

STUDENT PERCEPTIONS OF VIDEO ASSESSMENTS:
CAN PRACTICAL LEGAL SKILLS BE TAUGHT
EFFECTIVELY ONLINE?

Stephanie Falconer and Emma Henderson

ABSTRACT

The form of instruction in higher education was in transformation even before the COVID-19 pandemic forced educators to embrace the online learning environment. This is particularly true for legal education, which had largely resisted remote learning for a variety of reasons. The challenges presented by the pandemic have enabled law teachers to embrace creativity in assessment and create learning opportunities that use technology. One such example is that of the video assessment. While few subjects before the pandemic – often electives – used video assessments, it was uncommon to find core law subjects which used such assessment techniques, particularly when assessing practical legal skills. The subject ‘Evidence and Criminal Procedure’ at La Trobe University offers a useful case study because the impact of the pandemic required a rethink of the traditional moot assessment that had been the hallmark of the subject for years. The resource cost, and organisational challenges posed by the pandemic meant that the moot was no longer a viable assessment option, so the teaching team devised an alternative: a video bail application. This article examines the merits of video assessments, the considerations needed to convert a moot to a video assessment, as well as the lessons learned. The overarching goal will be to determine if the video assessment is here to stay, and how it can be used as an effective legal education tool.

I INTRODUCTION

In this article, we discuss the pedagogy which informed the choices behind a new assessment task in our core third year subject Evidence and Criminal Procedure, and the lessons learned from the first iteration of this new assignment task. In 2022 we replaced a traditional face-to-face moot with an online bail application exercise. We did this for several practical reasons arising from the pandemic and resource constraints, and for important pedagogical reasons. As we developed the new assessment task, we also applied for ethics approval to administer a survey to our students to explore their attitudes towards experiential learning activities in law school generally, and about our new online assessment in particular.

The article starts with a reflection on the existing literature around experiential learning and authentic assessment in law schools, with a focus on the benefits and challenges of practical moot-based assessment tasks, particularly in the online context. Next the article briefly sets out the survey method used to interrogate student perceptions of online assessments before exploring the three main themes to emerge from the survey – the importance of practical skills education for law students; student attitudes to online versus face-to-face learning activities; and the role of experiential learning in enhancing student confidence and competence. In the final section we reflect on two other insights drawn from the survey results; the need to fully engage with student perceptions of teamwork, and the value of emphasising the relatedness of skills acquisition across the law degree.

II LITERATURE REVIEW

Whereas substantive legal knowledge is often rapidly outmoded, when taught effectively, legal *skills* learned at university have a much longer shelf life.¹ Providing students with experiential learning opportunities throughout the law school curriculum is accepted as an effective way of teaching legal skills.²

Experiential learning allows students to ‘construct... knowledge and meaning from real-life experience’³ and its value in terms of skills development is well established.⁴ Indeed, even outside of a formal education setting, ‘learning from experience is one of the most fundamental and natural means of learning available’.⁵ Experiential learning in legal education is valuable because it presents an opportunity for students to develop ‘authentic practice-based experience’ incorporating legal skills and situating learners in a context relevant to their potential future careers.⁶ Such learning, either through in-class learning activities or assessment tasks, is effective because ‘it involves the “whole person –

¹ Peter Brown, Henry Roediger III and Mark McDaniel, *Make It Stick: The Science of Successful Learning* (Belknap Press, 2014) 2, 5.

² See eg, Yvonne Daly and Noelle Higgins, ‘The Place and Efficacy of Simulations in Legal Education: A Preliminary Examination’ (2011) 3(2) *All Ireland Journal of Teaching and Learning in Higher Education* 58.1.

³ Sarah Yardley, Pim Teunissen and Tim Dornan, ‘Experiential Learning: Transforming Theory into Practice’ (2012) 34(2) *Medical Teacher* 161, 161.

⁴ See eg, David A Kolb, *Experiential Learning: Experience as the Source of Learning and Development* (Prentice-Hall, 1984); John Dewey, *Experience and Education* (Touchstone, 1938); David Boud et al, *Using Experience for Learning* (Society for Research into Higher Education and Open University Press, 1993).

⁵ Colin Beard and John P Wilson, *Experiential Learning: A Best Practice Handbook for Educators and Trainers* (Kogan Page, 2nd ed, 2006) 15.

⁶ Yardley et al (n 3) 161.

intellect, feelings and senses”,⁷ and combines theories of humanistic psychology and critical social theory.⁸ In this way, experiential learning, in the form of role plays, simulations, ‘fish bowls’, moots and other activities, can complement and enrich the more traditional passive education provided by readings and lectures.⁹ The inclusion of experiential learning activities enhances the likelihood of deep learning and retention, enabling later transference to other contexts.

Experiential learning theory is not a new phenomenon. In 1984, David Kolb, building on John Dewey’s concept of reflective thought and action,¹⁰ theorised that learning could be enhanced by a four-stage process, a ‘learning cycle’, comprised of ‘concrete experience, reflective observation, abstract conceptualisation and active experimentation’.¹¹ Kolb’s learning cycle remains relevant today and many academics rely on the theory to support their teaching practices. The strength of Kolb’s learning cycle is that it does not matter at which point of the cycle a student’s learning occurs, because each stage complements the others, building on some core aspect – whether it be experience, reflection, conceptualisation, or experimentation – and allows the learning to take hold.¹²

Experiential learning is enhanced when paired with authentic assessment practices, which engage students in assessments that test their performance of ‘real world tasks that demonstrate meaningful application of essential knowledge and skills.’¹³ This makes the original learning activity more relevant to the student because they are more likely to ‘perceive their aspirations and best interests’ are considered as part of the education design, as well as being relevant to their future career.¹⁴ Moreover, pairing experiential learning activities with authentic assessment enables students to ‘show they “have constructed their own knowledge and synthesised information [to] better demonstrate higher levels of learning and the ability to apply competencies in an authentic context”.’¹⁵

According to Dianne Thurab-Nkhosi and her co-authors authentic assessment is not simply limited to evaluating a student’s initial learning, but also facilitates further learning from the act of undertaking the assessment itself, which in turn fosters a deeper, more effective overall learning experience.¹⁶ Ultimately, what makes the pairing of experiential learning and authentic assessment so effective is that the student’s ‘active and effortful’¹⁷ engagement with the learning enables long-term memory retention linked to existing knowledge and experience, which can be demonstrated in assessments and also used to develop the skills relevant to the student’s chosen career.¹⁸

⁷ Lee Andresen, David Boud and Ruth Cohen, ‘Experience-Based Learning’ in *Understanding Adult Education and Training* (Routledge, 2nd ed, 2000) 207.

⁸ Reijo Miettinen, ‘The Concept of Experiential Learning and John Dewey’s Theory of Reflective Thought and Action’ (2000) 19(1) *International Journal of Lifelong Education* 54, 54.

⁹ Ana Lenard, ‘Lessons and Opportunities for Negotiation Teachers Following the Covid-19 Pandemic’ (2021) 31(3) *Australasian Dispute Resolution Journal* 225.

¹⁰ Dewey (n 4).

¹¹ Kolb (n 4).

¹² *Ibid.*

¹³ ‘What Is Authentic Assessment? (Authentic Assessment Toolbox)’ <<http://jfmuller.faculty.noctrl.edu/toolbox/whatisit.htm>> in Toni Collins, ‘Authentic Assessment - The Right Choice for Students Studying Law?’ (2022) 32(1) *Legal Education Review* 1, 1.

¹⁴ Kelley Burton, ‘A Framework for Determining the Authenticity of Assessment Tasks: Applied to an Example in Law’ (2011) 4(2) *Journal of Learning Design* 20.

¹⁵ Dianne Thurab-Nkhosi, Gwendoline Williams and Maria Mason-Roberts, ‘Achieving Confidence in Competencies through Authentic Assessment’ (2018) 37(8) *Journal of Management Development* 652, 652.

¹⁶ *Ibid.*

¹⁷ Brown et al (n 1) 2 and 5.

¹⁸ Burton (n 14).

Experiential learning has been a foundational part of legal education for centuries.¹⁹ Moots, mock trials, interview and negotiation simulations have been ‘widely employed as [an] educational tool’²⁰ in law schools around the world because they are so effective in ‘bridg[ing] the gap between theory and practice.’²¹ Most law schools have dedicated spaces such as moot courts and meeting rooms where students engage with assessors in real time, asking and answering questions and testing their preparation and understanding in a way which allows students to fully situate themselves in the practical context of an activity, enhancing perceptions of authenticity. As authentic learning tasks, mooting and other simulations such as interviewing require a combination of ‘memorisation and the retention of knowledge...[alongside other practical skills, with students] construct[ing] that knowledge from the materials they ... discover through their research.’²² In other words, simulations require students to actively engage with both substantive and procedural law knowledge, as well as a range of professional legal skills, while constructing meaning from their learning to solve problems in a practice-based-simulation experience.²³ Even so, such activities are highly resource-intensive, and have traditionally demanded serious on-campus commitments from students which can be a significant limitation.

The necessity of converting learning activities to online formats during the COVID-19 pandemic-related lockdowns mirrored the efforts of the legal profession itself to adapt to the online environment, hastening changes in relation to video-based hearings, negotiations, and client interactions. It could be argued therefore, that incorporating online experiential assessments within the law school environment ultimately enhances the authenticity of the learning experience, equipping students with a new set of increasingly necessary professional skills.²⁴

In summary, the literature demonstrates that experiential learning and authentic assessment are valuable pedagogical approaches in the law school context. Situating learners within an environment that enables them to engage with their learning more actively, and which demonstrates the relevance of the required learning to future career goals, builds longer-lasting connections and results in greater knowledge and skills development. The rounded nature of simulations with their indisputable relevance to the skills required for success within the legal profession is clear. While these pedagogical benefits rub up against the desire of universities to cut costs and increasing student preferences for less time on campus, the requirement to move online during the pandemic led us to consider whether simply replicating the traditional mooting structure on Zoom was the best way to proceed, or whether there were other forms of authentic online assessment which might offer similar pedagogical benefits to a traditional moot.

¹⁹ Anthony Cassimatis, *Thomson Reuters Guide to Mooting* (Lawbook Co, 2016) 9.

²⁰ Charles Knerr, Andrew Sommerman and Suzy Rogers, ‘Undergraduate Appellate Simulation in American Colleges’ (2001) 19(1) *Journal of Legal Studies Education* 27.

²¹ Derick Tansey and PJ Unwin, *Simulation and Gaming in Education* (Methuen Educational, 1969) 31 cited in Daly and Higgins (n 2) 58.5.

²² *Ibid.*

²³ *Ibid.* 76.

²⁴ See Jennifer Yule, Judith McNamara and Mark Thomas, ‘Virtual Mooting: Using Technology to Enhance the Mooting Experience’ (2009) 2(1) *Journal of the Australasian Law Teachers Association* 231, 237; Bernadette Richards, ‘Alice Comes to Law School: The Internet as a Teaching Tool’ (2003) 14(1) *Legal Education Review* 115; Dan Hunter, ‘Legal Teaching And Learning Over The Web’ (2000) 2 *University of Technology Sydney Law Review* 124; Jennifer Yule, Judith McNamara and Mark Thomas, ‘Mooting and Technology: To What Extent Does Using Technology Improve the Mooting Experience for Students?’ (2010) 20(1) *Legal Education Review* 137.

A Survey to Explore Student Perceptions on the Value of 'Skills training' in the LLB

Research into this question led us to the realisation that while the literature is clear about the value of experiential learning and authentic assessment from a pedagogical perspective, there has been a failure to explore in any depth how students themselves perceive experiential activities, and what role they expect this form of learning should play in their legal education. It was with this gap in mind that we constructed a research project to accompany the introduction of a new online Bail Application simulation assessment, to discover what our students thought about experiential learning activities generally, and online activities specifically.

The project explored students' attitudes to particular elements of experiential learning and online delivery within the law school setting, with a view to unpacking how students perceive the value of remote experiential assessment tasks in the law school core curriculum. There were three primary research questions at the centre of our project to:

1. determine student perceptions of the importance of skills training in the law school core curriculum;
2. ascertain students' perceptions on digital assessments in place of face-to-face assessments; and
3. explore the challenges and changes required in adapting law school experiential learning activities to the remote teaching and learning environment.

The new online Bail Application assessment task was introduced in 2022, replacing the previous on-campus moot. After obtaining approval from the University Human Ethics Committee,²⁵ the entire cohort of 210 second and third year LLB students enrolled in the subject were invited to participate in a voluntary survey about their perspectives and attitudes to experiential learning activities, including the new online assessment task. The invitation was delivered via a notice published to the subject's Learning Management System (LMS) and students were reminded with in-class announcements and further reminders on the LMS. It was made clear to students that their participation was entirely voluntary and there was no obligation, nor would there be any impact on their grades or performance in the subject if they chose not to participate. The results for the Bail Application assessment task were returned to students before the survey was opened, so students would not feel any pressure to participate.

The survey consisted of 24 questions which were designed to uncover students' perspectives and attitudes to the three research questions identified above. The questions were a combination of fixed choice questions (quantitative) and textboxes for elaboration (qualitative). The quantitative questions covered the students' attitudes to online learning and online assessment tasks, their understanding of, and the importance they placed on the inclusion of 'practical skills training' (this is the term we used to describe experiential learning and authentic assessment within the survey) within the core curriculum, and the Bail Application assessment task itself. Each quantitative question was answered using a 'strongly agree – strongly disagree' scale. The qualitative questions enabled students to clarify or expand on their answers to the fixed choice questions, or to identify specific elements or aspects of practical skills training that they thought were important or successful/unsuccessful and so on. The

²⁵ La Trobe University HEC22068, approval granted 10 May 2022.

survey was assembled and distributed using QuestionPro, which hosted the surveys and responses, enabling the data to be collected and analysed in a secure, and complete manner.

The survey generated a healthy response rate. Of the 210 students enrolled in the course, 48 attempted the survey.²⁶ Despite the fact that two thirds of the students enrolled in the subject were second and third year students, 46.5% of those who attempted the survey were in their fourth or fifth year of their degree, with only 19% of second years attempting the survey. Approximately 67% of students who completed the survey indicated that they intended to practice law upon the completion of their studies. Also of interest was the fact that 36% of respondents had exposure to practical legal skills training already, through a part time job within the legal profession. When asked whether they enjoyed the Bail Application assessment, 66% of respondents reacted positively. Interestingly, 41% stated that they would not have enjoyed the assignment if they had had to complete it on their own.²⁷ An overwhelming 93% of respondents indicated that they felt more confident overall after having undertaken the Bail Assessment, with comments that indicated they felt they had engaged more deeply and learned more about the applicable law than they had expected as a result of the assignment. What follows is an exploration of the three main themes that emerged from the survey results.

B Student Perspectives on Legal Education and Practical Legal Skills-based Activities and Assessments

As mentioned above, there is little literature exploring students' perceptions of experiential learning activities.²⁸ With this survey, therefore, we set out to explore whether our students actually appreciate skills-based activities in class, and as assessments, and what value they attach to such activities.

The survey asked students to reflect on a wide definition of 'practical skills': we included generic skills such as problem solving, advocacy and analysis, and more specific legal skills such as file management and written and oral legal communication skills, in this category. To the question 'In your experience, do you feel that the law school curriculum contains enough practical legal skills-based activities and assessments?', 64% of respondents indicated that they did not feel there were enough such activities and assessments. When we asked them how important an issue this was to them, 93% of students responded that legal skills training is 'extremely important' or 'very important' to their legal education and 90% agreed that mastering online technology is an important or very important skill for legal practice. One respondent with some exposure to legal practice indicated that 'more practical assessments should be introduced in order to better prepare students for practical work'²⁹ while another student stated outright that the skills they 'use as a paralegal are very divorced from the skills...taught at University [and that] [e]ven the skills which are taught...[are not] always...relatable to practice.'³⁰

After assessing how students felt generally about skills training within the LLB, the survey provided students with the opportunity to reflect on whether the bail application itself had helped them practice and develop skills. Approximately 90% of respondents reported that they felt they had learned valuable legal skills such as how to address the court, how to refer to clients and counsel in a professional manner, and how to refer to legislation and case law during questioning. Another survey question, which asked about more general skills, led 75% of respondents to report that the assignment also helped them

²⁶ Of these 48 responses, six were only partially completed leaving 42 fully completed surveys for analysis.

²⁷ Interestingly, 27% indicated a preference for completing the assessment individually.

²⁸ Brown et al (n 1).

²⁹ Response designation 7514394.

³⁰ Response designation 75139840.

improve skills such as teamwork and presentation/public speaking skills which are applicable outside legal practice. One respondent stated that they felt that the Bail Assessment ‘bridge[d] the gap’ between the substantive law and practical skills taught in the law degree.³¹

The responses to the questions about skills training in law schools led us to consider the research exploring the development of student competence and confidence in law school through in-class skills education.³² Though experiential learning and authentic assessment are clearly linked to the development of skills, there is little evidence of the role that this plays in enriching a student’s overall confidence and competence after engaging with such activities. That is, just because a skill is developed, it is not necessarily safe to assume that a student *feels* more confident or more competent. Confidence and competence are important because they enhance autonomy within the student³³ and have the potential to imbue a more self-motivated and engaged attitude, enhancing the overall learning outcomes.³⁴

Though the literature is clear about the role of experiential learning, authentic assessment, and exposure to practical skills education more generally, the results of our survey shed some light on how students perceived their own overall confidence and competence after engaging with the bail application assignment. Approximately 93% of respondents stated that they felt more competent and confident as a result of engaging in the bail application, and that this competence/confidence extended to both future assessments and their future careers. One respondent noted that they had often wondered how lawyers know what to say in court and indicated that the Bail Assessment gave them an insight, preparing them for later practice.³⁵ This sentiment was echoed by another respondent who stated that they now had a better understanding of ‘how bail applications work and what is involved in a real-life scenario’.³⁶ Ultimately, students overwhelmingly reported that the experience, and feedback provided, meant that they would feel more confident to undertake a similar activity, either in their degrees, or in their later careers.

These results suggest that students, particularly those who are aiming to head into the legal profession, perceive skills-based activities and assessment as an essential part of their legal education. It is interesting to reflect upon the fact that a large proportion of our respondents (including the students quoted above) were later year students who were close to graduation and therefore perhaps more closely focused on the relationship between their studies and employment than earlier year students. For students in earlier years, the survey results suggest to us a need to emphasise more strongly to the whole cohort, the connection between assessment tasks with ‘authentic’ learning elements, and legal practice.

³¹ Response designation 74711114. It is important to note that students who do not share this perspective will not necessarily have the same attitude toward practical tasks and assessments, which suggests that educators need to make a greater effort to communicate the importance and value of specific activities. This is important because students who do not understand the significance of a task will be less likely to form the relevant connections to create lasting knowledge, completing the iterative learning process.

³² Where it exists, the research usually explores confidence and competence borne from work integrated learning experiences. See eg, Anna Cody, ‘Developing Students’ Sense of Autonomy, Competence and Purpose Through a Clinical Component in Ethics Teaching’ (2019) 29(1) *Legal Education Review* 1.

³³ Leah Wortham, Catherine Klein and Beryl Blaustone, ‘Autonomy-Mastery-Purpose: Structuring Clinical Courses to Enhance These Critical Educational Goals’ (2014) 18 *International Journal of Clinical Legal Education* 105, 120.

³⁴ Lawrence Krieger, ‘The Inseparability of Professionalism and Personal Satisfaction: Perspectives on Values, Integrity and Happiness’ (2005) 11(2) *Clinical Law Review* 425, 429.

³⁵ Response designation 74999883.

³⁶ Response designation 74930183.

It may be useful, for instance, to incorporate a reflection aspect to the assignment, to give students another entry point into the learning cycle and thus another opportunity to embed the skills more deeply.

C Student Perceptions of Online v Face-to-Face Learning

Another emerging area of interest in contemporary higher education research are the differences between online and face-to-face learning. While this is increasingly relevant since the COVID-19 pandemic forced many law schools to pivot to remote learning, the shift toward more online engagement was already well underway. Even so, it is unclear whether teaching professional skills in the online environment is as effective as face-to-face learning, because of the difficulties with engaging students and creating a fully ‘immersive experience’ online.³⁷ That said, the changes embraced by the legal profession during the pandemic, with hearings, negotiations and client interactions taking place online more regularly, have clearly led to the need to incorporate technological competence education in law schools.³⁸

The survey asked students whether they felt that remote learning had any value for both their education and ultimate career goals. Respondents answered this question by identifying the mastery of online and remote technologies as ‘vitaly important’ to their legal education,³⁹ with one student noting that in their experience as a paralegal there are a ‘shocking number of practitioners [who] are not well versed in the technology [and it is, therefore] certainly beneficial to implement...at the university level.’⁴⁰

Interestingly however, despite this acknowledgment of the importance of mastering online and remote technologies to their future careers, about half of the respondents indicated a preference for face-to-face assessments. Some felt that they would have learned more,⁴¹ or that the experience would have felt more authentic,⁴² or more realistic,⁴³ if the assessment had taken place in person, even as they acknowledged the necessity of completing the assessment online. Unsurprising was the finding that the other half of respondents enjoyed the convenience of completing the assessment online,⁴⁴ citing better planning and coordination among partners,⁴⁵ and the ability to ‘re-do’ their presentations prior to submission as an advantage.⁴⁶

Overall, then, the survey revealed that students overwhelmingly perceive skills education as an essential component of their legal studies, with respondents indicating that they wanted more practical tasks and assessments in their core subjects to better prepare them for their professional careers. Moreover, students were largely positive about their ability to learn such skills via remote means, even though many indicated that their preference was still for face-to-face learning environments. Most students acknowledged that engagement with remote technology is an increasingly important legal skill, and this may have contributed to their positive perception of the value of the video component to the Bail Assessment.

³⁷ See eg, Yule et al (n 28).

³⁸ See *ibid*; Richards (n 28); Hunter (n 28).

³⁹ Response designation 75282740.

⁴⁰ Response designation 75139840.

⁴¹ Response designation 75377768.

⁴² Response designation 75139838.

⁴³ Response designation 75134059.

⁴⁴ Response designation 74934176.

⁴⁵ Response designation 75068909.

⁴⁶ Response designation 75139831; 75134059; 75005522; 74930183; 74715802; 74706210.

The respondents' perceptions of the value of the Bail Assessment overall were perhaps most convincingly demonstrated by their clear feedback relating to their feelings of confidence and competence after completing the Bail Assessment. Though confidence and competence are difficult to measure, it is important that the students self-reported an increase to both, with many indicating that they would feel more confident, and more competent, for future similar activities, including upon entry into the profession. Ultimately, the data demonstrates that students enjoyed the activity and felt that it contributed significantly to their educational and professional development, with many indicating that future similar tasks and assessments would be welcome.

III OTHER INSIGHTS FROM THE SURVEY

A Teamwork

Most legal educators will agree that students generally resent teamwork where it is linked to grades.⁴⁷ However, it is also abundantly clear that good teamwork skills are an essential attribute in graduates. The inherent tension between these two positions means that it can be difficult to engage students in activities involving teamwork without also fielding grievances from students about absentee or underperforming team members. When we initially reviewed the survey results, it appeared that students felt positively about the teamwork component of the assessment, with 41% preferring paired work and only 27% indicating a preference for individual submission.⁴⁸ However, upon reflection, we realised that the responses actually told a different (and more familiar) story about preferring solo work. The comments were clearly equivocal. Those who indicated a positive attitude to teamwork unanimously added the proviso that their experience would have been different had they not had a good working relationship with their partner,⁴⁹ and some respondents went on to state that they would have expected a higher mark if they had been working alone.⁵⁰

An insight that did arise from the survey is that students do not fully understand why they are being asked to engage in teamwork. Where the purpose of the teamwork component is clearly explained to the students, and where they can see 'through' the activity to a clearly expressed value of engaging with peers to complete the task, their attitude, and overall outcomes, appear to be stronger. As such it is not enough to simply remind students that the legal profession requires teamwork as a default; the assessment construction should make clear how the teamwork lends authenticity to the task.

B Situating Students within the Context of their Learning

Just as it is essential to ensure that students understand how teamwork will play a vital role in their careers, the survey responses also made clear that it is vital to ensure that assessment tasks enable the student to understand the value and purpose of learning activities themselves, and the way those activities fit in with the student's education overall.⁵¹ The survey responses suggest that students were not cognisant of the overlap between skills learnt across the various subjects studied in their law degree. Nearly half of the respondents reported that they did not think any of the skills they had learned in their past subjects were useful in completing the Bail Assignment. This is even though students had all

⁴⁷ Susan Brown Fiechtner and Elaine Actis Davis, 'Republication of "Why Some Groups Fail: A Survey of Students' Experiences with Learning Groups' (2016) 40(1) *Journal of Management Education* 12.

⁴⁸ The remaining 32% were undecided.

⁴⁹ Response designations 75377768; 74715802; 74706210.

⁵⁰ Response designation 75134090.

⁵¹ See Burton (n 14).

completed ‘pre-requisite’ subjects which contain skills-based activities and assessments (a mediation role play, written legal submissions, in-class presentations) which the Bail Assignment was specifically designed to build on. This suggests to us that, in order to build confidence and competence in our students, it is important to specify relatedness in each assignment: remind students which skills they have encountered in previous assignments or subjects, which they will learn new here, and how they interplay, in order to help students connect the dots.

IV CONCLUSION

Existing literature indicates that building in exercises which expose students to authentic experiences, enabling them to practice and develop their skills, ultimately leads to higher levels of confidence and competence among learners. Until now, however, there have been very few interrogations of how students perceive the value of practical skills education as part of their legal education. The research underpinning this article supports the conclusion that online experiential learning and authentic assessments tasks are perceived by students as a valuable component of the core curriculum. Ultimately, this project demonstrates that it is possible to deliver an authentic online assessment task that students respond to positively if it is well designed, taught, and executed. The survey responses show that a key component to delivering a successful practice-based assessment is ensuring that the messaging about the task’s value and purpose, with an emphasis on the value of each skill that will be developed and how that relates to their overall learning and later career aspirations, are made very clear.