***XX Law School***

***Clinic***

***Guide to reflective practice***

***Welcome***

We are pleased to have you aboard. Through your time in the XX Law School (XXLS) Clinic you will be able to develop your knowledge, skills and values in a professional setting. The programme is designed to complement and support your studies elsewhere.

The aim of the Clinic is to enable you to apply the law, develop your understanding of key lawyering skills and appreciate the demands of professional responsibility in a practical context and to take that experience and critically examine what happened and why.

This Guide explains how to engage effectively in reflective practice and contains pointers on how to collect the evidence for, and prepare, a reflective submissions. If you have not already been given it, you will receive with this Guide the Clinic Handbook. You must read the whole of this Handbook as soon as possible and you should follow the guidance, given in it and in this Guide, on assessment and collecting evidence.

Please contact me if you have any comments or queries on the Clinic programme as a whole or on any aspect of it.

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**Director of Clinical Programmes XX Law School 20XX**

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**1. Introduction**

This Guide is intended to achieve 3 things:

* to enable you to become a more active and competent reflective learner;
* to provide you with example of best reflective practice;
* to support you in extracting the maximum benefit from the Clinic programme.

As reflection is a key requirement for the Law Clinic option and this guide should be read and digested by all participants.

These are the overarching expectations in terms of what you should achieve at the end of the module and/or programme. They should not be confused with outcomes you may set yourself in respect of individual tasks undertaken in the Clinic.

The specific learning outcomes for the course option are set out in the Clinic Handbook. They set out what you need to show in terms of understanding of legal knowledge, lawyering and related skills and professional and wider ethical values, and when broken down into their detailed components this includes:

* an understanding of the needs of real legal clients and how to respond to those needs [to the extent of the recognition of client’s aspirations and the appropriate professional reaction to them]
* an understanding of the applicable standards of professional conduct and compliance with these [to the extent of observing professional practice rules and norms of accepted behaviour for a practising lawyer]
* an ability to analyse and research accurately the applicable legal issues in a real life problem [through relevant legal and factual research recording, where necessary, the source and authority]
* an ability to apply that knowledge and understanding to provide practical advice to a real client, recognising the limits of the law in resolving client problems [to the extent of producing a legally accurate and appropriate letter of advice coupled with any subsequent further representation deemed applicable]
* an ability to manage time and a case file in order to respond to the needs of the client and the case [as evidenced by the maintenance of a case file that meets professional standards and client’s expectations]
* an ability to critically reflect on an area of law and place individual legal problems in a broader legal and contextual framework [through the production of reflective submissions that, in addition to evidencing the achievement of the outcomes above, demonstrates an ability to engage in critical reflection]
* for postgraduates, an ability to design and run a clinic that meets educational and professional requirements and accords with principles of best practice.

**2. So what is ‘reflective practice’?**

The concept of the ‘reflective practitioner’ is commonly attributed to Donald Schon (*The Reflective Practitioner: How Professionals Think in Action*, Basic Books, New York, 1983 and *Educating the Reflective Practitioner*, Jossey Bass, San Francisco, 1987). Using the terminology of ‘swamp and high ground’ Schon, who is not a lawyer but an educationalist interested in professional training, writes:

*Imagine a high cliff overlooking a swamp. On the high cliff you can continue to work on your doctoral thesis. You can run micro-economic models of the economy. You can carry out to the nth decimal place the linear algebra applied to inventory control. You can be rigorous in a way that you can describe very well. The trouble is that you begin to suspect that the problems you are working on are relatively less important...[People] feel acutely that in the swamp below their high cliff there are extremely messy social/technological/economic/political problems that are actually of great importance. But the trouble is that in working on these problems professionals don’t know how to be rigorous in any way that they have been trained to recognize. And so they - we - face a dilemma: whether to remain on the high hard ground working in a rigorous describable way on relatively trivial problems or to leap into the swamp and work on the problems we see as critically important, but in ways that don’t fit any of the images of rigour that we have learned.*

Kolb perhaps makes the process of reflection a little less abstract through the us of his ‘learning cycle’ (*Experiential Learning: Experience as a Source of Learning and Development*, Prentice Hall, New Jersey, 1984). The cycle referred to has no particular starting point (although I would argue it is most effective beginning with clear instruction (on what is to happen) followed by the experience of the application of theory to practice. Learning is then progressed through supported reflection (with self, peer and tutor input), leading then to a revisit (immediately or later) of the experience couple with further reflection. If looked at as an educational continuum and as a process and not a product, the reflective practitioner is in a constant, or at least regular, state of taking experience and evaluating it in an attempt to improve levels of knowledge and skills as well as develop a deeper understanding of what it means to be a professional.

Diagrammatically Kolb’s learning cycle looks something like this:

Concrete experience

Active experimentation

Reflective observation

Abstract conceptualistation

The process is one which, depending on the stage you are at in terms of personal development, can continue both in relation to a particular experience and in future situations – extending understanding and the ability to deconstruct experience and to recognise ways of improving on future performance and service provision.

The concept of reflective practice does not end on graduation. For example, you may have come across the term ‘continuing professional development’ (CPD). The Solicitors’ Regulation Authority currently requires all practising solicitors to undertake a minimum number of hours of CPD every year as a condition of eligibility for a practising certificate. Whilst there is no explicit mention of reflection in the CPD requirements, why would you not want to be a reflective practitioner if the aim is to improve your own developmental position and in doing so offer a higher quality service to your clients?

This Guide should equip you well to extract the most from your learning at the York Law School generally and in your subsequent careers.

**Compiling your reflective submissions**

At various points on the XXLS clinical programmes at both undergraduate and postgraduate levels you may be required to prepare and produce reflective submissions. These may take the form of a critical report or essay, an annotated portfolio of your work or an oral presentation.

In order to assist you in engaging in the necessary reflective process we first suggest that you keep a diary or journal that documents, in outline, what you have done in the Clinic. Observing client confidentiality at all times, it should describe the nature of the work you have undertaken, the types of cases you have been involved in and the substantive law, the procedural rules, the legal skills and the professional and ethical issues encountered. You will find it easier to compile this journal if you do so on a regular and frequent basis. Similar to preparing to give evidence in court your memory is highly likely to be at its best soon after the event you are recounting rather than many weeks later.

Secondly, you will be required, at various points in the module or programme, to make reflective submissions – these are compulsory and assessed and are critical analyses of the experience that you have been through. Depending on your programme of study this might, for example, consist of the identification of short-comings in the law or a comparison of different approaches to clinical teaching and learning. In addition it will probably include a critique of the relationship between client and lawyer – perhaps arising from a particular challenging client you encountered or where you felt you were being relied upon to a significant extent on shaping what the client might do following your advice to him or her. Again observing client confidentiality, the reflections included here should be evidenced by reference to specific cases, incidents, documents, meetings, research or other relevant occurrences. Evidence required to support your reflections can be recorded in the analysis or be cross-referenced to your journal.

You do not have to provide a complete account of your clinical experience. The idea is that you will focus in your reflection on key elements highlighted in the relevant learning outcomes for the module or programme – in particular your application of legal knowledge, your use of legal skills, your critical evaluation and your achievement and understanding of outcomes.

To be clear, the reflective submissions are not the same as any journal you keep. The latter is to aid you in recalling what you did. The journal is recommended therefore as part of the evidence gathering process. Guidance on the evidence gathering process, which includes keeping the journal, is given in section 4 below. Your submissions will cross-refer to relevant information recorded within the journal, so that this can form part of the evidence of your achievement. You can submit your all or part of your journal with your submissions as evidence for the claims you make. But there is likely to be other evidence you will wish to refer to, particularly documents which you have drafted, research findings, or other background documents (but remember if it comes from confidential sources such as client files such use of documents must be cleared with your supervisor first, and anonymised as necessary).

What is the standard you need to demonstrate? What do you have to show? In essence you must achieve the learning outcomes specified in the module outlines and set out in full at the end of the Clinic Handbook. It might help you to know that the Quality Assurance Agency for Higher Education (QAA) has set criteria for expected (minimum) standards at graduate (honours) and master’s levels. Although these are in essence academic rather than practitioner focused, the Clinic programme combines your academic performance, including your reflective capacity and observations with the practical experience you have gained. As a piece of academic work you must demonstrate appropriate standards of scholarship – if you refer to law or academic writing (which is expected) you will meet the normal requirements of attribution of materials and referencing. You will use and cite appropriate sources – for example publications which provide a critical evaluation of the relevant areas of legal practice, or which provide an understanding of the use and development of personal or legal skills.

We recommend that you use either the OSCOLA or Harvard system for referencing but so long as your use of citation is logical and clear it is up to you how you record your references and footnotes.

You may, in fact, have already achieved graduate level standards, either because you are a graduate, or because of having met the assessment rules in specific subjects, for example in your Year 1 or 2 studies. What you may not previously have been required is to do demonstrate your achievement of these standards in the context of legal practice and reflective submissions. The principal source of evidence which you cite is your own experience. When preparing the submissions your framework from which to launch your critical evaluation is the evidence of what you have done.

Students taking the Clinic option it may find it useful to look at the QAA graduate level requirements, which we have interpreted and adapted below to fit the practical legal context in which you will be working. These requirements and the current benchmark statement for Law at honour’s level can be found at:

<http://www.qaa.ac.uk/publications/information-and-guidance/publication?PubID=2966#.Ww1Nj0iFPIU> .

There are currently no similar requirements for master’s students in Law but there are general principles (that the QAA refers to as ’characteristics’) that apply to all master’s students and these can be found at:

<http://www.qaa.ac.uk/en/Publications/Documents/Masters-degree-characteristics.pdf>

We suggest that although the detail that appears below is specific to the graduate (honour’s) level, in terms of reflective practice this is highly relevant to master’s students. At the end of this section we set out the QAA master’s statement for a non-Law subject (given that there is currently no such master’s level statement for Law) by way of illustration of what is required.

Of course there is overlap between the expectations enshrined in the QAA documentation and the outcomes set for the Clinic module(s), and you should not see the preparation of the submissions as a mechanical or box-ticking exercise. What you state in your submissions about the work you have done, supported with reference to materials from your journal or from the experience itself, taken as a whole, needs to show (for a graduate at honour’s level) that you have achieved the following:

Application of legal methods and techniques

This means more than merely describing the Clinic activities. Through your reflective submissions you need to show that, either during the experiences on which you have decided to focus and as a result of reflecting on the experience, you have applied legal methods and techniques. This means that you have

* *applied* knowledge and understanding of law and procedure
* *initiated* and *carried out* projects
* *critically evaluated* arguments, assumptions, concepts and data
* *reached judgements and made decisions,* sometimesin complex and unpredictable contexts
* *framed appropriate questions* which help to move towards a solution, or a range of solutions, to a problem
* *communicated* information, ideas, problems, and solutions, if relevant to both legal and lay audiences

Development of attributes

You will need to be able to show evidence that you have, or have acquired, the following personal qualities:

* *taking personal responsibility*
* *developing learning ability,* including recognising where you need further training of a professional or equivalent nature*.*

As well as looking for evidence of achievement under each of the assessment criteria, the examiners of your Clinic-related work are looking to make an overall judgement about whether your reflection provides evidence that you meet these overall standards. So you should check the finished work to be sure that what you have prepared demonstrates the above graduate level achievements and qualities and meets the relevant module learning outcomes. You should also bear in mind that it is a reflective submissions – if there is no critical self-evaluation, of the quality of your experience, of your own skill development, of the service you have provided, you will not have met the outcomes. Remember it is an academic exercise set in a practical context. The ‘practice’ setting is simply the vehicle for study. Your work must therefore include full referencing and discussion in the context of academic writing about the relevant topics, including legal doctrine, access to justice, professional requirements and skills development.

What should the reflective submissions cover? For students the learning outcomes for the module cover 3 broad issues – application of knowledge, use of skills and understanding of professional practice issues. The module learning outcomes are clearly stated ion the module outline contained in the Clinic handbook. Your submissions should therefore cover the following:

1. Sourcing and application of knowledge of substantive law and any relevant rules of procedure

You have been working in a legal setting – for example addressing legal problems of individual clients or showing how the law or legal system works to client or potential client groups. The examiner needs to know what law you have used, and to find evidence of your ability to use it to formulate questions and to generate solutions. You should attempt to reflect both on your own skill in researching and applying the findings of that research, but also on the possible issues which arise in this area of law and legal service. It is unlikely you will already know all the relevant law and procedure for all the tasks you will undertake in the Clinic; if you do you will still need to check how it applies and whether there have been any new developments. If you are doing any legal literacy work (for example, *Streetlaw)* you quite probably know more than you could usefully get across to the target group, at least in some of the aspects, but there will be issues relevant to the client group which are quite specialised, where further checking and research is needed. So knowledge and understanding is not a test of what you know before you start, but what you know plus what you recognise you need to find out plus, above all, what use you can make of it. In your submissions it is not necessary to describe the law/procedure in full – cross-refer to your journal, teaching materials, research results or, suitably anonymised, client file material. What counts is showing how you identified what was relevant, how you used it to move towards a solution to a problem, how and what you thought about it. You need to refer to the sources of evidence that allow the examiner to conclude that your use of the law, and where appropriate your research, was appropriate, up to date, relevant and accurate. In relation to demonstrating your ability to suggest solutions to problems you need to show how the law applies. Solutions to problems can include improving levels of legal literacy (awareness of rights and responsibilities) and alternative means of resolving disputes, other than through litigation.

Year 3 students are also required to address issues of law reform. This is set out in MLO 4 in the module outline. Year 2 students are only required to deal with MLOs 1-3.

2. Relevance and application of legal skills

In the Clinic skills are not (although if the outcomes were changed, could be) assessed in themselves. They are simply tools you will need to carry out the required tasks. None the less you do need to reflect on the application of those skills as they enable you to fully engage with the work of the Clinic and give you access to the world of the practising lawyer. It is this practice context that your work will be carried out in and on which you must demonstrate critical reflection. Your submissions should therefore provide evidence of your experience in a range of skills including:

* interviewing;
* writing/drafting;
* advocacy/presentation;
* applied legal research;
* case and file management; and
* problem-solving (including possibly dispute resolution).

You will, through reference to your use of these skills, be able to demonstrate graduate level abilities such as evaluation of argument and data, framing questions and suggesting solutions; and you will be able to demonstrate aspects of your communication skills. You need to show evidence of what more you need to learn and how you can improve your skill. Remember that assuming appropriate responsibility (and accepting guidance) is an important factor. The ability to reflect on your own skill and the role of skills within legal service delivery should also be considered.

3. Critical understanding of legal process and professional practice considerations

In this respect, you will need not only to describe relevant experiences, but to put them into an academic context. What have you learned from these experiences? How is the law working for particular client groups? Where are the gaps? How are the legal professionals playing their part? How does the exercise of professional responsibilities aid the achievement of goals? Is there evidence of a need for changes in law or procedure or wider policy? Under this heading your examiner is looking, amongst other things, for your ability to exercise judgement, and to evaluate critically.

Your submissions will, by the very nature of your work in the Clinic, necessarily involve problem-solving and the achievement of relevant outcomes in a legal service context.

Under this heading you are able to demonstrate communication skills, problem- solving skills, taking responsibility, initiative and probably other aspects of the graduate standard. You need to show what you have achieved/understood within the context of the following:

* meeting client expectations
* risk assessment;
* costs;
* dispute resolution;
* achieving an educational outcome;
* achieving an organisation’s goal; and
* alternative ways of achieving outcomes

What the examiners are looking for is the quality of the critical evaluation and honest, properly informed and referenced, critical self-reflection. What is expected is the jump from accurate recitation of information and experience and identification of issues and experience to genuine and open-minded, scholarly, reflection and analysis. In terms of reflection (rather than skills-based competency as such) the level of performance is likely to at least match, if not exceed, that currently expected of a person about to commence a training contract or pupillage. Here it is not the ability to carry out relevant tasks that we are looking at but rather the understanding of what it takes to do that activity – the two of course may be closely related as a clear grasp of the theory may well lead to a competency in the practice of it,

Guidance on collecting the evidence, including keeping the journal, which will help you to prepare your reflective submissions, is also provided below in section 4. Your personal experience is the core of your reflective work. Your understanding will additionally be informed by your own reading and research, but it must not be abstract; whatever you say about law, professional practice issues, legal skills and problem-solving must, first, be clearly located within your own experience. You should be able to demonstrate in addition that you have critically applied to that experience your readings in relevant areas such as legal doctrine, legal process, the legal system, socio-legal theory, personal and transferable skills, or any other area of thought which you can show to enhance your understanding of your experience. You should be able to show that you have gained and demonstrated a deepened understanding of your experience by further reading, research and critical analysis. This is what makes it reflective rather than merely descriptive. You must apply normal conventions of academic scholarship, in particular through proper acknowledgement of sources and use of clear English.

As mentioned above although not specifically aimed at postgraduate students this adaptation of the QAA graduate level expectations has relevance for those in the ‘Clinic’ in terms of aiding reflective practice.

The current absence of a benchmark statement for master’s level study in Law is perhaps regrettable. By way of example however some guidance as what this might look like can be found in a master’s level statement for Criminology which (modified for present purposes) includes:

…….in addition to the threshold standards expected for a bachelor's degree with honours the holder of a master's degree in [criminology] should be able to demonstrate:

* a systematic understanding and critical awareness of topics which are informed by the forefront of the subject
* a critical awareness of the history of ideas, the cultural context, and the social and political theories that inform and influence the practice of the subject
* a critical awareness of the functioning of the justice and wider legal system
* an ability to develop a critical discussion and analysis of power relations)
* an ability to identify appropriate methodologies for addressing and dealing with complex problems
* an ability to develop critical discussion and analysis of complex concepts, and work independently and with originality
* an ability successfully to complete a substantial empirical research project, systematic review or systematic case study, informed by wide current understandings in the subject.

**4. Guidance on collecting the evidence**

You will be familiar through your study of other academic subjects how to apply law to factual situations, and how to demonstrate knowledge of law and professional practice requirements. You will, if you have studied before at XXLS, also be familiar with the need to keep a reflective submission as this underpins much of the learning and assessment process here. Demonstrating, in a reflective fashion, your understanding of law, application of law, and use and development of personal skills is however particularly challenging when the work is in the context of a real client.

The key task is to collect and use the evidence you are going to rely on within your reflective the submissions. There are three types of evidence: your work experience; the literature; and your reflection. To satisfy the first, we recommend that you maintain a running log by keeping a weekly journal. With it you should keep a folder of additional evidence which you may be able to refer to in your submissions such as examples of anonymised documents you have drafted or details of research carried out.

Because you may be submitting extracts from a journal as part of the evidence, and because the examiners may review it, it must be legible, ideally word-processed. You need to make entries at least weekly. The evidence can follow the format of your choice, but you are going to need to describe what you did in some detail (to assist recall and, if necessary, discuss with your supervisor); you will need to record your reaction to the experience and your evaluation of your own skill. A *Reflection on experience* form to enable you to do this is appended to this Guide and copies are available on the Clinic computers and in the Clinic filing cabinet, under ‘Clinic forms’. Regular use of this form should help you to compile a rich source of reflective material and supervisor feedback, What did your supervisor say in response to your reflections and, importantly, what is your reaction to that?

You should also maintain a record of any wider reading on any relevant issues. Always keep a note of the sources, which you will need for citation in your submissions.

We now set out a series of questions you can use as a basis for collecting the evidence in, or with, your; these questions may even help you to structure your writing about your experience, but do not merely treat this list as a questionnaire to be filled in each week. It is not a checklist of contents for your submissions. Please note that collecting the evidence, even submitting the evidence, is not helpful unless it is referred to clearly within the submission, which means referring to exactly where the relevant information is to be found and how it relates to the claims you make. Material which is not referenced in this way cannot be considered for assessment purposes.

4.1 About the Clinic

It is helpful to have a clear and accurate understanding of the framework within which your practical experience has been gained. Collect together relevant information about the Clinic’s goals and structure, and your own role within it.

For most of you your work on the Clinic elective will be spent on Clinic premises. Some of you however will also work elsewhere, for example with other organisations.

Use the Clinic Handbook (and the material given to you by, for example a host who accepts you on placement) to be sure you understand the nature of the service you are working with and its role and purpose in relation to the provision of or need for legal services or education about law. As may be applicable, ask yourself some or all of the following questions, to the extent that they inform your understanding of your role:

* what is the organisation's legal status or form and size, how long has it been in existence and what significant external and internal developments have occurred to affect its structure and performance in the last few years?;
* what significant external and internal developments are likely to affect its structure and performance now and in the near future?;
* does the organisation have a statement of its values and goals (eg a mission statement)? If so, what is this? If not, is there any other general understanding amongst participants as to its purpose?;
* how is the organisation structured? (If it is a very large organisation, focus on the part where you work.) How does this structure help the organisation's goals?;
* what is your role in the organisation and how does this role help the organisation to achieve the goals you have described. To do this you need to consider the following questions;
* what do you actually do? Is this more or less what your job description says that you should do? If not, why not?;
* what are the primary goals that you are trying to achieve in the tasks that you perform and the way that you go about performing them?;
* how well has your previous education and training, and your work experience prepared you for this role? What skills and knowledge would help you to perform the role better?

You may find yourself using some of the following words:

*Goals* can cover aims, objectives, milestones, outcomes or targets. As a general rule, *aims* are broader, longer term and fairly general whilst *targets* are focused, short term and specific.

*Objectives* maylie somewhere between. However, they may have different meanings in individual organisations, so be aware of the specific meaning given to these terms in your organisation.

Milestones and outcomes are similar in that they are generally pre-planned expectations and should be tangible and assessablee achievements against which progress can be measured.

*Values* are underlying beliefs or attitudes which shape behaviour.

*Mission statements* often include general aims and values, but their content and nature varies from one organisation to another. You should aim to gain an understanding of what the mission statement or any other statement of goals and/or values means. In less formal organisations which may not have such clearly spelt out statements, you may be able to rely on less formal sources, particularly what employees or managers tell you.

4.2 Taking personal responsibility

With reference to examples of one or more tasks, projects or activities (bearing in mind the outcomes you will be assessed against) you have engaged in as part of a team where you have fulfilled a leadership function with responsibility for ensuring that certain outcomes have been achieved, record your thoughts on evidence that you are able to work collaboratively as part of a team. To do this you might consider the following questions:

* what goals were the team working collectively towards? To what extent were you able to negotiate these goals?;
* in what way was the team able to achieve these goals more effectively as a team than as people working individually (i.e. what did working as a team contribute)?;
* how far were you able to influence the resources available, including the members of the team?;
* what did you do to encourage the team to work collaboratively and share their expertise?;
* what did you do to ensure that the team and individual members were able to perform effectively (e.g. by identifying any skills they may need to acquire and helping them to acquire these skills by ensuring access to development activities)?

Think of examples of how you are able to lead team members to achieve the agreed goals of this task, project or activity, by answering the following questions:

* how did you agree the goals which you were working towards with your team members?;
* how did you draw on the individual abilities of each team member to achieve the agreed goals (e.g. by agreeing tasks with individuals)?;
* how did you anticipate and deal with any conflicts which might exist between team members and/or people outside the team?;
* what targets, timescales and other milestones for achieving goals and monitoring progress did you agree?;
* what steps did you take, if any, to rectify any slippages in performance against these targets, timescales and other milestones?;
* what did you do to motivate team members?

*Team-working* implies that the group share responsibility for tasks, acknowledge each other's knowledge and skills and the contribution each can make towards their shared goals, irrespective of its complexity or significance. It also implies that team members offer support and encouragement to each other, are willing to give and accept advice and guidance and to learn from each other.

*Leadership* does not necessarily mean that you have a formal leadership role but that you have accepted responsibility for leading the group or a sub-group in achieving specific outcomes.

4.3 Solving a problem or identifying solutions

Identify problems (or set of linked problems) that you have had to resolve in the Clinic and the way that you went about collecting information to find out what caused the problem and the range of possible solutions. Can you articulate what caused you to select a particular solution from any alternatives that might have been available and to evaluate whether or not it was successful in resolving the problem.

Use this problem resolution to show that you can collect and analyse diverse information from a variety of sources. To do this you need to ask the following questions:

* did you collect together information from diverse sources and of diverse types (e.g. qualitative and quantitative information, oral and written information and internal and published material)?;
* how did you decide on the type of information required and the sources from which it could be gathered? What was the balance between legal and non-legal information required?;
* how did you check that the information you collected was valid (i.e. that it was accurate and was what it appeared to be), sufficient (i.e. that you had enough information to make an informed decision about the solution) and appropriate (i.e. that it related to the problem and its solution)?;
* did you use any information which was uncertain (i.e. possibly invalid, insufficient or not clearly appropriate) but still needing to be considered because of a lack of certain information?;
* how did you identify any patterns or characteristics in the information, and combine different sources or types of information to derive something new or revealing from the information?

Consider the range of possible solutions that you identified, why you decided to select a particular solution and whether or not it proved to be successful in resolving the problem. To do this you need to consider the following questions:

* how did you involve other people likely to be able to contribute to the solution of the problem?;
* what possible solutions did you identify and what criteria did you use to choose between them?;
* in deciding between alternative solutions, did you encounter any conflicts of opinion amongst those likely to be affected or with an interest in the problem and its solution? How did you resolve such conflicts?;
* how effective did the solution prove to be in resolving the problem?;
* with hindsight, might an alternative solution have proved to be preferable? If so, why?

*Information* comprises both qualitative (descriptive and/or evaluative) and quantitative (numerical or statistical) information, as well as legal information, and can be gathered from:

• oral (i.e. word of mouth) sources, in both formal meetings (e.g. conferences) and informal conversations

• internal documents (such as submissionss, letters, memos, emails and intranet databases) or

• published materials (books, journal articles and internet sites).

4.4 Self-organisation

Can you record evidence relating to a set of tasks or activities you have had to undertake, including some which were relatively complex, the order in which you would undertake tasks yourself and the time you would allocate to each? Having planned how to use your time to undertake these tasks or activities, consider how well you kept to your plans and any events which hindered you in any way.

In describing what tasks to undertake yourself, the order you decided to undertake these tasks or activities and what time to allocate to them, you should reflect on the following questions:

* how did you decide which tasks to undertake yourself and which to delegate to others?;
* on what basis did you determine to whom to delegate tasks? How did you ensure they were able to complete the tasks satisfactorily?;
* how did you decide on the relative *urgency* and *importance* of the tasks or activities?;
* how did you judge the time each task or activity was likely to take?

When reviewing how effective you were in setting the order and allocating time to complete the tasks, consider the following questions:

* was the time you allocated in line with the time each task or activity actually took?;
* were the tasks you delegated to others completed successfully?;
* was the order in which you undertook each task or activity appropriate?;
* what do you think your performance in this and other tasks reveals about your personal strengthsin your role?;
* what do you think your performance in this and other tasks reveals about your personal weaknessesin your role?

Delegation in this context can mean simply sharing out work within a team. It does not require you to have formal powers of delegation.

4.5 Legal and personal skills

Consider how, before or during your time in the Clinic, you set about identifying any development needs relevant to the type of experience you have had on the placement, how you went about meeting any of these needs, and how you have been able to use this learning to improve your performance.

In describing how you identified your development needs, consider:

* what skills and knowledge did you already possess, including that which was formally acquired (e.g. courses and qualifications), that which you have acquired informally at work (e.g. through experience, being coached or shown how to perform tasks) and that which was acquired through non-work related activity (e.g. through involvement in voluntary activity)?;
* to what extent have your formal training and qualifications prepared you for your placement role?;
* how did you identify that you needed to acquire new skills or knowledge? To what extent was it through recognising a need to learn and develop yourself through your experience and your expectations of your performance or future role, and to what extent was it through formal processes at work (e.g. an appraisal or performance management system)?;
* in reviewing your existing skills and knowledge, what conclusions did you reach about the most appropriate way for you to learn, based on your personal preferences and the different types of skill and knowledge?;
* in describing how you went about meeting these development needs consider:
* how much influence did you have over the availability and access to development activities at work?;
* what did you do to explore possible ways of learning and developing your skills and knowledge?;
* which of these alternatives did you choose, and why?;
* did the method you chose fulfill your expectations?

In describing how you were able to use your learning and development to improve your performance at work, you should answer the following questions:

* can you identify any ways that you have changed or improved your performance, or been able to undertake tasks or activities which you couldn't do previously?;
* were there any ways in which the learning and development activity might have been improved to bring about more significant or effective performance improvements?

Learning and development can take many forms, and you do not have to confine themselves to reflecting on formal programmes of learning. Activities which are used to improve performance can include work shadowing, placements, private research and reading or consciously observing others' performance, as well as training activities.

We appreciate that you have a great deal to do especially in the reflective components of various assessment tasks. Some of this will be new to you and will, almost certainly, challenge your understanding, skills and views. We will provide support and feedback for you throughout, particularly if you complete the *Reflection on experience* forms.

In the Clinic we cannot promise to turn you into an experienced or specialist lawyer but we do intend to help you on your way through a structured programme of professional development. What we do in the Clinic is designed to build on what you may have done already in your studies at XXLS – your reflective submissions, your skills work and the simulated exercises you have may have had to do. What the Clinic adds is the chance to engage in reflection in the context of real clients with real problems.

For those of you that have not studied at XXLS before we welcome you to our distinctive (and we hope reflective) approach to study.

As noted above learning is a process and not a product. It is an exceptionally clever or exceedingly foolish (and non-reflective) lawyer who thinks he or she has nothing left to learn!

**Appendix**

**XX Law School Clinic**

**REFLECTION ON EXPERIENCE**

When you undertake **any** activity - in the XXLS Clinic – for example, interviewing, advocacy, research, drafting, communicating with a client, chairing a meeting - you already have **attitudes, beliefs, values and theories**, shaped by your previous experience both in your studies and elsewhere.

These ideas shape what you **expect** will happen and mean you can **plan** the event. However, learning through experience means **testing out theories** by applying them to practice, through reflection and by evaluation. Use this form to help you in that process.

Name Firm No Case No

Date Activity

***PRE-ACTIVITY - AIMS, OBJECTIVES, PLANNING***

1 Brief outline of action on case so far:

2 Aim of activity (i.e. what you hope to have achieved by the end of the activity) *(identify here any expected difficulties or problems)*:

3 Summary of plan (i.e. the steps you will take to achieve your aim):

***POST-ACTIVITY - REFLECTION (HOW DID IT GO?)***

1 Brief description of how activity went:

2 Reflection on how it went compared with aims or plans:

3 What I would do differently next time:

***SUPERVISOR’S COMMENTS AND FEEDBACK:***

***STUDENT’S OBSERVATION ON SUPERVISOR FEEDBACK:***

***(to be resubmitted for further reference and/or retained for future reference)***