

Willing suspension of disbelief: a study in online learning through simulation, and its potential for deeper learning in Higher Education.

This article describes the replacement of a “traditionally taught” law of probate course (lectures and workshops/tutorials) with an on-line collaborative learning exercise using simulation and role-play which is referred to hereafter as the Transactional Learning Project (“TLP”). The article considers the theory that the emotional engagement that comes about through role play in simulation leads to deeper learning, a process Maharg (2010) has dubbed as the “integration of the cognitive and the affective”. The article includes statistical analysis of student feedback on the TLP in an attempt to measure how easy it is to carry students predisposed to expect information to be “given” rather than “acquired” along the journey leading away from traditional didactic teaching. The project was motivated partly by the dearth of such learning practices on the Legal Practice Course. It is suggested that the findings of the project add to the body of research¹ which tends to illustrate the success in terms of student learning from working in leaderless (ie where the Tutor is absent from the collaborative group) groups engaged in practical tasks involving simulation.

Literature Review

The paper looks into three discrete pedagogical issues, raised by the TLP: (i) collaborative learning; (ii) online learning; and (iii) learning through simulation.

Collaborative learning: In educational settings small group problem solving exercises among students are frequently used to facilitate learning; this is referred to as collaborative learning, i.e. the process of interaction between students engaging together in practical problem solving through group discussion (Dillenbourg, 1999). Collaborative learning has also been referred to as cooperative learning or peer tutoring and “refers to the use of teaching and learning strategies in which students learn with and from each other without the immediate intervention of a teacher”.² The theory of transactive memory (Wegner, 1985) describes the process of learning through group debate. The usefulness of collaborative team work in learning is attested to by much current academic opinion (see for example Aspden, L., & Helm, P. (2004), Dennen, V. (2005), Dillenbourg P. et al (1999), Goold, Craig and Coldwell (2008)). Clear evidence has been presented that collaborative learning can heighten critical and active engagement in the learning.³

Online learning: The significance of online interaction has been recognised in Salmon’s (2000) 5 stage model for online learning (the steps range from step 1, having the technical wherewithal to access an online discussion forum, through intermediate steps eg socialisation and information exchange to step 5, development of knowledge). Goold, Craig and Coldwell (2008) adopt Salmon’s characterisation of

¹ See Keats & Boughey (1994)

² See Boud et al. (1999) p 413

³ Anderson et al. (2001)

non-contributors to the online discussion forum as “lurkers” (those who do not actively participate) and lower still “shirkers” (who do not even arrive in the online forum). Group size is critical to the creation of a community of online learners as is the ability of students to break down barriers to enter into online debate, Stacey (1999). Aspden and Helm (2004), O’Reilly, M., & Newton, B.(2002) all point out the correlation between student participation in online discussion fora and the relevance of their discussions to what is spoken about in the classroom.

Simulation: Paul Maharg (2010) has described learning law through simulation as a shift in pedagogical focus from student-as-spectator to student-as-creator and the creation of a new learning space, similar to that opened up by art objects, and by dramatic and musical performance. An issue with learning through simulation is the difficulty of assessing students. O’Reilly and Newton (2002) attest to the “assessment factor”, that is that students find it very difficult to motivate themselves to engage in work which they know does not lead directly to assessment.

Methodology

The method of research chosen for this study into the efficacy of the TLP and student opinion on it was a survey research. Students were asked to respond to a short survey after they completed the TLP. The survey (which was repeated in 2010) included six statements with students being asked to indicate how much they agreed/disagreed with the statements on a five-point scale (i.e. a likert style survey). Students were also given the option of providing specific comments on the free text section of the feedback forms. The questions asked in the surveys related to student satisfaction with the teaching methods employed in the TLP. The questions in the survey and discussion of the feedback given by students is at “Examples of Student Feedback on the Project” and “Evaluation” below. The response rate in both years that the survey questions were asked was slightly in excess of 50% from a total of 86 students. This method, though crude, was felt to be the most proportionate means available of gauging student opinion on the project. The demographic make up of the student body who engaged with the TLP comprised over 90% of recent University graduates, and therefore represented a typical LPC cohort according to statistics published by the SRA into student numbers on LPC Full Time courses. In as much as such a small sample study can be accurate it is believed that the results of the study are valid and can be applied beyond the sample.⁴ The survey was commissioned principally to uncover any manifest dissatisfaction among the student body that might exist, so that the Project could be modified accordingly for subsequent academic years.

The Story of the Transactional Learning project

Forty students on Anglia Ruskin University’s Legal Practice Course (“the LPC”) participated in the TLP for the first time in 2009. The LPC is a one year Full Time (or two year part-time) professional postgraduate vocational course whose successful completion is a prerequisite for starting a two year training contract as a trainee solicitor.

⁴ Gall et al. (1996)

The rationale of the TLP was to measure what benefits, if any, exist in terms of improved learning by moving students away from compulsory attendance at lectures and workshops in favour of engaging them in an online exercise based on transactional learning using simulation and collaboration. Transactional learning can be defined as active learning based on the practical process of doing realistic transactions. It involves learning **from** legal transactions rather than **about** legal transactions, and involves a high level of collaboration between students. The LPC is almost entirely based on transactional learning, as its intention is to prepare students for legal practice (the workplace) and the learning materials, at least so far as the Workshops (tutorials) are concerned consist of the kind of scenarios that the students can be expected to encounter once they start their legal training contracts.

The simulation aspect of the TLP, which along with the online interaction, is its novel quality, is the attempt to foster role play throughout an extended period based on a virtual environment using realistic props such as websites and newspapers and a scenario that a trainee solicitor might experience in legal practice involving taking instructions from a “pretend” client who has suffered a bereavement and who needs advice in probate law. The TLP involves about 15 hours of directed study by students spread over a ten week period. The 40 strong cohort of students are arranged at the outset into 7 teams each comprising 5 or 6 individuals. Each team collectively played the role of a trainee solicitor charged by their principal (played by the Tutor, referred to hereafter as the Principal Solicitor/tutor) with taking the fictional client through the death of a spouse and the administration and execution of the deceased’s estate. The students were told at the outset that although the simulation was to be as realistic as possible, a transaction that would have taken 6 months in reality had to be compressed into a ten week time frame.

Prior to the introduction into our syllabus of the TLP, one of the aspects of traineeship we believed the LPC insufficiently prepared students for was expertise in seeing a legal transaction as an holistic whole. In their “traditional” LPC workshops our students become adept at dealing with discrete legal transactions; but we wanted to add an element to the Course whereby they practised (in teams) dealing with a larger transaction that spanned across several weeks. After all in practice trainee solicitors traditionally spend six months in a “seat” and will have conduct of a file for potentially this period. An essential skill a trainee must have in this regard is the ability to plan ahead and to link what they are doing now to what they did at the outset of the case and what they plan to achieve to bring it to a satisfactory conclusion. In other words they must develop the ability to link the part to the whole and the whole to the part, which can be done best by engagement in a single transaction spanning months.

It is axiomatic that the LPC must impart legal knowledge to students and also train them in the skills they will require to be competent professionals. The so-called core skills the LPC assesses students in include traditional “lawyerly” skills such as writing, interviewing, advocacy etc, but there is no teaching of, and assessment in, that softest of skills, team-work. Invariably “team-work” appears prominently in the websites of the most illustrious law firms as the skill most valued by employers in their employees.⁵ In the TLP students were able to practise working in small teams,

⁵ See Clifford Chance (2011)

under very little supervision, and one of the unwritten learning outcomes was to educate them about teamwork. Another emphasis of the TLP (and all simulation based learning) is the art of students making choices about how to engage with their client and other parties. A core part of the professional life of the solicitor is compliance with the correct code of ethics (dubbed the rules of Professional Conduct, which are contained in a published Guide/Code and which LPC students are assessed in). The correct ethical code of behaviour can only be learned through exposure to an actual transaction, during which students will begin to ask themselves about the correct fashion and order in which to progress a particular legal transaction.

Because the TLP is done entirely online (except for an introductory lecture) it prepares students to work in an online environment which increasingly the modern workplace now is. Students expect the use of ICT to be a part of the teaching process at University, and it is a truism that as a body today's law students are generally "technology natives" for whom email and social networking has always been a part of their adult lives; whereas most lecturers are still "technology immigrants" who can remember living full and productive lives where such technology was non-existent. There has been a lot of research done into the resistance by many students to on-line learning.⁶ The conclusions seem broadly to be that the majority of fee-paying students expect personal contact with their lecturers at all times. The reassuring presence of the lecturer at workshops and lectures to answer questions is something most students take for granted. Many students have a resistance to teaching methods where there is a high degree of online learning and where students are expected to engage in online discussion groups where the lecturer is absent for long periods from the discussion. Yet, in their professional lives trainee solicitors have of course to work on their own, largely independently, in a technological environment where they are reliant on the internet for legal research and materials, and where online communication has become the norm.

Collaborative learning means students sharing their knowledge and peer reviewing their work. The TLP is an online collaborative learning exercise in which we seek to steer a middle way between students learning in isolation by silent absorption of reading materials and the other extreme of students in a traditional workshop/tutorial openly discussing the answer to a legal problem with their tutor. By the use of online transactional collaborative learning using simulation and role play students are forced to think *for* themselves *by* themselves, then to transmit their ideas in written form to their peers for possible revision/comment/enhancement, the essence of team work. The ability to be a "good team player" is a generic skill which is of inestimable value in professional life. To be a good "online" team player is an attribute increasingly required of the 21st century professional.

One of the intangible skills we want the students to learn through their collaborative work together on the TLP is "trust"; trusting one another to contribute individual parts, which when added together form an overall team solution to the practical problem before the team. Another way of expressing this concept is training students to use the individual contributions from group members as "leverage" towards an overall team solution to the legal problem before the group (which it would take each of them as individuals much longer to fathom). For collaborative learning to be

⁶ See McCall (2010)

successful it is axiomatic that there must be trust and cooperation within each student group.⁷ The evidence of the TLP, discussed in more detail below, was that mistrust among group members developed primarily through a perception of inequality of effort between different members of the group. One of the biggest issues we have had to overcome on the TLP relates to the difficulty in formally assessing students where a module has been taught as an online, collaborative, transactional exercise involving simulation. Unless there is an element of assessment many students find it difficult to motivate themselves to engage.⁸ One of the issues that came out forcefully from the student feedback on the TLP was their objection to working on it while at the same time preparing for assessments in other subjects. In legal practice trainee solicitors, like their qualified colleagues, will of course be handling a number of files, and they must learn to prioritise their work and plan their time efficiently.

The Logistics of the Module

In 2009 the probate module was the only LPC module which was not assessable and probate was therefore considered suitable as a pilot for the new on-line teaching method this article describes. On the TLP there are no lectures or workshop/tutorials other than one two hour face to face lecture which introduces the students to the law of probate, or administration of estates, and the online resources (described more fully below) required for the TLP. As will be seen below when the student feedback to the TLP is discussed, inevitably many students were challenged by the removal of their “comfort blanket” of traditional lectures and workshops.

The TLP is supported by a series of pages built into the University’s online Virtual Learning Environment (“VLE”). Although the TLP is designed to be capable of being studied by students working online remotely from one another; there was nothing preventing individual groups of students choosing to supplement their online discussions with face to face meetings. However outside of the initial two hour lecture student interaction with the Principal solicitor/tutor was online only. The University allocated a Learning and Teaching Technologist (whose role in the TLP was paramount and who is acknowledged accordingly) to the project. His workload included processing the final versions of some of the documents required for the project before these were made available on line. These documents ranged from copies of utility bills to the various legal forms that would need to be completed in carrying out any probate matter.

An illustration of the TLP VLE home page showing four different files appears below (Figure 1). The first file, the Instruction Manual, speaks for itself, and describes the logistics and learning outcomes of the TLP to the students, basically an introduction to students to the TLP. The timesheet file, the timesheet/costs spreadsheet is a highly innovative aspect of the TLP. The spreadsheet file (one for each team) simulates the practising lawyer’s time-recording (the essential component of legal bills). Billing of their time was a practice completely new to students (unless they had any previous experience working as a paralegal or legal executive in a law firm) and billing is not generally taught on the LPC. As billing is a critical feature of the lawyer’s life and an

⁷ See Linden et al (1985) and Barton et al (2005)

⁸ O’Reilly (2002) and the student comments in the **Evaluation** section below.

experience which greatly intimidates trainee solicitors (and more senior lawyers!) we wanted to introduce students to it on the LPC.

Figure 1



The third file on the TLP home page is the Resource links file. This is a portal to the wide variety of websites that the students would need to access whilst undertaking the work on the project, such as the website of the Probate Service, (part of Her Majesty's Court Service) which contains the forms required by a solicitor acting for a client in a probate transaction. The Resource links file epitomises the "learning by doing" aspect of the TLP. The presence of a Resource links file is a clue to the students of the whereabouts of certain forms or information which they would require to carry out successfully the client's instructions. Crucially however there are decoy sites and the students must critically engage with the materials and ask themselves which is the appropriate resource/information. Unlike in a traditional workshop/tutorial the tutor is not at hand to be a guide. An important website linked to the Resources file is the website of Her Majesty's Revenue and Customs. Populating the Resources file was inevitably a process which required great investment of time from the Learning Technologist dedicated to the project. Whilst some agencies make forms available as downloadable, editable files (eg the Land Registry), this is not the case for others, where users are clearly expected either to complete a form online at the agency site, or print a copy for completing a paper version. In the case of HM Revenue and Customs, these complex forms were eventually copied into Word documents and text entry field overlain. Other websites linked to the Resources file included the Land Registry and local newspapers (in which probate notices would have to be placed). Many of the documents that were loaded onto the Resources file were real-life originals that needed to be edited to match the case study, to avoid any identification of their original provenance.

The final file on the TLP VLE home page was the Discussion Tool. Each team of five students had their own private e-mail forum, so that they could collaborate together on the tasks required of them. All group discussions are promulgated by way of individual threads so that the different responses of group members could easily be located in relation to all group email correspondence. One of the side-effects of the

TLP is enhancement of students' IT skills generally. Skills in communication, presentation and negotiation are enhanced by collaborative learning.⁹ The private email fora are accessible by the Principal solicitor/tutor but are obviously not accessible to the other groups. An example of the type of discussion and collaboration students engaged in follows.

Message 1

Hi all

I have filled in the oath the best that I could, but not sure if it was the right one or what else to put in it at the end etc. I'm not sure as we don't know the figures for the estate etc yet? Does anybody have any ideas lol x
[name deleted]

Message 2

Hey Joe i had a look at the form. im not sure what youd add at the end but there are two points id mention on the form.

1. The numbering in 6. goes on to 7.1 should it be 6.1?
2. The [Principal (or) (name) District Probate] Registry

i would put in: 'The Chelmsford District Probate Registry.'

For all: Ive attached my research for Court Fees. If someone could have a look and see what you think.

Mo: Would you like me to type up a paragraph on the fees to add to the letter? or do you just need the figures?

Thanks all
[name deleted]

Message 3

Hey,

I agree with Sophie about the numbering. But I'm not sure there is a Chlemsford District Probate Registry. I think the nearest one is in Ipswich.

See you,
[name deleted]

Message 4

⁹ See Durkin and Main (2002)

Hey Nick, yeah i had a look online and Ipswich kept popping up. Thank you
[name deleted]

Message 5

Thanx for looking guys...found this one quite tricky.

I'll bring my laptop in tomorrow so we can go through them all and make sure we have everything and the forms are filled in etc.

See you then x
[name deleted]

Message 6

Hey All... ive updated the oath to sarahs memorandum.. i just need some help with paragraph 6 and the amount. if someone could update this please. Thanks
[name deleted]

Delivery of the Transactional Learning Project

The simulation consists of a scenario based on the recent death of an individual and the request by that person's widow for legal advice in relation to their dead husband's estate. After delivery of the initial two hour face to face lecture on probate law the Tutor (playing the role of the Partner in the law firm) emails each group (5 or 6 students collectively playing the role of the trainee solicitor) a memorandum attaching the telephone attendance note of the client's instructions. The TLP is delivered over a ten week timespan and milestones are set, comprising deadlines for the various tasks to be accomplished by the teams, from the initial letter of advice to the client through to completion of the project (ie satisfactory execution of all the client's instructions, that is, distribution to the beneficiaries of the deceased of their various entitlements). In all, over the ten weeks, there were six discrete activities each team had to undertake. Because there were six students in each team they could if they like delegate each of the six tasks to one student; thereby collectively minimising the work load for the group. Obviously the danger of this "silo" approach was that at the end of the TLP each individual student would only have experienced a small part of the overall transaction; in this case they would miss out on a large part of the probate module, and would not be properly prepared for practice. I deal below with how we sought to minimise that risk in the second year of the project.

Each of the six activities is presaged by a memorandum from the Principal solicitor/tutor, which is similar to how a trainee would work in "real life". This modus operandi allows the Principal solicitor/tutor to initiate each of the six separate tasks and to report back at the end of each milestone to each team (separately). Although communications both between the Principal solicitor/tutor and the groups, and between the members of the groups themselves, is principally by way of the group's private discussion forum on the VLE, as stated earlier some groups decided to arrange meetings where they could discuss together their approach to the tasks set them and their output. The Principal solicitor/tutor has access to each group's

discussion forum enabling her to monitor the students' progress. Where their discussions/progress were flawed, the Principal solicitor/tutor could step in by posting a message to the team, putting them back on track. This situation again replicates "real life" where a Principal in a firm of solicitors would have to monitor a trainee solicitor's work, and would review the file from time to time to that end. The different teams did not correspond with each other.

The six separate activities collectively represented a typical probate transaction, ie (i) taking instructions from the widow; (ii) advising on the overall length and cost of the probate transaction and explaining the law on entitlements under the deceased's will; (iii) getting a grant of probate (two discrete activities); (iv) distribution of the estate (two activities).

Examples of Student Feedback on the Project

We have run the TLP over two academic years. For each year the student cohort was about 40 in number, and over half of the students each year answered the feedback questions.

We asked the following questions:

Question 1

"I enjoyed learning by working through the Probate case study". That was answered in the affirmative by 50% in the first year; but it went up to 75% in the second year

Question 2

"My learning on the case study gave me a better understanding of aspects of Probate and Administration of Estates than I would have achieved through conventional teaching using only large-group sessions". For both years the numbers of students disagreeing and agreeing with this statement were very even. Whilst some students clearly valued the opportunity :

"I liked the fact that the task was to be completed by groups using our own initiative and that we had a more hands on approach like we would get in practice",

others clearly preferred a more "traditional" learning experience, making comments such as:

"The outcome of 'Transactional Learning' would have been more effectively achieved by way of lectures" and "Would rather have the module based in a workshop than on-line."

Question 3

"I felt that the transactional learning in the Probate case study helped me to develop additional skills, such as Research; Advising; Planning and time management; Team working and problem solving; Written communication and Drafting."

In relation to this question, we have turned student opinion round for the second year when 16 agreed with the statement and only three disagreed (85%); as opposed to Year One, when there was a strongly polarised view with half agreeing and half disagreeing. Possible reasons for this turnaround are discussed below.

Question 4

"I valued the opportunity to work in a group project, rather than on my own"

Again, approval rating for this question went up from Year One 65%, to the second year, 75%.

Question 5

"The use of online documents and communications provided effective support for the subject area".

In both years over 90% agreed with this statement. This is very considerably higher than the approval rating given over most modules in the Law School in relation to the online content of the course.

Question 6

"The documents and the weblinks on the TLP resources page provided to support the activity were realistic and helped me to engage with the project".

Again, the trend was upwards with 21 for, and none against in Year Two (100%); as opposed to 85% approval in Year One.

Evaluation

Group work emerged as a particular issue, and was raised in several written submissions. Although two students wrote:

"I enjoyed working in a team" and "It was good to be able to work with some of the other people on the course"

others found that the group dynamics had not worked effectively. Low input from some group members placed an unacceptable burden on those who were participating actively, sometimes slowing down group progress:

"the workload of students was increased massively in those groups where a team-member didn't contribute - they had to be chased up, managed, and ultimately their work done in their absence by another team member."

In Salmon's (2000) evocative word, "lurkers" are characterised by their lack of contribution to the (online) debate; and they can be a source of frustration to more active students for whom the lurkers devalue the process and act as a demotivator. On the other hand it has been remarked by others in relation to collaborative group work that some conflict within the group has the potential to energise debate and improve the learning process, as compared to a group where relations are cordial but there is little energy and consequently not much achieved.¹⁰ There have been various surveys into the dissatisfactions experienced by students in regard to group work; they mainly report on the underlying complaint that the work ends up getting done in a disproportionate share by the more conscientious group members, see for example

¹⁰ See Smith et al (1982) pp. 277-283

Linden, Nago and Parsons (1985).¹¹ We introduced a reform in our second year of the TLP, whereby we had a rotating team leader, and the incoming team leader was appointed by the outgoing one. Over the course of the TLP everyone had a go at leadership. We found that this enhanced “collaborative collegiality”.¹² In the second year of the project we also encouraged students to give confidential anonymous feedback on the quality of their peers’ contributions. These two reforms incentivised greater input from all the students. In the second year of the TLP, postings on each group’s bulletin board over the ten week project averaged just under 200, just under 40 per student.

Another issue raised by students was the problem of doing the (non-assessed) TLP alongside the other LPC modules which are all assessable. One student wrote:

“The project clashed with preparation for the substantive and skills examinations. Students were under a great deal of pressure with 8 examinations to prepare for, in addition to workshops, at a time when the project was also running. The probate project was not assessed. Therefore, quite rightly it was foreseeable that students prioritised and focused their time on the assessments that were crucial.”

Another student makes a similar point:

“... the course does not give rise to any kind of academic mark and as such there is no motivation to do your best at it. People deemed it as something to do as quickly as possible and to focus on those subjects which did result in a grade.”

Student feedback was quite pronounced in this regard and as a result in the TLP’s second year we introduced a prize (sponsored by a local enterprise) for the top performing team. We also introduced a certificate of competence, which while successful passage through the LPC did not depend on it, clearly vitiated students’ disdain for a non-assessed subject.¹³ There is no reason why a TLP style of teaching cannot lead to a traditional assessment, and we are considering introducing elements of the TLP into assessed modules also.

A perennial issue with collaborative work is the danger that students concentrate exclusively on their own part of the overall group task and learn very little in relation to the input from their colleagues on the other parts, which they take at face value. Several students observed a ‘silo’ approach developing, where each student took on a particular set of tasks, and tended to lose their view of the wider picture:

“Dividing it into four sections, one for each member of the team also seemed a bit problematic as we tended to focus only on our own tasks”.

This in turn led to a perception that they had missed out on aspects of the project where they had not been involved directly:

¹¹ See Linden et al (1985)

¹² In the phrase used by Hargreaves and Dawe (1990)

¹³ See the improved ratings for the answers to Questions 1 and 3 above for Year Two.

“As working in a team, member would be assigned different tasks. I found that in doing this one would only learn about the aspect of their task and not the other members. Therefore not fully understanding/learning all aspects of probate and administration.”

The introduction of rotating leaders in the second year of the TLP (described above) led to greater overall participation as each student made sure all the others were contributing.

The tutor felt that her overall workload came in within the amount allocated for the project, but noted areas of high workload when deadlines approached. Overall, it is clear that managing the transactional learning is crucially reliant on high quality support from the tutor, and that this was appreciated by many of the students. The tutor's main role is reviewing the documentation produced by the student teams. The students have to draft letters of advice and to fill in forms required during the probate process. Because they do not receive lectures in probate law, the students have to carry out research in the texts provided and to look online, sometimes on the websites of government agencies, to produce the required documentation. The tutor is able to “eavesdrop” on the email threads of the different teams, to check that they are each progressing along the right lines, and to put them right when they are not. This replicates real life legal practice where a Partner in a law firm will ask to be shown documentation in draft and will be able to review a trainee solicitor's file to ensure that mistakes are not made.

Conclusion

The TLP represents a fresh approach to the teaching on the Legal Practice Course. The Tutor dictated the “what” (i.e. the learning and product outcomes) and the self-managing group of students the “how” (i.e. the best means of collaborating).¹⁴ The TLP emphasises teamwork (because students work in groups) and self-reliance (because they cannot consult with a Tutor) among students. In industry and commerce, self managed teams of workers have been shown to excel in productivity.¹⁵ After the changes to the TLP effected in its second year, overall student feedback on the module was positive. Lizzio and Wilson characterise the twin potential benefits of autonomous collaborative student learning groups such as the TLP as “pragmatic (e.g. cost and time effective), or educational (e.g. student-centred learning, self-directed learning)”.¹⁶ In terms of the “pragmatic”, the TLP required a capital outlay in Tutor time to write the materials in its first year but this can be recovered in probably three academic years, given the saving in Tutor time represented when face to face workshops are removed. In terms of the educational benefit, none of the groups failed to achieve the learning outcome of the TLP, which was successful completion of a probate transaction on behalf of the fictional client. But the real “educational” measure of the TLP is that it goes beyond teaching Probate law; it inculcates the “softer” skills such as teamwork and time management. It also introduces students in a practical way to a fundamental aspect of the practising lawyer's life which is not taught elsewhere in the LPC: time recording and billing of clients. Although in Year One student feedback was very mixed on the project, after

¹⁴ See Lizzio and Wilson (2005) p. 373

¹⁵ See Lawler (1998)

¹⁶ Lizzio & Wilson (2005) p. 373

the second year the majority of students appreciated the freshness of the TLP (and the softer skills it taught). In other words, in the opinion of staff and students, the benefits of the TLP outweigh its weaknesses. The obvious caveat must be sounded, academics extolling the virtues of “self-managed learning” can often sound to students like the dereliction of core teaching duties. In the case of the TLP though, student feedback genuinely seemed to indicate student approval for the learning method, particularly after changes were introduced after Year One in response to some negative student feedback.

The University’s new Virtual Learning Environment enables Workshop discussions to be held online by postings being made on a Discussion Board. Part time students in particular have indicated in surveys that they welcome the flexibility of a higher degree of online learning. It is envisaged that further research in this area will comprise conducting more Legal Practice Course Workshops remotely by use of the online Discussion Boards. Research will be carried out into the level of students’ engagement, and their attainment rates in module assessments in those modules where more online transactional “tutorless” Workshops are introduced.

In conclusion, as Finlay and Faulkner put it: “interactions with peers are often more entertaining than listening to lectures, the students develop communication skills and self-knowledge and have the opportunity to initiate friendships amongst their peer group”.¹⁷ Or in the words of a student who participated in the TLP: “I really looked forward to our [TLP] team meetings, as they gave us the chance to think for ourselves knowing that we were not going to be spoonfed an answer by the Tutor, and our discussions were more meaningful for it”.

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¹⁷ Finlay and Faulkner (2005) p 33

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