

Reflecting on the Impact of Strike Action on Problem-based Learning at York Law School

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Abstract

This paper considers the problem-based learning approach that the LLB course at York Law School is based around. It will explore how, for first-year students, this new style of learning is challenging to begin with, but confers clear benefits to students, especially in preparing them for future legal and non-legal careers. Its consideration of the reflective learning approach embedded within the school curriculum highlights the importance of reflecting on individual and group performance, as well as helping students to develop valuable transferable skills. It also provides a timely reflection on the strike action at the end of both Term 1 and 2 of the 2019/20 academic year, and how the lack of guidance and staffing affected the functioning of this innovative system of teaching.

1 Introduction

One of the many attractions of York Law School (YLS) is the fact that it is centred around the problem-based learning (PBL) approach, unlike many law schools in the country. In this paper, I will be discussing my experience as an undergraduate first-year law student at YLS, and reflecting on what working in the PBL ‘student law firms’ is like. Finally, I am going to consider the impact of the strike action that took place throughout the 2019/20 academic year and how this affected the PBL structure and the group dynamics of my student law firm, as well as discussing how this allowed me to reflect on my experiences as a YLS student as a whole.

2 Problem-based Learning

The PBL process involves students being grouped into ‘student law firms’ of around fourteen people, where we work together to plan, carry out, and feedback our research on different legal problems. We remain in the same firm for all modules throughout the academic year and in our second year we are put into a new firm. Within the first few weeks of the course starting, we began to set ground rules and established our responsibilities within the firm. For instance, everyone had to adequately complete the research in order to contribute effectively in the feedback sessions. Setting a positive group dynamic helped to develop a good work ethic and a sense of professionalism that will no doubt help when it comes to working as a lawyer in a legal environment. When there is an aspect of the research that you are struggling to understand, it is reassuring to know that you are likely to get helpful guidance from other members of the student law firm. This creates a more cooperative atmosphere, instead of one of competition or rivalry, which may be found on courses that are more focused on independent learning, with a heavier proportion of independent work.

After experiencing my first term of the PBL cycle, one notable aspect is how structured the weeks are. Each PBL cycle spans one week and involves pickup, feedback, and interim sessions, as well as plenaries. We have two PBL sessions a week, and the cycle begins in the latter half of each session. We pick up and begin working through a new ‘problem’ that usually focuses on two subjects of law. We establish learning outcomes from the problem, which we use to direct our independent research. To do this, we read the problem as a group and clarify any unclear terms, then work together to establish the key parties and their interests, and the key facts within the problem, and then write a short summary. Finally, we use a mind-map to establish the points of law that we think are relevant and then use this to create our learning outcomes. This means that the sessions are very student-led and we can create the learning outcomes in our own words, which makes them easier to use when researching.

The PBL approach is used for the ‘Foundations in Law’ modules which carry through Year 1 and 2, covering the seven core subjects required for a qualifying law degree. We cover Foundations in Law I and II in Year 1, and III and IV in Year 2. Throughout the week we have Foundations in Law plenaries that relate to the content of the problems. These plenaries aim to encourage more contribution and discussion from students than traditional lectures and act as a springboard for further independent research.

The PBL cycle also involves interim sessions that take place during the middle of the week. These involve discussing in our PBL groups the research we have so far undertaken, and receive direction from a tutor on issues that have arisen during our research. We then use the first half of our next PBL session to feed back on our research. This feedback session involves the student law firm going through each learning outcome and consists of students contributing their research to the group. As each outcome is discussed, the tutor offers additional guidance or information, where required, to ensure that all necessary outcomes have been fully researched. The cycle then starts again in the second half of the session, where we pick up a new problem.

It is clear to see the difference between this structure and structures more commonly found in law degrees. I enjoy the way in which all the elements of the PBL process at YLS complement each other so nicely. For instance, what we learn in plenaries aids our research and understanding of PBL problems. This provides reassurance and guidance, as the plenaries often help you to check that you are on the right track and give you support by suggesting where you should focus your research. This is motivating and helps to build your confidence in tackling PBL problems. I also found this helpful particularly in the first few weeks when getting to grips with new subject matter and research techniques felt quite daunting.

However, there are also some disadvantages of the PBL process, such as the fact that it was quite hard to adjust to this style of learning and get into the rhythm of the PBL cycle. This is because it was something I had never experienced before. I found that in the first few weeks I underestimated the time it would take to complete the research for the PBL problems, and quickly learnt that if I didn't do enough work at the start of the week in preparation for the feedback sessions, I'd be very busy towards the end of the week. Despite this, I did find that I quickly adapted, and being in small groups in our student law firm helped with the wider challenges of settling into university, such as making friends. This was the result of the cooperative atmosphere created by the PBL style of learning, as we soon began to share different concerns and research tips, thus allowing for a smoother transition into the rhythm of the timetable.

3 Reflective learning

There is a heavy focus on reflective learning throughout the LLB course at YLS. In the Legal Skills module, which is aimed at developing practical vocational skills that are particularly useful in a legal profession, we are encouraged to keep a journal for the reflective portfolio coursework. This allows time to reflect on the sessions. For instance, reflecting on how you acted or reacted to certain events. I have found this aids both group and personal development. We looked at Belin's theory, which identifies nine 'clusters of behaviour'; these are 'team roles' with strengths and weaknesses, and a team needs each in order to be high performing.¹ My student law firm decided that I was a 'team worker' according to Belbin's theory.² I reflected on the fact that the weaknesses of this role are being indecisive and non-confrontational, which resulted in me attempting to be more assertive within my student law firm. There is also a psychological aspect to the Legal Skills module, which is clear through our learning of Tuckman

¹ Meredith Belbin, 'The Nine Belbin Team Roles' (*Belbin*)

<<https://www.belbin.com/about/belbin-team-roles/>> accessed 15 February 2020.

² *ibid.*

and Belbin's theories, and our reflection of the events during the course of these sessions in relation to these theories. Tuckman's theory on group development consists of four stages that a group experiences when establishing their dynamic.³ These stages consist of forming, norming, storming, and performing. The focus this module has on the psychology of a group and the individuals within a group provided a refreshing variation from focusing on substantive law. Also, there is value to learning about group dynamics and models, as it helps to prepare students for a future beyond a degree, where such knowledge will be invaluable.

It helped aid my group's development by reflecting on how we were interacting with each other, through our knowledge of group dynamics. This allowed us to assess how we were performing, and what we could do to improve. For example, the storming stage of Tuckman's theory involves disputes amongst the group. Although in my student law firm I do not think that we have experienced a full storming stage yet, it is reassuring to know that such difficulties are an important part of group development. This helps to motivate and gives a sense that each student has an active role in the group environment and the group's development, as opposed to being a passive part of any difficulties that may emerge. Another important part of the focus on reflection within the first and second years of the course is the Foundations in Law Portfolio and Reflections module. This consists of writing a portfolio that focuses on either one or two concepts that you have noticed are consistent throughout your study of the foundation subjects. The portfolio then requires students to show how the learning of these concepts has been advanced through the Foundations in Law work.

³ Donald B Egolf, *Forming Storming Norming Performing: Successful Communications in Groups and Teams* (iUniverse 2001).

4 The strikes

During the last two weeks of Term 1, and the last four weeks of Term 2, industrial action took place. The University and College Union (UCU) announced that industrial action would be taken for eight days as a result of a dispute over pensions, and a second dispute over ‘four fights’ covering pay, equality (including the gender pay gap), workloads, and casualisation within Higher Education. Although this meant that most plenaries were cancelled, and we did not have a tutor in any of our student law firm sessions, many students supported the reasoning behind strike action and understood why it was important for the future of higher education.

It is important to reflect on the impact this has had on the day-to-day routine of the course, specifically on the PBL cycle. For example, I found that without the usual plenaries and interim sessions to provide reassurance and guidance, it was much harder to complete the PBL problems. As our interim PBL tutor was on strike, turnout declined as sessions were much less helpful without the tutor. The absence of the tutor also meant that we were not given the direction for research that we usually received and therefore, overall, it was a less productive and useful session. Although we were still attending the interim with the intention of sharing our research with the rest of the student law firm, it was harder to know whether our research was on the right track. It was clear to see that this lack of attendance was demotivating for firm members who did attend the sessions during the strike period. The strike period has made me appreciate the fact that the interim session provides a useful halfway point, because of the ability to collate research before the session, receive reassurance during sessions, or direction where needed.

Another impact the strikes had on my experience was that there was a lack of plenaries, especially those that related to the topics of the PBL problems. When I looked at the plenaries uploaded after strike week in compensation for those that had been cancelled, I realised that some of

the content would have been particularly useful at the time I needed it. I struggled with one of the learning outcomes of a problem in the last PBL cycle of the first term, but I then found in the plenaries uploaded later that the content I was struggling with was featured and therefore if the plenary had gone ahead it would have helped me considerably in the research process for that PBL problem. Therefore, this disruption has made me realise the benefits of the usual PBL cycles.

The strikes also had an impact on the group dynamics within my student law firm during the PBL feedback sessions, as we found these difficult to complete without a tutor present. It meant that we lacked reassurance or clarification usually provided by the tutor in relation to any queries we had about our research, and meant that many of us found it harder to keep focused on the task, resulting in us being much less efficient. This reflects the importance and value of the tutor in PBL sessions, whose role it is to facilitate the sessions. It also suggests that as a student law firm we all need to develop the necessary skills to stay focused and motivated, without the need for an authoritative figure to be present.

However, as we entered the period of strikes at the end of Term 2, experience from the previous strikes had allowed me to feel more prepared to adapt my timetable and process of learning. As I knew it would be harder and more time-consuming to complete my research for the PBL problems without input from tutors both in the PBL session and the interim, I began adapting the way I carried out my research. I did this by starting earlier in the week so that I had more time to work on the learning outcomes because this meant that, despite having less guidance across the period, I would be able to complete my independent research to a higher standard, as I was giving myself more time than usual.

5 Conclusion

To conclude, the PBL process has proven to be a valuable method of learning. This unique approach to studying law has equipped me with the necessary knowledge of the core subjects and also helped to develop my work ethic and professionalism. Furthermore, the well-structured pedagogical aspects of the course, such as the learning of group dynamics in the Legal Skills module, complement the learning of substantive law and will benefit our future beyond our undergraduate studies. It is clear to see that, as a result of the strike action, it was much harder to complete the PBL research to a good standard in the absence of the plenaries and interims that usually form part of the PBL cycle. I believe this shows how intricate and complex the PBL style of learning is, as reflected in the clear issues caused by removing even just one aspect of it during the industrial action.