane and Nickolas James. The thesis explored the complex forces affecting the place of ADR in legal education and made a number of findings, including the need to formalise a community of practice of ADR teachers in Australia in order to promote the teaching of second generation practice and pedagogy in negotiation and mediation. This

community of practice is also necessary to lobby for appropriate funding of ADR pedagogy, particularly the funding of role-plays.

Rochette, Annie (2010)

Title: *Teaching and Learning in Canadian Legal Education: An Empirical Exploration*

URL: <https://mcgill.scholaris.ca/items/18fea359-021f-4db5-94bc-08cdef7c406f>

Institution: McGill University, Canada

Contribution to Reflective Practice Scholarship: Emphasises reflective practice for the educator as a catalyst for changing institutional culture.

Abstract

This dissertation is an exploration of law teaching in Canada. Through an empirical study, it aims to describe the teaching and evaluation methods used in Canadian law faculties, and to explain the pedagogical choices of law professors. The findings suggest that the dominant method of teaching in Canadian law faculties is lecturing, although this is often used with other, more interactive methods such as discussion, question-answer or some form of Socratic method. The findings also suggest that law professors' pedagogical choices are influenced by their conception of teaching, as well as other factors such as institutional requirements, culture, and students. Finally, by comparing the teaching and learning literature with the findings, the dissertation concludes that if we want to improve student learning in legal education, we must make learning the focus of teaching. In order for this to happen, we should also pay close attention to law teachers' conceptions of teaching and to their teaching context.

Ching, Jane (2009)

Title: *Young litigation solicitors and their perceptions of movement from qualification to the 3-year watershed*

URL: <https://irep.ntu.ac.uk/id/eprint/40807/>

Institution: Nottingham Trent University, England

Contribution to Reflective Practice Scholarship: Examines workplace learning, CPD, and the developmental journey of newly qualified solicitors, with a comprehensive analysis of the term reflective practice.

Abstract

The objective of this interview-based study, blending a phenomenological standpoint with the disciplines of grounded theory analysis, is to articulate the essences of the perceptions possessed by recently qualified solicitors practising litigation of their own developmental journey from qualification to the 3-year watershed, a point by which the profession assumes professional autonomy to have been attained. The study first discusses solicitors' training, in its political context, providing an outline of litigation practice measured against relevant competence frameworks, including those intended to mark the point of qualification for the future, demonstrating that the point of qualification may be characterised by stress, uncertainty and mixed messages as to the status (if any) now achieved: a period of 'professional adolescence'. The currently proposed competence framework for the point of qualification is analysed so as to extract from it an assumed 'competence for development'.

The literature relating to CPD; adult learning; nature and acquisition of expertise and workplace learning is then analysed in the context of the interview group. The existing CPD scheme is found to permit, rather than to encourage, development including the 'aspiration' required to increase the scope of activity (contrasted with enhancement of the quality of performance). The andragogical assumptions, in particular those of self-direction and autonomy, are compared with the literature on the novice-expert spectrum, reconciled by concluding that the period of professional adolescence may depress developmental autonomy. Further discussion of expertise includes the questions whether junior lawyers perceive expert traits in colleagues; whether they assume that expertise is acquired unconsciously by accumulating 'experience' or whether they perceive expert rules as susceptible of being taught. The discussion of workplace learning considers manifestation of the andragogical assumptions in the workplace, contrasting acquisition of tacit learning through 'experience' with deliberate 'engagement with experience' including classic reflection-on-action but also embracing the asking of questions and other recourse to colleagues. The role of the employer as definer, constrainer or supporter of developmental activity is woven into discussion at all stages.

The methodology adopted is a pragmatic synthesis of phenomenology with the disciplines of grounded theory; deployed in face-to-face interviews and detailed coding of transcripts. Analysis first examines perceptions of the benchmarks of qualification and the three year watershed, concluding that prior experience in the training contract informs not only feelings of confidence and competence at the point of qualification but contributes to a perceived 'deficit' which preoccupies and defines developmental activity in many for at least the subsequent two years. CPD, whilst ostensibly prioritised as sanctioned learning, is, despite assumptions that it involves didactic legal updating, perceived as addressing parts of that deficit subject to constraints about tightly defined relevance of content and level and appropriate delivery which supplies manageable steps for implementation of what is learned. Workplace learning is perceived as more valuable, allowing in particular for the repetition of tasks and the experiencing of the whole of a transaction seen to be absent from the training contract but informing the unconscious acquisition of expertise. Nevertheless, aspects of engagement with experience, in particular asking questions and the use of self-selected 'slight seniors' are apparent, whilst reflection-on-action is possible for those whose deficit is less pronounced or who are able to draw on assistance for implementation. The study then concludes with an examination of the shape of the assumed competence for development derived from the picture provided by the interviews.

Hann, Deborah Merryn (2007)

Title: *Lawyers practising learning: re-shaping continuing legal education*

URL: <https://hdl.handle.net/11343/356594>

Institution: The University of Melbourne, Australia

Contribution to Reflective Practice Scholarship: Highlights the importance of workplace learning and reflective leadership within legal practice, arguing that lawyers develop professional competence through ongoing reflection, collaboration, and experiential learning.

Abstract

Lawyers learn at work, a point not adequately recognised by the Legal Education literature. Thus, a workplace, or learning curriculum, for lawyers is often overlooked. There is a concomitant failure to address meaningful workplace learning for lawyers, to improve their

operational insight, and to enhance their work-based learning opportunities and well-being. This preferable approach would equip lawyers to become better practitioners and encourage the participation of master practitioners. Many lawyers work as professionals integrated into organisations. Within this context, their management and leadership and learning are seen as an insignificant by-product of their professional legal work. Yet many lawyers undertake this additional responsibility whether they work in formal positions of authority, or not. Here there is a concern that the rhetoric of professionalism is morphing into the rhetoric of work. This situation disregards the reality of how lawyers work and learn together and the non-canonical or emergent nature of much of their management and leadership work. This qualitative study investigates the significance of lawyers' learning at work experiences in shaping their work in managing and leading others and what kinds of educative support will be useful. The method used was an ethnographic interview and observation based study involving two stages and three years of fieldwork conducted in lawyers' complex sites of practice. It employed a symbolic interactionism research lens supplemented by appreciative inquiry techniques and reconstructive analysis. 'Legal Working Culture', or 'LWC', which this research establishes, is a substantial description of lawyers' values, beliefs and behaviour when working and learning together in legal organisations and institutions. It transcends individual workplaces and draws on contemporary leadership theory to focus on the work and learning, rather than formal organisational roles. Therefore, 'LWC' incorporates both 'professional' and 'organisational leadership' and does not hive off 'organisational leadership' as a separate experience because it is closely aligned to the business of law. It incorporates the notion that 'professional leadership' can extend beyond the interests of an individual legal organisation. The findings show that lawyers often have dual identities when integrated as professional workers in organisations and institutions which affect how and what they learn at work. The beliefs, behaviours and values of 'LWC' are sustained by master practitioners, or 'Leaderworkers', who do not necessarily have positional authority in the formal sense, but rather, whose leadership standing comes from their intellectual and personal leadership as they draw strength from their cultural heritage. These 'LWC Leaderworkers' have an important role in teaching leadership to other lawyers. The 'LWC Leaderwork (Review and Development) Model' draws on Clinical Legal Education, informal, social and workplace learning theories and recognises the diversity of interests in legal workplaces. It therefore provides guidance to lawyers undertaking formal and distributed leadership work in legal organisations and institutions and to legal organisations, institutions and Legal Education providers. The thesis makes suggestions for promoting the acceptance, appreciation and development of 'professional' and 'organisational leadership' or leaderwork, in Legal Working Culture.