Reciprocal Professional Development: Enhancing Law Student Supervision in Practice-based Contexts

National Teaching Fellowship

Final report 2015

Professor Jeff Giddings

Griffith University

https://www.griffith.edu.au/criminology-law/effective-law-student-supervision-project
Support for the production of this report has been provided by the Australian Government Office for Learning and Teaching. The views expressed in this report do not necessarily reflect the views of the Australian Government Office for Learning and Teaching.

With the exception of the Commonwealth Coat of Arms, and where otherwise noted, all material presented in this document is provided under Creative Commons Attribution-ShareAlike 4.0 International License http://creativecommons.org/licenses/by-sa/4.0/.

The details of the relevant licence conditions are available on the Creative Commons website (accessible using the links provided) as is the full legal code for the Creative Commons Attribution-ShareAlike 4.0 International License http://creativecommons.org/licenses/by-sa/4.0/legalcode.

Requests and inquiries concerning these rights should be addressed to:
Office for Learning and Teaching
Department of Education
GPO Box 9880,
Location code N255EL10
Sydney NSW 2001

<learningandteaching@education.gov.au>

2015

ISBN 978-1-76028-468-8 [PDF]
Acknowledgements

Particular thanks go to the Office for Learning and Teaching for supporting this Fellowship.

The following people provided important assistance to me for my Fellowship and the Effective Law Student Supervision (ELSS) Project:

- Professors Peter Joy, David McQuoid-Mason and Mary Anne Noone by acting as referees for the fellowship application;
- Professor Adrian Evans (Monash University) for his valuable advice and encouragement as the project evaluator;
- April Chrzanowski through her work on the quantitative data from the surveys;
- Dr Lyn Aitken through her work on the qualitative data from the surveys;
- Eddie Ngaluaf through his creativity in designing the ELSS Project website;
- Karen van Haeringen for her work in the preparation of the fellowship application;
- Chris Grimmer for her work on the management of the fellowship;
- Professor Stephen Billett for his advice and encouragement;
- Associate Professor Helen McBurney by sharing the questionnaire she developed as part of her Health Workforce Australia 2012 National Clinical Supervision Fellowship;
- Professor Sally Kift through her support and encouragement;
- Emmalene Travers for her work organising the multidisciplinary workshops;
- Zoe Rathus, AM through her support and friendship;
- The students and supervisors who completed the surveys; &
- Participants in the workshops and seminars run as part of this fellowship project.

Project Team

In organising and running the workshops, the project benefited from the involvement of:

Margaret Castles (Adelaide) Anna Cody (UNSW)
Anna Copeland (Murdoch) Ross Hyams (Monash)
Colin James (Newcastle) Shaun McCarthy (Newcastle)
Jennifer Nielsen (Southern Cross) Mary Anne Noone (La Trobe)
Zoe Rathus (Griffith) Simon Rice (ANU)
Mandy Shircore (James Cook)

Project Reference Group

The Effective Law Student Supervision Project benefited from the collective wisdom of its Reference Group:

Professor Stephen Billett (Griffith University),
Judith Dickson (Leo Cussen Centre for Law)
Frances Gibson (UNSW),
Professor Neil Gold (University of Windsor),
Richard Grimes (York),
Jonny Hall (Northumbria),
Professor Richard Johnstone (QUT),
Professor Peter Joy (Washington University in St Louis),
Professor Catherine Klein (Catholic University of America),
Professor David McQuoid-Mason (University of KwaZulu Natal) and
Professor Leah Wortham (Catholic University of America).
List of acronyms used

AIJA – Australian Institute for Judicial Administration
ANU – Australian National University
CLC – Community Legal Centre
CLE – Clinical Legal Education
ELSS – Effective Law Student Supervision
HWA – Health Workforce Australia
OLT – Office or Learning and Teaching
QUT – Queensland University of Technology
UNSW – University of New South Wales
Executive summary

Reciprocal Professional Development: Enhancing Law Student Supervision in Practice-based Contexts

This National Teaching Fellowship was awarded to Professor Jeff Giddings by the Australian Government Office for Learning and Teaching (OLT). The support of the OLT is gratefully acknowledged.

The Effective Law Student Supervision (ELSS) Project was created as the framework to enable the Fellowship to address a set of issues related to professionalism and legal education. It is concerned with harnessing the great potential of programs that enable students to experience professional life in a law-related workplace. It has focused on enhancing the experiences of law students and supervisors involved in placement programs. The term, ‘placement program’, is used to include clinical placements where students are supervised by someone engaged by the law school as well as externship arrangements where students are supervised by someone from their host organisation.

The Effective Law Student Supervision Project

The key components of the project have been:

- Surveys of supervisors and students involved in placement programs;
- Multidisciplinary workshops on experiential learning and reciprocal professional development;
- Workshops for supervisors and students;
- Seminars for legal professionals and law students;
- Contributions to four international conferences; &
- Publications - a journal article and three book chapters with further writing to be done.

Surveys of Students and Supervisors

The ELSS project provided the opportunity to go beyond the anecdotal accounts of student supervision to better understand the experiences of students and supervisors. National surveys were used to gather information about understandings of supervision, experiences of supervision and effective practices. There were effective survey completions by 288 students and 94 supervisors.

Student Surveys

Arguably, the most significant results from the student surveys relate to the positive views of the supervision experience in clinic placements, where students are supervised by someone employed or engaged by the law school. Clinics were linked to students having extensive contact with their supervisor. The difference between placement types (clinics cf externships and hybrids) was statistically significant ($p = .017$). Clinics were also associated with excellent guidance of students.

Supervisor Surveys

Supervisors overwhelmingly referred to deriving satisfaction from their contribution to the development of future lawyers. Many also identified professional development benefits from involvement in student supervision. The supervisor survey results highlighted an unexpected challenge related to attempting to work with students who lack the capacity to work effectively in a professional environment. This was described as a real disincentive to their involvement in student supervision.
**Learning from Other Disciplines**

The Fellowship involved Jeff Giddings facilitating two multi-disciplinary experiential education supervision workshops at Griffith University. These workshops were organised in collaboration with the Griffith Centre for Learning Futures and conducted at the University’s Nathan and Gold Coast Campuses in early-May 2014. The 38 participants were drawn from business, creative arts, criminology, education, engineering, human services, humanities, law, medicine, nursing, psychology, social work and tourism.

The workshops provided an important opportunity to address the following key issues:
- What is distinctive about learning through experience in different disciplines;
- Objectives for experiential learning;
- Preparing and supporting supervisees and supervisors; &
- Prospects for future collaboration.

The workshops revealed diverse arrangements for experiential learning across disciplines. Key dimensions relate to program size, structure and accreditation arrangements. Some, like nursing, involve collaboration across universities while others are characterised by strong competition. Arrangements are also changing in the face of new expectations of students, professions and universities. Insights from these workshops then informed development of the ELSS Project website.

**Reciprocal Professional Development**

Reciprocal Professional Development is a framework that identifies opportunities for both placement students and supervisors to benefit from the supervision relationship. Identifying the benefits for supervisors from their involvement is particularly important to promoting participation in experiential learning programs. The ELSS Project sought to articulate opportunities that enable both students and their practice supervisors to benefit from the collaborative nature of practice-based learning. The sorts of benefits contemplated include:
- satisfaction from contributing to developing future professionals and public recognition of such efforts;
- supervisor access to university resources;
- greater awareness of socio-legal research, case law and legislative developments; &
- building leadership capacities related to the supervision of other work colleagues.

Another important dimension of reciprocity related to collaborative learning in law involves students sharing insights from their respective placement experiences through a classroom component linked to their placement. The value of students recognising how lessons can be drawn from their collective experiences is reinforced by the diversity of the legal work done in a wide range of placement sites. Practice-based experiences also offer opportunities to foster greater student-supervisor collaboration as an antidote to what the Carnegie Report refers to as the highly competitive atmosphere of most law school activities.

**Workshops and Seminars for Supervisors and Students**

*Supervisor workshops and seminars*

A series of workshops for supervisors were facilitated by Jeff Giddings in a range of Australian cities between June 2014 and August 2015. Twenty workshops were held in:

<table>
<thead>
<tr>
<th>City</th>
<th>City</th>
<th>City</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide</td>
<td>Brisbane</td>
<td>Cairns</td>
<td>Canberra</td>
</tr>
<tr>
<td>Lismore</td>
<td>Maroochydore</td>
<td>Melbourne</td>
<td>Newcastle</td>
</tr>
<tr>
<td>Perth</td>
<td>Sydney</td>
<td>Townsville</td>
<td></td>
</tr>
</tbody>
</table>

The supervisor workshops were very well received. More than 250 supervisors and interested legal academics attended. Interestingly, they involved quite distinct audiences – supervisors for whom
working with students is their main focus and others who contribute to placement program on a part-time basis. Part-time supervisors were most interested in practical advice on supervision processes, particularly around providing feedback to students and assessment arrangements. Full-time supervisors and academics tended to be more interested in broader exploration of issues. Nonetheless, there were clear shared interests.

In his interim evaluation report, Professor Adrian Evans stated that his ‘tentative but strong impression is that these workshops are the critical output of the whole project, because there is no other way to closely engage with newer clinicians and allow them to see that there is both much to learn about supervision, as well as much to enjoy.’

Jeff Giddings presented a seminar hosted by Lipman Karas, Lawyers in Adelaide. Supreme Court of South Australia Chief Justice Chris Kourakis attended and actively contributed to a discussion of supervision issues in legal education and legal practice. Chief Justice Kourakis advised the audience that the issues raised would be further considered by relevant Supreme Court Committees.

**Student workshops**

Jeff Giddings also presented seminars for students designed to assist in preparing them for the supervision process. He conducted these workshops at La Trobe University, Griffith University, Murdoch University and Southern Cross University. These workshops were not part of the OLT Fellowship proposal but research for the project revealed the need to improve how students are prepared for their placement experiences. It became clear that student preparation for the supervisory relationship is a key area to improve our practices.

**International workshops**

Supervision workshops have also been conducted at several international conferences.

In July 2013, Project Reference Group member Judith Dickson and Jeff Giddings presented a workshop for Reference Group members and supervisors as part of the 2013 International Journal of Clinical Legal Education Conference in Brisbane, hosted by Griffith Law School.

In December 2013, Jeff Giddings presented a Master Class on Clinic Design at the Training of Trainers Workshop at the Global Alliance for Justice Education, Delhi, India. The Master Class was presented to 160 participants from 60 countries and emphasised the importance of effective supervision in enabling students to benefit from practice-based experiences.

In July 2014, Jeff Giddings presented a workshop on effective supervision at the 2014 International Journal of Clinical Legal Education Conference in Olomouc, Czech Republic.

In November 2014, Jeff Giddings presented on Making Supervision Work for You to 100 Street Law students at Nelson Mandela Metropolitan University, Port Elizabeth, South Africa.

**Publications**

One article has been published and three book chapters are in press.
# Table of contents

<table>
<thead>
<tr>
<th>Narrative Report – Part A – Context for the Fellowship</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Effective Law Student Supervision Project</td>
<td>8</td>
</tr>
<tr>
<td>Fellowship Goals and Context</td>
<td>9</td>
</tr>
<tr>
<td>Background</td>
<td>10</td>
</tr>
<tr>
<td>The Challenge</td>
<td>11</td>
</tr>
<tr>
<td>Reciprocal Professional Development</td>
<td>12</td>
</tr>
<tr>
<td>Survey Results</td>
<td>12</td>
</tr>
<tr>
<td>Continuing Professional Development</td>
<td>14</td>
</tr>
<tr>
<td>Academic and Professional Recognition</td>
<td>14</td>
</tr>
<tr>
<td>Learning to Collaborate</td>
<td>14</td>
</tr>
<tr>
<td>Promoting Connections - relatedness</td>
<td>14</td>
</tr>
<tr>
<td>Reciprocity Among Students</td>
<td>15</td>
</tr>
<tr>
<td>Valuing Supervisors in Other Disciplines</td>
<td>15</td>
</tr>
<tr>
<td>The Complexity and Potential of Supervision</td>
<td>16</td>
</tr>
<tr>
<td>Inadequate Supervision</td>
<td>17</td>
</tr>
<tr>
<td>Narrative Report – Part B – Fellowship Activities</td>
<td>18</td>
</tr>
<tr>
<td>Surveys of Students and Supervisors</td>
<td>18</td>
</tr>
<tr>
<td>Supervisor Surveys - Overview</td>
<td>18</td>
</tr>
<tr>
<td>Student Surveys – Overview</td>
<td>20</td>
</tr>
<tr>
<td>Learning From Other Disciplines</td>
<td>24</td>
</tr>
<tr>
<td>Preparing Students for Supervision</td>
<td>24</td>
</tr>
<tr>
<td>Workshops for Supervisors</td>
<td>26</td>
</tr>
<tr>
<td>International Workshops</td>
<td>28</td>
</tr>
<tr>
<td>Website for the Effective Law Student Supervision Project</td>
<td>29</td>
</tr>
<tr>
<td>Publications</td>
<td>30</td>
</tr>
<tr>
<td>Learning From Students and Supervisors</td>
<td>31</td>
</tr>
<tr>
<td>Particular Supervision Issues Generated by Externships</td>
<td>31</td>
</tr>
<tr>
<td>The Contribution of Supervision to Supporting Professional Resilience</td>
<td>33</td>
</tr>
<tr>
<td>Plans to Further This Agenda</td>
<td>33</td>
</tr>
<tr>
<td>Reflections</td>
<td>34</td>
</tr>
<tr>
<td>How Insights Have Been Implemented at Griffith Law School</td>
<td>35</td>
</tr>
<tr>
<td>Areas for Further Research</td>
<td>35</td>
</tr>
<tr>
<td>Conclusion</td>
<td>36</td>
</tr>
<tr>
<td>Bibliography</td>
<td>37</td>
</tr>
<tr>
<td>Appendix A – Certification by Academic Provost</td>
<td>40</td>
</tr>
<tr>
<td>Appendix B – Fellowship Events Table</td>
<td>41</td>
</tr>
<tr>
<td>Appendix C – Major Findings – Supervisor Survey</td>
<td>45</td>
</tr>
<tr>
<td>Appendix D – Major Findings – Student Survey</td>
<td>51</td>
</tr>
</tbody>
</table>
# Tables and figures

## Tables

<table>
<thead>
<tr>
<th>Table</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table A – Supervisors by Organisation</td>
<td>13</td>
</tr>
<tr>
<td>Table B – Supervisors by Organisation</td>
<td>19</td>
</tr>
<tr>
<td>Table C – Supervisor Surveys – Matrix of Key Findings</td>
<td>21</td>
</tr>
<tr>
<td>Table D – Student Surveys</td>
<td>23</td>
</tr>
</tbody>
</table>
Reciprocal Professional Development: Enhancing Law Student Supervision in Practice-based Contexts

Narrative Report

Part A – Context for the Fellowship

This National Teaching Fellowship was awarded to Professor Jeff Giddings by the Australian Government Office for Learning and Teaching (OLT). The support of the OLT is gratefully acknowledged.

The Effective Law Student Supervision (ELSS) Project was created as the framework to enable the Fellowship to address a set of issues related to professionalism and legal education. It is concerned with harnessing the great potential of programs that enable students to experience professional life in a law-related workplace. It has focused on enhancing the experiences of law students and supervisors involved in placement programs.

The term, ‘placement program’, is used to include clinical placements where students are supervised by someone engaged by the law school as well as externship arrangements where students are supervised by someone from their host organisation. While there are particular issues raised by supervision in each of these different contexts, there are shared principles and concepts that need to be addressed.

There is a need to find ways to make it easier for the practising profession to support law school efforts to enrich legal education through experiential opportunities for students. The same can be said for those involved in the Practical Legal Training programs that law graduates must complete prior to admission to the legal profession. This needs to emphasise the shared nature of this endeavour concerned with the future of our profession.

The Effective Law Student Supervision Project

The key components of the project have been:

- Surveys of supervisors and students involved in placement programs;
- Multidisciplinary workshops on experiential learning and reciprocal professional development;
- Workshops for supervisors and students;
• Seminars for legal professionals and law students;
• Contributions to international conferences;
• Publications - a journal article and two book chapters with a substantial research agenda to be pursued into the future.

Fellowship Goals and Context

This National Teaching Fellowship has considered the supervision of law students engaged in experiential education. Effective supervision, focused on achieving articulated educational objectives, is central to the success of experiential legal education. Whichever objectives are prioritised, student experiences need to be structured and supervised in order to effectively advance those objectives.¹ Close supervision is often described as a hallmark of clinical education and clinical methods will not achieve their potential without effective supervision tailored to addressing the objectives set for the clinical experience. Effective supervision is not a straightforward process and relies on a range of skills straddling the fields of education and professional practice. The nature and style of supervision required depends on the students involved, what they have already learnt and what they are expected to learn from the particular experiences in question. Issues related to the training of external supervisors need to be addressed along with the roles that can best be played by mentoring and coaching arrangements. Students also need to be effectively prepared for the process of working with their placement supervisor in order to make the most of opportunities for ‘learning by doing and reflecting’.²

The Fellowship was designed to:

• Identify the lessons to be learnt from other disciplines in relation to articulation of placement program goals, arrangements to harness the learning potential of law-related employment undertaken by students, preparation of students and supervisors and structures to share and support effective practices;
• Understand the fit of particular models of supervision with particular occupations with a specific emphasis on law;
• Identify the contributions made by classroom-based group discussions as part of placement programs. The diversity of legal workplaces generates substantial scope for reciprocal learning with students sharing insights to learn from each other’s experiences;

• Enhance the structures that support effective and focused supervision of students. This involved promoting the Best Practices in Australian Clinical Legal Education report;

• Articulate the reciprocal and integrative nature of the supervision relationship with benefits for both supervisees and supervisors. The benefits for supervisors relate to contributing to their profession, and developing their supervision and mentoring skills; &

• Facilitate more effective preparation of students for the dynamics of the supervision relationship. This became a key focus of the project and involved understanding how to best prepare students to be proactive, insightful and reflective practitioners and to work constructively with supervisors.

Background

Changes in legal education and in how law is practised in Australia have created serious unresolved tensions around how to most effectively prepare current students and recent graduates for the practice of law. While the importance of experiential education in law is better recognised in the USA, the more recent take-up of clinical legal education in Australia has not yet been matched by a strong understanding of the student supervision practices needed to make experiential education as effective as possible. The arrangements used by law firms to manage their work and meet their professional responsibilities have always been underpinned by supervision arrangements. Senior lawyers traditionally take responsibility for the work of junior and trainee lawyers as well as paralegals. Over the past 20 years however, a number of factors have challenged these supervision arrangements.

Dramatic increases in the size of law firms have meant that this supervision has become more important than ever, yet it is no longer uniformly available to law graduates. Some law graduates seek to enter the legal profession with little in the way of direct experience of legal work. The emergence of national firms and, over the past decade, the internationalisation and digitisation of legal practice has further challenged traditional practical education and supervisory structures.

Over the same period, the numbers of law schools and law students in Australia has increased dramatically. The number of law schools has trebled since the Dawkins reforms of the late 1980s. The opportunities for law graduates to participate in a closely supervised transition to professional practice have diminished. There have also been dramatic changes in the professional training required of law graduates prior to admission to legal practice. Across Australia, the traditional articles of clerkship have been replaced with practical legal
training (PLT) programs (offered by law schools and private providers) and workplace traineeships. While these PLT programs enjoy considerable educational advantages, the placement experiences offered to students vary considerably in terms of duration and nature and have not been effectively integrated with other program components.

While some law schools have developed experiential learning opportunities (generally described as clinical legal education [CLE]), the pedagogy that informs these programs requires further development to maximise the benefits of CLE. The approaches used by current clinical programs vary considerably as do the supervision processes.

**The Challenge**

Both the legal profession and the academy are in periods of significant transition that will have enduring impacts on law student supervision practices. In many ways, the quality of supervision in legal practice has been taken for granted. Convenient assumptions have been made about the availability and capacity of busy legal professionals to effectively supervise placement students as well as graduates and novice practitioners. There has been a lack of attention to effectively structuring supervision practices and preparing supervisors and students to make the most of placement experiences.

While experiential learning opportunities have become more prominent in some law schools, the pedagogy informing these programs requires further development. As the Best Practices: Australian Clinical Legal Education research revealed, the models used vary considerably, as do the supervision processes.⁶ Despite growth in experiential learning offerings, many Australian law students remain unable to access clinical programs because of the high staff-student ratios required for practice-based learning. In an effort to reduce costs, some law schools have relied on unpaid external supervision. While external placements have great potential to provide students with excellent learning opportunities, this requires careful structuring in terms of the supervision arrangements and the classroom component linked to the placement.⁷

Clinical programs and their academics involved in supervision (whether directly supervising students or managing other supervisors) can make a significant contribution by developing

---

⁶ The 2011 Identifying Current Practices in Clinical Legal Education: Regional Report – Western Australia and Northern Territory stated that supervisors possess ‘varying understanding of teaching concepts such as problem based learning, scaffolding for student learning and student responsibility and autonomy.’ (at 16). The Regional Report for Queensland and Northern New South Wales, states: ‘Quality control of supervision is limited. Assumptions are made as to the suitability of law offices and law-related organisations to effectively supervise students.’ (at 24). The Regional Report – South Australia Report stated: ‘It was acknowledged that not all supervisors (in externships) are interested in pedagogy or able to give appropriate feedback. There was no regular supervision training.’ (at 26).

their understanding of how effective supervision underpins learning in the professional workplace and implementing more effective practices. This can set the scene for promoting best practices in the supervision of law graduates once they leave the clinic environment.

Reciprocal Professional Development

The Fellowship has addressed a new concept, namely Reciprocal Professional Development and considered its relevance for promoting the constructive engagement of legal practitioners in the supervision of law students. Reciprocal Professional Development is a framework that identifies opportunities for both placement students and supervisors to benefit from the supervision relationship. Identifying the benefits for supervisors from their involvement is particularly important to promoting participation in experiential learning programs. It seeks to address an important and challenging issue both for clinical legal education and the practice of law. Reciprocity emphasises the importance of relationships and should be recognised as central to supervision.

Placement opportunities are now sought by increasing numbers of students interested in broadening their legal education and enhancing their job prospects. Recent graduates also need to secure placements in order to meet requirements for admission to the legal profession. Once admitted, novice practitioners must complete a period of supervised legal practice. At the same time, practitioners face serious time pressures in terms of supervising students and trainee lawyers.

It will be important to find ways to encourage practising lawyers and their firms to extend their commitment to the professional development of future and fledgling lawyers. One way of encouraging practising lawyers is to find ways in which being involved in student supervision can also extend the professional development of the supervisors. Some of the supervisor benefits that could usefully be developed include:

- satisfaction from contributing to developing future professionals and public recognition of such efforts;
- supervisor access to university resources;
- university recognition of the contributions of the supervisor;
- greater awareness of socio-legal research, case law and legislative developments; and
- building leadership capacities related to the supervision of other work colleagues.

Survey results

The survey conducted for the Effective Law Student Supervision Project asked supervisors about a range of potential professional benefits they could derive through supervising
placement students. The 94 current and former supervisors who responded to the survey were located in the following types of organisations:

Table A: Supervisors by Organisation

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Number of Supervisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community legal centre</td>
<td>48 supervisors</td>
</tr>
<tr>
<td>Private law firm</td>
<td>20</td>
</tr>
<tr>
<td>Government agency</td>
<td>9</td>
</tr>
<tr>
<td>Legal aid commission</td>
<td>5</td>
</tr>
<tr>
<td>Barristers chambers</td>
<td>4</td>
</tr>
<tr>
<td>Corporate in-house legal department</td>
<td>4</td>
</tr>
<tr>
<td>In-house clinic</td>
<td>2</td>
</tr>
<tr>
<td>Court</td>
<td>1</td>
</tr>
<tr>
<td>Not specified</td>
<td>1</td>
</tr>
</tbody>
</table>

The vast majority (92.6%) of supervisors indicated that they valued making a contribution to the development of future professionals.

A majority of supervisors identified benefits for their own professional development. This was most prominent (77.3%) for those working in community legal centres (CLCs). Professional development benefits were more commonly recognised by supervisors aged up to 40 and also for those with fewer years involvement in the placement program.

A majority (59.1%) of supervisors based in community legal centres responded that their supervision of placement students was useful for their supervision of others. The benefits for the supervision of others were more readily recognised by female supervisors than by their male counterparts.

Supervisors also recognised the benefits of working with students for greater awareness of case law and legislative change. More supervisors (43.2%) working in community legal centres recognised this benefit than their counterparts in private practice and the public sector (29.7%). This awareness was also more popular for male supervisors than their female counterparts.

Student supervisors also recognised that working with students also increased their awareness of socio-legal research. Once again, this was most prominent for supervisors working in community legal centres (38.6% for CLCs compared to 16.2% for other...
supervisors.) This awareness was also more popular for supervisors with more than 2 years involvement in their placement program.

**Continuing Professional Development**

Providing Continuing Professional Development opportunities may be a valuable way in which law schools can support placement supervisors. Regulators recognise the importance of professional development in the ethics and professional responsibility area and this is one area where law schools are very well placed to provide such development opportunities.

**Academic and Professional Recognition**

Adjunct appointments are recognised as a way in which supervisors can be recognised for their contributions to student learning. Health disciplines provide examples of the use of adjunct and clinical appointments to foster the bonds between practising professions and the academy.

In disciplines where the academy’s links to the practising profession are strong, there are likely to be other ways in which supervision can be fostered as an important contribution to the ongoing vitality of the profession. Holding events for the profession that see supervisors recognised for their contributions is an important way of encouraging professional involvement in the development of future practitioners.

**Learning to Collaborate**

Working with students can assist supervisors to develop their ability to collaborate effectively. Lawyers will not value collaboration if they do not know how to collaborate effectively. ‘The more one values and practices collaboration, the better one will collaborate. The better one collaborates, the more one will value and practice collaboration.’

Huxham and Vangen have identified that, while collaboration is prominent in the strategies of many organisations and in the literature related to a wide range of disciplines, there is surprisingly little research that explicitly addresses the practice of collaborating.

**Promoting connections - relatedness**

Larry Krieger is a US clinical legal educator who is prominent in the therapeutic jurisprudence literature. Krieger’s research, in collaboration with Kennon Sheldon, has

---

10 Krieger was a keynote speaker at the 2013 Australian Wellness Network for Law and is the founder of the Humanizing Legal Education list serve and website, and founding Chair of the Section on Balance in Legal Education (Association of American Law Schools). Other clinicians writing in this area include Susan Brooks, ‘Practicing (and teaching) therapeutic jurisprudence: importing social work principles and techniques into
emphasised the importance of promoting supported autonomy as part of efforts to overcome the ‘corrosive effect’ of US legal education on the ‘well-being, motivation and values’ of law students. Krieger and Sheldon draw on Self-Determination Theory as articulated by Richard Ryan and Edward Deci\textsuperscript{11} that explains the need people have for ‘regular experiences of autonomy, competence, and relatedness to thrive and maximize their positive motivation’.\textsuperscript{12}

**Reciprocity Among Students**

A further dimension of reciprocal professional development relates to the collaborative learning that can be generated when law students share their respective experiences through the classroom component linked to their practical experience. As with other forms of experiential education, clinical legal educators take a purposeful approach to enabling students to learn how to learn from their experiences. Ryan Cole and Wortham have helpfully provided guidance to law students on how they can learn from supervision.\textsuperscript{13}

The value of students appreciating the lessons that can be drawn from their collective experiences is reinforced by the diversity of the legal work done in a wide range of placement sites. Seminars, workshops and ‘case rounds’\textsuperscript{14} all provide valuable opportunities for students to learn from their peers as well as from their supervisors. Clinic students need to develop their ability to ‘be a good supervisee’: anticipating supervisor questions, understanding when to seek clarification and recognising when to exercise greater autonomy.

**Valuing Supervisors in Other Disciplines**

The *National Clinical Supervision Support Framework* developed by Health Workforce Australia (HWA) in 2011 identified the importance of fostering culture through its aim to ‘recognise and reinforce the value and contribution of clinical supervisors and to enable collaboration within and across professions’. The HWA Framework refers to the following in relation to culture:

\begin{quote}


\end{quote}
The Complexity and Potential of Supervision

In an impressive 2004 review of the literature related to student supervision in law externship programs, Blanco and Buhai refer to authors who identify a range of roles played by supervisors. They note the practical challenges that make it very difficult to consistently motivate and train supervisors to incorporate the education goals of the placement program.16

In the context of working with their students, supervisors can play the following roles:

- Translator – the supervisor’s professional experience enables them to explain practice-related aspects of the work they share with supervised students. This is particularly significant in the early stages of the student’s professional development;

- Builder of reflective practices, including developing the student’s ability to evaluate their own performance;17

- Role model;18

- Supporter;19

- Constructive critic – challenger;20

- Mentor;21

---

15 Health Workforce Australia, National Clinical Supervision Support Framework, July 2011, 3.
20 Ibid.
These various roles focus on supporting and enabling the work and learning of students as well as providing a professional role model for students to consider. They also emphasise clients with the aim being to foster client-focussed and reflective practices. Supervisors need to understand the potential breadth of their work with students and to be clear about the purposes of their supervision as well as their roles. There are also other professional roles that the supervisor plays. For clinical legal educators and those involved in placement programs, these roles can relate to the justice system and to groups including fellow practitioners, academics and work colleagues.

**Inadequate Supervision**

A range of difficulties is likely to be generated by inadequate student supervision. Without clear guidance and support, students will struggle to appreciate the complexities and practicalities of the environment in which they are working. Clients may suffer, with students failing to gather key information and address all of the legal issues. Students may also suffer if they are dealing with particularly challenging matters. Students will not be able to learn so readily from the example of an effective supervisor, and may adopt poor practices without recognising the need to change their approach. Without clear and supportive supervision, students may not benefit from receiving feedback and are unlikely to develop reflective practices. The confidence that builds from being effectively supported and appropriately challenged is critical to placement students.

These factors provide a challenging yet interesting background for this Fellowship and the Effective Law Student Supervision Project. The next section of this Report documents the various work undertaken as part of this project.

---


22 Ehric & Hansford, above n 19.

Part B - Fellowship Activities

Surveys of Students and Supervisors

The ELSS project provided the opportunity to go beyond the anecdotal accounts of student supervision to better understand the experiences of students and supervisors. National surveys were used to gather information about understandings of supervision, experiences of supervision and effective practices. Surveys were developed for both current and former (within 5 years) placement supervisors and for current and former (within 2 years) placement students. Ethical clearance was obtained from the Griffith University Human Research Ethics Committee (Protocol LAW/01/14/HREC).

In April 2014, Australian law school staff involved in placement programs were contacted and asked to forward survey details to students and supervisors who were currently or had recently taken part in a supervision relationship as part of a placement program. Organisational members of the Australian Law Students’ Association (ALSA) were also asked to distribute this email to their members.

The surveys were designed to enable the results of the surveys of current and former placement participants to be combined. Differences between the survey questions for current and former students were only syntactic in nature while there were 3 extra questions asked of current supervisors. The response was greater than expected with effective survey completions by 288 students and 94 supervisors. Data analysis was conducted with the assistance of April Chrzanowksi, Dr Lyn Aitken and the Project Evaluator, Professor Adrian Evans.

Supervisor Surveys - Overview

The questions in the current and past supervisor surveys had been framed to enable combined analysis. Across both surveys, in total there were 107 surveys attempted, though some of these involved only partial attempts to the survey, resulting in 94 participants that provided detailed responses to all of the core demographic questions, and provided responses to either all or most of the substantive questions, with the number of responses ranging from 94 to 60 depending on the question.

The 94 current and former supervisors who responded to the survey were located in the following types of organisations:
Table B: Supervisors by Organisation

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Number of Supervisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community legal centre</td>
<td>48 supervisors</td>
</tr>
<tr>
<td>Private law firm</td>
<td>20</td>
</tr>
<tr>
<td>Government agency</td>
<td>9</td>
</tr>
<tr>
<td>Legal aid commission</td>
<td>5</td>
</tr>
<tr>
<td>Barristers chambers</td>
<td>4</td>
</tr>
<tr>
<td>Corporate in-house legal department</td>
<td>4</td>
</tr>
<tr>
<td>In-house clinic</td>
<td>2</td>
</tr>
<tr>
<td>Court</td>
<td>1</td>
</tr>
<tr>
<td>Not specified</td>
<td>1</td>
</tr>
</tbody>
</table>

The vast majority of respondents (85.9%) did not have student supervision as the main focus of their work. All of those who did (11) were in community legal centres (CLCs) and most (9/11) were female. None of the 13 supervisors aged over 50 indicated that student supervision was the main focus of their work. Asked if they enjoy supervising students, 80.2% of respondents answered yes while 17.4% answered ‘sometimes’. All respondents supervising 3 or 4 students indicated that they enjoy supervising. Supervisors of one student accounted for the largest group of ‘sometimes’ responses. When asked what they enjoyed about supervision there was an emphasis on seeing professional development, the enthusiasm of students and of reciprocity, of giving back.

Asked if there were things they found challenging about supervision, 81.4% answered yes. The figure for CLCs was higher at 87%. In comments, the majority of challenges named were the necessity to complete their own work whilst taking time to work with students in a way that is beneficial to all when the students are very new to practice. Another major area of challenge was in providing constructive feedback/of students accepting feedback.

The results of the supervisor surveys highlighted an unexpected challenge related to attempting to work with students who lack the capacity to work effectively in a professional environment. Supervisors described such challenges as a real disincentive to their involvement in student supervision. Other supervisors noted the difficulties involved in working with students who are not strongly motivated. These concerns were subsequently reinforced by supervisors during discussions in the workshops held as part of the Effective Law Student Supervision Project.
**Student Surveys – Overview**

The questions in the current and past student surveys had been framed to enable combined analysis. Across both student surveys, in total there were 345 surveys attempted, though some of these involved only partial attempts to the survey, resulting in 288 participants that provided detailed responses to all of the core demographic questions, and provided responses to either all or most of the substantive questions. This is a particularly encouraging response given the estimated population of 3,200 students who were either participating in a placement experience during the survey period or had completed such a placement over the previous two years and were therefore eligible to complete the survey. This represented a 9% response rate for meaningful completion of the survey.

There was an almost even split between students who had participated in a clinic and those who had been part of an externship placement, with these two categories each accounting for 40% of respondents. Hybrid arrangements accounted for the remaining near 20%. Community legal centres were the most common placement site, accounting for 60% of respondents. The predominant model is the semester length placement in a community legal centre. The vast majority of students (90%) stated they usually had the same supervisor each time they attended. This was very consistent across placement types.

Arguably, the most significant results from the student surveys relate to the positive views of the supervision experience in clinic placements, where students are supervised by someone employed or engaged by the law school. Clinics were linked to students having extensive contact with their supervisor. The difference between placement types (clinics cf externships cf hybrid) was statistically significant.\(^{24}\)

Clinics are closely linked to excellent guidance of students. There were encouraging responses across the board but guidance was more commonly referred to as useful for their learning by students working in a clinic (71% of responses) than for externships (49%) and hybrids (48%). While not statistically significant due to cell size issues, this difference remains of interest. Clinics are also closely linked to providing comprehensive feedback to students. There was a statistically significant difference here between clinics on the one hand (57% of responses) and externships (38%) and hybrids (46%) on the other.\(^{25}\) A more comprehensive analysis containing the major findings of the survey research has been included as an appendix to this report.

Matrix representations have also been produced as part of the analysis of the survey data. Cross-tabulations with associated statistical tests were conducted to identify both the presence and strength of bi-variate relationships between different variables addressed in the surveys. In particular, Pearson Chi-Square tests and associated Cramer’s V measures were produced. For the supervisor survey, the key variables of interest related to type of

\(^{24}\) \(\chi^2(2, N =283) = 8.15, p = .017, \text{Cramer’s } V =.17\)

\(^{25}\) \(\chi^2(2, N =285) = 6.54, p = .038, \text{Cramer’s } V =.15\)
practice (private profession, CLC or public sector), age, gender, length of program involvement and number of students supervised. For students, the key variables were whether they were a previous or current placement participant, age, gender, placement duration, placement type (clinic, externship or hybrid) and type of practice (private profession, CLC or public sector).

To summarise the bi-variate analysis of the survey data, matrix diagrams have been produced for both the student and supervisor surveys. These matrices indicate where statistically significant differences (at the 0.05 level) exist between the responses from the various groups. Results that were not significant but which were either close to significant, or of particular interest otherwise have also been noted separately.

KEY:

<table>
<thead>
<tr>
<th></th>
<th>No Significant Difference Observed</th>
<th>Interesting Difference Observed, non-significant but meriting further study with a larger sample</th>
<th>Statistically Significant Difference Observed (p &lt; 0.05)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ns</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SIG</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Table C: Supervisor Surveys – Matrix of Key Findings**

<table>
<thead>
<tr>
<th></th>
<th>Former vs Current</th>
<th>Q3/4.Type of Practice</th>
<th>Q4/5.Age</th>
<th>Q5/6. Gender</th>
<th>Q11.Years involved in Placement Program</th>
<th>Q12.Number of Students Supervised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former vs Current</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
</tr>
<tr>
<td>Q3/4.Type of Practice</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
</tr>
<tr>
<td>Q4/5.Age</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q5/6.Gender</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q11.Years involved in Placement Program</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
</tr>
<tr>
<td>Q12.Number of Students Supervised</td>
<td>SIG</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
</tr>
<tr>
<td>Q9/10.Years In Legal Practice</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
</tr>
<tr>
<td>Q10x.Student Supervision as main focus of their work</td>
<td>ns</td>
<td>SIG</td>
<td>INT</td>
<td>INT</td>
<td>ns</td>
<td>INT</td>
</tr>
<tr>
<td>Q13.Time Spent Supervising</td>
<td>ns</td>
<td>INT</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q18/17.Supervising Others</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q16. Volunteering Their Time</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
</tr>
<tr>
<td>Q20/19.Supervision recognised in workload</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
</tr>
<tr>
<td>Q17/16.Understanding of Program Objectives</td>
<td>ns</td>
<td>INT</td>
<td>INT</td>
<td>ns</td>
<td>ns</td>
<td>INT</td>
</tr>
<tr>
<td>Q21/20.Law School Support</td>
<td>ns</td>
<td>INT</td>
<td>ns</td>
<td>INT</td>
<td>INT</td>
<td>ns</td>
</tr>
<tr>
<td>Q22/21.Student Learning as the main focus of supervision</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q24/23.Client Contact - Direct Client Contact</td>
<td>ns</td>
<td>INT</td>
<td>INT</td>
<td>INT</td>
<td>INT</td>
<td>ns</td>
</tr>
<tr>
<td>Q25/24.Client Contact Type</td>
<td>ns</td>
<td>SIG</td>
<td>INT</td>
<td>INT</td>
<td>INT</td>
<td>SIG</td>
</tr>
<tr>
<td>Q26.Establishing Shared Expectations</td>
<td>ns</td>
<td>INT</td>
<td>INT</td>
<td>INT</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Question</td>
<td>ns</td>
<td>INT</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>----</td>
<td>-------</td>
<td>----</td>
<td>-----</td>
<td>----</td>
<td>-----</td>
</tr>
<tr>
<td>Q28. Learning Contracts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q29/28. Addressing the social justice dimensions of legal matters</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q30.1. Helpful – Instructing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q30.2. Helpful - Guiding</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q30.3. Helpful - Joint Problem Solving</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q30.4. Helpful – Debriefing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q33. Involvement in Assessment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q35. Enjoying Supervision</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q37. Challenges in Supervision</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q39.1. Reciprocal PD - Useful for supervising others</td>
<td></td>
<td>SIG</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q39.2. Reciprocal PD - Awareness of case law and legislative change</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q39.3. Reciprocal PD - Awareness of socio-legal research</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q39.4. Reciprocal PD - Development of future professionals</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q39.1. Reciprocal PD - Own professional development</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q40. Preparation and support from Law School</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q42. Training for Supervision Role</td>
<td></td>
<td>INT</td>
<td></td>
<td>SIG</td>
<td></td>
<td>SIG</td>
</tr>
<tr>
<td>Q45. Content of Training</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q47.1. Training Needs - How adults learn</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q47.2. Training Needs - Fostering Self Reliance</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q47.3. Training Needs - Placement Purpose</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q47.4. Training Needs - Ethical Issues</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q47.5. Training Needs - Assessing Student Work</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q47.6. Training Needs - Providing Feedback</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q48. Supervision Manuals</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q49. Usefulness of Supervision Manual</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Q50. Usefulness of web-based resources</td>
<td></td>
<td>SIG</td>
<td></td>
<td>INT</td>
<td></td>
<td>INT</td>
</tr>
<tr>
<td>Question</td>
<td>Past or Current</td>
<td>Q10.Age</td>
<td>Q11.Gender</td>
<td>Q3.Duration</td>
<td>Q4.Placement Type</td>
<td>Q9.Type of Practice</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>----------------</td>
<td>---------</td>
<td>------------</td>
<td>-------------</td>
<td>-------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Past or Current Student</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q10.Age</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q11.Gender</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q3.Duration</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q4.Placement Type</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q9.Type of Practice</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q7.Negotiated learning contract</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q8.Helpfulness of learning contract</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q13.State or Territory</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Q15.Frequency of attendance</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
</tr>
<tr>
<td>Q16.Supervisor Consistency</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q18.Direct contact with clients</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q19.Seeing clients</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q20.Contact Type</td>
<td>ns</td>
<td>ns</td>
<td>INT</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q21.Guidance</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>INT</td>
<td>SIG</td>
</tr>
<tr>
<td>Q22.Feedback</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
</tr>
<tr>
<td>Q23.Initiation of supervision contact</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>INT</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q24.Approachable supervisor</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q28.Supervision helps you learn</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q30.1.Helpful – Instructing</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
</tr>
<tr>
<td>Q30.2.Helpful – Guiding</td>
<td>ns</td>
<td>SIG</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q30.3.Helpful - Joint Problem Solving</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
<td>INT</td>
</tr>
<tr>
<td>Q30.4.Helpful – Debriefing</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>INT</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q31.Law School preparation</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>INT</td>
<td>ns</td>
<td>ns</td>
</tr>
<tr>
<td>Q32.Placement site preparation</td>
<td>ns</td>
<td>ns</td>
<td>INT</td>
<td>ns</td>
<td>SIG</td>
<td>SIG</td>
</tr>
<tr>
<td>Q35.Written document on supervision</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>INT</td>
<td>INT</td>
<td>ns</td>
</tr>
<tr>
<td>Q36.Written document was useful</td>
<td>SIG</td>
<td>ns</td>
<td>ns</td>
<td>INT</td>
<td>ns</td>
<td>INT</td>
</tr>
<tr>
<td>Q37.Web-based or other resources useful</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
<td>ns</td>
</tr>
</tbody>
</table>
Learning From Other Disciplines

The Fellowship involved Jeff Giddings facilitating two multi-disciplinary experiential education supervision workshops at Griffith University. These workshops were organised in collaboration with the Griffith Centre for Learning Futures and conducted at the University’s Nathan and Gold Coast Campuses in early-May 2014. They brought together colleagues from across the University as well as law colleagues from James Cook University, Southern Cross University and the University of New South Wales and Emeritus Professor Frank Bloch from Vanderbilt Law School, Nashville, USA. There were participants from business, creative arts, criminology, education, engineering, human services, humanities, law, medicine, nursing, psychology, social work and tourism.

The workshops provided an important opportunity to address the following key issues:

- What is distinctive about learning through experience in different disciplines;
- Objectives for experiential learning;
- Preparing and supporting supervisees and supervisors; &
- Prospects for future collaboration.

The workshops revealed diverse arrangements for experiential learning across disciplines. The key dimensions appear to relate to program size, structure and accreditation arrangements. Some, like nursing, involve collaboration across universities whereas others such as law are characterised by competition for placement sites. Arrangements are also changing in the face of new expectations of students, professions and universities. Insights from these workshops informed the development of resources for the ELSS Project website.

Preparing Students for Supervision

A key strategy for encouraging the legal profession to supervise students involves effectively preparing students for the supervision process. Ryan Cole and Wortham suggest that ‘one might question why law schools spend so little time teaching about effective supervision’.26 Hawkins and Shohet identify the need for supervisees to be ‘more active in getting the right sort of supervision’ and this involves ‘taking responsibility in an ongoing way’.27 In the report of his 2009 National Teaching Fellowship on Curriculum and Pedagogic Bases for Effectively Integrating Practice-based Experiences, Stephen Billett provided a comprehensive cross-disciplinary analysis of 20 Australian programs. He identified a series of preparatory steps that can promote effective integration of practice-based experiences, noting that students need to have already developed the capacity to effectively engage with required tasks and then to understand how to engage as an agentic learner. Clarifying expectations and roles

26 Ryan Cole & Wortham, above n 13, 32.
was seen as important, as was orientating students to the requirements for effectively engaging with the workplace.\textsuperscript{28}

Jeff Giddings presented seminars for students designed to assist in preparing them for the supervision process. These were conducted at La Trobe University, Griffith University, Murdoch University and Southern Cross University. While these seminars did not form part of the OLT Fellowship proposal, research for the project revealed the need to improve how students are prepared for their placement experiences. It became clear that enhancing the preparation of law students for the supervisory relationship is a key area for improving current practices.

The seminars focused on encouraging students to take responsibility for their own learning while on placement. They addressed the following issues:

- The qualities of effective supervisors and supervisees;
- Experiences of supervision, with particular reference to the survey responses;
- Setting placement goals; and
- Receiving feedback.

The part of the seminars that was most favourably received was that in which advice was provided using the following set of signposts to assist them in making the most of supervision:

» \textit{Prepare in a thorough and professional manner}. Students should expect to receive clear instructions on the task at hand rather than their supervisor providing them with answers to research issues. Students should check their work before consulting their supervisor with a view to anticipating and addressing issues the supervisor may raise. This can be usefully summarised as ‘make it easy for your supervisor to guide and support you’.

» \textit{Talk with the supervisor to develop shared understandings}. Developing shared expectations and understandings will be assisted by articulating ground rules designed

\textsuperscript{28} Stephen Billett, \textit{Curriculum and Pedagogic Bases for Effectively Integrating Practice-based Experiences}, 2011, Australian Learning and Teaching Council. \url{http://www.olt.gov.au/resource-integrating-practice-based-experiences-griffith-2011} (accessed 29 March 2015). Billett also identifies the importance of further practices both during and after the placement experience. Further, he emphasises the importance of each student developing their own personal epistemology – their capacity to actively engage in, learn from and intentionally focus on their development.
to ensure all participants are ‘on the same page’.29 Ryan Cole and Wortham refer to students learning to be ‘appropriately assertive’.30

» **Consider the relationship from the supervisor’s perspective.** Mutual respect is a key to any relationship. It is also helpful for students to appreciate that good supervision is time-consuming.

» **Accept feedback in a constructive manner.** While this is easy to say, it is hard for us all to overcome our sensitivity to (even well justified) critique of our performance. The US Best Practices Report encourages students to ‘listen to the critique with care and an open mind’.31 Hawkins and Shohet refer to supervisees needing to monitor their tendency to ‘justify, explain or defend’.32

» **Be proactive.** Taking a problem-solving approach is as important in the student-supervisor relationship as it is in the student-client relationship.

» **Take a reflective approach.** Students should appraise their own performance and be honest about whether they have performed well.

» **Always remember the client.** Students need to appreciate the central significance of their client in whatever work they do. Working with and on behalf of the client is central to professional work.

For the ELSS Project website, an Infographic was developed to succinctly present the key concepts that students need to consider in preparing for their placement. The Infographic can be accessed from the Student Resources folder of the ELSS website and at [https://magic.piktochart.com/output/8413425-placement-for-law-students](https://magic.piktochart.com/output/8413425-placement-for-law-students)

**Workshops for Supervisors**

A series of workshops for supervisors were facilitated by Jeff Giddings in a range of Australian cities between June 2014 and August 2015. Twenty workshops were held in:

- Adelaide
- Cairns
- Lismore
- Melbourne
- Perth
- Townsville
- Brisbane
- Canberra
- Maroochydore
- Newcastle
- Sydney

---

29 Hawkins & Shohet, above n 27, 37. They refer to ground rules relating to frequency, duration, confidentiality, the bringing of cases, evaluation of the supervision relationship and what should be done in case of an emergency.
30 Ryan Cole & Wortham, above n 13.
31 Stuckey, above n 4, 177.
32 Hawkins & Shohet, above n 27, 36.
The aim of the workshop series was to place effective supervision at the forefront of experiential learning and to share good practices across law schools. Newer supervisors were given the chance to learn from their more experienced colleagues. It was also important to challenge the assumptions around the quality of supervision and to emphasise the importance of effectively preparing students for the supervision relationship.

The key areas addressed in the workshops were:

- Sharing experiences of supervision and how we each developed our practices;
- Effective supervision practices;
- Good supervision in a busy workplace;
- Feedback - give and take, form and substance, timing;
- Fostering reflective practices;
- Linking supervision to the classroom component – case rounds and de-briefing;
- Avoiding supervision problems; &
- Developing and sharing supervision practices

The supervisor workshops were very well received with more than 250 supervisors attending. Interestingly, they involved quite distinct audiences – supervisors for whom working with students is their main focus and others who contribute to placement program on a part-time basis. Part-time supervisors were most interested in practical advice on supervision processes, particularly around providing feedback to students and assessment
arrangements. Full-time supervisors and academics tended to be more interested in broader exploration of issues. Nonetheless, there were clear shared interests.

In his interim evaluation report, Professor Adrian Evans offered this view of the workshops:

‘Overall, my tentative but strong impression is that these workshops are the critical output of the whole project, because there is no other way to closely engage with newer clinicians and allow them to see that there is both much to learn about supervision, as well as much to enjoy. Participants appear to be becoming more aware during each session that clinic is like a diamond – with many facets, many angles of view, full of both subtle and striking colour, which can rarely be appreciated all at once, but which sum to something precious.’

Jeff Giddings also presented a seminar hosted by Lipman Karas, Lawyers in Adelaide. Supreme Court of South Australia Chief Justice Chris Kourakis attended and actively contributed to a discussion of supervision issues in legal education and legal practice. Chief Justice Kourakis advised the audience that the issues raised would be further considered by relevant Supreme Court Committees.

**International Workshops**

Supervision workshops have also been run at several international conferences.

In July 2013, Judith Dickson (Leo Cussen Centre for Law) and Jeff Giddings presented a workshop involving Reference Group members and clinical legal educators as part of the 2013 International Journal of Clinical Legal Education Conference in Brisbane, hosted by Griffith Law School. Participants engaged in highly constructive discussions around supervision issues and this played an important role in the scoping phase of the fellowship project.

In December 2013, Jeff Giddings presented a Master Class on Clinic Design at the Training of Trainers Workshop at the Global Alliance for Justice Education, Delhi, India. The Master Class was presented to 160 participants from 60 countries and emphasised the importance of effective supervision in designing placements to enable students to maximise the learning from practice-based experiences.

Jeff Giddings at the Clinic Design Master Class, presented as part of the Train the Trainer Program at the Global Alliance for Justice Education Conference in Delhi, India, December 2013.
In July 2014, Jeff presented a workshop on effective supervision at the 2014 International Journal of Clinical Legal Education Conference in Olomouc, Czech Republic.

In November 2014, Jeff also made a presentation on Making Supervision Work for You to a class of 100 *Street Law* students at Nelson Mandela Metropolitan University, Port Elizabeth, South Africa.

Jeff Giddings presenting to Street Law students at Nelson Mandela University, Port Elizabeth, South Africa.

The focus of his presentation related to students being professional in their approach to working with supervisors and mentors.

A table with details of each of the presentations made as part of the National Teaching Fellowship has been included as an appendix to this report.

**Website for the Effective Law Student Supervision Project**

A key component of the Fellowship and the ELSS Project was the development of a website to be hosted by the Griffith Law School until at least 2018. The website can be accessed at [http://www.griffith.edu.au/criminology-law/effective-law-student-supervision-project](http://www.griffith.edu.au/criminology-law/effective-law-student-supervision-project)

The website has been designed with the objective of recognising the distinctive needs of different audiences along with the common issues they share. The survey results were critical in informing the development of the web content.
While the site includes links to a range of excellent resources, it also provides substantial new content with a particular focus on preparing students for the supervision relationship. The site also includes an Infographic presenting key principles that supervisors can use to inform their approach to working with students. The Infographic can be accessed from the Supervisor Resources folder of the ELSS website and at https://magic.piktochart.com/output/5171856-placement-for-supervisors

Work will continue on development of the website with further resources to be included following feedback from the Reference Group, Project Team, evaluator and website users. All comments from Reference Group and Project Team members have been very positive.

Publications

The Fellowship has generated four publications to date:


- Jeff Giddings, ‘The Importance of Effective Supervision in Clinical Legal Education’ in Adrian Evans et al, Australian Clinical Legal Education. This manuscript is to be considered by ANU E-Press (in press).


The ELSS project will continue to generate publications in relation to student supervision. Data generated by the surveys of supervisors and students will be shared in publications related to:

- The value of close supervision;
- Learning contracts and placement plans;
- Preparing students for their placement experience;
- An evaluation resource to assist placement coordinators to review their programs; and
- Harnessing social media to enhance placement and clinic supervision.
Learning from Students and Supervisors

Effective student supervision is not a straightforward process and relies on an elusive set of skills from both education and legal practice. The nature and style of supervision required depends on the students involved, what they have already learnt, and what they are expected to learn from the particular experiences in question. If the learning objectives set for a clinical experience are general in nature and relate to the student developing an understanding of the dynamics of law-related processes and workplaces, then the supervision the student receives will be particularly important. Without effective supervision, the richness of real-client clinic environments in particular is unlikely to be harnessed effectively. Students may well fail to appreciate what they are experiencing unless their supervisor guides and fosters such appreciation. Students also require feedback about their performances, both in terms of ‘what conduct is inappropriate (and requires avoidance) and what conduct is acceptable (and deserves repeating)’.33 The expertise, roles and priorities of the supervisor are likely to vary considerably among different clinical models.

Developing an environment in which students feel both suitably supported and challenged is a key aspect of the work of supervisors.34 It is also what makes clinical teaching more expensive than lecture and seminar-based teaching methods. Efforts by law schools to cut the cost of providing clinical experiences have often focused on limiting direct supervision and having each supervisor responsible for greater numbers of students. Others have involved increased reliance on placements in external organisations with supervisors whose principal responsibility is not student learning. While the move to external placements raises supervision challenges, it also presents law schools with opportunities to offer students a broader range of placement options and engage with the practicing profession, potentially providing professional development for external supervisors.

Particular Supervision Issues Generated by Externships

This project has sought to address both clinical, externship and hybrid placement arrangements, emphasising what these models of experiential learning share rather than what distinguishes each of them. While the principles that inform supervision arrangements in these different models are shared, particular issues are generated by the reliance on volunteers that characterises externship placements.

33 Stuckey, above n 4, 175. They note the theory of ‘frustrated non-reward’, that the lack of reward where reward is expected has an ‘adverse effect much like punishment’, and suggest that this ‘places a heavy burden on the clinical teacher to give effective feedback and to reinforce good performance’.

34 Barry refers to the risks involved in clinical supervision as including the ‘risk of destroying confidence in the very attempt of building it. The risk of allowing creative tension to dissolve into hostility. The risk of permitting clinic precepts of social justice, commitment and professionalism to deconstruct into alienation, intolerance and mediocre performance’. Barry, above n 1, 138.
While they have operated in Australia for a long time, externships have become much more prominent in the last decade. They are also being recognised by law schools as potential learning opportunities for students. This has meant that students are participating in the work of a much more diverse set of law-related workplaces. Further, the external supervisors may have received little in the way of training and guidance in relation to their role and are often juggling a broader set of priorities. Academic requirements linked to external placement programs also vary considerably in terms of who organises the placement, the work students do and the related classroom component.

The variability of externship arrangements makes the preparation of both supervisors and students particularly important. Law schools need to provide external supervisors with advice on what constitutes effective supervision of students together with frameworks to help them implement that supervision advice. Those responsible for such programs need to ensure that the relationship between each student, their supervisor and the law school is based on shared understandings and realistic expectations around what each party will contribute. This tends to be more challenging for externship programs than for other clinical models where the law school retains greater control over the educational experience.

Externship students need to appreciate that their opportunities to assume responsibility for legal work on behalf of clients are likely to be limited. They also need to be realistic about the access they can expect to have to their supervisor. It is important that supervisors recognise that they are engaged in an educational endeavour that needs to balance student learning with client service. Externship programs will be more sustainable where law schools also recognise the need to appropriately resource externship programs, especially in terms of preparing supervisors and developing an appropriate classroom program that enables students to share experiences and make sense of their placement experiences.

The greater variability of student experience that characterises externship programs presents interesting educational opportunities in terms of students learning as much as they can from the experiences of their colleagues as well as from their own placement work. In effect, there are two complementary learning environments – the placement site and the classroom – and supervision practices have a key role to play in revealing insights from how each student experiences their placement. De-briefing with both students and supervisors about their externship experiences will be important.

35 Giddings, above n 2, 89 & 208-209.
The Contribution of Supervision to Supporting Professional Resilience

The importance of effective supervision arrangements in developing resilience in law students and graduates is yet to be fully recognised in the literature on legal education and legal practice. The development of reflective practices is central to clinical legal education and to supervision more broadly.

Traditional legal education has justifiably been criticised for not preparing lawyers for the emotional and psychological aspects of practice. Marjorie Silver argues that in order to practice therapeutically, lawyers require training to develop their intra- and interpersonal skills and an understanding of basic psychological principles and psychodynamic processes. Supervision is an essential element for supporting and guiding this process. Among their other functions, supervisors can explore the interpersonal dynamics that arise in the relationship between the supervisee and the client. They also help the supervisee understand how their own emotional and psychological make-up may influence those dynamics. The supervisee may be aware of interpersonal obstacles and opportunities, but just as often, may not.36

As discussed earlier on page 7, Larry Krieger and Kennon Sheldon’s research has emphasised the importance of promoting supported autonomy as part of efforts to overcome the ‘corrosive effect’ of US legal education on the ‘well-being, motivation and values’ of law students.37 They draw on Ryan and Deci’s Self-Determination Theory38 that explains the need people have for ‘regular experiences of autonomy, competence, and relatedness to thrive and maximize their positive motivation’.39 In the context of their longitudinal study of the well-being of US lawyers, they identify a ‘specific, cost-effective strategy’ for improving well-being as ‘the provision of autonomy-supportive, rather than controlling, teaching, mentoring and work supervision’.40 This research resonates with the data gathered for this Fellowship in terms of emphasising the pivotal role of the supervision relationship.

Plans to Further This Agenda

The key to pursuing the issues addressed through this Fellowship and the ELSS Project involves enhanced engagement with legal professional associations. Legal professional organisations can be influential in promoting clinical legal education. In the concluding chapter of my book, Promoting Justice Through Clinical Legal Education, I offered the following analysis of the contributions the profession can make:

36 Silver, above n 9.
38 Richard Ryan & Edward Deci, above n 10.
39 Sheldon & Krieger, above n 11, 885.
The long-term vitality of the profession will be enhanced if lawyers take the time to provide students with opportunities to develop their skills, knowledge and professional identity. The development of resilient and ethical practitioners requires a broad approach to legal education – beyond ‘thinking like a lawyer’ to ‘acting as a lawyer’. The standards used by the American Bar Association to promote the provision of clinical experiences to students at accredited law schools provide a valuable example of how professional organisations can promote experiential learning for law students.

Further work is required to extend the comparative analysis of experiential learning frameworks in different disciplines. A ‘bench test’ process was used to compare and contrast the use of experiential learning in different disciplines. This involved comparing the different ways in which simulations and workplace-based experiences are used in preparing students for understanding and engaging with the world of work. Comparison factors included size of workplace, degree of hierarchy, interdisciplinarity, level of regulation, placement preparation, diversity of work performed and specialisation. Various forms of legal practice in which students might work under supervision were compared and contrasted with other occupations that have similar structures. Approaches to supporting students and graduates in large law firms (both national and international) were compared with those in large accountancy practices. Processes used in community legal centres and legal aid organisations have been compared with social work contexts. Small law firms were compared with architecture practices while general medical practices were the benchmark comparators for barristers’ chambers. The bench test would have been worthy of a fellowship project on its own and will require continuing engagement with colleagues in other disciplines.

The ELSS Project website can be developed further and refined in order to more effectively contribute to preparing and supporting supervisors and students involved in the various forms of law placement programs. Further analysis and dissemination of the survey results will be aided by use of the website to make materials as accessible as possible.

**Reflections**

The work involved in the Fellowship has been both intense and interesting. It has been a pleasure to be able to build on related research in relation to the sustainability of clinical legal education and the dynamics of supervision in legal practice contexts. Colleagues in the clinical legal education community have emphasised the value of research and scholarship focused on supervision and also affirmed the fellowship’s focus on the conduct of workshops that enabled supervisors to share insights and to learn from people with extensive experience of making supervision work for all concerned. While supervision is recognised as an important issue, it does not appear to animate and interest others in quite the same way.

---

41 Sullivan *et al*, above n 4, Chapter 2.
42 Giddings, above n 3, Chapter 5.
the same way that it interests me. It is the relationship dimensions of supervision that are most interesting. Effective communication is both critical and complex.

The key challenge faced in the conduct of the Fellowship was the time that could be committed to the ELSS Project in the light of other responsibilities. This was in part ameliorated by the Office for Learning and Teaching approving a six month extension of the Fellowship period. Particular thanks to the staff at the OLT for their understanding. When the Fellowship application was being prepared, I was encouraged by Griffith University colleagues to apply for a National Senior Teaching Fellowship. I found that there is much greater need for this work, across many institutions than first anticipated.

The arrangements put in place to provide me with teaching relief in order to undertake my fellowship duties were not particularly successful. Staff engaged to work on various courses required considerable support in order to make valuable contributions. In one instance, a family illness left the teacher unable to contribute and left me with those considerable duties. With the benefit of hindsight, it would have been advisable to simply not offer the two LLB elective courses I convened in Semester 2, 2014.

**How Insights From the Fellowship Have Been Implemented at Griffith Law School**

Insights from the Fellowship have already informed the practices used at Griffith Law School to prepare our students for their placement experiences. The presentation to the *Semester in Practice* students was well-received by the students and the Course Convenor. The ELSS Project website will also be used in the pre-semester preparation of students involved in various placement programs. It can assist students to consider the nature of the supervision relationship and to set realistic goals for their experience.

The Fellowship has also enabled the Law School to refine the ways in which training is provided to the supervisors involved in its various experiential programs. It has also provided the opportunity to review the supervisor and student manuals made available to participants in its programs.

**Areas for Further Research**

*Multi-disciplinary supervision* – While the supervision literature is substantial in a range of disciplines, there is limited scholarship in relation to the particular issues generated by supervision in multi-disciplinary contexts.

*Supervised legal practice* – I had discussions with the Chief Executive Officer of the Victorian Council of Legal Education and Board of Examiners, Mr Richard Besley regarding the issue of the role of supervised work in assuring the competence of law graduates and newly admitted legal practitioners. It is clear that the Law Admissions Consultative Committee of the Law Council of Australia is interested in issues related to the role of supervised workplace experiences in legal education and the preparation of graduates for the practice
of law. Placement requirements in Practical Legal Training programs deserve to be the subject of a project in its own right.

**Judicial internships** - In July 2014, I met with Professor Greg Reinhardt, Executive Director of the Australasian Institute for Judicial Administration (AIJA) to discuss the possibility of the AIJA supporting a proposed project to examine the potential for Australian courts and tribunals to make a more substantial and coordinated contribution to placement programs for law students.

**Supervision in community legal centres** – The student and supervisor surveys confirmed the significance of community legal centres in the delivery of Australian clinical legal education. Given that significance, it is important that further research take place to inform the supervision practices used in those centres.

**Virtual placements** – The greater use of virtual placements raises interesting issues related to student supervision and the effective structuring of their experiences.

**International comparisons** – I have initiated discussions with international clinical legal education colleagues to ascertain their interested in collaborating on survey-based work to enable comparative analysis of supervision dynamics in difference countries. I have proposed the set of surveys used for this Fellowship be used as a starting point for developing comparable surveys.

**Conclusion**

Effective supervision is fundamental across all models of clinical legal education. It safeguards the interests of clients and provides the structure that supports and constructively challenges students. Supervisors have always played a central role in helping students to make sense of the complex environments they encounter. The clinical legal education community needs to further develop its collective understanding of what makes for effective supervision, especially in relation to external placement arrangements where supervisors face competing priorities and may receive limited law school support with little preparation for their important role.

Improving the preparation of both students and supervisors has the potential to significantly enhance the benefits of clinical legal education for all concerned. Law schools will benefit from engaging with the legal profession to promote involvement in student placement programs. As more law schools and other legal education institutions seek out placement opportunities for their students, challenges are bound to arise in terms of promoting effective practices. It is hoped this Fellowship and the ELSS Project have contributed to enhancing the practice-based experiences of law students and fostered the greater engagement of their supervisors.
Bibliography


Jennifer Gundlach, “This is a Courtroom, Not a Classroom”: So What is the Role of the Clinical Supervisor?’ (2006) 13 *Clinical Law Review* 279.


Lawrence Krieger & Kennon Sheldon, ‘What Makes Lawyers Happy?: Transcending the Anecdotes With Data From 6200 Lawyers’


Appendix A

Certification by Academic Provost

I certify that all parts of the final report for this fellowship provide an accurate representation of the implementation, impact and findings of the project, and that the report is of publishable quality.

Name: ........................................................................................................Date: ..........................
## Appendix B

### Jeff Giddings National Teaching Fellowship Events Table

<table>
<thead>
<tr>
<th>Event Date</th>
<th>Event title, Location</th>
<th>Brief description of the purpose of the event</th>
<th>Number of participants</th>
<th>Higher education institutions represented</th>
<th>Other institutions represented</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2013</strong>&lt;br&gt;July 18</td>
<td>Common Ground in Supervision, International Journal of Clinical Legal Education 2013 Conference, Griffith University, Brisbane</td>
<td>Workshop with Fellowship Reference Group members and clinical supervisors.</td>
<td>12</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>December 16</td>
<td>Clinic Design Master Class, Global Alliance for Justice Education Conference, Delhi, India</td>
<td>Workshop addressing design features to promote sustainability.</td>
<td>160</td>
<td>50</td>
<td>30</td>
</tr>
<tr>
<td><strong>2014</strong>&lt;br&gt;May 2</td>
<td>Distinctive Features, Common Practices, Griffith University, Brisbane</td>
<td>3 hour cross-disciplinary workshop, bringing together academics from across the university with an interest in placements and Work-Integrated Learning.</td>
<td>16</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>May 5</td>
<td>Distinctive Features, Common Practices, Griffith University, Gold Coast</td>
<td>3 hour cross-disciplinary workshop, bringing together academics from across the university with an interest in placements and Work-Integrated Learning.</td>
<td>20</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>June 13</td>
<td>Making the Most of Supervision, UNSW, Sydney</td>
<td>3 hour workshop for clinic and placement supervisors.</td>
<td>20</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>July 17</td>
<td>Supervision Practices: Across Disciplines and Regions, International Journal of Clinical Legal Education 2014 Conference, Palacky University, Olomouc, Czech Republic</td>
<td>1.5 hour workshop for clinic and placement supervisors.</td>
<td>10</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>July 25</td>
<td>Making the Most of Supervision: For You and Your Students, La Trobe, Melbourne</td>
<td>3.5 hour workshop for clinic and placement supervisors.</td>
<td>8</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Event Date</td>
<td>Event title, Location</td>
<td>Brief description of the purpose of the event</td>
<td>Number of participants</td>
<td>Higher education institutions represented</td>
<td>Other institutions represented</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------</td>
<td>-----------------------------------------------</td>
<td>------------------------</td>
<td>------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>July 25 2014</td>
<td>Clinical Supervision: Working Well With Your Supervisor, La Trobe University, Melbourne</td>
<td>1 hour seminar for clinic students as part of their placement preparation.</td>
<td>20</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>August 5</td>
<td>Making the Most of Supervision: For You and Your Students, Griffith University, Brisbane</td>
<td>2 hour workshop for clinic and placement supervisors.</td>
<td>22</td>
<td>4</td>
<td>10</td>
</tr>
<tr>
<td>August 12</td>
<td>Clinical Supervision: Working Well With Your Supervisor, Griffith University, Brisbane</td>
<td>1 hour seminar for clinic students as part of their placement preparation.</td>
<td>16</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>August 15</td>
<td>Making the Most of Supervision: For You and Your Students, ANU, Canberra</td>
<td>2 hour workshop for clinic and placement supervisors and academics interested in the field.</td>
<td>8</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>August 20</td>
<td>Making the Most of Learning by Doing: Effective Supervision in Clinical Legal Education and Legal Practice, Lipman Karas, Lawyers, Adelaide</td>
<td>1 hour seminar for clinic and placement supervisors and members of the judiciary and legal profession.</td>
<td>20</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>August 21</td>
<td>Making the Most of Supervision: For You and Your Students, University of Adelaide</td>
<td>3.5 hour workshop for clinic and placement supervisors.</td>
<td>14</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>September 9</td>
<td>Making the Most of Supervision: For You and Your Students, Townsville Community Legal Service</td>
<td>3.5 hour workshop for clinic and placement supervisors.</td>
<td>10</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>September 10</td>
<td>Making the Most of Supervision: For You and Your Students, Legal Aid Queensland, Cairns</td>
<td>1.5 hour seminar for clinic and placement supervisors.</td>
<td>8</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Event Date</td>
<td>Event title, Location</td>
<td>Brief description of the purpose of the event</td>
<td>Number of participants</td>
<td>Higher education institutions represented</td>
<td>Other institutions represented</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>------------------------</td>
<td>-------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>September 26</td>
<td>Making the Most of Supervision: For You and Your Students, Springvale-Monash Legal Service, Melbourne</td>
<td>3 hour workshop for clinic and placement supervisors.</td>
<td>15</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>September 30</td>
<td>Making the Most of Supervision - For Supervisors, Murdoch University, Perth</td>
<td>6 hour workshop for clinic and placement supervisors.</td>
<td>16</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>October 1</td>
<td>Effective Supervision in a Busy Workplace, Murdoch University, Perth</td>
<td>3 hour follow-up workshop for supervisors involved in the Murdoch Law School clinical program.</td>
<td>7</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>October 1</td>
<td>Making the Most of Supervision - For Students, Law Society of Western Australia, Perth</td>
<td>1.5 hour student seminar.</td>
<td>20</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>October 8</td>
<td>Maximising the Benefits of Law and Paralegal Placement Experiences Professor Jeff Giddings Southern Cross University October 8 2014</td>
<td>1.5 hour student seminar.</td>
<td>20</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>October 8</td>
<td>Best Practice in Supervision Effective Supervision in Placements and Legal Practice, Northern Rivers Community Legal Centre, Lismore</td>
<td>1.5 hour seminar for student placement supervisors</td>
<td>8</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>October 13</td>
<td>Making the Most of Supervision, University of Newcastle</td>
<td>1.5 hour workshop for clinic and placement supervisors.</td>
<td>16</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>November 27</td>
<td>Nelson Mandela Metropolitan University, Port Elizabeth, South Africa</td>
<td>Student workshop as part of Street Law training program</td>
<td>100</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Event Date</td>
<td>Event title, Location</td>
<td>Brief description of the purpose of the event</td>
<td>Number of participants</td>
<td>Higher education institutions represented</td>
<td>Other institutions represented</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------</td>
<td>-----------------------------------------------</td>
<td>------------------------</td>
<td>-----------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>2015 May 8</td>
<td>Effective Student Placement Supervision, University of the Sunshine Coast, Maroochydore</td>
<td>1.5 hour workshop for academic staff and supervisors involved in placement supervision.</td>
<td>4</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>July 6</td>
<td>We Don’t Appreciate the Potential and Limitations of Work-Integrated Learning, Australian Learning &amp; Teaching Forum, Victoria University, Melbourne</td>
<td>10 minute provocation and participation in a Q &amp; A panel.</td>
<td>40</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>July 9</td>
<td>Effective Supervision of Wannabe and Novice Lawyers, Leo Cussen Centre for Law</td>
<td>1.5 hour workshop for academic staff involved in a Practical Legal Training Program.</td>
<td>10</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>July 13</td>
<td>Skills and Structures to Make WIL Work, Deakin University, Melbourne</td>
<td>2 hour workshop for leaders and academic staff involved in Work-Integrated Learning Programs.</td>
<td>12</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>July 13</td>
<td>Reality and Rhetoric in WIL: Balancing Policy With Delivery, Deakin University, Melbourne</td>
<td>45 minute for presentation including Q &amp; A for academic and professional staff interested in Work-Integrated Learning.</td>
<td>30</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>August 4</td>
<td>Effective Supervision in a Busy Workplace, Griffith University, Brisbane</td>
<td>2 hour workshop for student supervisors and academic staff.</td>
<td>18</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>August 13</td>
<td>Preparing to Work Well With Your Supervisor, Griffith University, Brisbane</td>
<td>45 minute seminar for clinic students as part of their placement preparation.</td>
<td>15</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>August 24</td>
<td>Effective Supervision of Placement Students, Flinders University, Adelaide</td>
<td>2 hour workshop for student supervisors and academic staff.</td>
<td>10</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>August 25</td>
<td>Improving our Supervision of Students and Volunteers, National Association of Community Legal Centres National Conference, Melbourne</td>
<td>1.5 hour workshop for community legal centre workers.</td>
<td>45</td>
<td>3</td>
<td>20</td>
</tr>
</tbody>
</table>
Appendix C - Major Findings – Supervisor Survey

The questions in the current and past supervisor surveys had been framed to enable combined analysis. Across both surveys, in total there were 107 surveys attempted, though some of these involved only partial attempts to the survey, resulting in 94 participants that provided detailed responses to all of the core demographic questions, and provided responses to either all or most of the substantive questions, with the number of responses ranging from 94 to 60 depending on the question.

There were 56 female (60%) and 38 male (40%) respondents.

![Supervisor Gender Pie Chart]

Male 40% (n=38)
Female 60% (n=56)

Age of supervisors ranged across the groups – from under 25 to over 60 with 31-40 (29/94) and 41-50 (25/94) the largest groups.

![Supervisor Age Bar Chart]

Frequency (n)

0 5 10 15 20 25 30 35

Less than 25 25-30 31-40 41-50 51-60 61 or older
New South Wales accounted for the largest group of respondents – 38 (40%) followed by Queensland and Victoria – 21 (22%) for both then South Australia – 10 (11%).

There was 1 response from a supervisor involved in a virtual clinic from the government sector.

More of the supervisors worked in a community legal centre (CLC) than any of the other types of organisation.
There was some variation from state to state. For example, there were 25 non-CLC respondents from NSW.

Placement arrangement

More of the supervisors worked in a CLC than any of the other types of organisation (53%). There was some variation from state to state. For example, there were 25 non-CLC respondents from NSW. There was also a spread of duration of program involvement. 73% of respondents had been involved in the program for less than 5 years. For CLC respondents, the corresponding figure was 78%.

This reveals a significant pool of fairly inexperienced supervisors. This is not necessarily problematic but does raise issues about how important experience is as a supervisor quality. Of course, some with limited student supervision experience may have considerable practice experience.

Supervision arrangement

The length of involvement in placement follows a similar pattern in number of students supervised, irrespective of the workplace type. Those supervising more than one student were more likely to have been in placement for more than 2 years. The largest group of respondents were involved in supervising one student – 39 (42%)

CLCs are the site associated with larger supervision numbers. The private profession (firms and bar) is the type of site associated with solo placements. There is a very clear demarcation with 95% of CLC supervisors having their supervision duties recognised as part of their job. The corresponding figure for the private profession was 18%. Volunteers
account for 39% of responses. Males account for 19 of the 29 volunteers. Volunteering is closely associated with supervising 1 student.

The vast majority (86%) of respondents did not have student supervision as the main focus of their work. All of those who did (11) were in CLCs and most (9/11) were female. None of the 13 supervisors aged over 50 indicated that student supervision was the main focus of their work.

The placement program and support

85% of respondents referred to student learning being the main focus of their supervision. 90% of respondents chose ‘very well’ or ‘fairly well’ when asked about their level of understanding of the program objectives. These results are encouraging with scope for further improvement. CLC-based supervisors were more positive in their responses, with 32 (65%) indicating they understood the objectives very well. Of the 9 who answered ‘I have some understanding’, 6 were supervising 1 student while 2 were supervising 2 students each. Disconcertingly, there was also 1 supervisor with between 7-10 students who gave this response.

Questioned about law school support, the responses indicate that there is scope for improvement in the support supervisors receive from the law school.

Student contact with clients

Direct student contact with clients was high across the board, 91% on average, with CLCs at 96%. For 1 student (externship) arrangements, the figure was 89%. CLCs are the site for a variety of client contact approaches, accounting for 7 of the 8 responses where students see clients on their own. The results show that CLCs are also the site for greater student responsibility. We could consider the extent to which this autonomy is supported.

Establishing expectations

96% of CLC respondents and 85% of other respondents indicated that they talk with students to establish shared expectations. Male supervisors accounted for 6 of the 8 instances where supervisors indicated that they did not talk with students to establish shared expectations. The free text responses to this question emerge as major themes of 1) providing information 2) discussing tasks 3) taking a collaborative approach where both the organizations’/supervisors’ expectations and the students’ expectations are discussed.

Learning contracts

20% of supervisors indicated that they negotiate a learning contract with students. These were most common for supervisors in CLCs with groups of more than 2 students, accounting for 26% of their responses. Male supervisors were less likely to negotiate a learning contract
- 8% of responses compared with 28% for females. This was a statistically significant difference.\(^{43}\)

**Social justice**

The majority of respondents indicated that they address the social justice dimensions. 77 of 88 answered yes, accounting for 88%. This fits with the social justice heritage of Australian clinical legal education. All respondents from CLCs and the public sector answered Yes, compared to 58% of those in the private profession, providing a statistically significant difference.\(^{44}\) Interestingly, all 11 respondents from the private profession who answered No were supervising either 1 or 2 students.

**Techniques**

The four techniques listed by supervisors as most useful were most strongly identified as useful by the CLC respondents: Instructing – 83% for CLCs and 66% for others; Guiding – 96% for CLCs and 81% for others; Joint problem solving – 81% for CLCs and 80% for public sector compared with 53.8% for private profession.\(^{45}\) Debriefing – 90% across the board with 100% for public sector, 96% for CLCs and 73% for the private profession. This technique is more commonly used by female supervisors. Clearly, debriefing is a key technique.

**Supervision**

**Approaches to Supervision** – In free text comments, supervisors described an emphasis on mentorship, on flexibility and having a tasks focus in their approaches to supervision. Around half described making students a part of the supervision activity. The responses to the question of how they developed approaches indicate additional learning or training, formal or informal, has been drawn on to fulfil their role. While for the majority it is “a part of their job”, it requires skills additional to those exercised in their daily practice.

**Enjoyment and challenges of supervision**

Asked if they enjoy supervising students, 80% said yes while 17% said sometimes. All respondents who are supervising 3 or 4 students indicated that they enjoy supervising. Supervisors of one student accounted for the largest group of ‘sometimes’ responses. When asked what they enjoyed about supervision there was an emphasis on seeing professional development, the enthusiasm of students and of reciprocity, of giving back.

Asked if there were things they found challenging about supervision, 81% answered yes. The figure for CLCs was higher at 87%. In comments, the majority of challenges named were the necessity to complete their own work whilst taking time to work with students in a way that

\(^{43}\chi^2(1, N=87) = 4.91, p = .027, \text{ Cramer’s } V=.24\

\(^{44}\chi^2(1, N=88) = 29.98, p = .000, \text{ Cramer’s } V=.58\

\(^{45}\chi^2(1, N=88) = 6.633, p = .010, \text{ Cramer’s } V=.28\)
is beneficial to all when the students are very new to practice. Another major area of challenge was in providing constructive feedback/of students accepting feedback.

**Preparation and training for supervision**

More CLC supervisors had received training for their role than had the other groups - 41% compared with 12% for private profession and 14% for public sector. This is indicative of the challenges of engaging the private profession and public sector.

The most valuable thing they learnt from training was how to give feedback and providing feedback is named as a major challenge and topic for further training – 68% for CLCs, 46% for public sector and 41% for private profession. Giving feedback to students was addressed in programs undertaken by 75% of those who had received training.

Preparation and support provided by law schools appears to be an area for improvement in law school practices. The results do not provide a strong endorsement of the preparation practices used by law schools, as 45% of respondents indicated their preparation as either variable or minimal.

**Manuals and web based resources**

More supervisors from private practice had received a supervisor manual (84%) than for CLCs (60%) and public sector practice (64%). Manuals are viewed as valuable across the workplace categories 62% described the manual as either ‘Very Useful’ (19%) or ‘Useful’ (43%)

Two thirds of all respondents (66%) indicated it would be helpful to have access to web-based resources addressing supervision issues. This was most popular for CLC supervisors (69%). For example, short, easy to read guides as well as some academic articles on ‘good supervision’ across the disciplines.
Appendix D - Major Findings – Student Survey

The questions in the current and past placement student surveys had been framed to enable combined analysis. Across both surveys, in total there were 345 surveys attempted, though some of these involved only partial attempts to the survey, resulting in 288 participants that provided detailed responses to all of the core demographic questions, and provided responses to either all or most of the substantive questions, with the number of responses ranging from 194 to 290 with most questions attracting between 277 and 290 responses.

Clinics were more prominent in Victoria (49% cf average of 35%) while externships were more prominent in Queensland (34% cf 23%). This raises interesting issues related to the development of local or regional models, especially in the absence of accepted standards. Once a type of arrangement becomes accepted in a state, territory or even a large city, it may be picked up by other local law schools.
**Student demographics**

There were more students from Victoria and Queensland than from other states. Clinics were more prominent in Victoria (49% *cf* average of 35%) while externships were more prominent in Queensland (34% *cf* 23%). More than 70% of respondents are under 25. 73% of respondents are women.

**Placement arrangement**

61% of respondents attended a community legal centre. 71% of respondents undertook a semester length placement, with 40% attending clinics and 40% externships. The predominant model is the semester length placement in a community legal centre (70% of responses). There was a statistically significant difference between different placement sites based on length of placement. 46

Over 50% of students attended their placement weekly, consistent across placement sites. Shorter placements were significantly related to attending more than once a week. 47 The majority indicated they saw the same supervisor each time they attended.

**Contact with clients**

The vast majority of students (85%) have direct contact with clients as part of their placement and more so if their placement is for one semester or longer. 88% for placements of one semester or longer *cf* 73% for placements of less than a semester. This is a statistically significant difference. 48

---

46 $\chi^2(2, \ N=286) = 46.711, \ p = .000, \ Cramer's \ V= .40$

47 $\chi^2(1, \ N=277) = 58.095, \ p = .000, \ Cramer's \ V= .46$

48 $\chi^2(1, \ N=280) = 6.634, \ p = .010, \ Cramer's \ V= .01$
Higher numbers of externship students did not have direct contact with clients (25% cf 6% for clinics and 14% for hybrids).\textsuperscript{49} Students placed in private practices or the public sector were also less likely to have direct contact with clients than those placed in a CLC. (26.4% & 28.6% cf 6.9%) This difference is statistically significant.\textsuperscript{50} There was an almost even split between those seeing clients with a supervisor and those seeing them solo and these are the 2 major models.

\textit{Learning contracts}

Learning contracts were negotiated by just under 30% of student respondents (29%) and were more common for shorter placements and externships, being negotiated by 36% of respondents compared with 20% for clinics and 32% for hybrid placements. This is a statistically significant difference.\textsuperscript{51} Interestingly, more than 75% of students who negotiated a learning contract found it useful as did a higher percentage of male students (87.5%).

\textit{Supervision – placement sites and length of placement}

In comparing placement types (clinics cf externships cf hybrid) there were interesting differences between the placements. Some of these were not statistically significant due to issues with cell sizes.

Clinics were linked to:

- students having extensive contact with their supervisor\textsuperscript{52};
- providing excellent guidance to students [clinics on the one hand (71% of responses) and externships (49%) and hybrids (48%) on the other];
- providing comprehensive feedback to students [clinics on the one hand (57% of responses) and externships (38%) and hybrids (46%) on the other].

In a comparison between positive [extensive or adequate] and negative [varied or inadequate] views of the amount of feedback received from supervisors, the difference between placement types was statistically significant.\textsuperscript{53} Placements in CLCs were also associated with higher levels of students feeling comfortable to approach their supervisor for further instruction and feedback. The rate for CLCs was 87.9% compared to 66.7% for

\textsuperscript{49} \chi^2(1, N=283) = 16.693, p = .000, Cramer’s V=.24  
\textsuperscript{50} \chi^2(1, N=282) = 22.458, p = .000, Cramer’s V=.28  
\textsuperscript{51} \chi^2(2, N=290) = 7.455, p = .024, Cramer’s V=.16  
\textsuperscript{52} \chi^2(2, N=283) = 8.148, p = .017, Cramer’s V=.17  
\textsuperscript{53} \chi^2(2, N=285) = 6.541, p = .038, Cramer’s V=.15
private practice placements and 71.4% for public sector placements. This is also a statistically significant difference.\textsuperscript{54}

Longer placements were associated with students being more likely to initiate contact with their supervisor and feeling more comfortable to approach their supervisor for further instruction and feedback. The rate for placements of semester length or longer was 84% compared to 69% for shorter placements. This is a statistically significant difference.\textsuperscript{55} This could be viewed as indicative of the importance of the development of a supervisory relationship, with a strong supervision relationship the base for students feeling comfortable. Perhaps surprisingly, it was older students (41 or older) who were most likely to respond ‘No’ regarding feeling comfortable.

\textit{Experience of supervision}

The responses to the question “What is your supervisor trying to teach you?” were initially sorted into the categories “professional practice”, “personal development” and “both”. Around a half of the responses described professional practice, over a third described both personal development and professional practice and nearly a tenth largely described personal development. They said their supervisors were trying to teach them substantive law, practical legal skills, how to be autonomous, confident, and proactive and to conduct themselves well as lawyers. A number of students said that their supervisors were showing them what legal practice is really like. Over a third perceived that they were being taught practical legal skills in the context of being taught to communicate and deal with clients, colleagues and courts in the particular settings that lawyers work in.

\textit{Most useful aspects of supervision}

In free text comments, students found most useful the focus of supervision on practical aspects of legal work as well as feedback received and the advice and guidance they received. They also appreciated the opportunity to work with and learn from professionals.

\textit{Challenges}

Lack of familiarity with practical legal work, lack of personal confidence, supervisors’ lack of time and varying responsibility (too much or too little) underpinned the challenges students commented on facing, along with the challenges of dealing with difficult clients, communication and transitioning from University to the placement site. A number of students welcomed the challenges as first hand preparation for professional life.

\textsuperscript{54} \chi^2(2, N=284) = 15.718, p = .000, Cramer’s V=.24

\textsuperscript{55} \chi^2(1, N=282) = 5.034, p = .000, Cramer’s V=.13
Supervision helping learning

Two major themes ran through the student responses regarding how supervision helped them learn. Students felt supervision helped them to learn through the various ways in which they received support, and that supervision helped them to learn through being given the opportunity for practical experience. They appreciated being given responsibility and autonomy in a context of supported learning.

Supervision Techniques

Fewer clinic students found ‘Being Instructed’ to be useful in enabling them to learn compared with students involved in externship and hybrid placements. 71.3% cf 84.5% cf 87.5%. The difference was statistically significant. 56

Fewer externship students found ‘Guiding’ to be useful in enabling them to learn compared with clinic students. 66.7% cf 86.1%. The difference was statistically significant 57 and fewer externship students found ‘Joint Problem Solving’ to be useful in enabling them to learn compared with clinic students. 48.8% cf 76.3%. The difference was statistically significant. 58 There is probably greater scope for collaboration in-house.

Debriefing was more strongly valued by students involved in longer placements. The difference in responses between those involved in semester length and longer placements compared with shorter placements was close to statistical significance. 59

Preparation

Students involved in shorter placements were less positive about the placement preparation provided by their law school. Externship students were also less positive about the placement preparation provided by their placement site. One third described their preparation as either varied (22%) or inadequate (12%). 27% of externship respondents described their preparation as comprehensive compared to other sites [41% for clinics and 42% for hybrids] 60.

A key area of insight in free text comments related to students seeking to know what to expect of the placement as well as processes and procedures, the placement site, their role and their tasks in relation to their supervisor, all both personal and practical in nature. Team work and group work preparation was important across many of the responses. Students are expected to work as part of a team, to have the skills for team work and approach their work on that basis (knowing their role in the team). Students said they were helped to prepare to work well with their supervisor and the groups they would be in.

56 $\chi^2(2, N=225) = 6.934, p = .031, \text{Cramer's V} = .18$
57 $\chi^2(2, N=225) = 9.920, p = .007, \text{Cramer's V} = .21$
58 $\chi^2(2, N=225) = 7.590, p = .022, \text{Cramer's V} = .18$
59 $\chi^2(1, N=223) = 3.385, p = .066, \text{Cramer's V} = .12$
60 $\chi^2(2, N=220) = 11.336, p = .003, \text{Cramer's V} = .23$
A small proportion of students answered the question on what they would have liked more from their preparation. They expressed a desire for familiarity with the workplace processes and systems they would encounter when beginning their placement, as well as clarity with regard to the placement site’s expectations of them.

**Resources**

Students consider it would be helpful to have access to web-based resources in various forms, including templates, for example of a letter of advice; online and social media, particularly forums, message boards and Facebook; common legal issues, such as precedents; and advice/preparation/expectations, for example, guidance on common problems faced by Community Legal Centres (infringements, fencing disputes and divorces). They also considered printed material useful, such as a handbook.