

»» **Site visit report**

Centre for Experiential Legal Learning (CELL)

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This feedback is based on a digital site visit carried out in Zoom with Centre for Experiential legal Learning (CELL) representatives between December 9th-10th 2021.

The feedback was written by professor Arild Raaheim on behalf of Norwegian Directorate for Higher Education and Skills (HK-dir).

The goal of the site visit was to:

- Provide advice to the centre about further development and priorities.
- Provide insight and reflections on centre development in the context of the centre plan and, where applicable, the feedback from the mid-term evaluation.

The written feedback is an important tool to achieve these aims.

The feedback will be published on the Directorate for Higher Education and Skills' webpages.

Centres for Excellence in Education

Site visit feedback

How has the Centre worked to realize its vision, and how will the priorities help the centre reach its aims?

CELL was awarded status as Centre for Excellence in Education (SFU) in December 2019 and is hosted by the Faculty of Law at the University of Oslo. The Centre's vision is to educate future lawyers who are better equipped for the workforce and through the introduction of experiential learning "*...tackle the internal challenges of grade pressure, student competition, exam-retakes, and lack of contact with the Faculty's social science students*". By this the Centre aims to move from a highly competitive and performance-focused culture to a learning culture. This has been elaborated to comprise: (1) influence learning (to educate future lawyers who are better equipped for the future), (2) dissemination and dialog (be a pedagogical hub for legal education nationally and internationally), and (3) cultural change (development of internal and faculty culture for pedagogical innovation and student participation), acknowledging the tension between them.

Organisation of CELL

In order to achieve its goals and visions, CELL has organized its work in five work packages which were slightly modified in 2021 from its original 2019 plan. It is evident from the material reviewed as well as from the conversations with CELL representatives that student participation is at the core of CELL'S work. Students are a central part of all work packages as well as in projects under each work package.

Although each initiative within each of the five work packages are important in moving CELL towards its visions, the skills ladder (work package 1) holds a central place and serves to some extent as a support beam in the 'CELL building'. The skills ladder has not only changed the way teaching is organized and how students work their way through their studies. It has also challenged, and to some extent changed what may be understood as the "organizational conception of a lawyer". As commented by the dean during the site visit, one cannot – as one in theory could in earlier days – graduate moving backwards through the studies. The skills ladder functions in practice as a skills taxonomy, and it aligns well with the main ideas in the National Qualification Framework.

Since the Centre was awarded the SFU-status, the level of activity has been high, and CELL already experiences that it has become a knowledge hub at the

University of Oslo, and nationally, within two fields: digitalization within law education, and learning analytics.

As is evident from both the Annual Reports (2020, 2021) and interviews during interviews CELL has, despite having experienced the same challenges as others due to the Covid situation, kept a high level of activities. During this time important changes have been made to the organizational model of the centre. What was earlier described as a 'tripartite' model – staff, students, and administrative staff working together – has moved to a 'quadripartite' model where individuals with a pedagogical expertise are also included in all project activities. The organization has furthermore moved from one, which was based on seminal pillars, to one that is based on *projects*. According to CELL (Annual reports), this is believed to create better manageable conditions for academic staff, a belief I share.

While the Covid situation has created challenges in terms of teaching and other activities within the faculty program, CELL-members have been able to share both core ideas, knowledge, and experiences with an attentive audience through webinars and other media communication, thus contributing towards part of its goals (work package 2 and work package 5). Cell has continued its work on the developments of the skills ladder, it has carried out several large-scale evaluations resulting in written reports (e.g. students' experiences with home exams), published its first academic article, established an innovation lab with a prototype for the digital courtroom, launched several initiatives towards practical training including providing students assistance in academic writing, established CELL Norway as a national network, appointed PhD students, and more.

Comments

One cannot but be impressed by the high level and quality of activities that have taken place during this first part of CELL's period as a Centre for Excellence in Education. CELL has succeeded in drawing on, and in involving, academic staff and students who are eager to make a difference and to contribute towards achieving CELL's visions. Students are involved as co-leaders (e.g. student leaders employed in 20% positions), as researchers, and as pedagogical assistants. The number of students who are directly involved in CELL activities is, however, low in relation to the total group of students who are the recipients, but also the enthusiastic or not so enthusiastic partner that are not always easily heard or seen. It remains, therefore, to be seen how CELL activities positively affects important aspects of a learning culture, specifically the ones pointed out (in both the application document and in annual reports) related to grade pressure and competition among students. One may for example ask how, or to what extent, competition and grade pressure are reflections of individual attitudes and disposition or whether/to what extent they are expressions of a specific culture. It

was interesting to notice in the site visit how student representatives during interviews responded to questions about their role in CELL, and how/why they had been appointed. The partnership – ‘quadripartite’ – model adopted by CELL comes with a certain imbalance in power relations, and it was not always clear why students were included in different activities. When asked how they saw their role as a representative of the students, we received the following reply: “We are not here to represent students. We are here because of our personal qualifications. We are here because we are students”.

It will be interesting to follow how ongoing work with the skills ladder, and specifically the implementation of practice activities as described in the annual reports are followed up. For instance, in terms of systematic experimentation and documentation with regards to assessment.

What are the strengths that the centre draws on in achieving its aims and vision?

The strengths of the centre are easily detectable: an ambitious, visionary and inclusive centre leader; enthusiastic student leaders and student researchers (including PhD students); an enthusiastic, scholarly and motivated group of professors and teaching staff; professional network and cooperation, including pedagogical staff; backup, support and contribution from administrative staff; and goodwill and support from faculty leadership. And, one might add, a mass of competent and motivated students.

Even before achieving the status as a Centre for Excellence in Education, CELL had a concrete, tangible and pragmatic goal and visions tied to the future lawyer, but also the benefit of a common understanding within the Faculty of Law as to “state of the art”. Two out of three important prerequisites for success in terms of change were thus in place. Knowing where you are and where you are heading means that what is lacking is a good plan, and as John Hattie has taught us, change (learning) starts when we know which step to make first in order to fill the gap between an existing and a desired situation. In CELL this first step was establishing a solid organizational structure which involved students, and academic and administrative staff. And later supplying this structure with pedagogical staff. Restructuring from having an organization built on seminal pillars to projects, seems sensible both in terms of effectiveness and in terms of recruiting and involving more people. Staff as well as students. An assumption that was supported during the site visit. From what is described in the annual reports, it is evident that CELL has established itself as a central force in promoting

experiential learning and digital working methods both at the Faculty of Law, at the University of Oslo, and at national level. Representatives from CELL have contributed to the local and national debate on teaching, learning and assessment, not least because of its evaluation work and reports.

A high level of activities is often, but not always or necessarily only, a positive sign. There is always a danger of “running too fast for others to follow”, or “biting off more than one can chew”. Organizational change takes time and relies on systematic and thorough analyses of measures that have been implemented. There is no evidence of this constituting any current problem in CELL. On the contrary. From what we read in its annual reports and from what we have learned during interviews, CELL is constantly evaluating its activities, its organizational structure, and is attentive to different viewpoints. Having said that, it is worth mentioning that any organization that builds on trust, and on partners who go at length to realize common goals, often offering more of their time than can normally be expected, is vulnerable. Following an initial and enthusiastic start of an initiative comes a long period in which the activity is to be run. And where does all this lead? Well, perhaps each start should be an evaluation? An evaluation that also considers what will remain how when the person initiating the activity no longer is responsible.

What possible challenges does the centre face in realizing its aims?

Whether or not the following can be said to be challenges *in realizing its aims*, is an open question. I suggest the points below as challenges but certainly not as obstacles, more like opportunities.

- **Teacher- student ratio.** During the site visit it is stated as being much higher at the Faculty of Law than in many other subjects/faculties, as much as 1:43. Admittedly this creates some challenges of a logistic nature, but may, at the same time, present opportunities when it comes to testing different teaching/study designs, and/or different forms of assessment.
- **Cooperation with the faculty.** Although CELL experiences support from the faculty, and that communication is good, challenges exist in that CELL activities involve the study program “owned” by the faculty and that CELL exists outside the traditional faculty structure and decision chain.
- **Sustainability.** The level of activities is very high with much depending on the founding leader professor Malcolm Langford. This is not unnatural during a first stage, but worth paying attention to if continued. Both from the

perspective of the individual (exhaustion) and from an organizational perspective (involvement).

- **CELL Norway.** The study programs, and teaching and learning designs, between different faculties of law across Norway differ in many respects. If such a network is to become a success, not only communication and cooperation on activities, but in-depth analyses of study designs are vital. How may these differences create organizational learning, and what may CELL learn from other universities?
- **Limited personnel resources.** The quadripartite model adopted by CELL comes with a weakness: if all projects are to involve a person with pedagogical expertise (as presently understood) one faces the fact that this is a very limited resource.
- **Student involvement.** Student involvement is deeply rooted in CELL structure. It is, however, somewhat difficult to get a grasp of the thinking and experiences of the large mass of students at the faculty. Since one of the centres expressed goals is to move from a performance-focused culture to a learning culture, one would expect that CELL had established a firm baseline as a starting point.

CELL exists for several reasons, but it all boils down to this: developing a sustainable study program in law. The quantity and qualities of CELL activities are indeed convincing. However, even though CELL has surveyed pedagogical consequences of the Covid situation and that this carries information towards identified goals, it is difficult to understand which measure(s) of success CELL has. It cannot be students' grades? Or number of candidates employed in high-ranking firms?

Summary and advice going forward.

CELL has, despite some very challenging times under Covid, made some convincing changes to the study program at the Faculty of Law. It has earned recognition both locally, at the University of Oslo, and nationally for its work and its expertise. It profits from the involvement of a large body of scholarly and enthusiastic academic staff, engaged student co-workers and PhD's. Based on readings of available material, and conversations with several parties during the two-day digital site visit, I am utterly impressed. I am convinced that CELL has what it takes to achieve its goals and visions, which includes strategies to handle the challenges mentioned above, and others. I am also convinced that CELL is able to make necessary priorities in order to avoid exhaustion and possible disengagement.