



Using E-Learning As A Method To Conduct Work Integrated Learning For Law Students In South Africa

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Abstract

This paper is the result of an investigation into the usage of E-learning as an alternative to placement of students in practice or industry in order to complete the work integrated learning component required for completion of their qualifications. In South Africa tertiary institutions are burdened with the responsibility of placing students in industry or practice and difficulty is experienced at the Vaal University of Technology to place all the students and to ensure that the students in fact experience true work integrated learning. An alternative had to be found in order to ensure that law students that have completed their law qualification, enter the work place as functional and knowledgeable professionals with all the necessary skills to be fully competent. By distributing the work integrated learning component throughout the whole course and utilising E-learning, students do not have to be placed in practice or industry for months, but by participating in E-learning their submissions and simulations are assessed by practicing attorneys and advocates and moderated by the lecturer in control of work integrated learning, in order to ensure that the students adhere to all the requirements that industry or practice set for a Labour Law Practitioner or Legal Assistant. Every semester has a work integrated learning module relevant to that semester's and previous semesters' theoretical learning. The paper illustrates how work integrated learning as facilitated for Law of Evidence, Criminal Law, Criminal Procedure Law, Human Rights Law, Legal Practice, Law of Delict, Labour Law, English and Computer Skills is implemented at the Vaal University of Technology. The result is that industry or practice is brought to campus and more specifically to the students in stead of taking the students to industry or practice. This alternative method alleviates the burden of placement and also accommodation of students in industry or practice, whilst still ensuring skilled graduates.

1. Introduction

A paradigm shift in teaching and learning methodology is required in order to fully leverage the opportunities offered by technology. All students at Vaal University of Technology have access to the internet, either via smart phones, laptops or computer laboratories at the university, paving the way for E-learning. In addition it also is difficult to place students in practice for 3 to 6 months for practical training and a way had to be found to bring practice to campus. The author implemented the usage of E-learning in the Department of Legal Sciences at the Vaal University of Technology as an integral part of the Work Integrated Learning (WIL) component of the legal qualifications offered by the department. Law practitioners are more prepared to participate in this structuring of the WIL component rather than accommodating students for months on end in their practice.



By making use of online learning, the role of the lecturer transforms into one of facilitator and the role of the student changes from passive observer to active participant, which stimulates deep learning, critical thinking and problem solving skills. This is the true meaning of learner centeredness.

The course is structured in such a way that each semester includes a WIL module related to previously acquired knowledge and skills. This paper addresses utilising E-learning as one of the tools in the WIL component modules in the Legal Assistance qualification.

2.How does it work?

2.1 At the start

The ideal is that the students must do most of the work and participate as much as possible. According to McCombs and Vakili [1] the definition of learner centred is "... the perspective that couple a focus on individual learners - their heredity, experiences, perspectives, backgrounds, talents, capacities, and needs – with a focus on learning – the best available knowledge about learning and how it occurs and about teaching practices that are most effective in promoting the highest levels of motivation, learning, and achievement for all learners." Learner-centeredness is thus an extensive interaction of programmes, practice and people. These interactions are facilitated by the lecturer/facilitator, with practicing attorneys and advocates as mentors.

At the beginning of the module, the students are given the opportunity to familiarise themselves, once again, with E-learning and this can be achieved by an ice breaker activity. The ice breaker is created by the students themselves giving them the opportunity to take ownership of their own participation and become motivated to do more and learn more.

Clear instructions on what exactly is expected from the student are provided by the facilitator. This is effected by means of regular posts in the website, the specific outcomes of the E-learning facet of the module and the rubrics for each activity are available on the website. The students are thus able to evaluate themselves against the specified outcomes.

Online learning support systems are in place in order to coach students in the online learning process and provide students with opportunities to liaise with the facilitator. Online tutorials are provided by the facilitator in order to assist students to obtain all the necessary skills for successful online learning.

Students are trained in the usage of the Internet and relevant programmes for online learning. Hyperlinks to resources could be placed on the website in order to give students the opportunity to learn how to research. At a later stage students must be able to conduct internet and legal research themselves. This is facilitated by regular coaching by the facilitator until each student is on the required level to conduct his/her own research, for instance to know that Wikipedia is not a reliable internet source in the discipline of law or that law in other countries differs from South African law and is therefore not applicable.

2.2 Blogging

Students are given the opportunity to participate in blogs with other students thus ensuring that each student experiences a sense of belonging, it also stimulates critical thinking and creativity. [2] Students can reflect on their E-learning experiences, collaborate with other students and comment on literature reading by using a blog. Real world simulations, video clips, etc. are posted on the blog in preparation for the application of attained knowledge and skills that will be expected from the students once they enter practice. The facilitator creates problem solving activities to stimulate critical thinking and thereby creates opportunities for students to apply new and previously acquired knowledge and skills. There are numerous relevant video clips available on YouTube and the students are then requested to comment on the clips making use of a blog and they must substantiate their comments by referring to South African law applicable to the situation. An example of such a clip is police brutality.



2.3 Discussion Forums

Discussion forums are created by the facilitator in which relevant and challenging statements are made or questions asked by the facilitator in order to provoke critical thinking by the students and opportunities for commentary are created. Conflicting viewpoints should be provided by the facilitator in order to motivate a student to analyse his/her own perspective. It is also advisable to create a disorientating atmosphere in order to stimulate learning. [3] Using the critical question technique the students are challenged to defend their viewpoints and provide reasons and grounds for their reasoning. This is easily attainable in law, as all opinions need to be motivated. In order to promote transformative learning it is essential for the facilitator to evoke critical discourse by creating opportunities for students to hold different opinions. Once again this prepares students in arguing opposite and different interpretations of for instance, legal aspects and promote critical thinking. Examples of such provocative statements are: "Prostitution must be legalised" and "As some men in certain cultures are allowed to have more than one wife, women should also be allowed to have more than one husband".

2.4 Feedback

The students receive prompt feedback on submissions made. According to Pantic [4] it is essential that feedback should be immediate in order to allow the student to see whether his/her answer to a question posed is correct and what his/her overall progress is.

Opportunities for peer evaluation and/or assessment are created in the discussion forums. Students are given the opportunity to evaluate the facilitator and/or the online experience. These last mentioned activities motivate students to participate and gain experience to critical evaluation of someone else's efforts (including the facilitator's effort in drafting and facilitation of the E-learning activities).

Not all students are conscientious and therefore the facilitator must also stipulate specific deadlines for specific tasks. Strict adherence to these deadlines are promoted and enforced by the facilitator and this also achieves the goal of teaching students the importance of punctuality and the consequences of not adhering to deadlines. The students are thus taught the concept of accountability, which is essential for success in the workplace. E-learning activities are designed and facilitated to develop students to a higher level of problem solving and critical thinking.

2.5 Drafting of contracts, wills, legal documentation and legal opinions

Other online activities that are practice related are the drafting of contracts, wills and the writing of legal opinions. The instruction is to write a legal opinion which will assist the attorney or advocate to successfully defend his/her client in court. Clear guidelines and deadlines are provided online. There are three submissions per legal opinion: The first is an identification of all the legal aspects that need to be addressed, the second is a draft opinion addressing the legal aspects and legal support for the opinions held by the student and the third is the final legal opinion in the correct form and reference style.

An example of a case study for submission of a legal opinion, that encompasses all the relevant subject fields of Law of Evidence, Criminal Law, Criminal Procedure Law, Civil Procedure Law, Human Rights Law, Law of Delict, Legal Practice, Labour Law, English and Computer Skills, is:

"Mr. X, a new client of the advocate that employs you as her legal assistant, requests you to write an opinion in order to assist her to represent her client in a criminal-, civil court case and a disciplinary hearing with whom she consulted on 10 April. Mr. X disclosed the following information to her: He has been arrested by the police without being informed of the reason for the arrest. He has been in custody at the Vanderbijlpark police station since his arrest on 4 April and is still being held in the police cells and has not been brought to court yet. He has an idea that the arrest was probably in connection with what happened 15 March. On that day he was at a business lunch representing the company that employs him and consumed 3 beers and 3 glasses of wine. He left at 15:00, got into his company car and drove back to his office. On the way to the office he disregarded a red traffic light and collided with another car.



He checked on the occupant of the other car and saw that he was unconscious. He then decided to take R5 000 from the occupant's wallet lying in clear sight, as his employer will most probably expect of him to pay for the damages to the company vehicle. He says he was convinced that the accident was the other driver's mistake and that was the reason for appropriating the money.

He then drove to the office, as the company car was not badly damaged. The following day he heard colleagues discussing an accident that occurred in their suburb the previous day and they said that the driver that caused the accident drove away. They also mentioned that the man that was left at the scene of the accident was taken to the hospital by ambulance and on the way to the hospital the ambulance was also involved in an accident and the injured man died at the scene of the second accident. He did not report the accident to his employer, but had the car repaired with the R5 000 that he took and some of his own funds. The client now also received notice from his employer that he is suspended pending a disciplinary hearing, because of what happened on 15 March and that they are being sued by the executor of the dead victim's estate for the damages to his vehicle."

2.6 Assessment and authentication

The online activities are mentored and assessed by practicing attorneys and advocates by using the rubrics provided and then moderated internally. The rubrics are in line with the expected outcomes provided to the students and feedback is given within 2 days of each activity or submission. The work load of the lecturers should be considered when structuring the activities, as constant online monitoring is required. A final portfolio of all assessed activities and a reflective journal is then submitted for final assessment and moderation.

3 Conclusion

In conclusion it is important to remember that a student's motivation, feeling of self-worth and efficiency relates directly to his/her perception of the facilitator's learner centred practices. By collaboration with other students and the facilitator, the student experiences comfort and satisfaction with E-learning. E-learning creates an environment for the students to take responsibility for their own learning experience and progress. In a study conducted, Ware [5] observed that students evaluate a facilitator higher if the facilitator makes specific attempts to meet the needs of the students, provides a variety of activities online and promotes interaction.

By utilising online learning, deep learning is stimulated, students enjoy participating and they are prompted to think critically and solve problems, which is essential for success in legal practice. They are also constantly challenged to higher levels of accomplishment and will be able to enter the workplace after completing their studies and be fully functional as legal assistants. The students are also now able to see all the different modules in the qualification, not as separate compartments, but interlinking with each other in practice.

References

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