

# CREATING A HEALTHY GROUP WORK LEARNING ENVIRONMENT IN LAW CLASSES

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*This article shares details of the design and implementation of group learning in a law dispute resolution unit. Teamwork was an essential component of the group learning experience. In planning the unit, the way in which students would be prepared to work in groups, the means of group formation, group learning activities and the assessment regime were all designed to provide a positive learning experience. Opportunities to build competence, to connect with peers and to exercise autonomy were all part of the learning design. The article reports students' experiences of their group learning, confirming that the pedagogical design did indeed promote students' senses of competence, connection, belonging and autonomy. Each of these factors has been associated, in both theory and empirical findings, with enhanced student wellbeing.*

## I INTRODUCTION

This article concerns the use of group work in law school as a mechanism that may form a small part of an overall strategy to promote student wellbeing. The evidence presented in this article shows that the group work pedagogy in the author's teaching practice provided opportunities for students to have a positive learning experience. Students' assignments provided qualitative data that demonstrated the generally positive experience of group learning. This study provides a glimpse of the experiences of students at a law school and identifies some pedagogical features that may promote positive experience, which have implications for wellbeing. Particular design features appear to have created opportunities that the students embraced and perceived to be beneficial.

The approach discussed in this article is just one example of learning design that may contribute to a psychologically healthy learning environment within the legal classroom. The article does not attempt to measure the psychological impact of the strategies discussed, but merely reports a snapshot of students' experiences of their group learning. The wellbeing related factors of relatedness, competence and autonomy were the focus of analysis.

First, the article refers to key literature that identifies factors that are linked to wellbeing and proposed strategies to promote student wellbeing. Secondly, the way that group learning can promote positive learning experiences, including the identified wellbeing factors is considered. Thirdly, the way that group learning was adopted in the author's unit is described. Fourthly, the qualitative research methodology is explained and justified. Finally, evidence of the students'

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experience of group learning, with a particular focus on the identified wellbeing factors, is presented and discussed.

## II PROMOTING STUDENT WELLBEING

High rates of psychological distress among Australian law students has been consistently demonstrated by empirical studies, and the conversation has more recently shifted to the exploration of appropriate responses to this problem.<sup>1</sup> Ideally, a whole of curriculum approach needs to be taken to promote law student wellbeing. Qualitative data collected by Larcombe et al supported a conclusion that law schools might target student wellbeing efforts at a whole of school level in the areas of 'curriculum, assessment, and the wider teaching and learning environment.'<sup>2</sup> Townes O'Brien et al have also recommended that strategies to promote law student wellbeing need to be implemented in a holistic way, including what occurs within the classroom, assessment, and curriculum.<sup>3</sup>

The Council of Australian Law Deans published a good practice guideline for law schools in March 2013 titled *Promoting Law Student Well-Being*, which drew from a variety of literature.<sup>4</sup> Guideline 4 recommends that law schools 'integrate strategies for the promotion of law student well-being into their teaching and learning practices,' noting that engaged and active learning, student autonomy and team based learning may all contribute to student wellbeing.<sup>5</sup> Field and Duffy have focused upon student engagement, building positive professional identity and a focus on non-adversarial approaches to lawyering to promote wellbeing in a first year law unit.<sup>6</sup> Howieson's empirical research identified that the pedagogical style typically adopted in dispute resolution classes, which facilitates interaction

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<sup>1</sup> Rachael Field and James Duffy, 'Better to light a single candle than to curse the darkness: promoting law student well-being through a first year law subject' (2012) 12(1) *Queensland University of Technology Law and Justice Journal* 133. Field and Duffy summarise empirical research establishing the truth of the problem of psychological distress and poor wellbeing at pages 133-140, noting at 140 'The focus on law student psychological well-being must now rightly turn to the individual and institutional responses of law academics and faculties around Australia.'

<sup>2</sup> Wendy Larcombe, Letty Tumbaga, Ian Malkin, Penelope Nicholson and Oriana Takatlidis, 'Does an improved experience of law school protect students against depression, anxiety and stress? An empirical study of wellbeing and the law school experience of LLB and JD students' (2013) 35(2) *Sydney Law Review* 407, 432.

<sup>3</sup> Molly Townes O'Brien, Stephen Tang and Kath Hall, 'changing our thinking: empirical research on law student wellbeing, thinking styles and the law curriculum' (2011) 21(2) *Legal Education Review* 149, 181-182.

<sup>4</sup> Council of Australian Law Deans, *Promoting Law Student Well-Being: Good Practice Guidelines for Law Schools* (March 2013), <[http://www.utas.edu.au/\\_data/assets/pdf\\_file/0005/422969/Promoting-Law-Student-Well-Being-Good-Practice-Guidelines-for-Law-Schools1.pdf](http://www.utas.edu.au/_data/assets/pdf_file/0005/422969/Promoting-Law-Student-Well-Being-Good-Practice-Guidelines-for-Law-Schools1.pdf)>.

<sup>5</sup> CALD, above n 4, 5; citing Field and Duffy, above n 1, 145; James Duffy, Rachael Field and Melinda Shirley, 'Engaging law students to promote psychological health' (2011) 36(4) *Alternative Law Journal* 250, 251; Kennon M Sheldon and Lawrence S Krieger, 'Understanding the negative effects of legal education on law students: a longitudinal test of self-determination theory' (2007) 33 *Personality and Social Psychology Bulletin* 883, 894; Ann Iijima, 'The collaborative legal studies program: a work in progress' (2002-3) 12 *Kansas Journal of Law & Public Policy* 143.

<sup>6</sup> Field and Duffy, above n 1, 146.

with other students, can promote student engagement and wellbeing.<sup>7</sup> The ‘more the student enjoyed the interaction with the other students, the greater the student’s sense of belonging and well-being.’<sup>8</sup> All of these resources support the idea that group learning provides an opportunity to enhance students’ wellbeing.

Professor Lawrence Krieger, Associate Professor Wendy Larcombe and Associate Professor Molly Townes O’Brien all presented at the *Australian Wellness for Law Forum* at the University of Melbourne in February 2013 (Wellness Forum). The wellbeing factors that were used in the qualitative analysis were drawn from their research.

Krieger, together with his research associates, has undertaken ground breaking empirical research in the United States about law students, lawyers and wellbeing.<sup>9</sup> Sheldon and Krieger took Ryan and Deci’s self-determination theory<sup>10</sup> and applied it to the law school experience.<sup>11</sup> Krieger et al’s research has concluded that there are very strong correlations between law student and practitioner’s wellbeing and satisfaction needs of relatedness, autonomy and competence. In his keynote address at the Wellness Forum, Professor Krieger explained the meaning of this conclusion. *Relatedness* is a feeling of connectedness to others, both general connection and intimacy with important others. *Autonomy* is about being able to make preferred choices based upon true values or interests, ability to express true self and maintain integrity. *Competence* is a feeling of being capable, having the ability to master hard challenges and to succeed at difficult tasks. These needs tend to be satisfied when a person likes what they are doing and an important intrinsic value is supported by the activity. Intrinsic values include self-understanding and growth, intimacy and helping others, and having a sense of community. The challenge for law schools is to promote wellbeing by supporting students to achieve relatedness, autonomy and competence. This article explores how the way that group learning experiences are designed might contribute to students’ experience of these wellbeing factors.

Huggins has conducted an in-depth theoretical analysis and argued that the law curriculum can provide autonomy support by: providing meaningful rationales and explanations about assessment; acknowledging students’ perspectives and feelings by welcoming their feedback and sharing of experience; keeping feedback specific, providing suggestions for improvement and reasons; offering

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<sup>7</sup> Jill Howieson, ‘ADR education: creating engagement and increasing mental well-being through an interactive and constructive approach’ (2011) 22(1) *Australasian Dispute Resolution Journal* 58.

<sup>8</sup> *Ibid.*, 60.

<sup>9</sup> Kennon M Sheldon and Lawrence S Krieger, ‘Does legal education have undermining effects on law students? evaluating changes in motivation, values and well-being’ (2004) 22 *Behavioural Sciences and the Law* 261; Lawrence S Krieger, ‘Inseparability of professionalism and personal satisfaction’ (2005) 11 *Clinical Law Review* 425; Sheldon and Krieger, above n 5; Lawrence S Krieger, ‘The most ethical of people, the least ethical of people: proposing self-determination theory to measure professional character formation’ (2011) 8(2) *University of St Thomas Law Journal* 168.

<sup>10</sup> Richard Ryan and Edward Deci, ‘Intrinsic and extrinsic motivations: classic definitions and new directions’ (2000) 25 *Contemporary Educational Psychology* 54; Richard Ryan and Edward Deci, ‘Self-Determination theory and the facilitation of intrinsic motivation, social development, and well-being’ (2000) 55 *American Psychologist* 68.

<sup>11</sup> Sheldon and Krieger (2004), above n 9.

choices and a chance to participate in curriculum reform; and encouraging reflection upon the relevance of what students are learning to their personal and professional lives and sense of self.<sup>12</sup> The design of group learning (discussed below) incorporated several of these features.

Larcombe and her research associates have undertaken numerous empirical studies into the wellbeing of students at Melbourne Law School, in both the undergraduate and Juris Doctor postgraduate law programmes.<sup>13</sup> Larcombe et al's research has offered tentative support to Sheldon and Krieger's findings that law school can tend to emphasise non-intrinsic motivations, thereby contributing to students' high rates of psychological distress.<sup>14</sup> In order to foster or reinforce intrinsic goals within students, law faculty might provide meaningful choice and explanation for lack of choice, enable students to pursue their own interests within the curriculum, foster interest groups and mentoring and student-teaching interaction outside class.<sup>15</sup> In her address at the Wellness Forum, Associate Professor Larcombe explained that her research has confirmed that factors associated with high distress for law students include low environmental control, low self-acceptance and low positive relationships. Law faculty may have some influence over autonomy support; meaning that students, where possible, are provided with meaningful choices, or where no choice is given, receive an explanation as to why there is no choice.

Listening to and valuing the perspectives of students is also an important activity that may help to promote law students' wellbeing. Strategies that have been found to have positive effects on wellbeing at Melbourne law school include: providing opportunity for commencing students to 'make themselves at home' in the physical space of the law school, requiring students to attend classes as a means of building a cohesive and vibrant learning community, and building connections with the legal profession through guest lecture series and mentor programmes.<sup>16</sup> However, enhanced student engagement strategies designed to improve the law school experience have not necessarily made an impact on student wellbeing outcomes.<sup>17</sup> The suggestions offered by Melbourne law school students as to what might be done to enhance student wellbeing included some that might be pursued through group work design:<sup>18</sup> 'safe' discussion/learning

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<sup>12</sup> Anna Huggins, 'Autonomy supportive curriculum design: a salient factor in promoting law students' wellbeing' (2012) 35(3) *University of New South Wales Law Journal* 683.

<sup>13</sup> Wendy Larcombe, Penelope Nicholson, Ian Malkin, 'Performance in law school: what matters in the beginning?' (2008) 18 *Legal Education Review* 95; Wendy Larcombe, Penelope Nicholson, Ian Malkin, 'Commencing law students' interests and expectations: comparing undergraduate and graduate cohorts' (2008) 1 *Journal of the Australasian Law Teachers Association* 1; Wendy Larcombe, 'Can assessment policies play a role in promoting student engagement in law?' (2009) 2 *Journal of the Australasian Law Teachers Association* 197; Wendy Larcombe and Ian Malkin, 'The JD first year experience: design issues and strategies' (2011) 21 *Legal Education Review* 1; Wendy Larcombe, Ian Malkin and Penelope Nicholson, 'Law students' motivations, expectations and levels of psychological distress: evidence of connections' (2012) 22 *Legal Education Review* 71; Larcombe et al (2013), above n 2, 407.

<sup>14</sup> Larcombe, Malkin and Nicholson (2012), above n 13, 92.

<sup>15</sup> Larcombe, Malkin and Nicholson (2012), above n 13, 92-93.

<sup>16</sup> Larcombe and Malkin (2011), above n 13, 17-19.

<sup>17</sup> Larcombe et al (2013), above n 2.

<sup>18</sup> These are just a small selection of the reported suggestions, being those that relate to the content of this article.

spaces,<sup>19</sup> encouraging non-competitive group learning activities,<sup>20</sup> fostering a collaborative and inclusive culture,<sup>21</sup> and activities designed to build social connections.<sup>22</sup>

Townes O'Brien and her research associates have undertaken numerous studies with students at the ANU College of Law.<sup>23</sup> The projects have included an exploration of students' experiences of law school and invitation to them to re-imagine their law school experience.<sup>24</sup> In her address to the Wellness Forum, Associate Professor Townes O'Brien explained that students re-imagined their law school experience as one where they were more connected to mentors (including their peers), engaged in social justice opportunities, and where they studied the real impact of law (contextual, socially engaged curriculum anchored in reality). Reform proposals offered by participants in the research fell mostly into categories '(1) relating to guidance, feedback and transparency; and (2) relating to community connection.'<sup>25</sup> In relation to the second category, opportunities for collaborative and group work, greater discussion time, interaction and connection were put forward as desirable.<sup>26</sup>

### III THE OPPORTUNITY TO PROMOTE WELLBEING THROUGH GROUP LEARNING

Group learning is one strategy that may be adopted to provide an environment conducive to wellbeing. It is only one small part of the overall law school experience that might influence the psychological wellbeing of students. There are many positive opportunities presented by group learning pedagogy. Group work provides students with an opportunity for practising skills of cooperation, collaboration, working constructively in a team environment, contributing adequately and communicating constructively.<sup>27</sup> It provides an opportunity for positive relationship building and fostering of connectedness and a sense of belonging, all of which have been positively associated with wellbeing. Students who are supported to learn cooperatively tend to exhibit greater intrinsic

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<sup>19</sup> Larcombe et al (2013), above n 2, 425.

<sup>20</sup> Ibid, 426.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Kath Hall, Molly Townes O'Brien and Stephen Tang, 'Developing a professional identity in law school: a view from Australia' (2010) 4(19) *Phoenix Law Review* 19; Molly Townes O'Brien, 'Walking the walk: using student-faculty dialogue to change an adversarial curriculum' (2011) 4(1-2) *Journal of the Australasian Teachers Association* 129; Townes O'Brien, Tang and Hall (2011), above n 3; Molly Townes O'Brien, 'Facing down the gladiators: law school's hidden adversarial curriculum' (2011) 37(1) *Monash Law Review* 43; Molly Townes O'Brien, Stephen Tang and Kath Hall, 'No time to lose: negative impact on law student wellbeing may begin in year one' (2012) 2 *International Journal of the First Year in Higher Education* 49.

<sup>24</sup> Townes O'Brien, Tang and Hall, (2011) 'Changing our thinking,' above n 23, reporting results of surveys and a student-faculty dialogue retreat that facilitated data collection.

<sup>25</sup> Ibid, 178.

<sup>26</sup> Ibid, 179.

<sup>27</sup> Adiva Sifris and Edna McNeil, 'Small group learning in real property law' (2002) 13 *Legal Education Review* 189; Kate Lewins, 'The groupwork experience in civil procedure' (Paper presented at *Civil Litigation: Teaching and Research Symposium*, Adelaide, 15-16<sup>th</sup> April 2005).

motivation than those taught more traditionally and also experience lower levels of stress and anxiety.<sup>28</sup>

There are also many challenges commonly associated with group learning. Davies has explained that there is a clash of extrinsic and intrinsic motivations in group work, with students feeling tension between their desire to obtain high grades and supporting others in the group.<sup>29</sup> He noted that the ‘dilemma in setting group work tasks for students is how to foster intrinsic motivation while allowing for the understandable and natural influence of extrinsic motivation.’<sup>30</sup> Some of the tensions arise where group members bring different expectations and motivations to the tasks to be completed as a group. This can create problems such as ‘freeloading’ and reactions by other more intrinsically motivated students, who might reduce their contributions in response to perceived ‘freeloading.’<sup>31</sup> Law students have been found to be more resistant to group work learning activities than students in other disciplines.<sup>32</sup>

Davies recommended the following guidelines for designing group learning for students:

1. Be clear about the purpose for which the lecturer is using group work – whether it is (a) to provide a learning support network through the study period or (b) to complete a set task.
2. If the purpose is (a), then time needs to be allowed for the building of a sense of solidarity within the group and socialising among group members.
3. If the purpose is (b), then care is required to maximise the advantages and minimise the disadvantages of group work.
4. Lecturers may need to scaffold students’ ability to work effectively in groups, with options including: the setting of group ground rules, guidelines for participation, or group contracts.
5. Providing information or an opportunity to reflect upon the qualities of an ‘ideal team member’ may also support students to have clarity about how they

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<sup>28</sup> Russel Pimmel, ‘A practical approach for converting group assignments into team projects’ (2003) 46(2) *IEEE Transactions on Education* 273, 273; citing Richard Felder and Rebecca Brent, ‘How to improve teaching quality’ (1999) 6(4) *Quality Management Journal* 9; Richard Felder, Gary Felder and E. Jacquelin Dietz, ‘A longitudinal study of engineering student performance and retention. V. Comparisons with traditionally-taught students’ (1998) 87(4) *Journal of Engineering Education* 469; David Johnson, Roger Johnson and Karl Smith, ‘Cooperative learning: increasing college faculty instructional productivity’, *ASHE-ERIC Higher Education Report*, No 4 (12<sup>th</sup> May 1991), George Washington University; Wilbert McKeachie *Teaching Tips: A Guidebook for the Beginning College Teacher* (9<sup>th</sup> ed., 1994) D. C. Heath.

<sup>29</sup> W Martin Davies, ‘Groupwork as a form of assessment: common problems and recommended solutions’ (2009) 58 *Higher Education* 563, 569.

<sup>30</sup> *Ibid.*

<sup>31</sup> Davies, above n 29, 566-567.

<sup>32</sup> Massimiliano Tani and Prue Vines, ‘Law students’ attitudes to education: pointers to depression in the legal academy and the profession?’ (2009) 19(1/2) *Legal Education Review* 3, 21.

can work within their group effectively.<sup>33</sup>

Team based learning is a particular form of group work that is grounded in ‘organizational psychology and pedagogy documenting what actually motivates adults to learn and how they master higher order learning skills.’<sup>34</sup> This approach requires students to work in a permanent team structure in an active learning environment. One of the benefits of team based learning is the social framework of working with and being responsible to a community of students.<sup>35</sup> Stamatel et al reported significant improvement in their students’ engagement with their learning through the adoption of the team based learning approach.<sup>36</sup>

Wellness can be promoted by using group learning to provide a learning support network, which can foster relatedness,<sup>37</sup> the development of positive relationships,<sup>38</sup> and connectedness with peers.<sup>39</sup> If students are given a choice about the group that they will work with, then this may foster autonomy.<sup>40</sup> Allowing groups to decide upon their own goals, the extent to which they will work together in their learning, and how they will respond to intra-group conflict also promotes autonomy. Competence<sup>41</sup> in exercising this autonomy is supported when the lecturer gives students information, suggestions and guidelines around which to frame their decision-making. These strategies were adopted by the author in teaching a law unit and this article shares some insight into the students’ experience of group work as implemented in the unit. This research did not test the wellbeing effect of the group learning design. Rather, qualitative data were analysed to see whether students mentioned positive relationship building with other students (relatedness), the impact of choice on their experience of group work (autonomy), and the impact that scaffolding of group learning skill development had on their learning experience (competence).

#### IV GROUP WORK DESIGN IN A DISPUTE RESOLUTION ELECTIVE AT THE UNIVERSITY OF TASMANIA

This article reports some insights into the impact that working in a group had upon law students who undertook an elective in Dispute Resolution at the Faculty of Law, University of Tasmania. Reflections<sup>42</sup> of two cohorts of students have

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<sup>33</sup> Davies, above n 29, at 574.

<sup>34</sup> Janet Stamatel, Shawn Bushway and William Roberson, ‘Shaking up criminal justice education with team-based learning’ (2013) 24(3) *Journal of Criminal Justice Education* 417; citing Larry Michaelson, Arletta Knight and L Dee Fink (eds) *Team-based learning: A transformative use of small groups in college teaching* (2004) Stylus.

<sup>35</sup> Stamatel et al, above n 34, 422.

<sup>36</sup> Stamatel et al, above n 34.

<sup>37</sup> See Sheldon and Krieger et al’s work, above nn 5 and 9.

<sup>38</sup> See Larcombe et al’s work, above nn 2 and 13.

<sup>39</sup> See Townes O’Brien et al’s work, above nn 3 and 23.

<sup>40</sup> See Sheldon and Krieger et al’s work, above nn 5 and 9; Huggins, above n 12; and Larcombe et al’s work, above nn 2 and 13.

<sup>41</sup> See Sheldon and Krieger et al’s work, above nn 5 and 9.

<sup>42</sup> The justification and manner of use of self-reflection in the elective has been explained in Olivia Rundle and Sarah Hiller, ‘Teaching self-reflection to law students in a dispute resolution unit’ (2012) 23(3) *Australasian Dispute Resolution Journal* 168.

been reviewed to gather data for this note (semester 2, 2011 and 2012), as well as the learning group agreements that each group constructed early in semester.<sup>43</sup>

*A What was done within learning groups*

Students formed learning groups of four at the beginning of the teaching semester, and were required to undertake all workshop activities with their learning group.<sup>44</sup> Workshop activities included discussion and role plays. Sometimes role play activities involved the learning group forming a team of lawyer, client, other support person and/or observer(s), and negotiating with another learning group team. Other role play activities involved one of the learning group members playing the role of the dispute resolution practitioner who impartially supported the negotiations, with the rest of the learning group forming the team for one party.

Although students undertook most of their learning activities in their groups, students were not assessed on any group activity or product. Students undertook all assignments individually, although their reflective pieces were affected by the extent to which their group engaged with the activity and the structured post-activity reflection. This was a deliberate attempt to avoid an aspect of group learning that law students have reported to dislike: having their marks dependent upon the work of others.<sup>45</sup> However, another intended outcome of the formation of learning groups was that conflict would arise between group members during the teaching semester<sup>46</sup> and students would have an opportunity to practice conflict management and resolution skills, thereby linking dispute resolution theory and practice. Therefore, a feature of group work that is often seen as a negative factor was instead viewed as a constructive learning opportunity.

*B Assessment linked to group learning activities*

Students were required to submit briefing papers about several workshop activities undertaken within their learning group during the semester. The briefing papers invited students to demonstrate their understanding of the theory, technique, or ethical issue involved in the activity, self-reflect upon their performance in the learning activity and critically analyse the appropriateness of the process for the circumstances of the dispute.

The final piece of assessment was a learning group report, where students reported about the dynamics of their learning group, conflict management strategies and dispute resolution skills adopted within their group, and their self-reflection upon ethical, social, practical and/or cultural issues arising when working in a collaborative environment. The learning group reports were the primary source of data analysed for this article.

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<sup>43</sup> The use of students' submitted work in research of learning and teaching was approved by the Human Research Ethics Committee (Tasmania) Ref No H11922.

<sup>44</sup> Unless absences or class numbers required some students to work with another group.

<sup>45</sup> Lewins, above n 27, at 1.

<sup>46</sup> Lewins reported that personality clashes, lack of ability to deal effectively with different opinions, and dealing with conflict between friends can be particular challenges for law students required to work in groups. Lewins, above n 27, at 8.



C Scaffold to support effective group learning

To support students to engage with their group and the purposes of group work and reflection, students were provided with a *Guide to Group Learning and Reflection* at the beginning of semester.<sup>47</sup> Among other things, the Guide contained the following:

1. A justification for using group learning in the unit and explanation of the potential benefits of group learning.

The learning group experience is being adopted in this unit for several reasons, including:

- The provision of a hands on collaboration and conflict management opportunity;
- To support effective role play experiences;
- To enable students to manage the logistics of allocating roles fairly throughout the semester;
- Because dispute resolution processes are by definition collaborative processes where negotiators and third parties work in groups and therefore group work is a necessary tool in teaching dispute resolution; and
- Because working effectively in groups is a desirable graduate attribute for university students generally and law students in particular.

The potential benefits of group learning include:

- Active participation in your learning;
- Development of your confidence in working with others;
- Creation of a supportive learning environment;
- Exposure to other experiences and/or points of view, to improve your own understanding and critique; and
- The development of workplace skills of problem solving, negotiation, conflict management, dispute resolution, leadership, communication and time management.<sup>48</sup>

2. Group work guidelines and team building strategies (clarifying expectations and group objectives, communication strategies, suggested team building activities).
3. Information about conflict management within groups (including suggested ways of dealing with intra-group conflict).
4. Model Learning Group Agreement<sup>49</sup> (space included for clauses about parties to the learning group, purpose of the agreement, objectives of the learning group, allocation of roles during workshops, activities other than roles during the workshops, meetings, disputes, other relevant clauses).

<sup>47</sup> A copy of the revised 2013 version of the Guide is available on request from the author at Olivia.Rundle@utas.edu.au.

<sup>48</sup> Learning and Teaching Unit, University of NSW, *Developing and Assessing Students' Group Work Skills* (2006) <[http://teaching.unsw.edu.au/sites/default/files/upload-files/groupwork\\_comprehensive\\_resource\\_2006\\_1.pdf](http://teaching.unsw.edu.au/sites/default/files/upload-files/groupwork_comprehensive_resource_2006_1.pdf)>, 15. (Extract from Olivia Rundle and Sarah Hiller, *LAW624: Guide to Group Learning and Reflection* (Revised 2012, University of Tasmania), at 3).

<sup>49</sup> Drawn heavily from *Draft Group Contract* (2005), Curtin School of Business Law <http://www.business.curtin.edu.au/files/cbsUnitsCourses/Contract%20Administration%20502.doc> (no longer available on the internet).

Class time was dedicated to group formation and expectation building.

*D Group formation and expectation building*

The lecturer decided to enable students to select their own learning groups (autonomy support), but to assist them to choose their groups with some relevant information. At the first workshop of the unit, students were asked to wear name tags to facilitate introductions. The learning group pedagogy was then outlined. The explanation included a caution about the risks of working with friends, as sometimes it can be difficult to deal with conflict with close friends (noting that the lecturer was hoping that all students would experience some intra-group conflict). Students were also cautioned against working in homogeneous groups of similar students, as a diversity of culture, age, life experience, political views, abilities, strengths etc would support an enriched learning experience. However, the lecturer made it clear that it was up to students to form their own groups, and if they decided after the class exercise that they would like to work in pre-arranged friendship groups, then that choice would be respected.

All students were then asked to stand up and move to an open part of the teaching space. They engaged in an activity where they placed themselves along a spectrum in response to various questions. Students were encouraged to notice where one another stood on each question, and to use the opportunity to identify people with whom they would like to form a group. The questions included:

- Would you say that you are very enthusiastic about being enrolled in this unit or very reluctantly enrolled in this unit?
- Are you aiming for an HD, DN, CR or PP result in this unit?
- Is getting a high mark in this unit important enough to you that you are prepared to do the work to carry a group, or are you looking for a group to carry you?
- Do you love group work, and are really pleased that it is required in this unit, or do you hate group work and you have reconsidered your enrolment since you discovered that it is involved in this unit?
- How available are you to meet with your group outside class time: are you freely available outside class time, or are you only available to meet with your group within class time?
- How would you rate your current knowledge of dispute resolution from very little knowledge of dispute resolution to a substantial amount of pre-existing knowledge about dispute resolution?

Students then spent some time talking to one another and forming groups, whereupon they were invited to choose a table at which to work. The rest of the class was dedicated to two activities. First, introductory relationship building was facilitated by inviting each group to identify four things that all group members had in common. Secondly, each group was asked to write a learning group agreement, about the way that their group would work together across the remainder of the semester. The model learning group agreement was provided but students were not required to adhere to that pro-forma, although most groups

did. Learning Group Agreements were submitted to the lecturer, but no marks were attached to them.

## V RESEARCH METHODOLOGY

The student cohort was comprised of two groups of undergraduate law students who undertook the dispute resolution elective at the University of Tasmania. The data analysed for this research consisted of:

- 9 Learning Group Agreements from 2011;
- 12 Learning Group Agreements from 2012;
- 33 Learning Group Reports from 2011; and
- 48 Learning Group Reports from 2012.

Learning Group Agreements were not assessed, but each group was asked to submit their group's agreement to the lecturer early in semester. Learning Group Reports were an individually assessed piece, in which students were invited to reflect upon: the dynamics of their learning group; conflict management strategies adopted within their group; and what they learnt about the dynamics of conflict from working within their group.

The Human Research Ethics Committee (Tasmania) approved the research method.<sup>50</sup> In accordance with the approved procedures, students were sent an email by an independent academic colleague early in the study semester. The email comprised an information sheet and informed students that their assignments would be used in the research unless they withdrew consent. In other words, an opt-out process was approved. Only one student, in 2011, opted out of participation in the research. Photocopies of all Learning Group Agreements and Assignments were kept so that they could be analysed.

The group work had been designed and implemented for many reasons, including a desire to foster relatedness and connectedness among the students. The pedagogy was designed to support competence and promote autonomy. It was a pleasing coincidence that these goals had also been identified through empirical research as key wellbeing factors. Participation in the Wellbeing Forum sparked an interest in learning, from the data, whether students reported any of these outcomes as part of their group learning experience. The data forms a rich resource that can be interrogated to answer a plethora of research questions. For the purpose of this article, the research questions posed were:

1. Did student learning groups aspire to pursue relatedness, competence and/or autonomy in the Learning Group Agreements?
2. Did students report having achieved relatedness, competence and/or autonomy outcomes in their Learning Group Reports?
3. If so, what did students aspire to achieve and what pedagogical features contributed

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<sup>50</sup> Approval H11922.

to these outcomes?

To answer these questions, the textual data were analysed manually, by reading through each document and highlighting discussion related to:

- Relatedness and connectedness;
- Building positive relationships;
- Autonomy; and
- Competence.

The analysis focused on positive evidence that these outcomes had been realised. It was hoped that the data might indicate what students thought had been the cause of their reported experiences.

Where assessed work is used as data in learning and teaching research, it is important to consider whether students may have written what the marker wanted to hear, rather than reporting their authentic experience. Because students were not being assessed according to whether their group fostered the factors that were the subject of the analysis, there is little risk that the learning group reports were skewed in this way. Students were not invited to specifically address whether or how their wellbeing was affected by the group learning experience. There were no higher marks awarded for positive reports of how the groups worked together. The marking criteria sought students' reflections on how they had practised (or on reflection could have practised) their dispute resolution and conflict management skills in the "real life" context of their learning group. It was the linking of experience and theory that was sought through the assignments. Therefore, it is concluded that there was little risk that the data reflected what students thought the researcher wanted to hear rather than their genuine experiences. The students' stories about the relevant factors were unsolicited.

The data presented in this article provides a glimpse into the students' experiences of the group work pedagogy. The small scale of the research and the fact that students were not asked to answer the research questions directly makes any generalisations about the student population or law students generally inappropriate. However, where the students did offer glimpses into their learning experiences and what made a difference for their experience, the findings provide important and relevant information to inform future teaching practice.

## VI FINDINGS

### A *Impact of group formation activities*

It was hoped that the orientation activity of identifying four things that group members had in common would enable groups of strangers to start to get to know one another. Learning group reports confirmed that it had the desired effect for many students:

It became quickly evident that despite our cultural differences, we all shared many common interests and attitudes, both in intra and extracurricular contexts. The

benefit of these commonalities cannot be overstated, as they enabled us to quickly transition into a functioning group and to rapidly overcome the initial misgivings inherent in unacquainted-members group work.

Through their group objectives outlined in their learning group reports, students demonstrated a desire to maximise the opportunity for positive experiences of working in a group, such as connectedness and competence. In the learning group agreements, terms linked to these factors were used by students when setting their group objectives. For example:

Connectedness	“cooperative and supportive” “supportive and respectful” “developed and maintained friendly relationships” “climate of mutual trust and support”
Competence	“motivation” “to work together harmoniously” “encourage and support” “develop our confidence”

It was interesting to note that without any prompting, students demonstrated a desire to provide support to one another, thereby seeking connectedness and positive relationships.

There was a strong theme of support for the process of identifying group objectives. In the following extract, the student explicitly linked her positive learning experience to the goals developed in her learning group agreement:

The positive group learning environment that our team fostered this semester was due to the goals set out in the learning agreement. The purpose of the agreement was to clarify the way that our group would operate during learning activities. Our team was able to set appropriate objectives in form with this purpose. Our group objectives were: to share the workload equally, particularly if one team member was under particular stress or was going to be away; good communication including respecting individual opinions; enjoying the group work environment including encouraging everyone to participate and bringing afternoon tea for the group; actively working through conflicts instead of avoiding issues within the group; and respecting each other’s differences. These objectives allowed the group to understand from the get go that communication should be open, everyone in the group was equal, and we should really depend on one another in the group in times of hardship or workload stresses. These goals fostered a positive group learning environment.

This is one example that demonstrated the positive benefits of giving students autonomy to define their own objectives for their learning group. To support students to exercise this autonomy, they were prompted in the model learning group agreement to define goals, were given some time to start developing them, and received written and verbal explanations of what they would be doing as a group. The opportunities that group learning presented were outlined in the Guide to Group Learning and Reflection.

## *B Impact of group learning*

Students' reflective learning group reports revealed that most students viewed their group learning experience positively. In this article, evidence of positive impact has been extracted from the data. The reason for the focus on evidence of positive effect is to demonstrate how group learning pedagogy provided an opportunity for students to enjoy a positive experience of group learning, not to claim that all students and/or groups embraced that opportunity. The data demonstrated a wide variety of approaches to realising this opportunity. Overwhelmingly, students reported that they enjoyed, benefitted from and engaged proactively in building and/or maintaining a support network with the other students in their learning group. Many students reported feeling supported and benefiting personally from the group learning experience.

It should be noted that a small minority of students reported negative or neutral experiences of working within their group. Because students were asked to reflect upon how their group managed inter-group conflict, conflict stories were conveyed in the assignments. Although most students reported an overall positive experience of working with their group, some groups had ongoing conflicts that detracted from their overall experience. For example, one group experienced issues with pre-class preparation and some members' failure to communicate via email or text as had been agreed in the learning group agreement. This affected the learning experiences of other group members and was reportedly an ongoing problem. The group also experienced personality tensions, although it was reported that these conflicts of opinion were used as an opportunity to practice constructive approaches of dispute resolution. Another group experienced problems with group members missing class. These absences upset the pre-agreed allocation of roles for the workshops. The worst experience was where one member did not turn up to participate in a role play for which she had been assigned a major role. The group dynamics became particularly strained when it was revealed that the reason for her absence was that she had been drinking all day and was too intoxicated to attend class. Some conflict is inevitable in any environment where people are required to work together. Most students reported an overall positive experience of their group learning, even where conflict arose and was left unresolved.

### *1 Positive emotional effect*

Some students used language that shared the positive emotional effect of group learning, which fostered a supportive learning environment. Phrases such as "heart-felt enjoyment", "my happiness", "fascinating and memorable" and "joyful experience" conveyed such positive emotional experiences.

### *2 Connectedness*

Other students emphasised the connectedness that they achieved by working with their learning group. The pedagogy facilitated a real opportunity to meet new people and to connect on a meaningful personal level. Many friendships were formed. One report of friendship was:

The Dispute Resolution unit provided a unique experience, giving me the

opportunity to get to know the three strangers who I can now call my friends.

Another student's experience was more of making connection and building a sense of belonging:

Now we see each other on campus or in the library, stop and chat and feel comfortable to ask questions/discuss our group activity.

### 3 *Competence*

Other students' language highlighted the supportive environment that the learning group provided, which improved their sense of competence to participate in the learning activities and/or personal growth through the meaningful relationships that they formed. Phrases that reflected this recognition of competence building included:

building more self-confidence and professionalism in working with others.

I found it gave me confidence to have a base group to work with and from this I felt more comfortable to speak up in class and work with the people in other groups. ... I think the main benefit for me was the close environment that gave me so much confidence.

Thankfully, all the group members were extremely supportive and helped me ease into the role-playing.

### 4 *Positive comparison with previous group learning experiences*

The overwhelmingly positive experience of group learning was despite the fact that many students related their previous unsatisfactory experiences working in a small group in the university environment and/or strong negative feelings about group learning. The identification and sharing of unfavourable prior experiences of group work was pivotal for the following student:

Each member started the process quite defensively, in that we all outlined all the terrible group work experiences we had to date. This upfront honesty about the expectations of our self and of the other group members allowed our group to form a connection from the start.

The avoidance of competition by not assessing a group product and the scaffolding support for learning group formation and orientation, appear to have had a positive impact on the student experience. The following comment attributed the success of the group learning experience to the pedagogy:

Before this unit, I was vehemently opposed to group work. I now realise that certain situations, like the one created by this unit, are complimented and enhanced by group work. Also, using tools such as a learning group agreement can help to make group work a lot less painful for all the people involved.

There were many favourable comparisons with group learning in previous studies. Some students identified the group selection process as being pivotal in their high satisfaction with the group learning experience in the unit as compared to others. Other students noted differences in the supportiveness and connectedness

achieved in this unit as opposed to other learning experiences. Many students identified the mutual commitment to supporting one another's learning as a significant factor. When group members were contributing and supporting one another's learning, there was room for positive relationship building and accountability, there was an expectation of commitment and presence at class, and students felt that they were working in a mutually supportive context.

##### 5 *Facilitated connection outside class time*

Students were not required to spend any time together outside class. However, the Model Learning Group Agreement did prompt a discussion of whether and how they would communicate and/or meet outside class time. All groups agreed to some form of communication outside class time. This enhanced connectedness and building of mutual respect. Modes of connection included setting up a private *Facebook* page for group members, which was used by different groups to maintain communication, hold members accountable, share links to readings, provide feedback on research topic ideas, organise practical matters such as catering for class, to continue debriefs after class, and to otherwise build and maintain a cohesive relationship as a group.

There was clear evidence, some students benefitted from being accountable to their peers, were able to extend themselves in their learning, and to collaborate to create optimal learning experiences. The data provided very satisfying confirmation that the group learning opportunity had been embraced by the students. Outcomes included positive connections with other students, building of competence by working with others and appreciation for meaningful choices.

Some groups built a sense of team and belonging by meeting outside class time. Usually the groups that met outside class did so at a set time and place once a week. The activity that they reported engaging in was usually either preparation for class or debrief after class. One group went even further in its members' explicit attention to team building. They started the semester with a group lunch, connecting socially and building shared understandings of how they wanted their group to work together. Early in semester when it became apparent in a group that one member was extremely self-conscious about acting in front of the other group members, the group found a creative solution that centred on building their team, by playing charades together.

Creativity was demonstrated by the group when facing difficulties agreeing on selection of roles for role play activities, with a decision made to randomise the selection by playing rock-paper-scissors, holding a dance off or a muffin eating competition. The group also met regularly, to both engage in learning related activities and to interact on a personal level. They not only met on a weekly basis to prepare for class, they also played *Laser Tag* on a weekly basis and went away on a holiday one weekend during semester. The *Laser Tag* activity was reported as a good way to unleash intra-group tensions.

##### 6 *Group solidarity*

There were some reports of the building of a sense of solidarity within learning groups, contributing to a sense of "us" and "them" in regard to other class



members. Some students reported a sense of comfort and alliance with their own group, and a reluctance to work with other groups. There was also reportedly competition between groups, with some wanting to “win” in the role play activities.

This aspect of team building could have a negative effect if the competition was more than friendly rivalry and a student did not have solidarity with his or her team. Although many students experienced conflict with other groups, there were no reports of feeling that the conflict needed to be faced in isolation. Students had their own learning group to turn to for support.

### *7 Conclusions about positive design features*

The data showed that the way that group learning was adopted in the unit had a positive effect on the students. Two key themes emerge from the qualitative responses. First, the dedication of some class time and explicit attention to autonomous development of group objectives had a positive impact on group learning. This was the factor that made group learning in the dispute resolution unit more successful (from student perspectives) than group learning in other units. Other factors that may have assisted learning groups to define common goals included the process of group formation (generating information to support meaningful self-selection) and the prompts that the pro forma Learning Group Agreement provided. Secondly, team building was facilitated by keeping students in one group throughout the semester, as well as prompting them to discuss what interaction their group was going to have outside class time. Some groups did not meet outside class time, whereas others socialised together frequently. However, they all reported that their group had an agreed means of communicating outside class time, and that this provided an avenue for supporting one another.

These strategies could be adopted in any law class, coupled with other approaches to group work. For example, supporting informed autonomous group formation may improve the experiences of group work where there is assessment attached to a group product. Explicit instruction and guidance about team building may scaffold collaborative skills development, transferable to most work places.

Perhaps the most satisfying result from the teacher’s perspective is the evidence that the group learning pedagogy enabled and encouraged students to lift the extent of their engagement in the learning experience. Krieger has theorised that where students feel connected, autonomous and competent, they are able to engage fully in their learning experiences.<sup>51</sup> This small study provided some evidence demonstrating how group learning can be designed to encourage students to engage fully in their learning experience, even where they come to the unit with a negative attitude or past negative experience with group work.

## VII CONCLUSION

Group work has potential to create tensions between students, heighten competition and stress. This negative effect was evident in students’ reports of prior group learning experiences. University teachers often require students to

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<sup>51</sup> See Sheldon and Krieger, above nn 5 and 9.

engage in group learning, presumably in the hope that positive learning outcomes will be achieved. Solidarity among team members appears to promote the positive benefits of collaboration, peer engagement, positive relationship building and cooperation. This article has demonstrated how group learning can be structured to promote positive effects such as connectedness, competence and autonomy. Students can be supported with adequate information and instruction about what is expected and what opportunities group learning provides. They can be given autonomy support through choice about who they work with, facilitation of connection with strangers, and an ability to negotiate group learning objectives and activities together with their group. Interconnectedness can be promoted by allowing class time to build students' sense of team, refraining from assessing group products (thereby reducing competitiveness and tension), and encouraging team building.

Aspects of group learning pedagogy in the unit described might be transferred into other law units. It may be particularly beneficial in the early part of law school to support interconnectedness and peer support from within the curriculum, planting the seeds for positive relationships between students. This article has shared a snapshot of group learning in one law unit at one Australian law school. By sharing such glimpses of what might work in promoting student wellbeing (by facilitating positive learning experiences), the academy can support one another to support students.