

DOUBLE JEOPARDY? TEAM TEACHING IN A LAW SCHOOL ELECTIVE

ALISON CLELAND AND KHYLEE QUINCE*

The authors of this article had not taught or researched together before developing a new elective course for the undergraduate LLB program at the University of Auckland. They carried out a review of team teaching literature and of traditional law school teaching. They developed the course to be taught by both of them at the same time. While the initial motivator for using team teaching was to provide the most comprehensive view of the subject possible, the authors agreed that they wanted to inquire into whether team teaching could reduce the intimidation and surface learning that traditional methods caused. They also wanted to test the claimed benefits for team teaching, since very little of the research related to law. The inquiry collected qualitative and quantitative data. Students' responses to the method showed that they engaged with the lecture material more readily, that they participated in class discussions and debates more often, and that they found the lecture atmosphere less intimidating, than in traditional compulsory law school subjects. Although the students recognised different perspectives, the authors conclude that there is not yet enough evidence to state that the students learning was improved or deepened directly by team teaching.

I INTRODUCTION

The ability to identify both sides of an argument and to adopt and defend opposing positions is an essential skill for lawyers. Despite this, few undergraduate law courses make use of the most obvious method for modelling debate: having two lecturers discussing the issues at the same time. In designing a new law elective course, we placed the idea of the 'legal team' at the heart of the course delivery. We planned to explore topics by presenting contrasting perspectives to the students during lectures.

As we designed the course, we reviewed literature on traditional and team teaching methods of delivery, noting the drawbacks of the Socratic method and the claimed benefits of team teaching. It was notable that there was almost no literature on the use of team teaching in undergraduate law subjects. We decided to conduct an inquiry into our use of team teaching in the course. We wanted to know whether students would find the method helpful to their learning.

* Senior lecturers, Faculty of Law, University of Auckland, New Zealand.

This article firstly sets out the literature review that helped us to identify the dangers to student learning posed by traditional law teaching and the benefits claimed for team teaching. It then explains the research methodology used to conduct our inquiry into team teaching and analyse the data obtained. The conclusion considers the significance of the inquiry's results, not only for our own teaching, but also for law teaching more generally.

II EXPLORING APPROPRIATE TEACHING METHODOLOGIES

We have both worked in legal practice and are acutely aware of the potential impact – sometimes positive, often negative – of the law on clients' lives. Our areas of practice were criminal law (Khylee in Aotearoa/New Zealand) and child law (Alison in Scotland) and it was no surprise that we very quickly moved from discussion of similarities and differences in the two small jurisdictions, to specific consideration of their respective youth justice systems and the effects of these on the young people involved. Both New Zealand and Scotland have developed unique youth justice procedures that are regarded as largely in line with international law standards. We wanted to offer an elective in Youth Justice that would allow the students to explore the New Zealand youth court and family group conference system, in the context of international instruments and with a comparative element. We were passionate about allowing the students to explore the responses of legal systems to young people and to understand how, in practice, lawyers could be important advocates for young people. Youth Justice, an elective available to Part 3 and 4 students, was proposed and approved during 2008.¹

It was obvious that neither of us alone had all the knowledge and expertise required to bring the subject of Youth Justice to life for the students. In particular, the over-representation of Maori young people required a Maori critique of the Aotearoa/New Zealand system. Khylee's particular expertise is in this area. We began to explore the idea of operating in lectures as a 'legal team'. One of us could take responsibility for leading discussion on particular topics and the other would add observations and pose questions. Our model would be the classic legal team used to present a case in court. Each member of the team has particular strengths and the resulting arguments are stronger, since they draw on all aspects of the team's knowledge and expertise.

Our initial discussions about teaching as a team, then, arose from our desire to fill perceived gaps in our knowledge and to present students with the most comprehensive picture of the subject possible. However, as we planned the learning outcomes, content and methods of assessment, we discovered that we both had frustrations with the traditional teaching model used in law schools. We began to discuss moving away from a traditional model when implementing a team approach. As part of that discussion, we gathered relevant literature on both teaching methods.

¹ This was the first elective dedicated exclusively to the issue of youth justice to be taught in a New Zealand Faculty of Law as part of the LLB programme. We have had excellent support from the Principal Youth Court Judge and from other Youth Court judges, who have addressed the students.

A *Literature on traditional teaching methods*

Good teaching is nothing to do with making things hard.
It is nothing to do with frightening students.²

As we developed the course, we reviewed research on traditional law school teaching methods. The Socratic method has been the signature pedagogy of law school teaching in common law jurisdictions, since its introduction at Harvard Law School by Christopher Langdell in the 1870s. In addition to the Langdellian method, modern teachers of law also use a range of other techniques in teaching, including the ‘problem’ method or the more traditional ‘lecture-textbook’ method. The problem method involves providing students with written fact patterns to which they apply legal rules and principles to discern a ‘correct answer’. The lecture-textbook approach is more passive, with students receiving instruction by lecture that is supplemented by reading cases and texts to clarify understanding.³

We agreed that the literature suggested that law students’ engagement and learning could be at risk as a result of three factors: the use of the Socratic method; the demands of the professional curriculum; and the failure to accommodate individual learning styles. It would seem that rather than being driven by research determining ways in which students’ learning could be enhanced and their learning styles provided for, much law teaching falls back on these traditional methods as a quick means of conveying a vast amount of information. To some extent we believe this is the result of the tail wagging the dog – and the view that the externally imposed requirements to be satisfied for certain compulsory subjects cannot be met in any other way.

1 *The Socratic Method*

After observing Alison’s teaching in 2008, a colleague from another faculty had indicated that he was ‘quite traumatised’ by the classes he had been in. At that time, Alison was using the ‘casebook method’ in a compulsory course and her teaching was partly Socratic. The Socratic method is the traditional model used in law school teaching in common law jurisdictions. A case is dissected to understand the law, then questioning and answering between students and lecturer takes place, to challenge assumptions and examine assertions. Alison’s peer observer indicated that several students seemed anxious and unable to concentrate as they anticipated being asked to contribute or recovered from being questioned. We had both experienced this model as law students and versions of it were used widely in the compulsory subjects that we now taught. We reflected on the observer’s comments and talked about what aspects of existing law school teaching might be stopping students from learning.

We both agreed that student fear was likely to be a significant inhibiting factor. There would be a fear of the subject of law itself, which has a reputation as inherently difficult. That fear would be compounded by the use of Socratic – or even partly Socratic – interactions that required immediate student responses. The Socratic

² Paul Ramsden, *Learning to Teach in Higher Education* (Routledge, 1992) 98.

³ See Cynthia G Hawkins-Leon, ‘The Socratic Method-Problem Method Dichotomy: The Debate Over Teaching Method Continues’ (1998) *Brigham Young University Education and Law Journal* 1, 4.

method is regarded as the characteristic form of teaching and learning – what Shulman has called the ‘signature’ pedagogy⁴ – in law schools.⁵

Researchers have found that use of this method means that some students have far better chances of success than others because their personality types are much better suited to the teaching used.⁶ Women⁷ and minority ethnic groups can be placed at particular disadvantages.⁸ Feminist scholars claim that the ‘hierarchical and authoritarian’ approach of the Socratic method is counterproductive in its embarrassment of students and its lack of accounting for the relationships and emotions relevant to legal practice that are associated with a feminine ethic.⁹ It is claimed that the structure of the learning exchange at the core of the method is also masculine in its contest-like nature in which the student seeks the discernible objective truth.

In New Zealand there is a significant and growing body of research literature on effective teaching and learning practice for Maori students in all educational contexts. Known as *kaupapa Maori* educational theory, this invariably criticises existing ‘mainstream’ methods of teaching and learning, and posits an alternative culturally appropriate theory and praxis of education. Kaupapa Maori educational theory challenges the Cartesian tradition in learning (which is embedded in the Socratic method) that there is a value-free body of knowledge that can be obtained through application of reason and logic.¹⁰ While there is no direct research on the effectiveness of Socratic Method for Maori, we can extrapolate from kaupapa Maori educational literature that traditional teaching methods in law are likely to be less effective for Maori than other approaches.

A similar body of educational literature is being developed concurrently for Pasifika learners. Some of this research argues that distinct cultural values and behaviours amongst Pasifika communities – for example acceptance of teacher authority in a

⁴ Lee S Shulman, ‘Signature pedagogies in the professions’ (2005) 134(3) *Dædalus* 52.

⁵ The Socratic Method in its pure form is used predominantly in law schools in the United States of America, but a limited form is used in the common law jurisdictions in the United Kingdom, Australia and New Zealand.

⁶ Vernellia R Randall, ‘The Myers-Briggs Type Indicator, First Year Law Students and Performance’ (1995) 26 *Cumberland Law Review* 63. Vernellia Randall discusses ‘people of colour’ in particular and Khylee, who runs the Maori support programme, noted that there is no research on the effects of the Socratic method on Maori and Pacific Island students, who make up a significant minority of the student body in the University of Auckland Faculty of Law.

⁷ Jennifer L Rosato, ‘The Socratic Method and Women Law Students: Humanize, Don’t Feminize’ (1997-8) 7 *South California Review of Law & Women’s Studies* 37. Jennifer Rosato is supportive of the Socratic method, but advocates an ‘ethic of care’ in the classroom that will limit the psychological damage to all students, especially females.

⁸ Elizabeth Mertz et al, ‘What difference does difference make? The Challenge for Legal Education’ (1998) 48 *Journal of Legal Education* 1. This work carried out empirical studies of student participants in 25 law schools in the USA.

⁹ See, eg, Susan H Williams, ‘Legal Education, Feminist Epistemology and the Socratic Method’ (1993) 45 *Stanford Law Review* 1571.

¹⁰ See, eg, R Bishop et al, *Te Kotahitanga Phase 3 Whanaungatanga: Establishing a Culturally Responsive Pedagogy of Relations in Mainstream Secondary School Classrooms* (Ministry of Education, 2007); K Hawk et al, ‘The Importance of the Teacher/Student Relationship for Maori and Pasifika Students’ (2002) 3 *SET: Research Information for Teachers* 44.

unilateral learning environment with little student input – make the Socratic Method even less suitable than for Maori.¹¹

Further research has shown that physical and emotional problems can result from the intensely competitive environment in law schools.¹² Gerald Hess has argued that the law school experience removes students' enthusiasm and self-confidence.¹³ The net result of traditional teaching is to make students less confident, more stressed and more likely to take a 'surface' approach to learning. We agreed that this was what we saw in our compulsory classes and what we wanted to avoid in the new course.¹⁴

Socratic teaching in law schools uses the case-dialogue method that had been observed by Alison's peer observer and which had elicited such a strong negative reaction in him.¹⁵ Áine Hyland and Shane Kilcommins have argued that the case method can undermine student learning in various ways.¹⁶ First, the method suggests that inquiry into law is a scientific endeavour that can result in certainty about the content and meaning of the law, when in fact, law is highly contestable and will have social, political and cultural dimensions that are all relevant to its meaning. Karl Llewellyn has argued that 'the more "progressive" the school, the less time is left for anything but reading cases and chasing references'.¹⁷ Second, the method concentrates largely on decided appeal cases, while most legal practice will not be concerned with the complex, esoteric points that reach the appellate courts. O Kahn-Freund has criticised the method eloquently: 'Is legal education based on case law not like a medical education that would plunge the student into morbid anatomy and pathology without having taught him the anatomy and physiology of the healthy body?'¹⁸

¹¹ Some common threads of the kaupapa Maori and Pasifika educational research include the promotion of teaching approaches that are holistic and affirming of cultural identity, as well as the positive influence of non-lecture based teaching and learning. See, eg, M Clark, 'Cross-Cultural Issues with Students from the South Pacific' (2001) 57 *Australian Mathematics Teacher* <<http://www.freepatentsonline.com/article/Australian-Mathematics-Teacher/206688328.html>>; Dr Airini et al, *Success for All: Improving Maori and Pasifika Student Success in Degree-Level Studies* (Auckland Uniservices Limited, 2009).

¹² See, eg, Barbara A Glesner, 'Fear and Loathing in the Law Schools' (1990-1991) 23 *Connecticut Law Review* 627.

¹³ Gerald F Hess, 'Hearts and Heads: Creating an Effective Teaching and Learning Environment in Law School' (2002) 52 *Journal of Legal Education* 75.

¹⁴ The reader may well ask why we did not tackle the compulsory subjects themselves. The difficulties presented by the heavily information-based curriculum in these subjects and the economic necessity that one lecturer take one stream, in a year of around 330 students, presented enormous difficulties in the short term. We decided to use and evaluate team teaching in an elective, before discussing its possible use in compulsory subjects.

¹⁵ Introduced by Christopher Columbus Langdell, Dean of Harvard Law School, in 1855. The Langdellian case method is based on the premises that written court judgments are the empirical data that can be used to construct the law and that, since legal reasoning is deductive, legal principles can be discovered and deduced from reading and analysing cases.

¹⁶ Áine Hyland and Shane Kilcommins, 'Signature pedagogies and legal education in universities: epistemological and pedagogical concerns with Langdellian case method' (2009) 14(1) *Teaching in Higher Education* 29.

¹⁷ Karl N Llewellyn, 'On what is wrong with so called legal education' (1935) 35(5) *Columbia Law Review* 651, 663.

¹⁸ O Kahn-Freund, 'Reflections on legal education' (1966) 29(2) *Modern Law Review* 121, 127.

It seemed that the case method could be discouraging students from questioning the assumptions underlying the law and seeing its operation in a broader context. Hyland and Kilcommins conclude that the case method stifles the creative and critical emotions of law students and stops them from thinking analytically about law and its outcomes.¹⁹ In an extensive review of the use and impact of the case method, Russell L Weaver suggests that to avoid the limitations of the method, care should be taken in explaining aims and objectives of courses to students and in developing techniques for independent thought.²⁰

2 *The demands of the professional curriculum*

There is only one way to qualify as a lawyer in Aotearoa/New Zealand and that is by successfully completing a Bachelor of Laws (LLB) degree. The Council of Legal Education specifies the compulsory subjects that form the core of the degree.²¹ The professionally specified curriculum results in a degree that has a heavy emphasis on information transmission. As a result, students can be overwhelmed by the amount of material and have no time to think carefully about it. F Marton and R Säljö identified this type of learning as ‘surface’ learning and found that students who used this did not grasp the real meaning of the text.²² John Biggs and Catherine Tang note that there are several factors that will encourage ‘surface’ learning, including anxiety and trying to cover too much.²³ They quote Howard Gardner: ‘If you’re determined to cover a lot of things, you are guaranteeing that most kids will not understand, because they haven’t had time enough to go into things in depth [...]’²⁴

It seemed to us that the combination of the heavy curriculum and the use of the Socratic method would produce surface learners. Suddenly, we revisited the constant complaints of the law lecturer. Why did the students only care about ‘the answer’? Why did we see so much templating?²⁵ They were under extreme pressure due to the competition, the amount of material and the teaching methods used. We were unintentionally encouraging them to do what we did not want them to do.

We also noted that tests and examinations were used as instruments of assessment in all the compulsory subjects. We thought back to our own student days and agreed that ‘instruments of torture’ might be an equally valid description. The emphasis was on learning and reproducing large amounts of information judged essential by the Council of Legal Education and the Law Society of Scotland. Looking back, we regretted the limited chance to think about the law, to critically analyse it and to grasp

¹⁹ Hyland and Kilcommins, above n 16, 38.

²⁰ Russell L Weaver, ‘Langdell’s Legacy: Living with the Case Method’ (1991) 36 *Villanova Law Review* 517.

²¹ For discussion of the core subjects, see Chris Gallavin and Richard Scragg, ‘The Value of an LLB: Comparative Perspectives Between New Zealand and England and Wales’ (2006) 4(2) *Journal of Commonwealth Law and Legal Education* 123.

²² F Marton and R Säljö, ‘On Qualitative Differences in Learning – II: outcome and process’ (1976) 46 *British Journal of Educational Psychology* 115.

²³ John Biggs and Catherine Tang *Teaching for Quality Learning at University* (Society for Research into Higher Education, 3rd ed, 2007) 39-41.

²⁴ Howard Gardner, ‘Educating for Understanding’ (1993) July *The American School Board Journal* 20-24, 24 quoted in John Biggs and Catherine Tang, *Teaching for Quality Learning at University* (Society for Research Into Higher Education, 3rd ed, 2007) 40.

²⁵ It is common in the compulsory subjects for students to pass down templates or outlines of what should be covered in answers to test and examination questions from one year to the next.

its principles and concepts in a deep and meaningful way. We wanted the new course to provide students with these opportunities.

3 Assumptions about learning styles

Entry to Part II of the law degree is highly competitive and demand for places keeps class numbers high.²⁶ Research indicates that the use of large classes in the early years of the law degree assumes that students' needs are generally the same and that one style of teaching will suit all students.²⁷ Numbers in our compulsory course streams are typically around 100, with elective numbers around 60-80. There is an assumption that the main thing to be learned in law school is 'how to think like a lawyer' and that close textual analysis of cases and Socratic dialogue will develop these thinking skills. The assumption does not take any account of students' individual learning styles. Robin A Boyle and Rita Dunn tested the hypothesis (which they believed was widespread among law lecturers) that students would have similar learning styles because they were all pursuing a career in law.²⁸ They found diverse learning styles and that the traditional lecture would reach only around 30% of students.²⁹ John Sonsteng and colleagues had similar results.³⁰ They found that law students learned verbally, aurally, physically and visually.³¹

We agreed that there appeared to be little consideration given to the different ways in which our students might learn. Khylee also raised concerns about the different learning needs of Maori and Pacific Island students. She pointed out that while we had programmes designed to support these students, there has been no real attempt to introduce a range of teaching styles to accommodate these needs in the lectures themselves.

Our review identified some results of traditional law school teaching that we wanted to change or avoid: fear and anxiety arising from too much content and the use of the Socratic method; alienation of some students, by use of limited teaching techniques that took no account of difference learning styles; and encouragement of surface learning, by over-emphasis of content and use of particular forms of assessment.

B *Review of team teaching literature*

Our initial decision to teach together had not been informed by theories of the benefits to student learning and to teaching practice that might derive from our both being in

²⁶ From a class of around 800 students in Part 1 of the LLB degree at Auckland, only around 330 will be admitted to Part 2.

²⁷ Alice K Dueker, 'Diversity and Learning: Imagining a Pedagogy of Difference' (1991-1992) 19 *New York University Review of Law & Social Change* 101. The research concerns students at law schools in the USA; the key difference between these students and those in law school in New Zealand (and Australia and the UK) is that these are post-graduate students, rather than school leavers; it might be suggested – although the suggestion would require testing – that difficulties experienced by students who were 'different' would be more pronounced for younger, less experienced students.

²⁸ Robin A Boyle and Rita Dunn, 'Teaching Law Students Through Individual Learning Styles' (1998) 62 *Albany Law Review* 213.

²⁹ *Ibid* 227.

³⁰ John Sonsteng et al, 'Learning by Doing: Preparing Law Students for the Practice of Law – The Legal Practicum' (1995) 21 *William Mitchell Law Review* 111.

³¹ *Ibid* 137.

the class at the same time. As we had developed the course, we had thought much more about how the teaching methods used might affect the students' experiences. We now realised that we wanted to conduct an inquiry into our students' responses to the team teaching methodology. We therefore reviewed team teaching literature to place our practice in context and to identify appropriate research questions.

1 *Definitions of team teaching*

The first issue in the literature is the question of definition. Rebecca S Anderson and Bruce W Speck note that one of the key differences between definitions is whether they address the planning and implementation of the course or the actual teaching practice used in the classroom.³² There are definitions that emphasise the planning of the course and the joint responsibility for marking but in which each teacher will address the class alone.³³ There are some models that emphasise two or more teachers in the class at the same time.³⁴ Karin Goetz, in her analysis of the various forms of team teaching, identifies a range of different models.³⁵

Dick M Carpenter and colleagues found the same divisions in their review.³⁶ They adopted Lee C Deighton's 1971 definition: 'two or more teachers [who] regularly and purposefully share responsibility for planning, presentation and evaluation of lessons prepared for the same group of students.'³⁷

This definition extends the team approach beyond that of simply being in the class together. We felt that this definition was appropriate for our inquiry. We were making joint decisions on learning outcomes, content, assessment and teaching methods as well as working with the students together in class.

2 *Claimed benefits of team teaching*

The literature on potential benefits of team teaching drew experiences from a variety of settings, many of which were very different from an undergraduate law programme. There were studies dealing with language teaching,³⁸ adult education,³⁹

³² Rebecca S Anderson and Bruce W Speck, "'Oh What a Difference a Team Makes": Why Team Teaching Makes A Difference' (1998) 14(7) *Teaching and Teacher Education* 671, 672.

³³ See, eg, Rex Ennis, 'Team teaching in adult basic education' (1986) 26(3) *Australian Journal of Adult Education* 4.

³⁴ See, eg, E B Gurman, 'The effect of prior test exposure on performance in two instructional settings' (1989) 123(3) *The Journal of Psychology* 275, 275 where the author defines team teaching as 'an approach in which two or more persons are assigned to the same students at one time for instructional purposes'.

³⁵ Karin Goetz, 'Perspectives on Team Teaching' (2000) <<http://www.ucalgary.ca/~egallery/goetz.html>>.

³⁶ Dick M Carpenter et al, 'Testing the Efficacy of Team Teaching' (2007) 10(1) *Learning Environments Research* 53.

³⁷ Lee C Deighton, *The Encyclopedia of Education* (1971) 89 quoted in *ibid* 54–5.

³⁸ See, eg, Peter Boyd-Bowman et al, 'A comparative study in the teaching of Spanish through team-teaching and supervised independent study' (1973) 57(4) *The Modern Language Journal* 199; S S Magnan, 'Teaming teaching and modifying class size: An experiment in first-year French' (1987) 60(4) *The French Review* 454.

³⁹ Tom Stehlik, 'Reflections on Team Teaching in Adult Education: Opportunities for Professional Development' (1995) 35(2) *Australian Journal of Adult and Community Education* 101.

and nursing,⁴⁰ none of which seemed directly relevant to legal pedagogy. We wondered how far we could extend the perceived benefits in these studies to our own work. However, several clear themes emerged from the diverse studies.

The most frequently claimed benefit was the one that had set us on the team teaching path in the first place: bringing different perspectives to students. Students would hear different points of view and this would broaden their intellectual range of inquiry.⁴¹ Interestingly, this benefit also had a flip side which studies recognised: there was a danger of students being uncomfortable with different opinions and conflicts between teachers and becoming anxious about what the 'right' view might be.⁴² In her fictional dialogue between advocates for and against team teaching, Ingrid Shafer has the opponent of the model assert that all team teaching does is to confuse and frustrate students, while the proponent counters by saying that the Socratic admission of ignorance is the start of learning.⁴³ This engaging way of presenting the arguments is particularly relevant for those considering team teaching in law schools, given its reference to – and illustration of – the Socratic Method.

Another claimed key benefit to students is the increased likelihood of student-teacher interaction and encouragement of student participation in class. Educational theory states that engaging students in their learning will create the conditions for a transformative experience.⁴⁴ Fauneil J Rinn and Sybil B Weir refer to intellectual excitement as a direct benefit of there being two teachers in the class together.⁴⁵ We were enthusiastic about the prospect of using team teaching practice to model intellectual debates, to encourage our students to participate in these and to allow them to develop their own arguments and perspectives. Mike S Wenger and Martin J Hornyak found these outcomes emerging in their own team teaching as their interactions with each other and with the students became more complex.⁴⁶

The literature also discussed benefits to teachers and improvements in teaching practice. Francis J Buckley referred to clarification of class goals and to improved teacher morale and creativity.⁴⁷ S Caplow and M Fullerton found that team teaching improved their preparation and performance and noted that one of the benefits of team teaching in law was that legal practice was often collaborative and they were able to

⁴⁰ A E Garner and C Thillen, 'Is your school of nursing ready to implement interdisciplinary team teaching?' (1977) 16(7) *Journal of Nursing Education* 27.

⁴¹ Ibid 28.

⁴² Discussed in Garner and Thillen, above n 40 and in Anderson and Speck, above n 28.

⁴³ Ingrid Shafer, 'Team Teaching: Education for the Future' (2000) <<http://www.usao.edu/~facshaferi/teamteaching.htm>>.

⁴⁴ Lee Harvey and Peter T Knight, *Transforming Higher Education* (The society for Research into Higher Education and Open University Press, 1996) 9–10 where the authors state 'Students are encouraged to think about knowledge as a process in which they are engaged [...] an approach that encourages critical ability treats students as intellectual performers rather than as a compliant audience.'

⁴⁵ Fauneil J Rinn and Sybil B Weir, 'Yea, Team' (1984) 32(1) *Improving College and University Teaching* 5, 9.

⁴⁶ Mike S Wenger and Martin J Hornyak, 'Team Teaching for Higher Level Learning: A Framework of Professional Collaboration' (1999) 23(3) *Journal of Management Education* 311, 323–4.

⁴⁷ Francis J Buckley, *Team Teaching: What, Why and How* (Sage Publications, 2000). The author is referring specifically to secondary school teaching.

model such practice to their students.⁴⁸ A further benefit for a teacher may be the opportunity to engage critically with familiar material from a different perspective.⁴⁹

3 Practices to support team teaching benefits

Carpenter and colleagues point out that much of the literature on team teaching is 'overwhelmingly descriptive or qualitative in nature'.⁵⁰ They note that R S Schustereit's 1980 review of empirical research into team teaching showed that the results were inconclusive.⁵¹ In their own work, they found that while some measures of engagement and learning did improve following team teaching, some did not.⁵² We felt it was important to bear this in mind as we embarked on team teaching, particularly as much of the literature highlighted difficulties for students and teachers that could arise from the practice. The danger of student confusion has already been mentioned. Other dangers referred to were student anxiety about how assessments would be marked,⁵³ the unsettling effects for students of adjusting to different teaching and presentation styles,⁵⁴ and student suspicion of material coming from fellow students in discussions rather than from lecturers.⁵⁵

The literature contained descriptions of practices that could minimise the identified dangers. We tried to build these into our course structure and teaching plans. M A George and P Davis-Wiley describe how they drew up agreed marking criteria which they both then independently applied to papers.⁵⁶ Professors Anderson and Landy recommend that team teachers be explicit about mutually agreed standards, so that students are clear what is expected.⁵⁷ It is important to refer to, and if necessary explain, different styles that members of the team may use. S Caplow and M Fullerton discussed their different presentation styles with their students and commented on these in class.⁵⁸ If one of the benefits of team teaching is to increase student

⁴⁸ S Caplow and M Fullerton, 'Co-teaching International Criminal Law: New Strategies to Meet the Challenges of a New Course' (2005-2006) *Brooklyn Journal of International Law* 103.

⁴⁹ Charlotte Woods, 'Researching and developing interdisciplinary teaching: towards a conceptual framework for classroom communication' (2007) 54 *Higher Education* 853. Charlotte Woods is specifically discussing teaching and learning that crosses subject boundaries, but the comments appear equally applicable to the use of different perspectives within a discipline.

⁵⁰ Carpenter et al, above n 36, 55.

⁵¹ R S Schustereit, 'Team Teaching and Academic Achievement' (1980) 28(2) *Improving College and University Teaching* 85.

⁵² Carpenter et al, above n 36, 60. The authors found that graduates in an introductory research and statistics course did not have higher levels of achievement overall when team taught, as opposed to when taught by a sole teacher, but that they did have a statistically significant increase in their comfort with research and statistics, a factor likely to promote learning.

⁵³ Melissa C Leavitt, 'Team Teaching: Benefits and Challenges' (2006) 16(1) *Speaking of Teaching: The Center for Teaching and Learning Stanford University Newsletter* 1, 3 <<http://ctl.stanford.edu/speaking-of-teaching-newsletters.html>>

⁵⁴ Henry C Morlock et al, 'A Rotational Format for Team Teaching Introductory Psychology' (1988) 15(3) *Teaching of Psychology* 144.

⁵⁵ M M Helms et al, 'Planning and Implementing Shared Teaching: an MBA Team-Teaching Case Study' (2005) 81(1) *Journal of Education for Business* 29. The authors discuss students' initial negative reactions to formats other than the traditional lecture. MBA students are used to large formal classes, as are law students.

⁵⁶ M A George and P Davis-Wiley, 'Team Teaching a Graduate Course: a Clinical Research Study' (2000) 48(2) *College Teacher* 75.

⁵⁷ Professors Anderson's and Landy's approach is discussed in Leavitt, above n 53, 3.

⁵⁸ Caplow and Fullerton, above n 48. It was notable that in the feedback, the authors' students said

participation, then, logically, more class time should involve listening to the views of students rather than teachers. Barbara J Millis and Philip G Cottell, Jr note that it is not only students who are suspicious of group discussions; some teachers say that it is important for students to hear from 'the authority figure'.⁵⁹ Millis and Cottell refer to extensive research supporting the use of cooperative and active learning strategies and advise that teachers should explain to students exactly what they are going to do and why they think the activities will benefit the students.

III OUR INQUIRY INTO TEAM TEACHING

An honest assessment would show us that law schools have almost no use for teamwork.⁶⁰

Team teaching in law schools – at least in undergraduate classes – appears to be rare. There may be various reasons for this, including economic pressures and demands on staff time, and a perception that the concept of the 'team' is not one that is important to learning the law. The literature on team teaching contains very little analysis of possible benefits of team teaching in law schools. We hoped that we might be able to add something to the understanding of how the model could benefit law students and law teachers.

The project felt risky, however, and that is why we refer to 'double jeopardy' in the title. One risk that we identified at the start of the project was having our inadequacies as teachers exposed to each other. Although the literature did not always explicitly state whether the researchers had previously taught together, this could be deduced easily from surrounding information in the studies.⁶¹ It seems reasonable to assume that teachers may decide to work together where they have a level of trust that makes them comfortable with such close peer observation. We had never taught or carried out research together. What if we did not like the other's approach? What if our styles did not work well together?

A second risk was student resistance as we tried new teaching and assessment formats. The literature did set out a range of difficulties that might arise from the use

that at the beginning of the team taught course, they knew more about each teacher's style than the other teacher seemed to, since most had been taught individually by one or other (or both) of these law teachers; we were very interested in this and it allowed us to reflect on how our students might perceive our teaching styles, since many of the students enrolled in the elective had been taught by one or both of us previously.

⁵⁹ Barbara J Millis and Philip G Cottell, Jr, *Cooperative Learning for Higher Education Faculty* (1998, American Council on Education) 27.

⁶⁰ Beverly I Moran, 'Trapped by a Paradox: Speculations on Why Female Law Professors Find it Hard to Fit into Law School Culture' (2002) 11 *Southern California Review of Law & Women's Studies* 283, 294. Beverly I Moran is not specifically discussing team teaching, but contrasting the co-operative working that many women colleagues engage in and the individualistic, authoritarian nature of the teaching often used in law schools and which she argues suits male colleagues in particular.

⁶¹ The researchers had often written previous papers together and worked in the same field of inquiry for several years. See, eg, Judith A Winn and Trinka Messenheimer-Young, 'Team Teaching and the University Level' (1995) 18(4) *Teacher Education and Special Education* 223. The authors had been involved in writing projects together, before undertaking team teaching of mainstreaming children with special educational needs.

of team teaching. What if the enterprise was not a positive learning experience for the students? As we began our inquiry we felt that our professional credibility and reputations could be in jeopardy, although we believed the risks were well worth taking.

A *Research Methodology*

We offered the elective course for the first time in 2009. It was open to all students in Parts 3 and 4 of the degree. The elective ran in 2009, 2011 and 2012 and the numbers of students enrolled for those years were 73, 79 and 83 respectively. We wanted to collect three years worth of team teaching data to try to reduce the impact of 'teething troubles' on the inquiry. Our review of the literature had given us our project aim and objectives.

The aim was to explore benefits and drawbacks to student learning of team teaching in a law school elective. The objectives were to:

- (i) explore student expectations and experiences of team teaching;
- (ii) identify student responses to team teaching methods, particularly debates and discussions; and
- (iii) analyse the effects of team teaching on student learning.

The first objective was included to place the team teaching in the context of our Faculty teaching and of law teaching more generally. Given the natural 'fit' of a team style presentation for adversarial legal debate, we wanted to know whether students might have experienced this previously and what might be their expectations of the method. In respect of the second objective, we were particularly interested in whether students' responses to the method would change over time. If there were anxieties as identified by the literature, these might dissipate as the course progressed. We planned to gather student data midway through the course and at the end.

The third objective was problematic. The effects of any method on learning may emerge a long time after a course has finished. Learning may be influenced by many factors, only some of which are within the lecturers' control. We knew that any conclusions about improved learning – or otherwise – would be limited to a snapshot of a portion of the students' experiences.

We felt that it would be ideal to collect both qualitative and quantitative data, and wanted to use student focus groups during the course and at the end. Group discussion was seen as an appropriate way to allow the students to explore their reactions to the teaching method and any changes in their views that occurred as the course progressed. It was hoped that this format would also encourage reflection on what the effects of the teaching might have been on learning. We would also use a quantitative questionnaire. Students are very familiar with evaluation questionnaires at the end of courses and we thought this would ensure a fairly high participation rate.

1 *Satisfying ethical concerns: 'buffering'*

We were clear about what we wanted to do and how we wanted to do it. However, to gain ethics approval for the research, we had to make several modifications to the data

collection methods. The reason for the modifications is best described as ‘buffering’. We were the teachers and we would be marking the students’ work and giving them grades. It was essential to the integrity of the research and the freedom of choice of the students that they were completely confident in their decisions about whether or not to participate. They needed to know that these decisions would have no bearing on how their performance on the course would be assessed.

Data collection had to be anonymous. This meant that we were to have no knowledge of which students, if any, participated in focus groups. It also meant that we should have no access to digital voice recording of the groups, since we might have been able to identify individual students. We were extremely lucky that Dr Ian Brailsford, the Head of the University’s Academic Practice Group,⁶² agreed to be our research assistant. He conducted and recorded all focus groups and provided us with transcriptions of the discussions.⁶³

Anonymity was not an issue in respect of the questionnaires. However, we could not use the usual practice of collecting these in class. Students might have felt inhibited in expressing criticisms of our teaching when their final assessment had not yet been marked. We arranged for the questionnaires to be handed out by administrative staff once we had left the final class and for the students to place their completed questionnaires in a box in the Faculty office. Students were advised that we would have no access to the completed questionnaires until final marks for the course had been released.⁶⁴

2 Responding to student apathy

We had been concerned about student resistance to a new teaching method. But that was eclipsed in the middle of the first semester of 2009 by a more pressing concern: would we manage to collect any data at all?

To ensure that the students did not feel any pressure from us to participate in the research, we asked Dr Brailsford to address the first class in our absence. He explained what we were trying to do and why and said that he would be in touch about the focus groups. A week out from the designated date for the group, there were no volunteers. Several reminders by Dr Brailsford eventually produced a few students, but the average participation rate over the three years – eight and a half per cent – was very disappointing.⁶⁵ We (through arrangements made by Dr Brailsford) tried increasing participation in various ways. The only change that appeared to affect numbers at all was the offer of pizza, but even this did not increase buy-in greatly.

The end of 2009 produced a further disappointment: only three questionnaires were returned from a class of 73 students. We concluded that the use of the drop-box at the

⁶² Dr Ian Brailsford has been advising the Faculty of Law on teaching and learning matters for several years. We are immensely grateful to him for his assistance and wise advice during the inquiry.

⁶³ We had a confidentiality agreement with the transcription service. Dr Brailsford placed the recordings in a secure drop box. The transcriptions were sent to him, with any identifying student information (such as students calling each other by their names) removed. Dr Brailsford then sent the fully anonymised transcripts to us.

⁶⁴ The advice was given in the research Participant Information Sheet.

⁶⁵ Focus group participant numbers were 7 of 73 in 2009, 10 of 79 in 2010, and 3 of 83 in 2012.

Faculty office could be the problem. It did not seem prudent to rely on students remembering to deliver the questionnaires, particularly if they had other classes after ours. Despite our ethics statement that we would use the reception box, in 2011 and 2012 we asked Faculty staff to collect questionnaires in the last class and to retain them for us until assessment was complete. The result was a 19 per cent return rate.

B *Research findings*

At the end of our inquiry, we had quantitative data from 44 questionnaires and qualitative data from a total of 20 students who had taken part in 4 focus groups. The questionnaire had 6 pages and contained 33 questions on five topics,⁶⁶ with one open ended 'any other comments' question. We were pleased to note that the material in the focus group transcripts was very detailed and that the students had explored the possible effects on their learning of the team teaching method.

We analysed the extent to which the material met the three research objectives and grouped the findings into three headings:

- (i) Student experiences and expectations of team teaching
- (ii) Student responses to team teaching
- (iii) The effects of team teaching on student learning.

1 *Student experiences and expectations of team teaching*

Student responses overwhelmingly indicated that they had not previously experienced team teaching as defined by Deighton, that is, with two or more lecturers interacting with them at the same time. Only four students out of all those who took part in the focus groups or completed the questionnaires indicated such previous experiences and none had been in a law subject.⁶⁷

It was clear that most students had experience of what many of them described as 'block' teaching in the compulsory subjects of the law degree: 'multiple lecturers, but never in the same lecture sort of thing. Like one will do their part and then they'll leave and then another one will come on.' This methodology was very familiar to the students and it influenced some of their expectations of what team teaching might be like: 'I thought it might be a bit more traditional like the other law papers where they kind of tag team, they're not in the class at the same time.'

Many students had no expectations, positive or negative about the teaching method: 'I didn't have many expectations of it, I was just like, "oh yeah, could be different."' Those who did, often said that they were excited or intrigued to see what the course would be like: 'I thought it might be interesting to see how there was a balance between two different outlooks on the same topic.'

Students were asked to identify any initial concerns they had about team teaching. Eight did so and, of these, six mentioned lack of clarity or confusion in respect of

⁶⁶ Topics were: previous experience of team teaching; initial attitude to team teaching; response to teaching method; response to assessment methods; and views on quality of learning.

⁶⁷ The four students each mentioned different settings: a tertiary foundation certificate, an accounting course, a commerce course and while working in high school as a teacher.

material because contrasting views would be given.⁶⁸ All these concerns were noted in questionnaires and, on each one, the student added that the concerns had not arisen or had been dealt with.

2 Student responses to team teaching

To gauge students' responses to our team teaching, the focus groups and questionnaires asked a range of questions. There were three questions dealing with some of the dangers that the literature had highlighted. Students were asked if it was clear who was in charge of each class, if they thought that both lecturers had equal authority, if the teaching methodology had been clearly explained and if they knew exactly how assessments would be marked. Every student answered each question 'yes', with several in the focus groups saying 'definitely' and one saying: 'incredibly clear – they really went on about it.' We were delighted that our planning had avoided some of the potential difficulties – even if it did appear that we had laboured our explanations at times.

Students were specifically asked to comment on the use of small group discussion and on the whole class debates and discussions. In the first year, we had booked break out rooms for the small groups. The students were very anxious about losing lecture time as they moved into the rooms:

[I]n the beginning they were breaking out into groups and it just seemed to be a lot of time. I don't know, I mean I think they thought what came back was probably quite good but I just felt like it was a waste of a lot of time. I mean I think you could do it in different ways and they have tried to do that where you just turn to your neighbour and talk about something or, so they're wanting to get that same discussion but the actual break away groups I just don't think were that effective.

Several students approached us and asked that we stop using the break out rooms. The class representative explained 'we just want to hear from you guys'. This was somewhat dispiriting, but we changed our practice and asked the students to form small discussion groups in the lectures. The research data suggests that we may have been too hasty in giving up the approach. One student said: 'when we broke into the smaller groups I was much more comfortable, like I didn't know any of the people in the group, which was fine, but it was more comfortable being in a less formal kind of atmosphere. And so you're able to exchange and everyone kind of feels like equal.' Another commented:

When you had a good group, the discussion was really good and I got to develop ideas and you get to know other people, what they take from the readings. Cos sometimes you read something and go "I don't understand what that's all about" and then you talk about it and you go "oh yeah, I get it now."

While responses to the small groups were mixed, students were overwhelmingly enthusiastic about the class debates and discussions. Two linked themes emerged. First, the format made the classes less daunting: 'Yeah, it was less intimidating, especially with sort of the core papers, like land and equity, in the huge lecture theatres and you never want to raise your hand.'

⁶⁸ The other two concerns were contradictory expectations for assessment and which person to go to outside class with questions.

In some lectures those, that minority that actually talks makes you feel really dumb, like you don't know enough about the subject. But because of the culture and how the lectures were structured you actually felt like even if you didn't participate you, you're not as, you're just like everyone else, you're not dumber, or what-not, it was just, yeah, really good.

Second, the format encouraged participation: 'I don't like to contribute in class generally, but I felt like we were sort of given a mandate to because there was already an interruptive flow, or it was structured that way so that it didn't seem like you were interrupting a lecturer if you asked a question or made a statement.' Others said:

I've definitely been more involved, like I've asked a couple of questions in class which I don't normally do. So this course was a lot more interactive and I think it was because team teaching made it feel less formal ... because if you're in the class and there's one person you all focus on that but if those, if your lecturers are both interacting with each other and encouraging everyone else to interact it's a lot less, I don't know, authoritarian.

It's not like your normal law class. I find like you'll go and sit in Family [Law] or whatever and it's kind of the same people that say the same thing all the time. But with Youth Justice there's, just the way they teach and how, it feels a lot more relaxed and less formal which I think encourages a lot more people to speak and it isn't the same people you're hearing from all the time ...

Students also appreciated the opportunity to hear different perspectives on the topics discussed: 'I guess coming from such different backgrounds they can give different perspectives, so obviously Scottish versus New Zealand.'

The different perspectives that students specifically mentioned were based solely on ethnicity or jurisdiction:

They were good because they raised different points as well and also because there were like lots of people coming from different like ethnic backgrounds, it was quite good to see their point of view and then Khylee and Alison also have their own views from, obviously Khylee from the Maori background and Alison from the Scottish UK kind of view so yeah that was quite good.

Alison's definitely giving a more sort of Scottish/European perspective because that's what her speciality is. And then Khylee's probably, they complement each other quite well really because Khylee's such a kiwi girl, it's a really full on kiwi perspective and approach.

It was not surprising that students identified these perspectives most easily. Our different accents and discussion of practice in different jurisdictions would have reinforced them throughout. We were disappointed that there was no reference to some of the different theoretical perspectives that we had tried to present.

Students were specifically asked whether they thought that the team teaching format would work or be appropriate in other law school subjects. The majority of students who answered this question were clear that the approach would not work for the compulsory papers.⁶⁹ Several said that courses with 'more content' or that were

⁶⁹ A significant minority of those completing questionnaires stated they were not sure or did not know whether there were courses for which team teaching would not be appropriate.

statute-based should not use the approach. Contract, Company and Tax law were mentioned as particularly problematic.

The literature had noted that students could be anxious when presented with differing views. Our students seemed comfortable with this. In fact, several questionnaire comments suggested some students would have liked us to argue with each other more. Interestingly, they linked their positive reactions to the perceptions that we got on well together. One student said:

I do question whether team teaching can work for others because I know Khylee and Alison are so close and they socialise outside of uni and [are] quite good friends I would say. Whether it would work maybe if the team of lecturers weren't friends outside, maybe there would be a power struggle or something.

3 The effects of team teaching on student learning

Students were asked whether the teaching method helped their learning and if so, in what ways. They were also asked whether the format helped them to challenge our views and the views in the readings. We were very pleased that some students took time to answer these questions in detail.

Students identified several effects of our teaching:

- holding their interest;
- providing coherence to the subject;
- enabling them to challenge academic views; and
- providing different perspectives.

The clearest effect of the team teaching was that it held the students' interest better than a single lecturer would: 'They'd ask us a lot of questions during the lectures. Which was good, and we'd talk about things. Which is, I find it a much better way of learning than just being lectured at for two hours, so that was really good.' The student comments suggested that the effect was to entertain them and this does not necessarily suggest deeper learning:

I personally really like it, like I really like this style of teaching, it's more, it just, they're able to hold my interest a lot longer than just one lecturer, cos sometimes just one lecturer can be very hard to listen to and they both seem to work really well together, they're able to bounce off one another.

Students equated our personalities and the way we worked together with the level of their interest: 'Do you know what I mean, like it wasn't like two teachers who you didn't want to be in the same room with. With these guys you actually wanted to learn and you did learn because they made it really enjoyable, they made it understandable. So yeah, it was really good.'

Our different practice experience was often commented on positively:

I think one thing that really helps in the learning process for people, things that people really appreciate is anecdotes and stories, especially from people who have practised, so when you have two lecturers you just have twice the wealth of experience and anecdotes and I think that's quite valuable and makes the paper more enjoyable.

Students often contrasted our teaching with ‘block’ teaching in the compulsory subjects. They felt that the team approach gave more consistency and coherence to the way a subject was taught: ‘I much prefer this way of teaching rather than people coming in, doing their stint and then leaving, for lots of reasons just it’s harder to try and see all the links between sections when people do that.’ Another said:

I like having different lecturers, but the thing that makes it sometimes hard is when you’ve got to try and merge those different concepts, like if you were to have two lecturers in Contract that would be very different ... So that’s why I think working, like having both lecturers in the room at the same time so they all know what’s going on works better than having people just coming in for their like, two or three weeks kind of thing.

The results suggested that the method was at least partially successful in enabling students to challenge the academic views that they heard from us and encountered in the readings: ‘Because they occasionally disagree with each other it was easy to feel comfortable holding a conflicting view.’ Comments from the questionnaires reinforce this: ‘Analysis was particularly aided by having two lecturers give their views – it was interesting to see where they did not agree.’ This was an encouraging comment: ‘Presentation of more than one view encouraged me to work at formulating my own, rather than just absorbing what is taught.’

As noted above in the discussion of responses to team teaching, students identified as useful the different perspectives that we presented:

I do find that it is quite good to have two different kinds of opinions happening in the class, where it does help us, or it does help me, is to sort of look at things from the different angles and how to approach the issues, yeah. I do find that quite helpful. Hm, and plus they make it really clear that “I don’t agree with you on this point because blah, blah, blah”.

This comment: ‘I think it’s really good, it gets a better discussion going, it gets more perspectives going...’, and this one: ‘I think it was good to have some different views and show where areas were more unclear or controversial’ both suggest that the method allowed exploration of different viewpoints.

The results of our inquiry suggested that the team teaching approach engaged students more effectively for longer and that it helped them to identify and challenge different perspectives. But did this indicate deep learning? We had decided to use a team teaching approach partly because we were persuaded that more traditional teaching approaches in law school encouraged surface learning.

Marton and Säljö’s research into different outcomes from learning described students’ approaches to study as surface learning and deep learning.⁷⁰ In contrast to surface learning, in which students tried to rote learn material to reproduce it later, deep learning involved students in a search for meaning, in order to understand the

⁷⁰ F Marton and R Säljö, ‘Approaches to Learning’ in F Marton, D Hounsell and N Entwistle (eds) *The Experience of Learning* (University of Edinburgh Centre for Teaching, Learning and Assessment, 3rd internet ed, 2005) ch 3.

material. Marton and Säljö showed that deep learning was associated with student work that was qualitatively better than work produced by surface learning.⁷¹

We had introduced the new elective and the new teaching approach simultaneously. We therefore had no control group of students who had experienced youth justice taught in a traditional way, which meant we could not compare work produced under both approaches. Instead, we had two potential sources of data on deep learning. We examined transcripts for indications that students were constructing meaning from what they were reading and hearing. We analysed questionnaire answers about how students thought the approach had affected their learning.

Some student comments from the focus groups did suggest that they were beginning to construct their own understanding of the material: 'approaching issues from different angles got me thinking. I now understand that everything comes with a perspective and background.' Some students seemed to be approaching the material in a more questioning, analytical way as a result of the way in which we had presented the issues. Most students completed the questionnaire section about how team teaching had affected their learning. None said the approach had a negative effect on their learning. Some students simply stated 'it was better' or 'it helped' without further explanation. However, there were several indications that deep learning could be occurring: 'it made me think more about the issues' and 'the class discussions were good for showing me other ways of looking at things'.

We found it particularly encouraging that some students were beginning to think about how they learned. Deep learning can involve students monitoring their developing understanding.⁷² We deliberately held focus groups during the semester and at the end of the course, to explore whether the students' views about team teaching changed over time. There were no changes in views of team teaching since the students had not previously experienced the approach. However, a few students referred to the ways in which they were learning:

They raised different points as well and also because there were like lots of people coming from different like ethnic backgrounds. It was quite good to see their point of view because a lot of what they had to say wouldn't normally even enter my head.

I took more notes in this class because there was a lot more information being shared yeah and just because there was always kind of two or more views on something.

Several positive themes emerged from the students' responses and we concluded that there were some indications that deep learning was beginning to take place for some students. However, one fascinating exchange in a focus group, reproduced here in full, reminded us that no matter how much effort we put into creating the conditions

⁷¹ For detailed discussion of Marton and Säljö and other research on deep and surface learning, see K Trigwell and M Prosser, 'Improving the quality of student learning: the influence of teaching context and student approach to learning on learning outcomes' (1991) 22 *Higher Education* 251.

⁷² N Entwistle and A Entwistle, 'Revision and the experience of understanding' in F Marton, D Hounsell and N Entwistle (eds), *The Experience of Learning* (University of Edinburgh Centre for Teaching, Learning and Assessment, 3rd Internet ed, 2005) ch 9.

in which deep learning may occur, some students will choose not to use that opportunity:

Researcher

So were there any negative impacts of that sort of mode of team teaching on your learning in the course?

Participant 1

It was just like I kind of felt like “oh my gosh this is going to go on and on, where does the debate end? It just seemed a bit endless. Limitless.

Researcher

Okay

Participant 3

It might depend on your approach to the class, though. I think some people approach it really wanting to understand issues on youth justice and then it can be really helpful and engaging. I think I probably approached it more for “I want my 10 points” and that’s probably how I approach university, get a degree not an education.

Participant 1

Which isn’t necessarily the way you should do it, but then it can be frustrating because you kind of feel like “What’s the right answer? What can I put in the exam?”

Participant 3

This isn’t a course for that. And it probably should be flagged as such. It’s not one where there’s a right answer. You don’t have long established case law, you don’t have massive tomes written on it. You have to think. So in that respect it’s actually quite refreshing, but it could be frustrating if you were just in it for the...

Participant 1

For the 10 points.

Participant 3

For the mark, yeah.

Ironically, although these students had been asked to identify any negative impact from the team teaching, their responses suggested some positive effects on student learning. The references to ‘endless’ and ‘limitless’ pleased us. It sounded as though we had really managed to open up the topics and present some of their complexities. We loved the suggestion that our course should be ‘flagged’ as one that did not provide ‘the right answer’. We are considering the inclusion of the following in the course book: ‘Warning: this course requires you to think. Enrolment may severely sharpen your intellect.’

IV CONCLUSIONS AND FUTURE CONSIDERATIONS

Our initial decision to team teach arose from our desire to present students with the most comprehensive view of our subject that we could. The results of our inquiry suggest that we succeeded in presenting students with different perspectives and in encouraging at least some of them to explore their own and others’ assumptions and views of the material, and to challenge those. The fact that there were always two lecturers in the class who had demonstrably different backgrounds and experience

interacting with the students together, reinforced the broader and more contextual approach that we hoped the students would adopt.

We can also say with some confidence that the use of this model of team teaching increases students' engagement during lecture time. Two teachers can hold student attention better than one, and for longer. Participation in class discussions and debates was at a high level compared with students' experiences in some other courses and this indicated that students were more engaged in what was happening during the classes. It might be argued that the increase in participation could have led to the higher learning outcomes of synthesis and evaluation which are seen in B S Bloom's taxonomy.⁷³ We would need a further inquiry to confirm this, probably involving analysis of completed student assessments.

Our inquiry showed that it is possible to overcome the difficulties that can sometimes arise with team teaching. We had identified the difficulties and tackled them in two ways: through class structure and through detailed explanations given to the students in class time. In fact, our students felt that the course was presented more coherently than in some 'block' taught courses and commented that the coherence helped them to learn. This confirmed to us that we had managed to avoid the danger of confusion and turned our dual input into an advantage for the students.

One further benefit to emerge from our inquiry was the creation of a less intimidating lecture environment. This appeared to have given some students the confidence to challenge their own and others' opinions of the issues under discussion. Taking this with the different perspectives that we presented to the students, we might hope that some deep learning began to occur. Again, evidence of this would have to be sought by looking at students' written work.

We do not have the evidence to state categorically that student learning was improved by our use of team teaching. What we can say is that their engagement in lecture time was increased and that we created an environment in which high quality learning might have occurred. However, if one of the measures of deep learning is the confidence and ability to analyse and synthesise, then some of the students' negative reactions to the small group work must be considered. We did not see an increase in the students' appreciation that discussing material with their peers would produce valuable material and improve their learning. Perhaps the necessary confidence in small group discussion needs to develop over time. We may have given in too easily to the students' requests that we stop using the small groups. Perhaps if we had persisted with the groups, the evidence of their value would have changed the students' attitudes towards them.

In the future, we intend to reinstate some small group work and spend more time explaining to the students why we think that work will be beneficial for them. We also intend to disagree with each other more in class, challenging each other and inviting

⁷³ B S Bloom et al, *Taxonomy of Educational Objectives: Cognitive Domain* (1956, McKay, New York). The learning objectives in the original version were knowledge, comprehension, application, analysis, synthesis and evaluation. A revised version of the taxonomy is available at <http://www.odu.edu/educ/roverbau/Bloom/blooms_taxonomy.htm>. In the revised version, the intellectual behaviours are remembering, understanding, applying, analysing, evaluating and creating.

the students to defend or attack our positions. We were encouraged that some students specifically expressed disappointment that we had not engaged in more arguments. We have now developed a comfortable team teaching style and are less anxious about confusing the students or exposing our inadequacies to each other. Over the three years of the inquiry, our concerns about the risks we faced have dissipated and we are confident about and committed to continuing with team teaching in the course.

One other issue emerged from our inquiry. When our students talked about their experiences in the Part 2 compulsory subjects, they confirmed the research messages about traditional teaching in law. They described being intimidated. They noted confusion when different lecturers presented different parts of some courses. As they explained how our classes were different from those in the compulsory subjects, they left us in no doubt that they believed that the lecturers in those subjects did not want them to question, to challenge or to think for themselves. We were slightly bewildered. Khylee teaches criminal law, Alison contract law. Except for the fact that we lecture on our own in the classes, we have the same approach in these subjects as we do in Youth Justice. We explain about contestability, about arguing in the alternative and about the policy contexts. Why do the Part 2 students not take this on board?

We wonder if the answer might be that students cannot disentangle the teaching methodology used from the content of the compulsory courses. Students appear to have fixed and rather pessimistic views of what they will be expected to learn in the compulsories. These views may stop them appreciating how different teaching methods can help them to learn. If we do ever decide to introduce new methods in a Part 2 subject, it will certainly be challenging.