

Developing Ethical Values through a Mentoring Scheme

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Abstract

This article proposes a mentoring scheme as a way of inculcating ethical values on law students. Its goal is to assess (i) how a mentoring scheme develops ethical values amongst appointed mentors, (ii) identification of core ethical values developed within the mentoring scheme and (iii) how ethical values translate to the mentors' personal and professional lives in preparation for diverse global cultures, ethnicities and identities that encompass varied social, political and legal constructs. Exposure to diverse cultures and ethnicities, and becoming sensitive to these diversities, is becoming necessary in today's global world. The recent International Student Barometer is a testament of the success of the Newcastle mentoring scheme in integrating international students with other students within the university.

Keywords: Ethical values, mentoring, international students, transferability, globalisation.

1. The place of ethical values in legal education

The dynamics of twenty-first century education are reshaping the aims of pedagogy by forging an appreciation for diversity, skills and ethical values. Relevant exposure to different domains of knowledge and to different ways of thinking for acquiring knowledge is pivotal to the development of graduates in today's globalised world. To cater for these emerging needs in the culturally diverse and globalised workplace, higher education institutions are increasingly allowing integration of 'some sense of the real world' into their curricula.¹ Many employers are now seeking to recruit graduates who are not only academically well qualified, but also demonstrate broad knowledge of the wider world.² It is believed that this diversity will help students develop a sense of social responsibility and the ability to apply their knowledge and skills in real-world settings.³ In response to this growing trend in recruitment, demand for graduates equipped with 'know how' and willing to make the

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¹ Andrea Utley, 'Graduates Lack Real World Skills' (1997) November 7 *The Times Higher Education Supplement*, at 7. See also John Bell, 'General Transferable Skills and the Law Curriculum' (1996) II PT1 *Contemporary Issues in Law*, at 3: '...the critical role of higher education argues that higher level of learning should enable students to examine critically the external world, including the world of work, maintain their own critical space and not just conform to its demands.'

² Browne Report, 'Securing a Sustainable Future for Higher Education' (2010) available at www.independent.gov.uk/browne-report, Chapter 4, 28-34.

³ Guardian (Ryle, 1997) reported that too much learning and not enough hands-on experience in the higher education curriculum is costing British business up to £2 billion a year because graduates have 'the theoretical skills but not the practical know how.' Reference is also made by the UK Commission on Employment and Skills (UKCES) in their report, 'Ambition 2020: World Class Skills and Jobs for the UK' (2009) have identified that the UK higher education system 'does not produce the most effective mix of skills to meet business needs.' Available at www.ukces.org.uk/publications-and-resources/browse-by-title/ambition-2020-world-class-skills-and-jobs-for-the-uk (last visited 16 February 2011).

difference in the workplace or community is growing.⁴ The aim of the arguments presented here is not to prioritise ethical values acquisition over knowledge derived from classroom teaching, but rather to highlight the significance of ability to demonstrate the combination of appropriate values and relevant knowledge in the work environment and in life in general.⁵ Further, the development of ethical values is crucial in moulding graduates who behave ethically in their profession and are sensitive to the needs of others, both in professional and other relationships.⁶

Some academics and practitioners argue that the mission of education is the preparation of ‘good citizens’⁷ or ‘better persons’,⁸ rather than (simply) good lawyers. Thus, educators can help students become ‘good citizens’ by exposing them to ethical values that will enrich their lives. The goal is to enhance the personal development of graduates in all aspects of their lives and in the relationships they forge with others, whether in the workplace, the community or at home. Developing meaningful relationships is essential for one’s standing and reputation in society. On a personal level, it provides an enriching and fulfilling experience. A good mentoring relationship developed at university can thus set a path that students will follow in all facets of their private and professional lives.

The teaching of values is a collective responsibility of individual law schools. Whether the motivation comes from national bodies or individual teachers, academic instruction implicitly includes values and norms.⁹ In addition, achieving reflective teaching is only possible if educators are open to learning

⁴ Sally Kift, ‘21st Century Climate for Change: Curriculum Design for Quality Learning Engagement in Law’ (2008) 18 (1&2) *Legal Education Review* 1–30, at 15. The recent Times Higher Education, ‘We Can Work It Out’ by Rebecca Attwood, 2 September 2010, reported that 1,212 out of 1,263 UK employers would choose a graduate lacking the complete skill set for the job but demonstrating ‘the desired mind-set’, as opposed to the other way around. See also Dawn Oliver, ‘Teaching and Learning Law: Pressures on the Liberal Law Degree’ in Peter Birks (ed), *Reviewing Legal Education* (Oxford University Press, 1994), 77–78.

⁵ Teaching ethical values has been a topic that has dominated much of the air-time at many Higher Education institutions across the globe in the last two decades. This could have been prompted by concerns raised by the law regulatory bodies, Solicitors Regulation Authority (SRA) etc. on shoddy practices by lawyers and money-laundering activities. Paul Maharg in ‘Transforming Legal Education: Learning and Teaching the Law in the Early Twenty-first Century’ (2007) at 262 argues that many aspects of the liberal approach to the legal education are essential to the philosophical core of the curriculum. Martha C Nussbaum, *Cultivating Humanity, A Classical Defense of Reform in Liberal Education* (Harvard University Press, 1998), states that the purpose of liberal education is to cultivate humanity.

⁶ Paul Ricoeur’s, *Being, Essence and Substance in Plato and Aristotle* (John Wiley, 2013) hermeneutic approach on ethical aim includes self-project, caring about others and the requirements of justice. See, also, shoddy practices in legal firms, Eduardo Reyes, ‘The Cost of Having Principles’, *The Law Society Gazette* www.lawgazette.co.uk/analysis/comment-and-opinion/the-cost-of-having-principles/5037837.article (accessed 25 September 2013).

⁷ Roger Brownsword, ‘Law Schools for Lawyers, Citizens and People’ in Fiona Cownie (ed), *The Law School: Global Issues, Local Questions* (Aldershot, Ashgate, 1999) 29. See Anne Bottomley, ‘Lessons from the Classroom: Some Aspects of the “Socio” in “Legal” Education in Socio-Legal Studies’ (1997) 178–9. edited by Philip A Thomas (Dartmouth Publishing Company). Here, the author states that many students don’t end up becoming lawyers and don’t understand the need for law schools to become vocational. Moreover, one third of training contracts are given to non-law graduates, suggesting that the supply of law graduates has no bearing on the decision process. Anthony Bradney in ‘Ivory Towers and Satanic Mills: Choices for University Law Schools’ (1992) *Studies in Higher Education*, 5, at 14 acts as a critic of vocational types of legal education, arguing that they are designed to satisfy the short-term needs of the legal profession. See also Julian Webb, ‘Ethics for Lawyers or Ethics for Citizens: New Directions for Legal Education’ (1998) 25 *Journal of Law and Society* 134.

⁸ Anthony Bradney, ‘Liberalising Legal Education’ in Fiona Cownie (ed), *The Law School: Global Issues, Local Questions* (Ashgate, 1999) 8.

⁹ Sally Kift, (n 4) 8. Australian Law Revision Committee (ALRC) stated that professional skills training ‘should be fully informed by theory, devoted to the refinement of the high order intellectual skills of students, and calculated to inculcate a sense of ethical propriety, and professional and social responsibility.’ ALRC, *Managing Justice – A Review of the Federal Civil Justice System*, ALRC, December 1999 (ALRC Report no. 89). JD Butler, ‘The Role of Value Theory in Education’ in PG Smith (ed), *Theories of Value and Problems of Education* (University of Illinois Press, 1970) referred to in Cownie’s article, ‘Alternative Values in Legal

from their students. Only then can the substance being taught add value to students' professional and private lives (in the community and in the home).¹⁰ This inspires and encourages educators to think about their chosen discipline in a more relevant and creative way. Creativity and self-expression is essential in education, and any initiative that helps students engage with values will stimulate a process of reflection. Consequently, students will be able to apply both their cognitive thinking and relevant ethical values to complex decision-making.¹¹ In order to have a lasting effect on moral behaviour, legal education needs to concentrate on adapting students' moral character to enable them to face the ethical challenges of contemporary legal practice.¹²

In England and Wales, the recent endorsement of the place of ethical values in legal education was reflected in the Legal Education Training Review report.¹³ A majority of respondents thought that understanding of legal values, ethics and professionalism needs to be developed throughout legal services education and training. In addition, the Legal Services Act 2007 regulatory objectives emphasise the centrality of the core ethical standards captured by section 1 of the Legal Services Act 2007, ('professional principles') as well as a wider notion, reflected across the objectives as a whole, of professional responsibility to society and to the rule of law. The development of Outcomes Focussed Regulation (OFR) has also been seen to require a different approach to education and training in ethical values.¹⁴ In Scotland, the Law Society of Scotland's Professional Education and Training (PEAT) 1 and 2 definition of professionalism is particularly commended as a way of capturing the wider commitments of legal professionals to society, addressing:¹⁵

- the interests of justice and democracy;
- effective and competent legal services on behalf of a client;
- continuing professional education and personal development;
- diversity and public service;
- trust, respect and personal integrity.

Education' (2003) 6 *Legal Ethics* 159, at 170, stating that individual teachers in institutions must make the effort to implement goals that embrace values in the process of delivering legal education.

¹⁰ For example, clinical legal education, delivered through the curriculum modules, offers discrete subjects in ethics.

¹¹ The Dearing Report (1997) *Higher Education in the Learning Society* (London, HMSO) para. 5.4.3. The National Committee of Inquiry into Higher Education, the first national comprehensive study on higher education commissioned by the government since the Robbins Report in the 1960s in one of its objectives states that "higher education provides students with an opportunity to consider for themselves the values needed in a democratic society; a willingness to debate issues rationally and openly; a commitment to a pluralistic society, the rule of law and the protection of personal liberties." The Lord Chancellor's Advisory Committee on Legal Education and Conduct (ACLEC) also proposed that academic and vocational stages of legal education should be much more closely integrated, with liberal values and transferable professional skills permeating the entire experience. Blackstone illuminated the twin purposes of an academic legal education as being a civilised education and a foundation for professional practice see Bob Hepple, 'The Renewal of the Liberal Law Degree' (1996) 55(3) *Cambridge Law Journal* 470, at 472 referred to 'Of The Study, Nature and Extent of the Law of England', published as the introduction: SECTION 1 of the Commentaries on the Laws of England, vol. 1. Bob Hepple, at 483, also contributed to the 'dialogue' that students must be able to view legal problems from a broad range of social and political perspectives, and must be able to comprehend the wider universe in which the law operates.

¹² See, Donald Nicholson in 'Education, Education, Education: Legal, Moral and Clinical' (2008) *The Law Teacher* 41(2), 145-172 suggests a clinical law model in addressing the reality of limited education budgets and maximises the clinical legal experience both in terms of student numbers and length of involvement.

¹³ LETR is a joint project of the Solicitors Regulation Authority (SRA), the Bar Standards Board (BSB) and ILEX Professional Standards (IPS). It constitutes a fundamental, evidence-based review of education and training requirements across regulated and non-regulated legal services in England and Wales. LETR is required to ensure that the future system of legal education and training will be effective and efficient in preparing legal service providers to meet the needs of consumers.

<http://letr.org.uk/the-report/chapter-7/quality/index.html> (accessed 2 October 2013).

¹⁴ <http://www.sra.org.uk/solicitors/freedom-in-practice/ofr/ofr-quick-guide.page> (accessed 11 October 2013).

¹⁵ <http://www.lawscot.org.uk/media/561669/peat%201%20guidelines.pdf> (accessed 11 October 2013).

Another platform, the International Forum on Teaching Legal Ethics and Professionalism website is designed as an online gathering place, resource repository, and clearinghouse for an international community of ethics teachers, scholars, and practitioners.¹⁶ The website provides an organising tool for efforts to change the culture of legal education and place greater emphasis on ethics and professionalism education across jurisdictions and throughout law schools' curricula. This is an interactive group designed to bring together teachers from institutions across the UK, allowing them to share ideas, learning materials and other resources related to the teaching of ethics as a part of undergraduate and postgraduate law degrees and professional law programmes. Workshops are also organised, allowing the wider community to benefit from the group's work and resources. The Forum website catalyses innovative teaching, especially by increasing the flow of information across national boundaries, and empowers both practitioners and law teachers (particularly those working at institutions with limited resources) to participate in a global dialogue on the effective teaching of legal ethics and professionalism. Similarly, in the US, the National Institute for Teaching Ethics and Professionalism (NIFTEP), sister organisation to Legal Ethics UK, conducts bi-annual workshops that bring together leading academics and practitioners involved teaching legal ethics and promoting professionalism.¹⁷

In addition, according to the Carnegie report (2007), in the United States, adherence to moral and social values is vital in both teaching and learning.¹⁸ In Australia, the Australian Law Reform Commission (ALRC) focused in its report on 'what lawyers need to be able to do' rather than 'what lawyers need to know', appreciating the need for a change in legal education.¹⁹ The ALRC (1999) relied on the finding of the American Bar Association's MacCrate report (1992), which called for the legal educators and the legal profession to work together in designing a curriculum that ensures greater employability of future graduates.²⁰ Another report, published in the United States by the Clinical Legal Education Association (CLEA), entitled 'Best Practices for Legal Education: A Vision and Road Map' (the Best Practices Report), stated that designing curricula that would apply concurrently in other jurisdictions is important in today's globalised world. Moreover, it needs to appropriately address the shifts in the educational system worldwide, due to increasing globalisation.²¹

2. What are ethical values?

Given the numerous definitions and interpretations of ethics and values, it is difficult to establish their true meaning.²² Values are defined as important and lasting beliefs or ideals shared by the members of

¹⁶ www.teachinglegalethics.org/ (accessed 10 October 2013).

¹⁷ <http://law.gsu.edu/niftep/> (accessed 10 October 2013).

¹⁸ Carnegie Foundation for the Advancement of Teaching. See also Fiona Cownie, 'Alternative Values in Legal Education' (2003) 6 *Legal Ethics* 159 and Roger Burridge and Julian Webb, 'The Values of Common Law Legal Education: Rethinking Rules, Responsibilities, Relationships and Roles in the Law School' (2007) 10(1) *Legal Ethics* 72.

¹⁹ Sally Kift makes reference to this in her paper, 'A Tale of Two Sectors: Dynamic Curriculum Change for a Dynamically Changing Profession' (2004) 2(2) *JCLLE* 5, at 7. ALRC, *Managing Justice – A Review of the Federal Civil Justice System*, ALRC, December 1999 (ALRC Report no. 89).

²⁰ Sally Kift makes reference to this in her paper, '21st Century Climate for Change: Curriculum Design for Quality Learning Engagement in Law' (2008) 18(1/2) *Legal Education Review* 1. American Bar Association. Section on Legal Education and Admissions to the Bar, *Legal Education and Professional Development – An Educational Continuum*. Report of the Task Force on Law Schools and the Profession: Narrowing the Gap, ABA, Chicago, 1992 (the MacCrate Report). The Report also seeks to equip graduates with ethical values.

²¹ Available at www.cleaweb.org/resources/bp.html (last visited 19 September 2010).

²² Ethics is used in various disciplines, such as medicine, business and mathematics. Thus, how we define ethics may not be as clear-cut as we expect it to be. See Stanley Fish, *Is There a Text in this Class? The Authority of Interpretative Communities* (Harvard University Press, 1982). Phil Thomas, 'Legal Education: Then and Now' (2003) 40(3) *The Law Teacher* 239.

a culture about what is good or bad, desirable or undesirable.²³ Values have a major influence on a person's behaviours and attitudes and serve as broad guidelines in all situations. Values derive from culture's standards for discerning what is good and just in society and are said to underlie our behaviour.²⁴ However, for a value to guide a behaviour or attitude, we must perceive it as relevant. Values portray an ideal culture, the standards society would like to embrace and live up to. Values are not constant; they change with the passage of time and between groups, as we evaluate, debate and change collective societal beliefs. Values are shaped by the vision a person wishes to aspire to and could also be the basis for our judgments, as these are often related to our values. However, at workplace, the values we adopt are sometimes indicative of the primary aim of the organisation, presenting potential for conflicts between personal values and those of the organisation.²⁵

Defining values as determinants of what is right and what is wrong, ethics can be understood as acting on these values. Ethics refer to a set of moral principles or a notion of external standards²⁶ or basic concepts and fundamental principles of right human behaviour. Typically, the concept of ethics is used loosely in defining issues relating to morality and fair decisions. In other words, 'if higher education is to be both meaningful and fully human, it must matter morally, as well as intellectually.'²⁷

According to Silcock and Duncan, (i) optimal conditions for the integration of values into school students' lives will include their voluntary commitment; (ii) learning values must lead to personally transformed relationships between students and topics considered worthwhile; (iii) since learning values is, arguably, at the core of formal education, there has to be some consistency between what is learned and the wider socio-political scene.²⁸ Consistent with this view, values that address broader educational goals of personal development, citizenship and developing a broader outlook on the world are essential in the life of a successful graduate. The mentoring scheme adopts the first two aspects of developing ethical values for mentors, suggested by Silcock and Duncan, whereas the third aspect is modified to embrace globalised features of the current environment and the broader society.

Education on ethical values should energise these mentors, as they will be able to properly apply these values in their daily life as human beings. These values will then empower them and make them aware of their surroundings and the relationships they develop in their lives. The education they receive also cultivates their ability to see complex humanity in places where they are most accustomed to deny it.²⁹ Thus, it is crucial to examine the manner in which these qualities correlate and operate as essential values that are much desired in the pursuits of education today.

²³ BusinessDictionary.com.

²⁴ Adrian Evans and Josephine Palermo, 'Australian Law Students' Perception of Their Values; Interim Results in the First Year—2001—of a Three-Year Empirical Assessment' (2002) 5 *Legal Ethics* 103 at 105.

²⁵ Alan Hutchinson, *Legal Ethics and Professional Responsibility* (Irwin Law, 1999) 47 states that ethics is a private question involving messy judgments about personal values. He argues that an ethical lawyer does more than learning and applying a set of rules; the role demands the cultivation of a critical reflection on the professional role and responsibilities of lawyers. In short, a fully ethical practice requires an independent sense of moral virtue that involves the lifelong development of personal moral character. He also states (at 56) that it deals with choices and accountability—accountability that is analogous to the public accountability of the legal.

²⁶ Kieran Tranter, 'Ethical, ooh, Yeah Ethical is Yeah, What's Right Yeah: A Snapshot of First Year Law Students' Conception of Ethics' (2004) 7 *Legal Ethics* 85, at 88.

²⁷ Laurinda Stryker, 'The Holocaust and liberal education' in Bob Brecher et al (eds), *The University in a Liberal State* (Ashgate, 1996) 7-8. Len Ward, 'Education and Values' in JP Strain (ed), *Modern Philosophies of Education* (Random House, 1971) quoted in Cownie (n 18) 165. He states that 'where there is real education, there are genuine human values.'

²⁸ Peter Silcock and Diane Duncan 'Values Acquisition and Values Education: Some Proposals' (2001) 49(3) *British Journal of Educational Studies* 242.

²⁹ Martha Nussbaum, Education for citizenship in an era of global connection, *Studies in Philosophy and Education*, (2002), 21, 289-303, at 301.

3. Why develop ethical values through a mentoring scheme?

Mentoring is a process whereby a more experienced person is paired with a less experienced one. Mentors are typically caring, compassionate and supportive individuals, willing to help and advise those entrusted under their wings. Mentors are also perceived as having integrity and standing and are often linked to having certain values (ethical) and skills addressing the personal needs and circumstances affecting their mentees. The need for 'self-discovery' challenges the mentors to become good citizens,³⁰ or better persons,³¹ motivating them to constantly assess their own selves and indulge in the process of critical inquiry, as they face new experiences. Based on the demand for the development of specified characteristics from a mentor within a mentoring scheme, ethical values play a substantial part in moulding mentors in their role. In the US, the National Legal Mentoring Consortium encourages mentoring in the legal profession and provides resources to aid the operation of mentoring initiatives within law firms, bar organisations, law schools, courts, and other entities within the legal profession.³²

Mentoring effectiveness in developing ethical values also stems from the limitations of formal classroom-based teaching and learning. Thus, mentoring is increasingly recognised as a cost effective way to upgrade skills and develop ethical values of mentors. Mentors assume responsibility of guiding and supporting their mentees. This quick turn-around time for mentors to learn and perform in their role is an effective approach in exposing them to developing ethical values and skills. Conversely, outcomes of teaching ethical values in a module are often more difficult to assess, in particular via summative evaluations, which may not reveal whether mentors have acquired the necessary skills and values and whether they are ready to apply them in their professional careers and personal lives.³³ Mentor training is also often didactic in approach and tends to focus on the professional codes of conduct, whereby students end up memorising the text to pass the module. On the other hand, a practice-based programme is far better in integrating and inculcating values, as students learn from their experience through descriptive feedback as a significant instructional strategy to move students forward in their learning.³⁴ A practice-based programme is also more effective in equipping and engaging students, allowing them to apply acquired ethical values while still at university. This enables them to fully grasp their true meaning before they progress into their professional and private

³⁰ See Ragavan (n 6).

³¹ See Ragavan (n 7).

³² The Consortium aims to develop mentees' practical skills while developing a sense of confidence, identity, and effectiveness in their professional role. Mentoring is also used to strengthen the legal profession by enhancing a sense of community and elevating the standards of competence, ethics, and professionalism, <http://legalmentoring.org/about.php> (accessed 20 November 2013). See, also, The Committee on the Professional Educational Continuum, Section on Legal Education and Admissions to the Bar, American Bar Association on "Twenty years after the MacCrate Report: A review of the Current state of the legal education Continuum and the challenges facing the academy, Bar, and the Judiciary", 44(4), 20 March 2013. http://www.americanbar.org/publications/syllabus_home/volume_44_2012-2013/summer-2013/report-of-the-committee-on-the-professional-educational-continuu.html (accessed 20 November 2013) suggesting a strengthened relationship between legal education and the bar aimed at developing a shared understanding of the skills necessary for new practitioners and of the division of responsibility for the continued education and mentoring of new lawyers.

³³ Nigel Duncan, 'Addressing emotions in preparing ethical lawyers' in Paul Maharg and Caroline Maughan (eds), *Teaching and Reaching the Whole Student—the Impact of Emotions on Learning (and Teaching) the Law*. (Ashgate 2011).

³⁴ <http://newsofbird.com/2013/06/05/personality-is-the-result-of-nurture-not-nature-suggests-study-on-birds/> Research conducted by Dr Nick Royle from University of Exeter indicates that individual's personality is a result of nurture rather than nature. (accessed 5 June 2013). See, also, Burridge and Webb (n 18), at 97, state: "[E]ffective learning about values would benefit from learning processes that will enable a felt experience of, rather than a mere intellectual acquaintance with, those values..."

lives.³⁵ Using the mentoring scheme as a mode of developing ethical values has also been recommended by several academics. For example, Nussbaum expressed the erosion of the humanities and arts in favour of technical applied learning, geared to create short-term profit.³⁶ Annette, on the other hand, argues that values are reinforced by offering students opportunities to participate in 'community service learning' as it enables them to engage in active learning and develops key skills and capabilities as it exposes them to the wider world.³⁷ Similarly, Wilhite and Silver comment that civic engagement is a potentially powerful tool for promoting development of values required for critical inquiry so that discipline-specific knowledge can flourish.³⁸

Sympathy is also an important aspect of the mentors' role. Tagore recognised the significance of sympathy and associated it with the feeling of 'fullness'.³⁹ Similarly, Nussbaum argued that the education of sympathy is not only systematically ignored in schools, but it is severely repressed.⁴⁰ Tagore speaks about the power of arts and its ability to create non-hierarchical community, as a valuable model of the responsiveness and interactivity.⁴¹ Similarly, exposure to and understanding characteristics of different races, ethnic groups and cultures is essential for mentors. Cross-cultural experiences enhance their understanding the world and its demands in a more substantive way.⁴² All of these collectively facilitate the development of values.

4. How do ethical values contribute to preparing mentors to live and work in a globalised and culturally diverse world?

Globalisation compels competition between nation states and transnational corporations. It has also fundamentally altered the role of university in the global market, knowledge economy and the fostering of individualism and promoting market relations.⁴³ Owing to globalisation, new knowledge economy has 'erupted', allowing individuals and corporations alike to operate without a fixed place of abode.⁴⁴ In her book, Thornton speaks of the shifting debate between employers and the global market, reflecting movement from social liberalism to neoliberalism.⁴⁵ She argues that, although the full privatisation of universities may be the ultimate aim, as suggested in the UK by the Browne Report, the public sphere qua government that has engineered and supported the privatising

³⁵ Lord Justice Potter, in 'Ethics and Legal Education' (1999) 33(3) *The Law Teacher* 298-300, at 299 stated that ethics should not only be taught as part of the first law degree, but rather inculcated earlier so it plays a dominant influence in the graduate lawyer at the later stages of his professional training. Similarly, in J Webb, 'Developing Ethical Lawyers: Can Legal Education Enhance Access to Justice?' (1999) 33 *Law Teacher* 284, 285-6 the author makes strong arguments for making ethics pervasive, throughout the curriculum.

³⁶ 'Not for profit: why legal education needs the humanities', www.law.unsw.edu.au/news/2011/08/martha-nussbaum-education-and-values-crucial-global-citizenship#sthash.5jtumonA.dpuf.

³⁷ John Annette, 'Citizenship studies, Community Service Learning and Higher Education' Ch 8 in Gardener et al.

³⁸ Stephen Wilhite and Paula Silver, 'A false dichotomy for higher education: educating citizens vs educating technicians' (summer 2005) *National Civic Review* 46.

³⁹ Rabindranath Tagore, *The Oxford India Tagore: Selected Writings on Education and Nationalism* (Oxford University Press 2009). See also Rabindranath Tagore, *Rabindranath Tagore, Pioneer in Education* (Distributed by Murray 1961).

⁴⁰ *Ibid.*

⁴¹ Tagore (n 39).

⁴² Nussbaum (n 5) stated that cultivation of humanities will move away from producing generations of useful machines. Education that cultivates critical capacities and fosters a complex understanding of the world and its people is a useful value to teach our students.

⁴³ Margaret Thornton, *Privatising the Public University: The Case of Law* (Routledge 2012) 4. The role of neoliberal governments is to ensure that the path for market players is free from obstacles.

⁴⁴ *Ibid.*, 6.

⁴⁵ *Ibid.*, 4.

imperative.⁴⁶ Introduction of high fees has inadvertently transformed the student-teacher relationship to a commercial one between service provider and a customer. Thornton states that the monetary amount involved, together with the potential expansion and increased profits, tips the balance in favour of the market over an ethical curriculum, which includes regard for the appropriateness of expensive and culturally questionable courses being exported to the developing world.⁴⁷ Owing to globalisation, graduates are leaving universities with marketable skills, rather than core values. Globalisation of culture has brought with it a homogenisation of commodities and a similar propensity to standardise is occurring within the academy.⁴⁸ Thornton agrees with Cownie, recognising a powerful connection between the shifting cultures and practices of the legal academy and the development of the legal discipline. Thornton also makes a case by defending the higher education system as public good, rather than a 'value for money' product. Supporting Thornton's views, the mentoring scheme initiative at Newcastle is an example of a curriculum that reflects the premise that higher education is not about profit margins or a resource to help create wealth and competitive advantage. Thus far, it has successfully challenged the shifting nature of universities.⁴⁹

Appreciating the shifts in the educational system and the market economy, together with the drivers of globalisation, at Newcastle, we find teaching values of paramount importance to the lives and future prosperity of our students. The aim is to provide all students with a rich and rewarding learning experience. This approach reflects the notion that, in an age of cultural diversity and increasing internationalisation, it is essential for educational institutions to actively contribute to the goal of shaping future citizens. The ethical values development in the mentoring scheme recognises the diversity of students from different countries, in line with the demands of the changing society and the evolving world. Similarly, in the increasingly globalised world, graduates must be able to work in an environment that is both diverse and culturally charged.⁵⁰ Greater mobility of the workforce further illustrates the significance of inculcating ethical values to our students, taking into account knowledge of cultures, ethnicities and identities and subsequent sensitivity to them. The growth of multinational companies worldwide (including legal firms) also means that our students will be expected to relocate to another country at some stage in their careers.⁵¹ Relocation of jobs to other nations leads to the realisation that we live in a time of forces and organisations that transcend the nation state; hence, those globally relevant issues need to be incorporated into individual and institutional consciousness. Based on this premise, the need for ethical values arises, as today's society and a globalised world mandates knowledge and sensitivity towards those of different races, genders, customs, cultural and socio-economic and socio-political backgrounds. The ability to apply particular ethical values in specific contexts will contribute to graduate success in the diverse environment they will encounter, especially in a globalised market. Cumulatively, this contemporary 'knowledge' acquisition will ideally create an informed and responsible citizen, who will lead both work and personal life in line with ethical norms, based on sound and reasoned judgements. In addition, a greater emphasis on ethics in education at all levels would better align England and Wales to international practice, where a growing number of common law jurisdictions have included some elements of ethics, professional

⁴⁶ *Ibid*, 6.

⁴⁷ *Ibid*. See also the insurgence of sandwich programmes in the UK, Australia, New Zealand and America, where students complete two years of their degree in their home country and one year in the host institution. INTO is an example of a recruitment body that works with universities to transform their international capacity and performance in the UK, North America and China. <http://www.into-corporate.com/en-gb/about-into/what-is-into.aspx> (accessed 10 November 2013).

⁴⁸ Sheila Slaughter and Larry L Leslie, *Academic Capitalism, Politics, Policies and the Entrepreneurial University* (1997).

⁴⁹ Cownie (n 9). The author stated that individual teachers can make a difference in the application of values in their own schools.

⁵⁰ Afshin A-Khavari, 'The Opportunities and Possibilities for Internationalising the Curriculum of Law Schools in Australia' (2006) 16(1&2) *Legal Education Review* 75.

⁵¹ www.telegraph.co.uk/education/educationnews/9699524/Britain-being-hit-by-rise-in-graduate-brain-drain.html (accessed 25 February 2013).

governance/regulation and professionalism, as a part of both initial and continuing education and training in recent years.⁵²

Fostering development of a greater knowledge of the world and its people will enable students to operate as world citizens with greater sensitivity and understanding. Nussbaum puts forward ‘three capacities’ of particular importance to a cultivated humanity and what constitutes a liberal education—(i) the Socratic ability to criticise one’s own traditions and to carry on an argument on terms of mutual respect for reason (the examined life); (ii) the ability to think as a citizen of the entire world, not just some local region or group; and (iii) the narrative imagination, the ability to imagine what it would be like to be in the position of someone very different from oneself.⁵³

Globalisation has also affected pedagogical expectations in higher education institutions. Teaching strategies, objectives and outcomes have evolved to correspond to and accommodate this change. As educators have to increasingly accommodate diverse learners, they are responsible for constantly reviewing their teaching methodologies, aligning them with the changing values of employers and society. More importantly, curricula and teaching approaches have to focus on students’ engagement with these values, which partly depends on educators’ ability to convey their own values in valid and relatable way, in recognition of the role they play in moulding the minds of students.⁵⁴

The need for educators to appreciate changes that are taking place globally and the impact of those changes in the workplace becomes significant in the pursuit of equipping students with the necessary ethical values to enable them to perform to a satisfactory level. This accentuates the significance of allowing the mentors involved in the mentoring scheme to develop generic skills and ethical values, so that they have wider application across the globe. Educators must also consider how far these changes impose the market morality on relations in legal education (shift to neoliberalism). The issue thus becomes enabling the mentors to diversify their way of thinking, learn to adapt to different work environments and apply their values in different social environments with the locals of a particular country. Ethical values acquisition is particularly important for the mentors whose success depends on developing meaningful and trusting relationships with their mentees, who also originate from different parts of the world.

In order to be successful as mentors, participants in mentorship programmes must be aware of the conflicting ideas pertaining to the meaning of morality. They must be able to adapt and adjust, demonstrating their appreciation of these diversities while being able to identify the underlying common standards and values that they share. The values students acquire during their educational journey will also encourage respect towards other cultural traditions. The development of relationships with people from different cultural groups is essential in a globalised world. The value of versatility and openness in terms of being receptive to different cultures enhances personal growth and encourages reflective thinking. Exposing mentors to values of diverse cultures will prepare them to be responsible and respectful in these environments.

5. The Newcastle Mentoring Scheme

A peer mentoring scheme for international students by international students was integrated into the academic curriculum at Newcastle Law School in 2008 to facilitate integration of first year

⁵² The impact in the US of the MacCrate statement of professional values, and the introduction of a ‘professionalism’ requirement across the Law Society of Scotland’s Professional Education and Training (PEAT) 1 and 2, are influential examples.

⁵³ Nussbaum (n 5).

⁵⁴ John Halliday, ‘Researching Values in Education’ (2002) 28(1) *British Educational Research Journal* 49.

international students into the academic curriculum.⁵⁵ Since its inception, a few changes were implemented, taking into account factors relating to mentor employability, improving relationships between mentors and mentees, and overall community development. More precisely, the developments include:

- (1) A skills and ethical values acquisition programme for appointed mentors, introduced in 2009;⁵⁶
- (2) A specific focus on ethical values developed by mentors in the relationships they forge applying them, introduced in 2012;
- (3) The role of mentor leaders within the mentoring scheme, introduced in 2012.

This article discusses the last two developments, along with the research responses collected in 2012-2013 academic year.

(i) Aims and objectives – managing expectations

For the purpose of this article, the objective of implementing the ethical values programme was to facilitate shaping mentors' general attitude towards the commitments that pervade all aspects of their lives. The programme teaches values that inspire the attendees to develop critical voices and a reflective attitude in order to become responsible citizens who apply 'relevant conscience' when addressing specific matters. Ethical values development will also help mentors forge enriching relationships with others (whether in the work environment, in the community or at home) and learn to adapt to diverse cultures or norms, in response to the demands of a globalised world. Mentors should also possess a sense of community and be able to identify and offer appropriate solutions to ethical dilemmas. It is essential that they are capable of working effectively and sensitively in global and continually changing environments. In the context of mentorship relationships, these skills directly translate to mutual support and co-operative learning amongst both mentees and mentors.⁵⁷ Equipped with this knowledge and training, mentors should possess the discernment to address concerns raised by their mentees with tact and adroitness and apply these values in the workplace and in their personal lives.

(ii) Research method

This research seeks to assess the following themes pertaining to the mentors and mentor leaders:

- (i) Experience in the role
- (ii) Potential changes in character
- (iii) Any particular skills or values developed under the scheme
- (iv) Changes as the mentors progressed to the role of mentor leaders
- (v) The benefits of developing skills and values

The principal research method consisted of qualitative assessment and individual interviews, aiming to encourage participants to provide a more considered and reflective response to the questions.

⁵⁵ Shamini K Ragavan, 'Peer mentoring for International Students in a UK Law School: Lessons from a Pilot Case Study' (2013) *Journal of Innovations in Education and Teaching International*; paper presented at the SLSA Conference 2009.

⁵⁶ Shamini K Ragavan 'Acquiring Skills for a Globalised World through a Peer Mentoring Scheme: A UK law school experience' (2012) 46(1) *The Law Teacher* 15.

⁵⁷ AC Banerjee, 'Effect of Lecture and Co-operative Learning Strategies on Achievement in Chemistry in Undergraduate Classes' (1997) 19(8) *International Journal of Science Education* 903. See also RE Slavin, 'Research on Co-operative Learning and Achievement – What We Know, What We Need to Know' (1996) 21(1) *Contemporary Educational Psychology* 43.

Moreover, individual interviews avoided any need to conform to the views of the rest of the participants.

All mentors and mentor leaders participated in this research study. Qualitative assessment was conducted via a questionnaire consisting of open-ended questions, which was given to the participants in March 2013 with some guidelines on how to approach the questions and provide feedback. They were instructed to provide their genuine and honest reflection on each item. In addition to the questionnaire responses, which all participants completed, progress reports were collected from both mentors and mentor leaders, contributing to the findings on the mentoring scheme and the development of ethical values.

Focus group approach was not deemed appropriate for the study objective, which was to explore each mentor's and mentor leader's individual experience. Hence, as the experiences differ, so does the acquisition of values, based on diverse ethnicities and various contexts.

(iii) The structure of the mentoring scheme

The mentoring scheme was initiated (first as a pilot) in September 2008 as a part of the undergraduate programme. Since the mentoring scheme came into inception, eight mentors were appointed in 2008, seven in 2009, nine in 2010, thirteen in 2011 and eleven in 2012. The number of mentors appointed each year depended on the size of the first year international student cohort (approximately twenty to twenty five first year international students are typically registered each academic year). Mentors were appointed from the second and final year undergraduate law degree programme. One to three mentees were assigned to each mentor, depending on the size of the first year international student cohort and the number of mentors appointed in the given year. This year, the role of mentor leader was introduced and three mentor leaders were appointed, all of whom were previously successful in their mentoring roles. The motivation behind this change in structure was to enable involvement of experienced mentors in the management and organisation of the mentoring scheme and to facilitate the development of leadership qualities in their role. More specifically, their role involved addressing concerns raised by other mentors and mentees, creating a community amongst the international student cohort, organising events (eg, the Christmas party at the end of the year), training newly appointed mentors and reporting to the International Student Tutor (IST) the general progress of the mentors and any other feedback on the running of the scheme. Mentor leaders were also involved in providing training under a new mentoring scheme developed for all other undergraduate students (home and EU) commencing September 2013.⁵⁸

(iv) The selection process

Mentors were typically selected strictly based on their personal statements, in which they explained their suitability for the role and their relevant experience, including participation in the mentorship programme. The mentors originated from Canada, Hong Kong, Vietnam, South Africa, China, Russia, and Ukraine. Mentees were given an opportunity to select a mentor following an informal meeting, or were assigned one. Typically, it is not recommended that mentees and mentors are of same nationality; however, specific mentee's wishes are always accommodated. Similarly, mentees are also encouraged to speak to other mentors within the scheme as the objective underlying the mentoring scheme is to engender a community of students who mutually support each other.

⁵⁸ This is a separate and independent mentoring scheme from the one for international students.

(v) Training

All mentors (including mentor leaders) underwent training following the selection process. The main training objective was to inculcate skills and ethical values in their duties to their mentees. Mentors were asked to discuss their reasons for wanting to become a mentor, to reflect on what their expectations were under the scheme and the relevance of their role to the new international students and, in particular, to themselves. It was crucial that the mentors understood how the scheme would benefit them in their own personal and professional pathways. Training also included role-playing activities that facilitated mentors' appreciation of vulnerabilities and adversities faced by their mentees and enabled them to offer relevant support. Martha Nussbaum's ideals (ethical) were central to the training of the mentors. Nussbaum advocated the principles of developing empathy and compassion to vulnerable people.⁵⁹ She stated that only when one is compassionate to another's vulnerability and predicament can one truly appreciate the pain experienced.⁶⁰ Her work focuses on experiences of groups found in a society, in particular members of other cultures, ethnic and racial minorities.⁶¹

Mentor leaders played a significant part in the training and applied role-playing exercises to demonstrate the dos and don'ts of mentoring.⁶² The role-playing exercises were fundamental in laying out some of the key values of mentoring, while helping communicate to the newly appointed mentors the mentor leaders' knowledge and experience of the role and the corresponding responsibilities. The narrative used in the role-playing exercise stimulates 'imagination' amongst mentors, especially those who had never experienced challenging circumstances. They particularly benefitted from being able to identify the positives and negatives of the narrative.⁶³ Mentor leaders also shared their experiences with the new mentors. The narrative of their experiences is essential as stories are memorable and they provide strong images that will linger for a longer time and provide for effective reflection compared to theoretical knowledge, which often loses its appeal very quickly.⁶⁴ Similarly, stories stimulate imagination, produce recognition and create empathy, which is essential in a scheme where mentors are required to empathise with their mentees.⁶⁵ Consistent with this view, the International

⁵⁹ Nussbaum (n 5) 10-11.

⁶⁰ *Ibid.* Nussbaum stated that the elusive concept of imagination manifests itself in the ability 'to see one thing as another' (at 36), in the ability 'to endow a perceived form with a complex life' (at 4), and in the capacity to conceive of 'non-existent possibilities' (at 4). She explained that imagination may be exercised in certain circumstances where individuals are 'distant strangers'. See also *Love's Knowledge: Essays on Philosophy and Literature* (Oxford University Press, 1990) where Nussbaum emphasised the appreciation of 'common good' so that one can exercise reason when faced with human emotion and further apply imagination.

⁶¹ *Ibid.*, 100.

⁶² Alasdair MacIntyre, *After Virtue* (Duckworth 2nd edn 1985). Here, the author stated that storytelling helps create discussion amongst the group members. Charles E Watson, 'Using Stories to Teach Business Ethics: Developing Character through Examples of Admirable Actions' (2003) 7 *Teaching Business Ethics* 96, 103-105. Watson expresses that stories can be a source of inspiration and direction for moral conduct. He also states that it storytelling is an effective method of instructing people to what is moral and in developing the right character traits needed for ethical action.

⁶³ Nussbaum (n 5) 10-11. Here, the author stated that the process of imagination can be evoked by relying on narratives. See, also, Alain De Botton, 'A Point of View: Justifying Culture' www.bbc.co.uk/news/magazine-12136511 (accessed 7 January 2011) whose ideals about how we should look at various 'literature' sources to help shape our personal and professional values are of significance. '...we should look to culture as a repository of useful and consoling ideas about how to face our most pressing personal and professional issues. We should look to novels and historical narratives to impart moral instruction and edification, to great paintings for suggestions about value, to philosophy to probe our anxieties and offer consolations.'

⁶⁴ MacIntyre, *After Virtue* (n 61).

⁶⁵ W Bradley Wendel, 'The Methodology of Legal Ethics Scholarship: Perspective and Authority' (2007) 9 *Legal Ethics* 229, 232.

Student Tutor (IST) shared her own experiences with assisting students in their times of need.⁶⁶ This activity also helped promote a deeper kind of understanding of the people around us, insight into their 'inner' world and appreciation of their feelings.⁶⁷ Given their training and experience gained in their roles as mentors, mentor leaders have a strong grounding in ethical values.⁶⁸ The mentor leaders also reinforced ethical values by example, as people are malleable by those who demonstrate acts of kindness and compassion and are motivated to do the same.

Another objective of the training is for mentors to understand their individual characteristics and idiosyncrasies that could have a potential impact on their relationship with their mentees.⁶⁹ In doing this, they must not only identify their weaknesses and strengths, but be able to *mould* them carefully in their dealings with their mentees. This type of review and reflection can help strengthen their relationship with their mentees.⁷⁰ Since 2008, a correlation was observed between mentors that often 'give up' very quickly in meeting with their mentees and their general 'more authoritative disposition' facing difficulties in establishing a good relationship with their mentees. This exercise helped demonstrate to mentors how their behaviour may affect people around them and indicated the need for them to develop awareness and sensitivity addressing this impact.

As part of the research, mentor leaders were asked to describe their mentor training experience and the following responses were recorded:

ML1: 'My experience training mentors last year was great. It provided a nice sense of purpose for me in the student community and instilled a lot of confidence in me which helps me with my communication and leadership skills. However, I felt like mentor leaders such as myself spent too much time rambling during the training session. I feel like there needs to be more involvement amongst everyone, whether it's role-playing or what not, because that is when people are actually challenged and learn. Watching and listening to how to approach situations is not as effective as participation in scenarios. I feel like next year it would be a better idea for each mentor leader to be assigned their own small group of mentors to teach. This keeps the groups smaller and allows for better opportunity for participation because it makes it much less intimidating for the more timid mentors.'

M3: 'Training the mentees was a lot of fun. It gave us an opportunity to engage with them on a personal level where we could relate to their concerns and issues as we have gone through them. It was challenging not to directly discuss our personal experience with our previous mentees to maintain confidentiality. However, I think we did an effective informal presentation that allowed the other mentors to engage and learn a lot about what it is like to be a mentor. In addition, I learnt that all leaders work well together and it brought us closer as a team.'

Other mentors were also asked to provide their feedback on the training:

'Learning from other fellow students (mentors) is a precious chance and was a great lesson.'

⁶⁶ MacIntyre (n 61) at 8, speaks of the importance of narrative (storytelling) educating us in the classic virtues or moral thinking. See also Kim Economides and Majella O'Leary 'The Moral of the Story: Toward an Understanding of Ethics in Organisations and Legal Practice' (2007) 10 *Legal Ethics* 5.

⁶⁷ A discussion with Martha Nussbaum on 'Education for Citizenship in an Era of Global Connection'. Nussbaum, *Studies in Philosophy and Education* (2002).

⁶⁸ Lisa Webley, 'Pro Bono and Young Solicitors: Views from the Front Line' (2001) 4 *Legal Ethics* 152.

⁶⁹ Salman Rushdie, *Midnight's Children* (Jonathan Cape Publishers, 1981) 129. Rushdie emphasises that we have to define ourselves.

⁷⁰ Nussbaum (n 5) at 301 states narrative imagination permits one to embark on a critical examination of oneself and one's tradition and also refers to Socrates and 'the examined life'.

‘It’s helpful; it strengthens my determination to take up the responsibility.’⁷¹

Mentors were also asked to record details of their meetings with mentees and the ethical values applied at each meeting (against a list of values provided to them during the training sessions). This on-going articulation and assessment of the ethical values inculcated is essential to the success of developing ethical values.

(vi) Findings and analysis

The findings reveal the benefits of the mentoring scheme in integrating first year students with other international students and teaching them the importance of caring and sharing compassion with their mentees. It has encouraged mentors to reflect on their own ethical values and how they impact on their approach in a given situation.⁷² Most mentors who took part in the mentoring scheme indicated the need to ‘give back something to the school’ as their reason for volunteering to be a mentor. This indicates appreciation for the support they had received in their first year, and their loyalty to supporting other international students.

Both mentors and mentees thought the success of the mentoring scheme was largely due to the informal and flexible running of the scheme. Mentors appreciated the autonomy entrusted to them in their role, and since all communications with their mentees remained confidential, they felt that this was a value they could demonstrate to their future employer. Mentors also felt that the process of giving guidance to their mentees strengthened their own commitment to their study. Mentor leaders were especially appreciative of their involvement with the training and their responsibility to ‘guide’ other mentors.

With respect to ethical values development, the general feedback recorded at the training was that none of the mentors fully appreciated or understood that their conduct in their role as mentors accounted for the application of ethical values. Moreover, prior to training, none fully appreciated the meaning of (owing to their training and previous mentoring experience, mentor leaders did not share these issues).⁷³ Mentors were unaware that law schools also impart ethical values and felt that ethical values related more specifically to the application of the principles of fairness and justice. This unfamiliarity emphasised the need to convey to the mentors and mentor leaders how ethical values extrapolated from their academic study and other activities, such as a mentoring scheme, can play an instrumental role in their personal and professional life.⁷⁴

Issues relating to professional responsibility and confidentiality were also discussed during the training. All mentors unanimously responded that their role improved their working relationships with people from diverse backgrounds and understood this to be a method by which ethical values could be developed among colleagues and others in the community.⁷⁵ They explained that, in today’s

⁷¹ MacIntyre (n 62) states that the aim of ethics is helping us discover who we are in relation to others—our membership of organisations, communities and societies.

⁷² As a result of the positive outcome, the scheme has been integrated into Newcastle’s Law School programme and is recognised in our own internal teaching and quality exercise as best practice.

⁷³ Kim Economides, ‘What are Fundamental Legal Values? In *Fundamental Values* (Hart Publishing, 2000) at 3 states that we use the values, but not all of us appreciate what they truly mean.

⁷⁴ Paul Hirst, ‘Liberal Education and the Nature of Knowledge’ in Paul Hirst *Knowledge and the Curriculum: A Collection of Philosophical Papers* (Routledge & K Paul 1975) at 30 states that knowledge paves the justificatory foundation for our actions. He also states that ‘legal ethics cannot be wholly separated from these cultural philosophical values and traditions.’

⁷⁵ Kenneth R Andrews, ‘Ethics in Practice’ 67 *Harvard Business Review* 99 states that there are three aspects to ethical behaviour in organizations—the development of the individual as an ethical person, the effect of the organization as an ethical or unethical environment, and the actions or procedures developed by the organization to encourage ethical behaviour and discourage unethical behaviour.

globalised world, they would need to work in teams with people from diverse cultures, ethnicities and beliefs; thus, any experiences that encouraged this ethical behaviour would be extremely useful.⁷⁶ Mentors also explained that, on many occasions, they needed to rely on their own judgement in dealing with their mentees' concerns. They thought that the ability to think independently and sensibly was crucial. They also recognised their role in ensuring that mentees conducted themselves responsibly in the law school and expressed their commitment to report to the IST in the event of misconduct or an emergency. They indicated that they had to be careful how they exercised discretion and personal judgement in the instances mentioned above as this could compromise their relationship with their mentees and breach the confidentiality rule.

One of the questionnaire items asked mentor leaders to reflect on how their role differed from their previous role as mentors:

ML1: 'I felt a greater sense of personal satisfaction this year. My role as a mentor last year wasn't as enriching for me as I would have expected because I just didn't click very well with my mentee.'

ML2: 'I realised that I bore greater responsibility than being a mentor. I need to organise events (such as Christmas party) and communicate with other mentors. I have a more active role than before.'

ML3: 'There was a little difference from being a mentor to a mentor leader. The biggest one was preparing for the training presentation...I felt I was very approachable for other mentors to come and discuss their mentees' problems with me.'

Mentors and mentor leaders were also asked if they found a change in their character, to which the following responses were recorded:

ML1: 'I did change a lot after being a mentor [last year] and a mentor leader [this year]. I found that I needed to be careful of how I approach different people as they all come from different backgrounds. Dealing with a diverse crowd of students, I found that it was very enriching as I learnt a lot about their cultures, religions and traditions. I became more empathetic and a better listener. I found that it was best to listen to my mentees and hear what they have to say before trying to help or imposing my view as this year I was fortunate to have two independent mentees that enjoyed being at Newcastle. Being a mentor leader helped me take an autocratic role when dealing with other mentors and planning international events. It was up to us to make sure that everyone was integrated accordingly into the program. As there are current issues with certain mentor/mentee relationships, I feel that we could have done a better job and done a formal check-in mid-year to see if we could help those mentors that did not approach us.'

ML2: 'Yes, I find myself more positive. I used to feel so frustrated and depressed by the heavy workload. But when I know we are working hard together, it's one of the things which kept me moving.'

ML3: 'I have a shy personality especially in a group of people. The experience of being a mentor leader has developed my public speaking skills and interpersonal communication skills. I have also gained more confidence.'

Mentors were also asked to assess their relationships with other mentors and their assigned mentees. Most mentors indicated positive outcomes. ML1 felt that his relationship with his mentee was much better than it was last year. Mentors were frustrated when their mentees were absent from meetings.

⁷⁶ International Standards for Mentoring Programmes in Employment (ISMPE) outlines a set of six principles upon which to base good mentoring program practice, one of which is maintaining high standards of ethics and pastoral care. www.ismpe.com/2120.html (accessed 25 March 2013).

They stated that their ability to control every situation is virtually impossible. They also indicated that their frustration had strengthened their sense of perseverance and acceptance of negative elements in a more positive way.

They were also asked if the ethical values they have developed from the mentoring scheme would have practical benefit when they leave university, whether in their careers or in their personal lives. One of the responses was:

‘I definitely believe the skills developed from the mentoring scheme will have a substantive benefit for my career and personal life. It has taught me invaluable communication skills, garnered a better understanding of people from different walks of life, and helped me to become a better open-minded individual.’

The international student cohort work together as a community within the mentoring scheme and have evolved into a supportive network. Therefore, factors of sensitivity and soft skills, such as being a good listener, cooperative, and a team player emphasise adaptability to circumstances.⁷⁷ This was evidenced by the informal discussions between the mentor leaders and mentors on the progress of their relationships with their mentees. Team-working also helps develop a community.⁷⁸

Having experience of diversity and ethnicity is important. Positive experiences of diversity in social networks can have beneficial effect on moral reasoning and behaviour.⁷⁹ When mentors are placed in a position of appreciating the diversity⁸⁰ of the mentees and the concerns raised by them, being able to effectively suggest solutions in a sensitive manner, after reasoning the various choices they are presented with, they feel that they are truly beneficial to their mentees.⁸¹

Having freedom of choice in arranging meetings and planning activities with their mentees gives the mentors an opportunity to try and understand the world and their own responsibilities in that world.⁸² Mentors are often put in a predicament when their assigned mentees either avoid meeting with them or not responding to their calls for a meeting for various unknown reasons. In such cases, mentors often resort to respecting their mentees’ choice. Two mentors affected by mentees’ absence felt that more could have been done by the scheme to ensure mentees’ attendance. However, when mentors were asked to send a report on their progress with their mentees, some felt ‘forced’ into action, which compromised their autonomy.⁸³ Having to resort to ‘forcing’ a meeting with a mentee could have had two possible explanations: (i) mentors did not persevere despite their responsibility to meet with their mentees and they could have been more pro-active in their role, or (ii) mentors conformed to the pressure to meet with their mentees to be seen as doing their jobs. Based on (ii), mentors had a choice of deciding whether to pursue their mentees for a meeting or explaining to the IST that they don’t feel it appropriate to put pressure on their mentee to attend meetings with them, especially when their

⁷⁷ Browne report (n 2) 23. See also Jon R Katzenbach and Douglas Smith *The Wisdom of Teams* (Harvard Business School Press 1993) 21 and Paul Maharg (n 5) 214-20.

⁷⁸ *Ibid*, Katzenbach and Smith, 14-15 stated that ‘groups become teams through disciplined action, and they shape a common purpose, agree on performance goals, define a common working approach, develop high levels of complementary skills, and hold themselves mutually accountable for results.’ See also James R Barker ‘Tightening the Iron Cage: Concertive Control in Self-Managing Teams’ (1993) 38 *Administrative Science Quarterly* 408 at 427.

⁷⁹ Ernest Pascarella and Patrick Terenzini, *How College Affects Students* (Jossey-Bass, 2005) stated that positive effects of courses that dealt with diversity-related issues (358) and for evidence that diversity in social networks can have a positive effect on moral reasoning and behaviour (361).

⁸⁰ Diversity includes different races, cultures, religions, ethnic groups and backgrounds.

⁸¹ Frank D Armer, ‘The Teaching of Ethics in Australian Law Schools’ (1998) 16(2) *Journal of Professional Legal Education* 247 suggested that the teaching of ethics should pervade all instruction of law and argued that it should embrace a consideration of tensions generated by more general and conflicting societal aspirations.

⁸² Anthony Bradney, *Conversations, Choices and Chances: The Liberal Law School in the Twenty-first Century*. (Hart Publishing, 2003), 296. Also see Nussbaum (n 5) 293.

⁸³ *Ibid*, Bradney, 296.

mentees did not respond on previous occasions. This type of exercise places them in an inevitable position of exercising a choice and facing the consequences of (i) losing the confidence of their mentees as a result of ‘compulsion’, or (ii) having to do something they don’t believe is ethical to do.⁸⁴ Mentors placed in this ‘Catch 22’ position have only three choices when confronted with unethical behaviour: exit, voice or loyalty.⁸⁵ One mentor (M1) refrained from getting in touch with her mentee after several attempts and did not wish to conform to what the other mentors had done—forcing a meeting. The mentor thus faces the issue of being able to draw the line between being proactive and resilient and pushing the limit of her relationship with the mentee. The same applies to the scheme, as decision has to be made regarding its objectives. Should the responsibility of arranging meetings between the mentees and their mentors lie with the scheme, or left to their individual wishes?

Although some mentees’ absence from meetings with their mentors may be perceived as a drawback to the mentoring scheme, the frustration experienced by mentors did in fact develop some essential values in them. The ability to control every situation is virtually impossible and the need to find solutions becomes necessary to ‘survive’ in any employment. This frustration will also strengthen their sense of perseverance and acceptance of negative elements in a more positive way as education focuses on the ‘training of the mind’ for the preparation towards both work and life experience.

The application of emotional intelligence in creating professional and life goals is essential as learning involves emotions, and the stronger the emotional connection to the values of education, the greater the learning.⁸⁶ Compassion shared within the mentoring scheme further provides the relevant intelligence or ‘tactfulness’ for mentors to progress within a community in a way that is ‘acceptable’ to the others in the community.

6. The Way Forward

Educators should avoid attempting to ‘reduce diversity’ in the classroom by propagating one learning approach. They should also not be too instructive of how the process of consideration of ethical values and the choices they make on different values is taught.⁸⁷ Similarly, mentors should not be too clear about their own views, as this could potentially close out other views.⁸⁸ Specific values are perhaps best used when providing the basic framework to the mentoring scheme. Thus, when inculcating ethical values takes a more passive approach, it becomes a valuable tool for empowering students to

⁸⁴ Amar Bhide and Howard Stevenson, ‘Why Be Honest If Honesty Doesn’t Pay?’ (1990) 68(5) *Harvard Business Review* 121, at 129 revert to the power of choice vested on individuals at the workplace: ‘We should remember, however, that this...works only as long as most of us live by an honourable moral compass. Since our trust isn’t grounded in self-interest, it is fragile. And, indeed, we all know of organisations, industries, and even whole societies in which trust has given way either to a destructive free-for-all or too inflexible rules and bureaucracy. Only our individual wills, our determination to do what is right, whether or not it is profitable, save us from choosing between chaos and stagnation.’

⁸⁵ Mel G Chaloupka, ‘Ethical Responses: How to Influence One’s Organization’ (1987) Winter *Naval War College Review* 80.

⁸⁶ Daniel Goleman, *Emotional Intelligence* (Bloomsbury Press, 1998). See John Mixon and Robert P Schuwerk, ‘The Personal Dimension of Professional Responsibility’ (1995) 3 *Law and Contemporary Problems* 87.

⁸⁷ Values are heterogeneous and often conflicting. See BurrIDGE and Webb (n 18), 73. Anthony Bradney in ‘Elite Values in Twenty-first Century, United Kingdom Law Schools’ (2008) 42(3) *The Law Teacher*, 291, at 293 argues that liberal education is about giving individuals choices and that it does insist on the necessity of each individual making their choice about the good and being responsible for it. He states that the final value choices are seen as a process that demands rational justification and this is achieved through a rational discourse on the various and often conflicting values that provide the basis for a powerful critique of some choices of the good life that students might make (295).

⁸⁸ Stanley Fish, *Save the world on your own time*, (Oxford University Press, 2008), 25.

think using their own mental faculties.⁸⁹ The aim of any mentorship programme should thus be to encourage mentors to think on their own and avoid creating cultures of moral incompetence.⁹⁰

Some of the core ethical values that may be inculcated from a mentoring scheme are as follows:

• Ethical orientation • Creative outlook • Reflective practice and clarification • Adaptive behaviour • Pro-active behaviour • Confidence and self-motivation • Engagement with the unfamiliar • Empathy • Compassion • Problem solving and decision making • Responsibility and accountability • Resilience • Community values • Humility • Emotional intelligence • Perseverance • Loyalty	• Leadership • Discipline and ethical knowledge • Management and organisation of relationship • Teamwork • Appreciate race, gender, culture and socio-economic, political and legal differences • Networking skills • Self esteem • Integrity • Tolerance • Trustworthiness • Respectful behaviour • Conscience • Humanity • Adaptability to new environments and new cultures • Ability to reason
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Skills are used to complement ethical values. As values change in accordance with contexts, can we set universal values common to all human-beings which can be identified and remain constant in most contexts, whether in the workplace (lawyers), the community, or at home?⁹¹ One university has set up

⁸⁹ Burridge and Webb (n 18) 86. The authors argue that the legal academy has not taken its responsibility to articulate legal values sufficiently serious importance of articulating what these values are to our students and how they become applicable in the lives of the students in their career.

⁹⁰ Burridge and Webb, 'Being a Lawyer/Being a Human Being' (2002) 5 *Legal Ethics* 130. See also Zygmunt Bauman, *Postmodern Ethics* (Blackwell 1993) 32. The authors state that we should trust our ethical decision-making and our moral competence that makes human beings 'so conspicuously capable to form societies and against all odds to secure their—happy or less happy—survival.'

⁹¹ Economides (n 73).

a webpage on how ethics awareness may be utilised.⁹² The webpage also provides a checklist of ‘things to ask yourself’ when making an ethical decision.⁹³

The decision-making involves the process of eliminating choices—we are typically presented with various choices, each underpinned by various values. Thus, we would initially identify the choices applicable to the situation at hand and, using a process of elimination, remove choices deemed not applicable or relevant to the situation. The same approach is applied to all the remaining choice until a decision is reached. In the process of prioritising available choices application of ethical values is significant. In the context of mentoring relationships, the choice of values mentors apply is the result of their final decision. Hence, the need for developing ethical values in various contexts becomes necessary so that they make the ‘ethical’ choice in the end.

One mentor leader (M1) suggested specific assignments of mentors to the mentor leaders. This will be one of the changes that will be taken forward in the mentoring scheme next year. Another finding of the mentoring scheme pertains to being able to manage expectations of all involved in the scheme. Thus, to the programme would be modified to include informing mentors and mentees of what they can expect from each other. This would provide them with better understanding and appreciation of their own learning potential in the law school.

Conclusion

Ethical values are an integral part of education. The mentoring scheme envisaged developing core ethical values amongst the mentors so that they are able to develop meaningful relationships with their mentees from diverse cultures and ethnicities. The significance of developing ethical values in the mentoring scheme is reflected in the skills mentors develop in their professional career. These ethical values will also instil in them the responsibility they have to other human beings and help them become more responsible members of society.

The mentoring scheme also engendered a community amongst international students, empowered them and enriched their overall experience in the law school. A few mentors are still in touch with their mentees from the first year of academic study. These types of community building strategies, alongside networking with graduates, have facilitated the support given to new international students as they grow to appreciate the importance of values and the bonds they develop with others. This has further empowered the international student community at Newcastle working together in partnership with each other. However, for such initiatives to be successful, mentors must want to make these changes for themselves.

It is difficult to assess whether mentors within the mentoring scheme have inculcated all of the ethical values from the list provided due to various contextual reasons. It is acknowledged that each mentee presents diverse concerns; the quality of relationships will differ, as will the attributes of the individual mentors and mentees. Therefore, this research does not seek to establish that a mentoring scheme will facilitate and develop all such ethical values, but it does attempt to show that this is one mode of inculcating ethical values to mentors with the hope that the same sentiment will transcend to their mentees. Repeated engagement of values is likely to strengthen mentors’ understanding of the contexts in which their application is most favourable while helping them appreciate that values could change depending on the contexts and the environment they are in. The need for the assessment of the applicability of these core ethical values is best approached with flexibility. The ability to identify particular ethical values in particular contexts also helps. This often comes with experience and knowledge transferred through the narratives mentors had been exposed to during the training. The process of mentoring requires reflection on the part of the mentors, who need adequate tools that facilitate better decision-making. Mentoring also empowers the group of students that are being

⁹² University of California in San Diego <http://blink.ucsd.edu/finance/accountability/ethics/overview.html> (accessed 16 May 2013).

⁹³ <http://blink.ucsd.edu/finance/accountability/ethics/ask.html> (accessed 16 May 2013).

supported by helping raise their self-esteem and confidence. The recent International Student Barometer is a testament of the success of the Newcastle mentoring scheme in integrating international students with other students by building on their confidence and self-esteem to engage with other students in the school.⁹⁴

In conclusion, the value of education has never solely derived from knowledge transfer, as it extends to understanding the world around us, and appreciating the continuous process of dealing with complex questions in all aspects of our lives. Irrespective of the shifts in university education focussing on neoliberalised values, any initiative or curriculum that focuses on preparing students for a professional and personal life, where ethical values become a central part in their decision-making process, should be taken seriously. Despite diversity in cultures found in a globalised world, ethical values are basic and common values, applicable irrespective of social, legal, political and economical factors. Mentoring is one method by which students can develop ethical values and use them as a foundation for the choices they make. Mentors embracing the above ethical values will be better citizens in today's globalised world (in their professional careers, within their communities and at home) in which, amongst other benefits, sensitivity to different cultures, identities and ethnic groups can readily be translated into a better world.

⁹⁴ The International Student Barometer 2011 places Newcastle Law School (74 per cent) above the national average satisfaction (73 per cent) in the integration of international students with non-international students. Newcastle Law School exceeded the national average for that year. The 2012 results place Newcastle Law School as the best performing school for integration within Newcastle University at 70 per cent and the national average is 72 per cent.