

learning approach and understand the possible reasons for this tendency, they may be capable of overcoming their inhibitions, at least to some extent.

Lastly, a psychotherapeutic approach suggests that the teacher should not become overly attached to any particular outcome. This may be, for many of us, the hardest idea to accept. For instance, many dedicated teachers aspire to encourage their students to be active learners. We should allow students who want to learn passively to do so, a notion that again runs counter to much educational material. This is linked to the idea that teachers should adopt an empathetic, rather than a judgmental approach.

There seems to be something of a paradox at work in university teaching generally at present. Despite the fact that, as teachers, we are expected to encourage lifelong and independent learning, increasingly, we are held accountable both for our students' outcomes and their classroom experiences. This debate is a significant one for law, where a number of commentators have suggested that learning law necessitates a deep approach. If the psychoanalytical view is correct, our students enter the classroom somewhere along a spectrum of learning approaches from deep to surface. Attempts to force these students to adopt a different learning approach are likely to meet resistance and may be largely unsuccessful.

A psychotherapeutic approach would lead us to take a cautious approach to teaching and learning. Like our students, we too enter the classroom with a variety of inhibitions, anxieties and defences. This being so, we need to reflect upon our desires for our students to learn in a certain way or to achieve certain learning outcomes. An approach influenced by psychotherapy suggests that our teaching needs to be driven less by narcissistic and heroic tendencies and more by openness, reflection and conscious awareness.

Deep or shallow approaches to study undertaken by undergraduate distance learning law students of the University of Wolverhampton

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Postal correspondence courses were for many years the traditional means to acquire qualifications, gain promotion or change one's career, and thus to get on in life. Radio and television came to play their respective parts in the process, and these in turn have been supplemented although not supplanted by a variety of on-and off-line electronic delivery modes. However the means to learn are delivered, students must study and be assessed, and it is likely to remain necessary to retain a variety of traditional learning, teaching and assessment modes and methods, whilst building on them for the future. In an era when the process of globalisation operates in a variety of spheres, not least in respect of education and communication, the importance of distance learning is bound to be of continuing and probably increasing importance, and the quality of the teaching delivered and the learning absorbed is crucial.

This paper, based on recent research undertaken by members of the School of Legal Studies (SLS) at the University of Wolverhampton, sets out to investigate some aspects of the effectiveness of law students' distance learning with particular reference to how they acquire legal knowledge and the extent to which they take a deep or surface approach to that learning. The largest cohort of students taught by SLS is that studying on the LLB by Distance Learning (DL) in over 70 countries, particularly in Hong Kong, Bangladesh and the Caribbean.

DL students, with two exceptions, study the same modules as their

campus-based counterparts. Their opportunity for face-to-face contact with academic staff is limited, although they may communicate electronically. Where student numbers justify it, they are given the opportunity to attend study skills workshops at Easter and prior to Christmas, currently delivered in London and Hong Kong by a small specialist team. Students may also obtain academic guidance by submitting written queries to staff by post, as well as email. Most students, however, rely solely on the printed teaching materials provided on commencement of the study of a module and this approach is characterised as materials-based learning.

Prior to this research project no systematic attempt (apart from annual monitoring feedback) had been made to establish how DL students approached their studies and only limited changes had been made to study materials since validation in 1991. However, an internal review in 1998 led to significant alterations in assessment practice, the structure of the academic year and module credit value. The assessment regime changed from a combination of coursework and unseen examinations to unseen examination with a learning project, where the subject area of a compulsory question providing half the marks is indicated in advance, although the question itself is unseen. Part of the rationale for the changes was to enhance opportunities for DL students to gain a deeper understanding of their study materials, rather than being driven to rely on memorisation and mechanistic reproduction. This research project provided an opportunity to gain insight into the efficacy of these changes in view of practitioner based evaluation being recognised as an important basis for developing quality and improving learning in distance education.

While students may successfully adopt both surface and deep approaches to learning and may be rewarded for adopting the former, the level of understanding associated with shallow learning is considered to be significantly less than that obtained from a deep approach. It is less likely that a student adopting a surface approach will gain a real knowledge of the material being studied which s/he can go on to use in a creative manner.

Whilst course design is not the only determinant of how students approach their studies, many features of DL study may be considered to be associated with a surface approach to learning. Students, the majority of whom are combining their studies with full-time employment and family responsibilities, are faced with a demanding and heavy workload. For the majority of DL students there is no class contact at all and even for those able to attend study workshops time for face-to-face tuition is minimal. This can be a cause of anxiety to students, as they have to place reliance on their own time and study management skills. Factors such as these do not necessarily determine that students will inevitably take a shallow approach but might well tend to militate towards it.

It would be unwise to make the assumption that there is a general tendency towards a shallow approach to student learning, however. It may equally be the case that certain features of the LLB by Distance Learning could be considered to be associated with a deep approach. One of these factors is the absence of class contact hours. Another is the motivation that underpins and often defines the reason why a student is undertaking distance learning. DL students are typically undertaking study for an LLB because of a desire either to enhance their

current skills and knowledge or to achieve a career change.

Having considered all these factors, it was therefore considered important to determine what kind of approaches were being taken by DL law students. The techniques utilised involved the collection of both quantitative and qualitative data. Students' answers to the questionnaire produced scores from 0–24 on three scales. The first measured what is characterised as 'strategic orientation', a high score on which indicates competitiveness and well organised study methods. The second measured 'reproducing orientation', where a high score indicates a surface approach to learning. The final score, referred to as a 'meaning orientation', indicates whether students are taking a deep approach.

In respect of the quantitative data, for the first batch the level 1 students scored higher on the achieving and meaning scales than they did on the reproducing scales. By March 2001 the position had changed and they were scoring more highly on the reproducing score, indicating a greater propensity towards a surface approach. With regard to the qualitative data the interviews conducted during December 2000 produced evidence of some students undertaking a deep approach to their studies. The interviews conducted in March 2001 tended not to produce such statements.

As this research seeks both generally to inform the format, revision and development of the materials that guide students through their legal studies and more particularly the design and content of planners for individual modules, it was appropriate specifically to identify students' perceptions of these documents. One of the conclusions reached was the need to identify the importance to students of creating a strategy for study informed by the planners.

So far as the student's strategic approach to the module is concerned, the evidence points to a significant misunderstanding of the relative importance of the materials provided. While the module planner is specific to the LLB by Distance Learning, the other materials are not necessarily so and in many instances are general texts covering generic areas of law, not limited to the scope of particular DL modules. Without recourse to each requisite module planner students will not receive guidance appropriate to the module they are studying. They will also not understand or even be aware of the learning outcomes that they will be expected to achieve. It would therefore seem to be imperative that course teams should pay particular attention to the importance of ensuring that module planners and other basic and general information such as award guides provide clear assistance towards student learning.

In consequence of this particular piece of research there has been a revision of module planners at all three levels. There has been a reconsideration of the sequencing of material within each planner and students are now provided with clearer instructions both on the order of study and the approximate length of time to be devoted to different areas, emphasising both proportional and absolute terms and taking into consideration the learning project and its impact on the examination structure.

Students should benefit now and in future by being able to utilise their limited study time more effectively, and the overall quality of the degree should be enhanced by achieving a higher level of consistency in delivery. This in turn ought to result in a better grade profile being achieved.