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The Hall of Mirrors: a teaching team talking about talking about reflection

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Abstract

In order to review the teaching and assessment of reflection within the Student Law Office (SLO) at Northumbria University, an integral consideration must be the insight into experiences and perspectives of those directly involved with the students: the clinical supervisors. Clinical supervisors at Northumbria University explored the reflective aspect of the SLO teaching and assessment over the course of four, one-hour group discussions. This paper explores the themes that emerged from the group discussions and offers a consideration of how issues of reflective practice can be addressed to optimise the teaching, learning and assessment of reflection.

Keywords

1. Reflection
2. Clinical Legal Education
3. Assessment
4. Reflective teaching

Introduction

Being a reflective practitioner has been recognised as an important part of both legal practice¹ and practice in a clinical legal education setting.² Reflective practice has been described as a tool clinicians should use to help students learn how to learn from the experiences they have within the clinic.³ It has also been described as enhancing the understanding and developing “the lifelong learning skills of the reflective practitioner.”⁴ Milstein has suggested that it is the ultimate aim of a clinical pedagogy to develop reflective practitioners and lifelong learners⁵ and it follows, therefore, that the development of reflection will be promoted by an understanding of how clinicians should teach reflection. Although one may proffer the notion that there is an inherent difficulty in teaching that which nature has already taught, an innate and subconscious habit, it must be considered that a role of clinicians is to highlight the need to develop reflection as a habit of mind. It is imperative that clinicians facilitate the development of a valuable and transferable life skill to be used in practice and beyond.

¹ From 1st November 2016, the Solicitors Regulation Authority requires practitioners to reflect on the quality of their practice and identify needs for development. The Solicitors Regulation Authority, ‘Continuing competence’ <<https://sra.org.uk/solicitors/cpd/tool-kit/continuing-competence-toolkit.page>> accessed 14th June 2019.

² Adrian Evans and others, *Australian Clinical Legal Education: Designing and operating a best practice clinical program in an Australian law school* (ANU Press 2017).

³ Roy T. Stuckey and others, *Best Practices for Legal Education: A Vision and A Road Map* (Clinical Legal Education Association 2007).

⁴ Lynda Crowley-Cyr, ‘Towards Ethical Literacy by Enhancing Reflexivity in Law Students’ in Michael Robertson and others (eds), *The Ethics Project in Legal Education* (1st edn, Routledge 2010) 142.

⁵ Elliot Milstein, ‘Clinical Legal Education in the United States: In-House Clinics, Externships, and Simulations’ (2001) 51(3) *Journal of Legal Education* 375.

Reflection is a key component of the clinical programme in the Student Law Office (SLO) at Northumbria University as the clinicians aim to develop reflective practitioners and lifelong learners.⁶ From the clinical literature, Stuckey⁷ describes reflection as a tool clinicians should use to help students learn how to learn from the experiences they have within the clinic. However, due to its nature and complexity, this important tool has no single and universally accepted definition. The definition of reflection is dependent upon the context in which a clinic is situated, the scope and immediacy of the work conducted. Some scholars, such as Boud, define reflection as “a generic term for those intellectual and affective activities in which individuals engage to explore their experiences in order to lead to a new understanding and appreciation.”⁸ The implication is that the focus of reflection is self-chosen and not perhaps particularly urgent, whereas in contrast, according to Dewey, reflection is defined as an “active, persistent and careful consideration of any belief or supposed form of knowledge in the light of the grounds that support it and the further conclusion to which it tends.”⁹ Similarly, for Moon reflection is “a form of mental processing with a purpose and/or anticipated outcome that is applied to relatively complex or unstructured ideas for which there is not an obvious solution.”¹⁰

In our context, the term is generally accepted to mean a teaching and learning strategy that is active, disciplined and deliberate to help improve understanding of the activities of a law clinic. When it comes to the definition of reflection and its definitional problems, we do not have any fixed allegiance to any of the definitions proffered by Dewey, Moon and Boud. We have

⁶ Milstein (n 5).

⁷ Stuckey and others (n 3).

⁸ David Boud, Rosemary Keogh and David Walker, *Reflection: Turning Experience into Learning* (Kogan Page 1985) 19.

⁹ John Dewey, *How We Think: A Restatement of the Relation of Reflective Thinking to the Educative Process* (D.C. Heath & Co Publishers 1933) 9.

¹⁰ Jennifer A. Moon, *A Handbook of Reflective and Experiential Learning: Theory and Practice* (1st edn, RoutledgeFalmer 2004).

considered what Dewey, Moon, Boud and other scholars have proffered as definitions of reflection. We accept that their reflection philosophies can be adopted in clinical legal education to establish a knowledge base and that is all it is. We take a pragmatic approach that does not oblige us to endorse any of the definitions, as there is, currently, no common definition of the term. As supervisors, we explore our own law clinic teaching through engaging in critical reflection. Constant engagement in this process develops a change in attitudes and awareness. In turn, our own engagement in critical reflection allows our students to develop critical thinking and improve their analysing skills so that they can become responsible professionals in future.

In order to review the teaching and assessment of reflection within the SLO at Northumbria University, an integral consideration must be the insight into experiences and perspectives of those directly involved with the students: the clinical supervisors. The teaching of reflection permeates all work within the SLO, culminating in the endpoint assessment of a reflective presentation worth 15% of the students' overall grade for the Year 3 clinic module. This is in stark contrast to the previous method of assessment, to be made redundant on graduation of the current Year 4 cohort, which involved the submission of two written pieces of reflection worth 15% each of their overall grade. The catalyst for change was the need to encourage deeper reflection, hence the transition from the written to the spoken word, coupled with the introduction of reflective theories to create structure and facilitate insight. This paper, therefore, explores the issues of reflective practice from the perspectives of the clinicians, giving an insider perspective.

Study Design

Clinical supervisors at Northumbria University explored the reflective aspect of the SLO teaching and assessment over the course of four, one-hour group discussions.¹¹ A total number of 15 clinical supervisors out of 27 in the SLO attended at least one of the four group discussions. The experience of teaching and assessing reflection of those attendees varied significantly, from over fifteen years to less than one year, from practitioners to academics. The range of experience of the attendees was equally represented across the group discussions.¹² This particular academic year (2018/2019) acted as a transition year. Ordinarily, the clinic module would be conducted in the fourth year of the integrated, undergraduate, qualifying law degree, but has since been moved to the third year of the degree. Therefore, the number of supervisors was greater than usual to cover the combined year 3 and 4 cohorts in the transitional year. The usual number of staff, despite occasionally fluctuating, would total around 15.

There was no framework of questions used for the data collection and this allowed the attendees to explore areas of their practice that they considered important under the general topic of reflection. It was hoped that the lack of restriction would encourage a greater focus on the supervisors' actual experience of reflection this year. After all discussions took place, the authors conducted a thematic analysis. It was considered that the results of the thematic analysis

¹¹ The attendees benefitted from these group discussions by gaining an insight into the reflective practices of fellow supervisors and by uncovering ways in which their own practice (and indeed the assessment of reflection in the clinical module) could be improved.

¹² At the beginning of the group discussion the attendees were asked to provide their consent to participate in the study and were informed that their participation was voluntary and they could withdraw their consent at any time.

would be important in revealing key aspects from the data.¹³ The themes emerged in the order set out in the next section of the article.

Emerging themes from the group discussion

The clinical supervisors reflected on reflection and the predominant themes identified from the ensuing discussions included the following:

1. The students' view of reflection;
2. The outcomes of the reflective presentations;
3. The introduction and use of reflective theories in the presentations;
4. The possible extraneous variables affecting student performance in the presentations;
5. The methods used in teaching reflection;
6. Whether we truly understand reflection enough to teach it; and
7. The way(s) in which we assess reflection now and in the future.

1. The students' view of reflection

A common issue identified was the students' manifest fear at the mention of the term, 'reflection', with one supervisor noting that it appeared to dominate each firm meeting, 'like a big black cloud'. The fear was only worsened by clinic supervisors' references to, 'reflective theory'. It was evident that students were able to reflect in ordinary conversation and through their conduct, but struggled when reflective assessment was broached or even labelled; possibly through a law student's need to reach a definite answer, or possibly through a student's general inability to show weakness before an assessor. It becomes almost unnatural to be transparent

¹³ Virginia Braun and Victoria Clarke, 'Using thematic analysis in psychology' (2006) 3 (3) *Qualitative Research in Psychology* 5 <http://eprints.uwe.ac.uk/11735/2/thematic_analysis_revised...> accessed 15th August 2019.

in the presence of an assessor to the extent of pinpointing a concrete experience that evoked the need to improve their work.

One supervisor commented that she uses the word 'reflection' from the outset and makes it clear to her students that they are reflecting, capturing 'snippets' after the event and reflecting very well this way. Other supervisors have introduced reflection at an early stage of the module, but not labelled it as reflection, as the moment they mention the word 'reflection', the students 'tend to panic' and it confuses them. For some supervisors, there appeared to be an unwillingness amongst their students to be self-critical during their reflections. One supervisor commented that students really struggle to understand that they may be not very good in a particular skill, but they can nevertheless score very highly if they reflect well upon that. Paranoia exists through students' acknowledgement of what did not go well during the year and their admission to that during their reflection. However, other supervisors felt that self-criticism came across quite strongly within their students' reflections. Supervisors posited that there should be a conscious effort to mitigate the use of the word 'reflection' and to encourage group reflection during the academic year to create a supportive, constructivist foundation for completing the endpoint assessment on reflection. The group reflection during firm meetings will seek to alleviate the negative emotions of those students exhibiting hypercritical and self-destructive characteristics through continued exposure to the perceived negative stimulus.

2. The outcomes of the reflective presentations

Overall, supervisors felt that students performed well during the presentations. For some, the presence of their peers afforded comfort, familiarity and humour. In contrast, the intense vulnerability of standing before a group of their peers, their clinical supervisor (assessor) and unfamiliar supervisor moderator created unease for others, heightened by the need to be open and honest in relation to a vulnerable aspect of learning. In turn, their presentations became a

hypercritical, self-destructive and emotionally draining fifteen minutes. Despite the negative emotions exhibited by some students, it was suggested by supervisors that, overall, the students were able to present their reflections with a greater degree of honesty when compared with the supervisors' experience of written reflections. The heightened honesty may be attributed to two factors: the use of the oral presentation and/or the use of the theories, which is explored later.

It was evident that the students, 'stuck to what they knew', which resulted in a lack of wider reading on the whole and a lack of imagination as to how they delivered their reflective presentations. The assessment brief on how the students could deliver their presentations was deliberately left wide.¹⁴ Despite this flexibility, most students opted for a PowerPoint Presentation and a few students used Prezi, which is form of animated presentation. The less confident public speakers could have pre-recorded their presentation or used reflective journals to illustrate their points. Furthermore, the wider reading was 'theory heavy' and the citations were not innovative. One supervisor commented that, at times, the theory took precedent over the substance of the reflection. The reflections were rather standard and followed the same generic, linear pattern, perhaps attributable to the introduction of the reflective theories, explored below. The linear progression through reflection and the apparent need to, almost, second-guess the thoughts of the assessor occasionally created a lack of engagement and the audience's feelings of the orator going through the motions.

In order to negate the feelings aforesaid, the group, assessor and moderator were able to ask five minutes of questions, following the ten-minute presentation. Supervisors acknowledged that in some groups, the students were engaged in the process and did ask many questions. It was highlighted that in other groups, students were hesitant to ask any questions. However, it

¹⁴ The SLO assessment brief states that it is for the student to decide the format of their presentation and they may use visual aids (e.g. PowerPoint, Poster, Video clips, etc.).

was evident that the ability to ask questions proved a valuable technique for supervisors to encourage deeper consideration of the reflective issue and to open up some of the more guarded orators.

3. The introduction and use of reflective theories in the presentations

Overall, supervisors' experience was that students struggled to understand the theory behind reflection, which they conveyed through the use of various reflective cycles.¹⁵ Acknowledging that the purpose of the theory is to help the students in scaffolding their reflection, supervisors' observations were that the consideration of reflective theories had resulted in taking over the substance of the presentation and holding students back as they were so concerned about it. It was felt that the students were not using the theory as a tool for scaffolding their actual reflective experience. Their consideration of theory was "getting in the way" of their personal experience and insight rather than facilitating it. It was evident that students compartmentalise each stage of their reflective cycle and the students struggled to integrate the theory to their experience. The better reflections were those where students had taken different theories and created their own models. However, supervisors did wonder whether students were actually looking at what happened during their SLO experience and actively reflecting on the issues using their reflective model or whether they just tried to fit their reflection around the theory afterwards.

4. The possible extraneous variables affecting students' performance

It would be rather limited in scope to suggest that the transition from written reflection to oral presentations and the introduction of reflective theory have been the only contributing factors

¹⁵ David A. Kolb, *Experiential Learning: Experience as the Source of Learning and Development* (Prentice-Hall 1984); Jennifer A. Moon, *Reflection in Learning and Professional Development: Theory and Practice* (Routledge-Falmer 2008); Donald Schon, *Educating the Reflective Practitioner* (Jossey Bass 1990).

to the students' overall performances. There are inevitably an array of extraneous variables to consider, which might have had an effect. There was consideration by the supervisors of the general standard of reflection in any year being dependent on the specific cohort of students. A study of student attainment over a significant period may be required to be able to discount unnecessary changes to the structure of assessment based solely on one particular year.

The differences in the abilities of the student cohort are evident in the SLO this academic year, 2018/2019, given the transition of the module from taking place in the fourth year to the third year of the undergraduate programme. As noted, the ability to generalise from one year is rather limited. There appears to be a difference between the third and fourth years, in that the third years tend to be rather minimalist in their approach. If they can achieve a result without exploring broader possibilities, approaches and materials, they will do so. This would likely explain the linear approach to reflection, to which we have alluded above. It was queried whether a minimalist reflection that, in essence, ticks the boxes, should be somewhat disregarded and labelled as, 'standard'. There should be consideration of the possibility of supervisors/assessors and moderators becoming, 'reflection-hardened', just as a Magistrate in Court can become, 'case-hardened'. It may be considered unfair and, potentially, discriminatory, for students to be judged to a higher standard than their student predecessors simply because tutors want more and more from the same assessment. It would be interesting to study whether the reflections this academic year (2018/2019) are minimalist in their approach, or whether they would reflect the same approach taken by students ten years ago. There could then be a comparison of the results to determine whether there is continuity in marking the assessments. In order to combat the potential of becoming, 'reflection-hardened', supervisors suggested that there be a change in the assessment format every four to five years, to alleviate the threshold for excellence becoming unreasonably high.

In juxtapose, there was a contradiction within the discussions regarding the differing ability between the third and fourth year students. Ordinarily, the weaker students from third year would not have made it through to fourth year and it was felt that the supervisors were attempting to rectify issues that should have already been rectified. However, this seemed to relate solely to the practical aspect of the assessment. Interestingly, the ability to reflect appeared to be slightly better for third year students. It was determined that there had been a greater focus on the students' reflective practices throughout the new arrangement of the degree for the third year students. It must be considered that a role of supervisors is to highlight the need for developing a habit of mind by giving a structure to create a deeper reflective analysis. A greater focus on reflection throughout the degree furthers the students' abilities to develop the habit of mind, which would only be encouraged through the introduction of reflective theories earlier in the degree.

A large inhibitor of reflecting throughout the degree is time. Given that the academic year is arguably short (over the period of 7 months), it can be difficult to achieve meaningful reflection, while instilling in the students the necessary legal facts and ability to problem-solve. It was apparent from the group discussions that, 'if you do not assess it, the students will not do it', regardless of the potential future benefit. Voluntary sessions of reflection skills are, potentially, unlikely to be attended by students, given that a talk by one of the academics on how to present effectively attracted two students from over two hundred. However, leaving reflection until the clinic module, to be taught in firm meetings, alongside casework will only facilitate superficial, retrospective reflections. If the skills were developed throughout the degree in greater depth, the students would be able to use those skills to incorporate wider reading on their skills development, as well as the inclusion of general reflection reading. They would be able to reflect from the outset with structure, clarity and depth, rather than moulding

an experience, or sequence of experiences, around their general innate and subconscious habit that has taken place over one module.

5. The methods used to teach reflection

It was clear that there are different approaches by the supervisors to teaching reflection and indeed each has their own style of reflecting. After each client meeting, for example, one supervisor drives back to the office with the students. During the journey, students would reflect on the meeting with the client. This, she believes, really helps them understand reflection and captures the authentic thoughts of the student immediately after the moment. Students must retrospectively think to learn from the past event.¹⁶ One supervisor commented that they asked the students to present on each reflection theory. This worked well. Another supervisor hands out anonymised reflective essays from past students and asks them to mark them against the grade descriptors. In doing so, the students are able to discuss as a group what was good and not so good about the piece. In this situation, the students are often very critical of the sample reflections and tend to give a lower mark than that awarded.

Another supervisor provides their students with his own reflective experiences and this, he felt, helped place the reflection in that personal context. In this context, it was acknowledged that reflection is somewhat personal and it is important for students to have access to different approaches to reflection. It may, therefore, be helpful to model reflection for the students, setting out how different supervisors reflect. This way, they may see that their supervisors reflect in a particular way. Supervisors should not shy away from modelling their reflective activities on their previous legal experiences, no matter how bad those experiences were. Evans

¹⁶ Donald Schön, *The Reflective Practitioner: How Professionals think in Action* (Basic Books 1983).

and others¹⁷ have suggested that reflective practice can be developed if clinicians try to value,¹⁸ explain¹⁹ and support²⁰ reflection. However, another supervisor may do it very differently. This is the personal process of reflection whereby, for example, some of us write and some talk it through with another person. What we are trying to do, as a supervisor, is to ‘provide the scaffolding’ to assist in the students’ reflective process and facilitate a life skill, which they can carry forward.

One supervisor commented that clinicians should try to embed reflection in a firm meeting from the start and ensure that supervisors are more aware of how to teach reflection and what we are trying to achieve with it. It was highlighted that it would be ‘much better if it became a more natural part of what we are doing’ in clinic. A greater level of team teaching was felt could assist with this, for example joint firm meetings, perhaps with supervisors from different areas of specialism. The focus could be on asking others to help with each other’s reflection rather than constantly looking inward.

Just as the word ‘reflection’ sometimes confuses the students, the introduction of the word ‘theory’ had a similar effect. One supervisor commented that she subtly feeds reflection early on from asking the students how they manage difficult situations to how managing cases would differ in practice, which worked effectively. Students were engaging. However, when theory is added, students panic and it ‘unravels the good work’ that started well. What may assist going forward is not labelling it as theory, but rather call it a ‘structure’.

¹⁷ Evans and others (n 2).

¹⁸ Rachel Spencer, ‘Holding up the Mirror: A theoretical and practical analysis of the role of reflection in Clinical Legal Education’ (2012) 18 *International Journal of Clinical Legal Education* 181.

¹⁹ Georgina Ledvinka, ‘Reflection and Assessment in Clinical Legal Education: Do you see what I see?’ (2006) 9 *International Journal of Clinical Legal Education* 29.

²⁰ Roy Stuckey, ‘Teaching with a Purpose: Defining and Achieving Desired Outcomes in Clinical Law Courses’ (2007) 13(2) *Clinical Law Review* 807, 813.

6. Whether we truly understand reflection enough to teach it

There was a recognition within the group discussion that subjectivity in assessing reflection may be a risk factor, however with two clinicians present during each of the presentations, there will always be another to calibrate the mark. One member of the group recalled a presentation that was a first class piece of reflection, but which did not include or adhere to the structured reflective theories. Given that the grade descriptors highlight the need for reflective analysis, it is uncertain as to whether there is, or should be, a hierarchy of reflective analysis. There has been a focus and drive on teaching reflective theories to the students this year as a scaffolding tool around which they can structure their reflection. However, it was recognised that staff are unsure of the detail of the reflective theories. Going forward, they would feel greater comfort at being able to provide a detailed explanation of the theories and to be able to outline how much reliance and favour should be afforded to the theories over the actual content of the personal reflection.

The presentations detailed reflections which stemmed from a single feeling, usually negative, which allowed for development over time. However, there were occasions when the specific reflective issue was not exactly what the supervisor would have identified as an area with which the student struggled. It was, thus, considered whether supervisors should be trained to coach the students to pinpoint certain events throughout the year, upon which they can reflect. There were members in the group discussion who felt that they needed greater training to be able to coach the students, both in using the reflective theories to their full extent, rather than a superficial adherence to the individual stages, and in being able to identify the specific issues upon which the students could reflect. In order to address the potential issue regarding supervisors knowing enough about reflection to teach reflection, it was determined that there should be coaching sessions, as well as a continuation of the current, 'Reflecting on Reflection'

teaching group discussions. The former would encourage a more hands-on approach to specifically identify areas of reflection for the students and the latter would allow the supervisors to actually reflect on their own teachings to promote uniformity and reduce the subjectivity of assessment marking through consensus of ideas.

7. The way(s) in which we assess reflection now and in the future

It was acknowledged amongst the supervisors that just as we do not want to be confined in our reflective teaching, we do not want students to conform to one type of reflection. However, is one format of reflective assessment sufficient to assess a student's ability to reflect? As the assessment is endpoint focussed in the format of a presentation, this led to one supervisor querying 'whether having one format of assessment is appropriate to assess such a personal thing?' Some students may not provide a true reflection, given the personal nature of the content and the fact that it is being presented to the rest of their firm. Although the question and answer session at the end of the presentation was beneficial in that it allowed the students to delve deeper, the concern was expressed that the group presentation could act as a deterrent for some students to provide a true and accurate reflection. Notably, they may not feel able to reflect on teamwork problems, or provide that deeper level of reflection and insight, as they would have done, if their firm partner was not sitting in the same room.

The bureaucracy-laden University system would inhibit the possibility of changing the assessment format until 2021, which would allow for analysis of the success of the new format to take place. It was discussed that there could be a possibility of allowing the students to choose between presenting their reflection to a group or drafting written pieces, given the mixed reviews from students. However, it was agreed that whichever format is used, there would inevitably be dissension in the ranks in favour of alternatives as it is difficult to please everyone in reality. For some students, it was the delivery of the presentation that concerned

them most, not the actual content of the reflection. Clearly, the format of the presentation favoured those with good presenting skills, just as a reflective essay favours the creative writers. Although pushing students out of their comfort zone can also be a beneficial learning experience for them, the assessment brief was kept deliberately wide and therefore the less confident public speakers could have pre-recorded their presentation and used that. In future years, it could be made clearer to the students that a presentation does not necessarily mean that they have to deliver a PowerPoint Presentation.

Alternative methods of assessment were explored, including a one to one ('professional') conversation with the supervisor rather than a presentation in front of their group. This may help combat the nerves of public speaking, aid those students who may feel inhibited by speaking of personal issues in front of other group members, but still allow the supervisor to ask questions so as to enhance the reflective analysis. However, some students embraced the presentations in front of their firm and acknowledged that they preferred it as an assessment method. For some students, therefore, the presentations allowed them to feel supported by the rest of their group.

The use of reflective diaries, journals, logs instead of (or in connection with) endpoint assessment was also explored. The incorporation of the reflective logs, journals or diaries into the portfolio was based on the premise that students generally do very well during group and/or one to one discussions throughout the year. The portfolio contains the practical work that the students have completed throughout the year and they are assessed continuously on their professional skills as evidenced in that work. As supervisors, we are confident that we capture the student's other professional qualities in the portfolio, so why, therefore, not also capture the reflection and embed it into professional conduct? It was observed that supervisors do sometimes receive abstract reflective pieces at the end of the year that may not be authentic

and fail to focus on critical incidents. However, if the reflection was linked to the portfolio, it may present a more authentic picture, allowing the students to reflect as they go along and be more focussed on a critical incident. Linked to this are the pedagogical benefits to students receiving the constant formative feedback, as opposed to endpoint feedback where the comments cannot facilitate development. The downside of this method is that the continuous reflection may become mechanistic and there is the risk that it may become more descriptive.

An alternative medium for delivery of the presentations is by way of a video blog or video log ('VLOG'). Supervisors posited that the VLOG could almost mimic an interview between the presenter and their former selves at selected stages of their clinic experience. VLOG could be used by those unable to go through a presentation through the fear of public speaking. Furthermore, VLOG may also be useful to students, as it would enable them to record themselves throughout the year to assist with reflection as an endpoint assessment. Students would be able to capture their raw emotions and could retrospectively assess their reflection in action. This could afford greater authenticity to their endpoint reflective piece. A further advantage to revisiting their series of VLOGs would be the, potential, decrease in uniformity of reflective experiences. It is inevitable for students to reflect in a similar manner when they attempt to, retrospectively, pinpoint a founding reflective issue, occasionally months after the event. The supervisors have witnessed, first-hand, the uniformity of the students feeling nervous for their interview, researching and taking on-board their supervisor's comments, becoming accustomed to the specific client and feeling less nervous for their advice interview, following their newly acquired legal knowledge. The use of a VLOG would allow a student to record that progression and transformation, which would inevitably result in deeper, more authentic, possibly atypical, yet engaging, reflections. It may be suggested that students, accustomed to receiving feedback at the end of a module, do not yet possess the ability to use their feedback to improve in an ongoing module, whereas clinic affords that opportunity. One

member in the group discussions recalled a student throwing away her examination scripts, so that she did not have to address the negative comments. Clinical legal education encourages and requires students to address their weaknesses to facilitate improvement. A VLOG would promote progression and would be useful as a tool for the endpoint assessment.

Another area that was explored in terms of promoting progression was the use of an Action Plan, which is implemented in the SLO Legal Practice Course module. At the mid-point of this module, the students reflect on their practical experience and the skills they have developed. They then determine what skill is in most need of development for the remainder of the module. Finally, an Action Plan is devised on how they can improve that particular skill going forward. The students are instructed to draw upon relevant wider reading in order to formulate their plan and thereafter the supervisor meets with each student to provide formative feedback. At the end of the module, the students' implementations of their Action Plans are assessed by way of a 10-minute reflective presentation. It was commented that this approach inevitably encourages the students' wider reading on their chosen skills and prompts them to reflect at an earlier stage, which promotes progression and helps bring authenticity to the reflection.

The group discussion considered and almost reached consensus on the possibility of retaining the reflection assessment, but incorporating an additional grade descriptor within the practical element to allow for assessment of the progression of the student as a result of their ability to reflect and learn from their experiences. It could be queried how a person would be assessed in this manner as reflection does not necessarily always result in development, particularly over a relatively short period of time (one module over seven months). Nevertheless, an additional grade descriptor would encourage students to actively reflect throughout the module rather than moulding a reflection and reflective theory around their previous experiences.

Conclusion

There appears to be a consensus amongst the supervisors, who participated in the group discussion, that despite the challenges that they alluded to above, reflection is a critical element of clinical pedagogy and that being a reflective practitioner remains an important part of practice within a clinical setting. It is evident that further studies in this area would be beneficial, if not vital, to be able to enhance reflective practice as a skill in clinic and in the students' subsequent careers.

In order to enhance engagement in reflection, supervisors should consider adapting their language to prevent alienation of the more anxious students, yet introduce the concept of reflection from the outset to promote a more authentic use of the reflective cycles. This would alleviate the students moulding the theory around their experience(s). There should be a greater reliance on the theories as a tool rather than a straitjacket of conformity and this could be developed by the supervisors furthering their own knowledge of reflective theory, as well as receiving further training on coaching and the ability to pinpoint reflective issues at the outset.

It should be appreciated that reflection is not conformist or uniform in its application. It would assist students to be exposed to reflection in joint teaching exercises, which would illustrate the differences in supervisors' approaches to reflection and reflection teaching in general. These differences could also be explored by the supervisors through continuation of the, 'Reflecting on Reflection' sessions.

The method of assessment could be revisited to cater for a process of reflection within the students' practical mark, as well as an endpoint reflective presentation and an Action Plan part way through the year. On a pragmatic note, whichever format of assessment is used, there will

inevitably be dissension in the ranks in favour of alternatives as it is difficult to please everyone in reality, though assessment is imperative as 'if you do not assess it, students will not do it'.

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References

Boud D, Keogh R and Walker D, *Reflection: Turning Experience into Learning* (Kogan Page 1985).

Crowley-Cyr L, 'Towards Ethical Literacy by Enhancing Reflexivity in Law Students' in Michael Robertson and others (eds.), *The Ethics Project in Legal Education* (Routledge 2010).

Dewey J, *How We Think: A Restatement of the Relation of Reflective Thinking to the Educative Process* (D.C. Heath & Co Publishers 1933).

Evans A and others, *Australian Clinical Legal Education: Designing and operating a best practice clinical program in an Australian law school* (ANU Press 2017).

Kolb D A, *Experiential Learning: Experience as the Source of Learning and Development*. (Prentice-Hall 1984).

Ledvinka G, 'Reflection and Assessment in Clinical Legal Education: Do you see what I see?' (2006) 9 *International Journal of Clinical Legal Education* 29.

Milstein E, 'Clinical Legal Education in the United States: In-House Clinics, Externships, and Simulations' (2001) 51(3) *Journal of Legal Education* 375.

Moon J A, *A Handbook of Reflective and Experiential Learning: Theory and Practice* (Routledge Falmer 2004).

Moon J A, *Reflection in Learning and Professional Development: Theory and Practice*.
(Routledge Falmer 2008).

Schön D, *Educating the Reflective Practitioner* (Jossey Bass 1990).

Schön D, *The Reflective Practitioner: How Professionals think in Action* (Basic Books 1983).

Spencer R, 'Holding up the Mirror: A theoretical and practical analysis of the role of reflection in Clinical Legal Education' (2012) 18 *International Journal of Clinical Legal Education* 181.

Stuckey R T, 'Teaching with a Purpose; Defining and Achieving Desired Outcomes in Clinical Law Courses' (2007) 13(2) *Clinical Law Review* 807.

Stuckey R T and others, *Best Practices for Legal Education: A Vision and A Road Map*
(Clinical Legal Education Association 2007).

The Solicitors Regulation Authority, 'Continuing competence'
<<https://sra.org.uk/solicitors/cpd/tool-kit/continuing-competence-toolkit.page>> accessed 14th
June 2019.