



A Guide to Group Learning and Reflection

A resource for students enrolled in LAW 624 Dispute Resolution

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Why this Guide?

The group work and reflective learning activities in this unit may be unfamiliar to you. Even if you have engaged in group learning experiences or reflective journaling exercises before, the purpose and expectations may vary between units. Furthermore, role-play scenarios will be used in this unit and this kind of learning may be new to some students. Because there is variability in understandings about what reflection is and how to do it, this guide provides some instruction for your benefit. This guide addresses the following needs:

- Being explicit about the educational purpose of the group learning experience;
- Providing scaffolding instruction on how to work effectively in a group;
- Providing scaffolding instruction on how to work effectively in role-play scenarios;
- Being explicit about the likelihood of intra-group conflict arising and suggesting tools to manage such conflict;
- Being explicit about the educational purpose of the reflective journal task;
- Providing scaffolding instruction on how to reflect on role-play experiences;
- Providing scaffolding instruction on what kinds of questions can be reflected upon in keeping a private reflective journal; and
- Explaining clearly how keeping a private journal and assignments are inter-related.

Why 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.¹

¹ 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>, 15.

To maximise the beneficial opportunities that group learning provides and to enable to establishment of a supportive group learning environment, you will remain in the same group throughout the semester. Groups will be formed during the first week of classes.

Group work guidelines and team building strategies

Perhaps the most valuable activity that a group can engage in is to clarify the goals and expectations of its members at the time that the group is formed. Clarity of expectations is an important feature of conflict management. You will negotiate a learning group agreement with your group in Week 2 of semester and this will provide a reference point for managing your group activities throughout the semester. The negotiation of this agreement provides an opportunity to reach consensus about how your group will function, share responsibilities, allocate role play opportunities, meet, achieve its goals and resolve intra-group conflict. Your group may include all, any or none of these aspects of group work in its agreement. The form of the agreement is up to your group. A model learning group agreement is attached to this guide and you may find this a useful guide in negotiating your learning group agreement. An electronic version is available on MyLO. Workshops in Week 2 will involve the negotiation and drafting of your group's learning group agreement.

Some recommended approaches to group work include the following:

- Clarify your group objectives on a regular basis;
- Clarify who is going to do what and when;
- Give each group member a meaningful role;
- Record group decisions in writing and share this record among group members;
- Reach agreement about how you will work together as a group and how group meetings will be conducted; and
- Check on the progress of activities undertaken outside class time.²

Communication skills are essential in conducting group work. As individual group members, it is recommended that you:

- Listen to one another;
- Say what you think;
- Try to recognise one another's feelings; and
- Be respectful.

Harassing or discriminatory behaviour towards other students will not be tolerated under any circumstances. Any instances of discrimination, harassment or disruptive behaviour will be dealt with according to the procedures in the University of Tasmania Ordinance 9 - Student Discipline available at http://www.utas.edu.au/data/assets/pdf_file/0010/50410/ord91.pdf, under the general misconduct provisions.

Because you will be working in the same group throughout semester, you have an opportunity to develop a common purpose, establish group dynamics and to take a long term approach to

² W. Martin Davies 'Groupwork as a form of assessment: common problems and recommended solutions' (2009) 58 *Higher Education* 563, Table 1.

the fostering of effective working relationships. Some potential dangers that you might want to avoid include:

- Compromising on things that really matter to you for the sake of the team;
- Dominating or allowing others to dominate; and
- Withdrawing or allowing others to withdraw.³

Team Building Strategies

Approaches to team building include identifying and examining common values. Professional values are important to law students, the legal profession and for other practitioners working in ADR. Here are three group team building activities, designed to strengthen team building via common values, agreements on appropriate behaviour and problem solving through appreciative inquiry. Your learning group may find these activities useful in building a relationship as a team and getting to know one another's communication styles, strengths and weaknesses. Other team building activities will be conducted during the first workshop.



Activity One- Ethical Behaviour

Form a group and discuss the following:

- What values are important to you as a student (e.g. honesty, respect etc)?
- Discuss what is important to each group member and why.
- List your common values.
- Work out what values are important to uphold in the legal profession.
- Work out what values are important for various ADR practitioners.
- Do your common values correspond with values expected of a legal practitioner or an ADR practitioner?

Activity Two –Unprofessional Conduct

Think about the following questions:

- What is unprofessional behaviour as a student?
- What is unprofessional behaviour from a group of students?

³ Davies (2009), above n2, Table 1.

- How can you/we deal with unprofessional behaviour in the legal classroom?

In a group, brainstorm 'how to make a group fail' e.g. forget to get contact numbers or set up meetings, fail to listen to each other, fail to attend meetings, fail to keep records, shout at each other, over work other members of the group, do work the night before it is due, lateness, rudeness, disrespect etc.

- Make a new list on how to succeed and keep it somewhere to remind you of professional conduct.

Activity Three- Problem Solving Task at the World Café

Name of Exercise: Building an ADR office

- Tools:** Set your room up with tables like a café in a comfortable environment, arrange tea/coffee and /or snacks, markers pens, large pieces of plain paper for design work
- Tasks:** Design the world's best ADR office include a foyer, interview rooms, offices, storage space, toilets, tearoom and other amenities/rooms you think are needed. Discuss the layout of the rooms, what is needed in each in terms of furniture, windows, computers, colour schemes etc.
- Aim:** The idea is to design an office to accommodate ADR processes. Your team are the architects/designers.
- Procedure:** Read the instructions about world café located in the reading section below. Appoint a host on your table and brainstorm the tasks (above). As a follow up complete the reflective exercises below.⁴

- What did your group do immediately after receiving the challenge?
- Did your group organise the task well?
- Describe the specific roles individuals took?
- How were the roles decided?
- Which aspects of the group would you change next time?

Readings for Team Building Strategies

Dal Pont, Gino 'The Ethically Superior Lawyer' (2007) 81(12) *Law Institute Journal*, 88 (Reading List).

Dal Pont, Gino, 'An Attitude of Cooperation' (2008) 82(7) *Law Institute Journal*, 84 (Reading List).

Smale, Bob and Fowlie, Julie, *How to Succeed at University- An Essential Guide to Academic Skills and Personal Development* (2009) Sage, 124-126 (Morris Miller Library LB 2343.3 .S63 2009).

Brown, J, *World Café* <http://www.theworldcafe.com/>

Role play activities

During most of the workshops in this unit, you will be playing the role of a participant in a dispute resolution process. This means that you will take on the persona of that participant. You will be working together with the other members of your group, and sometimes joining with

⁴ Adapted from 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>26-27.

another group, to role play various dispute resolution processes. This style of learning provides an opportunity to practise skills in a way that mirrors real life experience. You will learn from playing the role of a client, lawyer, third party, other participant or observer. Experience in a range of roles will help you to build a good understanding of how the processes work and what different participants might experience.

Role plays tend to work best when:

- Students overcome their nerves and embrace the learning activity;
- Role players place themselves in the part of their character and try not to over-act or under-act;
- All participants are respectful and supportive of one another; and
- Role players try to remain in role for the duration of the role play.⁵

Sometimes there are difficulties in undertaking role plays. It is hard to “do” when you are busy thinking about what you are supposed to be doing.⁶ Sometimes it can be hard to remember all the information that has been provided to you in the instructions. The content of a role play may touch on something personal for any of the role players or may elicit behaviour from a role player that becomes uncomfortable.⁷ Because the role plays in this unit are dealing with conflict scenarios, negative real-life experiences may affect you when you are playing a role. If you are finding that you are feeling distressed during a role play, you may ask for the role play to end. Then de-brief as a group to help you to transition from your character to yourself.

It is very important to de-brief at the end of a role play. Take some time to relax and shift back into your real persona. Then have a discussion as a group about how each of you experienced the role play. This will be part of your role play reflection.

Conflict management within groups

Sometimes group work can be challenging because disputes or conflicting expectations emerge between members of the group. It is probably realistic to expect that there will be conflict arising within your group at some stage during the semester. Rather than expecting to avoid conflict completely, it might be useful to prepare some conflict management or dispute resolution strategies in response to these kinds of situations. You can do this by discussing with your group members ways in which your group might agree to respond to conflict. The model learning group agreement leaves space for a dispute resolution clause. By agreeing at the outset about the process of dispute resolution, you may avoid arguments about how to attempt to resolve a dispute after it has arisen. In negotiating this aspect of your agreement, consider the kinds of disputes that you think might arise in the course of the unit.

It is also useful to consider your individual responses to conflict. During this unit you will be learning about a range of responses to conflict and disputing. The learning group experience provides an opportunity for you to practise some of the skills and techniques that you are learning. Try to think of intra-group conflict as an opportunity to learn rather than an obstacle.

Your reflections upon conflict within your group, identification of the strategies that were engaged in response to that conflict, and reflections upon what other responses might have

⁵ Samantha Hardy, *Role Plays* (2011) Private teaching notes.

⁶ Hardy (2011), above n5.

⁷ Hardy (2011), above n5.

been adopted, will form a significant part of your learning group report. It is therefore important that you try to identify conflict within your group and also reflect upon what happened in response to it.

Why reflect upon group learning?

Students' reflection upon their learning experiences is strongly encouraged in this unit for several reasons, including:

- The unit involves learning about both theory and practice and students' understanding will be enhanced through reflection;
- Critical reflection is a way of assessing students' contributions to group learning activities without requiring external monitoring of their participation levels; and
- Reflective professional practice is a desirable graduate attribute for university students generally and law students in particular.⁸

The potential benefits of reflection include:

- Identifying areas and skills that you can improve upon;
- Development of an appreciation and articulation of the particular skills involved in group learning activities;
- Devising a positive and constructive approach to challenges; and
- Facilitating the transfer of learning about group processes to other contexts.

Your reflections on your learning will form part of your briefing papers and the learning group report assignments. It is therefore strongly recommended that you keep ongoing written records of your reflections throughout the semester.

Reflecting on role-play experiences

There are several aspects of reflection involved in the role plays

- (P)reflection (preparation).
- Reflection in action (thinking on your feet).
- Reflection on action (individual and group de-briefs and feedback loops between all participants).
- Reflection on reflection (thinking about how de-briefing and feedback assists in professional development, how it could be improved etc.).⁹

How to reflect during reflective phases

Individuals reflect in different ways. Reading more about reflection will assist your understanding of it. Some theorists classify reflection in terms of stages or phases.¹⁰ Here are some examples of reflective questions suitable for each of the reflective phases.

⁸ For a discussion of the reasons for developing self-reflective skills in LAW624 and students' evaluations in 2011 see Olivia Rundle and Sarah Hiller, 'Teaching self-reflection to law students in a dispute resolution unit' (2012) 23 *Australasian Dispute Resolution Journal* (forthcoming, August 2012).

⁹ See Donald Schon, *The Reflective Practitioner: How professionals think in action* (1983) Basic Books.

Reflection Questions

Preparation Phase

These reflective questions can help to prepare you for your learning experiences in the workshop activities. Work through them prior to attending class.

Role as a learner

- What is the process about?
- What do I hope will be achieved by the process (expectations)?
- How strongly do I/we hold onto these expectations?
- Will my/our expectations influence my/our performance?

Role of learning legal skills and strategies

- What strengths can I/we bring to the process?
- What areas of concern do I have about my skill base?
- What will I/we do to cope effectively with difficulties?
- Have I /we read all relevant recommended material (e.g. this guide)?

Role as an ethical professional

- What values are important to me as a student?
- What does professionalism mean to me?
- How can I/we be professional?
- What values are important to uphold with ethical behaviour?
- How will I /we play the roles allocated?
- What values does each role player need to have?
- What qualities does each role player need to have?
- Why are these qualities important for the process as a whole?

Role of the context

- What do I need to know to make the process more productive?
- What is the rationale behind the process?

Reflection in action (thinking on your feet, reflection during the event)

Reflection in action is possibly one of the most challenging stages of reflection, because this requires that you engage with your learning experience and reflect upon your performance at the same time. Developing this skill is a valuable tool in becoming a reflective practitioner (of whatever profession you follow). This reflection can be practised while your group is engaging in the workshop learning activity. When the activity is a role play, you will be taking on the

¹⁰Schon, above n10; David Bould, 'Using Journal writing to Enhance Reflective Practice' in English, LM and MA Gillen (eds) 'Promoting Journal Writing in Adult Education' (2001) 90 *New Directions for Adult and Continuing Education* 9-17; Janet Dymont and Timothy O'Connell, 'The Quality and Reflection in Student Journals: A Review of Limiting and Enabling Factors' (2010) 35 *Innovative Higher Education* 233-244.

persona of a particular participant in the process, and reflection in action gives you an opportunity to assess what responds to conflict or dispute resolution approaches and/or skills you are displaying. Sometimes your role will be an opportunity to practice your future profession (for example, when you are playing the part of a mediator or lawyer). At other times your role will be an acting opportunity (when you play the part of a client), where you will not be constrained by your professional identity and can be “difficult” or “obstructive” in the process. Try to be genuine and play a character that you believe could come to the process. When you are acting, reflection in action gives you an opportunity to notice the impact that your character’s behaviour has on the other participants and the process itself. Reflection in action also gives you an opportunity to notice the effect that other people’s behaviour has on you and the process. This mindfulness can inform your responses to events as they occur during the activity.¹¹ Mindfulness can be described as “paying attention, in a particular way; on purpose, in the present moment and non-judgmentally.”¹² The benefits of practising truly being present and accepting in the moment include heightened self-awareness and an ability to notice what is happening for you and others. Mindfulness is a particularly useful skill for professionals such as dispute resolution practitioners and lawyers, because it enables them to tune in to themselves and the other participants and respond to emotional aspects of disputes.¹³ Mindfulness is also linked to positive effects on psychological wellbeing, significant because psychological distress is a recognised problem for law students and legal practitioners.¹⁴

- Am I following my plan? Why/why not?
- Is there conflict?
- Can I /we resolve the conflict?
- Am I participating too much? Too little?
- Am I fulfilling my expected role?
- What can I/we do to improve performance(s)?

Reflective listening

- Am I/we actively listening to the other members of the group?
- Am I/ we allowing other speakers to complete their thoughts or opinions without interrupting?
- Am I/we jotting down important details or points raised by others?
- Am I/ we keeping an open mind even if I/we find points disagreeable?

¹¹ For an explanation of mindfulness see <http://www.wildmind.org/applied/daily-life/what-is-mindfulness> or <http://mindfulness.org.au/index.html>.

¹² Jon Kabat-Zinn, *Mindfulness for Beginners* (2006) cited at <http://www.wildmind.org/applied/daily-life/what-is-mindfulness>.

¹³ Clark Freshman, ‘After Basic Mindfulness Meditation: External mindfulness, emotional truthfulness, and lie detection in dispute resolution’ (2006) *Journal of Dispute Resolution* 511; Leonard L Riskin, ‘Awareness and Ethics in Dispute Resolution and Law: Why Mindfulness Tends To Foster Ethical Behaviour’ (2008-2009) 50 *South Texas Law Review* 493; Leonard L Riskin, ‘Annual Saltman Lecture: Further Beyond Reason: Emotions, the Core Concerns, and Mindfulness in Negotiation’ (2009-2010) 10 *Nevada Law Journal* 289; Clark Freshman, ‘Yes, and: Core Concerns, Internal Mindfulness and Emotional Balance, Lie Detection and Successful Negotiation’ (2009-2010) 10 *Nevada Law Journal* 365; Deborah Calloway, ‘Using Mindfulness Practice to Work with Emotions’ (2009-2010) 10 *Nevada Law Journal* 338; Leo F. Smyth, ‘Escalation and Mindfulness’ (2012) 28(1) *Negotiation Journal* 45.

¹⁴ See for example: Molly Townes O’Brien et al., ‘Changing Our Thinking: Empirical Research on Law Student Wellbeing, Thinking Styles and the Law Curriculum’ (2011) 21(1) *Legal Education Review* 149; Colin James, ‘Law Student Wellbeing: benefits of promoting psychological literacy and self-awareness using mindfulness, strengths theory and emotional intelligence’ (2011) 21(1) *Legal Education Review* 217; Jill Howieson, ‘ADR Education: Creating engagement and increasing mental well-being through an interactive and constructive approach’ (2011) 22 *Australasian Dispute Resolution Journal* 58; Norm Kelk et al., *Courting the Blues: Attitudes towards depression in Australian law students and lawyers* (2009) Brain and Mind Research Institute; Kath Hall, ‘Do we really want to know? Recognising the importance of student psychological wellbeing in Australian law schools’ (2009) 9 (1) *Queensland University of Technology Law and Justice Journal* 1.

- Am I/we keeping calm, even if my/our views differ significantly from each other?
- Am I/we taking a genuine interest in what others are saying?

Mindfulness

- How do I feel right now?
- How am I breathing?
- Am I tense in any part of my body?
- What is happening in this group?
- What has triggered the way I feel/my physical responses?

Reflection on action (reflection after the event)

Reflection on action will be supported by dedicated class time and guidance from the lecturer. You should have a copy of this guide with you at workshop classes. There will be a number of stages to the in class reflection on action. These are as follows:

1. **Transition from role play to reflection:** At this stage the people who were role-playing a character should take a few moments to transition from that character back to themselves. All group members can take a few minutes to quietly gather their thoughts in preparation for the group discussion.
2. **Debrief:** After each learning activity your group will have an opportunity to debrief with one another. Each participant should have an opportunity to share with the group how they experienced the activity, and any emotional responses that they had to what occurred. These emotional responses might be positive or negative. Each person should be listened to without being interrupted. Honesty will be fostered by a non-judgmental atmosphere.
3. **Feedback:** At this stage participants can share their thoughts about how the process was conducted. This might include observations about the way the dispute resolution practitioner and lawyers approached the process and what interventions they adopted. It might also include observations about the suitability of the personalities and nature of the dispute for the process. Feedback should be given in an honest but sensitive manner. At times your observations may be about challenging behaviour that a participant exhibited. Keep the people separate from the problem. Giving constructive feedback in a sensitive manner is a valuable professional skill.
4. **Whole of class discussion:** At this stage the whole class will engage in a general discussion. Particularly interesting or unresolved aspects of your small group discussion can be brought to the whole group. Reference to the briefing paper questions might be made at this stage to guide your reflections to support you to prepare a paper for the learning activity.

To complete your reflection on action, take some more time to reflect upon the activity alone after class.

The following questions might be helpful to guide your reflection on action, whether in groups or individually.

About the dispute resolution process

- Were all issues resolved?
- Did the process work? In what ways? For who? If so why? If not why not?
- Was the dispute suited to the process? In what ways?
- Was the process/session productive?
- Did I /we have any difficulties?
- Did I /we deal effectively with the difficulties?

About our group learning

- What did our group do immediately after receiving the task?
- Did the group organise the task well?
- Describe the roles individuals took.
- How were the roles decided?
- Was there any conflict? How did I/we respond to it?
- Which aspects of the group would I/we change next time?
- Can I/ we link experiences with theory?
- Can I /we evaluate group dynamics?

About our learning and role play

- What did I/we learn?
- Was this what I/we expected?
- What have I /we recognised about my/our learning?
- Did I/we enjoy the process?
- Did the role –play assist with my/our learning or understanding of the process?
- Did I /we show my/our strengths during the session? If so how? If not why not?
- What could I /we have done differently to improve the role- play?

About professionalism and ethics

- Did I/we act in a professional way?
- Did I /we act in an ethical way?

About feedback

- Did feedback mechanisms work?
- Did I/we give constructive feedback?
- Did I/we accept feedback?

Reflection on Reflection (Journaling)

The final stage of reflection is where you think back upon your reflections and reflect upon them. This first involves reflection on process, constructive feedback and skill development

- What did I/ we debrief on (parties to mediator, mediator to parties, observer to mediators, mediators to observers?)
- Did feedback assist me/us?
- How can I /we describe what might improve each other's performance?
- Am I /we listening to each other's feedback?
- Have I/we weighed up feedback?
- Have I/we thanked each other for the feedback?
- How can this process be improved?
- Can I/ we summarise my /our skill development (inclusive of reflection)
- Did I/we find this guide useful to assist with reflection? Learning about the topic?

Reflection on reflection is where you can work through the stages of reflection from reporting and responding to what occurred, relating your observations to your own skills, experience and knowledge, developing a reasoned explanation for an incident or issue that arose and then finally, reconstructing your understanding to inform your future practice or professional understanding. Ryan and Ryan describe this as the *4Rs Model of Reflective Thinking* and present the stages of reflection as reproduced on the following page.¹⁵ This model will guide you to address the marking criteria for the Briefing Papers and Learning Group Report.

Keeping a private reflective journal

You are encouraged to keep a personal journal throughout the semester, recording your thoughts about your experience of working in your group as well as other reflections about learning experiences in the unit. This personal journal will provide material to enable you to complete assessments i.e. briefing papers and Learning Group Report. Its contents will remain private unless you choose to share them. Extracts from the personal journal that you select and use for your assessment, however, will be part of your assessment and read by the assessor. If you consent to your work being used in evaluative research of learning and teaching in LAW624 then your assignments will be used in the research. Your participation is voluntary and consent or otherwise to the research will only be identifiable after all course assessments have taken place. You will be contacted by email about the research.

Instructions for Reflection

There are many classifications (or taxonomies) of reflection. There is, however, little set consensus on what is within the ambit. Moon defines reflection as a form of mental processing – like a form of thinking – that we use to fulfil a purpose or to achieve some anticipated outcome. It is applied to relatively complicated or unstructured ideas for which there is not an obvious solution and is largely based on the further processing of knowledge and understanding and possible emotions that we already possess.¹⁶ Real life situations or simulated situations, such as role-plays, encourage reflection.

For further explanation refer to the readings below.

¹⁵ <http://www.qut.edu.au/research/research-projects/developing-reflective-approaches-to-writing-draw>

¹⁶ Jennifer Moon, *Learning Journals: A Handbook for Academics, Students and Professional Development* (1999).

The 4Rs Model of Reflective Thinking



Level	Stage	Questions to get you started
1	Reporting and Responding	Report what happened or what the issue or incident involved. Why is it relevant? Respond to the incident or issue by making observations, expressing your opinion, or asking questions.
2	Relating	Relate or make a connection between the incident or issue and your own skills, professional experience, or discipline knowledge. Have I seen this before? Were the conditions the same or different? Do I have the skills and knowledge to deal with this? Explain.
3	Reasoning	Highlight in detail significant factors underlying the incident or issue. Explain and show why they are important to an understanding of the incident or issue. Refer to relevant theory and literature to support your reasoning. Consider different perspectives. How would a knowledgeable person perceive/handle this? What are the ethics involved?
4	Reconstructing	Reframe or reconstruct future practice or professional understanding. How would I deal with this next time? What might work and why? Are there different options? What might happen if...? Are my ideas supported by theory? Can I make changes to benefit others?

Reproduced from <http://www.qut.edu.au/research/research-projects/developing-reflective-approaches-to-writing-draw>

What to include in a private reflective journal

- Frequent entries at least once a week
- Entries in first person
- Descriptions about the course and your learning
- Review your assessment – you may want to keep your private journal in sections relevant to later assessments
- Answers to the types of questions referred to in the sections on reflection in action and reflection on reflection above using
 - Recollections, thoughts, feelings
 - Analysis, evaluation, critical thinking (these can then become part of later assessments)

The types of questions used for your reflection will vary depending upon your focus. Useful questions for reflection for your own participation are included in Reflection on Action Section above. Other more general questions include:¹⁷

- What were the key points I/we learned?
- What were my/our key strengths?
- What areas did/I we indentify for development?
- What have I/we learnt about myself/ourselves?
- How will I/we use it?
- What else do I/we need to learn?

Using private reflections to produce briefing papers and a learning group report

Each student will submit four briefing papers about workshop learning activities. Part of the briefing paper will contain reflections upon learning within the relevant workshop. The issues to be addressed are:

“Reflect upon your own participation in the workshop activity. What did you do well, badly, what did you learn, how would you do things differently next time?”

Workshop activities will include small group discussions, role-play activities and drafting exercises.

Part of the assessment for the unit will be an individual Learning Group Report, submitted at the end of semester, about your experience of working in the group throughout the unit. The report will include a reflection upon the effectiveness of the group contract negotiated at the beginning of semester, strategies adopted in response to conflict arising between group members, commentary on the effectiveness of the strategies employed and reflection upon the effect of the group learning experiences on the student. This piece of assessment will carry 20% of the assessment weight. Remember it is important to examine criteria rubrics to determine how assessment will be undertaken.

¹⁷ Adapted from Bob Smale and Julie Fowlie, *How to Succeed at University- An Essential Guide to Academic Skills and Personal Development* (Sage, 2009), 144-145.

Use the 4Rs model of reflective thinking reproduced above when gathering your reflections to complete the assessment tasks.

Selecting Material for Assessment

There are no set ways to reflect in your private journal, however, when you select reflective material for the briefing papers and the Learning Group Report, this becomes part of your assessment. The following checklist will guide you through the process from private journal to producing your assignment.

Checklist for keeping a private journal

After group activities:

1. Keep a private reflective journal entry of each group activity, the day or week of the activity.
2. Keep a diary note reminder to journal.
3. Refer to the 'what to include' list above for what to include in the entry.
4. Keep the journal in a safe place.
5. Keep a copy of the journal in the event something happens to the original.

Before assessments are due:

6. Check when assessments are due.
7. Review your journal.
8. Reflect on what to include in the assessment from the journal.
9. Select relevant passages as evidence to support your assessment.
10. Prepare your assessment in advance of the due date.

Readings for Reflection

<http://www.qut.edu.au/research/research-projects/developing-reflective-approaches-to-writing-draw>

<http://mindfulness.org.au/index.html>

Moon, Jennifer, *Learning Journals: A handbook for reflective practice and professional development* (2006) Routledge (Morris Miller LB 1060 .M65 2006).

Dyment, Janet and O'Connell, Timothy, 'The Quality and Reflection in Student Journals: A Review of Limiting and Enabling Factors' (2010) 35 *Innovative Higher Education* 233-244 (SpringerLink Contemporary).

Schon, Donald, *The Reflective Practitioner: How professionals think in action* (1983) Basic Books (Morris Miller HD 8038 .A1 S35 1983).

Smale, Bob and Fowlie, Julie, *How to Succeed at University- An Essential Guide to Academic Skills and Personal Development* (2009) Sage, Chapter 5 (Morris Miller LB 2343.3 .S63 2009).

Model Learning Group Agreement¹⁸

[Your task is to create a Learning Group Agreement through collaboration and negotiation between you. Your Agreement may take any form that suits your group. This Model is intended as a guide and may be altered and/or adopted by each learning group.]

LEARNING GROUP AGREEMENT

1. Parties to the learning group

We students enrolled in LAW624 Dispute Resolution agree to form a learning group
[Learning Group Name??]:

1. *[Name, contact details]*
2. *[Name, contact details]*
3. *[Name, contact details]*
4. *[Name, contact details]*

2. Purpose of this Agreement

The purpose of this agreement is to clarify the way that our learning group will operate during learning activities set by the LAW624 Unit Coordinator Dr Olivia Rundle. We will be working together to engage in workshop activities and to support one another's learning during the unit.

3. Objectives of this Learning Group

Our objectives in working together as a group are:

1. *[insert objective here]*
2. *[insert objective here]*
3. *[insert objective here]*
4. *[insert objective here]*
5. *[insert objective here]*

4. Allocation of roles during workshops

We agree to the following schedule of roles during the remaining workshops in LAW624:

Workshop Week of semester	Topic	Roles
3	Ethical exercises	Students will work collaboratively to discuss a series of scenarios. You will each have the opportunity to play the

¹⁸ This model agreement draws heavily from *Draft Group Contract* (2005), Curtin School of Business Law
<<http://www.business.curtin.edu.au/files/cbsUnitsCourses/Contract%20Administration%20502.doc>>.

		group facilitator.
4	Negotiation exercise 1	All students will play the role of unassisted parties to negotiations during this workshop.
5	Negotiation exercise 2	Client: Lawyer: Observer: Observer:
6	Client communication and interviewing skills	All students will have the opportunity to role-play both a client and a lawyer.
8	Mediation role play 1	Client: Lawyer: Mediator: Observer:
9	Mediation role play 2	Client: Lawyer: Mediator: Observer:
10	Criminal Justice Conference	Client: Lawyer: Conference convenor: Support person:
11	Mediation role play 3	Client: Lawyer: Mediator: Observer:
12	Dispute diagnosis exercise	All students will have the opportunity to role-play both a client and a lawyer.

5. Activities other than roles during workshops

We agree to work together outside the role play allocations outlined in clause 4 in the following ways:

[Insert details of other collaborative activities agreed by your learning group, if any. Possibilities include evaluating the learning group's effectiveness, discussing unit readings, conducting additional role plays outside class time etc.]

6. Meetings

We agree to meet outside class time as follows:

[Insert details of your meeting arrangements, if any]

7. Disputes

Where a dispute arises [as to the following matters:

1. *[Insert eg work load]*

2. *[Insert eg freeloading/not attending]*
3. *[Insert eg quality of contributions/preparation]*
4. *[Insert eg communication]*

The dispute will be managed/resolved in the following manner:

[Insert your dispute resolution clause, if any]

8. Any other relevant clauses or schedules

[Insert any other clauses that your learning group thinks is important. Eg Confidentiality]

Signed:

[Student 1]

[Student 2]

[Student 3]

[Student 4]

Bibliography

Barraket, J, 'Teaching Research Method Using a Student-Centred Approach? Critical Reflections on Practice' (2005) 2 (2) *Journal of University of Teaching and Learning Practice* <<http://ro.uow.edu.au/julp/vol2/iss2/3>>

Brown, J, *World Café* <<http://www.theworldcafe.com/>>

Bould, David, 'Using Journal writing to Enhance Reflective Practice' in English, LM and MA Gillen (eds) 'Promoting Journal Writing in Adult Education' (2001) 90 *New Directions for Adult and Continuing Education* 9-17.

Dal Pont, Gino 'The Ethically Superior Lawyer' (2007) *Law Institute Journal*, 81(12) 1.

Dal Pont, Gino, 'An Attitude of Cooperation' (2008) *Law Institute Journal*, 84.

Davies, W. Martin, 'Groupwork as a form of assessment: common problems and recommended solutions' (2009) 58 *Higher Education* 563.

Dyment, Janet and O'Connell, Timothy, 'The Quality and Reflection in Student Journals: A Review of Limiting and Enabling Factors' (2010) 35 *Innovative Higher Education* 233-244.

Hardy, Samantha, *Role Plays* (2011) Private teaching notes.

Guthrie, Rob, *Draft Group Contract* (2005), Curtin School of Business Law
<<http://www.business.curtin.edu.au/files/cbsUnitsCourses/Contract%20Administration%20502.doc>>.

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>.

Moon, Jennifer, *Learning Journals: A handbook for reflective practice and professional development* (2006) Routledge.

Ryan, Mary and Ryan, Michael, *Developing Reflective Approaches to Writing (DRAW)*
<http://www.qut.edu.au/research/research-projects/developing-reflective-approaches-to-writing-draw>

Schon, Donald, *The Reflective Practitioner: How professionals think in action* (1983) Basic Books.

Smale, Bob and Fowlie, Julie, *How to Succeed at University- An Essential Guide to Academic Skills and Personal Development* (2009) Sage.

Sparrow, Sophie, 'Practising Civility in The Legal Writing Course: Helping Students Learn Professionalism' (2007) 13 *The Journal of Legal Writing Institute* 113-157.