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# Team teaching, real world experts, and student reflection: Teaching and learning pedagogy in the UTAS Introduction to Law course

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***Abstract:** In the 21<sup>st</sup> Century legal environment, there is an increasing demand for law graduates to have a broad knowledge of many areas of law in order to be considered “employment ready.” This development has important ramifications for the curricular structure in Australian law schools, with many law faculties electing to expand the scope of law units to extend beyond understanding “theory” in discreet subject areas and the teaching of traditional skills such as legal reasoning, research and oral presentation skills to practice-based skills such as client interviewing, negotiation, and interpersonal skills. Innovative teaching techniques such as off-campus learning, guest lectures/seminars and student-centred assessment to address these needs require improved cooperation and dialogue between and among staff members, visiting academics and students. This paper examines the “team teaching” approach employed in the Introduction to Law (Law 121) unit at the University of Tasmania to encourage effective student engagement and reflective learning. By expanding the traditional teaching pedagogy to encompass a collaborative partnership of internal and external, senior and junior academics with expert legal practitioner guest lecturers, this paper explores how a partnership of passionate legal academics, tutors, and external staff can create a unique learning environment for students and teachers alike.*

***Keywords:** team teaching, student engagement, reflective learning*

## **Introduction**

University education in Australia faces many challenges in the 21<sup>st</sup> Century. Changing student demographics; increased access for regional and previously under-represented populations; financial pressures on both universities and students; increased enrolment by overseas students; rapid technological change leading to changes in student learning patterns; and diverse employer needs for graduates all affect university curricula development and the way university lecturers “teach” their students.

University law faculties face additional challenges including increased demands for graduates to be “employment ready”, that is, not just knowledgeable in the law but to have the personal and professional skills necessary to be a legal practitioner at the same time that the legal profession is undergoing rapid transformation (Australian Law Reform Commission [ALRC], 2000, p. 2). And many, perhaps most law schools in Australia, are increasingly offering (and in some cases, requiring completion of) courses which build upon traditional “theory” courses and traditional skills such as legal research, reasoning, and oral presentation skills to include legal drafting, negotiation, client interviewing and team work skills (Johnstone & Vignaendra, 2009, p. 6). Additionally, clinical programs involving live client contact and in some cases, court room experience, which are nearly universally available in US law schools (ALRC, 2000, p. 4), are becoming increasingly available in Australia. Moreover, increasing specialisation in the legal profession, in part due to client demand for “recognized expertise” and economic efficiency and in part due to emerging areas of law such as climate change law, biotechnology law, digital technology law, or unique developments such as the High Court’s acknowledgement of native title in Australia in the *Mabo* case (*Eddie Mabo & Ors v. State of Queensland*, 1992), has important ramifications for curricula structure in Australian law schools.

No single paper can address all these issues. Instead, our aim in the context of the theme of the 2009 University of Tasmania (UTAS) Teaching Matters Conference, “Partnerships for Learning,” is to review the approach to engaging students in the Law Faculty’s introductory unit.

Unlike many law schools in Australia, there is no direct admission to the Bachelor of Laws (LLB) program at UTAS. All undergraduates must successfully complete two courses in the first year of study to be admitted to the LLB: Introduction to Law (Law 121) in semester 1 and Legal Systems (Law 122) in the second semester. These courses comprise the “foundation year” in Law at UTAS (Meyers, 2008).

These introductory courses are open to all students, whether they are seeking entry to the LLB, enrolling in elective offerings to supplement majors in other disciplines, or pursuing individual interests without being clear about their future major areas of study. Thus, the challenge for foundation year teaching staff is threefold: first, to provide a sufficient grounding in legal knowledge and skills for those students who will progress to the LLB program; second, to provide enough background for those students completing majors in other disciplines; and third, to provide opportunities to engage with law subjects to encourage those first year university students who are undecided about their majors to consider Law as their ultimate degree.

This paper discusses the approach of teaching faculty in the first of these foundation year subjects, the Law 121 course. Part 1 provides an overview of our project’s research methodology. Part 2 describes the course and its teaching team. Part 3 discusses the values of team teaching as they relate to the course. Part 4 reviews how the course consistently engages students in reflecting on their learning (and on the course itself) as an ongoing part of their assessment. We conclude that the teaching partnership approach in Law 121, combining internal and external academics, expert legal practitioners and senior and junior staff, more effectively engages students with course material, and that reflective learning and assessment techniques empowers them to take control of their own learning, as well as provide immediate feedback to the teaching staff. Such an approach enables staff to be better teachers and students to be more responsible learners.

## **1. Methodology**

The design and review of the Law 121 teaching approach has been an evolutionary program where action has preceded theory and an action research methodology has been adopted (O'Brien, 1998). The teaching program has become a continuous process and transformation of practice refined by theory and reflection (by students and teachers). The first formal and deliberate action research cycle consisted of two unrelated initiatives in 2007: first, the introduction of reflective journals after their successful deployment in other law subjects; and second, the extension of the team approach previously used solely with tutors to all staff and guest lecturers involved with Law 121. In 2008, lectures, tutorials and assessment practices were adjusted to focus on encouraging and nurturing student engagement after selective reflective journals provided new insight into previous gaps in this area. At the beginning of 2009, the literature relating to student engagement and retention provided fresh ideas (Kift, 2009a and Kift, 2009b). The next stage, in progress, is a more critical and impartial analysis of the 2009 reflective journals. The proposed research approach will use grounded theory (Glaser & Strauss, 1967) and constructivist grounded theory (Charmaz, 2006) to interrogate the text of journals and determine students' construction and interpretation of the pedagogy employed in Law 121. This analysis will allow a review of elements that are missing or appear to be less central compared to the literature on first year experience and engagement.

While action has preceded theory, the design, implementation and management of Law 121 has been heavily influenced by the ideas of deep learning (Ramsden, 2003), constructive alignment (Biggs, 2003) and student engagement (Yorke, 2006 and Kift, 2008). In retrospect the combination of a team approach, deployment of experts and the use of reflective journals has incorporated both macro and micro strategies, small group principles and emphasised the ideas of voice and partnership between teachers and learners that are now emerging as critical elements in the first year experience literature (Lizzio & Wilson, 2009; Oliver, 2009).

## **2. The Law 121 course and its teaching partnership:**

### **The Law 121 course**

The Introduction to Law course is not a typical survey course. It does not address a discreet subject area such as international law, evidence, or family law, nor does it attempt to provide students with an understanding of the theory, issues, concepts, and rules of practice in a particular area. Instead, the course might be described as a broad overview subject which attempts, by focusing on some discrete areas of knowledge and practice, as well as aspects of the "lawyering" profession, to provide students an initial understanding of the historical roots of the common law legal regime in Australia and how law is created, administered, and interpreted in the legal system. In a broader ethical and socio-political context, we encourage students to grapple not just with the question, "what is law," but with more fundamental questions such as what the law does not do and the relationship (or lack thereof) between what law is and what justice is. Finally, on a personal level, we ask students to question what the lawyer's role is in society.

In brief, as noted in an earlier paper, "Law 121 introduces students to some basic concepts in law, including the role of liberalism in parliamentary democracies; judge versus jury decision making; alternative dispute resolution; the life of the lawyer; the legal profession and legal education. This course also introduces students to essential skills such as legal research, legal

writing, and problem solving” (Meyers, 2008, p. 6). What makes the course unique is not its traditional structure of lectures and tutorials. Rather, the depth and breadth of expertise brought to the instruction in the course by internal and external academics, guest lecturers, and practitioners plus the practice based or learn-by-doing approach employed in tutorials coupled with ongoing student reflection on their work, their experience in Tasmania’s courts, and their growing understanding of the legal system creates an innovative platform for student engagement with the subject.

The emphasis within the course is to blend a traditional and instrumental approach to law teaching with the conditions to create an environment that encourages a shift from “transmissional to transformational learning” (Brockbank & McGill, 2007, p. 4). The objective is to assist students towards developing a student centered approach to learning. Brockbank and McGill stress the significance of relationships especially in transformational learning (Brockbank & McGill, p. 5) and the Law 121 course creates several levels where different aspects of this staff and student relationship can develop. A critical aspect of this relationship building is how the staff not only demand that students reflect but they themselves demonstrate professional reflection in their teaching delivery and management.

### **The Law 121 teaching partnership**

The Introduction to Law course is taught across the University’s three campuses in Hobart, Launceston, and Burnie to 300+ students each year. The lecturing and tutoring staff is drawn from a wide variety of areas and reflects a diverse array of interests and backgrounds. In 2009, the lecturing staff comprised seven individuals, five from within the Law Faculty (including the Law Librarian) and three external lecturers, including, Tasmania’s Chief Magistrate, a practitioner in family law mediation, and a distinguished academic holding an endowed professorial chair at the University of Melbourne. The course is coordinated by a senior lecturer who is an acknowledged expert in administrative law/freedom of information law and a nationally and university awarded teacher. The other three internal law lecturers include: a professor with over 25 years experience in practice and in teaching environmental and comparative land rights law; a senior lecturer with experience working for the Commonwealth Department of Foreign Affairs and Trade; and a senior lecturer who is a former Deputy Premier and Attorney General. All have post-graduate qualifications and all (excluding the Law Librarian) practice or have practiced law in the past.

Two part-time lecturers, one of whom works in community legal services and one in family law/child protection, coordinate the course and tutorials in Launceston and Burnie respectively. Additionally, Prof Tim McCormack from the University of Melbourne also delivered his lectures at both campuses in 2009.

Tutorial staff in 2009 comprised a mix of senior staff (Professor of Law); two experienced external practitioners (one in legal aid and the other a conciliator with the Magistrates Court); and three graduates of, and part-time tutors in, the Law School, one of whom is completing a PhD in criminal law, one of whom is completing a masters in international fisheries regulation, and one of whom also teaches in the Business School. Additionally, the course included three optional alumni seminars conducted by senior practitioners including: LtCDR Simon Gourley, RAN, Deputy Senior Naval officer, Tasmania; the former State Ombudsman, Richard Bingham who is also a former state department secretary; and a leading barrister and former President of the Australian Bar Association, Stephen P Estcourt, QC.

In sum, the mix of internal and external academic staff with external experts in government and the private sector is designed to provide students with a wide diversity of expertise and experience drawn from the academic, public, private, and community non-profit arenas. This teaching partnership extends to senior staff and recent graduates to provide students with a range of perspectives enabling those students to connect with both the material and the staff involved in the course. The partnership approach is also demonstrated by the mix of practical skills and academic experience reflected in the team, with more than 2/3 of the staff engaged or having engaged in the practice of law and with nearly half of the staff having post-graduate degrees.

### **3. Partnerships in the classroom and the values of team teaching:**

In tertiary education, there is an increasing need to promote cohesion and dialogue between and among fulltime staff, casual tutors, and students to enhance the learning experience for all involved (Kift, 2002). Part 3 of this paper considers how “team teaching” can provide a mechanism for increased communication and participation between students and teachers by diversifying the avenues available for engagement with course material. Focusing on the Law 121 course demonstrates how a partnership of passionate legal academics, tutors, and external staff within and outside the traditional staffing rhetoric creates a unique learning experience for all involved.

The range of learning techniques adopted in the Law 121 course allows staff to connect with the different ways in which students learn. Some off-campus activities, such as compulsory court attendance, suit the student who learns by observing while tutorials maximise the experience of students who learn by doing and engaging in group discussion. Team teaching in this context encompasses the concept of the student as the primary instigator of his or her learning experience; however, it also recognises the importance of contributions from a range of other significant individuals. By presenting a variety of views on different legal topics, the teaching partnership employed in Law 121 encourages students to consider where their interests lie and engage their critical thinking skills from the earliest stage of their degree (Higgins, 2003).

We acknowledge that the relationship between the students’ experience of teaching and the experience of the teacher both determine the effectiveness of the team teaching paradigm. Arguably, improving the experience of the teacher can dramatically improve the experience of the student. Moreover, providing a reliable support network for staff and other partners involved in the “team” is essential to promoting student engagement (Kift, 2002, p. 7).

#### **Reconsidering the question of student engagement in a team teaching environment**

For many first year law students, the introductory year of university education represents an opportunity to engage in the “culture” of law and connect with the people who make up the legal community. In this way, a student’s “engagement” with course material reflects their ability to identify as part of a group with a common purpose (Stevens et al., 2006). Whether or not a student “engages” with the material will then be determined by the interpersonal relationships they develop throughout the course and the extent to which they connect with the common purpose of the first year cohort.

It is clear that identification with the law and with the group studying the course material drives students to learn. However many commonly employed teaching techniques ignore this fact. The traditional teaching technique of a lecturer standing at the front of the large student group and reading from a set of notes achieves, at best, passive learning by students (Blissenden, 2007). There is often very little, if any, student interaction with material presented in this manner and the exercise often results in law students becoming disenchanted with their studies. A more “holistic” view of the law and the legal system encourages students to participate in, and indeed lead, their own educational experience (Freeland, Li, & Young, 2004, p. 220).

The partnership approach employed in Law 121 recognises the need for students to identify with both the subject matter of the course and the people involved in teaching this material. By providing a diverse range of legal topics for students to engage with ranging from alternative dispute resolution through to legal problem solving skills and the changing role of the lawyer in the twenty-first century, the Law 121 course allows students to identify where their interests lie and which teaching method works best for them. The “team” of teachers who contribute to student learning is expanded via the inclusion of compulsory off-campus court attendance, voluntary “drop-in sessions” with high profile speakers, and opportunities offered by senior academics to improve writing techniques.

### **The trigger effect of guest lecturing on student learning**

As noted in Part 2, one of the key benefits of the teaching partnership employed in Law 121 is the diversity of knowledge and expertise provided by the inclusion of both internal and guest lecturers in the course. Another, “silent partner” in the team is technology: the role of electronic databases in legal research and use of the library catalogue addressed in a lecture by the Law Librarian, Deborah Bowring, and weekly electronic newsletters that keep students up to date with the course and informed of contemporary issues.

Student accessibility to material is dramatically increased through the use of guest lecturers. Recent analysis of teaching approaches shows that the content of a lecture can be enhanced through the use of narrative, particularly where the teacher is an expert in a particular field (Blissenden, 2007). In this way, students receive information in the context of an engaging presentation style which in turn allows students to identify with and participate in the enthusiasm of the lecturer. As a result, students are encouraged to engage with the subject matter, making it easier for them to participate and interact with one another on the material (Higgins, 2003).

Another important benefit of guest lectures in Law 121 is that commonly, the introduction of a new lecturer often triggers new ideas and enthusiasm from students. Both planned and “impromptu” guest lecturing allows for variation in the course outline and in teaching method and style. Students who may have struggled to identify with or understand the relevance of a subject are suddenly able to make connections and better engage with the course. Different staff members bring with them the strengths and challenges of their own teaching style to any classroom setting and this variation encourages students to connect with the material and consider new ideas (Lindsay, 2009).

## **Strong foundations: the importance of the student/teacher relationship in a team teaching environment**

Regardless of the connection with course work, students' first year at university often represents a challenging time in their personal lives. Making the shift from pre-tertiary education to university requires students to take charge of their studies in an independent and responsible manner. As tutors often represent the earliest point of interaction for students with a staff member, they also experience this transition period with students. Whether tutors assist students to feel supported through this time, or whether they choose to teach the material without consideration for the individuals involved will determine the effectiveness of the learning experience for the student (Kift, 2002, p. 8).

To respond to students in an appropriate and beneficial manner, it is important that tutors have a strong network of experienced staff members supporting them to guide their responses to certain circumstances. An inexperienced and isolated tutor may encounter many difficulties in teaching a large group of students and their indecision or uncertainty will affect the ability of students to engage. To enhance the experience of the first year tutor, and thereby enhance the learning experience of students, an ongoing dialogue between the "team" teaching the unit assists tutors in understanding what is expected of them and how they might go about teaching unit material (Lindsay, 2009). This dialogue might be carried out between tutors, the unit coordinator or the team collectively; however, in the case of the Law 121 course, weekly meetings between the unit coordinator, other lecturers, and tutors provides an effective and helpful forum to strengthen the partnership. Meetings function as an informal mentoring session for tutors and reveal much about the different teaching methods and learning experiences of each individual. Ideas for structuring tutorial classes, questions to focus on, and techniques for dealing with problems are shared and tutors leave feeling that they are secure in their role in relation to students. Most importantly, as long as the week's material is covered, tutors are free to improvise, creating a personal teaching style, thereby contributing to the "equality" of the partnership

### **The "student as teacher": expanding the concept of the "team"**

In legal education there is a history of a teacher centred approach to learning (Douglas & Ruyters, 2007). As noted, the Law 121 team approach aims to shift the focus away from the teacher and towards students locating them at the centre of their own learning experience. One mechanism of achieving this goal in Law 121 is the use of reflective journals. Students are required to regularly assess their learning experience, which teaching approach works best for them, how their understanding of unit material progresses over time, and their first impressions of legal study. Essentially, they are required to explore and critically think about their own experience and effectively become part of the "team" of people contributing to their education. Research indicates many first year students wish to have their personal circumstances recognised by staff, such as feelings of isolation or uncertainty (Stevens, 2006, p. 3). By submitting the reflective journal for assessment, these feelings are addressed and students are encouraged to consider the reasons behind their connection or lack of connection to certain aspects of the course. They become active partners in the teaching regime, are able to see the value of their learning experience, and share it with others.

The traditional focus upon content delivery in law teaching is another factor that hinders student engagement with course material, because students often do not engage with the material in a manner that promotes "deep" learning, thereby diminishing the potential for real understanding (Stevens, 2006). By assessing the students' perceptions of their progression

through the course and consideration of the reasons behind their success or otherwise, the critical input of students is shown to be valued by the staff and students become integral parts of their own learning experience. Furthermore, the teaching experience is adjusted in light of the student reflections. These adjustments range from retaining elements that many students found stimulating to altering delivery styles or changing content.

#### **4. Reflective assessment and students as partners in the learning process:**

The introduction of assessable Selective Reflective Journals into the Law 121 program in 2007 was both an incremental step in a continually evolving program and a transformative phase in the concept of team learning and student engagement within the course. The elements previously described: a multiple objective (preparing law students and non-law students), a modular approach to lecture topics with a rotation of experts, the construction of tutorials as an active and engaging learning space, requirement for students to visit the courts and a focus on skill enhancement did not occur overnight but have been progressively added since 1999.

Reflective journals, as a subset of a wider reflective learning process, have been a steadily growing practice in higher education, albeit primarily concentrated in the Education Faculties and slowly spreading to other disciplines (Brockbank & McGill, 2007, p. x). The Australian Council of Law Deans *Discipline Based Initiative in Law* has recommended reflective journals as an innovative form of assessment (Owen & Davis, 2009, pp. 15-17).

While the use of journals in law schools is relatively rare, especially in Australia (see Roebuck, Westcott, & Thiriet, 2007), they have been used in three other UTAS law units since 2003. This prior experience of journal use, especially in increasing student engagement, developing emotional intelligence (James, 2005), and providing feedback to the teaching staff provided encouragement to pilot their use in Law 121 in 2007.

The experience in Law 121 over the last three years, confirms the lessons learned by J P Ogilvy, after 10 years of using student journals. He concludes, employing an “idiosyncratic and tentative” list of goals, that student journals:

- encourage the exploitation of the demonstrated connection between writing and learning;
- nurture a lifetime of self-directed learning;
- improve problem-solving skills;
- promote reflective behavior;
- foster self-awareness;
- allow for the release of stress; and
- provide periodic student feedback to the teacher (Ogilvy, 1999, p. 63).

All students in Law 121 are required to keep a journal throughout the semester in which they record their thoughts, feelings, and reactions to the course, readings, lectures and tutorials and reflect upon two visits to the court. At the end of the semester students submit a minimum three page set of selective reflections, extracts or interpretations from their journals (written, oral or visual). Many students hand in journals that are significantly longer than required and the journals generally fall into the following categories:

- descriptive account;
- chronological summary of lectures;

- a log of a progressive learning journey;
- reflective commentary on a chronological journey or log;
- thematic presentation;
- defining moments; or
- a self diagnostic tool.

The impact upon the course has been transformative and the journals have, for a significant number of students, become the key learning device. This learning contribution is further strengthened because students have online access to journals (used with permission) from previous year students (students in 2007 were able to access sample journals from other law courses). In effect, students are able to preview from a wide variety of perspectives how the course has previously unfolded, the highs and lows, the struggles and achievements of previous students, and are given insights into the court experience before attending. Students are also exposed to a wide range of journal types that emphasizes the flexibility and freedom they have when constructing their final Selective Journal.

Students are given a space and empowered to decide what, how, and to what end they want to discuss. Furthermore the students can conduct a discourse with the knowledge that the teaching staff will reflect upon suggestions or insights about course content, delivery and structure. Students can see from previous years' journals where changes have been made to the course in response to student input. A common theme in the literature about law teaching and first year students' experience is that it is a harmful experience and that teaching practices "causes many students to feel isolated, disorientated, disengaged, and ultimately resigned to having no control" (Fitzgerald, 2008, p. 60 and James, 2008, p. 85).

While the current use of the journals is unstructured and lacks quantitative analysis, it nevertheless provides a quantum, breadth, and diversity of views on educational experience that is unmatched by official survey instruments like the UTAS SETLS (student evaluation of teaching and learning survey). There is the possibility that some students structure their comments in the hope of 'battering up' the teaching staff but the diversity, raw emotion and apparent honesty of the almost 900 journals written since 2007 lends support to the treatment of these views as being accurate reflections.

## **Conclusion**

We conclude that the teaching partnership approach in Law 121, combining internal and external academics, expert legal practitioners and senior and junior staff, more effectively engages students with course material, and that reflective learning and assessment techniques empowers them to take control of their own learning, as well as provide immediate feedback to the teaching staff. Such an approach enables staff to be better teachers and students to be more responsible learners.

In recent years we have moved much closer to a real partnership between students and staff. The Reflective Journals have allowed us to fine-tune lectures and tutorial activities and gain insights into the impact of different teaching methods across a wide spectrum of students. In the eyes of many students, the learning experience in Law 121 is qualitatively different than other first year courses and draws them faster and deeper into a significant level of engagement with the subject both inside and outside the classroom. The variety of staff

provides an array of interests to draw students into the “culture of the law,” and the journals allow students to reflect on their individual place within that culture.

There are two major areas we need to significantly improve. The first, is how we engage with the students in Burnie and Launceston. At the moment, we are unable to offer the same diversity and array of experiences that are offered on the Hobart campus. We are investigating how we can better utilise emerging technology and local external expertise to increase the level and quality of the student experience on these satellite campuses. Second, we are investigating how to use student reflections in a more quantitative and empirical way rather than relying on an informal, impressionistic and ad hoc reading of the journals. In contrast to most quantitative surveying methods, the journals capture many of the changes in student engagement from the first to the last lessons. And we want to capitalise on that advantage to further refine and improve the Law 121 experience.

The Law 121 teaching and learning partnership outlined in this paper has evolved slowly and incrementally and certainly not to any particular blueprint. The critical driver has been to bring the objectives of the teachers more into alignment with the needs, passions and interests of the students. Moreover, we have also tried to inspire students to look upon learning as a life long engagement, in which the Law 121 course is, for many students, the tertiary foundation stone for that journey, while for others it may be simply an interesting stop on that journey.

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