Recommendations

Issue: Multiple Choice Tests in Law Units

1. That there be training in how to write well formatted Multiple Choice Tests (such training could be provided by Guy Hall and Jaimie Beven).
2. That Multiple Choice Tests should be formatted to allow students to argue or explain their answers.
3. That the Law School considers creating a Policy concerning when Multiple Choice Tests are appropriate.
4. That generally the use of Multiple Choice Tests should be limited to 10% of the Final Grade.
5. In order to lighten the marking load of Lecturers, the Law School considers outsourcing the marking of Multiple Choice Tests.

Issue: iLecture

6. That prior to Enrolment, there is some mechanism stating whether or not the units are iLectured so that students can make an informed choice and manage their time. If they are not recorded, it should also state the reasons why iLecture isn't being used.
7. That as an additional learning tool iLecture should be used in all Core units and should be encouraged in electives where its use is appropriate.
8. The Law School should investigate using iLecture to offer units externally as is currently done at Charles Darwin University.
9. That Lecture attendance should be encouraged.

Issue: Murdoch Law's TER

10. To improve communication between the School and Students about the Law School's response to this issue.
11. That the Senior Executive Group be invited to a forum where students can talk to them about the decisions being made about TER (to be held as soon as possible)
12. That the Law School and Dean of Law be Congratulated and Thanked for their efforts so far on this Issue.

**Issue: Legal Theory as a Core Unit**

13. That the Law School should survey the views of students on whether a Perspectives Requirement is important and whether that should be Legal Theory
14. That the Law School should survey the views of the Legal Community on whether a Perspectives Requirement is important and whether that should be Legal Theory
2006 Murdoch Student Law Society Education Forum
Minutes

Forum opened at 4:35pm (12/09/06)

Welcome speeches delivered by Peter Clay and the Professor Gabriël Moens.

**Issue: Multiple Choice Tests in Law Units**

Liz Seggie raised this issue and outlined that:
- Multiple choice is fine if not more then 10%.
- “People who haven't studied can go into a multiple choice exam and get distinctions, people who study can go in and fail”
- Problem comes when there are 2 answers that are similar. Unfair to analytical thinkers.
- However, Multiple Choice can be a good buffer between a 40% essay and a 60% exam.
- It has the potential to unfairly cost people marks.
- Its possible that the use of multiple choice is employed to lessen the workload of lecturers.

**Debate:**

Question – How often is there multiple choice in law?
Response – 2 in electives this semester have multiple choice.

Tristan Cockman – The problem is that technicalities slipping people up. Multiple choice becomes more of a test on a student's ability to know Multiple Choice technicalities, not their understanding of the law. For example, their ability to notice modifier words like “only” or other words like “any”, “never”, “always” etc. I think it is stupid that an error not based on a misunderstanding of the law should lose people marks, especially when each question is worth like 2.5% of a grade for the Unit. i.e. 10 questions worth 25%

Jaimie Beven (Lecturer) – Uses multiple choice as one of the assessments in some of her units (as it is appropriate to the content of the unit). She usually has 1/3 marks Multi Choice, 1/3 short answer, and 1/3 of marks for one long answer (one paper). That way there is something there for everyone. Acknowledged that there can be poorly constructed Multiple Choice Test and the suggested the possibility of some kind of training in writing these exams.

Jeff Geoghegan – There is no need to know the answers so long as you know the method to find out the answer from reading the question.

Peter Clay Suggested Test along the lines of 2003 Research and Writing Multiple Choice Test. The format was 5 questions, each question was followed by the possible and an area for optional explanation of the answer. Marks were awarded for the correct answer or incorrect answer with correct reasoning. No marks were awarded for the incorrect answer or for the correct answer with incorrect reasoning. This suggest was met with general approval.
Jeff Geoghegan – In 2005 the LAW130 Criminal Law Mid-Semester was Multiple Choice. Following the test, the class had the opportunity to argue the points. Marks were awarded where the reasoning was accepted.

Liz Seggie – No such chance in the 2003 LAW130 Criminal Law Mid-Semester, generally people did poorly.

Associate Professor John Mugambwa – Personally doesn't like multiple choice. Setting a Multiple Choice Test is difficult. However, the marking is easier and they are being forced by the workload to adopt this kind of test. They have deadlines and as such have a limited amount of time to mark papers which, in core units, can be up to 250.

Peter Clay thanked John for giving students the opportunity to skip a question of their choice in the LAW332 Commercial Law Mid-Semester.

Jackson Allen – There is a mix of badly and well written Multiple Choice exams. You will never get a multi-choice question that can be answered to a HD Standard (you can't show a HD standard of thinking and analysis in a Multi-Choice test). Problem questions allow for more thought

Ernest Chua – If the increased use of Multiple Choice tests is due to the increase in the number of students then there should be some consideration of how many students there needs to be before Multiple Choice is appropriate.

**Recommendations:**

1. That there be training in how to write well formatted Multiple Choice Tests (such training could be provided by Guy Hall and Jaimie Beven).
2. That Multiple Choice Tests should be formatted to allow students to argue or explain their answers.
3. That the Law School considers creating a Policy concerning when Multiple Choice Tests are appropriate.
4. That generally the use of Multiple Choice Tests should be limited to 10% of the Final Grade.
5. In order to lighten the marking load of Lecturers, the Law School considers outsourcing the marking of Multiple Choice Tests.
**Issue: iLecture**

**Peter Clay** outlined the concerns that had been raised by students in the lead up to this forum:
- There was no way of knowing whether or not a unit was iLectured prior to being enrolled
- There was no easy way of finding out why a Lecturer had decided not to use iLecture
- Some Core Units are not being iLectured (also some Electives)

**Debate**

Renae Mabey – No problem with things not being iLectured. We are an internal university. However, it should be in the unit guide to allow students to know and properly decide.

Tristan Cockman – Most units should be iLectured. The arguments against it, such as people not showing up and consequently not getting the best learning experience, aren’t a good enough reason not to iLecture. Its a matter of personal responsibility. Students must take responsibility for their own learning. In any event, if only 10 people show up to the lecture, they will have a better understanding and get better feedback from the Lecturer.

Cheyne Jansen – People who attend lectures use iLecture as a revision tool in the lead up to exams.

Liz Seggie – Did Tax (iLectured unit). There were 7 to 8 people who went to the lectures. The unit ran really well despite the low turnout. There was good discussion. Also, as someone who goes to the lectures, iLecture is good as a means of revisiting the lecture, especially if the Lecturer spoke too fast and a vital point was missed.

Jeff Geoghegan – iLecture helps to free people up to assist with extra curricular activities – iLecture and iPod is a selling point for Murdoch, we should follow through on that.

Basil Newnham & Renae Mabey – There are copyright issues stopping iPod

Kendra Hagan – Wants to avoid the bad blood that can occur if the first meeting between Student and Lecturer is a confrontation in terms of “why are you not iLecturing”. This can be solved by making the reasons for not iLecturing easily available.

Jaimie Beven (Lecturer) – Doesn't use iLecture. Understands the comments made about students taking Personal Responsibility, but feels it is part of the job of a lecturer to ensure that students are learning well. There are also huge difficulties in using iLecture (can't use a DVD or show videos).

Kendra Hagan – units lectures with DVD could iLecture all but the lectures with DVDs, and inform students that the particular lecture is not being recorded.

Dr Vernon Nase – Wasn't going to do iLecture, but decided he had no choice based on the University's push on iLecture. Has come from somewhere where the lectures are not iLectured. Feels uncomfortable with iLecture. Feels he is double tasking between the lecture and iLecture. Does it because ultimately it is in the students' interest.

Jackson Allen – Agrees that attending lectures is better. However, in 2004 he had to choose between quitting his job to attend Core Unit lectures or doing the unit by iLecture. Finished with a
distinction in that unit. Its his call whether he is doing the unit. The technology is there, we've paid for it and so it should be used.

Renae Mabey – We are spoilt. Don't get upset if it iLecture is not used, it is a privilege, not a right

**The question was put to the forum. Approx 75% said iLecture was a Right, around 25% voted for Privilege.**

Comment from the floor: If you are not going to offer law units that are external, you have to have iLecture, especially for people who work.

Liz Seggie on Double Tasking – the point of iLecture is to get the core bits of the Lecture.

Craig Williams – Doesn't know of anyone who listens to iLecture because they didn't want to attend the lecture.

Rohan Mabey – iLecture is there for those who don't have a choice in whether or not to attend the lecture. In a class of 300 there are going to be people who inevitable can't attend one or multiple lectures.

Scott Fitzpatrick – There were people in the aisles in this years LAW120 Research & Writing... it should be iLectured (as it is full)

Amy Smart – Perhaps it should be iLectured as this is a core unit. However, if you have chosen to do an elective unit, you have made a commitment to do that unit and you should be there.

Basil Newnham – People can be unavoidably detained (called into work in an emergency, illness, family emergency etc) despite being able to make it to the lecture when they enrolled.

Kendra Hagan – Question: Does iLecture significantly effect iLecture or the quality of learning.
 – Makes attempts to attend lecture. However, must occasionally rely on iLecture. Had to call lecturers to find out whether they were offering iLecture prior into enrolling.

Comment from the Floor: Look at Charles Darwin University (CDU) in the Northern Territory. They offer units externally on iLecture. Murdoch should have a look at it and consider that approach.

Jaimie Beven – Thanked Renae Mabey about pointing out some of the side effects of iLecture (missing a lecture means missing out on non-verbal communication which assists in learning). Pointed out that iLecture training is hideous. Lecturers are instructed that if they change to the next slide they must tell the people on iLecture.

Peter Clay – That kind of training is insane. The best kind of iLecture is where the Lecturer has ignored it and just gave the lecture normally. Taking the steps suggested by the Training would be detrimental to the quality of both the lecture and the recording.

Dr Nase – Question: Why hasn't the University mandated that we iLecture?
Professor Gabriël Moens – Answer is the concept of academic freedom to teach the way in which an academic wants to teach. Also, we should not overlook the fact that iLecture is merely a substitute for the real lecture. You miss out on much of the non-verbal communication. Students should become responsible for their own unit and iLecture militates the achievement of this goal. For example, a self learner might go and read a book to clarify the points in missed lectures.

Jackson Allen – No one would say that it is just a substitute. On the issue of self-learning, it is different and more beneficial then a book in that you can see the lecturers focus in teaching the course. On academic freedom, whilst AF is important, it alone should not prevent iLecture being widely available to students. Last semester Mining was offered. At the time he did not know if was offered in 2007 and felt obliged to do it in order to pursue his intended career. Had it not been iLectured, he wouldn't have been able to do that unit. Core Units need to be iLectured and Electives should be.

Professor Gabriël Moens – We need to remedy this by offering more electives annually. There were substantially more units will be substantially more units in the future.

Renae Mabey – On self learning (raised by the Dean), as an Equity Student, readings take twice as long. Having iLecture is a really good way of increasing equity of access as it is not feasible to rely solely on reading to catch up.

Kendra Hagen – Her view is that is that iLecture is a right. Whilst Lectures need to be interactive and she hates having to iLecture, she must use it from time to time. Its just another learning tool.

Jeff Geoghegan – How many people actually participate in lectures? A handful who would usually be at lectures anyway regardless of iLecture.

Craig Williams – Some academics don't want things recorded. When it gets political they don't want it recorded.

Jaimie Beven – Would never use iLecture for the lecture on Sex Offences Against Children. Wants to see and deal with the reaction to this topic.

Liz Seggie – Some Lecturers Deal with passages they don't want recorded by turning iLecture off momentarily. This does not need to prevent the rest of the unit being iLectured.

**Recommendations**

6. That prior to enrolment, there is some mechanism stating whether or not the units are iLectured so that students can make an informed choice and manage their time. If they are not recorded, it should also record the reasons why iLecture isn't being used
7. That as an additional learning tool iLecture should be used in all Core units and should be encouraged in electives where its use is appropriate
8. The Law School should investigate using iLecture to offer units externally as is currently done at Charles Darwin University
9. That Lecture attendance should be encouraged.
Issue: Murdoch Law's TER

Amy Smart – Our TER is 80. This equates to an average of 55% over 4 TEE Subjects. This is something that is the subject in ridicule. It has dropped from 95 to 92 to 90 to 80. Question: Who determines TER?

Professor Gabriël Moens – The Law School has almost no control, last year it was in the hands of the University who wanted to let the Law TER to be 62. This was raised to 80 after a revolt in the Law School. The Dean has had meetings with the senior executive group that will lead to a dramatic increase in future years. It can't be repeated for the sake of our reputation. The Dean has also frequently gone to all major law firms explaining the problem, why it isn't a problem and the specific steps that are being taken to rectify it.

Question: What will it go up to?
Professor Gabriël Moens – Don't know precisely.

Question: Why was it low?
Professor Gabriël Moens – Need more students. It is misleading to say that our TER is 80. The vast majority had students 90 or above. ECU is in a much worse position. They are having trouble filling their lecture theatres and it seems their TER is going to go down dramatically.

Comment from the Floor: TER is just a number and that Murdoch encourages alternative pathways to Law and thus should not be discouraging people under 90.

Peter Clay – I agree that we shouldn't be excluding students from 80 to 90 TER. Some of our best students would've had TERs around that level. However, it is more then just a number. The alternative pathways are designed in such a way that the co-ordinators keep an eye on their capacity to study. Thus I am not against letting people with TERs lower then around 90 do law provided that they first demonstrate that they are capable of studying law (by achieving well in Legal Studies or another Bachelor Degree). Some of the best law students started in Legal Studies then transferred to law.

Johanna Weaver – Was in that position (started as a Legal Studies student, subsequently transferred to Law and has since become the 2006 Senior Mooting Champion and member of the Vis Team). The time maturing before entering Law School helped her do well at Law School.

Liz Seggie – The chance of vast Improvement in the 3 months between TEE and 1st year University is Slim. More time is needed.

Group – This issue is about Murdoch's Reputation.

Rowan Mabey – As a first year, he was shocked at how low the Murdoch Score was and this lowered his view of coming to Murdoch. The low TER could turn away the better students. Secondly, how will this effect graduates.

Amy Smart – TER is more then performance on one day, it goes over a year of work.

Jackson Allen – They should come into legal studies, then transfer to law.
Renae Mabey – Having a low TER is damaging to our reputation

Jackson Allen – He was angry about it for the whole year. However, since hearing of the Dean's efforts in responding to the issue, he is now a lot more reassured.

Jeff Geoghegan – Reputation problem has spread beyond the legal community.

Liz Seggie – Could we get the people who make the decisions on the TER to come to a forum style event? Advertise it and you will have the lecture theatre packed.

Peter Clay – Just to clarify. Our TER cut off was 80, that was the lowest score let in. Murdoch only has around 10 students with a TER lower then 90 (in a class of around 200). You also need to remember that TERs are dropping across the board. This is for 2 reasons. The first reason is the Resources Boom. More students are taking up trade positions instead of doing TEE because of the opportunities on offer, causing TERs to drop. Consequently, a 90 today would be on the same level as a 92 before. Secondly, there are vastly more Commonwealth Places available, meaning that supply is satisfying demand (simple economics that the “Price” drops i.e. Cut-Off Score).

Jeff Geoghegan – UWA Law School is making offers to TERs below 95, just covering it well.

Professor Gabriël Moens – Murdoch is too honest.

Jackson Allen – It would be interesting to get statistics on failure to see how the 2006 1\textsuperscript{st} years are going.

Craig Williams – Is letting in the extra people for money worth the loss in student that will result from a drop in reputation?

**Recommendations**

10. To Improve communication between the School and Students about the Law School’s response to this issue.
11. That the Senior Executive Group be invited to a forum where students can talk to them about the decisions being made about TER (to be held as soon as possible).
12. That the Law School and Dean of Law be Congratulated and Thanked for their efforts so far on this Issue.
In response to an issue raised before the forum, the forum considered whether Legal Theory should be a Core Unit.

Kendra Hagen – Currently doing Legal Theory, it hasn't been enjoyable, but she believes it should be a compulsory unit. How can you practice if you don't understand the model of theory you are using.

Peter Clay – Toni Buti asked me to point out the view that this unit teaches highly important skills, ideas and ways of thinking that are not found in any other unit.

Craig Williams – Would hate to do that unit, its just basic political concepts.

Amy Smart – Its not just an understanding of legal thinking that makes this a valuable unit, it has unique assessments such as oral presentation.

Kendra Hagen – Annoyed about how the Oral Presentations are being marked (by using the same criteria as the written submissions). Also, the content needs to be adapted to make it more clear how this Unit relates to the law.

Renae Mabey – Chose to do the unit even though it isn't a Core Unit for her because it's the one unit that is not about substantive law. Its the only time you think about why the law is the way it is. Its good in the sense that it encourages research. Making it compulsory means people will learn a valuable lessons.

Jeff Geoghegan – Questioned whether Renae's approach is still valid for those interested in becoming practising lawyers.

Peter Clay – Spoke with a Parter in Litigation at a major firm a few months ago where I suggested that I did not want to do Jurisprudence. She responded that she believed everyone should do the unit as it was really useful in terms developing of critical thinking and problem solving, things that are just as important as substantive law.

Craig Williams – It is irresponsible to send people out if they do not know how to think in the legal context.

Ernest Chua – There are 2 issues here, firstly do we need P type units, secondly, if we need this type of unit, should that be Legal Theory or a choice of P units.

**Question 1 put to the Forum and passed almost unanimously. Question 2 put, but forum chose to discuss rather then answer with a show of hands.**

Liz Seggie – didn't want to do P and would jump at P and R. If she had to do legal theory, she would avoid doing another P unit to get the R.

Craig Williams – German law students do a whole year of Jurisprudence.
Peter Clay – Perhaps, if these thinking techniques are so important, they should be touched upon in units other than Legal Theory.

Amy Smart – The skills and subject matter is unique and important enough to merit its own unit.

**Recommendations**

13. That the Law School should survey the views of students on whether a Perspectives Requirement is important and whether that should be Legal Theory.
14. That the Law School should survey the views of the legal community on whether a Perspectives Requirement is important and whether that should be Legal Theory.

**Conclusion**

Peter Clay thanked everyone for attending, especially the staff who had made it. Gave special thanks to the Law School for supporting this event including sponsoring the Refreshments. Also thanked Miriam Everall, Lyn Tooley, Sharon Owens and the rest of the Law School office for the fantastic work that they do in ensuring the Law School runs smoothly.

Forum Closed at 6:30pm