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**‘HIRING A NASHVILLE SENSATION’:**

**USING NARRATIVE LEARNING TO DEVELOP THE PROBLEM SOLVING SKILLS  
OF CONTRACT LAW STUDENTS**

Michelle Backstrom and Donna Cooper<sup>+</sup>

Queensland University of Technology

*This article discusses the design of interactive online activities that introduce problem solving skills to first year law students. They are structured around the narrative framework of ‘Ruby’s Music Festival’ where a young business entrepreneur encounters various issues when organising a music festival and students use a generic problem solving method to provide legal solutions. These online activities offer students the opportunity to obtain early formative feedback on their legal problem solving abilities prior to undertaking a later summative assessment task. The design of the activities around the Ruby narrative framework and the benefits of providing students with early formative feedback will be discussed.*

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<sup>+</sup> Michelle Backstrom is a Lecturer in the QUT Law Faculty. The Ruby activities were developed with the assistance of a QUT Law Faculty Learning and Teaching Grant. Assistance was provided by Cheryl Treloar (research and creative writing) and Paul Fenn (learning design). The video was produced by QUT’s eTV and the director/producer was Sarah Scully. Donna Cooper is a Senior Lecturer in the QUT Law Faculty.

# USING NARRATIVE LEARNING TO DEVELOP THE PROBLEM SOLVING SKILLS OF CONTRACT LAW STUDENTS

## I. INTRODUCTION

In practice lawyers are required to use problem solving skills in the context of a narrative, story-telling framework. Their clients relate factual scenarios and problems they have encountered and legal practitioners are required to identify the relevant issues and provide appropriate legal advice. Effective problem solving is an identified threshold learning outcome for Australian undergraduate Bachelor of Laws<sup>1</sup> and Juris Doctor<sup>2</sup> students, captured under ‘Thinking Skills’ which include the ability to identify and articulate legal issues and apply legal reasoning and research to generate appropriate responses to legal issues.

In the Queensland University of Technology (‘QUT’)<sup>3</sup> Law School a generic model of legal problem solving, known by the acronym ‘ISAAC ISAACS’<sup>4</sup> is used. Students develop their problem solving skills as they progress through their law degree as this generic model is embedded across a number of units including Contracts A.<sup>5</sup> In Contracts A, online activities linked to the narrative framework of ‘Ruby’s Music Festival’ (‘the Ruby activities’) are used to support the teaching of this problem solving model. Students view a number of scenarios

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<sup>1</sup>‘Thinking Skills’ is Threshold Learning Outcome (‘TLO’) 3 for the LLB. See Sally Kift, Mark Israel and Rachael Field, Australian Learning and Teaching Council, Learning and Teaching Academic Standards Project, Bachelor of Laws, *Learning and Teaching Academic Standards Statement December 2010*. This learning outcome also includes the ability to (c) engage in critical analysis and make a reasoned choice amongst alternatives and (d) think creatively in approaching legal issues and generating appropriate responses <<http://www.lawteachnetwork.org/tlo.html>>.

<sup>2</sup> ‘Thinking Skills’ is also TLO 3 for the JD. See Australian Council of Law Deans, *Juris Doctor Threshold Learning Outcomes* (March 2012) <<http://www.lawteachnetwork.org/tlo.html>>

<sup>3</sup> QUT is located in Brisbane, Australia <[www.qut.edu.au](http://www.qut.edu.au)>. All Australian undergraduate students are required to develop the threshold learning outcomes for their particular discipline, *Discipline Standards Australia* <<http://disciplinestandards.pbworks.com/w/page/52657697/FrontPage>>.

<sup>4</sup> An acronym developed by John Pyke, Lecturer, QUT and referring to Australian Sir Isaac Isaacs. See John Pyke *Constitutional Law*, (Palgrave MacMillan, 2013), xxxiii – xxxiv.

<sup>5</sup> The importance of consistency in relation to the method used is considered in Kristy Richardson, Jennifer Butler and Eric Holm, ‘Teaching Law to Non-law Students: The Use of Problem Solving Models in Legal Teaching’ (2009) 6(2) *Studies in Learning, Evaluation Innovation and Development* 29, 40.

involving the challenges that Ruby, a young business entrepreneur, encounters when organising a music festival. They are then guided through how to provide appropriate legal advice to Ruby using the model.

A narrative learning framework was used as it provides students with a story, setting and characters, and the various legal issues that arise engage them in thinking critically about possible solutions.<sup>6</sup> During the online activities students are provided with formative feedback on their understanding of this problem solving method. This feedback is designed to enhance their understanding of the model and the standards they will be required to achieve on a later summative assessment task, the final central exam.

In this article we will discuss the design of the activities used in the unit Contracts A around the Ruby activities. We will highlight the benefits to our students of engaging in this narrative framework when learning how to apply the problem solving method. We will explain the advantages to students of receiving early formative feedback on their learning through these online activities. Finally we will report on a recent formal evaluation that provides us with student insights into whether the Ruby activities have been successful in assisting to develop their legal problem solving skills.

## **II. THE UNIT: CONTRACTS A**

The unit in question, Contracts A<sup>7</sup>, aims<sup>8</sup> to provide students with an understanding of how to resolve contract law issues. It also affords a basis for study in later units which involve the

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<sup>6</sup> M. Carolyn Clark and Marsha Rossiter 'Narrative Learning in Adulthood' in Sharan B Merriam (ed), *Third Update on Adult Learning Theory* (Jossey Bass, 2008) 68.

<sup>7</sup> And the subsequent unit Contracts B.

application of contract law principles, such as Real Property and Commercial Law. It is currently a first year, first semester unit for many students undertaking the QUT law degree.

The relevant learning outcomes of the Contracts A unit are to:

1. apply and analyse the law of contract relating to the formation of contracts, equitable estoppel, privity, formalities and content of contracts to real world problems to demonstrate knowledge and understanding; (GC1, GC2)
2. recognise and define possible contractual issues and related ethical dilemmas in real world-type problems; (GC1, GC2, GC6)<sup>9</sup>

These learning outcomes link to the following graduate capabilities:

GC1. Discipline Knowledge;

GC2. Problem Solving, Reasoning and Research;

GC3. Effective Communication;<sup>10</sup>

The student cohort consists overwhelmingly of domestic law students<sup>11</sup> and material is delivered via an integrated blended learning program that combines face-to-face and online learning.<sup>12</sup>

Students have a comprehensive workbook that takes them through the readings and unit content.

They then listen to video podcasts that assist with their understanding of the law and attend weekly tutorials to learn how to apply contract law principles to real world situations<sup>13</sup> Students

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<sup>8</sup> Note that 'aims' are, 'statements of general educational intent, seen from the student's point of view...' Paul Ramsden, *Learning to Teach in Higher Education* (RoutledgeFalmer, 2<sup>nd</sup> ed, 2003) 126.

<sup>9</sup> Queensland University of Technology, Unit Outline, LWB136 Contracts A which also sets out the content, teaching and learning approaches and assessment.

<https://www.student.qut.edu.au/studying/units/unit?code=LWB136&idunit=51215>.

<sup>10</sup> *Ibid.* These learning objectives are, 'specific and concrete statements of what students are expected to learn.' Ramsden, above n 8.

<sup>11</sup> In Semester 1, 2014 there were 599 students enrolled in LWB136 Contracts A. Of this number 528 were internal students. Fourteen students were international students.

<sup>12</sup> D Randy Garrison and Norman D Vaughan, *Blended Learning in Higher Education: Framework, Principles, and Guidelines* (San Francisco: John Wiley & Sons, 2008).

<sup>13</sup> There are also online negotiation exercises for students to develop knowledge and skills in negotiation principles see Des Butler, 'Second Life Machinima Enhancing the Learning of Law: Lessons from Successful Endeavours' (2012) 28(3) *Australasian Journal of Educational Technology* 383.

then engage with the online Ruby activities to learn how to apply the generic problem solving model in a contract law framework and online quizzes to test their understanding of this model and unit concepts. These activities provide students with the opportunity to self-assess their understanding of how to apply contract law to problem scenarios and to reflect on their performance.<sup>14</sup> One of the goals of this varied approach to the learning and teaching activities is to assist students to evolve into independent learners.

There are three pieces of assessment in the unit which aim to test whether students have achieved the designated learning outcomes in relation to problem solving.<sup>15</sup> They are as follows:

- For internal students, participation in a tutorial held each week and for distance students, a written problem solving exercise. This assessment item is weighted at 15%;<sup>16</sup>
- A 20% online quiz which tests knowledge of theory, case law, including some short case scenarios; and
- The final written examination weighted at 55%, which is an open book exam, the focus of which is to test contract law knowledge and problem solving skills.

In the next section we will focus on the Ruby activities in more detail, first the way in which students are generally introduced to legal problem solving and then how we use these activities to teach problem-solving in the context of specific areas of contract law.

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<sup>14</sup> Catherine Daly et al, 'Exploring Formative e-Assessment: Using Case Stories and Design Patterns' (2010) 35(5) *Assessment and Evaluation in Higher Education* 619, 622; David J Nicol and Debra Macfarlane-Dick, 'Formative Assessment and Self-regulated Learning: A Model and Seven Principles of Good Feedback Practice' (2006) 31(2) *Studies in Higher Education* 199. There are also online negotiation exercises for students to develop knowledge and skills in negotiation principles.

<sup>15</sup> Ramsden, above n 8, 184-185.

<sup>16</sup> Students also complete online negotiation activities which relate to graduate capability four being an understanding of negotiating theory and practice when negotiating a contract in a real world context.

### III. THE RUBY ACTIVITIES AND THE PROBLEM SOLVING MODEL

For many years the acronym 'ISAAC ISAACS' has been used in the QUT Law School to describe a generic legal problem solving model used consistently across our undergraduate degree.<sup>17</sup> This model requires students to approach a case study based on a real world scenario by working through a structured series of steps.<sup>18</sup> These are that, after familiarising themselves with the facts, students identify the legal issues that arise, state the relevant law, cite the legal authorities, apply the law to each separate issue and finally reach a conclusion by providing legal advice to the client.<sup>19</sup>

In Contracts A students are introduced to this problem solving method in their first tutorial via the first of the Ruby activities. Ruby was seeking to organise the 'best music festival ever' and encountered a number of legal dilemmas while dealing with her staff and performers. These are portrayed in a series of music videos that are made available via YouTube.<sup>20</sup> It was thought that the use of digital media would promote student-centred learning by engaging our students in real world legal problems.<sup>21</sup>

Students watch the music video, *Ruby and the Travel Smartcard*, which introduces the story and characters. Ruby travels to the site of the festival on a train and has a problem using her travel card. This creates the first legal issue for students to deal with in ascertaining whether Ruby has

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<sup>17</sup> An acronym developed by John Pyke, Lecturer, QUT and referring to Australian Sir Isaac Isaacs. See Pyke above n 4.

<sup>18</sup> Margaret Liddle, 'The Varied Landscape of Legal Problem Solving' (2004) 38(1) *The Law Teacher* 55, 56.

<sup>19</sup> This method is similar to the IRAC method explained in Catriona Cook et al, *Laying Down the Law* (LexisNexis Butterworths, 8<sup>th</sup> ed, 2012) 391-397. See also Patrick Keyzer, *Legal Problem Solving* (LexisNexis Butterworths, 2<sup>nd</sup> ed, 2003). For a discussion of legal problem solving and an overview of the literature on similar approaches see Liddle, above n 18, 55-57.

<sup>20</sup> The link to YouTube is made available via the PowerPoint slides on the online teaching website. While video is a 'linear presentational medium' it was used with PowerPoint to produce a more flexible tool. For a discussion of the use of video in teaching see Diana Laurillard, *Rethinking University Thinking: A Conversational Framework for Effective Use of Educational Technologies* (Routledge Falmer, 2<sup>nd</sup> ed, 2002) 103-104.

<sup>21</sup> Jeremy Dunning et al, 'Technology is too Important to Leave to Technologists' (2004) 8(3) *Journal of Asynchronous Learning Networks* 11.

breached the relevant legislation. After viewing the video, students engage with a series of PowerPoint slides that guide them step by step through the ISAAC ISAAC problem solving method. At each step they are able to compare their attempt with a model response.<sup>22</sup> The process is broken down into very small parts so that it is manageable for new law students who are kept on track from the beginning of the process through to its conclusion. At the end, students combine their answers to prepare their legal advice to Ruby and can compare it to the model advice.<sup>23</sup>

The PowerPoint slides are available on the online teaching website and an example slide explaining the ISAAC ISAAC method is set out in Figure 1.<sup>24</sup>

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<sup>22</sup> Lee Dunn et al, *The Student Assessment Handbook: New Directions in Traditional and Online Assessment* (RoutledgeFalmer, 2004) 18, 175-176.

<sup>23</sup>Laurillard, above n 20, 114.

<sup>24</sup> The introductory activity is described in Michelle Backstrom & Donna Cooper, 'Ruby's Music Festival: Developing Problem Solving Skills Using Online Scenarios and Creating Opportunities to Feed Forward' (2013) 47(3) *The Law Teacher: The International Journal of Legal Education* 300.



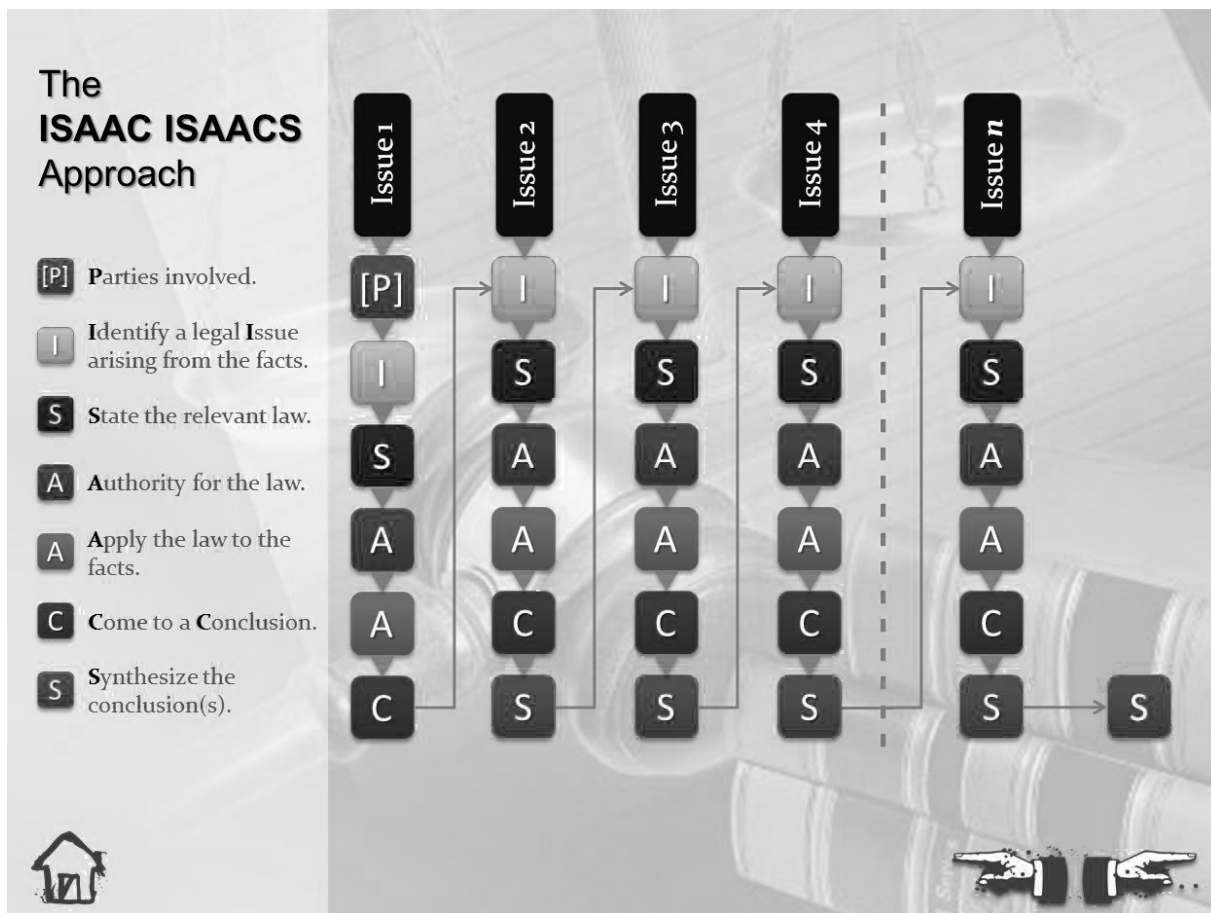


Figure 1: the PowerPoint slide describing the problem solving method.

In the week three tutorial the Ruby activities are used to teach students how to approach problem solving in the area of ‘intention to create legal relations’. Students watch the music video, *Hiring a Nashville Sensation*, that introduces Ruby’s brother Axel, who is a burgeoning country music star in the United States. Axel agrees (through his agent) to return home as the headline act for his sister’s music festival. Ruby enters into an agreement with Axel for him to perform but he subsequently reneges on this arrangement.

When working through the problem solving steps, students are asked to identify the relevant legal issues that arise from the scenario. They can then compare their answers to the slides. For

example the slide in Figure 2 asks the question, ‘whether Ruby has a claim for breach of contract?’

If Axel gets a better offer and refuses to return to Australia to play at the Music Festival, does Ruby have a claim for breach of contract against Axel?

**Hint** → This requires Ruby to show that all the elements of a binding simple contract are satisfied.

Figure 2: A PowerPoint slide identifying the relevant legal issue.

A hint can be uncovered telling students to consider the elements of a binding simple contract. The focus here is on whether there is an intention to create a legal relationship. Students are asked to state the relevant law and again compare it to the model answer. They then access slides that provide the law relating to intention to create a contract. One slide is set out at Figure 3:

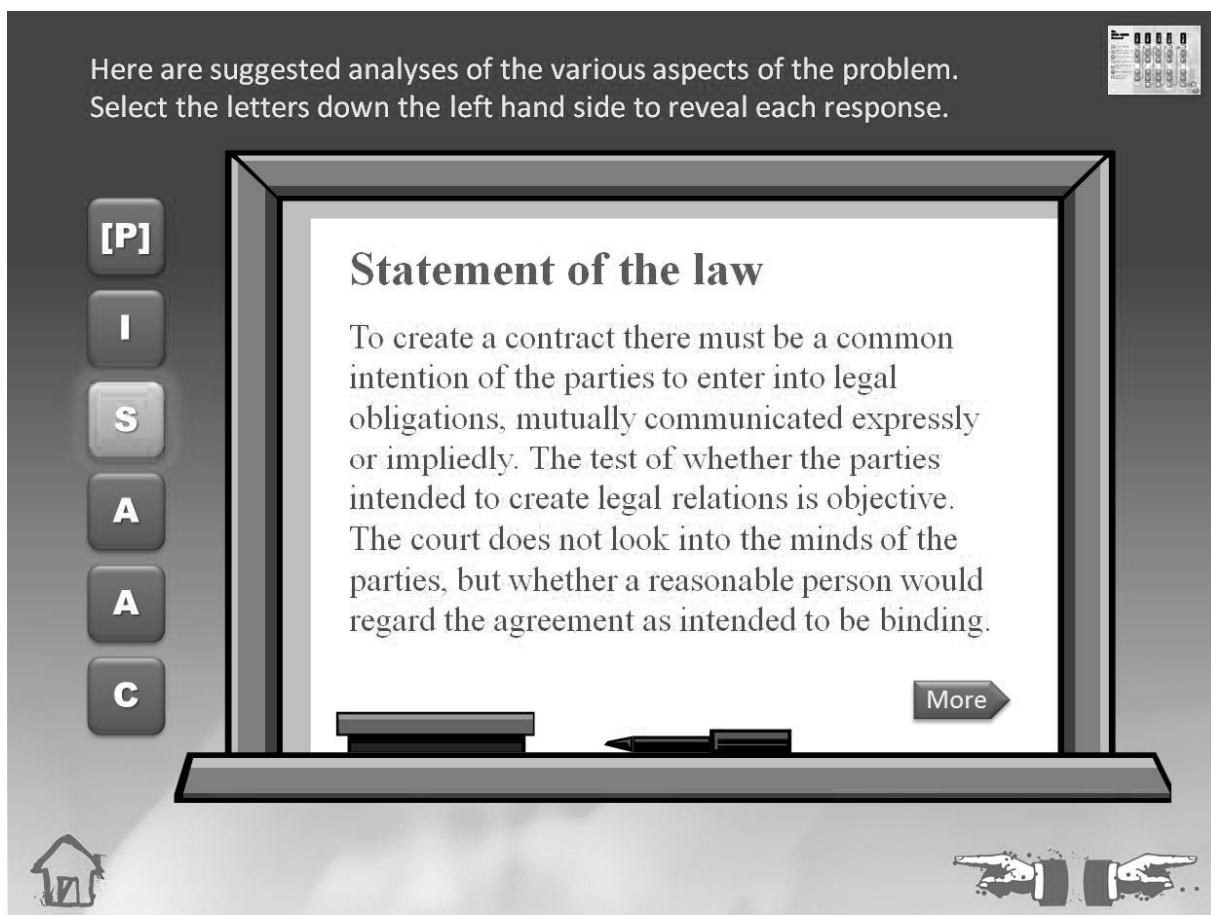


Figure 3: One of the PowerPoint slides which includes a statement of the law of ‘intention to create legal relations’.

In the course of the process Contracts A students are required to apply the law to the facts to ascertain whether Axel and Ruby have a binding contract. Students must then decide whether Ruby has a claim for breach of contract. After they have made an attempt at their advice, a sample response is provided as set out in Figure 4.



Figure 4: This is the first page of the sample answer provided to students which is made available to students when they click on the icon next to, 'sample answer'.

A summary slide is then available that reminds students how they established whether Ruby had a binding contract with Axel and whether she could take legal action against him for failing to perform. It is illustrated at Figure 5.

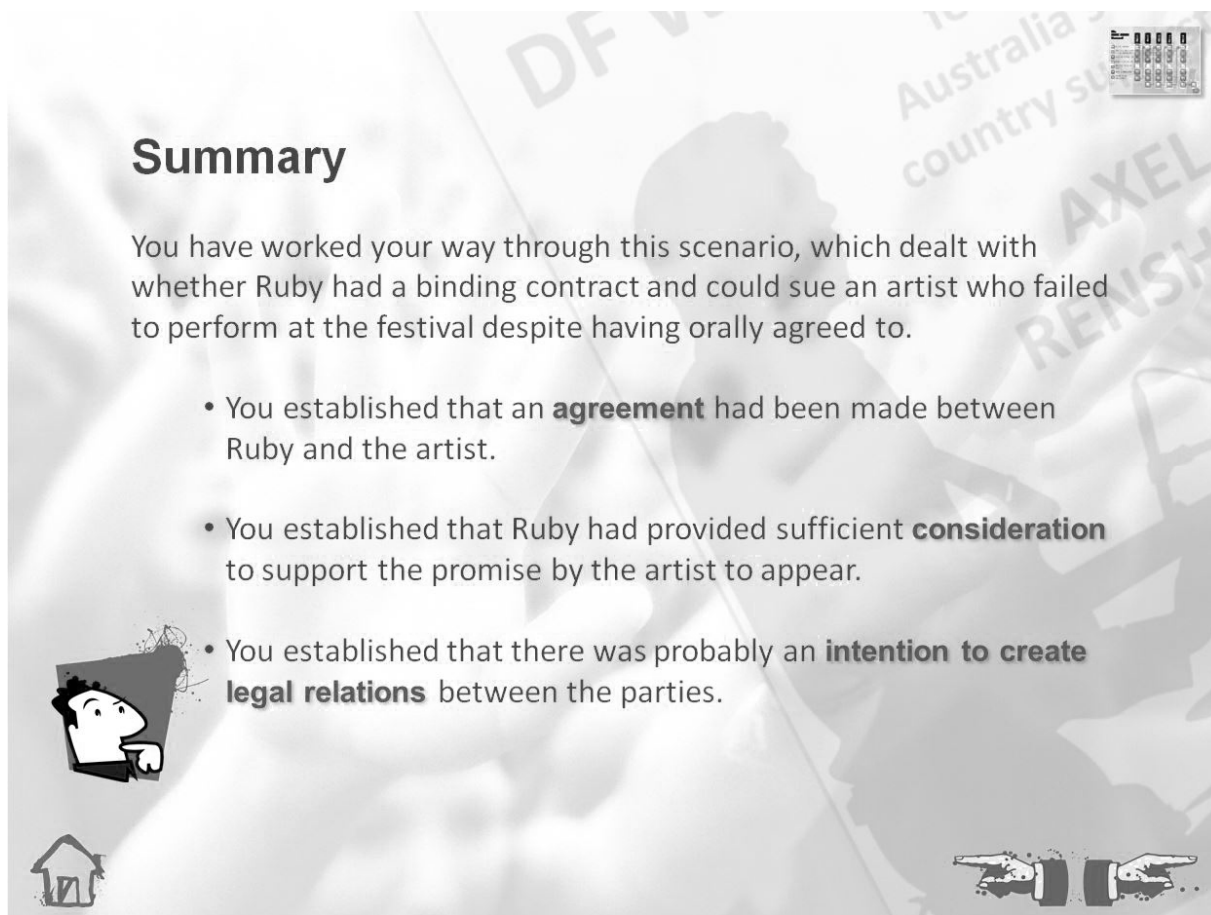


Figure 5: The summary slide used by students to solidify the process of applying the law to the facts and deciding whether there has been a breach of contract.

The reflection at the conclusion of the activity has remained the same in all the Ruby scenarios we have developed. It uses prompt questions, like those designed in the ALTC Threshold Concepts and Variations Theory Project problem solving exercise, to facilitate this.<sup>25</sup> An example is included at Figure 6.

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<sup>25</sup>The first generic activity we developed used variation theory and was modelled on the problem solving exercise in the Australian Learning and Teaching Council, Threshold Concepts and Variations Theory Project. For further information on the project, see Gerlese Akerlind, Jo McKenzie and Mandy Lupton, *A Threshold Concepts Focus to Curriculum Design: Supporting Student Learning Through Application of Variation Theory* (Australian Learning and Teaching Council, 2011) and the website: [www.thresholdvariation.edu.au](http://www.thresholdvariation.edu.au) and Backstrom and Cooper above n

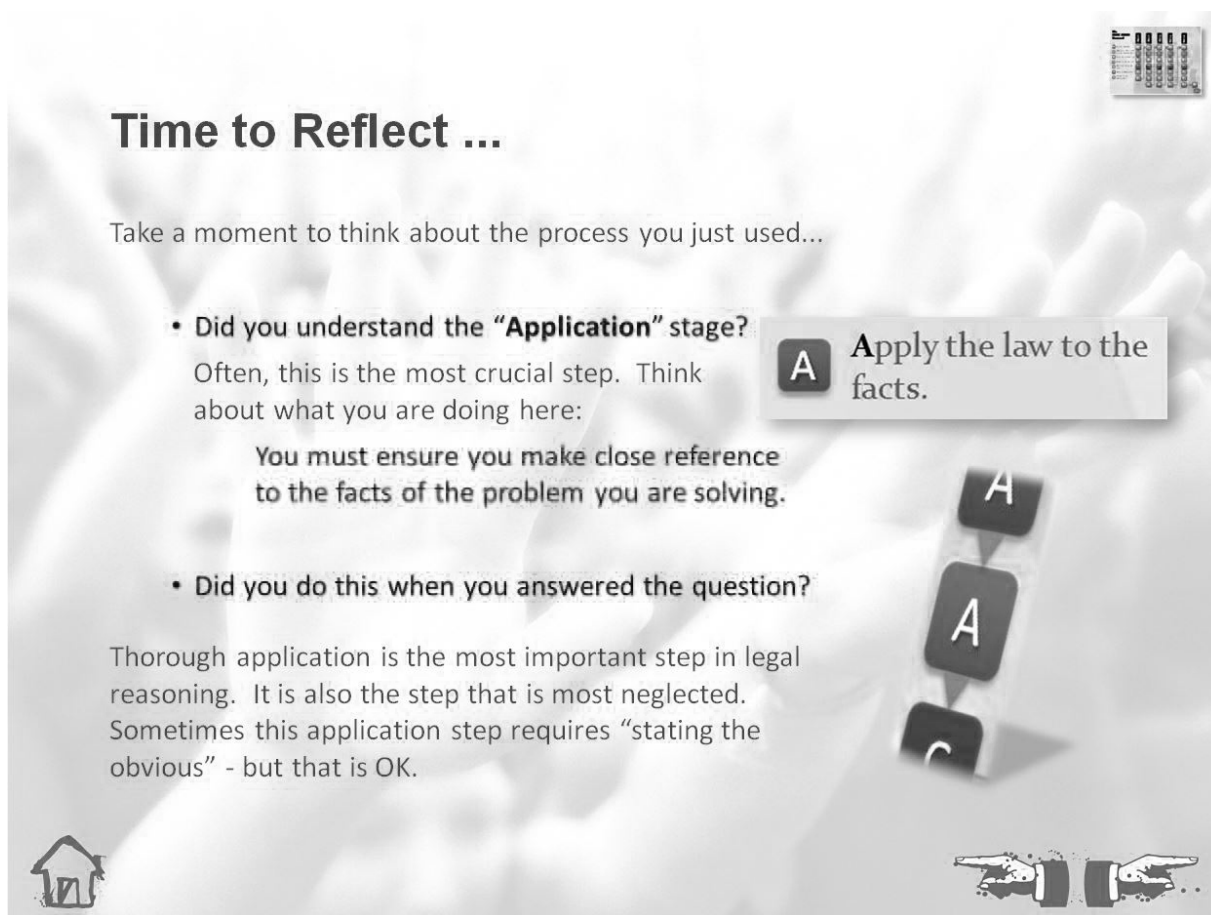


Figure 6: The PowerPoint slide assisting students to reflect on their understanding of how to apply the problem solving method.

The Ruby activities we have discussed allow students to engage with a real world legal scenario via narrative frameworks. We will now discuss the benefits of the use of narrative learning in the context of this activity.

#### IV. NARRATIVE LEARNING

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24. This activity developed for Contracts students and the activity dealing with negligence used by Torts students, give rise to more complex legal questions and do not use variation theory.

Narrative learning falls under the broader heading of constructivist learning theory which focuses on the active role of the learner when seeking to understand new concepts and acquire new skills.<sup>26</sup> It conceptualises learning as construction of meaning based on experience.<sup>27</sup> That is, establishing connections between the story and the concepts that learners are seeking to understand, ensuring that the learning experience is more accessible.

Historically narrative learning has been a familiar part of teaching students how to problem solve in legal education.<sup>28</sup> It has commonly been used in the context of written problem scenarios that students analyse in tutorials.<sup>29</sup> However, as Butler has highlighted, ‘these scenarios are generally relatively light in detail and disconnected from one another’.<sup>30</sup> The Ruby activities provide students with more engaging and imaginative online environments, using music videos to draw them into the plots and settings. Compared to working through tutorial problems, the learning is more active ‘by immersing learners in a captivating world populated by intriguing characters’ and has been shown to be an effective way of facilitating student understanding and encouraging deep learning.<sup>31</sup>

As a number of different Ruby scenarios are used in Contracts A and in another unit, Torts A<sup>32</sup>, they also offer students a continuing narrative, which can provide episodic memories as they recall how they applied the problem solving method in particular fact situations.<sup>33</sup> The nature of

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<sup>26</sup> Jean Piaget, *The Construction of Reality in the Child* (Basic Books, 1954).

<sup>27</sup> Clark and Rossiter, above n 6.

<sup>28</sup> Clark and Rossiter, above n 6.

<sup>29</sup> And in the use of Question and Answer books.

<sup>30</sup> Butler, above n 13, 391.

<sup>31</sup> Bradford W. Mott et al, ‘Towards Narrative-Centered Learning Environments’ (Proceedings of the AAAI Fall Symposium on Narrative Intelligence, North Falmouth, Massachusetts (November 5-7, 1999) 78, <<http://homes.cs.washington.edu/~lsz/papers/mczll-Narrative-99.pdf>>.

<sup>32</sup> Where a disco ball falls on a festival patron and they are injured, creating legal issues in relation to negligence.

<sup>33</sup> Jonathan P Rowe, Scott W McQuiggan and James C Lester, ‘Narrative Presence in Intelligent Learning Environments’ in BD Magerko & MO Reidl (Eds.) *Proceeding of the 2007 AAAI Fall Symposium on Intelligent Narrative Technologies* (pp126-133) Menlo Park, CA: Association for the Advancement of Artificial Intelligence

the narrative has been shown to provide engaging worlds in which students can become more actively involved in problem solving.<sup>34</sup> Ruby's stories provide more "open perceptual, emotional and motivational opportunities for learning..."<sup>35</sup> They facilitate an authentic learning environment and allow learners to examine the problem 'from a variety of theoretical and practical perspectives'.<sup>36</sup> The music videos also cater for different learning styles and, in particular, for students who learn through visualising ideas and concepts.<sup>37</sup>

In the QUT Law School the use of stories to introduce concepts to students has already been successfully used in the Contracts A and Contracts B units to introduce students to negotiation skills. The basic principles of interest-based negotiation<sup>38</sup> are taught through the use of an interactive activity, 'Air Gondwana' which has been demonstrated to promote student engagement and motivation.<sup>39</sup>

The Ruby activities also afford students the opportunity to receive formative feedback on their learning by comparing their work to the model answers. At the end of the activities students can partake of interactive quizzes that provide them with early feedback on their understanding of the problem solving process.

## V. FORMATIVE FEEDBACK

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<http://www.aai.org/Papers/Symposia/Fall/2007/FS-07-05/FS07-05-021.pdf>

<sup>34</sup> Bradford W. Mott et al, above n 31.

<sup>35</sup> Rowe, McQuiggan and Lester, above n 33.

<sup>36</sup> Jan Herrington and Ron Oliver, 'Patterns of Engagement in Authentic Online Learning' (2003) 19(1) *Australian Journal of Educational Technology* 59.

<sup>37</sup> Robin A Boyle and Rita Dunn, 'Teaching Law Students Through Individual Learning Styles' (1998-1999) 62 *Albany Law Review* 213; Butler, above n 13, 392.

<sup>38</sup> For a discussion of interest-based negotiation see Nadja Alexander and Jill Howieson, *Negotiation: Strategy, Style, Skills* (LexisNexis Butterworths, 2<sup>nd</sup> ed, 2010) 39-59.

<sup>39</sup> Des Butler, 'Air Gondwana: Teaching Basic Negotiation Skills Using Multimedia' (2008) 1(1&2) *JALTA* 213 – 226. Also see Michele Ruyters, Kathy Douglas and Siew Fang Law (2011) 4(4) *Journal of Learning Design* 45.



Formative feedback has been described as enabling ‘a learner to adapt and close a gap between their current understanding or attainment and a further stage or level’.<sup>40</sup> It has also been defined as information that can improve performance and accelerate learning.<sup>41</sup> In the Ruby activities, such as *Ruby and the Travel Smartcard*, students are introduced to the problem solving method both in class and via the online activities. They can also access these activities via the online teaching website to practise working through the ISAAC steps in their own time, in a safe ‘low stakes’ environment in preparation for their final exam, being a ‘high stakes’ outcome.<sup>42</sup>

Feedback is also considered to be formative if it clarifies students’ understanding of what they need to achieve to be successful in a given assessment task.<sup>43</sup> As our students work through the online activities they are asked to set out what legal advice may be appropriate in the various fact scenarios. They can then compare their proposed advice with the model answers. This provides our students with exemplars of good performance<sup>44</sup> and an ‘objective standard against which they can compare their work.’<sup>45</sup> Students are also supplied with criteria sheets that clearly explain what the standards are to achieve various levels of results.<sup>46</sup> The three criteria are: knowledge and understanding of relevant legal issues, problem solving and reasoning and formal writing skills.

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<sup>40</sup> Daly et al, above n 14, 622; Nicol and Macfarlane-Dick, above n 14.

<sup>41</sup> Nicol and Macfarlane-Dick, above n 14.

<sup>42</sup> Ibid; Daly et al, above n 14, 621.

<sup>43</sup> Nicol and Macfarlane-Dick, above n 14, 205. Daly et al, above n 14.

<sup>44</sup> David Nicol and Colin Milligan ‘Rethinking Technology-supported Assessment Practices in Relation to the Seven Principles of Good Feedback Practice’ in C Bryan and K Clegg, (eds), *Innovative Assessment in Higher Education* (Routledge, 2007) 66.

<sup>45</sup> Ibid.

<sup>46</sup> Criteria sheets for all assessment items are included in the LWB136 unit workbook provided online to all students three weeks prior to the beginning of the semester.

The Ruby activities and subsequent online quizzes also afford students the opportunity to self-assess their understanding of the generic method and unit concepts and reflect on their performance.<sup>47</sup> Nicol and Macfarlane-Dick have stated that good quality feedback is, ‘information that helps students troubleshoot their own performance and self-correct...’<sup>48</sup> The automated responses provided to students in automated quizzes help students to measure their understanding of the ISAAC ISAAC method and understand how they can improve their ability to work through the steps and apply the law to the facts.

It has been suggested that, ‘if external feedback is to help scaffold the development of student self-regulation, it must be understood, internalised and ultimately used by the student to make evaluative judgments about their own learning outcomes.’<sup>49</sup> The online activities were supported by various in-class activities. Students were introduced to the introductory problem-solving activity, *Ruby and the Travel Smartcard* in the first tutorial. They were then taken through the *Hiring a Nashville Sensation* activity by their tutors in week three and could learn how to apply the law they had just covered in class to the scenario they were given.

The Ruby activities also comply with Diana Laurillard’s model for the successful learning of law which she has divided into five phases:

- (1) become familiar with the key ideas and information in each area of the law and know how these ideas and information are organised and structured.
- (2) accurately relate the language of the law to its underlying meaning;
- (3) act on simulated but realistic situations on the basis of what they know about the law, theories of the law and the practice of law;
- (4) use feedback to modify their understanding and adjust their actions; and

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<sup>47</sup> Daly et al, above n 14; Nicol and Macfarlane-Dick, above n 14, 205.

<sup>48</sup> Nicol and Macfarlane-Dick, above n 14, 208.

<sup>49</sup> Nicol and Milligan, above n 44, 70.

- (5) reflect on actions and feedback in relation to the structured ideas in a given area of law.<sup>50</sup>

It has been suggested that this model can be applied to learning both knowledge and skills.<sup>51</sup> The Ruby activities demonstrate the application of these five phases as they provide instruction in the legal problem solving method and illustrate how to apply this model to real-world scenarios. They also provide students with feedback on their understanding of the problem solving steps and enables them to reflect on their performance and on how the legal advice they have proposed compares with best practice exemplars.

## **VI. STUDENT EVALUATION**

In semester one this year a survey of internal students<sup>52</sup> in Contracts A was conducted to gauge student opinion as to the effectiveness of the Ruby activities. The survey was conducted in the final tutorial of the semester. Questions were aimed at ascertaining whether the online activities had assisted students to learn the generic problem solving method, and whether they thought it had worked well in the online format. Surveys were conducted by paper-based instruments administered in tutorials. They comprised of statements that students were asked to respond to on a five-point Likert scale (where 5 represented 'strongly agree' and 1 represented 'strongly disagree'). One hundred and eighty nine internal students agreed to undertake the survey at the conclusion of the last tutorial for the semester. The number of respondents may have been impacted by the timing of the survey.

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<sup>50</sup> Laurillard, above n 20.

<sup>51</sup> Butler, above n 39, 225-226.

<sup>52</sup> The QUT Law School has both internal students (on campus) and external (off campus students) undertaking the Bachelor of Laws degree.

A total of 62% of respondents agreed or strongly agreed that the Ruby resource helped them to learn how to problem-solve in legal scenarios, 32% gave a neutral response and only 4% disagreed or strongly disagreed. In relation to whether the resource had helped students to learn how to identify legal issues 66% agreed or strongly agreed, 28% were neutral and 4% disagreed or strongly disagreed. Sixty percent of respondents thought that the resource helped them learn to apply the relevant law to the facts of the scenario, 34% were neutral, with 4% disagreeing or strongly disagreeing with this statement.

As to whether the sample answers helped students to understand what legal advice was appropriate in different scenarios, 62% of respondents either agreed or strongly agreed, 32% were neutral and only 2% either disagreed or strongly disagreed. A majority of students (69%) either agreed or strongly agreed that the Ruby activities worked well in the online format and 78% of students agreed or strongly agreed that they found the Ruby resource easy to use. Although in this evaluation there is obviously a proportion of students who have reported a degree of ambivalence towards the Ruby activities, 67% strongly agreed or agreed that they would be happy to work through more scenarios in other subjects using the same approach as the Ruby resource, 20% were neutral and only 5% disagreed.

## **VII. REFLECTIONS**

The student evaluation revealed that the majority of students who participated in the survey reported that the activities developed under the Ruby banner have assisted them to learn the generic problem solving method, identify the legal issues in scenarios and apply the appropriate law. There were a number who gave neutral responses in relation to the questions. We are

unsure at this stage why this is the case and will revise our evaluation questions and provide some opportunities for students to make written comments to see if we can determine why these students responded in an ambivalent manner. We will also survey students at an earlier stage of the semester, so that we can achieve a higher response rate, and just after they have used the Ruby activities so they can clearly recall them.

The initial development of the music videos and online quizzes required a significant investment of staff time and, in the case of the videos, substantial financial resources. However, we are now in a position to develop further activities, designed around these same scenarios, relatively easily. In contrast, the prompt question and answer activities embedded in the PowerPoint software is simple to use and alter. As the creation process is clear and we have precedents available which we can adapt, it will not involve significant staff time and financial resources to develop more PowerPoint activities for use with the existing music videos. Given that the majority of students have found the activities enhance their learning of problem solving, an essential skill for lawyers, we will also consider adding to the collection of PowerPoint Ruby activities in the future and to use this learning framework in other units.

## **VIII. CONCLUSION**

Our discussion highlights the benefits to our students of being introduced to legal problem solving within the framework of narrative learning. It enabled them to become immersed in imaginative and stimulating learning environments in which they could follow Ruby through the trials and tribulations of organising the music festival. As they follow the individual stories, students can appreciate how contractual law issues arise in real world scenarios. This then motivates them to engage in legal problem solving so they can provide Ruby with appropriate legal advice. Having the opportunity to work through these online activities, both in class and in

their own time, enabled learners to practise and develop their problem solving skills in preparation for their final exam. The formative feedback allowed them to measure their understanding in a safe and non-threatening environment. As the Ruby activities were also used in class, where students could engage in interactive discussions, and clarify their understanding of how to apply the model in practice.

It should be noted that the development of the Ruby activities, particularly the video vignettes, involved a considerable staff time and financial investment, so the design and implementation of such a project should not be embarked upon lightly. Fortunately, the music videos are now a resource that can provide us with many varied opportunities for discussion of a range of legal issues. As a majority of our Contract A students have indicated they would be happy to work through similar activities in other subjects they can also be adapted for use in other areas of the law.

In the future we plan to refine the way in which our students engage with the Ruby activities. Although the majority of students indicated that the Ruby resources assisted their learning, a proportion reported ambivalence about their experience. Future student evaluations, performed at an earlier stage of semester, will hopefully reveal the underlying reasons for this indecision. We will then be in a position to enhance the way in which our students interact with Ruby's Music Festival.