

TEACHING NOTE

Student-Led Classes and Group Work: A Methodology for Developing Generic Skills

ALISON GREIG*

INTRODUCTION

The challenge for any educator is to make the process of learning interesting. In practice, this entails acceptance of the fact that the “purpose of education is to stimulate inquiry and skill in the process of knowledge getting [rather than requiring students] to memorise a body of knowledge”.¹ While traditional legal education emphasised the acquisition of knowledge or “cognitive learning”, today professional legal education must seek to achieve other goals, including “the ability to use that knowledge in a legal context; and the cultivation of other social and interpersonal characteristics and qualities”.²

As a Torts³ teacher two imperatives are kept in mind. My faculty emphasises student centred learning as the focal point of all its teaching, and the University requires graduating students to have developed identified generic skills. It was my challenge, whilst fully engaging the students, to build a subject which integrated some of the relevant generic skills, and covered the elements and reasoning of tort law. I was also keen to encourage students to develop social and interpersonal skills which, though they have not always been actively cultivated in law curricula, are desirable for legal practice as well as for other work environments.⁴

Over the last two years I have used an assessment task where students studying Torts were required to take charge of the “teaching” of seminars. The students worked co-operatively in groups of three to five and were each assigned two weeks of classes

to conduct. I had a high level of involvement “behind the scenes” in supporting the development of their ideas and in clarifying legal principles, but I left the creative processes largely up to them. The groups were required to submit a plan of their meetings and intended tasks, keep a record of meetings and provide a “Reflective Diary” at the end of the process.

The outcome became a true celebration of the creativity of our students, and illustrated how innovative assessment can be used in core law subjects to develop generic skills and to increase the depth of student understanding of the material. Students were given free reign as to how they were going to conduct the classes. They were given a number of tasks but with one vital instruction and mission: to actively engage the rest of the class in learning. By encouraging the students to be creative and to trust their own judgements and initiatives, the classroom became a dynamic and exciting learning environment.

Students also developed skills which would be useful in a variety of work environments and were not simply provided with knowledge about the subject.⁵ These “generic” or “transferable” skills “provide a basis for lifelong learning”.⁶ Skills such as problem solving, critical thinking, effective communication, teamwork, and organisational, personal and interpersonal relations are not subject specific and complement students’ acquisition of professional knowledge.⁷

This note falls into four main sections. In the first section I describe and discuss aspects of the formal structure of the group work program: the objectives and the assessment scheme. In the second section, my special approach as a teacher is outlined. I discuss here my assumptions about learning, and issues arising from the need to establish an appropriate class setting and dynamics. In the third section, the students’ efforts are described and analysed through the reflections on their learning styles and how they approached the performance of group tasks. The final section, leading up to a conclusion, discusses the various evaluations of the program as apparent from student reflections in their reflective diaries and in the formal subject evaluation.

OBJECTIVES

A key function of the group work was to develop identified generic

skills. The objectives for the group exercise were principally to:

- create an interesting learning environment
- integrate course material at a much deeper level by preparing the material for a “teaching” situation
- provide opportunities for students to work independently with the course material
- develop teamwork
- develop oral communication skills
- encourage student centred learning.
- In satisfying these broad objectives, there were a broad range of generic skills which were developed through the use of co-operative groups and class leadership. These are outlined below.

GENERIC SKILLS DEVELOPED THROUGH THE CO-OPERATIVE GROUP ASSIGNMENT

<i>Generic Skill</i>	<i>How Demonstrated in Group Assignment</i>
Oral and written communication	Working with an audience; developing videos and visual aides; organising and synthesising information in a manner suitable for presentation in a logical format; formulating questions relevant to discipline; speaking in the language of the discipline; writing Reflective Diary.
Teamwork	Working co-operatively; taking leadership role with own education and with the classes as a whole; taking responsibility for own learning and that of others; relating to others in group; decision making; developing management strategies; compromise and negotiation; engagement in constructive criticism and argument; social responsibility fostered by the recognition of the importance of each member’s contribution; valuing the opinions of others.
Personal	Recognition of own abilities and skills; development of self-confidence; self-reflection; independent development of ideas; interacting with others in group and class.
Organisational	Time-management; setting objectives; evaluating effectiveness of seminar leadership; making appropriate changes; application of problem solving strategies.
Information gathering and learning	Locating sources of information and extracting relevant information; initiating research; researching relevant material; critical evaluation of material; devising solutions to problems.
Problem solving	Identifying and devising solutions to various problems, for example by devising ways to work in a group, managing large volumes of information, working with the material and presenting it.
Information technology	Using word processing, video, PowerPoint® presentations, and other technology.

ASSESSMENT

The group assessment item was allocated 20 per cent of the total number of marks in the subject. One reason to limit the marks allocated to 20 per cent is that there is usually a narrower spread of marks between group marks than there is with individual grades, and the marks tend to be high.⁸ This trend is balanced out by using other assessment tasks, such as examinations and assignments. Ten percent of the total marks were also allocated for assessment of overall class participation.⁹ Thus marks were awarded for both leadership and participation.

The way marks are allocated can subtly affect student behaviour.¹⁰ I wanted to encourage students to work as a team, and in that case awarding the same grade is appropriate.¹¹ However, I was sensitive to students who felt that in group projects they tended to undertake most of the work. Thus, each group was given an option to elect one of two assessment regimes: either each student would be awarded the same mark for the project, or, alternatively the group could elect to be given a global figure, the group then being responsible for allocating the marks between themselves. This latter option was intended to cater for complaints that some students did not pull their weight, a common problem in group assignments.¹² However, no students adopted the latter option. Most expressed concern that they would not want to go through such a process with their peers.

The seminars were assessed on the following criteria:

- preparation of materials
- handling questions
- content (having regard to time restrictions, purpose and organisation)
- quality of contribution (clear and well researched)
- relating to audience (including audibility and eye contact)
- generation of class discussion
- overall cohesion of group.

In the past two years there has been no mark awarded for the Reflective Diary. This item has become more important in the group process and it will be included as part of the assessment in the future. Because feedback is an essential part of the learning process, students were provided with feedback both from their fellow students and from the lecturer as to what aspects worked

well and what might be improved. The lecturer also provided written feedback on each of the assessment criteria and on the Reflective Diary.

ASSUMPTIONS ABOUT LEARNING

In developing the group assessment process I relied upon a number of assumptions about learning. First, that learning is an active process and students only really learn through constructing knowledge in ways that are meaningful to them.¹³

Secondly, individual students learn in different ways.¹⁴ Traditional law teaching has favoured a particular learning style which emphasises an individual's ability to obtain a "body of knowledge" on a particular subject through the process of reading legal materials and selecting the "relevant" principles from those sources. I was keen to try to adapt some assessment methods to value a wider range of abilities and learning styles.

Thirdly, there is value in teaching and learning in small groups. Leading educators have identified many benefits of group work,¹⁵ such as:

- personally engaging students in initiating discussion and activities
- engaging students in clarifying and solving problems which may involve evaluating or analysing legal materials
- allowing students to develop their expression in the "language of the subject"¹⁶
- encouraging independent thinking
- fostering a student's sense of social belonging, which can promote motivation and commitment to learning
- providing the opportunity to understand group dynamics and how participants operate in a group
- promoting skills such as listening as well as persuading and presenting ideas¹⁷
- developing transferable skills such as time and task management, creative problem solving, and written and oral communication skills.¹⁸

Fourthly, a teacher who has the role of an authority figure in the classroom can stifle student discussion and the most effective way a teacher can increase participation is to remove herself or himself from the discussion.¹⁹ Personally, I was convinced that if I could remove

myself from the centre of the classroom and create a situation where the students were individually responsible for each other's learning the classes would be both more interesting and a better learning experience. There are a number of challenges to removing oneself from the centre of the class, however. There is a personal fear that students will not cover the course content. Over the last two years I have come to trust that the students are more than capable of coming to terms with the content! Furthermore, I have seen that coverage of content is often less important than the students' analysis and treatment of what they do cover. Another pressure from some (although remarkably few) students is the desire to be "taught". I always get one or two student surveys returned with a request that I "teach" them. In academia today, where some weight is placed upon these student surveys, they can act as an uncomfortable control on innovation. The desire to get good survey results may overwhelm any pioneering spirit to assist the students to put in the hard work. It is gratifying however to report that student surveys of the course have highlighted a positive reception to student-led teaching.

Fifthly, it is important to encourage self-reflection so that students can identify what abilities they have and where they need to develop skills to work co-operatively. In teaching and assessing first year students I had noticed that many found self-reflection difficult. That is, they had difficulty in identifying the position or role they had taken in carrying out certain activities and in fairly assessing what skills had been used (or might have been used) to resolve problems or to complete tasks. To assist the students, I started the course by using a short exercise to help students to identify their learning style. This gave them an active experience of self-reflection. Another means of encouraging self-reflection was the requirement that each group keep a diary or journal of their progress. Journal writing allows students to "step back from an incident, a conversation, a reading or something heard or seen and reflect upon it with understanding".²⁰ The diary was to include reflections upon what each student felt he or she had gained from the group experience as well as what were the limiting or negative factors.

Sixthly, students should be assisted to develop skills which can be useful in a variety of work environments and not simply provided with knowledge about the content of a particular subject.²¹

These “generic” or “transferable” skills are desirable for legal practice or other future employment because they are “relevant, useful and durable”.²²

Finally, the best way to learn a topic is to teach it.²³ Student-led seminars are not always effective however, for the class as a whole. I had experienced situations where one or two students would “present” a seminar paper and (and apart from being extremely boring) all this did was stifle participation of class members. So the challenge was to create student-led classes which actively encouraged the whole class to participate. I was keen to foster an environment of mutual responsibility where the students were inspired to keep the classes running well. This was largely achieved by the way the assessment task was set. Since each group was responsible for creating an environment where all members of the class participated, it was clear to the whole class that to achieve high grades they all needed to support the process as presenters and participants. The classes operated, as Le Brun and Johnstone have suggested, by encouraging students to be creative and to choose their own way of developing the material. Getting the class to interact as a whole meant that “everyone in the class works as teacher and learner, which gives the students a better understanding of the learning process and enables students to work cooperatively”.²⁴ In one whole semester, with five different groups running, there was only one “dead” class, which was explicable because those students had an assignment due in another core subject.

ESTABLISHING CLASS DYNAMICS

In order to create an appropriate setting for the group leadership of seminars I provided a wide range of activities in the early classes to give examples of ways to stimulate learning without “lecturing”. They included small group exercises involving case analysis and legal problem solving, asking the groups to present their solutions to the class as a whole, and mooting the different sides of the case. We discussed newspaper reports of current legal cases and had quizzes (with prizes) on different topics. A key to these first classes is that students actively participate with each other. Although I was actively involved in the learning process, such as providing them with in-depth questions on cases and with problems, and by setting

time limits for the tasks, I sat back from the “action” and allowed them to create their own classroom environment. I only responded to questions and gave assistance when required. After a few weeks the classes found their own dynamic and were very lively!

Once the class dynamics were established my role was mainly one of adviser in the developmental process and provider of feedback during (and at the end of) the project. I encouraged students to come and discuss ideas with me before their presentations and provided feedback on what might work best. My primary aim was to allow the students to find their own solutions to group problems, so they were always invited to discuss their problems first with each other. I would only intervene if all else failed. All groups completed the project and some reflections suggested that valuable lessons were learned from difficult situations.

Lectures were held in the week preceding each seminar and were intended to present an outline of the legal material in each topic so as to build student confidence with the material to be worked with in the seminars. I considered the lectures to be an important aspect of the learning process as they provided a framework for understanding the material to be covered in more depth in seminars. The lecture outline for the course provided a wide range of material, and included cases, specific questions on each topic and a large number of problem questions. Students were not restricted however to using the material in the Course Outline, and often developed their own problem questions or scenarios from which to discuss the material.

REFLECTING ON LEARNING STYLES

Numerous writers have identified a cycle in experiential learning.²⁵ They have suggested that, since students have distinct learning styles, they will each have different capacities and strengths at various stages in the learning cycle. Research in active learning emphasises the need for reflection to assist the learning process. Personal reflection helps students in a number of ways. It helps them analyse and understand new information or experiences.²⁶ It allows them to critically assess their own skills and abilities in a given situation. It also assists “the learner to develop the necessary skills to enable them to operate within the full range of learning

styles, furthering their ability to learn lifelong”.²⁷

There are numerous models for classifying learning styles²⁸ and it is beyond the scope of this paper to detail the model adopted other than to say that it was based on four broad groups of learning style. The students answered a simple questionnaire, scored their marks and then placed their scores on a graph. This enabled them to identify their dominant learning style. Students were asked to reflect on their learning style and on how it might affect their study patterns in a group and in the study of law generally. Students were also asked to consider the sorts of qualities that might be needed in successfully working in a group. Commonly identified abilities were: communication skills, time management, organisation, research and writing, creativity, and the ability to get on in a group. They were invited to identify their own strengths and weaknesses, and discussion focussed upon how they might build a group using that knowledge. Students were instructed to use each other’s strengths in developing the material and in leading the seminars. They were informed of the importance of identifying any difficulties in the group and, if these could not be resolved, of the availability of their lecturer. This process was important in setting an environment for self-reflection and heightened student awareness of how they interact with legal material and learning environments. I have found that the students have often been very enlivened by this process.

Students then self selected groups of four to five students and each chose class times for their individual seminar leadership.²⁹ Ordinarily, most students will choose to work with friends or others with whom they have worked before. Gibbs reflects on the problems of allocating groups, suggesting that the educator allocate groups to avoid friends working together.³⁰ My experience, however, is that students are capable of creating a group within which they can work, and that to allow them to choose their own groups avoids later complaints that the group was forced upon them. Many groups of friends have had valuable learning experiences. Gibbs also criticises allocating groups on the basis of learning style, suggesting that it is “unlikely to be effective”.³¹ In the group projects, however, the students’ awareness of their learning styles appeared to benefit group dynamics and how they worked together, even though it was never used as the sole basis for group selection. One student reflected that this awareness had set her agenda for how she

worked with her colleagues in future courses. In that sense it had become a transferable skill.

PROBLEM SOLVING

As part of the active learning approach, the group identifies the tasks that are to be performed and constructs a method of problem solving to perform those tasks. Thus the groups were asked to set up their first meeting time to prepare a group plan. This set the framework for later interactions and also engaged the students in the planning process — setting goals and making early decisions as to how tasks were to be divided. The work plan outlined dates and times for group meetings and the tasks to be completed at each meeting, as well as the group’s personal objectives and how tasks were to be assigned. Students were asked to keep a diary of their meetings to assist them in preparing their “Reflective Diary” which was to be handed in a week after their seminar leadership was completed.

GROUP APPROACHES

It is impossible in a short article to give coverage to all the innovative approaches the students took. A number of groups developed their own problems and then enacted them on video — cleverly integrating the legal issues to be covered — and then dividing students into “law firms” to advise and argue the cases of the numerous plaintiffs and defendants. The students’ videos were entertaining and engaged the classroom interest in the fictional clients’ plight. Other students used television programs in similar ways. For instance, one group developed a mock trial on causation based on two “Seinfeld” episodes, while another drew up a series of problems on the duty of care based upon highlights from SBS’s “South Park”. Other students used game show formats and prizes to engage student participation. Another group ran their class like a current affairs program, dressing up as roving reporters, asking the class questions about what they thought of particular legal incidents that they had play acted. Another group divided the class into couples to work out damages claims and then asked the groups to negotiate a settlement of their cases with opposing teams. What is significant is that in each class there was a high level of participation. Every class was extremely responsive to their peers’

efforts in making the material accessible and interesting. What is more, from a teacher's perspective, there was no compromise in the quality of learning. Quite often the tasks that group leaders asked students to participate in were very challenging and might have met with resistance if they had been assigned by a "lecturer".

STUDENT REFLECTIONS IN THEIR REFLECTIVE DIARIES

The classes involved 90 students who were divided into 25 groups. Overall, student reflections suggest that most found it a rewarding and fulfilling experience. One commented that it had given her a "new and positive experience working with groups". Another student rated parts of the group process "amongst the most enjoyable exercises" of his university career. Another commented that "working as a team is a much more interesting and fun way to learn than trying to understand a topic on your own". Some commented that they noticed that their abilities to work within a group improved as the weeks passed. They identified common goals, commitment, co-operation and reaching consensus through discussion and flexibility, as important skills that had been developed and used.

Identified "positives" for working in groups were that members could bounce ideas off each other and learn to appreciate different ways others approached problems. One student, who had always left work until the last moment, had positive experiences in working with more organised colleagues. She found she could get her work done "without being stressed". Another student identified that she had "developed interpersonal skills through group discussion ... recognising the contribution that each person makes".

Some problems were identified. A common problem was arranging meeting times around work schedules. (Strategies for dealing with this included having smaller meetings for particular tasks.) Another difficulty was time management — this was a problem in differing degrees for many groups. Four groups fell into difficulties because not all members of the group understood all the material for the assigned class. As one student commented:

Group work is exactly that ... group work! Therefore all of our members should have been aware of all of each other's material. However, we also learned that whatever happens in a presentation, you

are a group and therefore have to stick together and continue the presentation without causing discomfort in the group.

In this particular case the problems surfaced in their first week of leadership and they were able to remedy the problems in the following week, identifying the issue of lack of communication with each other. This was also a positive outcome of leading the groups over two weeks. It gave an opportunity to evaluate and reflect on the success of the first week and make changes for the following week.

Most groups were very happy with how their classes had gone and the confidence that had been built through the process was tangibly evident in the reflections. A number of students commented on their “increased levels of confidence” to present material and interact with a large group of people. One student commented that “it was encouraging for us to find we could put together four hours worth of seminar, which seemed quite intimidating at the beginning”, and that students found it interesting and absorbing.

Even some groups that had not functioned particularly well considered that their experience was valuable. Many found the creative process to be rewarding, noting a sense of achievement on a personal and group level. They were often gratified to learn that other students found their leadership had really helped them understand the subject material covered. Most felt that they had gained a thorough understanding of the material covered through the process of creating a learning environment for other students.

SUBJECT EVALUATION

In the teaching evaluation surveys conducted by the university, the Law of Torts has received consistently high ratings, even though lecturers have stepped out of the traditional teaching role. But the use of the group leadership of seminars met with mixed responses as a form of teaching and learning. Many students liked the “student-centred approach”, identifying this as one of the most positive aspects of the course and an “excellent method of teaching” which “should be put in more law subjects”. However, a number of students commented that they wished to be “taught” in a more traditional way and some students suggested that the group work component of the course be removed. Concerns were

expressed that student-led discussion was not sufficient and left them too much on their own to grapple with difficult material. This feedback appeared to be brought about by concerns that students were not learning enough in seminars, and by a lack of confidence in their peers' ability to present the material. But from my perspective it was only rarely that students were confused and they never misled the class about the meaning of any legal principles. I was generally impressed with the quality of the presentations and the overall agility students displayed in dealing with the material. I had offered myself as a resource to all groups and spent a lot of time outside classes with many students assisting them to prepare material for classes. Since I had been fully involved in what the students were doing, most seminars illustrated how well the students had understood the material.

A number of students wanted me to take a more dominant role in the classes. There is a tendency for students to treat teachers as the oracle of knowledge, which is something we are trying to step away from in student-centred learning. It is often difficult to find a balance that suits all students. Using a group process will always be controversial. One student pointed out that the student focus in groups forced people who would not normally participate to do so, which could be seen as a "good or bad aspect of the subject". From an academic point of view, the increased participation is probably a good thing! The group process certainly places the emphasis of learning upon the students.

CONCLUSION

The model of group work I used has many benefits as a teaching and learning strategy. The process certainly develops the generic or transferable skills identified in the table above. Student-led classes make learning a more interesting exercise for the students. The attendance in classes was almost 100 per cent, and students arrived with a sense of anticipation and excitement as the groups tended to keep as a surprise what they were going to do with the classes.

Focussing the teaching and learning of the subject on group projects is an intensive teaching experience, since it requires a lot of time to be spent with students outside of classes. Embarking on such an experiment also requires much thought to be given to

dealing with the many problems which arise. But it has been extremely rewarding to see the development of the students' confidence and to participate in their creative processes. As one group commented:

we all learnt a lot more about the topics by presenting the seminar than we otherwise would have done. The seminar showed us how important interaction and feedback are when assimilating a topic. People learn a lot more when they are "doing" than when they are just listening. We have learnt a lot about running a seminar, from both our own and other groups' experiences, and feel that group discussions and a problem based seminar are most effective for class participation and learning.³²

* BA LLB (Hons) ANU, LLM (Hons) *Cantab*; Lecturer, Faculty of Law, University of Wollongong.

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¹ DA Kolb, *Experiential Learning* (Englewood Cliffs, NJ: Prentice-Hall, 1984) 27.

² S Kift, *Lawyering Skills: Finding Their Place in Legal Education* (1997) 8 *Legal Educ Rev* 43, at 49.

³ At the University of Wollongong the Law of Torts is a third year subject in the combined undergraduate program and a second year subject in the graduate program.

⁴ See Kift, *supra* note 2, at 52-59. Kift identifies skills which are "transferable" to many work environments and makes the important point that many law students will work outside of legal practice and thus "transferable" skills are important, at 53.

⁵ *Id* at 52.

⁶ Final Report of the Generic Skills Working Party, Submission to the University Education Committee, University of Wollongong, October 1997.

⁷ *Id*; also see G Gibbs et al, *Developing Students' Transferable Skills* (Oxford: Oxford Centre for Staff Development, 1994) 9 identified a number of transferable skills. See Kift, *supra* note 2, at 53.

⁸ G Gibbs, *Assessing Student Centred Courses* (Oxford: Oxford Centre for Staff Development, 1995) 19.

⁹ Class participation is assessed on clear criteria and students received feedback mid semester on their general progress.

¹⁰ Gibbs, *supra* note 8, at 16.

¹¹ *Id*.

¹² *Id*.

¹³ C Meyers and TB Jones, *Promoting Active Learning: Strategies for the College Classroom* (San Francisco: Jossey-Bass, 1993) at 20-21; see also J Piaget, *The Psychology of Intelligence* (London: Routledge & Kegan Paul Ltd, 1950) at 7-13, 119-55 and RR Skemp, *Intelligence, Learning, and Action* (Chichester: John Wiley & Sons, 1979) 212-21.

¹⁴ Kolb, *supra* note 1, at 61-98.

¹⁵ See M Le Brun and R Johnstone, *The Quiet (R)evolution: Improving Student Learning in Law* (Sydney: Law Book Co Ltd, 1994) 292.

¹⁶ *Id* at 291.

¹⁷ *Id*.

¹⁸ Gibbs, *supra* note 8, at 13.

¹⁹ G Webb, *The Tutorial Method, Learning Strategies and Student Participation in*

- Tutorials: Some Problems and Suggested Solutions (1983) 20 *Programmed Learning and Educational Technology* 117, as cited in Le Brun and Johnstone, *supra* note 15, at 288-89.
- 20 J Lukinsky, Reflective Withdrawal through Journal Writing, in J Mezirow (ed), *Fostering Critical Reflection in Adulthood: A Guide to Transformative and Emancipatory Learning* (San Francisco: Jossey-Bass, 1990) 213.
- 21 Kift, *supra* note 2, at 52. It is noteworthy that some institutions have formal policies in place requiring that students be given the opportunity to develop such skills by the time they graduate. Kift, *supra* note 2, refers to the Queensland University of Technology. The University of Wollongong also has identified “tertiary literacies” which students should be able to apply in appropriate circumstances: *supra* note 6.
- 22 Final Report of the Generic Skills Working Party, *supra* note 6.
- 23 Le Brun and Johnstone, *supra* note 15, at 290.
- 24 *Id.*
- 25 See Kolb, *supra* note 1, at 61-98; Gibbs, *supra* note 7, at 13; I McGill & L Beaty, *Action Learning: A Practitioner’s Guide* (London: Kogan Page, 1992) 26-27; Kift, *supra* note 2, at 26-30 and 62-63.
- 26 Meyers and Jones, *supra* note 13, at 29.
- 27 Kift, *supra* note 2, at 64.
- 28 See P Honey & A Mumford, *Using Your Learning Styles* (Maidenhead, Berkshire: Printique, 1986); J Atkin, *How Students Learn: A Framework for Effective Teaching*, Seminar Series for the Incorporated Association of Registered Teachers of Victoria, No. 22 (Jolimont, Victoria: Incorporated Association of Registered Teachers of Victoria, 1993); RJ Sternberg, *Thinking Styles* (New York: Cambridge University Press, 1997).
- 29 In smaller classes groups of three are permitted, but the best dynamic, in practice, has been four. Le Brun and Johnstone, *supra* note 15, at 294 point to research which suggests that group dynamics change in groups of more than six.
- 30 Gibbs, *supra* note 8, at 17.
- 31 *Id.*
- 32 Group comment from Student Reflective Diary, Law of Torts, April 1999.