

Legal Regulation & Education: Doing the Right Thing?

Rosemary Mcilwhan

The Open University

rosemarie.mcilwhan@open.ac.uk

Liz Hardie

The Open University

Liz.Hardie@open.ac.uk

Francine Ryan

The Open University

F.M.Ryan@open.ac.uk

Online law teaching – still a step into the unfamiliar?

Gregory and Salmon (2013) suggest that teaching online is a step into the unfamiliar which can be daunting even for the most experienced law teacher. This paper explores the definitions of 'teaching online' and how this differs from face-to-face teaching. It considers why teaching law online might be appropriate, particularly in a distance learning environment. It examines how far teaching online can assist or improve the educative experience for students and academics, and how to make that step into the unfamiliar as smooth as possible for students and academics.

It applies Shackel's (2011) hierarchy of values and goals of e-learning tools and applies it to legal education. It considers how this hierarchy links to the current Joint Academic Stage Board (JASB) statement on competencies and the proposals within the Legal Education and Training Review.

The paper considers some of the challenges of online learning including developing appropriate learning design (Muilenberg and Berge, 2005), not trying to replicate face-to-face content or timings (Dana, 2013), the move from academics being the 'expert' to the 'facilitator' (Sieber, 2005) and the need to provide a sense of community (Sieber 2005, Todhunter, 2013) and support for students and academics (Richardson 2009). It also considers some of the barriers to online teaching such as fear of the unknown, perceptions of online teaching, facilitating engagement, lack of social interaction (Hara and Kling, 2000) lecturer and student IT skills, the lack of visual cues such as facial expressions (Todhunter, 2013), and teaching legal skills and knowledge. The paper provides suggested solutions to some of these challenges and barriers including how to support and develop academics in delivery of online legal education and how to design effective online learning experiences which move away from online lectures to a more facilitative approach which engages students in their own learning.

This paper draws upon a pilot with level 1 law students at the Open University. These students were studying W100 Rules, Rights and Justice the first course in the Open University's LLB programme. This is an open access course (no formal qualifications are

required for entry) with about half of the students studying towards the LLB and the others towards other (mainly social science or business degrees) degrees. The pilot compared tutor groups who either receiving face-to-face or synchronous online tutorials via Elluminate (online conferencing tool).

The paper concludes that online teaching should have a place in the undergraduate law curriculum as part of a blended learning model using both online teaching and face-to-face teaching. However to ensure that the step into the unfamiliar is manageable it is essential that academics and students are properly prepared and supported and that the learning design is tailored to online teaching.

References

Dana, S. R. (2013) 'The Emergence of the hybrid delivery approach: Utilization of a six step instructional model for business law curriculum', *Journal of Legal Studies in Business*, vol 18, pp.159-190.

Gregory, J. and Salmon, G. (2013) 'Professional development for online university teaching', *Distance Education*, vol. 34, No. 3, pp. 256–270.

Hara, N., & Kling, R. (2000). 'Student distress in a web-based distance education course'. *Information, Communication and Society*, vol. 3, pp. 557-579.

Legal Education and Training Review (2013) *Setting the standards: The future of legal services education and training in England and Wales*. [Online] Available at <http://letr.org.uk/wp-content/uploads/LETR-Report.pdf>. (Accessed 7th February 2014).

Muilenberg, L.Y. and Berge, Z. L. (2011) 'Student Barriers to Online Learning: A factor analytic study', *Distance Education*, vol. 26, No. 1, May 2005, pp. 29–48.

Richardson, J. T. E. (2009). 'Face-to-face versus online tutoring support in humanities courses in distance education'. *Arts and Humanities in Higher Education*, vol. 8, pp69–85.

Shackel, R. (2011) 'Beyond the whiteboard: E-learning in the law curriculum', *QUT Law & Justice Journal*, vol. 12, no. 1, pp. 105-132.

Sieber, J. E. (2005) 'Misconceptions and Realities about Teaching Online', *Science and Engineering Ethics*, vol. 11. no.3, pp. 329-340.

Todhunter, B. (2013) 'LOL — limitations of online learning — are we selling the open and distance education message short?'. *Distance Education*, vol. 34, no. 2, pp. 232–252.