Abstract

This paper describes a two year study evaluating student-led group work in the context of a clinical legal education module. The aim of the study was to shift the balance of control from tutor to student, by allowing students to take on the facilitator role in weekly meetings. The findings suggest that (a) students can successfully design and deliver a small group session if they are given the opportunity to do so (b) student facilitation encourages students to see the tutor as part of the group which has a positive effect on student interaction and engagement in the group, and (c) students who have been less likely to contribute become more vocal in student-led (and later tutor-led) sessions.

Keywords

Group work; student-led; pedagogy; clinical legal education; reflection.

Introduction

Best practice in small group teaching has moved from didactic tutor-centred instruction (that frequently leads to dissatisfaction (Jaques, 2000)), to student-centred interaction with the tutor as facilitator. The role of the tutor is to ‘scaffold’ the session so that students can take an active role (Mills and Alexander, 2013). This is overwhelmingly recognised as the pathway to a successful student learning experience in small group work (Rogers, 1983 and 1994; Exley & Dennick, 2004; Gregory, 2006). Nevertheless, as facilitator, the tutor still leads the content, format and delivery of the small group work. The balance of control rests firmly with the tutor.

There is a significant amount of literature focused on the ways by which tutors can improve their small group facilitation (see Mills and Alexander, 2013). However, there is a lack of research exploring the impact of students as facilitators. Although there is guidance on so-called ‘student-led’ group work, this rarely goes beyond students preparing a presentation. There is little consideration of the scenario where students are required to facilitate entire group sessions themselves.

The research study presented in this paper was designed to shift the balance of control from tutor to student and evaluate what happens when the tutor gives up the facilitator role. For two years, final year law students on a clinical legal education module were asked to individually facilitate a number of small group sessions. Data was gathered through the tutor’s personal reflective diary entries and student feedback at the end of each academic year.

Group work and facilitation

This section explores the literature on the benefits of small group work and the emergence of tutor facilitation, rather than tutor instruction, as best practice.
Teaching and learning in small groups is seen to play a ‘valuable part’ in the ‘all-round education of students’ (Jaques, 1991). It allows them to ‘negotiate meanings, to express themselves in the language of the subject, and to establish more intimate contact with academic staff than more formal methods permit’ (Jaques, 1991). Research also suggests that good quality small group work positively affects student involvement in their academic studies generally and their capacity to apply learned concepts in new situations (Collier, 1983). There is additional evidence that small learning groups have an emotional impact on their members (Johnson & Johnson, 1994). They emphasise team skills, improve interpersonal relations and lead to ‘heightened motivation’ (Collier, 1983:10). It is therefore unsurprising that group work has become the ‘central modality’ in higher education today (Westberg & Hilliard, 1996:4).

It is interesting to look back, with modern sensibilities, at Abercrombie and Terry’s small group research in the late 1970s. As part of their study they invited a tutor, Ted Hollis, to record his own tutorials. Mr Hollis’s personal objective for these sessions was for him to inhabit the role of ‘question master’ in a question and answer session (Abercrombie and Terry, 1978:41). Abercrombie and Terry noted that ‘he did not seem to feel that it was important for students to interact with one another in a discussion’ (1978:41).

Today, the small group teaching style adopted by Ted Hollis is looked upon as archaic. In their classic work on co-operative learning groups, Johnson & Johnson concluded that the traditional role of tutor as information-transmitter was not fit for purpose. They argued that those who employed it were ‘crashing their teaching on the rocks due to the seductive and tempting attractions of explicating knowledge to an adoring audience’ (Johnson & Johnson, 1994). Modern educational literature acknowledges that one of the fundamental goals of group work is to ‘encourage participants to talk, to debate, to question, and to engage in deep learning activities’ (Exley and Dennick, 2004). This student-centred approach is enabled by the tutor acting as facilitator. Indeed much of the literature uses the term ‘facilitator’ rather than tutor or teacher.

The research study: aims and rationale
The study involves final year students on a Masters level programme at Northumbria University. They are completing a four year integrated Masters programme which incorporates all the elements of academic and vocational study needed to train as a solicitor or barrister. In year four, all students work in the Student Law Office. The Student Law Office is an assessed 60 credit clinical module where students provide free legal advice to members of the public. Students are placed into groups of six, known as firms. Each firm has a supervisor who is a Senior Lecturer and practising solicitor, barrister, or clinical caseworker. The Student Law Office is managed like any other solicitors’ practice and consequently teaching does not follow a lecture/seminar format. Students and supervisors have ad hoc discussions, face to face and by e-mail, about cases as and when required. The only scheduled teaching time is a compulsory weekly 50 minute ‘firm meeting’.

Unlike traditional seminars or tutorials, tutors are not compelled to cover any particular content in firm meetings. The meetings are discussion forums. They are influenced by the students’ case work, news events, and any particular learning needs. For example, my firm meetings regularly centre on skills development, reflection on the role of the legal profession, project management, equality and diversity in the business world, and peer feedback on client cases.

Whilst the format of these sessions may appear to encourage greater student-centred interaction, the tutor ultimately remains in control as facilitator. She sets the agenda, dictates delivery and format, and is able to directly influence how and when a student is invited to contribute. This study was prompted by a personal reflective diary entry which identified the lack of control that students had in Student Law Office firm meetings. I wrote: ‘Are my students really the masters of their own
destiny? No. The module determines that there will be weekly meetings. I decide what happens in those meetings...This is learning by way of a continual process grounded in experience, but it is a tightly controlled experience’. I also went on to reflect on the level of tutor control which hides in plain sight, even in less formal settings such as the Student Law Office. For example, if a student is late it is the tutor who determines that the session will start or that the group will wait. At the end of the session, it is the tutor who tells the students that they can leave.

The aim of this study was to shift the balance of control from tutor to student, by allowing students to take on the facilitator role. It centred on the idea that all students have the ability to lead a 50 minute meeting of their peers, if they are given the opportunity to do so. I was also keen to encourage students who might be inclined to contribute less to meetings to take on a key role.

The study involved 36 final year law students, who I supervised in the Student Law Office over a two year period. During the second semester of each year, all students were asked to lead a firm meeting. They were provided with a list of dates when a student-led meeting would take place and decided as a group who would take which slot. The student leading the session had no input from me. Each student decided on the topic and designed the content and mode of delivery for their meeting. Students were informed, by email and orally, that they could do anything that they liked. The only restriction was that if they wanted the group to go somewhere other than the university campus as part of the meeting, they needed to inform me so I could complete the relevant health and safety forms and inform appropriate members of professional support staff about the external visit.

Findings
Throughout the study, I made frequent reflective journal entries using paper-based diaries and PebblePad. I noted the content of student-led firm meetings and the effect that they had on the group. Students were also invited to provide informal feedback on the student-led firm meetings, which was later anonymised and compiled in one document. There were three key findings:

a) students can successfully design and deliver a small group session if given the opportunity to do so;

b) student facilitation encourages students to see the tutor as part of the group, which has a positive effect on student interaction and engagement with the group; and

c) students who have been less inclined to contribute become more vocal in student-led (and later tutor-led) sessions.

1. Students can successfully design and facilitate a small group session, if given the opportunity to do so

Each student took on the role of facilitator throughout their session. There were no absences and each student came to the session fully prepared with an exercise or discussion point (or both).

A strong theme was interview and assessment day preparation. This was not unsurprising, given the cohort. As final year law students, many are seeking employment at a law firm after graduation. Law firms regularly ask prospective trainee solicitors to take part in vacation schemes or interview/assessment days. In the 2013/2014 academic year, two students brought in copies of exercises that they had been asked to complete when they attended an assessment day. In each session, the student facilitated the group’s completion of the exercise. Afterwards, the student facilitator provided an insight into how they had approached the exercise in their assessment day. The exercises focussed on group survival – they were called ‘Lost at sea’ and ‘Crash landing’.
Students individually ranked a number of items (e.g. water bottle, rope, a mirror) in order of importance. Then, as a group, they had to agree on an order within a set time limit. These sessions covered a multitude of skills including communication, team work, negotiation and persuasion, time and project management. Other sessions focused on psychometric, verbal reasoning and critical thinking tests which students had come across during their law firm vacation placements. Some students relished the opportunity to take the group outside of the classroom environment. We visited local law firms, the Newcastle Business and IP Centre and the Students’ Union. For example, a student arranged for the group to visit a law firm for a lunch time meeting with the head of graduate recruitment and current trainees. The student had devised an ice-breaker exercise for everyone to take part in. Each person was given a mask depicting a famous character and had to argue the case for their character to be saved from a sinking ship. The student created a video (which mixed together images of Titanic, the law firm and the students involved) and a number of props. He also brought cakes branded with the law firm’s logo as a thank you gift. After the ice-breaker, the students asked the trainees questions about their time at the firm and the trainees were able to learn more about the work the students were doing in the Student Law Office. This session gave final year law students access to the region’s top rated commercial law firm and their recruitment team. One student commented that she had never been in a commercial law firm before. Many of the students were delighted that they had seen inside the building, saying that they felt that they could apply for a job there now that it did not seem so ‘scary’ inside. Of course, I could have facilitated a session where we discussed what students’ perceptions of law firms were. In that tutor-led session, we could have explored what students thought trainees did. However, this would not have had the same impact as the session which that particular student designed and led. Students were keen to involve all members of the group in their session. They recognised (without any prompting from me) the need to ensure that everyone in the group was able, and encouraged, to participate. Often this would take the form of a team building exercise. For example, one student asked the group to divide into two. Each team was given dried spaghetti, string, Sellotape and sweets. The teams had to build the tallest structure they could, using the materials. It also had to be able to support the sweets at the top. Interestingly, the student leading the session identified that the team building exercise should be linked to one of the learning outcomes of the module – reflection. After the exercise, the student provided each member of the group with a document which listed a number of questions designed to encourage reflection on team building skills and time management. The members were asked to consider whether the problems they had encountered when building the tower linked with their experiences in the Student Law Office (e.g. ‘what was the biggest threat to your goal of building the tallest tower?’ ‘What similarities are there between team work in this exercise and team work in the Student Law Office?’). The student facilitator did this without any direction from me.

Whilst there were common themes such as interviewing, visits and team building, it is important to note that students facilitated sessions on a diverse range of topics. This included the future of legal education, interviewing skills, the role of pro bono legal work, the North East economy, tone in letter writing, commercial awareness, and intellectual property law. Two students also invited guest speakers to attend the firm meetings to talk about their businesses and what they wanted from their legal advisors.

Many students appeared delighted to be given a task where they could do whatever they wanted. They took it as an opportunity to demonstrate their creative abilities (sing a song, make a board game) or to help those who might be struggling to gain employment (networking skills). A small number of students found the idea of being in control daunting. They sought reassurance that what they wanted to do in the session was ‘right’ or ‘OK’. I did provide some limited guidance for those students. I asked them to put themselves in the shoes of their peers and identify what activities or
discussions would be beneficial to them. In addition, I asked them to think of the best small group session that they had been to, to reflect on why it was successful, and try to replicate that approach in their meeting. Feedback from the students suggested that this reticence to act independently was due to the fact that it was rare for them to be given the chance to lead. For example, one student said: ‘I found that being given the opportunity to run your own firm meeting gives you a greater amount of independence and responsibility that you wouldn’t normally get during the extent of this degree’.

2. Student facilitation encourages students to see the tutor as part of the group, which has a positive effect on student interaction and engagement in the group.

Prior to implementing student-led firm meetings, I had strong reservations about being seen as part of the group. This is clearly shown in the following reflective diary entry:

‘We sit around a table, with me, the facilitator, at the head of the table. This is naturally how the room (which is very small) is organised and how the students position themselves. Exley and Dennick state that changing the configuration of the seating sends a powerful message to students. What is my message? Well, I want to set out right from the beginning that the work that the students do in the Student Law Office is real live case work and that brings with it a level of responsibility. I also want to ensure that they understand that what they do reflects on me professionally - they are working under my supervision and my practising certificate.’

During the first year of student-led firm meetings, I stopped sitting at the top of the table and sat in one of the free chairs around it. This was an organic process. Over time, I came to the conclusion that my place was no longer at the head of the table. One day, I just sat in another chair. This seemed to unnerve the students who waited for me to reposition myself back at the top. The sense of unease remained even after some weeks. Over time, however, they got used to the idea that I would not be sitting in that chair and someone else did it automatically. After this period of adjustment, they began to stop looking to me for leadership of the session and focussed on the student who was facilitating. By sitting in one of ‘their’ chairs, I became part of the group. I took part in every session as though I was a student myself. I participated in group exercises, prepared presentations, produced personal reflections, answered on the spot questions and took part in discussions. It provided a rare opportunity to experience a small group session as a student would - to feel reticent to answer a question because it might be wrong, to have nerves when asked to present on a topic, and to be frustrated when a member of the group wasn’t contributing.

Before I implemented student-led firm meetings, I would sometimes have to call on students to contribute. I often felt that I was dominating discussions. After the student-led firm meetings had finished, I did not go back to sitting at the top of the table. I also sensed a sea-change in the way that students interacted with one another and with me. This is supported by the feedback which students provided at the end of the year. One student said ‘we become less inclined to rely on you as tutor to lead conversation in firm meetings and are more likely to contribute our own new points of conversation’. Another took the point further, commenting that student-led firm meetings helped them ‘form better relationships with the rest of the firm through the increased interaction’ they experienced. The same student reflected that ‘it gives everyone the opportunity to have an input and get their views across and just to be recognised a bit more within the firm’. Another student said that the meetings ‘improved relationships and developed them on a more personal level’. When asked for critical feedback, students asked for student-led firm meetings to be included nearer the start of the year so that the positive effects (improved relationships, increased contribution) could be felt earlier on.
3. **Students who have been less inclined to contribute become more vocal in student-led (and later tutor-led) sessions**

One of the reasons for changing my practice in respect of small group sessions was to provide students who were less inclined to contribute with a specific opportunity to demonstrate and develop their leadership, communication and interpersonal skills. In my reflective diary I noted that for quieter students ‘leading their own meeting gives them a 50 minute window to do something that is totally their own work’. Looking back at my written feedback to those students I would often write ‘You have the opportunity to run and lead your own firm meeting in a few weeks’ time. You should think carefully about what you are going to do in that meeting as it provides an opportunity for you to show your abilities in respect of team working, communication and leadership’.

Colleagues queried what I would do if faced with a student whose meeting was poorly managed and whether I had a ‘back up’ teaching plan for if this occurred. Perhaps naively, I did not have one. However, I did not need one. Students of all abilities designed and led their own meeting. Each student thought of a theme, prepared an exercise and encouraged discussion, and facilitated the meeting from start to finish. Students who had previously been reticent to contribute and/or who had demonstrated weaker oral communication skills demonstrated that they were just as capable as their peers when it came to facilitating a session. In my reflective diary I noted that those students appeared to have greater confidence following their session. In the main, their contributions increased in later student and tutor-led firm meetings. Informal feedback from students who identified as having difficulties contributing to small group sessions was positive. One said that facilitating a firm meeting was the best experience that they had had in university and it had had a profound effect on their personal development.

**Discussion**

There any many studies of small group work in educational literature. However it is rare to find any literature which evaluates the impact of students taking on the role of facilitator. Some texts, designed to promote more effective small group work, advocate so called ‘student-led’ group work. However, the restrictions placed on the students in these examples inhibit their ability to be facilitators in their own right. For example, Habeshaw et al. (2012) strongly advocate helping the student leader to think about their preparation. This includes suggesting that they list their objectives for the session, consider what methods they are going to use to involve all of the group members, draw up an outline plan with timing estimates, and list the questions they intend to put to the group. Habeshaw et al. (2012:21) argue that ‘time spent at this stage is never wasted’. This may be true if the aim is to get the student to replicate the tutor’s approach to group work and to take away the student’s agency. If the goal is to allow the student to facilitate the session as they see fit then this is not, I would argue, the most effective approach.

Tutor reticence to give up their role is a common theme. Greig’s (2000) engaging account of groups of students leading certain seminars on a law module comes close to a truly student-led approach. Although this made for a ‘dynamic and exciting learning environment’, Greig notes that she had a ‘high level of involvement “behind the scenes”’. This included supporting the development of ideas and clarifying legal principles. Students were also required to submit plans for their sessions. Conversely, in this study students were given complete control of content and delivery. Often I would not know what we were doing in the session until I turned up and the student told everyone. This way I became part of the group rather than someone who was managing the process behind the scenes. The findings of this study support the view that tutors should not be afraid to give up their facilitator role. It suggests that if students are afforded the opportunity to lead – and to be in control of their and others’ learning – they can rise to this challenge.
As educators we should not shy away from providing those opportunities to all students, not just those we think are capable of fulfilling the facilitator role. Truly student-led group work can have a positive effect on quieter students who may become more inclined to contribute after their facilitator role has come to an end. It also encourages tutor-student and student-student interaction, and gives students the chance to be independent and take responsibility for their own and others’ learning. Whilst this study was limited to a clinical law module, there is scope for tutors on other programmes (law or otherwise) to experiment with student facilitation and to evaluate the impact it has on their students. This was recognised by the students themselves. As one of the students enthusiastically wrote ‘Everyone should be made to do them. I can’t think of anything bad to say about them!’.

Conclusion
Tutor facilitation of small group work is seen as best practice. Yet even as facilitator, the tutor remains in control. Tutors should not be scared of giving up their role. Students of all abilities can successfully facilitate small group sessions. Those sessions lead to greater student independence, engagement and interaction.

References