

The Teaching of Law to Non Lawyers

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Abstract

Teaching law to non law students can raise concerns of perceived relevance, accessibility, engagement, purpose and pedagogic issues surrounding delivery. This paper considers these matters against the background of law teaching on the RICS (Royal Institution of Chartered Surveyors) accredited rural practice estate management programme at Harper Adams University College. Various teaching methods engaged by the authors are explored, with particular concentration on the introduction of case studies / scenarios at an early stage of studies to ensure the relevance and practicality of the course, in the context of future careers, is better understood by all students.

Key Words : law, teaching, non-law students, estate management.

1. Background

This paper is based largely on the experience of teaching law to students of rural land management at Harper Adams University College.¹ Harper Adams was, until 1995, known as an Agricultural College and was founded in 1901 on the monies left for the purpose by Thomas Harper Adams upon his death in 1892. The College occupies a rural site in north Shropshire and has a working farm of 500 acres together with 175 acres of woodland. The agricultural roots of the college are evidenced by signs outside each classroom urging students to remove their wellies before entering! The designation University denotes degree awarding status and the word College indicates a limited range of subject matter. In 2007 we became the only land-based HEI to have research degree awarding powers.

Agriculture is still a major area of operation with other key subjects being agricultural and off-road vehicle engineering, countryside and environmental management, agri-food business and marketing, rural leisure and tourism, veterinary nursing and, the course with which the authors are most closely involved, land management, an RICS accredited course aimed predominantly at prospective rural practice chartered surveyors.

¹ For a useful comparative discussion of the legal content of construction and surveying courses across seven institutions, see Hutchinson (2005).

Law modules, or modules with a substantial legal element, delivered to students of land management at Harper Adams include :

- Law for Estate Managers (first year introductory module)
- Planning and Environmental Law and Practice (second year)
- Agricultural Tenancy Law (final year)
- Business, Residential Tenancies and Land Law (final year)
- Revenue Law and Statutory Valuation (final year)

Other modules, such as Taxation and Rural Professional Practice, also have a substantial legal aspect and use the materials and techniques of the law.

The subject matter and learning outcomes have evolved with reference to various sources. Several members of staff are practicing chartered surveyors, examiners for the RICS professional qualification, members of the RICS Rural Faculty Board and members / examiners of other relevant bodies such as the CAAV (Central Association of Agricultural Valuers) and the ICF (Institute of Chartered Foresters) and are thus well placed to know what students require in their future working lives, as is vital on vocational courses. A recent questionnaire to rural practice surveyors seeking course evaluation highlighted law (notably land law and taxation) as being of major importance. This echoes studies into the teaching of law on other non law degree courses (see Monseau, 2002 based on Finance students at Rider University, New Jersey, USA), and indeed within built environment education itself (Morris 2007). The appropriateness of questioning of practitioners on the content of academic courses has been doubted (Brack, 1997) but the focussed nature of a professional accredited degree would seem to validate this approach, indeed QAA (Quality Assurance Agency) codes of practice urge employer liaison (QAA 2000).

The RICS qualification requires students, in their two years pre-qualification work experience (the Assessment of Professional Competence - equivalent to a solicitor's training contract), to gain experience in many 'competencies' (RICS, July 2006, i) and, of these, many are law based or have a substantial legal element, including :

- Access and rights over land
- Building control - legal / regulatory compliance
- Capital allowances
- Capital taxation
- Compulsory acquisition and compensation
- Contract practice
- Housing management and policy
- Landlord and tenant (includes rent reviews and lease renewals)
- Planning
- Procurement and tendering
- Purchase and sale

In addition to substantive competencies, the overall objectives of the APC is that students demonstrate awareness of the 'professional and commercial implications' of their work and they have an 'up-to-date and developing knowledge of legal and technical matters' relevant to work and the law of the region or country in which they practice (RICS July 2006, ii).

The relevance of law on any business degree needs no underlining (Byles and Soetendorp, 2002) and the above gives an introduction to the very specific context and relevance of teaching law to prospective chartered surveyors. . In addition to the substantive content of a law module, in considering the QAA objectives for honours degree students in a number of disciplines, the study of law clearly develops a range of transferable skills. In course accreditation, the land management degree at Harper Adams makes reference to the QAA subject benchmark statements for Agriculture, Forestry, Agricultural Sciences, Food Sciences and Consumer Sciences (QAA, 2003) and General Business and Management (QAA, 2007).

Intellectual skills raised in the QAA subject benchmark statements include :

- The ability to define and solve problems
- The ability to analyse, synthesise, summarise and critically evaluate information
- The ability to integrate lines of evidence from a range of sources to support findings and hypotheses
- The ability to appraise academic literature and other sources of information

Practical skills include :

- The ability to apply a range of methods to solve problems
- The ability to present research findings in a number of forms

Communication skills include :

- The ability to seek out, recognise and use a range of information sources
- The ability to communicate effectively in written, graphical and verbal forms

ICT skills include :

- The ability to use the internet critically for communication and information retrieval

Law is also highlighted as relevant subject matter in the Building and Surveying benchmark statements, notably : ‘... *law relating to land tenure, use and development of land which could include building control, statutory planning, health and safety, project procurement, dispute resolution, employment legislation, equal opportunities ...*’. In the understanding and skills section the statement also stresses legal principles and the legal context (QAA, 2002). Although in designing the law modules at Harper Adams the subject discipline benchmarks have been referred to, others may conclude that they also need to refer to the Law benchmark (Byles and Soetendorp, 2002).

This paper concentrates on teaching law in the context of the requirements of a professional body (the RICS), and many other non lawyers undertaking legal studies would have a similar remit (e.g. accountancy students). However, law is taught across disciplines where other rationale are at play, such as the concept of citizenship (Byles, Linda and Soetendorp, Ruth, 2002) or business (Skwarok, 1995) and the problems and approaches relevant to our land management students may well be relevant in other environments where law is a vital element of vocational preparation but is not central, either for work or in students’ perceived hierarchy of importance (Lampe, 2006).

Having established that law needs to be taught for substantive content, to comply with professional, educational and business needs and to develop transferable skills beyond the

acquisition of core knowledge - what problems have been encountered in attempting to impart the law syllabus to these non law students?

2. Academic Range

Some issues have been raised due to the wide academic range on arrival, of students accessing the course, a result of the very specific professional focus of the course and the limited range of institutions offering a rural practice specialism.² We have students ranging from those with three, or even four, A grade A2s to students together with entrants holding a National Diploma in Agriculture, access course transfers, HND transfers and GNVQs. This level of academic diversity - means that teaching methods, particularly in the first year, need careful consideration (Davis, 2003).

As a College, we have a higher than average number of students with dyslexia,³ perhaps due to the practical / vocational nature of many of our courses. As well as the obvious problems with written English, dyslexia also compromises attention span, the ability to take notes and a myriad of other skills which can no longer be taken for granted in higher education (Association of Dyslexic Students in Higher Education, 2007).

3. 'Law is Irrelevant'

Some students clearly understand the relevance of their legal subjects, particularly so after their work placement year (all Harper Adams BSc degrees are four year sandwich courses). However, although, as lawyers we might live and breathe Lord Wright's : '*Law in its own way covers the whole range of human activity - there is no side of life which it does not touch ...*' (in Gower, 1950) others, who have not really addressed the practicalities of what their chosen profession actually involves, wonder what law has to do with surveying and valuation (Allen, 2006)! Any hope of effective teaching requires, as a point of commonsense, underpinned by academic study, that the raising of student awareness of relevance and of student engagement is constantly to be strived for and monitored (Ramsden, 1992 and Corbin, 2002). Morris (2007) suggests that the goal in teaching law to built environment students is twofold: to be able to work intelligently with lawyers, and to keep themselves out of trouble through the practise of '*preventive law and its counterparts, preventive leadership, preventive networking and so on*'.

4. 'Law is Hard'

A broad range of areas are covered although, particularly in the introductory first year module, they are not covered in any great depth. Nevertheless, the wide range of material to which students are introduced and the unfamiliar terminology makes the subject forbidding for some. This is not the place to explore changes and any perceived 'dumbing down' of

² The Universities of Cambridge, Reading and Aberdeen offer closely related courses but only the Royal Agricultural College has a direct equivalent.

³ In 2005/06, 16% of HAUC (Harper Adams University College) students declared a disability (HAUC Registry 2006), compared with a national average of 7.9% (Houghton and Wray, 2007). Dyslexia was the disability of 85% of that 16% (i.e 13.6%).

secondary education - we are where we are (Datta and McDonald-Ross, 2002), but it is clear that the written language of law can be unfamiliar (Douglas, 2004), inaccessible (Christudason, 2004) and generally overwhelming (Allen, 2006).

The perceived demands of Law modules are often exacerbated by comparison with other modules. There has been a consensus, following discussions in Course and Examination Boards, that the level of the more testing subjects (Taxation and Agricultural Tenancy Law have been particularly singled out) is appropriate and that all modules on a course need not be of precisely equal demands, if such an exact science were possible.

5. Law Lecturers

A final issue that can arise in the teaching of law to non lawyers, which should not be overlooked, is the background of the lecturer. Those who read law a considerable number of years ago may be heavily immersed in 'black letter' content, unimaginative delivery styles and the traditional domination of the study of sources of law (Soetendorp and Byles, 2000) probably through the medium of lectures, tutorials with a heavy pre-reading load and assessment through essays. There has been, then, the temptation to develop learning through the instrument of primary sources of law (Carrington, Schlegel, La Piana and Kalman, 1995) with a somewhat narrow pedagogic range (Carter and Unkerlesbay, 1989).

That a blinkered concentration on cases and statutes, with no reference to context and the wider world, is limiting was recognised over 100 years ago by commentators such as the estimable Oliver Wendell Holmes : *'For the rational study of law the black-letter man may be the man of the present, but the man of the future is the man of statistics and the master of economics.'* (Holmes, 1897). It is, then, clearly apparent that the black letter approach is not appropriate to courses where, in particular, (a) the students will not / cannot engage in the volume of reading and (b) where many subjects have to be covered in less detail. In an era of widening participation and the atypical student, limited reading may be due to a myriad of reasons such as work and family commitments or health issues and must not simply be seen as a reflection of academic skills on arrival to higher education. A defence or denial of black letter teaching for *law* students is left for others to consider.

We are, then for reasons of practicality and accessibility, into the realms of 'translating' the law rather than having students make extensive use of primary sources. The materials are reduced to a core. Although there are dangers in this (Ward and Slater, 1990) there is a considerable need (regardless of an academic ideal), in many of the legal subject areas, to get across a level of 'prophylactic law' - a minimum level of knowledge to avoid dangerous or expensive mistakes (Soetendorp, 1996) in professional life. To recognise legal issues, to avoid causing problems, and knowing when to refer to a lawyer is what is needed. Side arguments about the purposes of higher education, the development of abstract thought and learning for its own sake are important and diverting questions for another forum but it is taken as a given for the purposes of this paper, that the law teaching is directly related to the education of future surveyors, rather than an isolated academic frolic. An emphasis on skills (Cox, 1992) and context (Saunders and Clarke, 1997 and Tyler, 1995) rather than purely 'knowledge' (Harris, 1992) has become a feature of the law, as well as non law, curriculum,

as encouraged by the Marre Report (Committee on the Future of the Legal Profession, 1988). This enables a greater interaction between law and non law pedagogic literature and lecturers with an inter-disciplinary relevance that was, perhaps, not previously the case.

The need for context is ideally embedded in course objectives (Woodcock, 1989) - how will the law affect the working life envisaged by the students (Endeshaw, 2002, and see the quotation from Morris 2007 above)?

These, then, are some of the problems which the teacher of law on a non law course needs to work through. There needs to be a consideration, *regardless* of practical problems, of what the students actually need to get out of their law modules. Subject benchmarking statements, professional guidance (both from the RICS Practice Guidance and anecdotal evidence from practitioners) and the experience of colleagues has been drawn on to determine the mix of factual, substantive knowledge and the transferable (Committee of Inquiry into Higher Education, 1997) research and evaluation skills needed on the law modules which also seek to support ‘... *diversity, flexibility and learner autonomy*’ (Hinett, 2002). Over all of this is a sense that, although not teaching future lawyers, there are key features to be transferred across the disciplines, which might encompass :

- where the law is to be found
- that the law is constantly changing (Soetendorp, 1999)
- the ability to identify legal issues (Cownie, 2004)
- the ability to go beyond the surface learning of facts, through to a deeper understanding (Marton and Säljö, 1976 and Meyer and Land, 2005)

This latter ambition for our non-law students has often been ignored by vocational law modules which have resorted to a diluted delivery of facts, without the contextual framework offered to law students (Broadbent, 2005).

We would argue that the context of another profession adds a further requirement, the ability to solve multi-faceted problems which contain a strong legal dimension. In this context law is only one of several competing frameworks, none of which will ‘win’ but all of which must be reconciled for an optimum technical or client-orientated ‘solution’. This is normally at its most evident in practice, and the final assessment of the RICS APC can be interpreted in these terms. Within the academic component of professional development, the multi-faceted complexity of professional problem-solving can be seen to develop from year to year. Therefore first year students might solve problems within a single dimension, while final year students will have to incorporate several competing academic and professional paradigms. Although Morris (2007) has argued that : ‘*Both students and practitioners alike need to see that various subjects and disciplines are like islands of the sea, all seemingly standing apart and discreet; but the law is the sea itself, and under the covering water, all the islands are actually connected in one*’, this is perhaps to overstate the centrality of the law in comparison

with the other disciplines. A similar analogy may be drawn for economics or management studies for example; nevertheless the general idea has considerable utility.

The remainder of this paper relates to the attempts to improve the engagement of students and the effectiveness of module delivery as measured by attendance, tutorial engagement, exam performance and the quality of written work.

6. Lectures

Given the oft quoted ineffectiveness of the lecture (Gibbs and Habeshaw, 1996), why is the average module still based around this 'traditional' (Le Brun and Johnstone, 1994) medium? The lecture is almost inevitable due to the size of groups involved which, at Harper Adams are not large by many standards but are too large for other methods of teaching for at least part of the course (up to 90 students). Other methods can and are being explored, such as the delivery of materials by internet / intranet and having fewer, small classes, e.g. meeting once every fortnight with a far greater emphasis on student centred learning (di Napoli, 2004) which is, of course, in line with Dearing (Committee of Inquiry into Higher Education, 1997) and other reports (Department for Education and Employment, 1998). However, the lecture it is, for now at least.

Much has been written on ways to improve lectures (e.g. Jenkins, 1992; Gibbs, Habeshaw and Habeshaw, 1997; Fry, Ketteridge and Marshall, 2003 and, particularly enjoyably, Blight, 1998) and over-emphasis on black letter content can do little to ameliorate the problems noted above. Although keen to develop effective ways of engaging and educating non-law students, the dissemination, or at least introduction, of a base of information is still most effectively done through the lecture and although primary sources do not hold a central position (Carrington, 1995) for the education of non-lawyers, an explanation of the existence and mechanisms of primary sources of law still usefully forms the firm foundation onto which a more free-ranging case study methodology can be constructed.

7. Notes

To avoid the problems of incomplete notes and to aid private study, the notes for the entire first year law module have been bound into book form which includes :

- lecturer prepared study notes of the 'translation' order mentioned above, i.e. abbreviated key points of law
- a small number of law reports in full and extracts from statutes
- gapped quizzes and questionnaires, either for revision or to take the student through the self study of a discrete subject area
- a few oddments for added excitement, e.g. the Carbollic Smoke Ball advertisement (*Carlill v Carbollic Smoke Ball Co.* [1893])

Although the notes do not obviate the requirement that students refer to text books (given the nature of the course, there is a limited requirement for them to refer to primary sources of law), it has been found that many text books, even when specifically for non-lawyers (the module reader is *Estate Management Law*, Card, Murdoch and Murdoch, 2003) are not easily accessed by our students. Putting law into standard English (Asprey, 2003 and Balmford, 2001) and explaining terms which it does not always occur *need* explaining (Allen, 2006) aids teaching effectiveness and the retention of interest considerably (see Cruikshank, 2002). A regular vocabulary test carried out in week 1 of the first year including words such as 'dissenting' and 'rebuttable' gave rise to concerns as to how much of a lecture or demanding text was being followed, with a greater need for 'translation' materials.

8. Scenarios

In addition to the notes, the idea of a greater emphasis on problem based learning was developed through the introduction of a rather contrived 'Law Story', written as a starting point to underline the relevance of legal studies to the students' personal and professional lives. Each chapter takes no more than a side of A4 - a lot less in most cases - and on the back of each page a list of the legal issues is given, together with the relevant cases or statutory references. Having used Law Story in various ways, it has been found that giving it out towards the end of the semester is more beneficial when students (hopefully) have a chance of spotting some of the issues rather than being overwhelmed. Short periods of time at the end of tutorials are set aside to look at a given chapter with students working individually for five minutes and then coming together in small groups to see how many points can be identified.

9. Case Studies

The most fundamental development in teaching practice which has evolved to address the problems encountered in teaching law to non-law students has been the introduction of the case study as a *starting point* to learning. (That is 'case study' meaning problem / scenario, not in depth study of a legal case.) The aim is to lead the student to clearly see the relevance of their legal studies, to direct the lecturer away from too dry and formulaic an approach, and help make materials more accessible in giving purpose and focus to private study. Morris (2007) found that the majority of students wanted '*more detailed illustrations*' and case studies, '*.. perhaps for the vivid exemplary or story content of case reports, which are more accessible to new learners than 'black-letter law.'*

Case studies have traditionally been used after a body of legal rules and information have been imparted by lecture, addressing none of the problem issues raised above and resulting in students lacking engagement before they ever get to assimilate the information and attempt to reach the higher level educational objectives of analysis, synthesis and evaluation (Bloom, 1956 and Anderson and Krathwohl, 2001) to apply their knowledge. In an expansion of the 'Law Story' exercise, larger problem cases / scenarios have been given early in the module with learning centred around information needed to deal with the situation, i.e. self-study is focussed on the problem in hand.

An example of such a scenario, in the area of professional negligence with the added complication of contractual relationships, is as follows :

Henry Harper-Smythe, FRICS FAAV, a chartered surveyor and an employee of Edwin Harper-Smythe & Co., carried out a full structural survey on a small Victorian cottage which Mr and Mrs Adams were thinking of purchasing for their daughter to live in whilst she was at university, for approximately £90,000.

Mr Harper-Smythe was employed by the building society who were loaning Mr and Mrs Adams 50% of the asking price.

There was considerable evidence of alteration in the house in the form of wall and fireplace removal. As a result of his examination of the property the surveyor submitted a report which valued the property at the asking price with no recommendation for any further work or investigation.

Six months later the bedroom ceiling collapsed as, it was discovered, the support system had been compromised by the removal of a wall without the necessary reinforcement.

There was extensive damage to the property and Miss Adams was badly bruised and severely distressed.

Advise Henry Harper-Smythe and Edwin Harper-Smythe & Co. as to their potential liabilities.

Rather than starting with the rules of negligence and discussions of decomposing snails in Scottish cafés nearly 80 years ago (*Donaghue v Stevenson* [1932]), students can see immediately that the issues relate to work they may well be undertaking, or be closely involved with.

The evidence of the effectiveness of this approach is currently anecdotal but another year through the module will see the introduction of formal evaluation in terms of :

- attendance
- student evaluation a month into the module
- student evaluation at the end of the module
- a comparison with both examination results and quality of question answers

Interim results, from student module evaluation and discussion groups, indicate a greater understanding of context and a slightly greater engagement with self-study, although this has had to be very carefully directed. Clearly, some of the problems which this approach sought to address would indicate that, once a student discovered or was told that a problem involves negligence, they are unlikely to engage in wide background reading around the subject!

There also needs to be a confidence on the part of the lecturer that there may be gaps in the imparting of what might be considered standard basic cases and statute law in a given area in

exchange for a greater engagement and understanding of the legal implications raised in a practical situation.

A second example of a case study is drawn from a final (honours) year module in the same programme called Revenue Law and Statutory Valuation. This module addresses the relationship between the legal frameworks in which many valuations are undertaken, and the implications of this for valuation methodology and practice. There is also a wider practical dimension in that the work of the valuer in practice does not just stop at the preparation of formal valuation reports, but is also concerned with the negotiation of optimum outcomes for a client in practical land management and development terms. *Arthur's Yard* is a case study designed to tease out some of these relationships for students.

COMPULSORY PURCHASE - COMPENSATION FOR LAND TAKEN

1. Study the plans to see the location and proposals for Arthur's Yard.
2. Arthur's yard itself started life many years ago as a roadside petrol station, garage and cafe. Externally it has degenerated over the years to become a 'greasy spoon' paradise for bikers. In recent years he has built up quite a scrapyard to the rear of the premises with an unparalleled collection of British bikes, past and present, in it. This development just happened as time went along, without the formality of planning permission etc.
3. The area to the rear of Arthur's has been designated for housing development in the local development plan. The only access to this area is down the side of Arthur's, opposite Greenacre (a rather plush bungalow which obtained planning permission many years ago, but which in fact has never been built). However, this area is too narrow for access and Arthur has let it be known that he would be willing to make available a strip down the side of his premises (of which he has little need) to widen the accessway to acceptable standards. The problem with this is the burden of the restrictive covenant enjoyed by the owners of the Greenacre site preventing Arthur from building on this part of his property. It was made many years ago, before the nearby row of houses was built.
4. The outline proposal for a nearby new road has been known in the area for many years. To Arthur's astonishment, the detailed proposals for the new road show his entire premises to be required for the construction of a new roundabout. This has prompted a number of angry, but rather random, thoughts on Arthur's part :

He had ambitions of a roadside restaurant or similar development on the new junction if it became difficult to continue the parts business with the new housing at the back;

He should be compensated for the loss of the 'ransom' he was going to extract for access to the rear land, but now they have put in an access off the new roundabout!

There is no way he is going without payments well above the odds for all the

aggravation this has caused him!

They'll have to pay him to set up a new business just the same somewhere else; in fact they will have to provide the site and new replacements for some of the specialist bike-repairing machinery he has put together over the years (that will be some consolation as most of it is worn out anyway).

There aren't many specialist bike scrap yards around, and so that should be worth extra payments on the compensation as well.

etc. etc. etc

Now to the rather dry bit :

Arthur has appointed you as his expert advisor on these matters (good luck!). Identify and evaluate the issues raised as far as compensation for land taken is concerned.

As well as material on statutory compensation, you may also find it useful to refresh your knowledge of planning from earlier modules, and to consult a land law textbook on the circumstances in which restrictive covenants can be removed or discharged.

Students find this a challenging exercise as it integrates a knowledge of statutory valuation principles, the development planning system in the UK under which policies for the direction of new development are determined, valuation methods, and general land law concerning the circumstances in which restrictive covenants can be discharged or modified (including the criteria under which the Lands Tribunal will discharge a restrictive covenant). Finally the students can see how these various facets must be combined to generate a strategy for dealing with Arthur's requirements as a client - this includes the management of the client himself through the process. Fifty-four students studied the module in 2006/07, of whom 48 responded to an evaluation questionnaire. Of these students 46 students rated the module 'excellent' (21 students) or 'good' (25 students). Amongst the written comments offered by students of relevance to the use of case studies were:

".. makes compulsory purchase lively and interesting - quite a hard task."

"Very practical examples when teaching"

"Good up to date subjects and case studies"

10. Conclusion

The two case studies show how the complexity of professional problem-solving can be developed from a first year module with its emphasis on two complementary legal strands (contractual and tortious liabilities), to the final year module which seeks to integrate a number of disciplines which make up the modern estate management syllabus. Both case studies are grounded in an appreciation of the professional context in which students and

practitioners must apply and interpret the law, while the latter study also provides an opportunity to explore some of the specialised legal decision-making machinery which covers landed interests (the role of the Lands Tribunal).

In conclusion, the teaching of law to a diverse range of students whose primary interests might lie well outside the content of the law modules requires careful thought, planning, a willingness to try a range of teaching and assessment ideas and the grace to alter and abandon 'pet' theories which fail to engage or prove effective.

It is hoped that the combination of course materials and delivery vehicles has, at least in part, addressed some of the problems in the law modules at Harper Adams and may provide some ideas for others.

References

- [1]. Anderson, Lorin W, and Krathwohl, David R (eds) (2001) A Taxonomy for Learning, Teaching, and Assessing : A Revision of Bloom's Taxonomy of Educational Objectives. New York : Longman.
- [2]. Allen, Vida (2006) 'A reflection on delivering legal education to business students.' LILI Conference.
- [3]. Asprey, Michele M (2003) Plain Language for Lawyers. (3rd ed.) Sydney : Federation Press.
- [4]. Association of Dyslexic Students in Higher Education (2007) Reasonable Adjustments in Academic Departments
- [5]. www.adshe.org.uk/docs/Reasonable%20Adjustments%20in%20Academic%20Departments.doc. Accessed September 2007.
- [6]. Balmford, Christopher (2001) 'Plain Language : beyond a 'movement'.' Language and the Law Conference, University of Texas, Austin at 15-16.
- [7]. www.plainlanguagenetwork.org/conferences/2002/movement/1.htm. Accessed August 2007.
- [8]. Bligh, Donald (1998) What's the Use of Lectures? (5th ed.) Exeter : Intellect Books.
- [9]. Bloom, Benjamin (ed) (1956) Taxonomy of Educational Objectives : The classification of educational goals. New York : Longmans.
- [10]. Brack, Antoni (1997) 'The Paradigm of Managerial Law.' 15, 2, Journal of Legal Studies Education. p237.

- [11]. Broadbent, G (2005) 'Engaging with values in legal education : are there lessons from law for non-lawyers?' Socio-Legal Studies Association Annual Conference.
- [12]. Byles, Linda and Soetendorp, Ruth (2002) 'Law Teaching for Other Programmes.' in Burridge, Roger, Hinett, Karen, Paliwala, Abdul and Varnava, Tracey (eds.) *Effective Learning and Teaching in Law*. London : Kogan Page. p150.
- [13]. Cain, Rita Marie (2007) 'The Politics of Preemption : Invigorating a Classic Classroom Concept.' *Journal of Legal Studies Education* 24:2, pp165–202.
- [14]. Card, Richard, Murdoch, John and Murdoch, Sandi (2003) *Estate Management Law*. (6th ed.) London : LexisNexis Butterworths.
- [15]. *Carlill v Carbolic Smoke Ball Co.* [1893] 1 QB 256, 41 WR 210.
- [16]. Carrington, Paul D, Schlegel, J H, La Piana, W P and Kalman, L (1995) 'Hail! Langdell!' *Law and Social Inquiry*. 20 (3) , pp691-760.
- [17]. Carter, K and Unkerlesbay, R (1989) 'Cases in teaching and law.' *Journal of Curriculum Studies* 21: 6. pp527-536
- [18]. Christudason, Alice (2004) 'Challenges of teaching law to non-law students.' Society of Legal Scholars Conference.
- [19]. Committee on the Future of the Legal Profession (1988) *A time for Change : The Marre Report*. London : General Council of the Bar and The Law Society.
- [20]. Corbin, Lillian (2002) 'Teaching Business Law to Non-Law Students.' *Murdoch University Electronic Journal of Law* 9 (No. 1) March 2002 www.murdoch.edu.au/elaw/issues/v9n1/corbin91.html. Accessed August 2007.
- [21]. Cownie, Fiona (2004) *Legal Academics : cultures and identities*. London : Hart.
- [22]. Cox, R (1992) 'Theory and professional life.' *Media and Technology for Human Development*. vol 4, no 4, pp217-232.
- [23]. Cruikshank, Dolly (2002) 'Teaching Law to Non-Lawyers : Making Law Straightforward and Understandable'. <http://www.plainlanguagenetwork.org/conferences/2002/dolly/1.htm>. Accessed August 2007.
- [24]. Datta, S and McDonald-Ross, M (2002) 'Reading Skills and Reading Habits : a study of new OU undergraduate reserves' *Open Learning* 17:1, 1st February 2002, pp69-88.

- [25]. Davis, Margaret (2003) 'Barriers to reflective practice : the changing nature of higher education.' *Active Learning in Higher Education*, 4, number 3, November 2003, p243.
- [26]. Department for Education and Employment (1998) *The learning age: a renaissance for a new Britain*. [Cm 3790] London : HMSO.
- [27]. di Napoli, Roberto (2004) *What is Student Centred Learning*. London : Educational Initiative Centre, University of Westminster.
- [28]. Donaghue (or M'Alister) v Stevenson [1932] AC 562, 101 LJPC 119, All ER 1
- [29]. Endeshaw, A (2002) 'Teaching law to business students : an inquiry into curriculum and methodology. *The Law Teacher* 36(1): 24.
- [30]. Fry, Heather, Ketteridge, Steve and Marshal, Stephanie (2003) (eds) *A Handbook for Teaching and Learning in Higher Education : enhancing academic practice*. (2nd ed). London : Routledge Falmer.
- [31]. Gibbs, Graham, Habeshaw, Sue and Habeshaw, Trevor (1992) *53 Interesting Things to do in Your Lectures*. Bristol : Technical and Educational Services.
- [32]. Gibbs, Graham and Habeshaw, Trevor (1996) *Learning to Teach : powerful ideas in teaching and learning*. Oxford : Oxford Centre for Staff Development, p11.
- [33]. Gower, L (1950) 'English legal training.' *Modern Law Review* 13: 137.
- [34]. Harris, S (1992) 'Reaching out in legal education: will EALP be there?' *English for Specific Purposes* 11, pp19-32.
- [35]. Hinett, Karen (2002) *Developing Reflective Practice in Legal Education*. Coventry : UK Centre for Legal Education, University of Warwick. p9.
- [36]. Holmes, Oliver Wendell (1897) 'The Path of the Law.' 10 *Harvard Law Review*. p457.
- [37]. Houghton, M and Wray, M (2007) *Disability : A Rough Guide for Widening Participation Practitioners*. Ormskirk : Action on Access.
- [38]. Hutchinson, Keith (2005) 'Content, Learning Methods and Assessment of Law on Undergraduate Courses in Construction Management and Surveying.' HEA Centre for Education in the Built Environment, Working Paper Series, No. 8.
- [39]. Jenkins, A (1992) 'Encouraging active learning in structured lectures' in Graham Gibbs (ed) *Improving the Quality of Student Learning*. Oxford : Oxford Centre for Staff Development.

- [40]. Lampe, Marc (2006) 'A New Paradigm for the Teaching of Business Law and Legal Environment Classes.' *Journal of Legal Studies Education* 23 (1), pp1-51.
- [41]. Le Brun, Marlene and Johnstone, Richard (1994) *The Quiet (R)evolution : improving student learning in law.* Sydney : The Law Book Company.
- [42]. Marton, Ference and Säljö, Roger (1976) 'On qualitative differences in learning.' *British Journal of Educational Psychology* 46: 4.
- [43]. Meyer, Jan and Land, Ray (2005) 'Threshold concepts and troublesome knowledge : linkages to ways of thinking and practising within the disciplines.' Occasional Paper 4. ETL Project : Universities of Edinburgh, Durham and Coventry.
- [44]. Monseau, Susanna (2002) 'Integrating Law into the Business Curriculum', Lawrenceville, NJ : Rider University. Unpublished.
- [45]. Morris, Robert J (2007) 'Improving curriculum theory and design for teaching law to non-lawyers in built environment education.' *Structural Survey* Vol 25, No 3/4, pp279-292.
- [46]. NCIHE (1997) *Higher Education in the Learning Society. Report of the National Committee of Inquiry into Higher Education : The Dearing Report.* London : HMSO.
- [47]. Quality Assurance Agency (2000, as amended) *Codes of Practice for the Assurance of Academic Quality and Standards in Higher Education.* p.7.
- [48]. Quality Assurance Agency (2007) *Subject benchmark statement : General Business and Management.* Gloucester : Quality Assurance for Higher Education.
- [49]. Quality Assurance Agency (2003) *Subject benchmark statement : Agriculture, Forestry, Agricultural Sciences, Food Sciences and Consumer Sciences.* Gloucester : Quality Assurance for Higher Education.
- [50]. Quality Assurance Agency (2002) *Subject benchmark statement : Building and Surveying.* Gloucester : Quality Assurance for Higher Education.
- [51]. Ramsden, Paul (1992) *Learning to Teach in Higher Education.* London : Routledge.
- [52]. RICS (July 2006) i *APC Candidate's Guide : Assessment of Professional Competence.* Coventry : Royal Institution of Chartered Surveyors.
- [53]. RICS (July 2006) ii *Assessment of Professional Competence / Assessment of Technical Competence : Requirements and competencies.* Coventry : Royal Institution of Chartered Surveyors.

- [54]. Saunders, Carol and Clarke, Jane (1997) 'Negotiating academic genres in a multi-disciplinary context.' *Journal of Further and Higher Education* 21 no 3, pp297-304.
- [55]. Skwarok, L (1995) 'Business Law for Non Lawyers : setting the stage for teaching, learning and assessment at Hong Kong Polytechnic University.' *The Law Teacher* 29 (2), p.189.
- [56]. Soetendorp, Ruth (1996) 'Patent information in the academic context.' *World Patent Information*. 18, no. 4. p219 in Soetendorp, Ruth and Byles, Linda (2000).
- [57]. Soetendorp, Ruth (1999) 'Law for non-lawyers.' *National Council for Legal Education Newsletter* 5.
- [58]. Soetendorp, Ruth and Byles, Linda (2000) *Law for non-lawyers : facilitating inter-professional dialogue*. 2nd Annual Conference of the Learning in Law Initiative. www.ukcle.ac.uk/interact/lili/2000/soetendorp.html . Accessed August 2007.
- [59]. Tyler, L (1995) 'Teaching and learning the law : law, humanity and society in seminars.' *Journal of Further and Higher Education* 19, no 1, pp80-84.
- [60]. Vick, Douglas (2004) 'Interdisciplinarity and the discipline of law.' *Journal of Law and Society* 31(3): 166.
- [61]. Ward, J and Slater, M (1990) 'Law for professional accounting education' *The Law Teacher* 25, pp208-228.
- [62]. Woodcock, A (1989) 'Using legal case studies with BTEC students.' *Journal of Further and Higher Education* 13, no 2, pp62-69 .