



Frontiers, Opportunities & Challenges: Teaching Law to non-Law Students

Monday, 11 June 2018

Venue: Victoria Business School, Rutherford House, 23 Lambton Quay, Wellington

All presentations will be held on the Ground Floor in Lecture Theatre 3 (RHLT3)

- 9.00 am Coffee and registration (Ground Floor Rutherford House)
- 9.30 - 9.40 am **Welcome** – Susan Corbett, Victoria University of Wellington
Opening Remarks – Professor Ian Williamson, Dean, Victoria Business School
- 9.45 - 10.45 am **Keynote presentation: “Teaching Law in a Business School: Frontiers, Opportunities and Cautionary Tales”**
Professor Carolyn Sutherland, Deputy Head and Director of Research, Dept. of Business Law & Taxation, Monash Business School
Chair: Amanda Reilly, Victoria University of Wellington
- 10.45 - 11.15 am Morning tea (Mezzanine Floor)
- 11.15 - 12.15 pm **“Employment opportunities for Commercial Law Majors”**
Panel: Neil Cherry (Deputy Chief Executive, Department of Corrections), Belinda Clark (Law Commissioner, New Zealand Law Commission), Deborah Hart (Executive Director, Arbitrators’ and Mediators’ Institute of New Zealand), Chong Lim (General Manager Professional Practices, Audit New Zealand)
Chair: Susan Corbett, Victoria University of Wellington
- 12.15 - 1.00 pm Lunch (Mezzanine Floor)
- 1.00 - 1.45 pm **Keynote presentation:**
David Rutherford, Human Rights Commission
Chair: Jonathan Barrett, Victoria University of Wellington

1.45 - 3.00 pm **Presentations:**

Amanda Reilly and Jonathan Barrett, Victoria University of Wellington: “The Business and Human Rights Agenda - what part can business law teachers play?”

Laura Griffin, LaTrobe University: “Challenging students with legal thinking: putting non-law students in a teacher’s shoes”

Dawn Duncan, University of Auckland: “Telling stories of law to non-law students”

Chair: Samuel Becher, Victoria University of Wellington

3.00 - 3.15 pm Afternoon tea (outside Lecture Theatre 3)

3.15 - 4.30 pm **Presentations:**

John Horsley, Manukau Institute of Technology: “Theory and Practice: teaching law in a multi-ethnic business school”

Christina Tao, Victoria University Melbourne: “Is English the barrier to fostering legal skills for English-as-second-language students?”

Alexandra Sims, University of Auckland: “Assessment: Crowdmark for Marking Tests and Exams”

Chair: Trish Keeper, Victoria University of Wellington

4.30 – 5.00 pm **Roundtable Discussion:**

“Getting Rid of the Equation: Ways to encourage and assist students who are not used to disciplines that are language based”

Chair: Feona Sayles, Massey University

5.00 - 5.10 pm Close

**Optional programme:
Drinks and dinner at the Thistle Inn, 3 Mulgrave Street, Wellington**



Abstracts

The Business and Human Rights agenda- what part can business law teachers play?

Amanda Reilly and Jonathan Barrett, Victoria University of Wellington

There is growing pressure on business to be cognisant of, and to address the human rights impacts of their operations. Business schools around the world are responding to this in various ways. This paper poses the question “what part can business law teachers play?” in responding to this imperative. It provides a partial answer to this question by describing initiatives undertaken by law staff based in Victoria Business School. In doing so it will provide an argument in favour of business law teachers staking out a claim to this area. It will also describe some of the resources available to help in the development of teaching materials as well as reflect on some of the challenges encountered.

Challenging students with legal thinking: putting non-law students in a teacher’s shoes

Laura Griffin, LaTrobe University

Teaching law to non-law students brings unique challenges and demands creative pedagogical solutions. In particular, the key skill of legal problem solving often stretches non-law students beyond their comfort zones, as well as their preconceptions of law. In an institutional context of massive enrolments, a packed curriculum, and limited English language capacity, how can we help students to demonstrate their understanding of legal principles through application rather than merely recall or explanation?

This paper outlines creative strategies which have been employed in a large (1000+ enrolments) subject teaching introductory business law to non-law students in Melbourne. At a basic level, this involves the standard use of models like IRAC for legal problem solving, and provision of sample answers. Extending beyond these tools, we can also equip students to engage more critically with legal problem solving, specifically by putting students in the position of a teacher scrutinising solutions to problem questions. Thus students become able to critique their own and others’ work. In this presentation I will discuss how these techniques have been used in a blended learning mode, with both online and face-to-face components, and their impact on the development of students’ legal problem solving skills.

Telling stories of law to non-law students

Dawn Duncan, University of Auckland

This presentation will explore some of the current thinking on narrative as an educational device, and how a range of narrative techniques might be employed to help engage non-law students in the study of law. It will be a reflection on the “stories” of law we tell to non-law students, how these differ from the stories of law traditionally told to law students, and how we might better develop and utilise these stories in the classroom and assessment.

Theory and Practice: teaching law in a multi-ethnic business school

John Horsley, Manukau Institute of Technology

A rich vein of scholarship exists regarding legal education in law schools. While much of this is drawn from the wider field of educational research, there is a forty year history of critical analysis of law teaching, supported by relevant theory. This has been largely context-driven, responding to the changing demographic of law schools. Kolb's experiential learning theory and Relational-Cultural theory, for example, offer valuable insights into the challenges facing law students in their studies.

A contrasting position is found in non-law school teaching. Historically, legal scholarship has been scarce, with research tending to focus on empirical studies. In part, this can be attributed to the business school model which locates law amongst separate business disciplines, creating a challenging environment for business students in their law studies.

There are benefits to be gained from a review of the law school research and the paper will assess a number of theoretical frameworks relevant to business school student cohorts. This analysis will then be measured against the learning environment and teaching practices of a large multi-ethnic business school in South Auckland, the M.I.T. Manukau campus. With a student body comprising over 100 nationalities and a sizeable number of new migrants and adult learners, experimental and innovative teaching/learning is encouraged and expected.

The paper will assess a number of initiatives of the M.I.T. Manukau law teaching team, with varying levels of success in delivery, resources, assessments and student support. These initiatives will be evaluated against the theoretical frameworks and associated practices, with insights and learnings identified.

Is English the barrier to fostering legal skills for English-as-second-language students?

Christina Tao, Victoria University Melbourne

My teaching experience, teaching taxation law to business students, stimulates me to discover barriers of legal education and evaluate the course design, especially for students speaking English as a second language.

Language might not be regarded as the essential barrier of studying by considering reasons below.

- If English as second language students successfully enrol in a degree, they have met the English requirements.
- Regarding English as the key barrier might be a misperception caused by the combination of English speaking countries and their common law systems.

In the table 'Countries with English as an Official Language and the Language of Instruction in Higher Education' shows that – only one out of 46 countries is applying civil law system; 10 countries are applying common law system along with civil law system and/or others; 35 countries with English as an official language are applying common law system. When the legal education is provided in the above countries, it may initiate a notion that English as the language in high education set up barriers for English as second language students. What if the key barrier is not English but the Common Law System?

To answer this questions, I will conduct survey of 40 English as second language students who are studying taxation law (undergraduate/postgraduate) in English. The survey will list out five sections, including English skills, the difference of two legal systems, the difference of higher education, the difference of legal skills in home country and host country and other reasons, each of which will be filled by several subsections.

The result of the survey will be analysed to identify reasons causing obstacles for students who speak English as second language. Expectantly, a thorough allocation of syllabus and a specific course design will be proposed to facilitate students' legal skills.

Effective, efficient marking with Crowdmark

Alexandra Sims, University of Auckland

Marking is a challenge – it's time-consuming, done to deadline, and often involves admin that takes us away from the more enjoyable aspects of teaching and research. Crowdmark addresses these issues by allowing for efficient online marking by an individual or a group. It significantly reduces the time taken to share tests and exams between markers, collate marks and return assessment and feedback to students. It also reduces errors in the marking process, such as entering incorrect marks and allows for improved feedback to students. This presentation covers our experience using Crowdmark in Commercial Law to demonstrate how it works for tests and exams, including set-up. Students write their answers by hand on specially printed A4 pages, the scripts are then scanned and all the marking, entering of marks and return of marked scripts, is done online.

While Crowdmark is not the perfect solution for all assessments, this seminar will show that it's very good at what it does do: generating considerable time-savings and providing students with richer feedback within shorter turn-around times.