

not always be compatible with their own but which we need to try and accommodate while not compromising educational goals.

Ignoring the prospect of sweeping reforms, a partial and tentative strategy is to introduce more problem-solving exercises, which not only have a place for DR alternatives as possible procedures to be recommended to clients, but involve significant imaginative effort on the part of students in working out suggested paths for dealing with complex and evolving situations. This can be fostered by group discussion, commenting on videos depicting aspects of the situation in question and some representative role playing in front of the class.

Teaching criminology through interview-based assignments

M Israel

8 *Legal Educ Rev* 2, 1997, pp 141–159

Teaching students how to do something without allowing them to put it into practice may be a poor way of encouraging learning. For example, in a conventional research methods topic assessed by examination, students may be tempted to smile nicely at lecturers, learn the 79 facts needed and then promptly forget which researcher did what in which book. This is a surface as opposed to a deep strategy for learning. As a consequence, it appears that the further students go in their undergraduate degrees, the better they are at passing topics and the less interested and enthusiastic they are about what they are studying.

For each of the last five years, the author has asked students to conduct original research based on qualitative interviews, a form of research where people are permitted to answer questions for themselves and in their own terms. The interview-based assessment that required students to inter-

view someone who was involved or who had been involved in crime or the criminal justice system. Interviewees were not necessarily seen as representing some part of the larger social world. However, students were encouraged to contemplate the ambit of the claims that they made for their material and to consider to what extent the views of their interviewees might represent a larger group. Students wrote 3,500 word reports which related their experience in the interview to relevant criminological literature.

Students took the lead in choosing and researching their subject area. They had less choice about research methodology. The interview-based assignment required them to ask semi-structured and open-ended questions as they investigated the way their particular interviewees understood the world. There were several advantages in choosing a semi-structured approach. For example, the research tool was more likely to encourage interviewees to consider their relationship with their interviewee and their subject material than a standardised questionnaire. The method also had the potential to provoke an analysis of the plausibility and credibility both of the account provided by the interviewee and the representation of that account by the interviewer.

Of course, the interview has its limits as a research method. Distortions enter into the narratives provided by an interviewee. Sometimes mistakes of memory, deliberately misleading or distorted recollection, or poor understanding can undermine the accuracy of the account. In responding to these difficulties, students were asked to assess material in terms of internal consistency, cross check it with other sources and place it within a context provided by other interviews, other

documentary evidence and a theoretical framework.

With greater autonomy came greater opportunity to make mistakes and it was important that students were able to construct a research plan that was ethically defensible and methodologically robust. Research ethics were taught as an integral part of research practice, rather than an adjunct to a course on methodology. While students began to develop a series of generic skills in interviewing and research, they also had to apply this understanding to a specific area of interdisciplinary study, criminology.

Over the last three years, the author has continued to change the way in which he teaches criminology and has used an assessed interview-based assignment to try to support active learning. Students have been encouraged to develop an understanding of the tools and resources available to them, apply this understanding to a specific area and be self-motivated and reflective.

Creating a corporations law case study

B Dyer, M-A Hughson, J Duns & S Ricketson

8 *Legal Educ Rev* 2, 1997, pp 161–180

The study of corporations law is a struggle for many students. The concepts and structures addressed by the subject are complex, artificial and abstract. Moreover, students often lack direct experience of the operation of corporations and so have little concrete understanding of the phenomena which the law seeks to regulate. The main reason offered by the authors for seeking to develop a case study based on actual court proceedings for use in teaching corporations law is that they believe that such material has the po-

tential to ameliorate these kinds of learning problems.

The use of an appropriate case study has the potential to promote a range of learning outcomes for students, including the following: greater depth of understanding; better skills acquisition; increased motivation to learn; enhanced awareness of the choices facing parties; and greater appreciation of the different perspectives of the parties involved. Some of these benefits could probably also be achieved through the use of simulated files. However, the knowledge that a case study deals with real persons and events is likely to make it more interesting for students.

The preparation of the case study has been a major logistical exercise involving a number of complex legal and practical steps, which took approximately 10–12 months to complete. The major legal obstacles which arose were in the areas of confidentiality, copyright and legal privilege. A considerable amount of time was spent in meetings of teachers identifying and discussing potentially relevant cases in both the state and federal courts. In the end result, *Dynasty v Coombs* finally presented itself as the most appropriate case for our purposes, as it involved a number of transactions and documents, which, if presented to students, could give them a full insight into the nature and operations of the company.

Approximately 7–8 months were then spent obtaining the consents of the various parties to the litigation and selecting, compiling and editing the relevant materials. The final step in the process involved the development of commentary, questions and associated problem exercises and assessment tasks, so that the students could receive the full benefit of the case study.

There are at least three ways in which documents can be used in the teaching of a basic corporations law subject. First, materials can allow students to see examples of essential types of company law documents — providing *exhibits* for classes. Secondly, materials can be used as a source of illustrative factual or legal examples for use in covering a wide range of topics in class. Thirdly, materials can provide a factual or legal context upon which to base assessment tasks.

The authors are wary of generalising but overall their experience in developing a case study has confirmed their belief that materials of this kind offer significant potential benefits for teaching in this area. However, the development of these materials proved to be considerably more difficult than initially envisaged. In particular, obtaining the necessary consents from the parties and their legal advisers can be a hazardous process, in the sense that a refusal from even one may undercut the entire project. At the very least, it can be said that the development of a case study is very time-consuming.

Some of the obstacles the authors encountered flowed from the fact that they were seeking to build a case study around a real and identified case. There are several alternative approaches which could be considered, including using an anonymous case study (however, copyright consents must still be obtained) and the use of a simulated case study. Nonetheless, it is doubtful that either of these alternatives will make the development of a case study substantially easier and therefore the authors intend to develop further case studies along the lines of *Dynasty v Coombs*. Ideally, a *battery* of three or four studies would be required for the purposes of a subject such as Corporations and Business

Associations Law, which would allow one or two to be *rested* from year to year so as to ensure their freshness for successive classes of students.

TECHNOLOGY

Computer assisted learning coming of age

S Nield

15 *J Prof L Educ* 1, 1997, pp 31–49

There have been recent developments in the United Kingdom which have brought computer assisted learning (CAL) into every law school. CAL has its enthusiastic supporters and its fair share of critics. These varied reactions were to the first generation of computer assisted learning packages which were heavily dependent on linear structures and rather primitive multiple choice questions.

The Law Courseware Consortium's IOLIS package is hailed as the second generation of computer assisted packages that has addressed at least some of the identified deficiencies of the first generation. In 1996 an initial postal questionnaire provided some first reactions. Almost three-quarters of the law schools that responded were using IOLIS. The main message from this initial survey is that it will take time for both teachers and their students to integrate IOLIS into their teaching and learning, both as a result of technical difficulties and unfamiliarity with this different teaching and learning environment.

Not only do different people learn in different ways but different modes help the individual to remain involved with the learning process. Studies have shown that the computer provides a learning medium that is as effective as other forms of learning. Intellectually challenging material can test the resilience of any attention span but variety can help keep interest alive. If