

E Snyman-van Deventer

E Snyman-van Deventer,
Professor, Department of
Mercantile Law, University
of the Free State.

L van Niekerk

L van Niekerk, Lecturer,
Department of Mercantile
Law, University of the
Free State.

DOI: <https://dx.doi.org/10.18820/24150517/JJS43.v1.3>

ISSN 0258-252X (Print)
ISSN 2415-0517 (Online)

Journal for Juridical
Science
2018 43(1):39-54
© UV/UFS

The University of the Free State Faculty of Law/Write Site intervention – Supporting broader access with the skills for success

Abstract

Heeding the call for broader access to tertiary studies for previously disadvantaged students, the University of the Free State (UFS) is one of only a few institutions in the country that offer an extended, five-year Bachelor of Laws (LLB) programme. Its more lenient admission requirements and more manageable distribution of course work across five study years have put access to professional legal studies within reach of students who would not have otherwise qualified for admission. Beyond broader access, however, still lies the challenge of student success. It is a well-documented fact that modern-day students enter higher education ill-prepared for the demands of tertiary studies, and those entering the extended LLB are no exception. The gaps in their skills sets include a lack of academic writing skills, which are among the core competencies required of a law graduate. In an effort to address this challenge, the UFS Faculty of Law has established an innovative collaboration with the Write Site, a writing centre staffed by language specialists who offer students personalised assistance with their writing assignments. This is done as part of the module Legal Skills, one of the foundational modules presented exclusively for students in the extended LLB programme. This article provides the details of the intervention, including its results to date. It concludes that the Faculty of Law/Write Site collaboration is a model worthy of emulation, teaching students not only to write well, but also to do well in their academic field. Recommendations for fine-tuning the intervention are proposed, including a call for this type of skills assistance to be offered across the curriculum, instead of in a once-off module only. Whilst the current climate of acute human resources and funding shortfalls in higher education may make this hard to achieve, the academic success of our students and the professional success of our future lawyers and other professionals are on the line.

1. Introduction

Many South African students, especially law students, enter higher education ill-prepared for the unique challenges of university studies.¹ Scholars both in South Africa² and

1 Biggs & Hurter 2014:2; Greenbaum 2012:16-39; Swanepoel *et al.* 2009:99-111; Snyman-van Deventer & Swanepoel 2013:512; Crocker 2018:1-27; Frith 2012:41.
2 Boughey 2009; Boughey 2012:137-138.

elsewhere³ have noted that writing skills are among the fundamental competencies lacking in students' skills sets.

Initially, the majority of South African undergraduate LLB programmes did not offer a module dedicated to writing skills as part of the core curriculum. Instead, writing skills were left to the lecturers in law to teach alongside the black-letter law content of their specific modules. However, lecturers in law often express the sentiment that they have not been trained as language and writing specialists, but that they have been appointed to teach the discipline of law.⁴ They also opine that teaching writing skills as part of their law modules often takes up valuable time that could have been used to cover discipline-specific content.

Indeed, the LLB programme can be considered overburdened. This may be attributed to the fact that, in 1998, the programme changed from five-year studies, *i.e.* a three-year undergraduate BLuris, BA or BComm, followed by a two-year postgraduate LLB, or four-year undergraduate BProc and a one-year postgraduate LLB, to a four-year undergraduate qualification.⁵ Of course, the possibility of a BComm or BA followed by an LLB remains. At the UFS, three options are available to students, namely the four-year LLB, the five-year LLB, or the three-year BComm, followed by a two-year LLB.

Like the Nelson Mandela Metropolitan University, the UFS is one of only a handful of institutions in the country that offer an extended, five-year LLB programme. The students in the UFS extended programme may enter higher education with an even lower advanced placement (AP) score than their four-year LLB peers, and thus tend to lack even the basic writing skills required of law students. Therefore, as part of the Legal Skills module, being one of the foundational modules in the UFS extended LLB programme, an intervention⁶ was introduced to assist law students to develop their writing skills. The Faculty of Law⁷ launched the intervention in collaboration with the University's Unit for Language Development, its Write Site centre, and the lecturer of the Legal Skills module. The Write Site is a writing centre, where language specialists work alongside consultants to assist students with their writing assignments on an individual basis. The Faculty of Law lecturer provides the content and theory, and the language specialists at the Write Site provide the language and writing expertise.⁸

3 Schiess 2009:1; Kedia 2010:148; Brand 1980:292.

4 Swanepoel & Snyman-van Deventer 2012:123.

5 For a discussion of legal education in South Africa, see Greenbaum 2012:32-37; Swanepoel & Snyman-van Deventer 2012:123.

6 For an in-depth discussion of a similar intervention by the School of Law, University of KwaZulu-Natal (UKZN), Howard College Campus, see Crocker 2018:1-27. However, please note that the UKZN law school does not offer the extended programme and the intervention was done in four-year LLB.

7 Faculty of Law refers to the Faculty of Law at the UFS, unless otherwise indicated.

8 This split in duties in terms of training provided to the students and the content provided by the responsible lecturer is only discussed verbally between the lecturer and the Write Site. It is not expressively communicated to the

The next paragraphs describe the role and impact of the Write Site in developing the legal writing competencies of law students in the Legal Skills module of the UFS' extended LLB programme. To set the scene, the article starts with the backdrop against which modern-day South African higher or tertiary education and its challenges – specifically the ill-preparedness of prospective students – should be viewed. The focus then shifts to a discussion of the Legal Skills module, the Write Site intervention, and the results of the collaboration between the two.

2. Background

Since 1994, South Africa has gone through significant political and social transformation to ensure a fair and equal society for all its citizens. This has seen the implementation of various new policy frameworks and legislation. The public higher education system, including law schools or law faculties,⁹ was among the social structures that required transformation, in order to become more representative of the South African demographic profile. In addition, the post-1994 government set as one of its objectives increased opportunities for access to higher education for previously disadvantaged students. On the issue of access, the Council on Higher Education (CHE) states the following:¹⁰

The widening of higher education (HE) access is an equity-driven concern and relates to the strategies and procedures that an institution undertakes to make its educational services accessible to a diversity of students. This usually involves adjusting traditional entry requirements [such as CPP (career preparation programmes), extended programmes and bridging programmes].¹¹

Already in 2007, Akojee and Nkomo¹² term access a “political imperative”. A decade later, developments such as the #FeesMustFall campaign, which caused major disruptions on South African campuses in the 2016 academic year, have turned access into an even more politically loaded and urgent issue for the country. Importantly, Akojee and Nkomo also argue that quality and access cannot be addressed as mutually exclusive issues. There can be no quality without access, and no real access without the prospect of success.¹³

Further complicating the access debate is the fact that students arrive at university underprepared for the demands of tertiary studies. This is confirmed by the low throughput and high failure rates among first-year

students. The Write Site does provide two training sessions in one of the lectures, in which the method of the online intervention is discussed. After the training sessions, the students will know how and where to access the online intervention/workshop and how to complete it.

9 See McQuoid-Mason 2006.

10 CHE 2004:81.

11 Own addition between square brackets.

12 Akojee & Nkomo 2007:389.

13 Akojee & Nkomo 2007:395.

students, especially those in the field of law. Their lack of preparedness can be attributed to the failure of the school system, especially in the typical rural or township schools, to equip students with the skills, concepts and schemas required to cope with tertiary studies.¹⁴ In addition, it may be the result of factors such as cultural background and profoundly different learning styles.¹⁵ In order to ensure both access and success, undergraduates require adequate support and training in the specific skills they may lack. According to Zalesne and Nadovorney,¹⁶ academically prepared students who have an opportunity to achieve success in law school “will have strong reading comprehension, writing, and study skills, be able to take effective notes in class, outline, and manage their time”. From personal experience with students in the undergraduate LLB degree programme, these are the very skills they do not have.

Akojee and Nkomo¹⁷ argue that it is the responsibility of institutions to ensure the success of those students they admit, and to develop in students the skills they lack. Yet in the discipline of law, lecturers are often unable (or unwilling) to help these students overcome the skills gap.¹⁸ The current curriculum design of the majority of undergraduate LLB programmes is also inadequately structured to prepare students for real-world practice.¹⁹ In light of the criticism levelled against the quality and skills, including literacy, research and numeracy, of law graduates in recent years,²⁰ questions have been raised as to whether these skills should not receive greater attention in the LLB curriculum. That would, for example, include the ability to summarise, argue, synthesise, critique, organise, and evaluate.²¹ Schmitz and Noble-Allgire, in turn, list the minimum level of competence for prospective law students as basic legal analysis and problem-solving, including analysis and synthesis of judicial opinions; application of the law to new facts and predicting outcomes; basic skills of legal research and writing; interviewing clients to identify legal issues and gather relevant facts; organising and managing law-related work, including multiple assignments with concurrent due dates; written and oral advocacy skills; basic interpretation of analysis of statutes and regulations, and basic negotiating skills.²²

According to the CHE’s qualification standard for the LLB degree,²³ one of the standards for the award of the qualification is communication skills

14 Drennan 2017:64; Crocker 2018:2; Swanepoel Snyman-van Deventer 2012:123; Dednam 2012:933.

15 Zalesne & Nadovorney 2011:264.

16 Zalesne & Nadovorney 2011:266.

17 Akojee & Nkomo 2007:396.

18 Zalesne & Nadovorney 2011:269.

19 See Mojapelo 2012; Manyathi 2012; Hawkey 2013; Sedutla 2013.

20 Biggs & Hurter 2014:1-2; Bangeni & Greenbaum 2013:72; Boughy 2009:1; Boughy 2012:133-138. See also Du Preez & Fossey 2012:347; Frith 2012:41.

21 Swanepoel & Snyman-van Deventer 2012:126.

22 Schmitz & Noble-Allgire 2012:291-292.

23 CHE 2015:9.

and literacy, which falls under “applied competence”. In this regard, the standard reads as follows:

The graduate is proficient in reading, writing, comprehension and speaking in a professional capacity, to specialist and non-specialist alike, and is therefore able to ... demonstrate effective oral, written, listening and non-verbal communication skills.

The standard, therefore, recognises competence in written communication as an integral skill for law graduates, and mandates law schools or faculties to design their curricula so as to enable students to develop these skills. Importantly, the development of writing skills is inseparable from the development of the other skills.²⁴

3. Legal writing skills in the LLB curriculum

A central educational goal of law schools in the context of the United States is to instil in their students the ability to read, write, and appreciate the power of words in the profession.²⁵ Judging by the CHE’s qualification standard cited earlier, South African law schools or faculties must have the same goal. There are certain fundamental skills that every law student must possess upon graduation, chief among which is effective legal writing, including the ability to communicate clearly, precisely and in full.²⁶ As practising lawyers, law graduates should be able to communicate in clear, unambiguous and plain language to their clients, having critically considered and analysed the matter at hand.

McCrehan-Parker²⁷ cites the following three educational goals that are served by writing experiences in the law curriculum:

1. Writing becomes a tool for analyzing and applying legal authorities;
2. Tools of the trade – Teaching students to create effective professional documents, and
3. Writing as a tool for constructing meaning – Students should use writing as a means to examine their roles as interpreters of legal tradition and factual situations through the lens of the law.

Many students (and some lecturers) fail to comprehend that legal writing is the end result of a process of argumentation or analysis,²⁸ and should not be viewed in isolation. Badley²⁹ is correct in stating that academic writing should be viewed as “constructing, deconstructing knowledge, connecting, disconnecting and reconnecting concepts, describing and

24 McCrehan-Parker 1997:565.

25 McCrehan-Parker 1997:562.

26 Broodryk 2014:454.

27 McCrehan-Parker 1997:565.

28 Broodryk 2014:454.

29 Badley 2009.

re-describing our views of the world, as well as shaping, mis-shaping and reshaping ideas”. This should form the basis of the teaching of academic writing to students. Writing exercises teach students to create their own understanding of the law.³⁰ Drennan³¹ also rightly argues that academic writing is not a generic skill, the conventions of which can be taught in a decontextualised setting and then simply transferred to the various subject areas.

Broodryk³² distinguishes between two approaches when dealing with legal writing. The first approach is to teach students how to write, in order to become effective legal writers (or “learning to write”); the second and preferred approach is to let students engage in legal writing, in order to learn about the law (or “writing to learn”).³³ Writing to learn is aimed at increasing and integrating skills instruction with content.³⁴ This approach would be ideal for teaching writing across the curriculum.³⁵ However, in the context of the foundational Legal Skills module discussed in this article, the focus is a learning-to-write approach.

Undoubtedly, the way in which academic writing and literacy skills are imparted in disciplines requires innovation and change. In terms of the teaching of legal writing, Snyman-Van Deventer and Swanepoel³⁶ state that “the main challenge in the area of developing legal writing courses in South Africa involves the fact that legal academics (including clinicians) have not been formally trained to teach language and writing”. In addition, lecturers often do not have the time to both cover the content of the module and incorporate the teaching of writing and language skills. This makes the collaboration between UFS’ Faculty of Law and the Write Site such an ideal ‘relationship’, with both parties bringing something to the table to make the collaboration succeed. The Faculty of Law contributes the content expertise, while the Write Site brings the language and writing expertise.

4. The extended LLB programme and the Write Site centre at the University of the Free State

As mentioned earlier, in an effort to achieve the objectives of wider access, UFS’ Faculty of Law opted for the introduction of an extended Bachelor of Laws (LLB) programme.³⁷ The module called Legal Skills is presented in the second year of study exclusively for the extended LLB programme students as part of their foundational curriculum. It is presented in both the first and the second semester. It also constitutes the only law module in the foundational curriculum. Lacking sufficient training in the teaching

30 McCrehan-Parker 1997:562.

31 Drennan 2016.

32 Broodryk 2014:455.

33 Broodryk 2014:455.

34 Broodryk 2014:455.

35 Broodryk 2014:455.

36 Swanepoel & Snyman-van Deventer 2012:123, as cited by Dednam 2012:937.

37 Van Niekerk 2013.

of language and writing skills, the lecturer in this module decided to collaborate with the Write Site writing centre to provide students with appropriate quality training.

The modules of the first year of the extended LLB are divided into two years. The first year of study's modules are mainly focused on foundational provision and are presented by other faculties. Introduction to Legal Science, Historical Foundations of South African Law, and Roman Law Foundations of the South African Law are the only law modules they have during their first year of study. Legal Skills is the only foundational module that is presented in the second year of study. If it is argued that Legal Skills should be moved to the first year of study, the students will have no foundational modules in their second year of study and will only have law modules. However, it is suggested to examine the structuring of the first two years of the extended LLB programme as a whole, during the re-curriculisation of the LLB programme, including the other foundational modules, in order to establish whether it could not be reorganised in another sequence.

The decision to include the extended LLB programme in the UFS' programme offering was based on the difficulties many students had faced in gaining admission to the mainstream LLB programme, due to the rigorous admission requirements, along with specific numeracy and literacy demands. Having been introduced to meet the need for an alternative route for admission to professional law studies, the extended programme aims to provide increased access to LLB studies through a lower AP score combined with extended studies, including foundational modules, as well as first-year modules being spread across two years.

To be admitted to the extended LLB programme, a student must have an endorsed Senior Certificate (until 2007) with a Matriculation score (M score) of at least 28, or a National Senior Certificate (from 2008) with an AP score of at least 28, with a minimum performance mark of 50 per cent in one of the University's official languages of instruction. Notwithstanding the above, a prospective student who has an endorsed Senior Certificate or a National Senior Certificate,³⁸ with an M score of 24-27 (AP score of 25-27), and who has successfully completed the first year of study of an extended degree programme, or with an M score below 24 (AP score below 25), and who has successfully completed the entire university preparation programme, can at the Dean's recommendation be admitted to either the first or second year of study of the extended, five-year LLB.

Even more than their mainstream LLB peers, students in the extended programme battle with writing skills. To teach them not only to write well, but also to do well in their academic field, a dedicated legal writing module or even a legal writing centre is required. That, however, is expensive (especially in the current higher education climate) and requires more legal writing specialists than those currently available to assist and teach students.

38 UFS 2016a.

Writing centres are based on the premise that writing is more effectively taught when the instruction is individualised.³⁹ Murray⁴⁰ argues that a law school writing centre offers two pedagogical benefits, namely an opportunity for increased individualised instruction, and a non-judging audience in the form of the writing tutors. Although the UFS' Write Site is not exclusively a legal writing centre, it does provide students with these two benefits.

In aiming to address students' writing needs, the Write Site seeks to facilitate students' development towards becoming autonomous, effective writers of academic discourse associated with their particular field of study.⁴¹ It was founded in 2012 by UFS' Unit for Language Development, which had by then identified that writing could not be taught outside the context within which it should occur.⁴² The aim of the Write Site was to address academic staff members' complaints about students' inability to write according to the academic conventions of writing.⁴³ As such, the Write Site serves as an intermediary between students and lecturing academics,⁴⁴ with language specialists and consultants working hand in hand to assist students with their writing assignments on an individual basis. A writing centre is more than simply a remedial centre; it is a centre of learning⁴⁵ – something the Write Site successfully achieves. Each collaboration, with the various faculties, is different and tailor-made according to the needs and aims identified by the specific lecturer who would like to enter into such a collaboration with the Write Site.

In response to students' struggle with legal writing skills, and academics' lack of experience in teaching those skills, the Faculty of Law and the Write Site established a successful collaboration in 2014. The Write Site provides the language and writing expertise, and the lecturer of the extended-programme Legal Skills module provides the topic, content and theory to be contained in each written assignment.

5. Structure of the Legal Skills module and the Write Site intervention

This collaboration envisaged the following outcomes: after the completion of the Write Site assignment, students should be able to write academic and argumentative essays that “made use of simple language and clear expression; were grammatically accurate; were precise and free of ambiguity; adhered to the structure of an academic essay, and were responsive in terms of audience, purpose, style and tone.”⁴⁶

39 Murray 2010:3.

40 Murray 2010:13.

41 UFS 2016b.

42 Drennan 2017:65.

43 Drennan 2017:65.

44 Drennan 2017:67.

45 Murray 2010:2.

46 Drennan 2017:68.

When the collaboration between the Faculty of Law and the Write Site was initially established in 2014, the Write Site assisted extended-programme LLB students with all the written assignments of their foundational Legal Skills module. Yet, in the second semester of 2015, only one assignment was selected to form part of the collaboration, due to what had by then proven to be a heavy administrative burden, along with a redesign of the module and its content, as well as changes in the format of the Write Site workshop. Currently, only one assignment in both the first and second semester forms part of this collaboration. It is suggested that another assignment in both semesters forms part of this collaboration, in order for it to have an even greater impact. It should be borne in mind that the Write Site is open to all students on campus. Whilst it is compulsory for students enrolled for the Legal Skills module to complete the online workshop designed by the centre for the one selected written assignment, they are also free to consult the Write Site for their other assignments in Legal Skills as well as in their other modules, even if such an assignment does not form part of a Write Site collaboration.

When the collaboration was initially started in 2014, Legal Skills had 198 students and the module comprised of two formal lectures per week, each consisting of 25 minutes of formal lecturing, followed by 25 minutes' discussion of the work covered. Currently, the module has 380 students enrolled and comprises of three formal lectures per week that consist of the same format as previously. The lecturer uses the latest edition of the textbook *Street Law* by McQuoid-Mason (editor). To stay true to the intention of the module, the lecturer primarily seeks to assess students' skills, followed by their knowledge of the module content. Previously, students had to complete two formal assessments (tests) as well as two compulsory written assignments. These two tests and the two assignments all contributed towards their final module mark, as there is no examination in the Legal Skills module. Currently, Legal Skills are assessed by means of one formal test and four, compulsory, written assignments. All of these still contribute to the students' final module mark, due to continuous evaluation that is still followed in this module. As stated previously, only one assignment forms part of the Write Site collaboration, due to the administrative burden in terms of the marking and providing adequate feedback for the Legal Skills lecturer as well as the capacity problems of the Write Site. The student numbers increased exponentially from 2014 to 2018 and the lecturer of Legal Skills is marking all four assignments as well as the formal test, thus creating a huge administrative burden in terms of marking on the lecturer. It is suggested, however, that, in order for this collaboration to function more optimally, more assignments in the Legal Skills module need to be added to this collaboration, bearing in mind the need for additional markers who are able to provide the necessary feedback. This suggestion will lead to an added administrative burden not only on the lecturer, but also on the Write Site. A call to alleviate this burden will lead to the collaboration having a greater impact. It is also important to note that more and more faculties and modules across the university are entering into a collaboration with the Write Site, adding to the

capacity issues at the Write Site. During the first semester's Legal Skills, the academic essay writing assignment forms part of the collaboration, whereas an argumentative essay writing assignment forms part of the collaboration in the second semester of Legal Skills.

For the collaboration written assignment, students are compelled to complete an online Write Site workshop. Before the semester starts, the lecturer and a senior Write Site staff member meet to discuss the appropriate workshop material based on the students' needs and the type of assignment, after which the Write Site staff then develop the customised workshop for the Legal Skills students. When lectures start at the beginning of the semester, a senior Write Site staff member attends the formal lecture and explains in detail to the students how the collaboration as well as the online workshop will work. In essence, students are expected to complete the Write Site workshop online within an allocated timeframe before they can set up an appointment for individual sessions. They are also shown a presentation on the general administrative issues of the Write Site, such as how to make appointments online, how to access and complete the online material, individual session times, and so on. Finally, the lecturer provides students with the topic of the written assignment to be completed.

It is strongly suggested that the collaboration with the Write Site be expanded to include more than one writing assignment in the Legal Skills module, in order to make this collaboration more fruitful and to explore the possibility of including such a collaboration to another first-year module during the first year of study, for example, Introduction to Legal Science. To make this possible, resources would need to be freed up to allow for more capacity at the Write Site and for the Legal Skills lecturer.

5.1 The Write Site workshop

The workshop material includes authentic legal texts and samples of previous students' writing in the discipline,⁴⁷ and is put together so as to create awareness about the conventions of academic essay-writing, such as the introduction, the body text, and the conclusion.⁴⁸ In line with Drennan's observations,⁴⁹ the workshop material is aimed at assisting students with

formulating proper introductions and thesis statements; developing and supporting arguments; synthesising and integrating information from sources; formulating proper paragraphs; referencing and avoiding plagiarism; and avoiding grammatical and punctuation errors.

Using an interactive approach, the content is 'scaffolded' to accommodate the various writing needs of the students completing the workshop.⁵⁰ Although all first-year students need a level of scaffolding, the extended

47 Drennan 2017:66.

48 Drennan 2017:66.

49 Drennan 2017:66

50 Drennan 2017:69.

programme students at the UFS are in particular need thereof, since they are admitted into the extended programme based on a lower AP score as well as a lower performance mark in a language subject in their National Certificate.

Initially, the workshop was presented face-to-face during the first week of class. However, since this inhibited students' engagement and responses, the Write Site decided to switch to an online format. The online workshop is well structured, and manages to overcome certain logistical difficulties, such as students who may be unable to physically attend class, or who missed the first week during which the face-to-face workshop used to be presented. The activities of this workshop are developed to create an awareness about the conventions of academic and argumentative essay writing.

5.2 The Write Site individual consultation

Once they have completed the online workshop, students can then proceed to make an appointment for a non-compulsory individual session with a Write Site consultant. During the individual consultations, the students are required to bring along their draft assignment. This draft assignment forms the basis of the individual consultation.

The students are helped on a one-on-one basis by a writing consultant, appointed and trained by the Write Site. The benefits of these individual consultations are that the students do not feel intimidated by their peers or to air their problems with their writing. The writing consultant focuses only on them and the students have an hour of quality input on their writing. The student is helped with understanding the topic, the structure as well as punctuation and grammar, although the consultant focuses first on high-order issues such as organisation and structure, before moving on to grammar and punctuation.⁵¹

In the past, both the online workshop and the individual session were compulsory. Yet, due to class sizes and the capacity of the Write Site, it was decided in the last semester of 2016 that the individual session would no longer be compulsory, but that students who did attend one would earn bonus marks. The rationale behind the voluntary attendance of the individual consultations is directly linked to the current capacity of the Write Site in terms of space allocation, venues and number of consultants. The Write Site, as it is currently structured, is unable to handle the current number (380) of students, as well as provide these services to other faculties or modules on campus. This constraining factor does limit the impact and value of the collaboration. There is the need for an urgent discussion with all stakeholders on how to enlarge the capacity of the Write Site, in order to make the individual sessions compulsory again. Previously, the class was divided into groups, and each group was then assigned a particular week during which to schedule the individual consultations. Currently, the

51 Drennan 2017:66.

students go to the Write Site's online booking system to book a time that suits them and when a consultant is available.

The chief objectives of the consultations are, first, to facilitate the transfer of the skills acquired during the online workshop and, secondly, to create a safe space for students to receive constructive criticism on their writing, though in a non-judgemental environment. In pursuing these, the individual consultations are aimed at⁵²

... helping students understand that writing is a process and they need time to work on several drafts of an assignment before submission; helping academic staff and students understand the concept of 'writing to learn and learning to write'; creating a sense of awareness about audience and practice when writing assignments for different disciplines; helping students to develop their authentic voice and avoid plagiarism etc.

Throughout, the emphasis is on developing writers, and not producing perfect assignments. The Write Site does not offer a quick fix; instead, it guides the students on a journey to becoming better, more proficient writers in the discipline of law.

After the student's consultation, a report is created and sent to the Legal Skills lecturer, indicating what the student was assisted with, as well as the student's feedback on the session.

It is also suggested that, notwithstanding the capacity challenges of the Write Site, the individual sessions be made compulsory again, since the principles and knowledge that the students learn during the online workshop are transferred to the actual assignment during these one-on-one sessions.

6. Results of the Legal Skills/Write Site intervention

In 2016, the Write Site conducted a study to assess the centre's activities. The Legal Skills students who had made use of the Write Site services were also surveyed. The aim of this evaluation by the Write Site themselves was to determine the current practice at the Write Site.⁵³ This was done by means of both qualitative (questionnaires) and quantitative (essay scores) data-collection methods.

Altogether 93 per cent of the law students who had completed the workshop indicated that they had a better understanding of the writing task after the workshop, while 91.5 per cent indicated that the workshop had given them more clarity on the structure of the writing task expected of them.⁵⁴ Students also indicated that, had it not been for the workshop, they would not have had as clear an understanding of what the writing task

52 Drennan 2017:67.

53 Drennan 2017:71.

54 Drennan 2017:72.

entailed. This seems to indicate that the majority of the students benefited from the Write Site workshop.

The findings also revealed that students who had completed both the workshop and the individual session outperformed those who had attended only the workshop. In addition, those students who had not completed either one of the two scored on average 7 per cent lower than their peers who had received some kind of writing intervention.⁵⁵ These findings indicate that the initial objectives set for online workshop that forms part of the collaboration have been achieved: students have a better understanding as to what is expected of them.

7. Conclusion and recommendations

Whilst the UFS Faculty of Law has introduced the extended LLB programme in an effort to broaden access to legal studies, increased access is worthless without the prospect of success. A particular challenge to academic success is students' lack of legal writing skills, which are among the core skills required of a law graduate. In this regard, the collaboration between UFS' Faculty of Law and the Write Site provides invaluable support, guiding students with expert advice in completing their written assignments. The students' generally positive feedback and respectable marks attest to this. With the collaboration being received positively all round, it is set to continue into the future.

Recommendations for fine-tuning the intervention are twofold. The first relates to the lack of trained markers to assist the Legal Skills lecturer in the evaluation of students' writing and timeously providing students with feedback on areas for improvement. With the Legal Skills lecturer having to mark two written assignments as well as two formative assessments per semester, this often leaves insufficient time to provide students with meaningful feedback that they can use to better their writing before submitting the final draft. Therefore, to truly maximise the benefits derived from the Write Site intervention, one could in future explore the possibility of extending the collaboration to also include marking assistance.

Secondly, having seen the success of the intervention, the ideal would be for all law modules to incorporate a writing component, and for the Write Site to provide assistance. To equip students with true legal writing proficiency, writing should preferably not only be taught in a dedicated legal writing class during the first year of study,⁵⁶ but should also occur across the curriculum. McCrehan-Parker⁵⁷ agrees that "opportunities exist throughout the curriculum to use writing to help students understand the creative and critical processes by which they generate and refine analysis of legal problems". Legal writing should, therefore, not be viewed as a once-off module; it should rather be incorporated into the majority of, if not

55 Drennan 2017:75.

56 McCrehan-Parker 1997:597; Broodryk 2014:456.

57 McCrehan-Parker 1997:565.

all, law modules to ensure that students master the creative and analytical aspects of the writing process.

Whilst the current climate of acute shortages of human resources and funds in the higher education sphere may make this hard to achieve, the academic success of our students and the professional success of our graduates are on the line. If we fail to bolster widened access with initiatives aimed at promoting student success, such as the UFS Faculty of Law/Write Site collaboration discussed in this contribution, it may just be the 'writing on the wall' for a truly transformed higher education sector.

Bibliography

AKOJEE S & NKOMO M

2007. Access and quality in South African higher education: The twin challenges of transformation. *South African Journal of Higher Education* 21(3):385-399.

BADLEY G

2009. Academic writing as shaping and re-shaping. *Teaching in Higher Education* 14(2):209-219.

BANGENI B & GREENBAUM L

2013. An analysis of the textual practices of undergraduate and postgraduate novice writers in law. *Per Linguam* 29(2):72-84.

BIGGS L & HURTER K

2014. Rethinking legal skills education in an LLB curriculum. *Journal for Juridical Science* 39(1):1-30.

BOUGHEY C

2009. "South Africa: University students can't read?". <http://www.universityworldnews.com/article.php?story=20090827173247724&query=Boughey> (accessed on 9 May 2018).

2012. Social inclusion and exclusion in a changing higher education environment. *Multidisciplinary Journal of Educational Research* 2(2):133-151.

BRAND N

1980. Legal writing, reasoning and research: An introduction. *Albany Law Review* 44(2):292-297.

BROODRYK T

2014. Writing-intensive courses across the law curriculum: Developing law students' critical thinking and writing skills. *Obiter* 35(3):453-466.

COUNCIL ON HIGHER EDUCATION (CHE)

2004. "Improve teaching and learning (ITL) resources". http://www.che.ac.za/sites/default/files/publications/Improving%20Teaching%20%26%20Learning_ITL_Resources.pdf (accessed on 29 June 2018).

2015. *Qualification standard for Bachelor of Laws (LLB)*. Pretoria: Council on Higher Education.

CROCKER AD

2018. Facing the challenge of improving the legal writing skills of educationally disadvantaged law students in a South African law school. *Potchefstroom Electronic Journal* 21. <http://dx.doi.org/10.17159/1727-3781/2018/v21i0a1368> (accessed on 13 March 2018).

DEDNAM MJ

2012. Knowledge, skills and values: Balancing legal education at a transforming law faculty in South Africa. *South African Journal of Higher Education* 26(5):926-940.

DRENNAN L

2017. Engaging students through writing: A collaborative journey. *South African Journal of Higher Education* 31(3):63-81.

DU PREEZ I & FOSSEY A

2012. Developing academic writing skills as part of graduate attributes in undergraduate curricula. *South African Journal of Higher Education* 26(2):346-357.

FRITH V

2012. A quantitative literacy course for Humanities and Law students: The challenges of a context-based curriculum. *Perspectives in Education* 30(2):41-49.

GREENBAUM L

2012. Current issues in legal education: A comparative view. *Stellenbosch Law Review* 23(1):16-39.

HAWKEY K

2013. "A+ or F- for the LLB?" *De Rebus* 3. <http://www.derebus.org.za/a-or-f-for-the-llb/> (accessed on 9 May 2018).

KEDIA SR

2010. Redirecting the scope of first-year writing courses: Toward a new paradigm of teaching legal writing. *University of Detroit Mercy Law Review* 87(2):147-177.

MANYATHI N

2012. "Confidence in LLB drops further". *De Rebus* 11. <http://www.derebus.org.za/confidence-llb-drops/> (accessed on 9 May 2018).

MCCREHAN-PARKER C

1997. Writing throughout the curriculum: Why law schools need it and how to achieve it. *Nebraska Law Journal* 76(3):561-603.

MCQUOID-MASON D

2006. The four-year LLB programme and the expectations of law students at the University of KwaZulu-Natal and Nelson Mandela Metropolitan University: Some preliminary results from a survey. *Obiter* 27(1):166-172.

MOJAPELO P

2012. "Transformation, independence and poor 'products' of the LLB". *De Rebus* 54 <http://www.derebus.org.za/transformation-independence-poor-products-llb/> (accessed on 9 May 2018).

MURRAY KE

2010. Peer tutoring and the Law School Writing Centre: Theory and practice. *Journal of the Legal Writing Institute* 17:1-31.

SCHIESS W

2009. Legal writing is not what it should be. *Southern University Law Review* 37(1):1-24.

SCHMITZ SJ & NOBLE-ALLGIRE AM

2012. Reinvigorating the 1L curriculum: Sequenced "writing across the curriculum" assignments as foundation for producing practice-ready graduates. *Southern Illinois University Law Journal* 36:287-315.

SEDUTLA M

2013. LLB summit: Legal education in crisis? *De Rebus* 8. <http://www.derebus.org.za/llb-summit-legal-education-crisis/> (accessed on 9 May 2018).

SNYMAN-VAN DEVENTER E & SWANEPOEL CF

2013. Teaching South African law students (legal) writing skills. *Stellenbosch Law Review* 24(3):510-527.

SWANEPOEL CF & SNYMAN-VAN DEVENTER E

2012. The need for a legal-writing course in the South African LLB curriculum. *Obiter* 33(1):121-134.

SWANEPOEL CF, KARELS M & BEZUIDENHOUT I

2009. Integrating theory and practice in the LLB curriculum. *Journal for Juridical Science* 34(3):99-111.

UNIVERSITY OF THE FREE STATE (UFS)

2016a. *Faculty of Law Yearbook*. Bloemfontein: University of the Free State.

2016b. *Write Site advertising brochure*. Bloemfontein: University of the Free State.

VAN NIEKERK L

2013. Investigating the effect of the extended programme on the LLB students' success. Unpublished MA Higher Education Studies thesis. Bloemfontein: University of the Free State.

ZALESNE D & NADVORNEY D

2011. Why don't they get it? Academic intelligence and the under-prepared student as 'other'. *Journal of Legal Education* 61(2):264-279.