Giving feedback in the context of large-scale teaching in law

Paul James Cardwell and Richard Kirkham

The rising popularity of law as a degree subject presents a range of new challenges for university staff tasked with the delivery of legal education, particularly with regard to providing quality feedback to ever increasing numbers of students. In this feature Paul James Cardwell and Richard Kirkham outline their innovative intervention which aims to balance the need to respond to student demands for improved levels of feedback with the challenge of keeping staff workloads to a manageable level.

UK law schools have undergone a rapid expansion in student numbers in recent years. Law remains one of the most popular subject choices through the UCAS system – and entry grades for law are generally among the highest demanded by any university. Law schools attract some of the brightest and most high achieving students from both the UK and overseas, whose expectations of staff and their degree courses are correspondingly high.

Once students arrive, they face a university experience which is very different from that experienced by most university staff in their student days, even as recently as the 1990s. The size of lecture groups can be more akin to those law schools found in France and Germany than the traditional, generally small–scale teaching which was once the norm in the UK. For first year students, many away from home for the first time, this can be a bewildering experience. For staff, it is increasingly difficult to maintain adequate levels of contact between students and tutors alongside balancing other teaching and research tasks.

Reading for any degree is a challenge but successfully studying law requires the acquisition of specific skills. As students realise this they demand increased feedback on their performance, a demand that is reflected in its inclusion as a performance measure in the National Student Survey. Yet the number of hours in the day for staff to deal effectively with the demand for feedback is falling as staff/student ratios go up and the pressure to deliver quality research intensifies.

We are lecturers in public law, a subject that many first year students find baffling. Constitutional theory, the election system and freedom of information are not the kind of thing that most undergraduate students expect to be confronted with. Students generally expect a law degree to focus on criminal, commercial and perhaps EU or international law – not whether Dicey's theory of Parliamentary Sovereignty is still relevant today. Much of the detail of public law is frustratingly open to interpretation, and an added complication is presented by the fact that the enforcement mechanisms involved often have more to do with political practice than the application of law through the courts.

Taking all of these factors together, the risk is that the typical student may feel lost in the mix when studying public law. At Sheffield, we have one of the largest annual intakes of undergraduate law students in the UK. This has forced us to find new ways to confront the challenge of giving meaningful feedback in a manner that does not impinge too greatly on staff time. We have approached this challenge as an opportunity to hone the skills required by students to pass exams and eventually to proceed to legal or non-legal careers. The skills we identified as most in need of improvement in the formative stages of legal study were problem-solving, case law analysis and the ability to apply the law to varying factual scenarios.

Our solution to address this was to create an interactive programme using Blackboard. At their own pace, students complete a number of different steps. The first set of steps provides skills-based advice and requires students to read cases and demonstrate an understanding of them. The next steps present different parts of a problem question and provide sample answers of varying quality against which students can compare their performance. The objective is for students to answer the question themselves and, once completed, gain access to sample answers which they are invited to analyse, mark and compare with their own work. The programme then provides critical feedback on the sample answers given which students can use to assess their own performance. As all the sample answers are deficient in some respect, the aim is for students to learn from being shown the many common errors of method that are adopted by students, rather than being invited to copy a 'model answer'. In requiring students to match up what they think is good or bad about an answer, we are also able to see where students believe the marks lie – and this in the main seems to revolve around factual content, rather than applying case-law to the problem scenarios. Such findings we are able to feedback through the interactive programme.

Once the student has completed all the automated steps, they are confronted with a previous examination problem question and asked to submit their answer online. Students are then provided with feedback in a more traditional, personalised form. They receive detailed, individual feedback from tutors on their responses and particular attention is paid to areas for improvement as well as generic skills, such as good grammar and syntax. Where common errors are committed by the student, we refer them directly back to the interactive programme where the error in method has already been explained.

In evaluating the results of the project, we found several encouraging results. We found that despite the exercise not contributing to a student's overall mark, 85% of students completed some or all stages of the programme. More encouragingly still, all the students who achieved the top 5 – 10 % of marks had undertaken all the steps. Perhaps unsurprisingly we also found an extremely strong correlation between those students who failed the exam and those who did not complete the programme. This indicates a further

advantage of an interactive programme such as this which involves students submitting work through Blackboard. Such an approach enables us to track which students are not completing any of the steps – which in turn allows us to target the students most in need of help – thus reinforcing the pastoral side to University education in the context of large-scale teaching.

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