

# Public Order: An On Line Demonstration

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## Background and rationale

The study of law requires the assimilation of a significant body of knowledge and the application of that knowledge to problem based scenarios. The traditional way of testing that skill is by means of examination. It is recognised that there are limitations to an exam-based strategy, favouring students who have the ability to learn and retain information and not always recognising that using resources with understanding is the critical skill. The development of problem solving skills in a legal context is facilitated by interaction and the realisation that there may be more than one interpretation of the law. Opportunities should therefore be given to students to develop their abilities gaining confidence through the process. This is particularly true of Level 1 students who are often unsure of expectations and have an unsophisticated view of the application of legal principles to problems.

Problem solving skills can be developed through workshop-based activities. However a role-play or simulation can be particularly appropriate to explore the nature of legal reasoning and argument. Furthermore it is possible to create groups of “advisors” within the student cohort, thus simulating a legal environment in which students interact together and co-operate to produce a legal opinion on a given set of facts. An adversarial approach, notable to the English legal system, can be developed with different groups of students representing the legal position of the “clients” within the simulation who are then required to comment on colleagues’ advice. It is also possible for the scenario to develop through stages by the inclusion of additional consequential facts as the simulation progresses.

A simulation described can be achieved through the provision of paper-based materials to students. However the use of the University virtual learning environment (VLE) has several advantages and encourages a more imaginative use of the features available. Notably, communication from tutor and students and between students is simplified. The developing scenario can be posted at fixed times and students can interact on line within their groups. Privacy within groups can be achieved. Student groups can post their advice for tutor marking and feedback can also be provided to students in the same way. Interactive learning is not limited to the classroom.

## The innovation

The task for the students was to advise either a group of demonstrators or the police on legal issues that can arise during a public demonstration. The incidents were described in three separate postings on the VLE at timed intervals (Appendix 1) and were developmental, beginning with the initial organisation and culminating in what can be described as a riot. Groups of approximately 5 students were established. Communication from tutor to student, student to tutor and between students was effectively conducted within “folders” that were created for each group thus ensuring privacy within groups. Students could exchange ideas on line in a forum within these “folders”.

The advice given in each of the postings formed the basis for 50% of the total mark for the module. Students were first required to submit an individual research log in bullet format to each part of the postings. The total mark attributed to this component was 25% and gave the cohort an opportunity to be assessed on the submission of their own work. The student group then posted into their group folders a considered piece of legal advice, a legal opinion, to either the demonstrators or the police. Finally groups were paired to enable

each group to make legal comment on opposing advice. A further 25% of the mark was awarded to this component. Marks were awarded for style, content, the use of relevant case precedent and legislation. Marks and feedback to each group were posted into group folders.

## Outcomes and benefits

Students responded well to the simulation and the majority participated positively in the group activity. As a consequence student understanding of the concepts taught was improved. The simulation took place over seven weeks. Students were well motivated during this period and effectively engaged in the process. The final posting was timed for the last day of teaching and this resulted in better student attendance towards the end of teaching period. Furthermore the link between the process and the assessment reinforced attendance and motivation and provided the opportunity for students to submit assessed work over a period.

A much more effective integration of student learning, assessment and classroom teaching was achieved. Topics covered in direct teaching coincided with the tasks that the student had to undertake for the simulation. A disciplined structure to the programme was essential (see Appendix 2) which was of benefit to the tutor and student body.

## Evaluation

The module was evaluated by means of the standard University feedback forms and in addition a bespoke feedback form. There was little negative comment. Two students stated their dislike of group work for the usual reasons of frustration with their less committed colleagues. Three students felt that there was too much work to do and the deadlines were tight. The majority were positive about their experience of “a different kind of assessment”. All agreed that participating in the case scenario resulted in them learning more about the relevant law and enjoying the opportunity to read colleagues’ contributions. Comparisons with the traditional forms of assessment were favourable.

Some students felt that more time should have been available for group meetings in class time. Whilst some time was set aside for this purpose, it is important that students meet to discuss the relevant issues outside of class-based activities. Feedback indicated that face-to-face discussion within the groups was the favoured way of communicating. Whilst this is not particularly surprising, it was disappointing that more use was not made of the on-line forum.

Generally there was positive feedback with students commenting favourably on the experience of the role-play with greater reliance on the university VLE. Indications are that student achievement measured against the learning outcomes for the module is of a good standard, although it is not possible to measure success in the assessment against previous years because this module was offered for the first time in 2003/2004.

## Future developments

The project outcomes have been disseminated to colleagues in the School of Law. Features of the innovation will be utilised in two other modules next semester. The framework for teaching and assessment will remain the same for the module in question next year.

## Appendix 1

### PUBLIC ORDER: AN ON-LINE DEMONSTRATION

#### Part One

Peter and Susan are members of a group committed to the national and international recognition of human rights by governments. They plan to stage political demonstrations throughout the country including London. In London the group plan to assemble at Hyde Park where it is anticipated that approximately 5000 demonstrators will meet. Peter intends to address the crowd drawing attention to human rights atrocities throughout the world. In this he will be supported by a speech from Imran, a well-known politician, who intends to speak against the current government's policies on asylum seekers. The assembled demonstrators will then proceed to march to Trafalgar Square. A second meeting place is Birmingham where it is anticipated that 3000 will meet. It is planned for them to assemble in a field which is owned by Arable Farm Ltd, 2 miles outside of the town and then to march to the town centre. The procession will converge with the route of an overseas delegation from a country that has committed human rights atrocities.

On the day of the demonstration the following events occur.

1000 demonstrators arrive at the site owned by Arable Farm Ltd. Jittu and John address the crowd through loud hailer, urging the demonstrators to take a stand against "a denial of fundamental rights by despotic government". This causes traffic to be held up for about 30 minutes. Jane and Jatinder, who live locally, had objected to the event taking place and had written to the Chief Constable along with many others urging that the march be banned. They are going out for a day's shopping at the Mailbox, and are caught up in the disruption. The police attempt to turn them back but Jane, urged on by Jatinder, drives her car through the crowd. Both are arrested.

#### Advise your client

The following groups will advise the Police in each part of the simulation A; D; F;I; K; M;O.

The following will advise the Demonstrators. B; E; G; J; L; N;

#### Part Two

The speeches of Imran and Peter are passionate. Some members of the public who are not involved in the demonstration are angered at the views expressed and James advances on Peter and threatens him with "a going over". The police intervene and arrest James. Furthermore, they inform Peter that if he continues to voice such controversial views he, too, will be arrested.

The police manage to disperse some of the protestors but the remaining group begin to march towards the town centre flanked by police. As they approach the town Sergeant Khan instructs Jittu and John to turn up a side street and group outside the Town Hall. This will take the protestors away from the overseas delegation. One of the purposes of the march is to confront the human rights issues in that country and John and Jittu refuse, on the grounds that they are not doing anything illegal. John and Jittu are arrested and the police block the route of the protestors. A group of 100 protestors are antagonised at this and break through the police ranks and run towards the town centre. Their purpose is to block the route but they find their way blocked by crowd barriers and officials. Together they throw the barriers to one side and push three of the officials to the ground. Before they are subdued by the police, six cars are damaged and four officials are quite badly injured.

## **Advise your client**

### **Part Three**

Meanwhile...

The speeches have finished. The group of 5000+ leave Hyde Park and begin the march to Trafalgar Square. Several of the bystanders have opposite views to those of Imran and others feel that some groups in society such as terrorists and prisoners should not have any rights. During the procession the following events occur.

1. John engages in a fierce discussion with Peter and Susan. It culminates in Peter calling John a narrow-minded moron. John retaliates in like manner.
2. Rupinder, an art student, has made a costume which graphically depicts a woman being tortured. She and 10 friends leave the march for a short period and enter a shopping centre where they attempt to gain support for the cause. Unfortunately they are over eager, several shoppers become anxious and one elderly lady faints at the sight of Rupinder's costume.
3. James and William, both members of the BNP, have constructed a banner which is racially insulting towards asylum seekers in general. They have attracted a group of sympathisers. The result is that a section of the march next to them erupts into disorder.
4. Some of the local shops have experienced an amount of shoplifting. The police suspect this could be as a result of the demonstration. Richard and Abi are stopped by two police officers who insist on searching them. When asked the reason one of the police officers says "Because you look suspicious". In a large bag there are two DVD players but Richard has the receipts.
5. Meanwhile, James, Jatinder and Jane have been taken to the Police Station. Twelve hours have passed since their arrival at the station and they have not been allowed to contact their solicitor.

## **Advise your client**

## **Appendix 2**

A detailed programme structure for the Level 1 module "Citizen and the State" is available from the author.