European Human Rights Project

Prof Jim Murdoch

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Self-taught, group-based and peer-assessed (but moderated) course for 10 students in Level 4 with focus on specific Graduate Attributes.

Context

School of Law, LLB

Level 4

Subject: Law

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Key features

A small group size (<25).

Focusing on specific GAs: Independent and critical thinker, Resourceful and responsible, Effective communicator.

This activity is carried out wholly out of class and in students' own time.

It consists of a sequence of standalone sessions organised by student groups themselves.

Basic technology competency required; however, no specialised training is needed apart from the knowledge and use of legal research databases.

It's fully integrated into the curriculum and aligned with ILOs, L&T activities and assessments. This has a major impact on syllabus redesign, and so PIP has to be revised.

Considerable impact on staff workload. It's estimated that around 90 hours needed to facilitate interventions in feedback and group appraisal.

Activity description

Rationale

The reason for introducing this activity was to replicate the 'working environment' into academic study through provision of a simulated 'real experience' of litigation and to facilitate the development of the following GAs: Independent and critical thinker; Resourceful and responsible; and Effective communicator.

Implementation

The format of the European Human Rights Project replicates the professional legal experience of taking a case to the European Court of Human Rights. This practical basis of the course is intended to enhance student intellectual achievement through group work and self-directed study, but it is the assessment process that is potentially of greatest interest insofar as the primary responsibility for determining the allocation of grades associated with intended learning outcomes (and thereby the ranking of students within each team) lies with the students themselves.

Implementation continued

Key actions taken while implementing this activity were:

- individual selection – based on academic attainment, aptitude in relevant skills and an interest in or commitment to human rights in general;
- group allocation – students form two teams, each given the task of preparing and presenting a 'moot' case based on a complex legal problem (this requires the drafting of pleadings; preparation of oral argument to be presented before 'Chamber' and 'Grand Chamber');
- feedback at key stages - a set of course requirements (modelled upon the timetable involved in the disposal of an application to the Strasbourg Court) provides a series of staged key deadlines, each of which allows the giving of guidance and feedback that still seek to replicate the "professional" legal environment on an informal basis to individuals and teams;
- and intervention in self-assessment - Students are largely responsible for their own assessment during a three-day exercise during which they are expected to discuss their group and individual performances at every stage of the project openly and honestly, and arrive at some agreement as to grades both in relative terms (to other members of the group) and in absolute terms (in respect of overall performance in written and oral presentations); students are thus assessed – and assess each other – in respect of "task" outputs (from the problem-based nature of the course), "group" performance (in effective teamwork), and "individual" performance (in contributing as an effective and efficient team member) by applying standard grade descriptors.

Reactions

Course design and delivery clearly captivate student interest, despite involving a considerable amount of work. The fact that it promises a number of reward seems to balance the greater workload and drive student motivation. In particular, students recognised the following as a strong attraction: the development of graduate attributes and employability skills, especially the challenge of teamwork; the authentic nature of the course. In their evaluations, they consistently report enhanced engagement, deeper attainment and increased confidence.

The overall feedback from the staff and students has been very positive (c. 95% of participants), with some suggesting it was life-changing.

"I feel that the independence of the course gave me a strong responsibility to ensure that my own learning was up to the necessary standard, [and] the pressure of being part of a group contributed to this"

"The 'hands-off' approach cannot be exaggerated or the project risks becoming disorganised and losing its strengths. [However,] this project improved the effectiveness of my learning as it forced me to research in such depth that I have never had to do for another course"

"Whatever happens at assessment I will have achieved a great amount from this course in terms of written communication, oral communication, teamwork, and having made several new friends … The great thing about the Project is that it is a really good bonding experience"

Analysis & evaluation

In this project, the course design ("taking a case to Strasbourg") is arguably the dominant feature in student learning, for it is clear that "enquiry-led learning" based upon an "authentic" workplace scenario does indeed support the development of students as motivated learners and as independent and critical thinkers. The question arises as to the importance of the design of assessment: that is, if the element of self- and peer assessment were to be removed, would students still perform as highly as they do solely on account of the course design?

Experience has shown that there are several prerequisites for successful use of self- and peer assessment:

- communication to students at the outset of the course of the importance of ILOs as measuring rods is vital;

- teams require significant amounts of time to discharge the responsibility for self- and peer assessment adequately, but students must be given a relatively rigid timetable (which includes necessary "time out" activities) to prevent undue procrastination in deliberations;

- if students are to attempt to assess ILOs, grade descriptors in codes of assessment must provide adequate guidance;

- students also need guidance on how to give and to receive individual feedback, together with the offer of personal guidance from a member of the course team not involved in the assessment process.

Analysis & evaluation continued

That group work at an advanced level of legal studies furthers student learning is now taken as self-evident. As a learning experience, students acknowledge its "deep" learning in comparison with other more conventionally presented Honours subjects (which some students regard as providing an element of "surface" learning usually involving large reading lists and "cramming" for exams in the final stages of the subject). Students must learn by constructing solutions to situations arising in hitherto unexplored areas of law and which are without any obviously "correct" answers. They need to make sense of concepts, skills and research tools gained at an earlier stage in higher education. Crucial to this construct of knowledge and understanding is the constant process of reflection.

It is argued that an assessment scheme which places the responsibility upon students to recommend grades to be awarded to their team members is crucial to maximise this reflection on "operative awareness". There may still be doubt as to whether the assessment process – rather than the team-based nature of the "real" situation in which students find themselves – drives motivation and learning. Students themselves are indeed unclear about this. Indeed, it may be more appropriate to see the assessment process as essentially another intended learning outcome in its own right. Many students come to recognize the inherent value of the assessment exercise, some even acknowledging that the grade will have at the most a minor impact upon final degree classification whereas the assessment process (and the project as a whole) will be with them well into their professional lives.

Analysis & evaluation continued

It may not really matter whether it can be shown whether self and peer assessment drives student learning in group work, as long as it can be shown that standard criteria are met (i.e., validity, reliability and integrity, and possibly also convenience). The selection of moderated self- and peer assessment is as responsible a choice of method as any other if the key concerns are the validity and reliability of recorded grades. However, if consideration is widened to examine the potential for the assessment method to help develop graduate attributes, then the conclusion is significantly more positive. If academic study is expected to encourage critical thinking, engage student learning, be intellectually challenging, develop confidence in research and communication skills and enhance employability, then group work in which rigorous but moderated self- and peer assessment forms an integral part is a clear necessity.

References

Murdoch, J. (2015) Using self- and peer assessment at honours level: bridging the gap between law school and the workplace. *Law Teacher*, 49(1), pp. 73-91. (doi:10.1080/03069400.2014.988491)