

Nourishing the teacher - peer tutor - student learning chain

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This is about one dynamic that underpins our first year law tutorial programme - providing a story telling environment for our law tutors.

First some background, to set the focus in context. The LLB foundation course attracts over 700 students and consists of three modules over two semesters: legal history, legislation (statutory interpretation) and case analysis (the doctrine of precedent). Entry to second year law is restricted to 200 places. Competitive entry therefore makes for a very stressful teaching and learning environment.

The 6-hour exam gateway to second year is a true 'on the fly' test of both acquired knowledge and the ability to problem solve using legal techniques. Students coming from a high school culture, where assessment modules have a high incidence of internal assessment, regard this prospect with real fear. Therefore a tutorial programme supplements LAWS 101 lectures - it provides for iterations of oral argument skills and the submission of closely assessed formal legal writing (opinions). Excellent tutoring may well provide the extra impetus and skills consolidation for successful entry to the full LLB degree.

Most tutors are senior law students in the final years of their conjoint degree programmes.

Overtly, the following practices inform their tutor 'training':

Partnership - Forming at the outset a relationship with tutors as colleagues, while simultaneously maintaining the teacher-student relationship, is vital. (Most of my tutors study Evidence with me in the senior school and need to be made aware that they are still entitled to discuss evidentiary difficulties with me without it damaging their credibility as tutors). This reflects how their relationships may be structured in the early years of practice – sometimes as the expert, skilling up employers on recent law, and always as learners.

Autonomy - It is also a basic premise that tutors need freedom to select the best way to energise their tutorial groups as working units (as each group has a different collective personality). So there is no teaching template; methods are at the tutors' discretion, although suggestions are made. The absence of continuous formal reporting or supervision of their performance is also a conscious choice.

Responsibility - This is collective, although there is recognition of the degree of commitment for each tutor via an individual teaching evaluation at the end of the year (largely for the tutor's benefit and use as part of their curriculum vitae).

So a commitment to tutoring is based around the expectation that tutors will be capable of peer formative assessment, peer modelling and peer support. In other words pedagogy, practice-based and pastoral skills are demanded of them. But since no tutor assessment of the 5 legal opinions and three one-hour practice tests will feed into the final mark, asking tutors to maintain commitment (when they are not responsible for summative assessment) poses a challenge.

This is strategically but simply managed – offer to feed them and they will come. And they will do what any ‘family’ does while sharing food – they will tell stories. So we breakfast together on Fridays. Attendance requires staunchness from a group of senior students who frequently put in 60 or 70 hour working weeks and whose habit it is to use Thursday night for R and R and to then work through the weekend. These meetings are for the sharing of anecdotes, forums for advice and for discussion of substantive tutorial content if (rarely) necessary. In other words, it is largely about telling teaching stories to each other, as a way of weaving the tutoring commitment into the fabric of their days.

Overtly, those stories are about the difficulties first year students exhibit when trying to internalise clinical legal skills that are by now deeply embedded in their tutor’s psyche. Covertly, they are also stories about the tutors themselves - for the tutor-student relationship is as close as many tutors get to a client style relationship during law school.

So tutoring is not merely a simple transactional relationship. While it prepares LAWS 101 students for the exam vortex, it also provides tutors with the opportunity to undertake best practice pedagogy in a professional context, to conduct power imbalanced relationships ethically and to engage in advocacy (both professional and pastoral) on behalf of their student-clients. After all, educating clients, acting in their best interests without conflict of interest and achieving the best outcome is the irreducible sum of these tutors’ future professional identity.

The ‘story’ motif is also one that will percolate their professional context. Lawyers in practice actively use stories - as a way to debrief and to mentor or to up-skill colleagues. So if storytelling is the discourse which lawyers use to navigate their professional world, it is fitting this is also how the tutoring relationship is strengthened.

In this sense, execution of the tutorial programme therefore offers as much to tutors (in terms of their own development as future lawyers) as the content is designed to offer to their student-clients as law students). Those who see that sub-text invariably rise to its challenge.

Last year, my senior tutors even took time out from dissertations and exam preparation to write 7-page submission on the strengths of the programme and how it could be even more valuable. That degree of commitment required a working lunch with myself and the Dean – somehow offering breakfast just did not cut it.