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Seeing is believing: we are all converging

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In a country (the UK) where huge personal investment is required to undertake legal education and training, it is right that an ever-increasing emphasis is placed on student satisfaction. Keeping students engaged is a key priority for universities and technology has a large role to play in this, whether in the context of face-to-face, wholly online or blended learning. The debate around where the line is drawn between engagement and entertainment rumbles on. Challenges exist in relation to information/digital and multimodal literacies, but there is much scope for innovation in teaching and learning thanks to emerging technologies. The article looks at ways in which those teaching in law could be inspired by other disciplines and methodologies; embedding literacies commonly dealt with outside of the faculty, by librarians, technologists and designers within their curriculum.

Keywords

Information literacy, visualisation, legal education, technology, student engagement, multimodality

Introduction

Picture the scene:

Boston, USA, July 2012, American Association of Law Libraries Annual Conference.

Having just finished giving my paper on 'Engaging and Educating the Screen Addicts of 2012' I slipped in at the back of a room where a roundtable discussion around technologies in teaching was taking place. I was in time to hear one of the (clearly appalled) participants sounding off about my session and how it wasn't her job to *entertain* (this said with particular disgust) students.

I had felt my paper had been well received; with abundant audience questions and comments as I drew to a close, so this was a bit of a blow. Fast-forward three years, I've since swapped law librarianship for teaching law and although the memory of that sting remains vivid, I am even more committed to a view that we need to reach out to our students in a variety of ways, drawing on whatever tools we have, to bring our teaching (and their learning) alive.

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Today, communicating to burgeoning lecture theatres of students who struggle to concentrate[2] brings vast challenges to universities. Much has been made of the effect of excessive, competing demands for our attention in these times of 'instant-everything'. In *Is Google Making Us Stupid?*[3] Nicholas Carr shared his concerns that the online world was making it more difficult for him to engage intellectually, lamenting his inability to carry out deep reading, as his concentration levels reduce. His book, *The Shallows,*[4] progressed this argument further, suggesting our brains were being rewired, unable to cope with the distraction technology - constantly flitting from one small task to another.

Within Higher Education (HE) we seek to tackle this via various methods, a current popular option being by 'flipping the classroom' to use the physical space for active learning with small-group breakouts, putting the responsibility on them for front-loading their knowledge. We may enhance more traditional lectures through the use of various technologies in order to engage students: PowerPoint or Prezis, polling systems[5] like PollEverywhere where we can test them, check understanding or simply break the ice. Assorted mediums are used to maintain engagement: video footage from YouTube or clips of TV programmes from Box of Broadcasts[6]. Some lecturers are using social media tools like Twitter to connect with students in new ways[7].

The question as to when engagement crosses the line into the realms of entertainment infers that this cheapens the message. Catching the imagination of our students gives us half a chance of then absorbing them; the hook of engagement meaning they may then get involved in that tutorial discussion rather than sitting mute, that they might independently tackle that journal article you added to your reading list. Doug Johnson refers to 'distractive rather than disruptive technologies,'[8] ruminating on how we need to make ourselves more compelling than whatever app they're looking at on their devices.

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[2] D.M. Bunce, E.A. Flens & K.Y. Neiles, 'How Long Can Students Pay Attention in Class? A Study of Student Attention Decline Using Clickers' (2010) 87 *Journal of Chemical Education* 1438

[3] Nicholas Carr, 'Is Google Making Us Stupid?' (2008) July/August *The Atlantic* <http://www.theatlantic.com/magazine/archive/2008/07/is-google-making-us-stupid/306868/> accessed 1 June 2015

[4] Nicolas Carr, *The Shallows: How the Internet is Changing the Way we Think, Read and Remember* (Atlantic 2010)

[5] See Catherine Easton, 'An examination of Clicker Technology Use in Legal Education' (2009) 3 *Journal of Information, Law and Technology* <*http://www2.warwick.ac.uk/fac/soc/law/elj/jilt/2009_3/easton/*> accessed 1 June 2015

[6] See <http://bobnational.net/> accessed 22 May 2015

[7] Martin Jones paper 'Courting Controversy: introducing Twitter into Law Teaching' noted in Paul Maharg, 'BILETA Conference, Legal Education 1' (29 March 2012) <http://paulmaharg.com/2012/03/29/bileta-legal-education-1/> accessed 5 June 2015

[8] TEDxASB Doug Johnson 'Entertainment v Engagement: Why it's Imperative Educators know the Difference' (YouTube, 25 Feb 2010) <https://www.youtube.com/watch?v=uh4sbHfu-jo> accessed 20 July 2015

Outside of lectures, we are concerned that students enter HE ill equipped for the rigours of a law degree: many struggling to keep up with the reading, to engage in meaningful debate or to write critically. We know that they need some persuasion to step up and take individual responsibility for their learning – researching independently, asking questions of the literature they find, rather than wordlessly accepting what they read or hear as gospel.

In this piece I seek to show that discrete areas of practice, typically the concern of professionals *outside* of law teaching, are not only coming together but also may need to become a key focus of those teaching law if we are to meaningfully address the issues spoken of above.

In what follows we'll look to engagement and how librarians and digital or information literacy might have a role to play, before focusing on the importance of the visual within learning; via books, online, TV/film and considering what we can learn from practitioners of information design. Finally the article will touch on experience-based learning via simulation and pro bono. The piece concludes with an impression of what might be necessary in the future.

Digging deeper: Legal research and information/digital literacy

Many academic law librarians in the UK have until recently enjoyed a somewhat protected position within university libraries, partly because of the requirements within the SLS Statement of Standards[9] and partly because legal research is seen as so specialised. University Librarians nationwide groan inwardly as their law librarians pipe up *"..but it's different for law.."* in meetings. However the role of liaison or subject librarian has been chipped away at many institutions, with some libraries preferring to run an economic model based on function – including a group of teaching and learning librarians who will interchangeably adapt generic materials to teach, whether dealing with future optometrists, engineers or lawyers. Individual expertise is being eroded, whilst jack-of-all-trades are embraced.

What does this mean for law schools? It means losing that individual who knew your students, the courses that they were studying and the challenges they faced. Most troubling is the legal research element of that role, a skill that many law schools leave to the librarian to teach for an hour or two via a stand-alone class in semester one, rather than embedding throughout the curriculum[10]. There needs to be a recognition that actually what we think of as 'legal research skills' are now so all-pervasive that they impact on every

[9] Society of Legal Scholars (Libraries Sub-Committee), "A Library for the Modern Law School: a Statement of Standards for University Law Library Provision in the UK – 2009 revision" (2010) 30:3 *Legal Studies* 442.

[10] One UK example of an exception to this is the University of Greenwich, where law librarian and lecturers collaborate to teach and assess these research skills throughout the curriculum, including in substantive courses. See HEA Workshop: *Embedding legal research skills into the LLB curriculum* <http://blogs.heacademy.ac.uk/social-sciences/2014/06/03/embedding-legal-research-skills-into-the-llb-curriculum/> accessed 27 May 2015

element of our students' time with us (and beyond): their study, the way they present themselves to the world and their employability. You may have heard the term 'information literacy' used within your own institutions.

Information literacy, used somewhat interchangeably with digital literacy or even metaliteracy, has been defined in a multitude of ways but SCONUL expresses it clearly:

> *Information literate people will demonstrate an awareness of how they gather, use, manage, synthesise and create information and data in an ethical manner and will have the information skills to do so effectively*[11].

Metaliteracy has been described as 'information literacy reinvented[12]' and additionally incorporates the way we collaborate to produce information and share it via digital environments, such as social media or online communities. It enmeshes some element of reflection and self-assessment with regard to the level of your literacy.

In this print/digital hybrid era, researching students have a double-edged problem: information overload and ill-refined quality receptors. Common complaints from academics are that students rely too heavily on textbooks, use journal articles rarely, fail to question the authority of posts they read online and cite inaccurately. The familiarity with technology, embedded in most aspects of our lives, can mean overconfident students dismissing the need to learn how to research[13], stubbornly utilising the 'stick-it-into-google' approach, regardless of database. The generation that has grown up with technology doesn't remember a world where you couldn't broadcast to the nation with a few taps on your mobile.

In terms of information literacy these observations raise several issues: first the afore-mentioned sheep-like acceptance of what they read online, second the non-appreciation of hierarchy amongst sources (especially crucial to law) and thirdly the pitfalls concerning digital reputation and identity (also key to those considering entering the legal profession[14]).

Historically legal research was taught in a very structured linear fashion: print first, allowing students to gain familiarity with indexes, citators and multi-

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11 See <http://www.informationliteracy.org.uk/information-literacy-definitions/sconul-seven-pillars-of-information-literacy/> accessed 27 May 2015

12 Thomas P. Mackey & Trudi E. Jacobson, *Metaliteracy: Reinventing Information Literacy to Empower Learners* (American Library Association, 2014)

13 John Palfrey, "Cornerstones of Law Libraries for an Era of Digital-Plus", (2010) 102 *Law Library Journal* 171 at 177

14 See recent social media exposures of lawyers/trainees: "Clifford Chance trainee pulls Charlie Hebdo rant from YouTube" (Legal Cheek, 14 Jan 2015) <http://www.legalcheek.com/2015/01/clifford-chance-trainee-pulls-paris-attack-rant-youtube/> and "9 reasons why 'Lord Harley of Counsel' has the best LinkedIn CV of any lawyer ever" (Legal Cheek, 1 Sep 2014) <http://www.legalcheek.com/2014/09/9-reasons-why-lord-harley-of-counsel-has-the-best-linkedin-cv-of-any-lawyer-ever/>

volume sets like Halsbury's before letting them loose online[15]. It was source rather than problem-driven. This approach does not help in an academic or practice context, and profound changes need to take place if we are to empower independent learners who are ready for practice.

Another conference story – this time we are in Newcastle, June 2011 at the British and Irish Association of Law Librarians (BIALL) Conference. Here, at a 'Have Your Say' session[16] a number of practice-based librarians piped up to comment on the appalling research capabilities of trainees entering their firms, wondering why academic law librarians weren't teaching them. Some had been asked by senior partners to 'verify the research presented by new trainees'[17]. This prompted some expected defensiveness from the academic sector, with members raising the issue that many law librarians struggle to secure allocated space within the timetable for legal research teaching. In addition stating that many are no longer uniquely law; being also responsible for other (often diverse) subject areas, meaning high demand from different departments within the university. There was further concern at the news that legal research skills would cease to be assessed independently as part of the professional courses, and an observation that validation visits often focused on collections rather than legal research teaching. Palfrey reinforces this dissatisfaction: 'Firms and young lawyers themselves report that law schools are not meeting the needs of the lawyers that they are sending into the profession'[18].

These fierce discussions prompted the creation of a Working Group to investigate. The end product of this scrutiny[19] was the Legal Information Literacy Statement[20] ('Statement') that, along with an interview with selected members of the Working Group team, was able to feed into the Legal Education and Training Review (LETR)[21]. Maharg[22] notes their observations on trainees:

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[15] Ellie Margolis & Kristen E. Murray, "Teaching Research Using an Information Literacy Paradigm" (2014) 22 *Perspectives: Teaching Legal Res. & Writing* 101

[16] Minutes of 'Have Your Say' (16 June 2011) BIALL Conference, The Sage Centre, Newcastle, UK

[17] Natasha Choolhun & Ruth Bird, "British and Irish Association of Law Librarians (BIALL) Legal Information Literacy Statement" (2012) 6:2 *Journal of Information Literacy* 132

[18] Ibid, Palfrey

[19] Investigations included a survey for librarians at law firm and barristers chambers, reviewing all of the core documents of regulatory and training bodies in the UK (the Bar Standards Board (BSB), the Institute of Legal Executives and the Solicitors Regulatory Authority (SRA) as well as literature reviews from other jurisdictions. The Group took the AALL Legal Research Competencies and Standards for Law Student Information Literacy <http://www.aallnet.org/Archived/Leadership-Governance/policies/PublicPolicies/policy-lawstu.html> as a starting point. See Natasha Choolhun, "The Only Way is Information Literacy" (2012) 12:1 *Legal Information Management* 44 for more on BIALL Working Group.

[20] *BIALL Information Literacy Statement*, see <http://www.biall.org.uk/pages/biall-legal-information-literacy-statement.html> accessed 12 May 2015

[21] *Setting standards: The Future of Legal Services Education and Training Regulation in England and Wales* (2013) <http://letr.org.uk/> accessed 20 May 2015

[22] Paul Maharg, Convergence and fragmentation: legal research, legal informatics and legal education, (2014) 5:3 *European Journal of Law and Technology* 1

> They [trainees in England and Wales] appeared to be generally unfamiliar with paper-based resources by comparison with digital resources. In addition they noted that trainees seemed to depend on one-hit-only searching: in other words they did not check thoroughly and contextually around their findings. They used Google extensively and their searches tended to be shallow and brief. Trainees were also increasingly unable to distinguish between the genres of legal research tools – the difference between an encyclopedia and a digest, for example. They seemed to lack persistence and diligence in searching, as well as organisation.

The Statement is designed as a competency framework to be used across both the academic (undergraduate or law conversion courses) and professional spheres (Legal Practice Course (LPC – for intending solicitors) or BPTC (Bar Professional Training Course – for intending barristers) of legal education and training. Encompassing five broad research skills[23], these are then broken down into learning outcomes with the knowledge, understanding and skills required in a separate column. Also included are indicators of ability. Ideally the regulators would incorporate this Statement, offering some form of accreditation for the training of the legal profession. Information literacy principles have been embedded in accreditation criteria for a variety of other disciplines[24].

Rather than having legal research neatly parceled as a distinct part of a legal skills or method course at the beginning of the first year, there is a sense that actually the students should see legal research as part of everything they do – whether it is finding literature to support their view in an essay, researching firms online before starting the application process or keeping up to date via both traditional mediums (news sites/ journals) or more social means like blogs or twitter. The digital revolution and the immediacy of information has altered the way in which we all locate and use information and we need to ensure our students are being given tools and strategies to harness this. Students reserve little respect for the elements of their course that they see as 'add-ons' – making research the sole domain of librarians exacerbates this.

Legal information literacy needs to be threaded into the very fabric of law school life, embedded in curriculums via partnerships between academics and librarians. Maharg's reflections on the BIALL Working Group LETR interview reinforce this – 'academic staff needed to design with library staff in joint activities' as well as drawing out the notion that too much focus is on content,

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[23] 1. Demonstrate an understanding of the need for the thorough **investigation** of all relevant factual and legal issues involved in a research task 2. Demonstrate the ability to **undertake** systematic comprehensive legal research 3. Demonstrate the ability to **analyse** research findings effectively 4. Demonstrate the ability to **present** the results of research in an appropriate and effective manner 5. Continuing Professional Development – **refreshing** the legal research skills required of a modern lawyer.

[24] C. Bradley, "Information Literacy in the Programmatic University Accreditation Standards of Select Professions in Canada, the United States, the United Kingdom and Australia" (2013) 7:1 *Journal of Information Literacy* 44

rather than process within the law degree – what the outcome is rather than how they get there[25].

If this is a skill routinely being noticed as lacking in those being taken on by law firms, is this not yet another way that signals a decline in what makes lawyers unique[26]? Indeed can a profession survive, when the new generation are unable to use the very materials core to its practice.

My personal convergence

As a former librarian I can vouch for what the information profession can contribute to law schools, if it is given the opportunity. My own role embodies to some small extent the convergence that I believe may have to take place in all of us; technology and the shift to digital gave me the opportunity to build on my skills in different areas – carrying out traditional librarian activities (collection-building, managing library space, liaising with the school) but whilst creating learning resources for the web, developing my teaching and community-building. My work online started life in 2002 with a focus on legal research, creating a gateway site, *Lawbore*[27], for law students getting a handle on the free legal resources available. I developed this with various community elements – news, events calendar and forum. The site broadened as my understanding of both the discipline and the students increased; I started to think again about legal research and how to make learning these skills appealing, then tackling other areas (mooting and legal writing) to create the wiki *Learnmore* [28]. Careers became another focus and I began encouraging both students and alumni to share their experiences by writing pieces or being interviewed on the blog *Future Lawyer*[29]. The reach of these resources went far beyond my own institution's students and I began giving papers at conferences both nationally and internationally[30]. I knew I had made significant inroads when a student emailed me after their attendance at the National Law Student Forum in 2012:

> '…when the students knew I was representing City University they couldn't stop talking about Lawbore. Words can't describe how happy I was to see students outside our university talk about it and use it. I couldn't but explain to you how thankful I am of you, and all that effort we see you put in, pays off'.

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[25] Ibid.

[26] Richard Susskind, "Legal Informatics – a Personal Appraisal of Context and Progress" (2010) 1:1 *European Journal of Law and Technology*

[27] Lawbore <http://lawbore.net> accessed 1 June 2015

[28] Learnmore <http://learnmore.lawbore.net> Learnmore won the Routledge/ALT Teaching Law with Technology Prize in 2013 accessed 1 June 2015

[29] Future Lawyer blog <http://blog.lawbore.net> accessed 1 June 2015

[30] Papers were given at AALL, ALLA, BILETA and BIALL conferences as well as a Research seminar in Oslo. On a personal level my work with Lawbore certainly contributed to my being named Wildy/BIALL Law Librarian of the Year 2012 and also being given a National Teaching Fellowship in 2013.

Understanding the challenges of transition for those studying law at university is one thing but actually connecting with students and helping them engage with your learning materials is quite another. This goes back to that barbed comment from a US librarian; we might not like to think we are entertaining students or think we have to. However our students spend much of their day connected to devices; whether watching, listening, tweeting, taking photos, status updating, sharing, chatting or texting.

The visual has become all-important – Instagram and Snapchat rule, along with those ubiquitous selfies. Videos and images are created to share; with their creators looking for likes, hits and retweets. We are competing for their attention and to a certain extent need to exploit this preference for visual within our teaching.

The power of the visual

Books

Ask outsiders what they imagine law student life is like and likely themes would emerge around reading weighty books and excessive periods spent in the library. Books of course, do feature heavily in a law student's life but we know that many of them find extensive reading very challenging, and struggle to keep up. The 'mind the gap' phenomenon indicates that those at school tend to read excerpts or chunks and find it difficult to accelerate this at university, both in terms of volume and complexity.

After a decade of resistance from legal publishers to make their textbooks available electronically, we are finally there. Most of the practitioner texts have been available for some time. However the textbook model has been difficult to pin down, with publishers concerned with how they can guarantee the same levels of profitability they enjoy from hard copy texts purchased by university libraries and students. Products like OUP Law Trove and Sweet and Maxwell e-books are still in their infancy and in this print/digital era are difficult to justify when students still want their books in print.

The JISC e-books observatory project found that many students see e-books as useful for dipping into, for something specific, but not as an extended reading tool. Convenience and search functionality is seen as useful but interactivity viewed as breaking concentration. Having to use a device or computer to access e-books means students find themselves tempted by social media distractions. Navigation is also an issue, with many services requiring the use of scrolling and a next page button[31]. A *Washington Post* article flags research by Naomi S. Baron which reinforces this further; noting that 'readers spend little more than a minute on web pages, and only 16% of

[31] JISC National e-books observatory project 'E-book use by academic staff and students in UK universities: focus groups report' (2009) <http://observatory.jiscebooks.org/reports/e-book-use-by-academic-staff-and-students-in-uk-universities-focus-groups-report-2/> accessed 1 June 2015

people read word by word'[32]. She also cites how 90% of students surveyed said they multitasked while reading on screen, against 1% who did so when reading print. What is becoming clear is this isn't just a case of one format over another but actually an alteration in the way these 'millennials' read, with rapid scanning triumphing over a reflective 'deep-read'. Baron describes a 'pedagogical reboot' – as academics should we be thinking more deeply about how we allocate reading on the basis of this?

When we think about visual learning we think of images on screen but reading text in books can be a visual experience. One of Baron's interviewees speaks of 'building a physical map in my mind of where things are' – recalling where a significant section of the text is by the layout of the page and text within it. This is a common observation of those who read in print but not digitally. Other reflections of reading in print include 'it takes me longer because I read more carefully' and 'it's easier to follow stories'. If students come into HE with limited experience of reading and then dive into reading e-books, they face a double-whammy of learning challenges – this is something that embedded information literacy could seek to address.

There has been a significant shift with regards to the view of visual elements within books, with such features historically castigated for appearing in student textbooks. In looking at a book review by Robert Connors of a standard university textbook, Diana George notes how he:

> '… points to the visual design of the fifth edition as indicating a 'lowered evaluation of its audience's abilities' signaled by 'wide margins and a two-color format to open up the text's appearance'… [The 1976 edition] goes in deeply for the 'visual observation invention methods… It is filled with photos, cartoons illustrations, all meant to add spice to the text'[33].

This rather scathing review illustrates how far we have come; with the visual features common to modern textbooks – diagrams and coloured text panels to indicate 'thinking points' or excerpts from judgments are seen as no reflection on the reader's intellect, but as expected pedagogical tools used to break down complexities and explain more clearly.

Without question the study of academic law favours text, with the norm for assessments via written submission. However there are exciting examples of learning materials with visual emphasis emerging. Enhancement of written content via different mediums is becoming more commonplace. Gunther Kress's work on Multimodality seeks to recognise the different mediums in

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[32] Michael S. Rosenwald, 'Why digital natives prefer reading in print. Yes, you read that right' (2015) *The Washington Post* Feb 22 <http://www.washingtonpost.com/local/why-digital-natives-prefer-reading-in-print-yes-you-read-that-right/2015/02/22/8596ca86-b871-11e4-9423-f3d0a1ec335c_story.html> accessed 2 June 2015

[33] Diana George, "From Analysis to Design: Visual Communication in the Teaching of Writing" (2002) 54:1 *College Composition and Communication*, 11-39 noted in Penny Kinnear, 'Writing, Visualizing and Research Reports' from Tracey Bowen & Carl Whithaus (eds), *Multimodal Literacies and Emerging Genres* (University of Pittsburgh Press, 2013) p.186

which we address the challenge of varied learning styles and multiliteracies. He sees each 'mode' as carrying its own meaning, and that different modes may be used together in a complementary way; moving image within a video, written text, a still image, an extract of music, in order to communicate a certain message. Choices around mode selection may pivot around what message you want to get across, what you want the effect to be or what societal conventions exist. Certain modes may be more specialised for a specific purpose[34].

Film/TV

Despite great advances in mobile technology meaning that almost anyone can film cheaply; creating films or video clips is time-consuming and creating effects requires expertise. Using clips from commercial films or TV series to teach is certainly not new, but its application has been underused within UK law schools[35]. Certainly students find the novelty of watching film engaging, and a welcome break from listening to their lecturer or reading textbooks, but there are added benefits: development of non-textual reasoning skills[36]and establishment of context within a legal practice setting amongst them. Denoncourt[37] found her integration of clips from *The Social Network* into an Intellectual Property module was popular with students, who gave wide-ranging reasons for this, as well as observing that it may assist with memory retention:

- *More involved and allows you to see a real life application of the law*
- *Real life example, helped to apply knowledge*
- *Something different, provides variety, more interesting, easier to understand.*

Every decade brings a new legal drama, which may serve as inspiration for those looking to a career in the law. For me it was *This Life* and *Damages.* These days it is more likely to be *Silk* or the US show *Suits*, perhaps even the excellent French series *Spiral*. The story-telling aspect of film/TV is key, with students seeing themselves in those roles, challenging themselves to see "the lawyer, and person, they would like to become through their legal studies"[38].

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[34] Berit Henrisken in conversation with Gunther Kress *What is multimodality?* <https://www.youtube.com/watch?v=nt5wPIhhDDU>

[35] Janice Denoncourt, "Using Film to Enhance Intellectual Property Law Education: Getting the Message Across" (2013) 4:1 *European Journal of Law and Technology*, 3 <http://ejlt.org/article/view/188/283> accessed 29 May 2015

[36] Ibid. and Zenon Bankowski & Maksymilian Del Mar "Beyond Text in Legal Education" (2009) *UKCLE Directions* <http://78.158.56.101/archive/law/resources/directions/previous/issue19/beyond/index.html> accessed 2 June 2015

[37] Ibid.

[38] Chloe J. Wallace, "Law, Culture and Euro-Crime: using Spiral to teach French Law" (2014) 48:2 *The Law Teacher* 154 on this point see also Narnia Bohler-Muller, "The Challenges of Teaching Law Differently: Tales of Spiders, Sawdust and Sedition" (2007) 41 *The Law Teacher* 50

Touching back on the entertainment issue, this section wouldn't be complete without reference to Neil Postman's '*Amusing Ourselves to Death*'[39]. He argues that our existence is more akin to the vision in Huxley's 'Brave New World', than Orwell's '1984', a world where a totalitarian state is unnecessary - we in fact control ourselves by succumbing to the soporific, unchallenging medium of television. Postman asserts that each medium of communication is only capable of transmitting a certain level of knowledge, and that our enslavement to neat packages of visual content (a departure from a wholly literate culture) has meant that we are only capable of taking on soundbites, nothing more substantial.

Postman's warning about the risks of making the mode of delivery more important than the message has resonance in the 'edu-tainment' debate. I'm certainly not advocating a curriculum where students are overloaded with snapshots of visual content at the expense of deep-thinking reflection evoked by the written or spoken word. However, it seems that a multimodal approach to teaching, employing a wide range of different resources, holds much potential for engaging learners.

Online law resources

Despite warnings about damaging social relationships[40] and self-esteem[41], the very modern photographic trend of sharing and 'selfies' shows no sign of abating. This has been harnessed within induction week at Lancashire Law School, to build a feeling of community in new law students.[42] The OpenLawMap[43] plots locations of legal significance and Lancashire newbies are encouraged to visit selections of these in groups, take selfies outside and do some research on their mobiles to answer questions relating to the site. This later feeds into legal skills classes where they follow up on some of the issues raised. One site was Preston Crown Court where the Coronation Street (TV soap series) actor William Roache faced trial for historic sex offences; in classes students looked at the Code for Crown Prosecutors to consider the decision to prosecute in this case.

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[39] Neil Postman, *Amusing Ourselves to Death*, (Methuen, 1986)

[40] David Houghton, Adam Joinson, Nigel Caldwell and Ben Marder, "Tagger's Delight? Disclosure and liking in Facebook: the effects of sharing photographs amongst multiple known social circles" (2013) Birmingham Business School Discussion Paper <http://epapers.bham.ac.uk/1723/> accessed 3 June 2015

[41] Mary Ann Liebert, "Contingencies of Self-Worth and Social-Networking-Site Behavior" (2011) 14:1-2 *Cyberpsychology, Behavior and Social Networking* 41 <http://www.buffalo.edu/content/dam/cas/communication/files/Stefanone/Stefanone_cyberpsych.2011.pdf> accessed 3 June 2015

[42] Michael Doherty, Academic Lead for Student Experience at Lancashire, created the Preston Law Trail and OpenLawMap. His work was awarded the Routledge/ALT Teaching Law with Technology Prize 2015 <http://www.taylorandfrancis.com/law/articles/routledge_alt_prize_winner_-_michael_doherty/> accessed 3 June 2015

[43] OpenLawMap <http://openlawmap.co.uk/> accessed 3 June 2015

The Learnmore[44] site has a strong emphasis on the visual to aid student engagement, from the hand-drawn style of illustration that ties the site together, to the range of multimedia. The first thing users see is a student head with different portions of his brain portioned off: Exams, Careers, Writing, Mooting, Research and Newbies. Choosing a section will then deliver resources for refining that skill. Resources range from articles (often written by students or alumni), to talking slideshows (voiced-over PowerPoints[45]) or prezis to video clips of interviews with alumni or mooting in action. Feedback on this range of media has been positive:

> '*It helps to have lots of different types of resources to learn from, not being reliant on always learning by reading'*
> '*Different resources present the information in a fun and stimulating way*'
> *'Makes it stick in my mind – ideal for people who are more hands-on'*

There is an increasing movement to recognise the importance of designers in communicating the law, whether to law students or citizens. *Rights Info*[46] was launched in May 2015 by barrister Adam Wagner (founder of the much-admired *UK Human Rights Blog*[47]), in order to combat 'misinformation and lack of understanding' around human rights. A key part of communicating this message is the presence of infographics, which dominate the site. Interviewed for *Creative Review*, Wagner speaks of his mission:

> Most of the information available online is either found in very long and complicated statutes and official documents, or it's reported by newspapers, who all have their own political agendas. There's no clear, free, impartial information for people who just want to find out how they are protected by human rights, and what existing human rights law is actually for[48].

The focus on design to enhance the accessibility of the message is not just about adding pretty pictures; information design is, as Helena Haapiio notes 'also about many other useful things such as language, readability, typography, layout, colour coding, and white space'[49]. Visualisation refers to any non-textual way of communicating, and might take the form of a diagram, infographic, image, table, icon or chart. Simplification is the ultimate aim and there are many examples of projects designed to bring alive and aid

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[44] Emily Allbon, "Too Cool for (Law) School? Using Technology to Engage Students in Legal Skills" (2013) 4(1) *European Journal of Law and Technology* <http://ejlt.org//article/view/182>

[45] Created using Adobe Presenter or Articulate Storyline

[46] Rights Info <http://rightsinfo.org/> accessed 2 June 2015

[47] UK Human Rights Blog, <http://ukhumanrightsblog.com/> accessed 2 June 2015

[48] Rachael Steven, RightsInfo: the online guide to human rights (2015) *Creative Review: CR Blog* (22 April 2015) <http://www.creativereview.co.uk/cr-blog/2015/april/rightsinfo> accessed 4 June 2015

[49] Helena Haapio & Stefania Passera, "Visual Law: What Lawyers Need to Learn from Information Designers" (2013) *VOXPOPULII* May 15 2015
<https://blog.law.cornell.edu/voxpop/2013/05/15/visual-law-what-lawyers-need-to-learn-from-information-designers/> accessed 13 May 2015

comprehension of legal content. Many such projects focus on rules and regulations; Candy Chang's *Street Vendor Guide*[50] clarifies the (previously 100% textual) rules for those running stalls on the streets of New York City via illustrated diagrams and prose of short sentences. Haapio researches around visualisation and user-centred contract design, observing that 'visualisation used alongside contract texts help to piece things together. They speed up negotiations'[51]. The lawyer/designer duo at *Dejure Design*[52] reach out to social justice organisations wanting to maximize the clarity of their legal work and make it more accessible. Margaret Hagan, founder of *Open Law Lab*[53], works out of Stanford Law School combining law, technology and design to collaborate with students, social justice organisations and community groups. All this prompts the thought that actually here's another role to add to Susskind's list of potential legal roles of the future[54]: the Legal Visualiser. As teachers we can take much from this – are there elements of our modules that would be better communicated by image or diagram rather than text? In their personal lives our students are more open to becoming content creators, is the onus on us to give them creative possibilities to do this within their studies?

Keeping it real (man)

Simulation and pro bono has a long history of success within legal education, and its importance shows no sign of waning. Prospective students are always keen to find out what pro bono opportunities are available and which clinics are running, many using this as criteria to compare law school offerings. In an academic law environment however, the chances you get to put what you've learnt into practice can be quite limited until you have got all those core subjects under your belt. Problem-based learning which 'requires learners to construct and develop their own knowledge through researching and developing solutions to open-ended, real-life problems'[55], is an obvious pedagogic strategy within law, and may take place via a 'combination of the real, paper and virtual worlds'[56]. Allowing students to be let loose to find solutions independently, within a structured task, can result in them gaining a sense of what it is like to be a professional early in their studies, as well as provoking a deeper level of learning.

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[50] Candy Chang, "Street Vendor Guide", <http://candychang.com/street-vendor-guide/>

[51] Helena Haapoi, (2011) *Inline Ruukki Stakeholder Magazine*, 38 <http://www.ruukki.com/News-and-events/~/media/Files/News-and-events/Inline/2011/Ruukki-Inline-November-2011-English.ashx>

[52] Dejeur Design <http://dejuredesign.com/> accessed 4 June 2015

[53] Open Law Lab <http://www.openlawlab.com> accessed 1 June 2015

[54] Richard Susskind, *Tomorrow's Lawyers* (OUP, 2013) listing 8 new roles at the crossroads of law and IT, including legal technologist, risk manager and legal knowledge engineer.

[55] Teena Clouston, 'Facilitating Tutorials in Problem-based Learning: Students Perspectives' in Peter Hartley, Amanda Woods & Martin Pill (eds) *Enhancing Teaching in Higher Education: New Approaches for Improving Student Learning* (Taylor & Francis, 2005) p. 52.

[56] Caroline Strevens, Richard Grimes and Edward Philips (eds), *Legal Education: Simulation in Theory and Practice* (Ashgate, 2014) p.1

Earlier in this piece we've touched on a number of ways in which we can bring that element of 'real-life' into academic law – *Lawbore* uses its community, both current students and alumni, to share their experiences with the site's users. This might be about a mini pupillage or an internship; it may be an insight into a practice area via one of our alumni or an account of a mooting competition, workshop or event[57]. In addition the Mooting section[58] of Learnmore includes multiple video clips illustrating different learning points which have been captured in real moots. Students are often far keener to accept advice from peers than they are from their lecturers; Herndon notes how 'Law professors' personal stories about 'how I learned it' are somewhat meaningless and antiquated'[59]. Lancashire's Preston Law Trial takes students to 'real' locations and then connects those with 'real' issues and current case law.

Pro Bono work and law clinics are very much in demand; technology has altered these too, with great enthusiasm for clinics with a tech dimension. In London The City Law School has Start-Ed[60] and Queen Mary has qLegal[61], both focused on offering legal advice to start-ups, small businesses and entrepreneurs, with students and lawyers working together.

Collaboration is one of the core values of today's digital space, with so many technology solutions offering features which allow you to share, whether it be documents (Google Docs), photos (Flickr, Instagram) or research papers and references (Mendeley). Despite the ready availability of such tools, there is an argument that there hasn't been enough focus on collaboration in the teaching of law, whether at the academic or professional stage. Odd, when teamwork is so pivotal to legal practice.

Two simulation initiatives that have promoted collaboration and given their students a chance to play a professional role within a virtual firm are Ardcalloch, the virtual town for students at the Glasgow Graduate School of Law at the University of Strathclyde and a programme inspired by this at the Australian National University's (ANU) Legal Workshop Graduate Diploma in Legal Practice. Here, students operate as part of law firms in teams, gaining

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[57] Some examples: Internship at the Women's Legal Centre in Cape Town <http://blog.lawbore.net/2013/11/update-from-the-womens-legal-centre-in-cape-town-sarah-mahoney/> Arbitration Competition <http://blog.lawbore.net/2015/01/city-students-named-best-team-in-arbitration-competition-mathias-cheung/> Public Interest Environmental Law Conference Report <http://blog.lawbore.net/2015/04/trade-is-tribulation-or-trade-and-tribulation-the-public-interest-environmental-law-uk-annual-conference-9-april-2015-ali-nihat/> Interview with Alumni (now Crime Fiction Author) <http://blog.lawbore.net/2012/10/interview-with-thomas-mogford-author-of-the-shadow-of-the-rock-emily-allbon/> Solicitors in their own words – alumni video interviews <http://learnmore.lawbore.net/index.php/Solicitors_In_Their_Own_Words>

[58] Learnmore: Mooting <http://learnmore.lawbore.net/topicpage.php?t=Mooting>

[59] Lynn C. Herndon, "Help You, Help Me: Why Law Students Need Peer Teaching" (2010) 78 *UMKC L.Rev* 809

[60] John Stevenson, "£37,000 for Start-Ed Clinic" <http://www.city.ac.uk/news/2015/march/37,000-for-start-ed-clinic> accessed 1 June 2015

[61] qLegal <http://www.qlegal.qmul.ac.uk/>

insights into practice and the challenges of working with others as well as putting into practice the legal skills from their course via discrete tasks. In relation to teamwork at ANU, students found many challenges where the level of commitment in their group differed, echoing real life: 'not all students placed the same importance on professional values such as diligence, respect for other firm members, clear and timely communication and time management'[62].

On both courses measures had to be put in place to prevent teams becoming dysfunctional; Practice Mentors/Managers (experienced solicitors) were put in place to work closely with teams in order to foster mutual trust within the group dynamic. One task[63] required students to write an piece for a client bulletin for the firm website. This was meant to be a collaborative task but students floundered, producing work individually with no enthusiasm for peer review. Addressing this, the module underwent amendments including offering advice via webcasts from a web writer and PSL on writing collaboratively and provision of a wiki meaning that students could upload drafts, read and amend each others work before revising and submitting.

The skills wrapped up in this task are significant:

Legal research – they learnt how to look for the material most relevant to their audience, asking themselves the purpose of such information for a client.
Legal writing – they learnt how to write for an audience: pitching it at a level a client would be able to understand and find useful. This would be advice-based, very different from something they may have written at the academic law stage. This also included gaining an understanding of where writing for the web differs and the importance of tone.
Team working and collaboration – learning to take on board comments and criticisms from other team-members.
Understanding of the bigger picture – there are wider lessons here around professionalism: responsibility for a firm's 'message' and digital reputation for example. Social media has brought many challenges for law firms, who are often ridiculed for their bland corporate presence on Twitter. On the flipside, law firm Twitter feeds are littered with clumsy attempts[64] to connect their business with real life events to attract a new audience.

Conclusion

As teachers of law, we are concerned with getting the best from our students: keeping them interested, helping them develop into independent learners

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[62] Margie Rowe, Moira Murray & Fiona Westwood, 'Professionalism in Pre-Practice Legal Education: an Insight into the Universal Nature of Professionalism and the Development of Professional Identity' (2012) 46:2 *The Law Teacher* 120

[63] *Supra* n. 17.

[64] Firm Broad Yorkshire Law prompted outrage with their tweet *"Been injured in a roller coaster crash?! We're experts in Personal Injury"* posted after a rollercoaster crash at UK theme park Alton Towers left several youngsters with life-changing injuries. 'Online fury over law company's tasteless tweet' *Metro (London)* 4 June 2015

capable of reasoned critique and giving them some insight into how that law might work in the real world of practice.

Technological advances have meant the educational tools available to us to assist our teaching have increased significantly, and yet the teaching of law has not changed to the same degree. We have a responsibility to ensure our students find meaning in the digital realm via our teaching practices. This means exploiting the tools used in their personal lives to enrich our teaching, ensuring what they do at university is not so far removed as to make them question its relevance to their lives.

This article has sought to give a flavour of three key areas ripe for change:

Firstly, partnering with librarians to embed information literacy within the law curriculum – incorporating research skills across the whole programme in order to ensure they excel whilst at law school but also thrive within practice.

Secondly to bravely go 'beyond text[65]'; looking to other complementary mediums in order to communicate more effectively with a generation who place the visual top of the tree when it comes to learning materials. Law teachers will need to think more creatively, implanting visual triggers via multimodality into their teaching in order to catch the attention of their students. There is huge potential here, particularly if we tap into the learning process of students – we should be looking to how they compile their notes for revision for clues, in addition to working with those in informatics and creative design for expertise in visualisation.

Finally there is the 'keeping it real' aspect: there is sure to be much development in this sphere in the coming years. As our students gain valuable experience via ever more diverse pro bono options, they will look 'give back' to form partnerships with law schools as they go into practice.

I suspect other law schools may follow the lead of Maharg in attempting to incorporate some form of the 'real' into their programmes, even if it is done via virtual means.

All of this convergence should make for an interesting next decade: if 'entertaining' students' means giving them an opportunity to connect, engage, see more clearly or even 'feel' something of our teaching, then bring it on.

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[65] See the work of the ARHC-funded Beyond Text project: <http://paulmaharg.com/2009/01/10/why-go-beyond-text/>