

Teaching Research Skills Outside the Curriculum: Lessons Learnt at Oxford University

Abstract: Angela Carritt of the Bodleian Law Library gave a paper at the 38th Annual BIALL Study Conference in Sheffield in June 2007. She discusses Oxford University's Legal Research Skills Programme (LRSP), looking at its content, methodology and effectiveness. She also looks at the programme as an example of a stand-alone skills course and asks whether such courses can be effective. Additionally, she discusses students' use of online resources and suggests that they have developed computer based study strategies which make the use of print resources inconvenient. The paper draws on research by Sandra Meredith into students' expectations and experiences of the LRSP and how they use their learning after the classes.

Keywords: academic libraries; legal research skills; training

Introduction

Throughout this paper I draw on research by my co-teacher Sandra Meredith, which involved interviewing and surveying students in 2004 and 2006 and focussed on students' expectations and experiences of the LRSP and how they used their learning after the classes. The LRSP was developed in response to a growing number of calls from the higher education establishment, and from the legal profession, for universities to develop students' transferable skills. These culminated in 1999 with the Law Society and Bar Council's joint statement requiring candidates for the qualifying law degree to demonstrate research, IT and team work skills by 2001.

At the same time, Freshfields Bruckhaus Deringer approached Oxford raising concerns about the skills of their graduate trainees and generously agreed to sponsor a legal research skills programme. The programme is run jointly by the Law Faculty and the Bodleian Law Library.

Stand-alone v embedded skills programmes

Educationalists generally favour embedding skills training in subject teaching so that students can develop subject knowledge and skills in tandem. In spite of this the LRSP,

like many skills programmes, is a stand-alone programme which is independent of subject teaching. There are many reasons for developing stand-alone courses. In particular, ensuring that skills are covered adequately during subject teaching usually requires courses to be redesigned and often attracts cultural opposition.

In Oxford embedding skills in subject teaching would have been particularly problematic because, apart from lectures, most teaching takes place in Colleges with practice varying across the University. Ensuring that all Colleges built skills into their subject teaching would have been difficult. The LRSP was therefore developed centrally to ensure that all students receive a grounding in research methods.

One of the most frequent criticisms of stand-alone programmes is that students do not attend them. In addition some embedded programmes have been criticised for assuming that students are developing skills alongside their subject knowledge without testing this. However, the LRSP is compulsory and assessed which ensures that all students acquire the skills.

Unit I: Introduction to legal materials and online resources

The LRSP consists of three units, with students taking one unit per term during their first year in groups of 12–24.

Students take Unit 1 within their first three weeks at Oxford, giving us a good opportunity to ensure that they understand legal materials and develop good searching skills at the start of their course.

This unit consists of two parts. The first introduces legal materials and particularly law reports, legislation, EU materials and journal articles. At this stage students have just received their first reading list and this part of the unit ensures that they understand what the citations on the list actually refer to. There is a lot of material to get through and much of it is covered in pre-course reading, although the most important points are reiterated during the classroom session.

The second part focuses on finding reading list materials online. Students work through online tutorials on Lexis Nexis Butterworths (LNB) and Westlaw, and these are interspersed with demonstrations of Justis and our journals portal, TD Net.

The online tutorials use the Informs software (<http://www.informs.intute.ac.uk>). This splits the screen in two with instructions, information and questions appearing on the left hand side and the live database on the right (see Figure 1).

The advantage of these tutorials is that students actively engage with the database by running searches and answering questions. They are also time efficient, demonstrating the main features of a database in about 10 minutes. However,

they are quite prescriptive, particularly as students must use the searches suggested by the tutorial rather than trying their own examples. This is a disadvantage, as some people learn better through experimentation.

The session ends with a multiple choice test. For each question the students must open a database, make a search, choose the appropriate document and answer a question from it. Easier questions are along the lines of which legislation was considered in a particular judgment. More difficult questions ask which cases applied a particular judgment or considered a piece of legislation.

How effective is Unit 1?

The strength of Unit 1 is that it helps students to use databases successfully from the start of their course. Of course, students do use databases before the LRSP but often with limited success. One of the biggest problems is working out which databases to use and which publications are on each database. For example, the fact that some case citations appear on Westlaw and others do not is completely baffling. Unit 1 is able to solve this problem by talking about law reporting generally and by explaining that some series are only available in particular

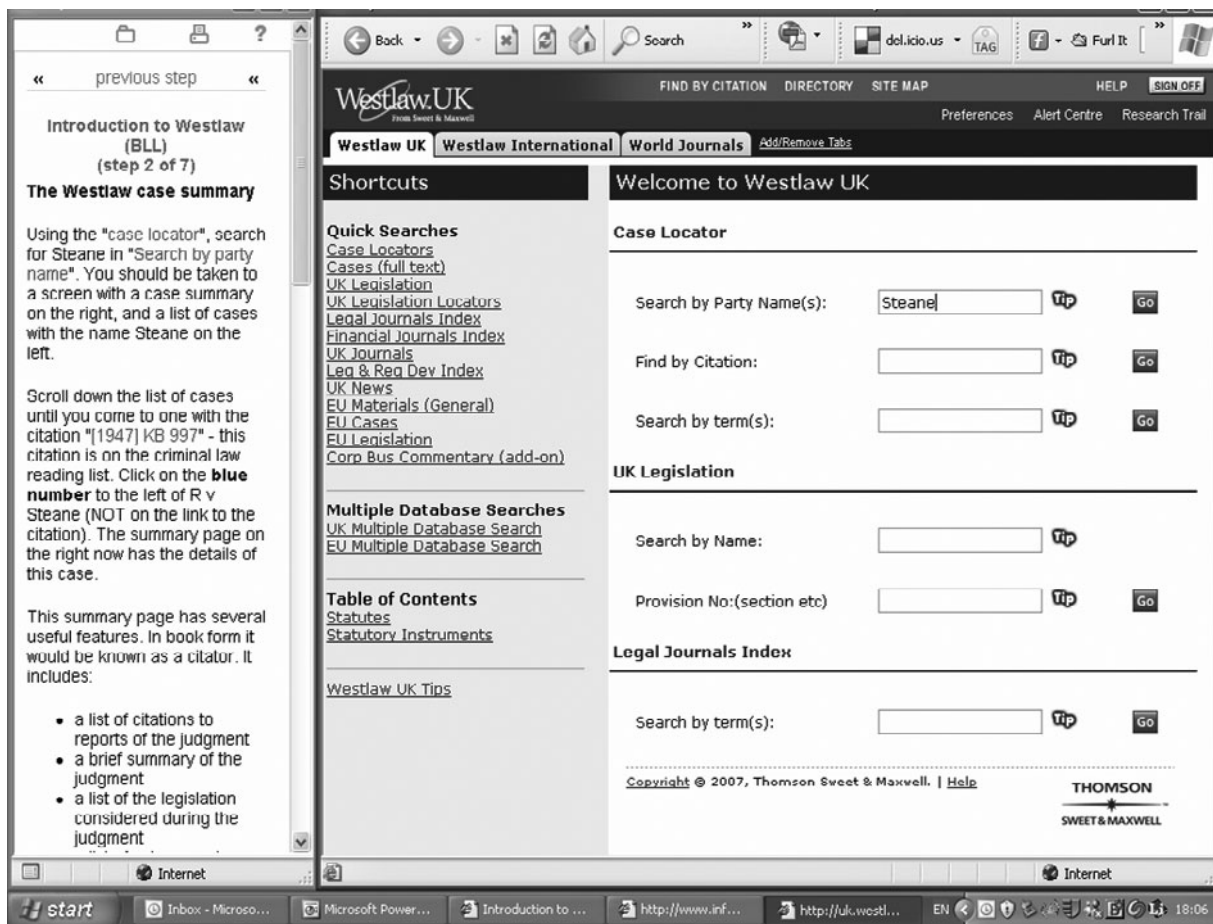


Figure 1: Informs online tutorial

databases. This helps students to cope with the coverage issue, even if they do not remember the fine detail.

Students also have trouble with searching and with interpreting results lists. Unit 1 can improve their search strategies by encouraging the use of Boolean operators and field searching and by pointing out simple search techniques, such as only searching for the most unusual words in the party names. It also talks students through the complicated results screens produced by Westlaw's Case Citator and LNB's Casesearch so that, once students have some results, they can use them effectively.

By explaining the mysteries of the databases, Unit 1 helps students to become successful online searchers. They then become expert at basic searching (for example searching by citation, party names and author/title) because they practise these skills on a daily basis to find items on their reading lists.

However, students are less good at advanced research, such as tracing judicial history and changes to legislation and subject searching. This is because, although they learn these skills during Unit 1, they do not need to practise them for their essays which are directed by reading lists.

Unit 2: Introduction to advanced research skills

Unit 2 concentrates on advanced research skills. We describe this as "researching the law without a reading list" because in the rest of their studies students are nearly always told what to read. This unit also introduces a number of print resources, although the emphasis has changed over the years from focussing on print to focussing on advanced research using print and online resources.

The unit has been through a number of editions. The first was a quiz in which students worked out how to use 14 print resources and used each one to answer a couple of questions. This was problematic because the quiz format made it difficult for them to appreciate how they might use the resources in their studies. In addition, with so many resources to get through in a short time, students ended up with only a poor understanding of each one.

In the second edition we cut down the number of resources and, instead of the quiz, students used them to find additional materials for their current essay topic. Students worked in pairs and focussed on one resource, working out its coverage and method of use as they researched their topic. They then gave a presentation on their resource to the rest of the group. This was an improvement. However, some essay topics did not work well with the resources. This was a particular problem with the case citators, because some essays looked at cases which had not been subsequently considered. Of course, finding that a case has not been considered is valid. However, it was difficult for students to appreciate this and so they often felt that they had found nothing and that the resources were useless.

In the most recent edition, students work through a guided research exercise. They are given a problem question (see Figure 2 for an example) and follow a worksheet which walks them through the research process. As you can see in Figure 3, students start with *Halsbury's Laws* and are directed to read particular paragraphs and to note up, answering questions as they go along. They then go on to look at *Halsbury's Statutes* and the Westlaw Case Citator and *Legal Journals Index*.

The advantage of this approach is that we can write problem questions which illustrate the main features of the resources effectively. However, like the tutorials in Unit 1, the worksheets are quite prescriptive and do not leave room for learning by experiment. Our earlier experiences in this unit suggest that experimenting is not always an advantage if the chosen examples do not work well with the resources.

How effective is Unit 2?

It is more difficult to motivate students in Unit 2 than Unit 1 because the skills it covers are less useful to their essay work. Advanced research skills are useful for moots and for summer placements, but these are less persuasive motivators than the immediate demands of the weekly essay and so the unit is less valued.

Nathan and Natasha have a two year old suffering from a rare blood disorder. Their only hope of curing the child requires a transfer of stem cells from a suitable donor.

Nathan and Natasha were planning to have a second baby anyway but would now like to ensure that the new baby is a suitable donor to cure their existing child. They have approached Bonnie Babies clinic for IVF treatment and have asked the clinic to screen the embryos and to implant only embryos which will produce compatible stem cells.

Bonnie Babies is not sure whether it can legally screen embryo's and implant only those which are a suitable match. They seek your advice.

Figure 2: Problem question

1. Halsbury's Laws

First find the index to Halsbury's Laws, which are usually shelved at CW UK 510 H196a (at the start of the UK text books). Find the consolidated index and look for references to Human Fertilisation and Embryology.

Look through the subheadings and follow up the relevant references. The numbers in bold denote the volume number and the number in normal weight denote the paragraph number.

Read the paragraphs on "Prohibitions" (Tip: Read the footnotes!)

1. Does screening of embryos fall within the definition of treatment services?
 ✓ Yes - Vol 30(1)

2. Note the volume, paragraph number and relevant footnote number for this information
 ✓ Vol (30)(1), Para 278, Footnote 14.

3. Which case established this? (give the case name and citation)
 ✓ *R v Human Fertilisation and Embryology Authority (Secretary of State of Health intervening)* [2003] EWCA Civ 667.

4. Which section of the Human Fertilisation and Embryology Act 1990 defines treatment?
 ✓ § 2(1)

Now check the Cumulative Supplement and Noter up to find out if the paragraph on "Prohibitions" has been updated. (Hint - Use the volume

Figure 3: Halsbury's Laws

Unit 3: Applied legal research and team work exercise

Unit 3 is the culmination of the programme, bringing together learning from the other units. Students work in teams of 3–4 to resolve a legal problem over the course of a day. At the end of the day they present their solution to a research postgraduate who quizzes them on the legal issues, their research methods and team work.

The problems for this unit are drawn from outside the curriculum so that students have to research them without prior knowledge. They are challenging, usually covering more than one area of law, and often touching on new or changing areas of law.

During the day the students need to identify the issues and areas of law involved and to research each issue. This involves finding and reading textbooks and other commentary, identifying key cases and legislation and making sure they are still current. They may also look at reports from government departments and pressure groups and news items. In addition, students

must organise their time, produce a coherent presentation and be prepared to discuss their research at the end of the day.

In the other two units students are guided through the research process. In this unit, although staff are available to suggest resources and to help with database searching, the students must manage and get through the research themselves.

How effective is Unit 3?

Unit 3 is the most challenging and the most enjoyable unit of the LRSP. Feedback shows that students enjoy the challenge of researching a "real" legal problem from scratch and having a solution by the end of the day. Successful completion makes them feel like real lawyers researching real issues and shows them how far they have progressed in their legal education. The students are also very good at this unit, producing consistently good solutions to challenging questions and this in itself suggests that this unit is effective.

Students' use of online resources

Before closing, I would like to make some additional remarks about students' use of online resources that arose from Sandra Meredith's research (Meredith 2007).

The research shows that 80% of students use databases for "nearly everything" (Meredith 2007) and this confirms our experience that students are increasingly reluctant to use print resources. At least in part this is because students have developed computer-centred study strategies. In particular, students value the computer's ability to copy, paste and manipulate, store and sort. This is not only important in preparing essays, but also as part of an overall study strategy in which students save, organise and manipulate quotations and full documents for revision.

Students also utilise the value added to online materials by hypertext linking both between and within documents. Linking within law reports, for example, helps students to navigate them successfully and facilitates skim reading.

Perhaps because of these advantages, students will often choose to use an online resource, even when they believe the alternative print format is easier to use. This is most clearly illustrated in their use of *Halsbury's Laws*. In Unit 2, students use the print and online editions of *Halsbury's Laws* and are encouraged to compare the two critically. Most students find the print edition significantly easier to use. However, when asked which format they would use in the future, they invariably choose the online version.

Although students will sacrifice ease of use in order to use an online resource over print, when choosing between different online resources, they are often willing to trade quality for convenience. This is clearly demonstrated by their use of legislation. Students generally prefer to view acts as single documents rather

than split into sections. As a result, until recently, they often downloaded acts from free web sites where they were available as single documents in preference to Westlaw and Lexis, even though they knew that the free resources had not been updated. In doing so, they consciously risked using an out-of-date act for the convenience of having it in their preferred format. Now that legislation is available in single documents in Lexis and Westlaw this is less of a problem. However, it is indicative of a general attitude.

It is clear that computers are now central to students' study methods and print is increasingly less popular. As librarians, rather than attempting to reverse this trend, we should concentrate on improving students' search strategies and ensuring that they always use the best online resources.

Conclusion

The LRSP is effective in developing students' research skills in spite of being a stand-alone programme. This is partly because all students have to take the course and pass the assessment ensuring that everyone acquires the skills.

Unit 1 is the most effective part of the programme because it teaches basic research skills which students practise during their essay work. In Units 2 and 3 students have the opportunity to practice more advanced research skills and by the end of Unit 3 they are able to produce convincing solutions to complex legal situations. However, for students to develop their skills further, we need to give them more opportunities to practise advanced research during their subject studies. This could be achieved by incorporating assessed research exercises into core subjects, or by giving students the opportunity to submit a research dissertation supported by advanced research classes.

Bibliography

Meredith, Sandra. (2007) First year law students, legal research skills and electronic resources. *Law Teacher* 41(2), 191–205.

Biography

Angela Carritt is currently the Electronic Resources Librarian at the Bodleian Law Library, University of Oxford. Angela has a BA in History from the University of York and an MA in Library and Information Studies from UCL. Before joining the Bodleian Law Library, she worked as Assistant Librarian at St Hilda's College Library, Oxford and as Information Officer for Web Resources at the University of Reading.