LAW

Principles of inclusive curriculum design

Anticipatory
Flexible
Accountable
Collaborative
Transparent
Equitable

Generic considerations

— cost and financial considerations;
— embedding student and staff well-being;
— promoting student engagement;
— use of technology to enhance learning;
— responding to different approaches to learning;
— avoiding stereotypes and celebrating diversity;
— making reasonable adjustments.

Introduction

It is the responsibility of the every member of staff within HE to respond to the requirements of equality legislation. The basic principle that can and should be universally responded to is that it is attitudes, barriers and other forms of discrimination within the system rather than individual characteristics or deficits that are the cause of disadvantage. Employing an inclusive approach is underpinned by the adoption of other principles of inclusive curriculum design, summarised in the adjacent text box and discussed in the introduction section of this guide available at www.heacademy.ac.uk/assets/documents/inclusion/disability/ICD_introduction.pdf

May and Bridger assert, in respect of developing an inclusive culture, "making a shift of such magnitude requires cultural and systemic change at both policy and practice levels" (2010: 2). In essence this change is represented by a shift in focus from responding to the 'needs' of individuals or specific groups of students to an approach that anticipates and plans for the *entitlements* of the evolving student population. Thus the onus is on institutions and subject communities to change and adapt their policies and practice rather than expect this of individual or specific groups of students.

There are many generic considerations of inclusive curriculum design, summarised in the adjacent text box, which are discussed in the introduction section. The focus of this section is on subject-specific considerations for those in those subjects aligned to law. Here examples of innovation and effective practice are provided to demonstrate that effective practice for one group can and should be effective practice for all. The examples, resources and ideas included in this and other subject guides have come from the sector. They were obtained directly in response to a general request made to the sector during 2010, from a review of the HEA Subject Centres or from recommendations made by colleagues teaching in the specific subject.

Where there are examples in other subject guides that may be particularly relevant or worth reviewing for further adaptation these are flagged. However, notably inspiration and ideas for curriculum design can come from many sources, therefore reading strategies employed and ideas in other subject areas can be a useful source of new ideas.

Inclusive curriculum design: subject-specific considerations

Taking account of students' wider life experiences

Curriculum design processes in legal education are influenced by guidelines such as the QAA subject benchmarks and Bar Vocational Course, which emphasise the outcomes rather than students' experience on beginning the programme and tend to recognise only standard access routes to education (Clinch, 2005: 30). This can lead to assumptions about the skills and knowledge Law students bring with them that may disadvantage students with different experiences, such as part-time students joining a programme for a short period (e.g. Erasmus and other exchange students) or those for whom Law is not the major programme component.

Clinch (2005) argues that recognition of these different experiences and opportunities to acquire skills need to be embedded into learning outcomes. An inclusive approach would be driven by knowledge about the skills, as well as valuing the content/subject knowledge and experience students bring with them. It would acknowledge that some students may have yet to acquire the required subject-specific skills and would focus on how the programme and its components needed to be designed and delivered to meet the entitlements of all students.

> The Kent Law School have embedded generic and legal skills in their core curriculum using a spiral curriculum and skills matrix. This is an inclusive approach that represents a deliberate shift away from providing remedial support for students perceived to have a deficit of skills or knowledge. Opportunities are provided for the practice and assessment of skills across the programme. Colleagues worked together through the cycle of quality assurance and other teaching meetings to develop a skills matrix, which maps how skills are spiralled through the curriculum, within modules and between stages. The process of developing the matrix has the additional benefit of allowing staff to recognise when and how skills are introduced, reinforced or extended and this can help them communicate this more effectively to all students (Carr and Horsey, 2010).

An inclusive approach would be sufficiently flexible to avoid duplication for students who are already competent in particular skills as well as consolidation for students finding the content of the skills matrix challenging (Clinch, 2005). Engaging potential entrants, current students and alumni in the Law curriculum design will help ensure the diversity of students' experiences and expectations is understood and taken into account.

> Students on a torts module at Lancaster University are contributing to the development of annually revised key hints for students. These include common mistakes and suggestions for getting the most out of the module.

Having equality and diversity as a standing item on the agenda for staff-student liaison committees can help to ensure issues are not forgotten or overlooked, for example international Law students can give valuable feedback on challenges that they face that may not necessarily be apparent to staff; for example, students used to a Cyrillic alphabet may find it difficult to adjust to handwriting examinations. Discussions about students' experiences and the barriers they encounter can then be fed into the curriculum design (as well as delivery) process.

Raising awareness of professional practice through interaction with the legal profession

For Law students intending to pursue careers in the legal professions they may have expectations about what the programme will provide and equip them for. This can mean they express a preference for more traditional forms of teaching where the emphasis is on acquiring the 'right' knowledge rather than on experiential learning and honing skills.

Providing opportunities for all students to engage with legal practitioners and potential employers during the teaching and learning experience will support students to have a better understanding of the balance of skills, knowledge and attributes employers are looking for and help them to see that working in a legal context requires a broad range of skills and attributes.

> Sheffield Hallam University provide role-play simulations for Law students, based on real-life scenarios (such as a court case), so that students can gain practical experience during the module.

The involvement of relevant stakeholders is a key aspect of an inclusive approach. This can include engaging employers and alumni in the development of employability components of the curriculum. Using relevant stakeholders as guest speakers or in mentoring and networking roles provides students with access

to role models and the opportunity to establish their own networks and contacts.

> The University of Bradford has developed a compulsory second-year module, Career and Personal Development. It includes an introduction to legal careers, with input from the careers service and employers. The module provides an opportunity for students to develop and hone practical skills such as application letters. As a compulsory credit-bearing module it provides an opportunity for all students to access employability-related skills and knowledge.

There can be other barriers that restrict students from gaining necessary 'cultural capital' (those attributes and skills most highly valued by potential employers). For example, students may be unable to access unpaid internships or placements due personal circumstances (such as caring responsibilities or paid employment). An inclusive approach would consider how the outcomes of these placements (such as access to professional networks and the development of clinical skills) could be integrated into the curriculum in a way that makes them accessible to all students.

> The University of Liverpool Law School runs a pro bono legal advice centre where students provide legal advice to the public under the supervision of qualified practitioners. It provides the opportunity for students to apply theory to practice and develop practical and professional skills valued by employers. The clinic has been integrated into the undergraduate curriculum so students gain academic credit for their participation. This has the benefit of providing opportunities to develop employability skills (Liverpool Law School, undated).

See also Business, Management, Accountancy and Finance, and Social Policy and Social Work subject guides for involving stakeholders and user groups in curriculum design.

Challenging stereotypes

Students study Law in a wider context of criminality where powerful stereotypes about those involved in and with the law are pervasive. Consideration should be given to ensuring these stereotypes are not perpetuated in the curriculum. In the context of working within the profession opportunities should be taken to present examples of professionals from a range of backgrounds to encourage greater diversity.

Challenging stereotypes can be achieved by working at a programme level to share resources and examples that promote diversity and to incorporate positive representations of different equality groups. Strategies could include:

— adopting a gender-neutral protocol in all assessment as a way of challenging the universality of 'he';
— using a variety of names and circumstances in examples (consideration will need to be given to the impact of selecting more 'diverse' names such as whether all students will recognise them as names or whether characteristics such as gender are relevant);
— ensuring that a range of images are used representing equality groups in a positive and non-discriminatory way;
— choosing a range of case law examples drawn from different equality groupings.

At the Lancaster University Law School inclusivity is sought through a statement on the use of language which is issued to students:

> "The Law School urges students to take care over their use of language. Language and images frequently discriminate in the areas of gender, race, sexuality, disability, class and age. They do so by exclusion, stereotyping and the incorporation of value judgements.
>
> There will be opportunities in your degree course to explore and discuss the ways these discriminatory practices work. But when contributing in spoken or written form, you should think about the way in which language can be used as a dimension of oppressive power relations but also consider the power of words and images to have positive effects, such as creating equality, understanding and respect for differences."

See also the Built Environment subject guide for other examples of challenging stereotypes.

Developing communication skills involving use of technical language

Communicating about the law requires students to be able to read and translate complex ideas, apply them to real situations and in both written and oral work use appropriate terminology. Students studying Law are increasingly expected to work in groups and to be assessed on communication skills. Some students may not have had prior opportunities to develop and hone communication skills and confidence

required for a legal context. This can be a particular challenge for students for whom English is not their first language or students with different cultural expectations about how to communicate with tutors, peers and in different environments. Students may avoid opportunities to present, which can exacerbate this disadvantage. An inclusive curriculum design would provide opportunities for students to build confidence as well as develop and assess their skills, practice in a safe space and through a formative assessment strategy gain constructive feedback. Student law societies can augment such provision through peer-run workshops, moot courts and demonstrations.