

Training needs for law teachers: being strategic

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The new teaching environment features flexible delivery, heavy use of technology, increased infusion of skills into the curriculum, large class sizes and overall, an increasing sophistication of the higher education teaching environment.

All academics have traditionally treasured their intellectual freedom. However, reality suggests there has been a mammoth change in many aspects of university teaching culture. These changes include: (1) an infusion of skills into the university curriculum. Law schools have always aimed to engender lawyering skills such as legal analysis and legal research into their courses, but modern agendas have driven this further. (2) The larger universities are enrolling unprecedented numbers of law undergraduates in their degrees. First year intakes of six and seven hundred students mean academics must be skilled in delivering to large groups. This reflects the shift from an elite to a mass system of higher education. (3) There is the increased use of technology and on-line teaching. Academics need to be skilled in electronic media to a much larger extent than in the past. (4) There is increased sophistication of the secondary school learning environment. Younger students are entering universities with different school experiences from their more mature colleagues. (5) There are increased government expectations tied to university funding criteria. Governments are tending to push educational agendas and policy through their provision of funding to universities.

University administrators have noted that the purse string holders are seeking accountability and quality assessment. Peer review has been in place for some time. There are also standard measures, such as university course review processes, and documentation required for course development.

What are effective ways of engendering teaching excellence? This article argues that voluntary teaching improvement rather than accreditation is the more valuable. Indeed, the list of arguments against accreditation would seem to be longer than the list favouring implementation.

The arguments in favour of accreditation include: accreditation will ensure transferability; an accreditation scheme introduced gradually with the agreement of academics will pre-empt the inevitable; accreditation allows for the skilling up of university teachers to bring them up to date with the changing teaching environment, as well as aiding skills development to deal with the increasing complexity of academic work; accreditation represents an easily quantifiable quality assurance scheme in an era when this is important for funding purposes; and accreditation will improve teaching standards.

Some of the arguments put forward against accreditation include: what proof is there that accreditation will improve teaching? Insufficient assessment has been done of the effect of accreditation in other jurisdictions where it has been introduced. Oppression resulting from increasing credentialism of the workforce will take away valuable time from more productive activities including research. An over-emphasis on teaching might lead to a trivialisation of academic work to emphasise the issue of teaching rather than research, and expansion of knowledge boundaries by students and teachers alike. Accreditation may therefore lead to the downgrading of the importance of subject knowledge and skills as the paramount concern of university teaching. It may also lead to further control mechanisms being put in place leading to additional encroachment on academic freedom.

In Australia, the National Tertiary Education Union has no formal policy on accreditation at present. Accreditation has not gone ahead in Canada. The Canadian Association of University Teachers condones efforts to promote the value and quality of teaching, but flatly dismisses any overtures that imply mandatory certification.

Accreditation has been introduced in the United Kingdom. The Association of University Teachers has formed a view on their preferred model for accreditation. This model endorses individuals completing approved courses successfully being awarded accredited status in teaching by the national accreditation body.

In the UK, the Staff and Educational Development Association scheme has been developed. It rejects a model of accreditation which is external, inspectorial and purely competency based. Under its scheme, a program will be recognised if it requires teachers to demonstrate the achievement of each of eight specific objectives and outcomes.

Some of the factors providing necessary context at one Australian university, the Queensland University of Technology, are the need for increased quality assurance, the developing Performance Planning and Review (PPR) process for academic staff, realistic academic workloads, and the developing importance of generic capabilities for students, and therefore by extension, for staff.

Under the law faculty's teaching awards program two awards are available for teaching innovation and excellence each year, one for full-time staff and one for casual staff. These awards were developed

as a means of recognising good teaching within the faculty which staff had felt was not valued as an activity in itself or for any purpose, even personal promotion.

The law faculty also has had a long-standing teaching interest group, which has addressed many current issues in teaching and learning over that time, including issues in assessment, curriculum development and innovation, demonstrations of teaching technique, use of technology in teaching, skills development, incorporation of generic capabilities in the curriculum, and reflections from visiting academics about teaching and learning in their institutions. However, although the group is valued by staff, particularly as a means of disseminating interesting innovations from their own classrooms, and encouraging peer mentoring, it does not represent a structured response to the need for teaching improvement or training.

The question must be asked as to whether the imposition of teaching accreditation will have an unduly detrimental effect on academics in law schools. One of the dangers of accreditation is that the schemes developed are trying to be a 'one size fits all' approach. Different subjects need to be taught in different ways. Different teachers communicate differently. Mandatory accreditation runs the risk of simply being a generic qualification and another barrier to academia.

What do current law teachers think they need? The most pressing requirement for law teachers in the attainment of a doctoral qualification. Since this qualification demands total dedication to the writing of a thesis, there would seem to be little time left to complete a teaching qualification as well. In addition, law teachers might specify that they require assistance with the following, pending changes in the curriculum to include more skills training and use of technology: training in technological skills that includes the pedagogical aspects of websites; assistance in determining the most meaningful use of teaching aids; help in dealing with English as a Second Language students; more guidance in respect of the increasing emphasis on contextualisation; guidance in the differences of approach and techniques needed for large and small group teaching; guidance in terms of Mooting and problem setting skills; and more expert level training on all the skills needing to be included in law degrees.

A position of encouragement of voluntary training in a set time frame represents the best outcome, and one which may add the most value. But which form of voluntary training? Perhaps one answer might be training courses offered with continuing education points attached. The courses would need to be refereed and each academic staff member might be asked to accumulate a number of training points per year.

Small group learning in real property law

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TEACHING METHODS & MEDIA

The learning and teaching of real property law is a challenge for both student and teacher. Students of Property Law, which is a core, full year subject at Monash University, Australia, are generally in the second or third year of their law degree and have completed a small number of law subjects. It is the first conceptually difficult subject that students encounter in their undergraduate degree and, as a result, Property Law often has the highest annual failure rate in Monash Law.

Traditionally, Property Law has been taught by means of lectures, supported by tutorials. Students have also been encouraged to study in small groups. Although the tutorials provide a forum for interaction, discussion and problem-solving in a medium-sized group, the enrolments in each lecture stream and the size of the lecture spaces needed to accommodate them are not conducive to encouraging students to engage actively with the class and with the subject matter. Assessment has traditionally been by examination or by examination and research assignment.

The authors sought to improve student attitudes to and the learning and teaching of Property Law as well as the profile of the subject. They decided to pilot a small group learning project that would implement principles of good teaching practice and provide a team based, collaborative learning environment in which students of Property Law could gain confidence and learn among their peers, engage in active learning and extend their interpersonal and communication skills.

The project was comprised of two components: self-learning groups (SLGs) and research assignment syndicates (RASs). The tutorial group was used as the vehicle for the project. During the year each SLG was required to present two problems from the booklet to their tutorial group, one in each semester. Assessment took into account each student's tutorial attendance and contribution to class discussion as well as preparation for and presentation of the two problems, a total of five percent.

One of the main motivational factors for introducing small groups was the recognition of the importance of cooperative working among peers with the resultant enhanced communication skills and tolerance of divergent points of view. Students' ability to 'feed off' one another has both positive