

## **Cross-course assessment criteria: A study of criteria-based assessment developed for whole program use**

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### **Abstract**

*The author is engaged in a project to implement criteria-based assessment in the Graduate Diploma of Legal Practice Skills and Ethics at Griffith University. The author developed criteria for assessment of advocacy training across several courses in the Graduate Diploma program. The assessment criteria were designed to promote deeper learning, apply to a range of tasks and allow for shifts of focus as students develop skills during the program. This paper assesses the results of a small pilot study testing student responses to the project.*

### **Introduction**

There is a shift in universities towards using criteria- or standards-based assessment rather than normative assessment (Woolf, 2004). This means that each student's work is judged on its own merits against a set of objective criteria, rather than judged against other student's work (Biggs, 1999). Criteria-based assessment requires teachers to formulate sets of criteria against which to judge student work. Several universities have or are developing faculty-wide criteria (Woolf, 2004; Hughes, et al. 2004).

This paper considers the use of assessment criteria intended to encourage deeper learning approaches to advocacy skills training. It reports the results of a small study on student use of assessment criteria, conducted in the Griffith University Graduate Diploma of Legal Practice Skills and Ethics (known as the Practical Legal Training ("PLT") Program).<sup>1</sup>

### **Literature review**

#### *Encouraging deeper learning*

Deeper learners study with the intent of understanding a body of knowledge (Prosser, 2004; Marchetti, 1997). Deeper learners understand information and skills in ways which allow them to construct new, transformative meanings for themselves and to apply their understanding to a range of familiar and new situations (Biggs, 1999). As Boud and Prosser (2002) state, "If we are to engage learners meaningfully with the material they are studying, learners need to experience a challenge and respond to it, not just be the recipient of an information transfer." Deeper approaches usually arise where students feel "less anxiety, more satisfaction and fulfilment with a subject" (Marchetti, 1997). Deeper learning of lawyer's skills, such as legal advocacy and drafting skills, allows students to acquire and confidently apply those skills to a range of new situations in practice.

By contrast, students may choose surface learning approaches where their motivation to learn is "driven by extrinsic factors" or they feel overwhelmed by course requirements (Marchetti, 1997). Where students are rewarded for concentrating on mechanistic details (e.g., are they using right document? Stating the right legislation?) they may also take a surface learning approach (Marchetti, 1997). Assessment anxiety also makes students more likely to use surface learning techniques, as it shifts their motivation from an intrinsic desire to learn to an extrinsic fear of failure (Marchetti, 1997). Surface learners

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<sup>1</sup> Griffith University uses the term "program" to denote a degree or diploma program/course, and "course" to denote a subject offering/unit, e.g., Civil Litigation Practice is a *course* in the Graduate Diploma *program*.

may seek a “quick process which does the job” (Marchetti, 1997, p. 205) or study with the intent only of reproducing particular information or processes (Prosser, 2004). However, a surface approach usually results in lower levels of student satisfaction and understanding (Marchetti, 1997). Students who adopt surface learning approaches may “find they never fully understand the subject and often forget things that they have learnt soon after completing the course” (Marchetti, 1997, p. 205).

Students often waiver between deep and surface approaches based on the nature of subject information, motivation or assessment (Biggs, 1999). Students with an achieving or strategic approach to learning mix deep and surface strategies depending upon what they need to achieve their goals (Marchetti, 1997). Achieving learners will usually be motivated by a desire to achieve high grades and compete successfully with others (Marchetti, 1997).

### *A model of learning outcomes*

Teachers encourage deeper learning because deeper learning is usually associated with better learning outcomes (Biggs, 1999; Marchetti, 1997; Prosser, 2004). Building upon the concept of differing levels of learning and understanding, Biggs’ (1999) SOLO (Structure of the Observed Learning Outcomes) taxonomy ranks students’ learning outcomes in five levels:

- Prestructural: where the student misses the point of the learning task, nothing meaningful has been learned;
  - Unistructural: Where the student concentrates on a single point or performs a simple procedure;
  - Multistructural: where the student may list or describe a number of factors, but treats them as independent and does not integrate them;
  - Relational: where the student integrates parts with each other in a meaningful structure; and
  - Extended abstract: where the student generalises the structure to take in new and more abstract features and generalises to new domains.
- (Also discussed in Burnett, 1999.)

Surface learning is usually associated with prestructural, unistructural or (at best) multistructural outcomes. Deeper learning approaches allow students to achieve relational and extended abstract outcomes based on deeper understandings of course content (Biggs, 1999).

### *Assessment as a learning and teaching tool*

The goal of university lecturers is to assist students to use deeper learning approaches to achieve relational and extended abstract outcomes in their learning. In contrast, many students focus on assessment as defining the curriculum (Ramsden, 2003; Norton, 2004). Boud (1995 as summarised in Hargreaves, 1997, p. 403) identified several connections between assessment and learning including:

- “Assessment encourages students to focus on those topics which are being assessed at the expense of those which are not;
- The nature of assessment tasks influences approaches to learning which students adopt;
- Students give precedence to assessment which counts towards their final assessment; and
- Successful students seek cues from teachers to enable them to identify what is important for formal assessment purposes.”

Where learning-oriented assessment (Joughin, 2004) reflects the objectives and content of an aligned course (Biggs, 1999), the assessment can be a powerful tool to encourage students “to focus on the topics being assessed” (Boud, 1995, cited in Hargreaves, 1997). This has been described as the “backwash effect” (Biggs, 1999). As described by Biggs (1999), the backwash effect means that instead of assessment being a “necessary

evil," assessment becomes the "senior partner in learning and teaching" and "reinforces learning." It is a logical progression of the factors identified by Boud (1995, as summarised in Hargreaves, 1997).

The "backwash effect" would seem to be particularly useful as a tool to encourage strategic/achieving learners to take a deep approach. Where it is clear that deep approaches will be rewarded, deep learners and strategic learners should take deep approaches to learning tasks.

### *Assessment criteria*

Teachers routinely make judgments about relevant considerations and standards when marking student assessment pieces. Assessment criteria are deliberate attempts to articulate "the different items or elements that will be assessed ...[and] the characteristics required to achieve a particular grade" (Woolf, 2004).

Detailed assessment criteria serve a number of purposes, including:

- Developing teacher conceptions of learning outcomes;
- Aligning assessment;
- Promoting fairness in assessment;
- Furthering learning; and (Hughes, et al. 2004; Biggs, 1999).

It can be a difficult task to design criteria, particularly where they apply to several courses or a whole faculty (Hughes, et al. 2004). However, this difficult task may be useful to teachers, as they consider forms of assessment and the outcomes they seek. As a result, teachers may build shared understandings of assessment goals and create more effective assessment tasks (Hughes, et al. 2004).

The criteria design process becomes more useful if teachers articulate both criteria (what is being judged) as well as standards (what level of achievement is required for what grade) (Biggs, 1999). Criteria with standards are useful to ensure consistency between teachers in larger teaching teams and between courses in a program. Students who have read the standards are more likely to understand what quality of work the teacher requires (Biggs, 1999).

In an aligned curriculum, the course objectives suggest both the assessment and the assessment criteria. Because the assessment criteria are aligned with the objectives of the course, students are rewarded for achieving course objectives. Assessment can more effectively be used as a teaching tool, rather than imposed as an event separate from teaching. Based on Boud's research (1995, as summarised in Hargreaves, 1997), students will be motivated to focus on course objectives if assessment and criteria reflect learning objectives.

Assessment criteria help to promote transparency in assessment. Where students are aware of assessment criteria and can see the relevance of criteria, it may promote perceptions that assessment is fair and may forestall complaints (Woolf, 2004). More importantly, transparency in assessment criteria should reduce student anxiety by reducing uncertainty about assessment. Reduced anxiety should allow students to take a deeper learning approach to content (Marchetti, 1997).

### **Research hypothesis**

Where criteria and standards are given to students, the author posited that the backwash effect should mean that students chose learning approaches which led to highest outcomes for the assessment criteria. Thus assessment criteria should, in theory, be a powerful tool to promote student learning. By drafting standards to reward deeper

learning and higher-level learning outcomes, students may be encouraged to select deeper approaches to learning. The criteria may also provide information on what is valued by the teacher and the discipline, which may help students to take more scholarly or professional approaches to learning. Criteria should also improve student perceptions of assessment validity by making assessment standards transparent and promoting consistency between courses.

### Research questions

To test the author's hypothesis, the author conducted a small group study using a written questionnaire. Through this study, the author sought to discover:

- Do students use assessment criteria as a learning tool?
- Does student use of assessment criteria differ based on their learning approaches and outcomes?
- Does student use of assessment criteria confirm a "backwash" effect as described by Biggs (1999)?
- Can assessment criteria promote deeper student learning and better learning outcomes?
- How could teachers effectively use assessment criteria to assist in student learning?

### Context

This pilot study was conducted with students from the Griffith University PLT program. The PLT program is a post-graduate legal skills training program. It replaces traditional professional articles of clerkship. Students attend from 9am to 5pm. In addition to lectures, students undertake simulated lawyers' tasks. Completion of the program allows law graduates to be admitted as legal practitioners.

The PLT program starts with a two-week generic "Lawyers Skills" course, in which students are introduced to basic legal drafting, communication and court advocacy skills. After Lawyers Skills, students undertake a range of intensive courses lasting one to three weeks. Each course concentrates on an aspect of legal practice.

Employers in the legal profession value transferable skills more highly than memorisation of legal information (Kift, 1997). In practical legal education programs, such as the PLT program, students learn legal practitioners' communication, advocacy and client care skills. Deeper learners develop transferable legal skills, which they may use in any area of legal practice, rather than to merely repeat the specific tasks they undertook in the PLT program.

#### *The advocacy program*

At the time of this study (Semester 2, 2004), the author oversaw advocacy training in the PLT program. PLT advocacy training attempts to equip students with a versatile range of advocacy, presentation and planning skills, which the student can apply to many differing advocacy tasks in legal practice.

The advocacy skills component of Lawyers Skills is conducted in a two and a half day intensive program of lectures and practice exercises. Students refine their advocacy skills in several courses, including criminal law, family law and civil litigation practice. Advocacy skills are assessed in a range of pretend court hearings, ranging from simple adjournments to simulated criminal trials. Students undertake advocacy assessment approximately every three weeks during the 24 week PLT program.

The PLT model attempts to give students a feeling of early competence and confidence through simple formative assessment (used for feedback, not assessment marks), as recommended by Mackie (1989). Formative assessment is followed by more complex summative assessment, which counts toward course marks. Students undertook simple

formative advocacy activities, for feedback only, in Lawyers Skills. This was followed by summative assessment of simulated court appearances, for marks, in a range of courses.

All PLT marking is criteria based, as the goal of the course is an improvement in each student's skills rather than normative comparison or ranking of students. The author produced an advocacy criteria document, which explained assessment criteria and achievement standards for advocacy across the program. PLT students were given a copy of the criteria document.

#### *PLT advocacy assessment criteria development*

The author drafted the PLT advocacy assessment criteria with an awareness of program learning objectives, deeper learning approaches and the SOLO taxonomy of learning outcomes. In consultation with other PLT staff, the author identified desired advocacy learning outcomes first. The desired outcomes were the basis for the assessment criteria. Against each criterion, the author identified the standards of work required for fail, pass, credit, distinction and high distinction grades. These were deliberately drafted to reward evidence of deeper learning and higher-level learning outcomes. Descriptions of achieved were based upon Biggs' (1999) linkage of verbs with SOLO levels of achievement.

The author anticipated that by using the research criteria, students would adopt deeper learning approaches when aiming for high standards and grades. By choosing deeper learning approaches, the students would hopefully learn better advocacy skills and feel prepared to take on a range of advocacy tasks in legal practice.

A copy of the assessment criteria is attached (Appendix A)

### **Study methodology**

#### *Questionnaire*

The author prepared a questionnaire that she distributed to students in the full time PLT Semester 2, 2004 program. In a lecture, the author explained that the questionnaire related to all advocacy activities in the PLT program and students' understanding of the assessment process for advocacy activities. The author asked for volunteer students to complete the questionnaire on an anonymous basis. (The author made participation anonymous as the author taught and assessed the students in ongoing courses after return of the questionnaires.)

The author left the questionnaire forms (marked with identifying letters) in the classroom for interested students to collect. At the time of the study, there were 17 students in the full time PLT program. Six students (A, B, D, E, G and H) returned hand-written responses to the questions. Students did not place their name on the questionnaire. Only letters identified questionnaire forms.

The questionnaire concentrated on how students conceptualised advocacy learning tasks and how they utilised legal information, skills and teaching material to undertake advocacy assessment. (A copy of the questionnaire is attached as Appendix B.) Questions focused on:

- how students approached advocacy tasks;
- what information they used to perform advocacy tasks;
- how they used the assessment criteria;
- what they had learnt from their advocacy assessment tasks; and
- what they thought the instructors wished them to learn.

To learn how students thought, the questionnaire was deliberately designed to be open-ended and to seek descriptive information from students. The author avoided quantitative data collection methods as she sought to understand students' subjective experiences of learning.

### *Analysis methodology*

The student responses were analysed using a qualitative discourse analysis approach (Zeeman, et al. 2002; Marchetti, 2004). Responses were analysed in light of the theoretical information above. Student statements were evaluated for the information presented by the student, trends amongst students and how student responses compared to and illustrated dominant teaching and learning discourses.

The author analysed the student responses in three steps. Each student's advocacy learning approach was identified as either a surface or a deeper approach. Based on the students' descriptions of what they learned from their advocacy training, the author also identified each student's apparent learning outcomes, based on the SOLO taxonomy descriptors of achievement discussed by Biggs (1999). Due to the confidential nature of responses, the learning outcomes are assessed only by the students' self-reported outcomes, not by assessment of work completed. However, the students described what they had learnt sufficiently to allow an approximate assessment of their overall understanding of advocacy skills and therefore their learning outcomes in relation to their advocacy training. Finally, the author compared the use of assessment criteria based upon student learning approaches and outcomes.

### **Questionnaire results**

The student questionnaire responses represented a range of learning approaches and demonstrated all levels of the SOLO taxonomy. The responses showed very different uses of assessment criteria based on the learning approach taken by the students.

#### *Surface learners*

Three students (A, B and H) used surface learning approaches. Based on their descriptions of their learning habits, all three showed a focus on an aspect such as legal or factual detail, but failed to appreciate the need to integrate research, problem solving and planning with presentation skills.

Though all three seemed to have surface approaches to learning, each showed a differing type of surface approach. Student H focused on time constraints as being a major issue in choosing how to learn. Student H stated that s/he prepared for assessment tasks by thinking "about time management" and that the best way to prepare was simply to "compile the information" rather than to analyse problems, apply skills and formulate arguments. Student B described him/herself as a "trial and error learner and sometimes lazy and not disciplined." Student B seemed to do the minimum required for the tasks, mostly relying on class handouts (often only brief PowerPoint summaries). In contrast, Student A relied on what had probably been successful for Student A as an undergraduate. Student A may have had an achieving approach, but adopted misconceived surface learning strategies. Student A concentrated on memorising lots of legal details and then "sticking rigidly to a plan" when a deeper understanding of advocacy should lead to a more practical, holistic and flexible approach.

The differing approaches led to different learning outcomes. Using the SOLO taxonomy terminology the learning outcomes for this group ranged from prestructural (Student H, who was very confused about what advocacy entailed and linked it to entirely unrelated coursework) to multistructural at best (Student A, who collected much legal information

and was aware of facts but did not integrate them with each other and with presentation skills to create a cohesive understanding of legal advocacy).

### *Deeper learners*

The other three respondents showed evidence of deeper learning approaches. All seemed to research to understand the task, rather than to do the minimum to present it or to present masses of law at the expense of understanding. Representative of this group's responses, Student E stated that s/he prepared so as to "completely understand the matter and be confident in my approach."

All three saw links between presentation skills, arguments, law and fact scenarios. All three discussed the importance of using problem solving techniques to develop legal arguments based on both fact and law, saying they had to develop a "theory of the case" (Student D), that the law provided "a guideline on what types of argument/structure [was] required to be presented in advocacy tasks" after "finding issues in my task" (Student E) or consider both their own and opposing arguments to achieve the (fictional) client's goals (Student G). This type of integrated approach demonstrates a skilled understanding of legal advocacy.

The learning outcomes of this group were significantly better than the surface learning group, supporting Biggs' (1999) hypothesis that deeper learning results in outcomes higher on the SOLO taxonomy. In those terms, student D's and student E's problem solving were highly relational, applying the law to facts to create cohesive arguments. Student G was also developing extended abstract understandings of advocacy in that student G considered applying advocacy skills in negotiation and Alternative Dispute Resolution, which share some common planning and presentation issues.

## **Discussion of the research questions**

### *Do students use assessment criteria as a learning tool?*

No study participant clearly stated that they deliberately used the written advocacy assessment criteria to decide what or how to study. Though four students (B, D, E, G) stated that instructors applied the standard assessment criteria, most students did not specifically consult written criteria when deciding how to approach tasks. For some students, the criteria were used as a checklist (B) or general background information (D, E).

Some students also construed assessment criteria as part of assessment feedback rather than as learning tools. Students D and E both linked criteria to feedback, saying respectively that feedback informed the criteria for the next task (D) and "[I] Prefer immediate verbal feedback. Criteria did not give specific feedback" (E). Student B also likened the teacher to a "golf coach" who corrected mistakes with feedback. These views may arise from an achieving or strategic learning orientation (Biggs, 1999), which meant that these students were primarily concerned with improving performance (and marks) rather than understanding advocacy. Where teachers explicitly link criteria to feedback, criteria may serve as a learning tool after initial assessment tasks. It may have encouraged D and E to adopt deeper learning approaches after the first advocacy tasks, though they did not comment specifically on this in their questionnaire responses.

### *Does student use of assessment criteria differ based on their learning approaches and outcomes?*

The participants in this study confirmed Boud's view (1995, as summarised in Hargreaves, 1997, p. 403) that "the nature of assessment tasks influences the approaches to learning that students adopt" and that "successful students seek cues

from teachers." Students tried to adopt learning strategies that would allow them to be successful in assessment tasks. Most were cue seeking (Norton, 2004) and relied on teacher cues for guidance on what was required. However, the cues identified as relevant and important differed significantly between students, particularly between surface and deeper learners.

Surface learners were most likely to focus primarily on teacher cues from lecture information, saying that they relied on "guidance from the instructor" (B) and "course notes" (A). Student A did not mention the assessment criteria. Student B used the assessment criteria as a checklist, similar to student criteria use reported by Norton (2004). Student B consulted the criteria after finishing student B's preparation for advocacy tasks. The criteria clearly did not inform B's learning focus or advocacy preparation choices.

Another of the surface learners, Student H, gave contradictory responses about the criteria. Student H stated that H "was not sure of what criteria" were used to assess H's performance. However, Student H then said that s/he used the written criteria to help prepare for assessment tasks and that it "gave a clear guide as to the steps required." The assessment criteria sheet did not include any information on "required steps". However, step-by-step instructions were included in some other written advocacy materials. Student H may have been confused by the question on "written advocacy criteria" and have identified lecture notes as criteria. (This seems possible, because student H's answers showed confusion about assessment generally and the distinction between advocacy and other non-advocacy assessment and courses.) If Student H was in fact referring to the assessment criteria, the criteria seem to have informed H's process ("steps") rather than desired outcomes or choice of study approach (deep or surface learning).

Deeper learners integrated lecturer cues into wider research. All deeper learners started their assessment planning based on "class instructions" (D), "lecturer overview" (E) or "guidance in class" (G). However all deeper learners discussed lecturer information as only part of a process of framing an argument (E and G) or developing a "theory of the case" (D).

Deeper learners all mentioned the criteria, though they did not consult them specifically for each task. At least two of the deeper learners were "aware" of the criteria (E) or found them "handy" (D). Student G described an approach that complied with the highest standards of the criteria, but stated that s/he "did not stress" about the criteria so as not to "lose my own style."

The deeper learners seem to see the criteria as part of the general cues given by the lecturer, as they did not discuss the criteria as part of their specific task preparation or information. If their assessment outcomes demonstrated the approaches and preparation described by the deeper learners, this would result in them meeting the higher standards for most criteria.

*Does student use of assessment criteria confirm a "backwash" effect as described by Biggs (1999)?*

Though some surface learners were aware of the assessment criteria, there was little backwash effect from the criteria to their self-reported approaches. They did not appear to use the standards to improve their understanding of or performance in advocacy.

If there is any backwash effect on learning from the assessment criteria, it is not a deliberate strategy of the deeper learners. However, the criteria seem to inform the learning styles of deeper learners. Those who have relational advocacy outcomes (or better) were aware of, and seemed to understand, the assessment criteria.



The assessment criteria and standards seem to become part of the deeper learners' store of knowledge about advocacy. In this way, it was integrated into their understanding of advocacy and may impliedly inform their approaches to specific tasks.

*Can assessment criteria promote deeper student learning and better learning outcomes?*

It is clear that carefully designed assessment may promote deeper learning approaches (Hargreaves, 1997; Biggs, 1999). Criteria and standards as partial explanations of assessment may promote deeper learning and lead to better learning outcomes.

In this study, deeper learners were aware of assessment criteria that were intended to promote deeper learning. Compared to surface learners, they showed better understanding of assessment criteria. Deeper learners described and seemed to apply the criteria. Though some surface learners consulted the criteria, they did not discuss the relevant criteria in response to the questionnaire and did not demonstrate understanding and application of the criteria in their descriptions of their learning approaches or outcomes.

From this small study, it is not clear whether the assessment criteria actually promoted deeper learning approaches or better learning outcomes. It may be that the criteria led to the deeper learners choosing their learning approach. However, their responses do not clearly indicate this. It may also be that previously deeper learners are more likely to use habits of deeper learning to form relational understandings of assessment criteria.

*How could teachers effectively use assessment criteria to assist in student learning?*

If teachers want students to consult or understand criteria, they may need to explain how criteria may be useful for learning prior to the preparation for a task. It may be that teachers need to work with students, so that they appreciate the difference between criteria and feedback. When giving feedback, teachers may wish to revisit learning criteria and explicitly link them to feedback.

It may not be necessary or desirable for standard criteria to be consulted by students, especially as a checklist. Practitioners do not receive criteria prior to undergoing tasks. However, it is useful for students to use assessment to create habits of deeper professional learning. It may be that an effective understanding of assessment criteria will assist them to form such habits.

## **Conclusion**

It is clear that deep and surface learners use assessment criteria differently. Based on differing learning outcomes between surface and deeper learners, it is possible that assessment criteria assist students to understand assessment and promote deeper learning approaches. However, this requires further study in larger groups before definitive statements can be made.

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## Appendix A

### PLT Advocacy Criteria

When you perform advocacy tasks, the following criteria may be relevant in deciding your mark. Please note that they are intended as an explanation only and that your lecturer will give you further instructions about each piece of assessment for each course.

Different tasks may concentrate on different criteria. Higher levels of achievement may be expected later in the program than are expected in early parts of the program. Please note that these criteria are specific to advocacy tasks and do not apply to other types of task or the application of other skills.

Criteria	Explanation of Differing Levels of Achievement				
	High Distinction	Distinction	Credit	Pass	Fail
1. Understanding of legal principles	Applies law correctly and creatively to achieve the client's goals.	Applies law correctly to achieve client goals.	Applies law correctly.	Usually applies law correctly, with only minor errors.	Does not apply correct legal principles or applies correct law incorrectly.
2. Understanding of procedural principles  (Procedural choices if available)	Applies all procedural rules and practices correctly.  (Plans most advantageous procedural paths to achieve client goals.)	Applies all procedural rules and practices correctly.  (Chooses procedural paths which will achieve client goals)	Usually applies procedural rules and practices correctly.  (Chooses procedural paths which will achieve client goals)	Overall chooses appropriate procedure but makes small procedural mistakes.  (Chooses relevant procedural paths)	Does not apply correct procedural principles or chooses correct procedure but applies it incorrectly.  (Chooses inappropriate procedures)
3. Applies legal problem-solving skills	Shows clear understanding of issues. Applies the law in intelligent and creative ways to achieve the client's goals.	Shows clear understanding of issues. Applies the law in ways which will achieve the client's goals.	Understands issues. Applies the law to the facts in appropriate ways. Shows understanding of appropriate remedies.	Identifies issues. Applies the law to the facts. May make some small errors in the problem solving process.	Does not address important issues or does not apply law to facts. Shows little evidence of research.
4. Understands and applies law and procedures to present relevant evidence	Complies fully with the law of evidence and evidentiary procedures. Presents all relevant evidence in persuasive and interesting ways to meet the client's goals. Does not present inadmissible material.	Complies fully with the law of evidence and procedures relating to evidence. Presents all relevant evidence and no irrelevant material in persuasive ways to meet the client's goals.	Complies with the law of evidence and procedures relating to evidence. Presents relevant evidence and avoids irrelevant or inadmissible material.	Usually complies with the law of evidence and procedures relating to evidence. Presents relevant evidence.	Fails to present evidence in accordance with law and procedure. May attempt to present inadmissible material.

Criteria	Explanation of Differing Levels of Achievement				
	High Distinction	Distinction	Credit	Pass	Fail
5. Presents material persuasively	Applies law, facts and advocacy techniques to create a highly persuasive, well planned, interesting and creative argument.	Applies law, facts and advocacy techniques to create a persuasive, well planned and interesting argument.	Applies law to facts to create a persuasive, well planned argument.	Is somewhat persuasive. Shows simple development of argument. Relates law to facts in basic ways.	Fails to present material persuasively. (eg., fails to address issues of law, fact or credit, failing to create logical arguments etc.)
6. Preparation	Has complete knowledge of law, procedure and facts. Applies that knowledge persuasively and correctly. Has carefully planned and creative approach to all problems. Has well organised resources.	Has complete knowledge of law, procedure and facts. Applies that knowledge correctly. Carefully planned approaches to most problems. Has well organised resources.	Has good knowledge of law, procedure and facts. Applies that knowledge correctly. Has planned approach to problems. Has organised resources.	Has good knowledge of law, procedure and facts. May not have planned appropriate approaches to every issue. There is evidence that student has prepared for all required tasks.	Shows little evidence of preparation. Does not know important issues of law, procedure or facts. Has failed to prepare for one or more required tasks.
7. Demeanour	Demeanour is always professional and persuasive.	Demeanour is always professional.	Demeanour is usually professional.	May have small lapses in professional standards (eg., small distracting habits).	Does not behave professionally (eg., rude to the "judge", disrupts court, etc.)
8. Communication	Communicates politely, professionally, fluently and effectively with all participants.	Communicates politely, professionally, fluently and effectively with all participants.	Communicates effectively with all participants.	May have small difficulties in communication style.	Communicates in inappropriate ways (eg., confusing, misleading, rude, inaudible, etc.)
9. Etiquette	Follows all rules of Court etiquette.	Follows all rules of Court etiquette.	Usually follows rules of etiquette.	Attempts to follow rules of court etiquette, with only minor errors.	Makes serious breach(es) of etiquette. Dresses inappropriately.
10. Follows client instructions	Always complies with instructions.	Always complies with instructions.	Always complies with instructions.	Usually complies with instructions.	Does not follow client's instructions or acts beyond instructions.
11. Ethics	Strictly applies ethical standards.	Strictly applies ethical standards.	Strictly applies ethical standards.	Usually complies with ethical standards.	Seriously breaches ethical standards.

## Attachment B

### Advocacy Assessment and Learning Strategies Questionnaire

Thank you for agreeing to participate in my study. Each participant has been given a copy of this questionnaire. The answers to this questionnaire will form the basis for a paper that on learning strategies and assessment design. They may also assist in the design of future advocacy assessment and material.

No participant in this study will be identified in the paper. All answers will be identified only by the letter above.

If you need more space to answer questions, please attach further pages as required.

Please answer the following questions on learning to practice advocacy in the Griffith University Graduate Diploma of Legal, Practice, Skills and Ethics.

1. When you were given advocacy assessment tasks, how did you know what to do?
2. When you were given advocacy assessment tasks, what information did you use to decide what to do?
3. Why is that information important? How did you know it was important?
4. How did you prepare for advocacy tasks?
5. Why did you prepare the way you do?
6. What do you think is the best way to prepare for advocacy tasks?
7. Did you use this method? If not, why not? If so, how did you learn that method?
8. What have you learnt about advocacy from the tasks that your instructors gave you?
9. What skills did you develop as a result of the PLT advocacy tasks? Does this include skills that are not purely "advocacy" skills?
10. What do you think that your instructors wanted you to learn?
11. Did different instructors want you to learn different things? How did you know what they wanted? If they had different focuses, why do you think they had different focuses?
12. What criteria were used to assess your performance? How did you know what criteria were relevant to your assessment?
13. Did you use the written advocacy assessment criteria to help you prepare? Why or why not? If you did use them, how did you use them?
14. Have other teachers or lecturers in your past used written assessment criteria? What sorts of criteria have you found useful in your other learning experiences? How were they similar or different from the advocacy assessment criteria?
15. What else, if anything, would help you to learn about advocacy and advocacy skills?

Thank you for your participation.