

The Making of Lawyers: Expectations and Experiences of Fourth Year New Zealand Law Students

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March 2018





Research undertaken at University of Canterbury School of Law
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Published by Ako Aotearoa

PO Box 756

Wellington 6140

March 2018

ISBN 978-1-98-856205-6



An Ako Aotearoa publication. This project output has been funded by Ako Aotearoa through the Regional Project Fund.



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Acknowledgements

The author team thank the staff at the Universities of Auckland, Canterbury and Waikato who gave their support and assistance to this study, particularly the Deans of Auckland, Victoria and Waikato Law Schools, Andrew Stockley, Mark Hickford and Wayne Rumbles. We also acknowledge with thanks the funding we have received from Ako Aotearoa Southern Regional Hub Project Fund for this stage of the study. We also thank Dr Liz Gordon for her assistance with administering the student surveys and for her general support and advice.

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THE MAKING OF LAWYERS: EXPECTATIONS AND EXPERIENCES OF FOURTH YEAR NEW ZEALAND LAW STUDENTS

Executive Summary

Background

This report presents the fifth collection of data in a longitudinal study of a self-selected cohort of law students who enrolled in 2014 in a first year law programme at the University of Auckland, the University of Canterbury and the University of Waikato. Students who enrolled in a first year law programme at Victoria University of Wellington in 2014 participated in the study for the first time in this phase.

The focus of this report is on the students' fourth year of studies in 2017. The expectations and experiences of New Zealand law students have been little studied and this longitudinal project aims to present stakeholders with comprehensive data to inform teaching practice and the design and regulation of undergraduate legal education. It is intended that, over time, a complete law student profile will be developed which will detail the expectations, views and experiences of law students during each year of their law studies and in their first years in the workforce.

Reported findings include students' motivations and values associated with the study of law and their academic engagement and outcomes. Events in students' lives occurring outside of university and which had an impact on their studies are also reported. Students' expectations and experiences are contextualised by reference to themes emerging from higher education literature on student engagement. Particular consideration is given to the extent to which findings are indicative of high quality learning. Reference is also made to the international literature on law student wellbeing and the likely link between reported wellbeing and students' law school experiences.

Methodology

The initial phase of the study was carried out in 2014. All students enrolled in first year law programmes at the Universities of Auckland, Canterbury and Waikato were invited to participate in the study. Those who accepted the invitation completed two web-based surveys. The first survey, administered towards the beginning of the academic year, captured details of students' backgrounds, future career plans, and expectations about their first year of study. The second survey, administered towards the end of the academic year, focused on students' actual teaching and learning experiences. The data collected was analysed across the entire survey cohort and by law school, gender and ethnicity.

In the second phase of the project, carried out in 2015, a further web based survey was developed and administered towards the end of the students' second year of study. Questions focusing on students' future plans were repeated. More detailed information was sought about students' teaching and learning experiences and their feelings of psychological wellbeing. Results were then analysed again across the entire survey cohort and by law school, gender and ethnicity.

The third phase of the study was carried out two thirds of the way through the 2016 academic year. Questions focusing on students' intended study options and career plans were again repeated, as were key questions focusing on learning and teaching experiences. A new section seeking students' views on assessment practices was included and the section on students' feelings of psychological wellbeing was expanded.

The fourth phase of the study is the subject of this report. Participating students completed a web-based survey in August and September 2017. Questions focusing on students' future career intentions were repeated, as were key questions on students' learning and teaching experiences and psychological wellbeing. Students who anticipated they would complete their law degree by the end of February 2018 were asked questions about their future work plans, their feelings of preparedness for work and how they rated themselves in terms of a series of work-related skills and attributes.

The 2017 survey responses have been analysed across the entire survey cohort from the four participating law schools (the 2017 cohort), the original cohort of Auckland, Canterbury and Waikato students (the original cohort) and, where appropriate, by law school and gender. Reporting the results of the original cohort separately allows for the identification of trends in students' responses to repeated questions over time. Analysis by ethnicity was not undertaken because the numbers of students in most ethnic groups except New Zealand European/Pākehā were too small to generate statistically robust results. The literature on university student engagement and law student wellbeing is used to provide a framework for comment on key trends identified through analysis of survey responses.

The student cohort was studying a combination of courses that are compulsory for admission to the Legal Profession (taught in large lectures with supporting tutorials) and optional courses (which vary in size and teaching method).

Findings

Participation rates and demographics

A total of 247 students completed the fifth 2017 survey. One hundred and seventy five of these students were from the original cohort of Auckland, Canterbury and Waikato students. The gender split in the 2017 cohort was 61 percent female and 39 percent male.

Career Plans

- A majority of both the 2017 and original cohorts were “quite interested” or “very interested” in pursuing a legal career. The most popular reported career choice was private practice as a lawyer.
- Commercial/company law was the area of law that students across both cohorts were most interested in.

Overall, students’ responses to questions in this section were more closely aligned with the realities of legal practice in New Zealand than in previous phases of the project.

Classroom Experiences

- A majority of students across the 2017 and original cohorts reported high attendance rates at lectures, although attendance rates within the original cohort were slightly down on those reported in 2016.
- Across both cohorts, students most frequently reported that interactive learning activities occurred “sometimes” during their classes. Across both cohorts, a minority of students reported participating in the interactive activities that were on offer during their classes “often” or “very often”. The most frequently given reason for non-participation in interactive activities was not being comfortable speaking before a large class.
- A majority of students across both cohorts reported that their teachers required the completion of preparatory work “often” or “very often”. However a majority across both cohorts reported that they did not complete this required preparatory work on a regular basis.

Self-study

- Students across the 2017 and original cohorts most frequently reported typically spending between 3-5 hours outside of lectures and tutorials on each of their law year courses each week. This is somewhat less than the participating law schools would expect. However, analysis of the responses of the original cohort revealed a slight upwards trend in hours spent on self-study.
- During periods of self-study, students most frequently reported reading cases and writing up or supplementing their lecture notes. Students most frequently reported

completing these activities to gain a better understanding of material covered in lectures and tutorials and to complete assessment tasks.

Relationships with Teachers

- Approximately half of the students in both cohorts reported having had email contact with their law lecturers during the course of 2017. Analysis of responses of students in the original cohort showed a slight reduction in the percentage reporting having had no contact with their teachers except through attending lectures.
- Just under 50 percent of the 2017 cohort reported that between 0-20 percent of their teachers knew them.

Relationships with other Students

- Students across both cohorts reported having more frequent contact with their peers outside of class for social purposes than study-related purposes.
- The percentage of students in the original cohort reporting that they regularly studied with other students outside of class dropped in 2017.

Law-related Extra-curricular Activities

- Over half of the students in both cohorts reported involvement in a law-related extra-curricular activity.

External Factors Adversely Affecting Students' Studies

- Work and employment issues were the factors that students in the 2017 cohort most frequently reported having had an adverse effect on their studies.
- The most commonly reported level of student debt was "more than \$30,000".
- Across the 2017 cohort, students most frequently reported their living arrangement was "living with flatmates". Analysis of the responses of the original cohort revealed that students most frequently reported living with their parents.

Students' Self-Assessment of the Outcomes of their Studies

- Across both cohorts, a majority of students reported receiving results that, on average, reflected their expectations.
- The grade that students most frequently reported receiving was a B grade.
- A majority of students were "confident" or "very confident" that they would pass all of their courses in 2017.
- Many students perceived that their assessment load at law school was "high" in 2017.
- A majority of students were "satisfied" or "very satisfied" with their overall law school experience in 2017.

Completing students

Approximately 20 percent of students in both cohorts anticipated they would complete their law degree by February 2018.

- A majority of completing students did not have employment arranged for after their law degree.
- A majority of those who did not have employment arranged were “not confident” or only “a bit confident” about finding employment.
- A majority of those who did not have employment arranged felt “prepared” or “very prepared” for the workforce.
- A majority of the completing cohort rated themselves as “good”, “very good” or “excellent” in terms of the included list of skills except numeracy skills and skills in a foreign language. However, students were less likely to rate themselves highly in terms of core legal skills such as legal reasoning and analysis.
- A majority of completing students rated themselves highly in terms of attributes relating to maturity, independence and autonomy, but lower in terms of being comfortable with ambiguity.
- During their time at law school, completing students were more likely to have participated in a self-arranged work activity than one arranged by the university at which they were enrolled.

Mental wellbeing

Analysis of students’ responses to a Kessler-6 test revealed likely levels of psychological distress higher than those reported within the general New Zealand population, but in line with international studies focusing on law student wellbeing.

Summary of Findings and Conclusions

2017 and original cohorts

- Although students’ high reported class attendance rates were indicative of positive engagement with their studies, responses to questions directed at teaching and learning experiences suggested that engagement rates overall were lower than is desirable on some measures in higher education literature. Students reported spending less time on self-study than law schools expect. Many did not regularly participate in the interactive activities that were on offer during their classes or complete required preparatory work. Students’ reported contact with their peers for study-related purposes dropped and a majority reported that very few of their teachers knew them. Nevertheless, most students were positive about their future academic success and reported receiving good academic grades.

Responses across law schools

- There was little difference in terms of trends in students' responses across law schools, suggesting that the law school student experience is broadly comparable across the participating law schools.

Gender

Three key trends emerged from the gender analysis of students' responses:

- Female students reported greater interest in presently female dominated areas of legal practice.
- Female students reported lower levels of self-confidence.
- Female students reported lower levels of likely psychological wellbeing.

Where to from here?

Our overall assessment is that there is room for improvement in students' reported engagement with their studies and their likely levels of psychological wellbeing. What this really means is that there is room for improvement by law schools and universities in terms of what they deliver to their students. Although many teachers or teams of teachers within law schools may be in a position to implement immediate and significant changes in practice in response to the findings of this report, we recommend a focus at a law school level to determine and agree on suitable outcomes for legal education at undergraduate level and which will promote greater positive student engagement and psychological wellbeing.

Working within the current regulatory framework and institutional constraints, we recommend that law schools and staff:

- Review and settle on desired outcomes in terms of skills and attributes of law graduates.
- Develop learning outcomes and assessment programmes for individual courses that ensure that students will complete with the desired skills and attributes and in a manner that promotes positive engagement and psychological wellbeing.
- Ascertain staff development needs and, if necessary, resource staff development in appropriate teaching and assessment practices.

In the longer term, we recommend that law schools adopt a collegial approach and lobby for regulatory change at the Council of Legal Education level as to how the LLB degree is to be taught and assessed so as to promote positive student engagement and wellbeing.

THE MAKING OF LAWYERS: EXPECTATIONS AND EXPERIENCES OF FOURTH YEAR NEW ZEALAND LAW STUDENTS

I Introduction

This paper reports on the fifth collection of data in a longitudinal study of a self-selected cohort of law students who began their law studies in 2014 at the University of Auckland, the University of Canterbury and the University of Waikato. The focus of the paper is on students' fourth year of law studies. For students enrolled only in a law degree, this fourth year of study represents their final year at law school. Students enrolled in a double or conjoint degree (usually a five year programme) were in their penultimate year of study.

The expectations and experiences of New Zealand law students have attracted little attention and this project aims to present stakeholders (law students, law teachers, law schools and the Council of Legal Education) with a pool of data to inform both teaching practices and the design and regulation of undergraduate legal education. It is intended that, over time, a complete law student profile will be developed and will detail the expectations, views and experiences of law students during each year of their law studies and in their first years in the workforce.

Reported findings include students' motivations and values associated with the study of law (their reasons for enrolling in a law degree, their commitment to pursuing a legal career and their intended legal careers) and their academic engagement and outcomes (their classroom and self-study experiences, their relationships with teachers and other students, their actual and anticipated assessment outcomes, the skills and attributes they report gaining, and their feelings of wellbeing). Events in students' lives occurring outside of university and which had an impact on their studies are also reported. These categories of findings capture the student voice on a mix of factors identified in higher education literature as affecting students' engagement with their studies and we use themes from this literature to contextualise our findings.

Throughout the study, data has been collected from participating students via web-based surveys. Two web-based surveys of students enrolled in their first year of study at the Universities of Auckland, Canterbury and Waikato were carried out in the first phase of the study in 2014. The first survey took place at the beginning of the academic year, the second towards the end. Data collected included core demographic information, students' relationships with teaching staff and other students, students' future career intentions and feelings of psychological wellbeing.

In the second phase of the study, carried out in 2015, students were surveyed two thirds of the way through their second year of law studies. Questions focusing on students' intended study and career intentions were repeated. A key focus of the third survey was the

collection of data on students' learning and teaching experiences and on their psychological wellbeing.

In 2016, the third phase of the study, students were again surveyed two thirds of the way through the academic year. Questions focusing on students' intended study options and career intentions were repeated. Key questions focusing on learning and teaching experiences were also repeated, but with some modification to take into account students' broader range of course choices in their third year of study. The section on students' psychological wellbeing was expanded.

This fourth phase of the study reports students' responses to a fifth survey carried out in August—September 2017. Questions from earlier phases focusing on students' intended career intentions were repeated, as were key questions focusing on students' learning and teaching experiences and psychological wellbeing. Students who anticipated that they would complete their law degree by the end of February 2018 were asked a series of questions relating to their entry into the work force.

Students who first enrolled in a law degree at Victoria University of Wellington in 2014 were, for the first time, invited to join the study cohort in 2017 and to complete the 2017 survey. Sixty three students accepted the invitation.

The 2017 survey results are analysed across the entire student survey cohort from the four participating law schools (the 2017 cohort), the original cohort of Auckland, Canterbury and Waikato students (the original cohort) and, where appropriate, across the 2017 and/or original cohorts by law school and by gender. We have reported the results from the original cohort separately as this allows for the identification of trends in students' responses to repeated questions over time. The analysis by law school must be read in light of the fact that numbers of participating Waikato students was relatively small (27 students). Analysis of responses by ethnicity was not undertaken because numbers of students in most ethnic groups except New Zealand European/Pākehā were too small to generate statistically robust results.

The methodology employed is set out in Part II below. A brief literature review is the subject of Part III. The immediate context for students' studies in 2017 is described in Part IV. Results and accompanying commentary are detailed in Part V. A discussion and summary of findings is set out in Part VI. The paper concludes with some recommendations for stakeholders in the light of project findings.

Overall findings continue to reflect those in earlier years. Three key trends emerged. The first was that students' reported levels of engagement with their studies remained low on some measures within higher education literature. Secondly, students' overall levels of likely psychological wellbeing also remained low. The likely connection between these two findings is explored in later sections. The third trend is the continued differences in the way that male and female students experience law school.

II Methodology

A First Phase

The first phase of the longitudinal study carried out in 2014 involved a number of steps. Initially, a literature review of empirical studies and analytical comment based on student profiles and/or the development of student profiles was carried out. An initial web based survey was then developed. All students enrolled in first year law papers in 2014 at the Universities of Auckland, Canterbury and Waikato were invited to participate in this survey conducted in the first half of 2014. This survey contained basic demographic questions covering ethnicity, age, gender, and educational and family background. This was followed by questions investigating students' reasons for studying law, students' future plans and intentions with respect to study and careers, and students' expectations around the law degree and the study of law. A final set of questions dealt with wellbeing and confidence at the start of the study year.

All students completing this first survey were assigned a digital identifier by an independent consultant and this was used to invite students to complete the second survey later in 2014. The second survey was adapted to remove the demographic questions and to allow comparison of the students' actual experience with their initial expectations captured in the first survey. New questions asked whether students expected, at this later stage of their first year studies, to continue studying law in 2015, and focused on the skills they had gained, the support they had received and the contact they had had with their law teachers and other students. Questions were also directed at the students' actual study experiences and feelings of general well-being. One final subset of questions was directed at how the students' first year experience could have been improved.

B Second Phase

In the second phase of the project carried out in 2015, a further longitudinal survey was developed, informed by the responses received to the two 2014 surveys. Questions focusing on students' intended study and career destinations were repeated and more detailed information was sought about their teaching and learning experiences and levels of psychological wellbeing. The third survey was promoted to students who were assigned a digital identifier at the time of the first survey in an email reporting key findings from the first and second surveys. The survey was also promoted in class and via an online learning platform at the University of Canterbury. A small number of students who had completed the first survey, but not the second, elected to return to the study and complete the third survey. As the email invitation to complete the survey was tied to students' university email addresses, the invitation only reached students who were continuing their studies at the university in which they were enrolled at the beginning of 2014.

C Third Phase

In the third phase of the project, carried out in 2016, a further web-based longitudinal survey was developed, informed by the responses received to previous surveys. Questions

focusing on students' future career intentions and reasons for continuing their legal studies were repeated. Questions focusing on learning and teaching experiences were expanded to take into account the fact that many students were no longer studying only compulsory courses in the degree. A new set of questions in this area sought students' views on assessment. Wellbeing questions included in the 2015 survey were repeated, with further questions added to understand whether it is the law school experience that adversely affects students' wellbeing and, if so, how law schools might respond.

D Fourth Phase

The fourth phase of the project, and the subject of this report, was carried out in 2017. A further web-based survey was developed. Questions focusing on students' future career intentions were repeated as were key questions from the 2016 survey focusing on students' learning and teaching experiences and psychological wellbeing. Students who anticipated they would complete their law degree by the end of February 2018 were asked a series of questions about their future work plans, their feelings of preparedness for work and how they rated themselves in terms of a series of work-related skills and attributes. The self-rating questions in this last category mirror those asked of employers of law graduates in an ongoing and complementary study of these employers conducted by two members of the project team, Natalie Baird and John Caldwell. A future project will compare the responses of law students and employers of law graduates.

The fourth survey was promoted to students from the Universities of Auckland, Canterbury and Waikato who were assigned a digital identifier at the time of the first 2014 survey in an email reporting key findings from the fourth survey conducted in 2016. The survey was also promoted in classes at the University of Canterbury. Auckland and Waikato law schools were invited to promote the survey to their students. As was the case with the third survey, because the email invitation was tied to students' university email addresses, the invitation only reached students who were continuing their studies at the university in which they were enrolled at the beginning of 2014. Students who first enrolled in a law degree at Victoria University of Wellington in 2014 and who were continuing with their law studies in 2017 were assigned a digital identifier by an independent consultant and this was used to invite these students to complete the 2017 survey. As an incentive to participate, students from all participating law schools who completed the surveys were eligible to be entered in a prize draw to win a \$50 iTunes voucher. To enter, students were asked to supply an email address and these were used only for entry in the prize draw.

E Privacy

Research team members do not have access to any identifying information and cannot identify any student responses, to ensure there is no possibility that participation in the study can affect students' academic progress. However, if survey responses indicate that a student may be at risk in terms of well-being, provision is made for that student to be identified by an independent consultant and offered assistance.

Participation in the study is voluntary. Students have the right to withdraw at any stage with no penalty, in which case relevant information is removed from the data if requested, provided this is practically achievable. Only members of the Canterbury research team and their assistants working on the project have access to the raw data, which is dealt with in confidence and securely stored at the University of Canterbury. The data will be destroyed five years after the project has been completed.

The study is taking place in accordance with protocols approved by the University of Canterbury Educational Research Human Ethics Committee.

As was the case with previous phases of the study, the data collected in this phase and the accompanying analysis will be disseminated to all six New Zealand Law schools and the wider legal education community for use in development of student profiles and better law teaching and learning practice.

III Literature Review

Two complementary areas of education research provide a framework for comment on the study cohort's reported experiences.

A Student Engagement

The first area of research is the extensive general literature on student engagement,¹ as a positive relationship between student engagement and student success is generally accepted.² The most significant empirical study of student engagement in New Zealand universities, the Australasian Survey of Student Engagement (AUSSE), defines student engagement as "students' involvement with activities and conditions that are likely to

¹ A 2012 synthesis of the literature found 2350 articles published in the period 2000-12: Katherine Wimpenny and Maggi Savin-Baden "Alienation, Agency and Authenticity: A Synthesis of the Literature on Student Engagement" (2013) 18 *Teaching in Higher Education* 311, 314.

² See Ella Kahu "Framing Student Engagement in Higher Education" (2013) 38 *Studies in Higher Learning* 758, 758; Ali Radloff and Hamish Coates "Introduction" in Ali Radloff (ed), *Student Engagement in New Zealand Universities* (Ako Aotearoa National Centre for Tertiary Teaching Excellence, 2011) vi.

generate high-quality learning”.³ This “mainstream” view of student engagement focuses on interactions between students and the universities at which they are enrolled and on what universities can and should do to improve student engagement.⁴ A further research strand within the mainstream view holds that student success is a product of students’ sense of belonging at the institution at which they are enrolled and focuses on what institutions may do to facilitate this.⁵

Despite the AUSSE emphasis on institutional factors affecting student engagement, its designers also accept that engagement is also influenced by students’ lives “beyond the classroom”.⁶ Tinto and others moot that these personal factors encompass students’ attributes and experiences prior to commencing study, together with their experiences outside of university during the time that they are studying.⁷

Kahu’s helpful summary draws the various research strands on student engagement together. Student engagement, she says, is “a psycho-social process, influenced by institutional and personal factors, and embedded within a wider social context”,⁸ the last point recognising that both personal and institutional factors are a product of a variety of socio-cultural factors such as government policies and economic conditions. Borrowing from research undertaken on student engagement from a psychological perspective,⁹ Kahu highlights three dimensions of the engagement process. The first dimension is *behaviour*, which includes “positive conduct and rule following including attendance; involvement in learning, including time on task and asking questions; and wider participation in

³ Radloff and Coates, above n 2, vi. For a similar and widely cited definition, see George Kuh et al “Unmasking the Effects of Student Engagement on First-Year College Grades and Persistence” (2008) 79 *Journal of Higher Education* 540, 542.

⁴ Nick Zepke “Student Engagement Research: Thinking Beyond the Mainstream” (2015) 34 *Higher Education Research Development* 1311, 1312; Gerald Burch et al “Student Engagement: Developing a Conceptual Framework and Survey Instrument” (2015) 90 *Journal of Education for Business* 224, 224. AUSSE’s focus on the institutional role is illustrated by the measures of student engagement it employs: academic challenge, active learning, student and staff interactions, enriching educational experiences, supportive learning environment and work integrated learning: Radloff and Coates, above n 2, vii.

⁵ Rachel Masika and Jennie Jones “Building Student Belonging and Engagement: Insights into Higher Education Students’ Experiences of Participating and Learning Together” (2016) 21 *Teaching in Higher Education* 138; Liz Thomas *Building Student Engagement and Belonging in Higher Education at a Time of Change: Final Report from the What Works Project* (Paul Hamlyn Foundation, 2012) 6; Nick Zepke et al *Improving Tertiary Student Outcomes in the First Year of Study* (Teaching & Learning Research Initiative, 2005) 15.

⁶ Radloff and Coates, above n 2, vii.

⁷ Vincent Tinto *Leaving College: Rethinking the Causes and Cures of Student Attrition* (University of Chicago Press, 2nd ed, 1993); Kahu, above n 2, 766.

⁸ Kahu, above n 2, 768.

⁹ See e.g. Jennifer Fredricks et al “School Engagement” in Kristin Anderson Moore and Laura H Lippman (eds), *What do Children Need to Flourish? Conceptualizing and Measuring Indicators of Positive Development* (Springer, 2005) 305, cited in Kahu, above n 2, 768.

extracurricular activities”.¹⁰ The second dimension is *cognition*, a “student’s psychological investment in and effort directed towards learning, understanding, or mastering ... knowledge, skills”,¹¹ which encompasses “students’ self-regulation and effective use of deep learning strategies”.¹² The third dimension is *affect*, a student’s interest and enthusiasm in learning tasks and feelings of belonging.¹³

B Law Student Wellbeing

The second area of relevant research focuses on law student psychological wellbeing. This body of information supplies an underlying explanation for reported engagement rates (whether negative or positive). For example, Sheldon and Krieger report that a decline in psychological wellbeing correlates with a reduction in students’ intrinsic motivation to engage with their studies.¹⁴ In other words, students suffering a decline in their psychological wellbeing are less likely to be motivated to engage with their area of study because they perceive it to be interesting and enjoyable. Such students are also less likely to be assessed as positively engaged with their studies on, for example, Kahu’s ‘affect’ dimension of student engagement.

A number of studies report that law students enter law school with rates of psychological wellbeing that are equal to or higher than those in the general community.¹⁵ However, the findings of an even greater number of studies across jurisdictions report that many law students, after only a short time at law school, suffer elevated levels of psychological distress.¹⁶ Two recent Australian studies suggest that demographic factors and external

¹⁰ Kahu, above n 2, 766.

¹¹ Fred Newmann, Gary Wehlage and Susie Lamborn “The Significance and Sources of Student Engagement” in Fred Newmann (ed) *Student Engagement and Achievement in American Secondary Schools* (Teachers College Press, 1992) 11, 12, cited in Kahu, above n 2, 766.

¹² Kahu, above n 2, 766.

¹³ *Ibid.*

¹⁴ Kennon Sheldon and Lawrence Krieger “Understanding the Negative Effects of Legal Education on Law Students: A Longitudinal Test of Self-Determination Theory” (2007) 33 *Personality and Social Psychology Bulletin* 883, 884. See also Wendy Larcombe and Katherine Fethers “Schooling the Blues? An Investigation of Factors Associated with Psychological Distress among Law Students” (2013) 36 *University of New South Wales Law Journal* 390, 423.

¹⁵ See Molly Townes O’Brien, Stephen Tang and Kath Hall “Changing our Thinking: Empirical Research on Law Student Wellbeing, Thinking Styles and the Law Curriculum” (2011) 21 *Legal Education Review* 149; Kennon Sheldon and Lawrence Krieger “Does Legal Education have Undermining Effects on Law Students? Evaluating Changes in Motivation, Values, and Well-Being” (2004) 22 *Behavioral Sciences and the Law* 261, 271; Andrew Benjamin et al “The Role of Legal Education in Producing Psychological Distress Among Law Students and Lawyers” (1986) 11 *American Bar Foundation Research Journal* 225, 228.

¹⁶ See Larcombe and Fethers, above n 14, 405; Wendy Larcombe et al “Does an Improved Experience of Law School Protect Students against Depression, Anxiety and Stress? An Empirical Study of Wellbeing and the Law School Experience of LLB and JD Students” (2013) 35 *Sydney Law Review* 407;

factors (students' experiences outside university during the time that they are studying) are, with limited exceptions, not independently associated with elevated distress levels.¹⁷ The exceptions are working long hours or having significant caregiving responsibilities, factors that limit the time students are able to devote to their studies.¹⁸ Larcombe and Fethers report that a number of personal attributes are independently associated with moderate distress levels (low intrinsic motivation for studying law, worry about job prospects, high financial stress). On the other hand, they report that high personal standards (such as perfectionism and being worried about being compared with others) are independently associated with very high distress levels. They also report that a number of law school related factors are independently associated with moderate distress levels (low course satisfaction and low peer engagement), with a further factor (a perception of low support from teachers or faculty) being independently associated with very high distress levels. These results, they suggest, provide a strong indication that "law student distress is mediated by students' experiences, perceptions and cognitive constructs (as they interact with the law school environment)".¹⁹

Larcombe and Fethers, in common with a number of other researchers in the field of law student wellbeing, support the use of self-determination theory (SDT), a theory of human motivation, as an analytical tool to explain the impact of students' law school experiences on their reported wellbeing levels.²⁰ Sheldon and Krieger explain the key elements of SDT:²¹

O'Brien, Tang and Hall, above n 15; Catherine Leahy et al "Distress Levels and Self-Reported Treatment Rates for Medicine, Law, Psychology and Mechanical Engineering Tertiary Students: Cross-Sectional Study" (2010) 44 Australian and New Zealand Journal of Psychiatry 608; Norm Kelk et al "Courting the Blues: Attitudes Towards Depression in Australian Law Students" (Brain & Mind Research Institute, 2009). We concede that this phenomenon is not limited to law students, as university students as a collective group report levels of distress higher than those reported in the general community: see Stefan Cvetovski, Nicola J Reavley and Anthony F Jorm "The Prevalence and Correlates of Psychological Distress in Australian Tertiary Students Compared to their Community Peers" (2012) 46 Australian and New Zealand Journal of Psychiatry 457.

¹⁷ Larcombe and Fethers, above n 14, 419. This reported weaker association between students' experiences outside of law school and mental wellbeing is supported by Nerissa Soh et al "Law Student Mental Health Literacy and Distress: Finances, Accommodation and Travel Time" (2015) 25 Legal Education Review 29, 62. For the position in relation to university students generally, see Wendy Larcombe et al "Prevalence and Socio-Demographic Correlates of Psychological Distress among Students at an Australian University" (2016) 41 Studies in Higher Education 1074, 1088.

¹⁸ Larcombe and Fethers, above n 14, 419.

¹⁹ Larcombe and Fethers, above n 14, 393. See also O'Brien, Tang and Hall, above n 15. A positive association between students' teaching and learning environment and distress levels is also reported in a study focusing on an Australian Professional Legal Education course: Stephen Tang and Anneka Ferguson "The Possibility of Wellbeing: Preliminary Results from Surveys of Australian Professional Legal Education Students" (2014) 14(1) Queensland University of Technology Law Review 27, 46.

²⁰ See e.g. Larcombe and Fethers, above n 14; Massimiliano Tani and Prue Vines "Law Students' Attitudes to Education: Pointers to Depression in the Legal Academy and the Profession?" (2009) 19 Legal Education Review 3; Sheldon and Krieger "Understanding the Negative Effects of Legal Education on Law Students", above n 14; Sheldon and Krieger "Does Legal Education have

[A]ll humans require regular experiences of autonomy, competence and relatedness to thrive and maximise their positive motivation. In other words, people need to feel they are good at what they do or at least can become good at it (competence); that they are doing what they choose and want to be doing, that is, what they enjoy or at least believe in (autonomy); and that they are relating meaningfully to others in the process, that is, connecting with the selves of other people (relatedness).

Positive motivation on SDT measures is associated with wellbeing and, in turn, higher student performance and achievement.²² SDT posits that law students' motivation may be supported or undermined by the social context of law school. On SDT measures, law students across jurisdictions have been assessed as having low levels of positive or intrinsic motivation, attributed most frequently to low autonomy,²³ and, in some instances, low relatedness.²⁴

SDT research not only supplies a rationale for the high reported levels of law student distress, it offers solutions that law teachers and law schools can adopt to improve student wellbeing and, ultimately, student success. For example, Larcombe and Fethers suggest that the students in their study who perceived teacher/faculty support to be low felt "controlled, misunderstood and/or unsupported by their teachers and the faculty generally".²⁵ Again, using SDT terms, teachers can offer greater support of student autonomy by:²⁶

(a) choice provision, in which the ... [teacher] provides ... [students] with as much choice as possible within the constraints of the task and situation; (b) meaningful rationale provision, in which the ... [teacher] explains the situation in cases where no choice can be provided; and (c) perspective taking, in which the ... [teacher] shows that he or she is aware of, and cares about, the point of view of the ... [student].

Undermining Effects on Law Students?", above n 15. SDT is also used to underpin a suite of resources on enhancing student wellbeing available at Enhancing Student Wellbeing, 2.3 *Next Steps: Incorporating Wellbeing Essentials* <<http://unistudentwellbeing.edu.au/curriculum-design/next-steps/>>. For general information on SDT, see Andrew Elliot and Carol Dweck (eds) *Handbook of Competence and Motivation* (Guilford Press, 1st ed, 2007); Maarten Vansteenkiste, Willy Lens and Edward Deci "Intrinsic Versus Extrinsic Goal Contents in Self-Determination Theory: Another Look at the Quality of Academic Motivation" (2006) 41 *Educational Psychologist* 19; Edward Deci and Richard Ryan, "The 'What' and 'Why' of Goal Pursuits: Human Needs and the Self-Determination of Behavior" (2000) 11 *Psychological Inquiry* 227.

²¹ Sheldon and Krieger, "Understanding the Negative Effects of Legal Education on Law Students", above n 14, 885.

²² *Ibid* 884, 893.

²³ Larcombe and Fethers, above n 14, 423-4; Tani and Vines, above n 20, 26-7; Sheldon and Krieger, "Understanding the Negative Effects of Legal Education on Law Students", above n 14, 893-4; Sheldon and Krieger, 'Does Legal Education have Negative Effects on Law Students?', above n 15, 281.

²⁴ Tani and Vines, above n 20, 29.

²⁵ Larcombe and Fethers, above n 14, 420.

²⁶ Sheldon and Krieger "Understanding the Negative Effects of Legal Education on Law Students", above n 14, 884; Larcombe and Fethers, above n 14, 420.

We do sound one final note of caution about SDT. As Larcombe and Fethers note, as a general rule, the effectiveness of SDT-informed measures that have been adopted in law schools with a view to reducing student distress levels have yet to be empirically assessed.²⁷

IV The Immediate Context: Students' 2017 Learning Environment

The broad institutional context in which students completed their studies in 2017 is the subject of this section. Some factors are mandated by external regulation, others by law school and/or overall university policy.

Students in their fourth year of study who were enrolled in a double or conjoint degree may have been completing a number of the remaining compulsory courses in the Bachelor of Law degree that they did not study (or pass) in 2015. These courses, over which the New Zealand Council of Legal Education has oversight, are Criminal Law, the Law of Contract, the Law of Torts, Land Law, Public Law and Property Law (or both Land Law and Equity/Law of Succession). The compulsory nature of these courses means that they attract large enrolments.²⁸ The courses are taught at the participating law schools through a combination of large and small face to face classes (lectures and tutorials). At each of the participating universities, the hours timetabled for large face to face classes far exceed those for small classes.

The broad content and assessment of the compulsory courses are prescribed by the Council of Legal Education.²⁹ The focus of the course prescriptions issued by the Council of Legal Education is on doctrinal knowledge.³⁰ For example, the course content for the Law of Contract is specified as “[t]he general principles of the law of contract and agency”. The Council of Legal Education requires that each of the compulsory courses has an individual written final examination counting for at least 60 percent of the final grade for the course. A Council appointed external moderator for each compulsory course reviews the final examination papers set by all New Zealand law schools to ensure they are of an appropriate standard and adequately cover the course prescription.³¹ The moderator also “ensures that the standard of examination is comparable between law schools.”³² The marking of final examination papers is reviewed by a law teacher from another university.³³

²⁷ Larcombe and Fethers, above n 14, 397.

²⁸ For example, at the University of Canterbury, student enrolments in the each of the compulsory courses consistently exceed 200 in number.

²⁹ *Professional Examinations in Law Regulations 2008*, reg 3, sch 1.

³⁰ *Professional Examinations in Law Regulations 2008*, reg 3(2)(a), sch 1.

³¹ *Professional Examinations in Law Regulations 2008*, reg 6(3).

³² *Professional Examinations in Law Regulations 2008*, reg 6(3).

³³ *Professional Examinations in Law Regulations 2008*, reg 3(2)(a).

Individual law schools and law teachers may choose the manner in which the remaining 40 percent of students' final grade in each of the compulsory courses is assessed, but the course information systems at each of the participating universities show general consistency in how this is done. For the most part, the remaining course assessment includes an individual compulsory written assignment and/or an individual compulsory written test.

Despite the emphasis in the compulsory course prescriptions on doctrinal knowledge, assessment tasks frequently assess skills, such as students' ability to identify the legal issues arising from an unseen legal problem and to apply relevant legal rules to those issues in order to generate a valid solution to the problem.

The majority of students' 2017 courses would likely have been selected from the range of optional papers offered at the law school in which they were enrolled. The content and assessment of the optional courses is not specified by the Council of Legal Education. Learning outcomes for optional courses are largely determined by the academic staff responsible for teaching them. Some students may have enrolled in optional courses in which they have a particular interest, others in courses they feel may be helpful in assisting them finding employment. There is considerable variation in not only class sizes, but teaching and assessment methods. If an optional course has a final exam, it is subject to moderation by a law teacher from another university before it is sat by students. The marking of the final exam and overall course results are also checked by a teacher from another university. Optional courses without final exams are subject to internal moderation procedures at the participating law schools.

V Findings

We begin with information on student demographics and participation rates. Findings are then grouped into the following themes: future career plans, classroom experiences, self-study experiences, relationships with teachers, relations with other students, participation in law-related extra-curricular activities, external factors adversely affecting students' studies, completing students and wellbeing.

A Demographics and Participation Rates

Two hundred and forty seven students completed the 2017 survey, as shown in Table 1 below. Of the 175 students from the original cohort who completed the 2017 survey, 132 have completed all five web-based surveys and we intend to report overall trends in the responses of these students separately at a later date. Seventy two students from Victoria University of Wellington joined the study for the first time in 2017.

Table 1. Surveys 1-5: Invitation and completion rates by law school

	Numbers: survey 1 (2014)	Numbers: survey 2 (2014)	Numbers: survey 3 (2015)	Numbers: survey 4 (2016)	Numbers: Survey 5 (2017)
Auckland	438	262	204	79	86
Canterbury	184	135	100	76	62
Waikato	91	57	46	31	27
Victoria	0	0	0	0	72
Total	713	454	353	222	247

A trend of greater female student participation in the study continued in 2017, although we note this reflects actual enrolments in LLB programmes throughout New Zealand. The New Zealand Law Society reported in October 2017 that over 60 percent of those entering the legal profession are now female.³⁴ There was a 39/61 percent male/female split in the 2017 cohort, compared to a 36/64 percent split in the original cohort. Table 2 below shows the gender split in the original cohort over time.

Table 2. Survey 1 2014, Survey 3 2015, Survey 4 2016 & Survey 5 2017 (Auckland, Canterbury, Waikato): Cohort by gender (percentage)

	Survey 1 2014	Survey 3 2015	Survey 4 2016	Survey 5 2017
Female	64%	63%	60%	62%
Male	35%	35%	39%	38%
Other	1%	2%	1%	0%
Total	100%	100%	100%	100%

Ninety three percent of both the 2017 and original cohorts were studying full-time.

B Future Career Plans

1 Interest in pursuing a legal career

The questions on career plans in the 2017 survey were a repeat of those asked in previous surveys, allowing us to see trends over time within the original cohort of students. The first of the repeated questions asked students how interested they were at this stage of their studies in pursuing a legal career. Students were asked to indicate their level of interest on a five point Likert-type scale. Two hundred and thirty six students answered this question. A

³⁴ New Zealand Law Society *Slightly more male lawyers than female* (24 October 2017) available at <https://www.lawsociety.org.nz> (last accessed 24 January 2018).

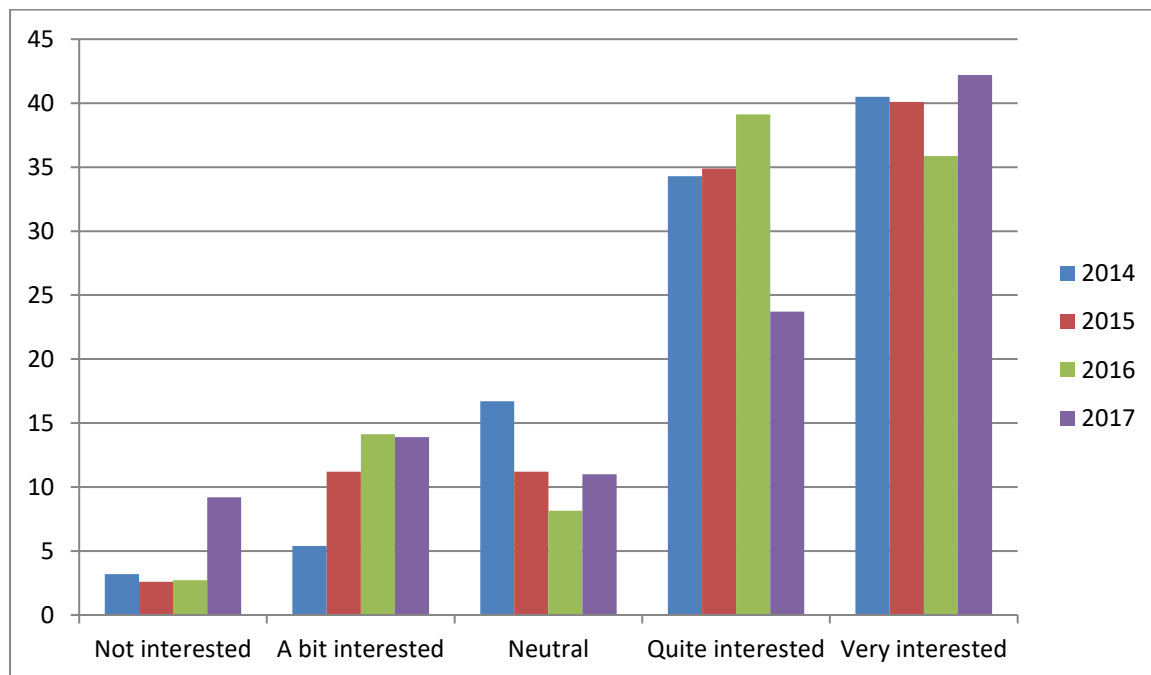
majority of the 2017 cohort (67 percent, (157)) indicated they were either quite or very interested in pursuing a legal career. Sixty six percent of students from the original cohort selected these options (114). As Figure 1 below shows,³⁵ a greater percentage of students in the original cohort selected the “very interested” category than did so in 2016. Although we would expect that a majority of students who have persisted with their law studies for four years would intend to have a legal career, a sizeable minority selected the “not interested”, “only a bit interested” or “neutral” options.

Analysis of the responses to this question by university revealed few differences. Although numbers in the “not interested” category were low, a greater proportion of Auckland students selected this category (14 percent, 12), compared with five percent of Canterbury students (three), four percent of Waikato students (one) and eight percent of Victoria students (five). Auckland students were also less likely to select the “quite interested” or “very interested” categories: 59 percent (50) compared with 75 percent of Canterbury students (47), 65 percent of Waikato students (17) and 68 percent of Victoria students (43).

A gender analysis of the responses of the original cohort revealed that a slightly greater percentage of male students selected the “not interested” category (17 percent of male students selected this response compared to six percent of female students), although overall numbers were low in this category. In a continuing trend from 2015 and 2016, a greater proportion of female students selected the “very interested category”: 49 percent of female students selected this option, compared to 38 percent of male students.

³⁵ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

Figure 1. Survey 1 2014, Survey 3 2015, Survey 4 2016, Survey 5 2017 (Auckland, Canterbury and Waikato): How interested are you at this stage of your studies in pursuing a legal career? (percentage).



2 Preferred legal careers

A second repeated question relating to students’ career plans asked what type of legal career appealed to them at this time. Across the 2017 cohort, 248 students answered this question. Students were given a range of options from which to select and could also add their own option. An additional option, “I don’t intend to have a legal career” was included for the first time in 2017. Consistent with responses to the previous question, few students overall selected this new option (27 students). Across the 2017 cohort, private practice was the most frequently selected option (61 percent of all students (151) selected this option), followed by a government position (54 percent (134)), working as an in-house lawyer (42 percent (103)), working for an international organisation (37 percent (92)), working for a non-governmental/community based organisation (32 percent (78)) and working as a legal academic (18 percent (45)). Fourteen percent of students (35) selected the option that they were not yet sure of the legal career that appealed to them.

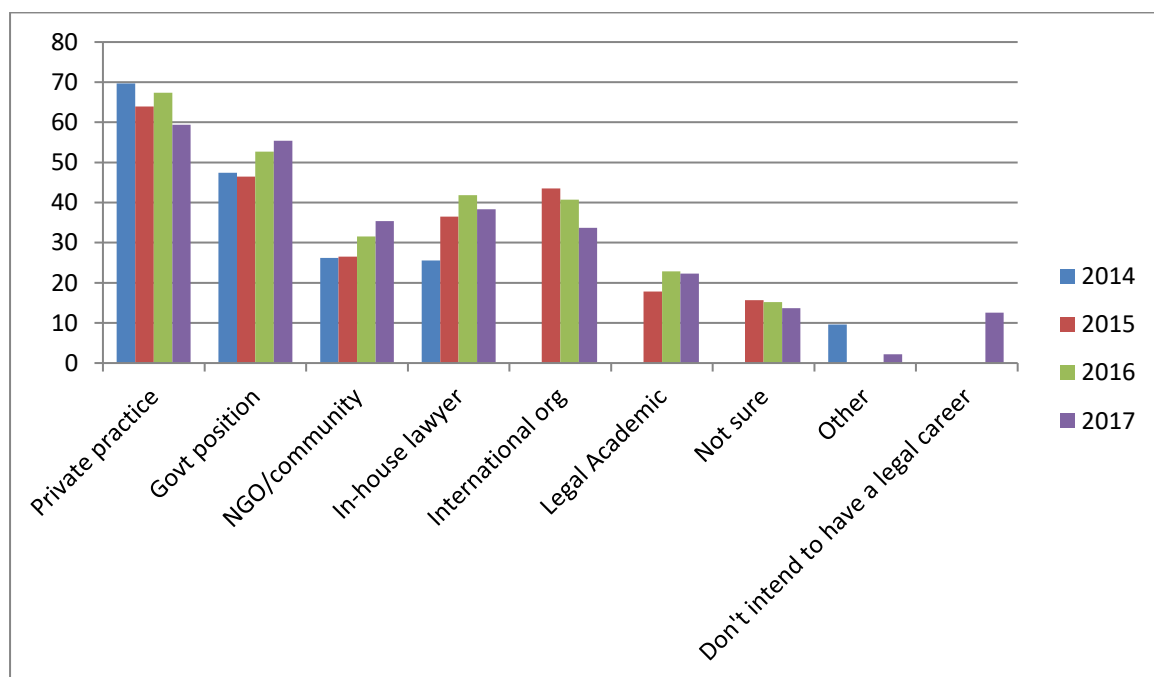
Responses from students within the original cohort who answered this question over time are shown in Figure 2 below.³⁶ Identifiable trends are a small but steady decline in interest in a career in private practice and in working for an international organisation and a small but steady increase in interest in the other given career options.

³⁶ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

Consistent with their responses to the question asking how interested students were in pursuing a legal degree, a greater proportion of Auckland students selected the “I don’t intend to have a legal career” option in this question (20 percent (17)), compared with six percent (four) of Canterbury students, four percent (one) of Waikato students and eight percent (five) of Victoria students. Canterbury students were proportionately more interested in a government position: (73 percent (46), compared with 44 percent of Auckland students (37), 54 percent of Waikato students (14) and 59 percent of Victoria students (37)).

Analysis by gender of the original cohort revealed that female students, by a small margin, were more likely to be interested in working for a non-governmental or community based organisation or an international organisation such as the United Nations. Across the 2017 cohort, female students, by a small margin, were more interested in working for a non-governmental or community based organisation.

Figure 2. Survey 1 2014, Survey 3 2015, Survey 4 2016, Survey 5 2017 (Auckland, Canterbury and Waikato): What type of legal career appeals to you? (percentage)



3 Legal areas of interest

A final repeated question in this category asked students what areas of law they were interested in. Across the 2017 cohort, commercial and company law was the most frequently selected option (selected by 44 percent of students). Then, in order of frequency, were criminal law (40 percent), human rights (38 percent), employment (35 percent),

intellectual property (34 percent), international law (34 percent), family (33 percent), environmental law (32 percent), torts (28 percent), public (25 percent), community law (23 percent), media law (23 percent), land law (22 percent), Māori and indigenous law (21 percent), law and medicine (21 percent), law and sport (13 percent) and “other” (seven percent).

As Figure 3 below shows, responses from the original cohort largely mirrored those of the 2017 cohort. Figure 3 also shows the responses of the original cohort to this question over the period 2014-2017.³⁷ Although company and commercial law has remained a popular choice over this period, it is now the most popular choice by some margin. Subject areas that were very popular in 2014 (criminal law and international law) have undergone a steady decline, as has human rights (first included in the list of student choices in 2015). A further trend is the clustering of students’ responses around areas reflecting the bulk of private practice, such as commercial/company, family, intellectual property, employment, estates and wills, land law and environmental law.³⁸

Analysis by law school revealed some differences. The options most frequently selected by Auckland students were, in order, company/commercial, criminal law/criminal justice and intellectual property. Canterbury students’ top option was family law, with commercial/company and employment tied for second and criminal law coming in third. Waikato students’ top option was also family, followed by employment law with commercial/company and criminal tied for third. Commercial/company and employment tied for first place with Victoria students, followed by criminal law and intellectual property.

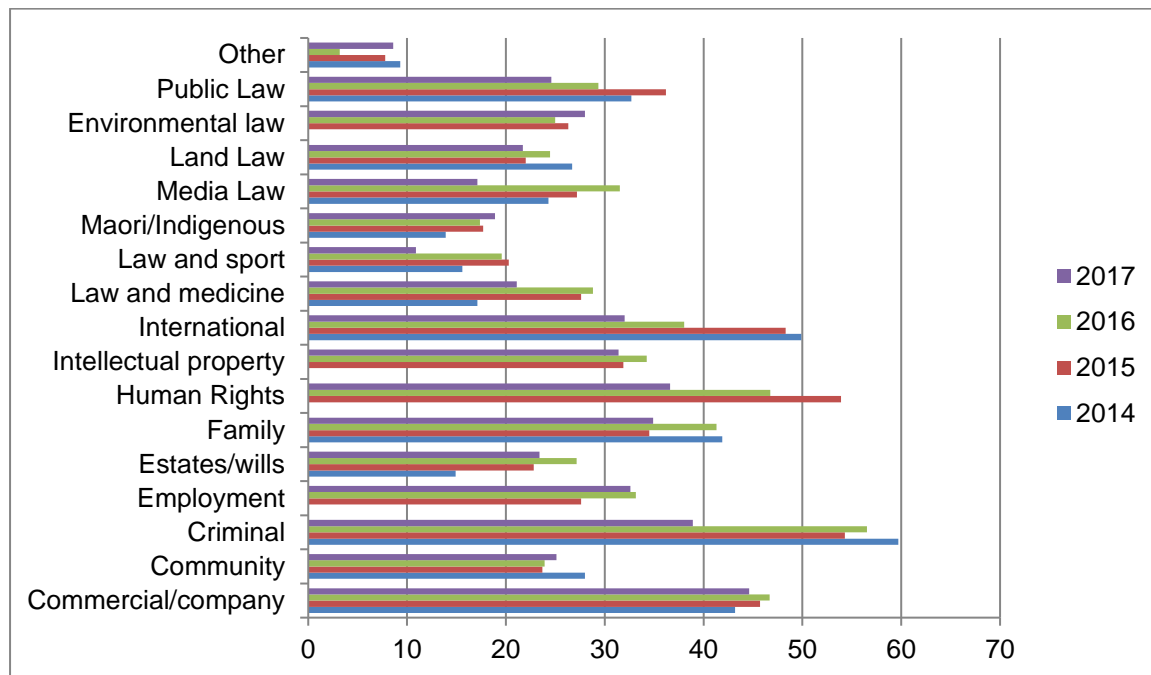
Analysis by gender across the cohort highlighted subject areas that were proportionately more likely to be selected by male or female students. Male students were more likely than female students to select company/commercial (45 percent of responses in this area were from male students). Male students were also more likely than female students to indicate interest in intellectual property and public law. Female students, on the other hand, were more likely than male students to indicate interest in community law, estates and wills, family law, human rights, immigration law and law and medicine. Interestingly, the subject preferences selected by male and female students reflect the reality of legal practice in New Zealand. Lawyers who practice family law are more likely to be female, while male practitioners are more likely to undertake commercial/company work on a regular basis.³⁹

³⁷ Note: The summary of data from previous surveys is of the responses of all students who answered this question in previous years. Responses from the original cohort in 2017 may or may not be included, depending on whether they answered this question in previous years.

³⁸ New Zealand Law Society *Spotlight on areas of practice* (July 2017) available at <http://myold.lawsociety.org.nz/in-practice/practice-management/practice-trends-and-statistics/spotlight-on-areas-of-practice> (last accessed 22 January 2018).

³⁹ New Zealand Law Society *Spotlight on areas of practice* (July 2017) available at <http://myold.lawsociety.org.nz/in-practice/practice-management/practice-trends-and-statistics/spotlight-on-areas-of-practice> (last accessed 22 January 2018).

Figure 3. Survey 1 2014, Survey 3 2015, Survey 4 2016: What areas of law are you interested in?* (Auckland, Canterbury, Waikato) (percentage)



* Students were able to select from a greater range of options in 2015, 2016 and 2017. The increased options were drawn from the most frequent “other” responses in the first 2014 survey.

4 Comment

We make a number of comments in relation to students’ responses to the career based questions in this section. The first is that the reported interest in pursuing a legal career by a large majority of students is expected. Students who have successfully persisted to this point in their legal studies are likely to intend a legal career. The second is an overall trend in students’ responses to reflect to a greater degree the reality of legal practice, both in terms of desired careers and subject areas of interest. Students in their final year of study have likely already applied for jobs and, as detailed further in the responses to questions asked of these students, some already have employment arranged. Students in their penultimate year of study may have already applied for summer clerk roles. Overall, students are likely to have a greater awareness of the legal areas in which there are jobs and the form that those jobs are likely to take. We speculate that contact with the reality of the legal job market may account for the changes in the legal subject areas in which students expressed the greatest interest in 2017. However, and based on our own experiences as teachers, we also speculate that interest in an area of law in order to enhance job prospects does not necessarily equate to an intrinsic interest in the area. Overall, however, the expressed intention of so many to pursue a legal career is, at the very least, suggestive of likely positive engagement in terms of Kahu’s behaviour dimension, that is, rule following, attendance and involvement in learning.

C Academic Engagement: Classroom Experiences

Findings in this section are grouped under headings relating to attendance, participation in interactive (or active learning) activities and required preparatory work.

1 Attendance

A significant positive relationship between lecture attendance and academic achievement is consistently reported in higher education literature.⁴⁰ However, there is debate as to the extent of a causal link between the two given the potential for unaccounted links between lecture attendance and personal factors such as students' academic ability, motivation and/or effort.⁴¹

Lecture attendance is not compulsory at any of the participating law schools. Across law schools, students who are enrolled in compulsory courses are timetabled to spend two or three hours in lectures each week across the four term academic year. Lecture arrangements for optional courses are more variable. We did not collect data on the extent to which students had access to recorded lectures and whether they counted watching those as lecture attendance.

Students were asked a repeat of a question asked in both 2015 and 2016: "What proportion of law lectures have you attended in 2017?" Students were able to select from five responses on a Likert-type scale. Two hundred and twenty seven students answered this question. Analysis of the responses of the 2017 cohort revealed high reported attendance rates,⁴² particularly given the timing of the survey three quarters of the way through the academic year.⁴³ Sixty nine percent of students (156) reported that they had attended between 81-100 percent of lectures. Seventeen percent of students (38) reported they had attended 61-80 percent of lectures, six percent (13) had attended 41-60% of lectures, one percent (3) had attended 21-40 percent of lectures and seven percent (17) reported attending 0-20 percent of lectures. Analysis of results of the 2017 cohort by law school

⁴⁰ See Lilian Corbin, Kylie Burns and April Chrzanowski "If You Teach It, Will They Come? Law Students, Class Attendance and Student Engagement" (2010) 20 *Legal Education Review* 13; Loretta Newman-Ford et al "A large-scale investigation into the relationship between attendance and attainment: a study using an innovative, electronic attendance monitoring system" (2008) 33 *Studies in Higher Education* 699.

⁴¹ See e.g. Wiji Arulampalam, Robin Naylor and Jeremy Smith "Am I missing something? The effects of absence from class on student performance" (2012) 31 *Economics of Education Review* 363 at 364.

⁴² This is in contrast to the findings of a study of the objectively measured attendance rates of students enrolled in law programmes at Griffiths University: see Corbin, Burns and Chrzanowski, above n 40.

⁴³ This is particularly so given the "U" effect reported in other studies, i.e., initial high attendance at the beginning of the course, followed by a reduction over the remainder of the semester and then a peak during revision lectures or lectures where assessment requirements are communicated: see Gabrielle Kelly "Lecture attendance rates at university and related factors" (2012) 36 *Journal of Further and Higher Education* 17 at 30.

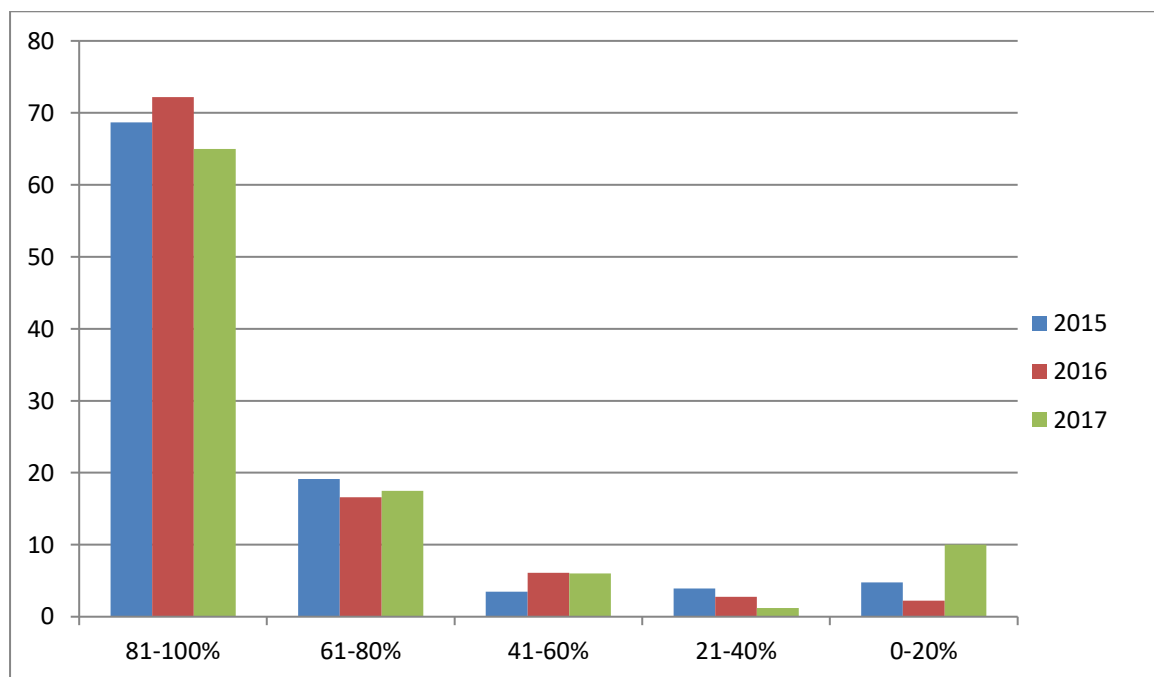
revealed that students from Victoria law school were more likely to report high frequency of lecture attendance. Seventy nine percent of students from this law school (48) reported attending between 81-100 percent of lectures, compared with 67 percent of Canterbury students (41), 65 percent of Auckland students (51) and 62 percent of Waikato students (16).

Analysis of the results of the original cohort of Auckland, Canterbury and Waikato students is shown in Figure 4 below.⁴⁴ These results show a small drop in those reporting very high attendance rates (81-100 percent) from 72 percent in 2016 to 65 percent in 2017 and a corresponding rise in those reporting attending 61-80 percent and 0-20 percent of lectures.

Analysis by gender revealed no trends of note.

We make one final cautionary point. We were unable to assess the extent to which students' reported attendance rates reflected actual attendance rates. A number of studies of university students have found that students commonly self-report higher rates of attendance than those captured by objective collection methods.⁴⁵

Figure 4. Survey 3 2015, Survey 4 2016, Survey 5 2017: Reported lecture attendance rates (Auckland, Canterbury, Waikato) (percentage)



Students were asked a further repeated question: “What is your main reason for missing lectures?” Two hundred and twenty four students answered this question. Students were

⁴⁴ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

⁴⁵ Ibid.

asked to select one of a given range of options. As was the case in 2016, the options from which students could select were taken from the most frequently occurring student responses when this question was asked in open-ended form in 2015. Across the 2017 cohort, the most frequently selected reason by a large margin was “illness or accident” (selected by 25 percent of the cohort (57)), followed by “employment commitments” (15 percent, (34)), “study commitments” (12 percent, (27)), “other” commitments (10 percent, (23)). The options of “family commitments”, “timetable clashes” and “lecture timing” were each selected by four percent of students (nine). Twelve percent of students (27) selected the option, “I never miss lectures”. “Not enjoying lectures” or “being able to pass without attending lectures” were each selected by five percent of students (13). “Transport issues” was the least frequently selected option (one percent, three).

Analysis by university revealed largely consistent results with one exception. Although overall numbers of students selecting the option of “study commitments” was relatively low (27), a greater proportion of Victoria students selected this option (20 percent, compared with seven percent of Auckland students, 13 percent of Canterbury students and eight percent of Waikato students).

The responses of the original cohort were largely unchanged from 2016. The most frequently given reason was “illness or accident” (selected by 25 percent of this cohort (40), (23 percent in 2016)), followed by “employment commitments” (14 percent (23), (13 percent in 2016)), “study commitments” (9 percent (15), (12 percent in 2016)), “other” commitments (10 percent (16), (six percent in 2016)) and “family commitments” (four percent (seven), (five percent in 2016)). Seven percent (12) indicated they could pass without attending lectures (five percent in 2016), five percent (eight) “did not like attending lectures” (two percent in 2016). Fourteen percent (23) selected the option “I never miss lectures” (13 percent in 2016).

Analysis by gender revealed a continuation of a trend apparent in the responses of the original cohort in previous years: female students were more likely to report missing a lecture for illness or accident. Further, although numbers selecting the “family reasons” category were low, all were female students. Male students were more likely to select the following options (although overall numbers in each were low): “I never miss lectures” and “I don’t enjoy lectures”.

Overall, the high reported lecture attendance rates and the primary reason given for missing lectures (illness or accident) suggest positive engagement in terms of Kahu’s behaviour dimension as on this measure lecture attendance is categorised as “positive conduct and rule following”. We do however note that the second ranking main reason for missing lectures across both student cohorts was “employment commitments” and that working long hours is an external factor identified in recent Australian studies as independently

associated with elevated student distress levels.⁴⁶ On the other hand, very few students selected "family commitments" as their main reason for missing lectures, a positive point given that the other external factor independently associated with elevated distress levels in the Australian literature is having significant care giving responsibilities.

2 *Participation in interactive activities*

As was the case in earlier phases of the study, we sought to probe what was happening during the lectures that students attended. In both 2015 and 2016 students were asked what things they typically did during law lectures. Students' reports of their regular activities during large law lectures were consistent across 2015 and 2016 and across law schools. The activities most frequently reported by students were passive activities: listening to what the lecturer had to say and taking notes using an electronic device. The least frequently selected activities were active learning activities such as participation in lecturer directed group activities, answering questions asked by the lecturer and asking questions of the lecturer.

Students were asked what things they regularly did during small classes in 2016 and their reported experiences were very different. Listening to what the lecturer had to say was the most frequently selected regularly occurring activity, but at a lower overall rate than reported for large classes. Consistent with this, listening was followed by active learning activities such as participation in lecturer-directed group activities and answering questions asked by the lecturer. This pattern of response was also consistent across law schools.

We did not repeat either of the questions described above in 2017, but instead sought information on the reasons for the reported low participation in active learning activities. Active learning activities involve students doing more than listening to what a teacher has to say and include activities that develop skills, including higher level thinking skills.⁴⁷ Active learning activities are associated with positive engagement in terms of Kahu's cognition dimension (effective use of deep learning strategies) and affect dimension (interest and enthusiasm in learning tasks). When drafting the questions in this section, we chose to use the phrase "interactive activities" rather than "active learning" because we considered it would be more likely to be understood by students. We included the following explanatory comment: "Interactive activities include discussions, answering and asking questions, writing exercises and other similar activities."

(a) Frequency of occurrence of interactive activities

Students were first asked how often interactive activities occurred during lectures. Students were given five responses to choose on a Likert-type scale ranging from "never" to "very often". Two hundred and twenty three students answered this question. Across the 2017 cohort, the most frequently selected option was the mid-point option, "sometimes" (35

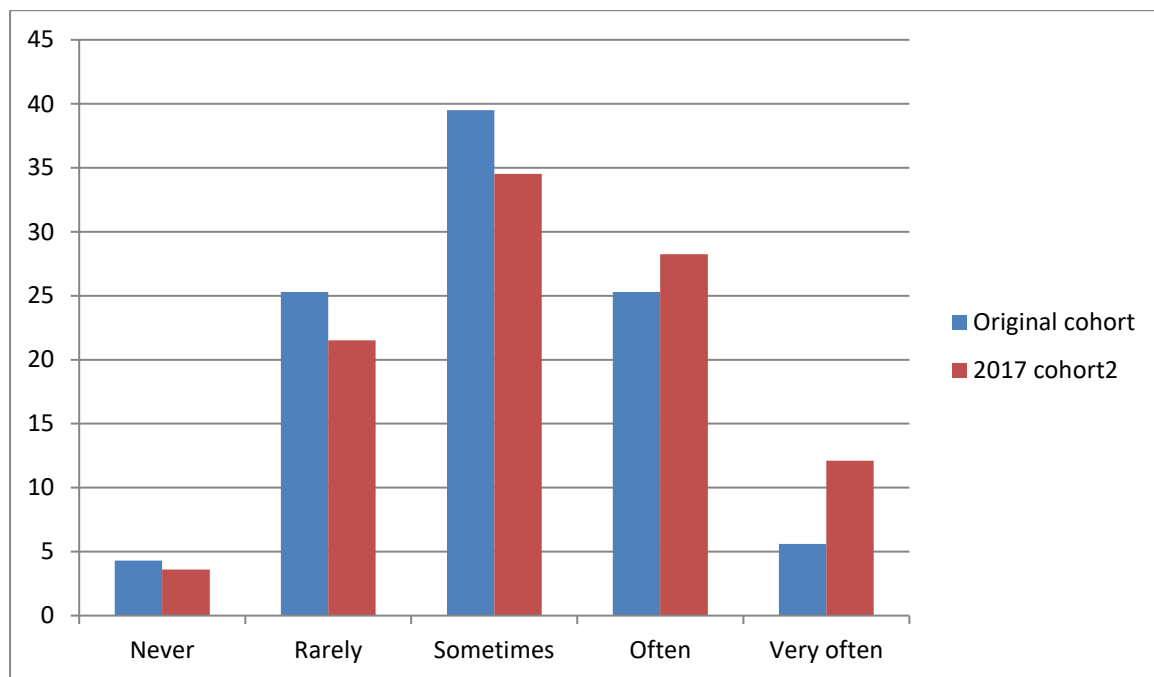
⁴⁶ Larcombe and Fethers, above n 14, 393.

⁴⁷ Gerald Hess "Good Practice Encourages Active Learning" (1999) 49 *Journal of Legal Education* 401 at 401.

percent, 77). Twenty percent of students (63) selected “often” and 22 percent (48) selected “rarely”. The least frequently selected options were “very often” (12 percent (27)) and “never” (4 percent (8)). Analysis of results across law schools revealed that a greater proportion of Victoria students reported that interactive activities occurred “very often”. Thirty percent of Victoria students (18) selected this option, compared with three percent of Auckland students (two), ten percent of Canterbury students (six) and four percent of Waikato students (one). Sixty six percent of students from Victoria law school selected the “often” or “very often” categories, compared to 35 percent of Auckland students, 33 percent of Canterbury students and 42 percent of Waikato students.

Figure 5 below shows the comparison between the 2017 and original cohorts. Thirty percent of the original cohort of students (50) reported that interactive activities occurred often or very often during their lectures, with 30 percent (50) reporting that they never or rarely occurred and forty percent (64) reporting that they sometimes occurred.

Figure 5 Survey 5 2017: How often in your lectures do interactive activities occur? (percentage).



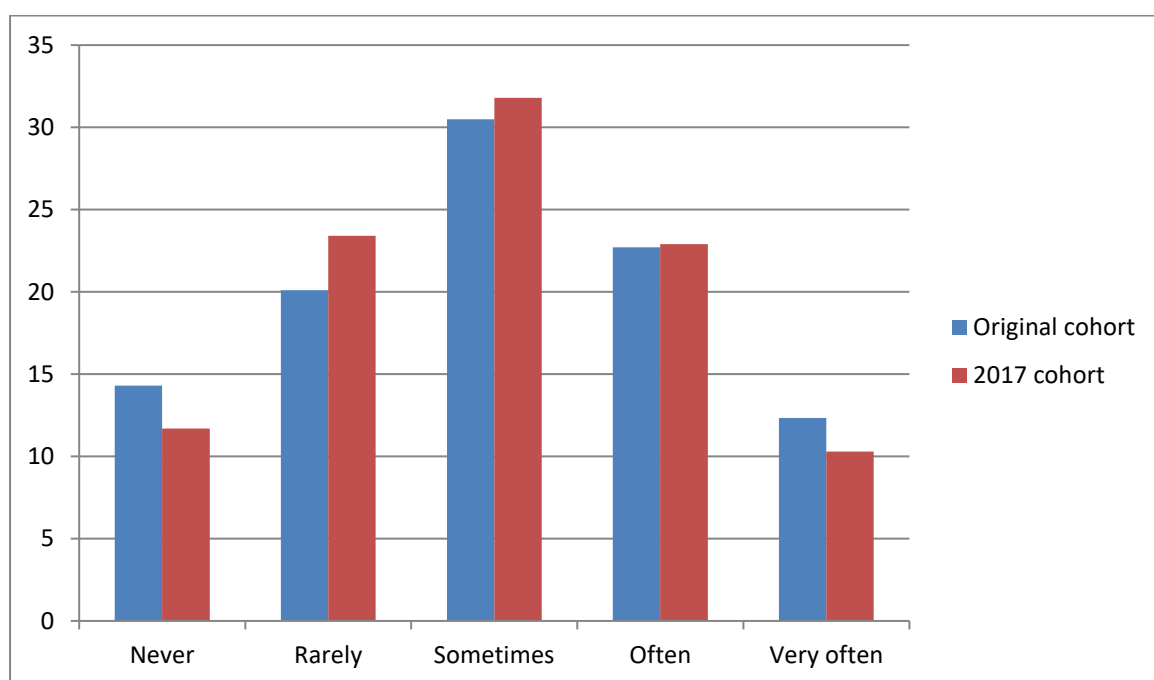
(b) Frequency of participation in interactive activities

A follow up question asked students how often they participated in the interactive activities that were on offer during their lectures. Students were again given a range of responses from which to select on a five point Likert-type scale. Two hundred and fourteen students answered this question. Across the 2017 cohort, a minority (33 percent (71)) reported that they participated in interactive activities that were on offer during their lectures “often” or “very often”. Across universities, a higher proportion of Auckland students reported “never” or “rarely” participating (44 percent (31)), compared with 29 percent of Canterbury students (17), 20 percent of Waikato students (five) and 36 percent of Victoria students (22).

Analysis of the results of the original cohort showed that 35 percent of the original cohort (54) indicated that they participated in the interactive activities that were on offer “often” or “very often”. Figure 6 below shows the comparison in responses between the 2017 and original cohorts.

Analysis of responses by gender across the original and 2017 cohort revealed little of note. Across the original cohort, male students, by a very small margin, selected the “never” and “rarely” options more frequently than female students and the “often” and “very often” options less frequently.

Figure 6. Survey 5 2017: How often do you participate in the interactive activities that are on offer during your lectures? (percentage)



Students were then asked an open-ended question of a follow-up nature seeking the reason(s) for the option they selected in answer to the question asking how often they participated in the interactive activities that were on offer in their lectures. One hundred and sixty one students answered this question and many students gave more than one reason. Across the 2017 cohort, the most common reason given for participation in interactive activities was that it helped understanding (20), followed by knowing the answer or having something to say (17). Six students noted that they participated in small group discussions and four during small class activities. Four students reported answering questions to keep a class moving forward. Two students reported that they asked questions if they needed clarification of material, three noted that participating made lectures interesting and four noted that they liked to participate. Six students stated that they participated when called upon in a class taught using Socratic dialogue, four noted that they were required to participate and a further five stated that they answered questions directly asked of them. Fourteen out of the 15 students referred to in the previous sentence were

from students from Victoria law school. These responses suggest that use of the Socratic dialogue as a teaching method is more prevalent at this law school and may be a reason why a greater proportion of students from Victoria law school reported frequent occurrence of interactive activities during lectures. In general terms, Socratic dialogue “involves extended questioning of individual students [by a teacher] regarding cases assigned for class”.⁴⁸

The most frequent single reason given for not participating was not being comfortable speaking before a large class (20). A further 14 students made reference to feeling shy or anxious. In a similar vein, three students feared the judgment of their peers. Twenty five students referred to not knowing the answer, not understanding material, not wanting to get the wrong answer or not having prepared. It is likely that the concerns expressed in the previous sentence are amplified where students are required to speak before a large audience. Eight students reported a preference for listening and/or taking notes and five stated that they did not find interactive activities to be useful. A further 13 students reported that they preferred listening to what other students had to say. Three students referred to law lecturers as being intimidating. Five students reported that interactive activities occurred infrequently and one reported that he or she had not been asked to participate. Two students noted that they preferred to speak to their lecturers on a one to one basis. Three students referred to the fact that they did not know many other students in the class and one referred to seating arrangements that made participation difficult.

Analysis by gender revealed that female students were more likely to give not being comfortable speaking before a large class and/or feeling shy or anxious as reasons for not participating in the interactive activities that were on offer.

(c) Comment

Responses to the questions directed at interactive activities suggest that many students in their final or penultimate years of study still frequently experience a traditional lecture (where a lecturer communicates content to students). Students’ responses to the questions directed at interactive activities suggest that such activities are not, for many, a very frequent occurrence in lectures. Additionally, a minority of students reported that they participate frequently in those activities when they are on offer. The reasons given by students for not participating are notable for two reasons. Firstly, the responses of a reasonable proportion of students indicate that they do not enjoy participating in activities that require speaking before a large audience. We note that such participation is a feature of the Socratic dialogue teaching method. We further note that whilst the Socratic dialogue is an interactive teaching method, it only involves one student at a time. This may be one explanation of the fact that a minority of students report participating in interactive activities “often” or “very often”. The reported aversion to speaking activities in large classes is useful feedback for teachers to take into account in lecture planning. For example,

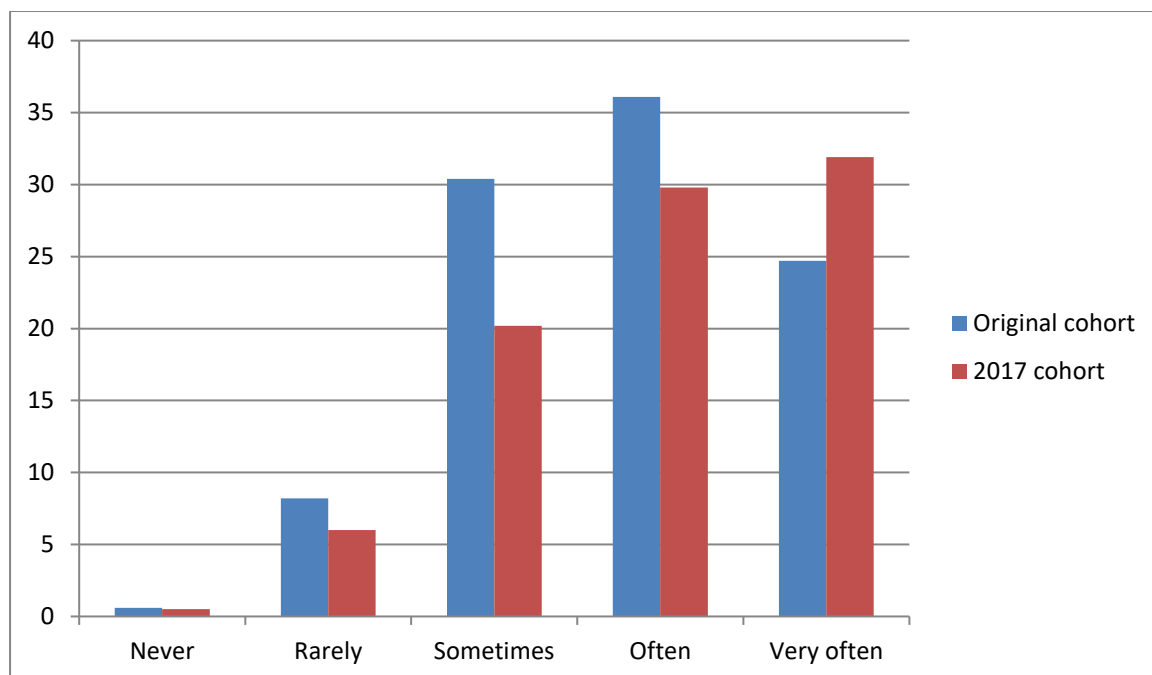
⁴⁸ Elizabeth Mertz *The Language of Law School* (Oxford University Press, New York, 2007) at 152.

those teachers who wish to include such activities should consider how prepared students are to undertake such activities and whether they have facilitated a supportive and positive class room climate. Law schools may need to consider whether further teacher education and support in designing interactive activities that promote positive engagement and wellbeing is necessary. As it stands, the reported participation rates in interactive activities and the reasons given for this suggest that a reasonable proportion of students are not choosing not to participate in activities that facilitate deeper learning.

3 Preparatory work

Two new questions were included in the 2017 survey focusing on the amount of preparatory work required of and completed by students prior to lectures. These questions were included to probe further the nature of teaching and learning experienced by students in lectures. The first question asked students how frequently their lecturers expected them to complete preparatory work prior to attending class. Students were asked to select one of five options on a Likert-type scale ranging from “never” to “very often”. Two hundred and nineteen students completed this question (158 from the original cohort). Across the 2017 and original cohorts, as Figure 7 below shows, a majority of students reported that preparatory work was required “often” or “very often”. This trend was apparent across all law schools except Canterbury. Across law schools, students from Victoria were more likely to report that preparatory work was required “very often”: 66 percent of Victoria students selected this category, compared to 40 percent of Auckland students, 15 percent of Waikato students and 10 percent of Canterbury students.

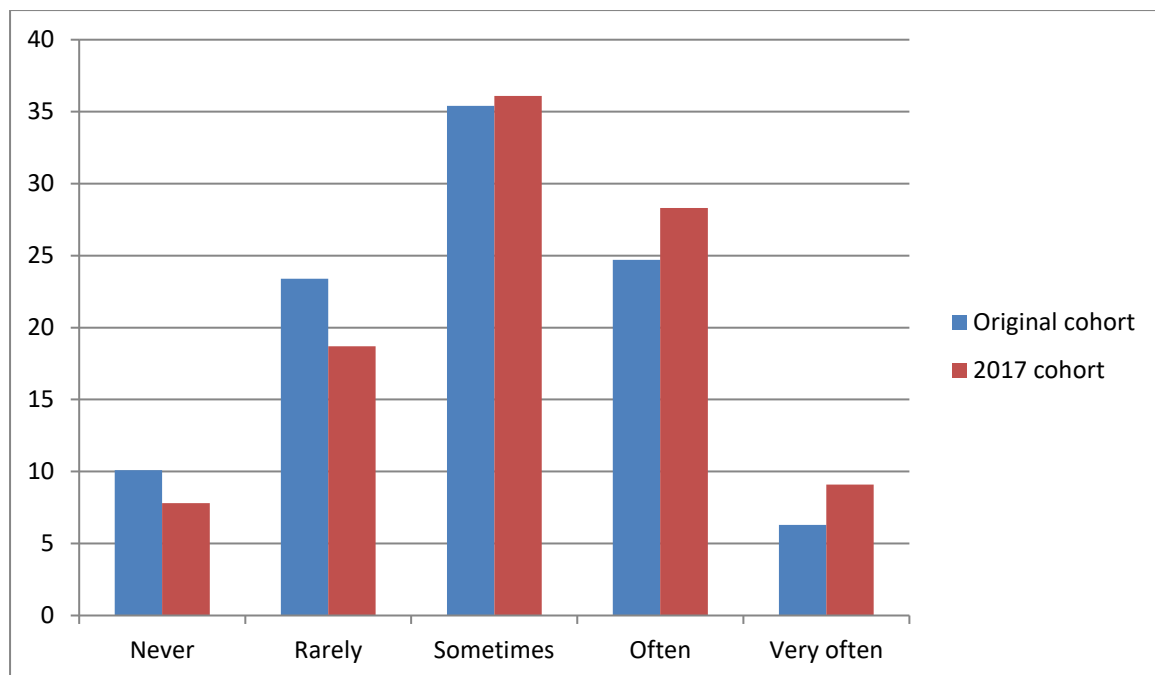
Figure 7. Survey 5 2017: Frequency of required preparatory work for lectures (percentage)



A follow up question asked students how frequently they completed any required preparatory work. Students were asked to select one of five options on a Likert-type scale

ranging from “never” to “very often”. Two hundred and nineteen students answered this question (158 from the original cohort). As Figure 8 below shows, across the two cohorts a minority of students reported completing preparatory work “often” or “very often”: 33 percent (82) of the 2017 cohort and 28 percent (49) of the original cohort. Across universities, although numbers were small in the “very often” category, Victoria students most frequently selected this category (16%), compared to Auckland (seven percent), Canterbury (five percent), and Waikato (8 percent). A gender analysis of the responses of the original cohort revealed no significant differences in the responses of male and female students.

Figure 8. Survey 5 2017: Frequency of completion of preparatory work (percentage)



In summary, although students report that their teachers set preparatory work “often” or “very often”, only a minority complete this work regularly. Presumably, it also follows that many students experience no significant and adverse consequence(s) for non-completion or, on the other hand, reward(s) for completion. Students’ responses suggest that, for many, there is room for improvement in terms of Kahu’s cognition dimension (effort directed at learning) and affect (interest and enthusiasm in learning). However, we note that students’ responses are likely to be a direct consequence of the teaching methods and learning activities employed by their teachers. If, for example, teachers set preparatory work, but then deliver a traditional lecture, there is little incentive for students to complete it.

D Academic Engagement: Self-study

1 *Time spent on self-study*

Although a number of recent studies have identified a significant positive relationship and causal link between time spent on study outside of class and academic performance,⁴⁹ students' responses to previous surveys in this study have revealed that a significant proportion spend less time on self-study than the law schools at which they are enrolled would expect. Although students were enrolled in courses of varying credit point value across and within the participating universities, one credit point equates to approximately 10 hours of study across all New Zealand universities. Compulsory courses at Auckland, Canterbury and Victoria law schools are worth 30 points, but 20 points at the University of Waikato. Optional courses range from 10 – 20 points at Auckland and Waikato, but are all 15 points at Canterbury and Victoria. For example, a 15 point optional course equates to 150 hours of study, approximately 10 hours per week across a half-year semester. If students spend two-three hours per week in lectures for such a course (as is the norm at the University of Canterbury, for example), it means they should be spending seven-eight hours each week on self-study.

Students were asked a question previously asked in 2015 and 2016: "How many hours outside of lectures and tutorials do you typically devote to each of your 2017 law courses each week?" Two hundred and twenty students answered this question (159 from the original cohort). Students were asked to select one option on a five point Likert-type scale ranging from 0-2 hours to more than 10 hours. Across the 2017 cohort, 17 percent of students (38) selected the 0-2 hours option. The most frequently selected option was 3-5 hours (30 percent (66)). Just under half of the 2017 cohort (47 percent) reported spending between 0-5 hours on self-study per course each week, a figure that is likely in most instances to be lower than law schools would expect. Twenty five percent of students (55) reported spending 6-8 hours each week on self-study, with nine percent reporting spending 9-10 hours and twenty percent (42) spending more than 10 hours. Across universities, students from Victoria law school were least likely to report spending between zero to two hours on self-study: 10 percent of Victoria students (six) selected this category, compared to 15 percent of Canterbury students (nine), 19 percent of Waikato students (five) and 24 percent of Auckland students (18). Students from Waikato and Victoria were more likely to report spending more than 10 hours each week per course on self-study (although overall

⁴⁹ See e.g. Ralph Stinebrickner and Todd Stinebrickner "Time-use and college outcomes" (2004) 121(1) *Journal of Econometrics* 243; Ralph Stinebrickner and Todd Stinebrickner "The causal effect of studying on academic performance" (2008) 8(1) *B.E. Journal of Economic Analysis & Policy* 8; Vincenzo Andrietti and Carlos Velasco "Lecture Attendance, Study Time and Academic Performance: A Panel Data Study" (2015) 46(3) *Journal of Economic Education* 239.

numbers in this category were low). On a gender analysis, male students were more likely to have selected the zero to two hours option.

Analysis of the responses of the 159 students from the original cohort who answered this question show an upwards trend in terms of time spent on self-study. However, we note that this is to a large degree countered by a general trend downwards in class attendance.⁵⁰ The overall time that students devote to their studies is likely to be largely unchanged. As Figure 9 below shows,⁵¹ 20 percent of students (32) reported spending zero to two hours per course on self-study, compared to 28 percent of students in 2016 and 24 percent of students in 2015. As in previous years, students most frequently reported spending between three and five hours each week on self-study per course. A consequence of these results are that many students are likely still spending fewer hours on self-study than the participating law schools would expect.

Gender based trends apparent in 2016 continued in 2017: male students were slightly more likely to report spending between zero and two hours on self-study than female students (25 percent of male students selected this option, compared to 17 percent of female students). Female students, on the other hand, were slightly more likely to select the three to five hours category (36 percent of female students selected this category, compared to 27 percent of male students). Approximately equal proportions of male and female students selected the remaining categories.

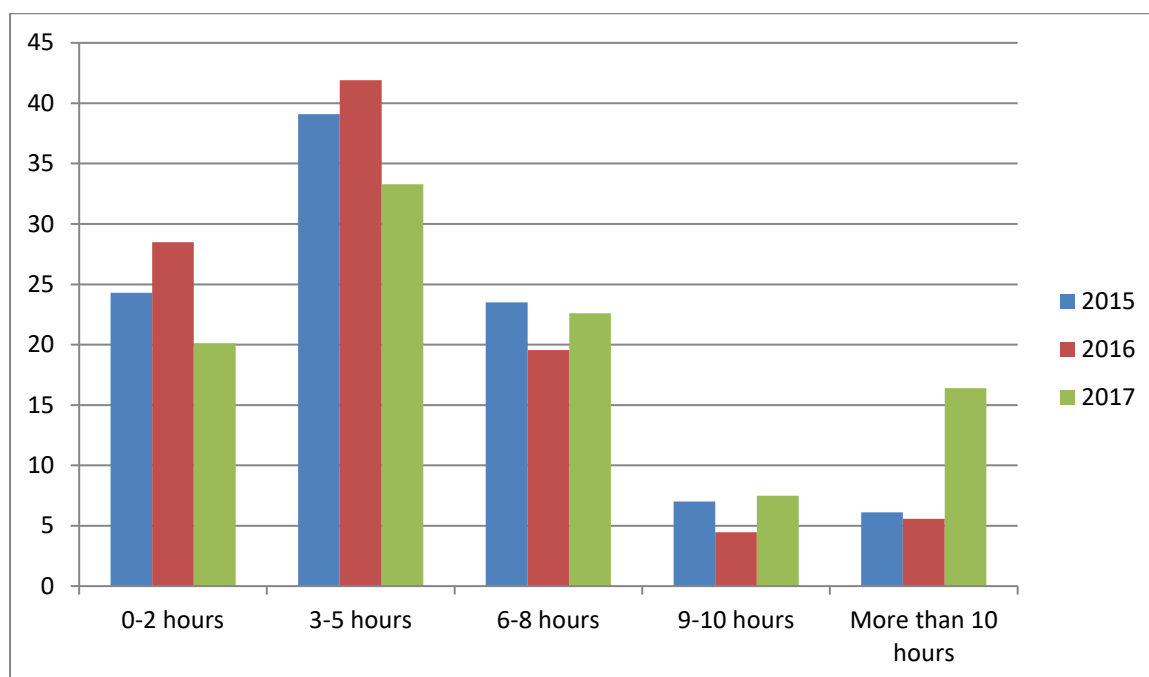
As we also reported in 2016, given the positive behaviour that a majority of students report in terms of class attendance rates and their overall likely long-term motivation levels to pursue a legal career, we suggest that the time students report spending on self-study is a likely consequence of institutional influences, particularly teaching practice and assessment design. We surmise that many students are devoting the time to their studies that they perceive to be necessary to achieve their desired level of success. However, for those students reporting lower than expected time spent on self-study, it suggests room for improvement in terms of Kahu's cognition dimension of student engagement (psychological investment in and effort directed towards learning, understanding ... knowledge [and] skills" and perhaps also the affect dimension as it relates to interest and enthusiasm in learning tasks.⁵²

⁵⁰ See Figure 4 above.

⁵¹ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

⁵² Kahu, above n 2.

Figure 9: Survey 3 2015, Survey 4 2016, Survey 5 2017: Average hours spent on each enrolled course each week (Auckland, Canterbury, Waikato) (percentage)



2 *Self-study activities*

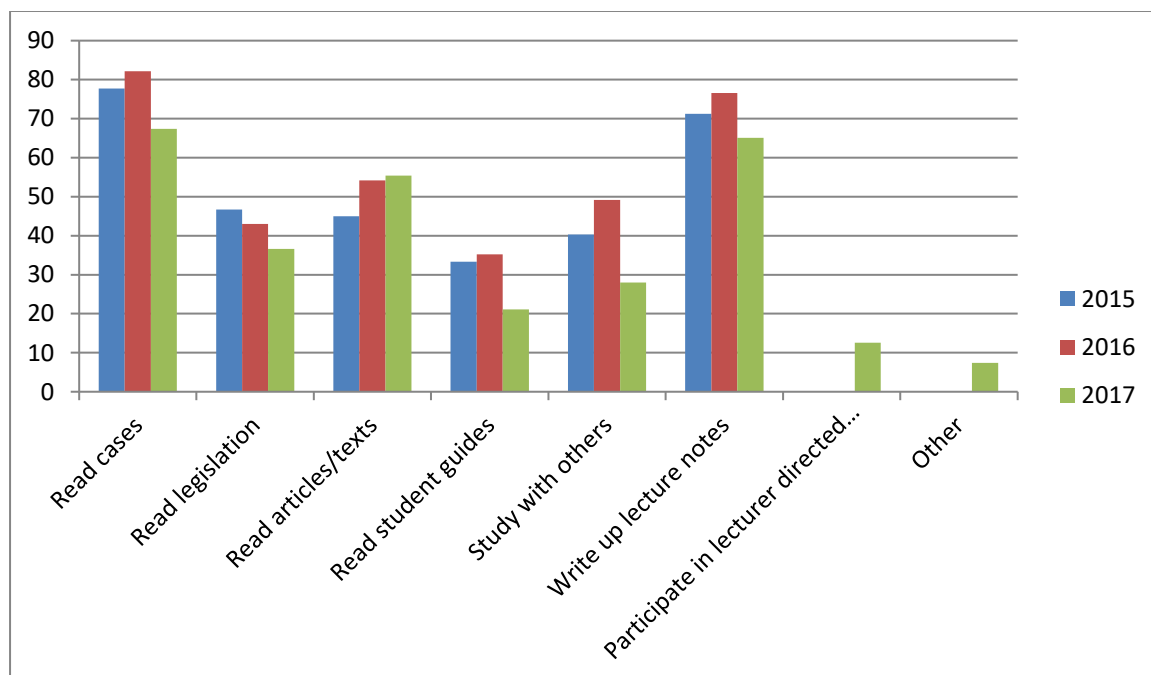
Another repeated question from 2015 and 2016 asked students what things they regularly did when focusing on their law studies outside of lectures and tutorials. Students could select from a range of responses and most selected more than one option. The most frequently selected option across the 2017 cohort was reading cases (71 percent of the cohort selected this option (176)). This was followed by writing up and supplementing lecture notes (63 percent (158)), reading texts and articles (49 percent (122)), reading legislation (40 percent (91)), studying with others (28 percent (70)), reading student study guides (21 percent (51)) and participating in lecturer-directed online activities (10 percent (24)).

Across law schools, a higher proportion of Victoria and Waikato students (80 percent and 77 percent respectively) selected the option of reading cases, compared to Canterbury students (69 percent) and Auckland students (63 percent). A higher proportion of Canterbury students reported reading texts and articles (74 percent), compared to 67 percent of Waikato students, 38 percent of Auckland students and 34 percent of Victoria students. A higher proportion of Canterbury students reported studying with others on a regular basis (38 percent), compared to 29 percent of Victoria students, 23 percent of Auckland students and 19 percent of Waikato students. On a gender analysis across the 2017 cohort, male students were, by a small margin, more likely to report working with

other students. Female students were more likely to participate in lecturer-directed online activities, although overall numbers selecting this category were low.

Figure 10 shows the responses of the original cohort to this question over time.⁵³ There were a number of notable differences in the 2017 results. The first is the reduction in the proportion of students who report reading cases and legislation. Although we have no direct information on the reason for this, we note that some optional courses within the law degree may not focus on “black-letter law” to the same extent as the compulsory courses and may instead have a greater emphasis on policy and/or theory. The second trend of note is the sharp fall in the proportion of students reporting that they regularly spend time studying with other students (28 percent of students in 2017 compared with 49 percent of students in 2016). In a continued trend from 2016, female students were more likely to report reading student guides (responses from female students made up 77 percent of responses in this category) and participating on lecturer directed online activities (79 percent of all responses in this category were from female students).

Figure 10. Survey 3 2015, Survey 4 2016, Survey 5 2017: Things students regularly do when focusing on their law studies outside of lectures and tutorials (Auckland, Canterbury, Waikato) (percentage)



In another repeated question from 2015 and 2016, students were asked for what purposes they carried out the activities identified in the previous question. Students were given a range of options to select from and were able to select more than one option or add their

⁵³ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

own “other” response. Across the 2017 cohort, the most frequently selected option was “to gain a better understanding of material covered in lectures and tutorials” (72 percent (179)), followed by “to complete assessment tasks” (48 percent (117)). Just 10 percent of the cohort (25) selected the “for general interest option”. A further 10 percent (27) selected the “other” option. Responses were similar across the original cohort where 70 percent selected the “better understanding” option, 51 percent selected the “assessment” option and 12 percent selected the “general interest” option. Across universities, there were no differences of note. Analysis by gender revealed that male students were more likely to select the “general interest” category across both the 2017 cohort and the original cohort.

3. *Study resources utilised*

Students were also asked how frequently they accessed online legal resources available through their law library and the online learning platform (such as Moodle) available at their university. Both questions required students to select one option on a five point Likert-type scale ranging from “never” to “weekly or more often”. A total of 215 answered the question focusing on online legal resources (156 from the original cohort). Across the both cohorts the most frequently selected option was “weekly or more often”: 48 percent of the 2017 cohort (104) and 50 percent (80) of the original cohort. Across both cohorts a minority selected the options “rarely” or “occasionally”: 19 percent (47) of the 2017 cohort and 16 percent (28) of the original cohort.

Two hundred and thirteen students across the 2017 cohort answered the question directed at frequency of access of online learning platforms (156 from the original cohort). The most frequently selected option across both cohorts was “weekly or more often”: 75 percent (185) of the 2017 cohort and 74 percent (129) of the original cohort.

E Relationships with teachers

As we reported in 2016, experiencing constructive and supportive interactions with teachers inside and outside the classroom is a factor associated with creating a sense of both belonging and positive student outcomes.⁵⁴ As in previous surveys, students were asked about the contact they had had with their lecturers outside or after class. Two hundred and thirty six students responded to this question. This question was a modified version of that asked in 2015 and 2016. This year, unlike in previous years, students were asked whether their contact by way of email or online learning systems was an individual or group communication. Students were otherwise able to select from the same range of given

⁵⁴ Wimpenny and Savin-Baden, above n 1, at 317; Nick Zepke and Linda Leach “Improving student engagement: Ten proposals for action” (2013) 11 *Active Learning in Higher Education* 167 at 170; Law School Survey of Student Engagement *Lessons from Law Students on Legal Education* (Indiana University Centre for Postsecondary Research, 2012) at 10; Susan Apel “Principle 1: Good Practice Encourages Student-Faculty Contact” (1999) 49 *Journal of Legal Education* 371 at 373-375.

options as previous years and were able to select more than one option. Most students selected one or two options.

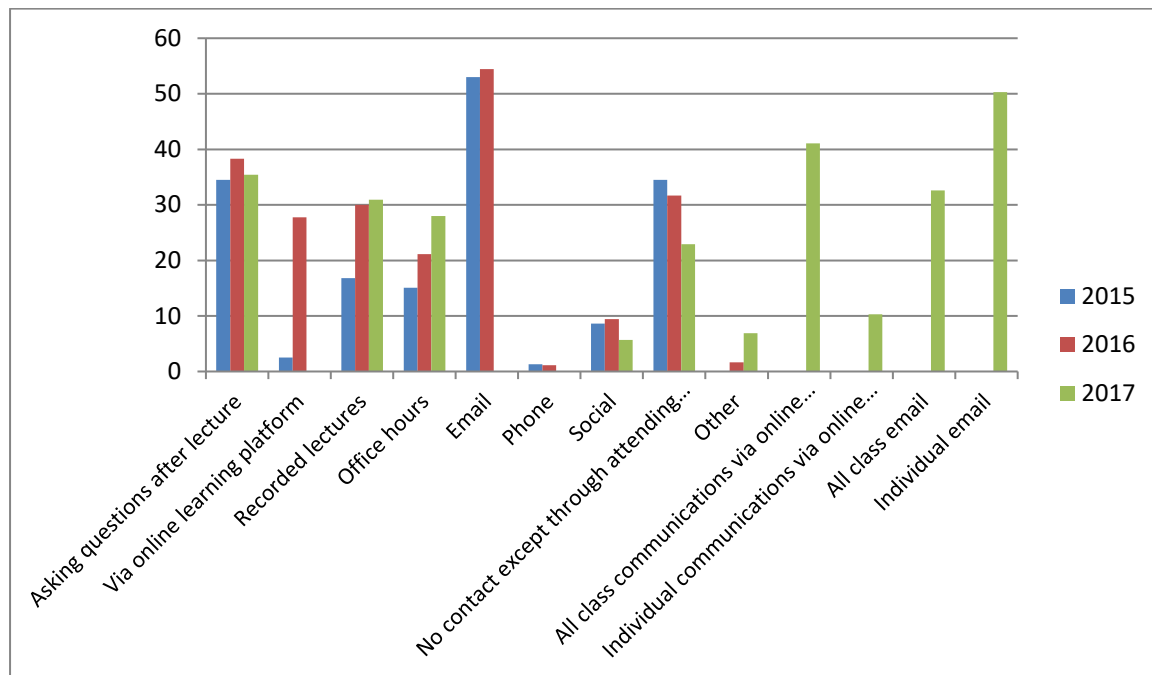
Across the 2017 cohort, the most frequently reported way that students had contact with their lecturers outside of class was by individual email (52 percent (130)), followed by all class communications via an online learning system (46 percent (114)), asking questions after class (38 percent (94)), recorded lectures (38 percent (93)), attending office hours (30 percent (74)), all class emails (28 percent (70)), individual communications via an online learning system (10 percent (24)) and social occasions (seven percent (17)). Twenty one percent of students (51) reported having had no contact outside of lectures.

As Figure 11 below shows,⁵⁵ across the original cohort, the most frequently selected way that students reported having contact with their lecturers was by individual email (50 percent (88)), followed by an all class communication via an online learning system (41 percent (72)), asking questions after class (35 percent (62)), an all class email (33 percent (57)), a recorded lecture (31 percent (54)) and attending office hours (28 percent (49)). Twenty three percent of students (40) reported having no contact with their lecturers except through attending class. The frequency of contact by email and other electronic means is a continuing trend, although we note that a greater number of students attended their lecturers' office hours than in previous years. The percentage of students reporting no contact outside of lectures also decreased.

Across the 2017 and original cohort, analysis of responses by gender revealed two points of note. The first is that male students were more likely to report having had no contact with their lecturers outside of class. Male responses made up 56 percent of responses in this category in both cohorts. The second point is that female students in the original cohort were more likely to report having contact through recorded lectures: female responses made up 77 percent of responses in this category.

⁵⁵ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

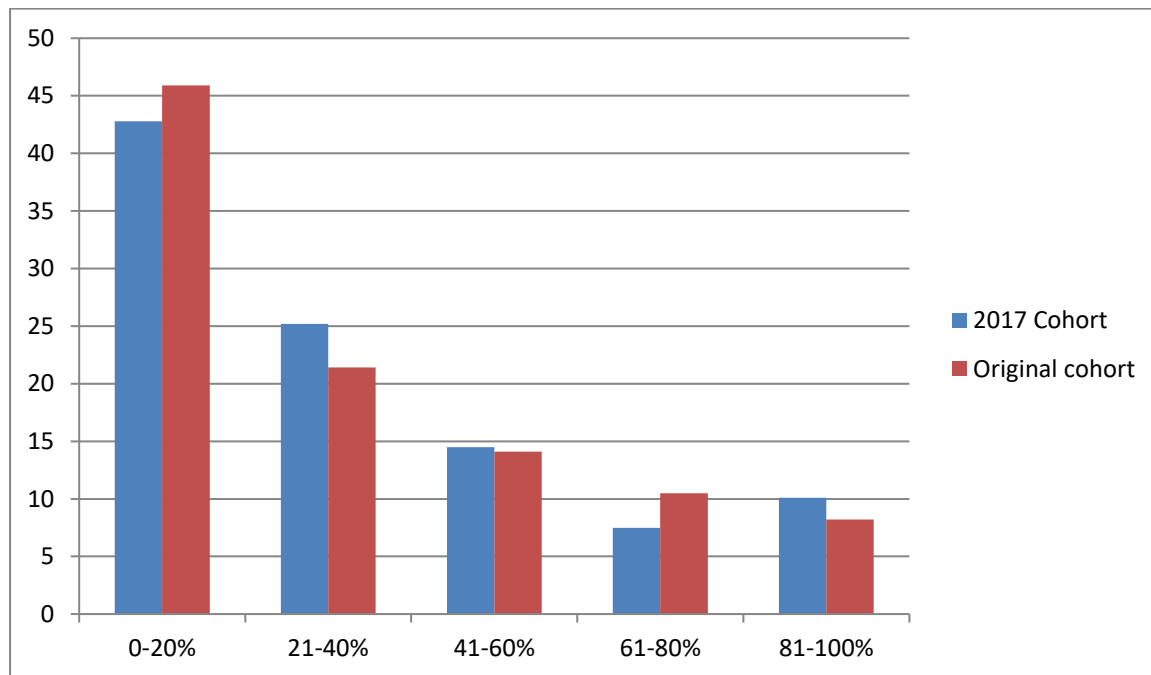
Figure 11. Survey 3 2015, Survey 4 2016, Survey 5 2017: Students’ reported contact with lecturers (Auckland, Canterbury, Waikato) (percentage)



A new question focusing on students’ relationships with their teachers was asked in 2017: “How many of your lecturers do you think know you?” Two hundred and twenty students answered this question. Students were asked to select one option on a five point Likert-type scale ranging from 0-20 percent to 81-100 percent. As Figure 12 below shows, 46 percent of the 2017 cohort selected the 0-20 percent option, as did 43 percent (68) of the 159 students in the original cohort. Analysis across universities showed that Waikato students were the least likely to have selected the 0-20 percent option. Thirty five percent of Waikato students (nine) selected this option compared to 42 percent of Canterbury students (25), 46 percent of Auckland students (34) and 54 percent of Victoria students (33).

On a gender analysis, female students in the original cohort were significantly more likely to select the 0-20 percent option: 52 percent of female students selected this option compared to 27 percent of male students. Male students were more likely to select the 21-40 percent option (40 percent) than female students (15 percent). Approximately the same proportions of male and female students selected the remaining three categories.

Figure 12. Survey 5 2017: How many of your lecturers do you think know you? (percentage)



Students’ responses to questions in this section demonstrate that the reported increase in levels of contact between students and their teachers does not necessarily result in the formation of personal relationships. We suggest that this may be a consequence of the nature of the contact. Individual email contact, the most frequently reported form of contact, is likely to be anonymous in the sense that a teacher is unlikely to be able to identify the students with whom she or he is corresponding during class time. These results do however suggest that a majority of students do not feel that significant numbers of their teachers know who they are. It may be that a positive relationship with just one teacher is enough to generate a greater sense of belonging at law school (a factor associated with positive engagement) and we were unable to gauge the extent to which this was true for the large numbers of students reporting that between zero and 20 percent of their teachers knew them.

F Relationships with peers

As we also reported in 2016, experiencing constructive and supportive interactions with other students both inside and outside the classroom is a factor associated with creating a sense of belonging (a factor associated with positive engagement)⁵⁶ and a resulting consequence of positive student outcomes.⁵⁷

⁵⁶ Kahu, above n 2.

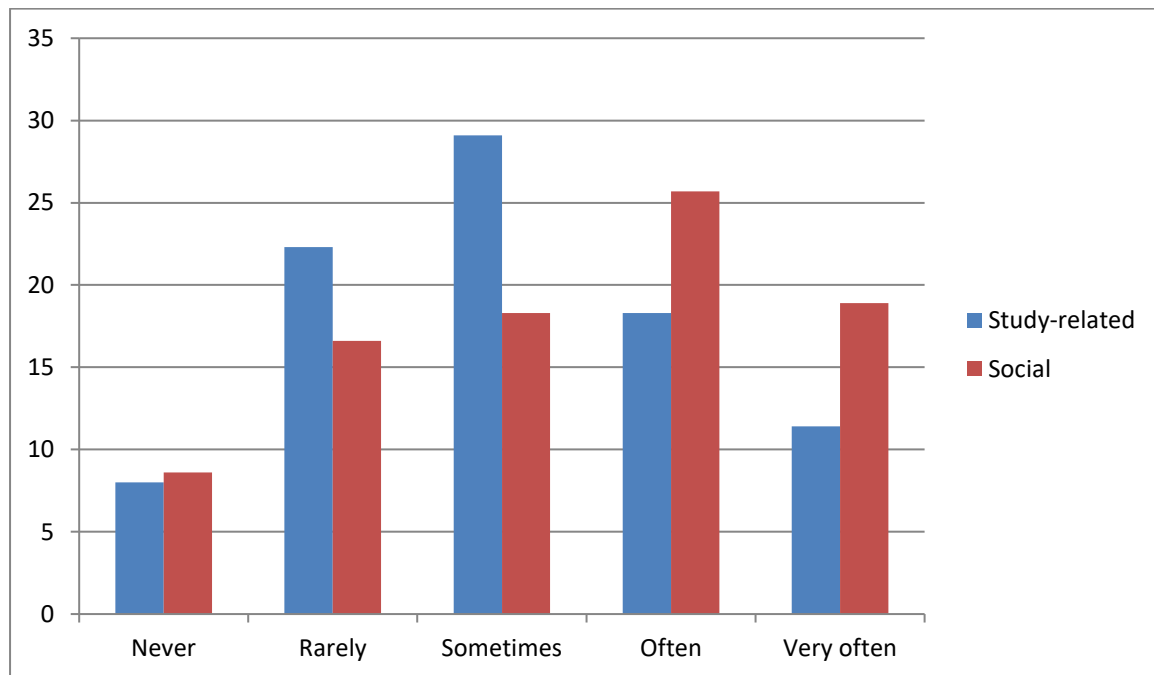
⁵⁷ Wimpenny and Savin-Baden, above n 1, at 317; Zepke and Leach, above n 54, at 171; Law School Survey of Student Engagement, above n 54, at 12-13.

Two new questions in the 2017 survey were directed at students' interactions with their peers outside of class. The first asked students how frequently they interacted with other law students outside of class for study related purposes. The second asked students how frequently they interacted with other law students outside of class for social purposes. For each question, students were asked to select one option on a Likert-type scale ranging from "never" to "very often". Two hundred and fifteen students answered the question directed at interaction for study related purposes (156 of the original cohort) and 213 answered the question directed at social interaction (154 of the original cohort). Across both cohorts, students more frequently selected the "often" and "very often" options relating to social interactions. Figure 13 below shows this comparison in relation to the original cohort. This trend was also apparent across law schools and male and female students.

Across universities, students from Auckland were the least likely to report interacting with their peers for study related purposes "often" or "very often": 21 percent of Auckland students selected these options compared to 43 percent of Canterbury students, 46 percent of Waikato students and 46 percent of Victoria students. Students from Victoria were more likely to report social interactions with their peers "very often": 41 percent of Victoria students selected this option compared to 18 percent of Auckland students, 28 percent of Canterbury students and 15 percent of Waikato students.

The percentages of students reporting study-related contact "often" or "very often" is consistent with the percentage of students reporting that they had regularly studied with their peers in the question directed at the activities students engaged in during periods of self-study and in relation to the original cohort is lower than reported by students in previous surveys. The reasons for this are unclear.

Figure 13. Survey 5 2017: Frequency of interaction with other students outside of class for study-related and social purposes (Auckland, Canterbury, Waikato) (percentage)



G Extra-curricular activities

Students’ reported participation in law-related extracurricular activities, a factor associated with positive engagement in terms of Kahu’s behaviour and affect dimensions,⁵⁸ was measured for the second time in 2017. It is an additional indicator of the extent to which students are likely to be experiencing a sense of belonging at law school. Students were asked what other law-related activities they were involved with and given three options from which to select. Students were able to select all options that applied to them. Across the 2017 cohort, 17 percent of students (41) each selected the options of volunteering with a community law centre or volunteering with other organisations. Similar percentages also selected these options across the original cohort (17 percent (30) and 14 percent (24) respectively). Twenty two percent of students (54) across the 2017 cohort reported being involved with a law students’ society, compared to 19 percent (34) of the original cohort. Thirteen percent of students (32) of the 2017 cohort selected the “other” option (12 percent (21) in the original cohort). Across both cohorts, the most frequently selected option was “I am not involved in any law related extra-curricular activities”: 39 percent (96) of the 2017 cohort and 43 percent (75) of the original cohort).

Across universities, Canterbury students were more likely to report volunteering with a community law centre, Victoria students were more likely to report volunteering with another type of organisation. Canterbury and Victoria students were more likely to report involvement with a law students’ society.

⁵⁸ Kahu, above n 2, at 766.

On a gender analysis across the 2017 cohort, female students were more likely to select the options relating to volunteering with a community law centre and volunteering with other organisations. Reported involvement in a law students' society was approximately equal, but female students were more likely overall to report having no involvement in a law-related extracurricular activity.

H External Factors Affecting Student Engagement

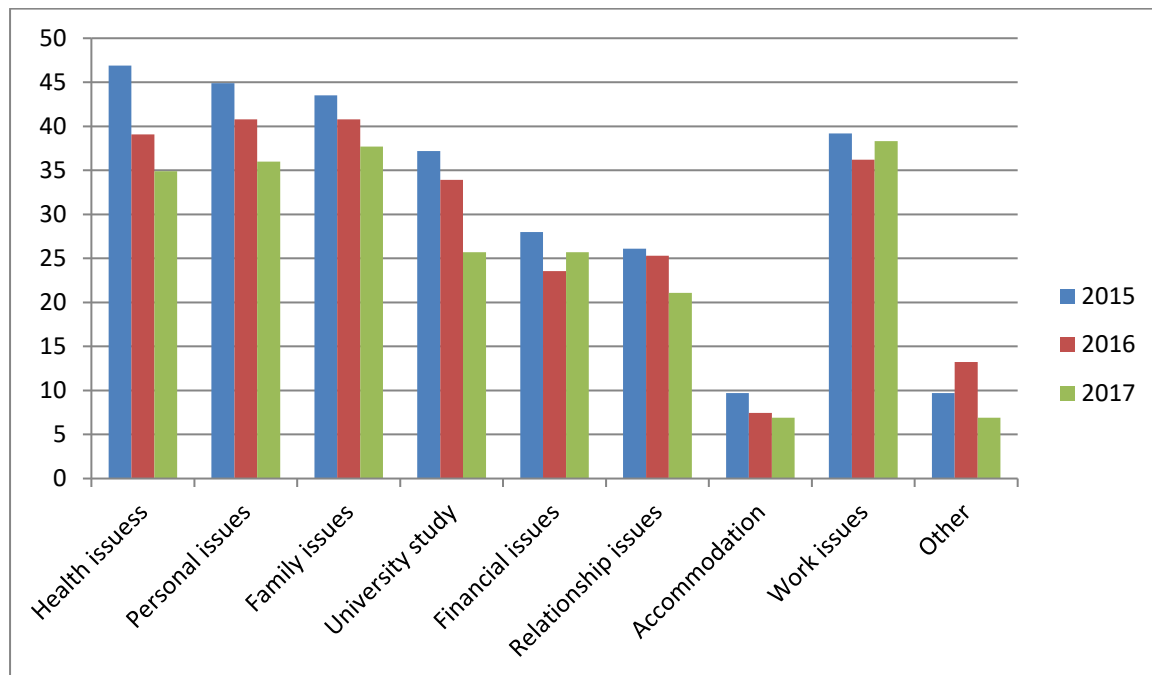
The findings reported to this point largely focus on institutional factors influencing student engagement. However, as in previous years, students were also asked to identify other factors that had generally had an adverse impact on their studies in 2017. The options from which students could select were drawn from the most commonly occurring responses to this question when it was asked in open-ended form in the second 2014 survey.⁵⁹ For this reason, the options given include one institutional impact, studying at university. Figure 14 shows the comparison of the responses of the original cohort to this question over time.⁶⁰ A downwards trend in the frequency of reporting of health, personal and university related issues is apparent. Across the 2017 cohort, work and employment issues was the most frequently reported adverse effect by a small margin, followed by health issues, family issues and personal issues. We note again the findings of recent Australian studies that working long hours is a factor independently associated with elevated levels of student distress. Although employment and family issues were not the most frequently given reasons for students' missing classes, they feature in the most frequently reported factors having had an adverse impact on students' studies in 2017.

Analysis across the law schools revealed that home/family issues and employment issues were most frequently selected by Auckland students, followed by personal issues, university issues and home issues. Canterbury students most frequently selected health issues, followed very closely by personal issues, home/family issues and employment issues. Waikato students most frequently selected employment issues, followed closely by health issues, home/family issues and personal issues. Victoria students most frequently selected health issues, followed by employment issues and personal issues. On a gender analysis across the 2017 cohort, male students were slightly less likely to report home and family issues as an adverse effect. Female students were more likely to report health issues: female responses made up 90 percent of those in this category. Female students were also slightly more likely to report financial issues.

⁵⁹ See Lynne Taylor et al *Expectations and Experiences of First Year New Zealand Law Students* (Ako Aotearoa, 2015).

⁶⁰ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

Figure 14. Survey 3 2015, Survey 4 2016, Survey 5 2017: Factors impacting adversely on students’ studies (Auckland, Canterbury, Waikato) (percentage)

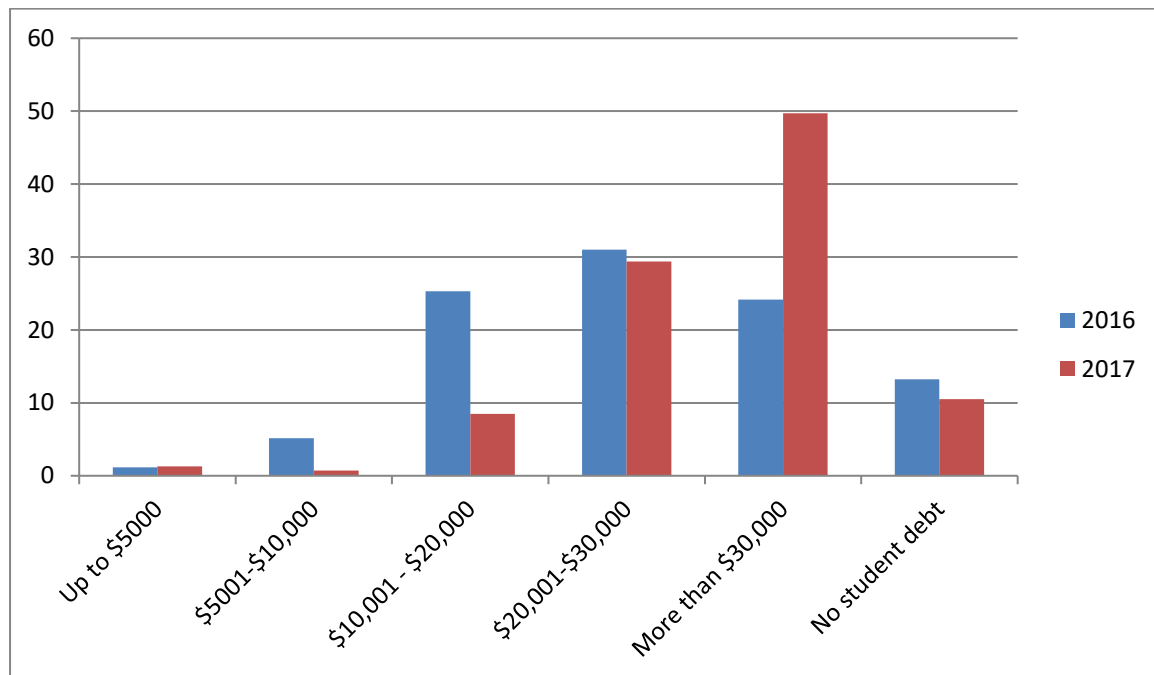


“Financial issues” was one of the least frequently selected factors having an adverse impact on students’ studies (although it was selected by a substantial minority). In a repeated question asking about levels of student debt (answered by 211 students across the 2017 cohort and 153 of the original cohort), the most frequently selected debt level was more than \$30,000 (49 percent (104) of the 2017 cohort and 50 percent (76) of the original cohort). As Figure 15 shows, a comparison of the original cohort’s responses with those given in 2017 shows an increase in reported debt levels.

In a cross-law school analysis, and although numbers in this category were small, Auckland and Victoria students were more likely to report having no student debt: 17 percent of Auckland students and 16 percent of Victoria students, compared to six percent of Canterbury students and four percent of Waikato students.

There was only one difference of note on a gender analysis. Although numbers selecting the “no student debt” were small, a greater proportion of female students selected this option (15 percent, compared to seven percent of male students).

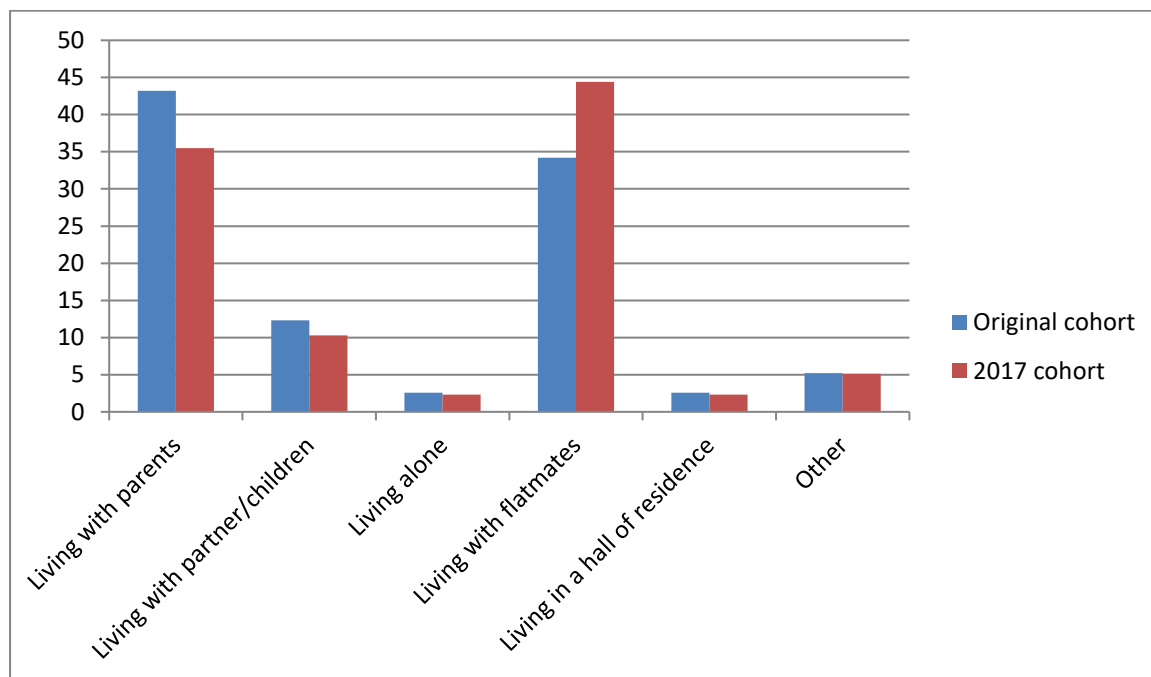
Figure 15. Survey 4 2016, Survey 5 2017: Student debt levels (Auckland, Canterbury, Waikato) (percentage)



A new question for 2017 asked students about their living arrangements. Students were given five options from which to select. Students were also able to add their own “other” option. Two hundred and fourteen students across the 2017 cohort answered this question (155 of the original cohort). Across the 2017 cohort, the most frequently selected option was “living with flatmates” (selected by 44 percent (95)). Across the original cohort, “living with parents” was the most frequently selected option (43 percent (67)). Figure 16 below shows the comparison in responses between the two cohorts.

Across universities, Auckland and Canterbury students were more likely to report living with their parents (51 percent and 40 percent respectively), compared to Waikato students (27 percent) and Victoria students (15 percent). Victoria students were more likely to report living with flatmates (71 percent), compared to Auckland students (31 percent), Canterbury students (44 percent) and Waikato students (23 percent). On a gender analysis, male students were slightly more likely to report living with their parents (40 percent, compared to 32 percent of female students). Female students were slightly more likely to report living with flatmates (46 percent compared to 37 percent of male students).

Figure 16. Survey 5 2017: Living arrangements in 2017 (percentage)



I Students' Self-Assessment of the Outcomes of their Engagement with their Studies

The multi-institutional nature of this study means that we are unable to link students' reported engagement with their studies with objective indicators of student success, such as grade and pass rates. However, in this section we report students' perceptions of their actual and likely assessment outcomes, their views on assessment manageability and timing and their overall reported satisfaction levels with their law school experience.

Students were asked a series of repeated questions about the results they had received and their confidence in passing their law courses. By the time the 2017 survey was undertaken at the end of the third university term, students enrolled in compulsory courses would have received most of the results from the 40 percent of non-Council specified course assessment they had completed over the course of the academic year. As optional courses run over one-semester, students enrolled in these courses would have received their final results for their first-semester courses.

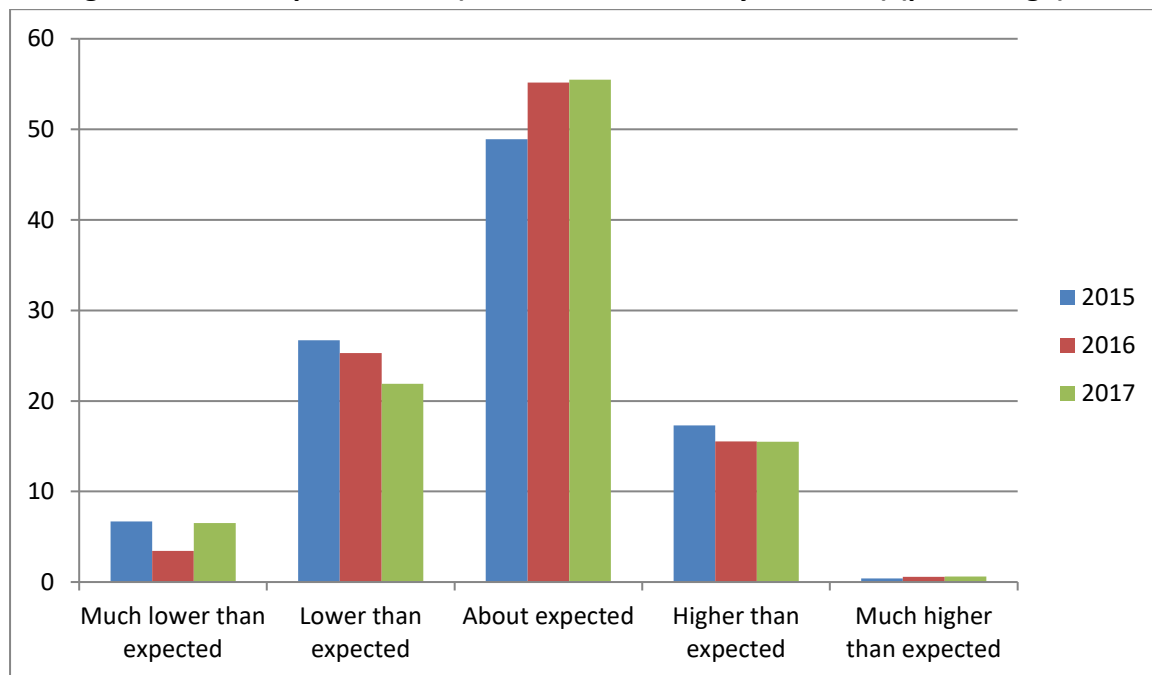
1 Actual and Anticipated Results

The first of the questions directed at students' perceptions of assessment outcomes asked students to what extent, on average, the results they had received in their law courses in 2017 reflected their expectations. Students were asked to select where they sat on a five-point Likert-type scale ranging from "they were much lower than I expected" to "they were much higher than I expected". Two hundred and students answered this question (155 from

the original cohort). Across both cohorts, the most frequently selected of the given options was “they were about what I expected”: 56 percent (120) of the 2017 cohort and 56 percent (86) of the original cohort. Figure 17 below shows the responses of the original cohort to this question over time.⁶¹

Analysis by university showed no differences of note across law schools. However, analysis by gender of the responses of the 2017 cohort revealed that female students were more likely to report that they had received results that were higher than they expected: 18 percent of female students selected this option compared to three percent of male students. Male students were more likely to report receiving results that were lower than expected: 30 percent of male students selected this option compared to 17 percent of female students.

Figure 17. Survey 3 2015, Survey 4 2016, Survey 5 2017: Did results received reflect, on average, students’ expectations? (Auckland, Canterbury, Waikato) (percentage)



Students were also asked what grade they had most frequently achieved in 2017. Two hundred and fourteen students answered this question (155 from the original cohort). Across both cohorts, the most frequently reported grade was “B”: 60 percent (128) of the 2017 cohort selected this option, as did 60 percent of the original cohort (93). Twenty four percent (59) of the 2017 cohort reported receiving “A” grades, as did 26 percent (46) of the original cohort. Less than one percent (2) of the 2017 cohort reported receiving grades

⁶¹ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

below C compared to one percent (2) of the original cohort. Analysis by gender and university revealed no significant trends of note.

The final question in this category asked students how confident they were in passing all of their 2017 law courses. Students were asked to select one of five responses on a Likert-type scale ranging from “not confident at all” to “very confident”. Two hundred and fourteen students answered this question (155 from the original cohort). Across both cohorts, the most frequently selected option was “very confident”: 39 percent (83) of the 2017 cohort and 41 percent (64) of the original cohort. A very low proportion across both cohorts selected the “not confident at all” or “a bit confident” options: 14 percent (30) of the 2017 cohort and 12 percent (18) of the original cohort. Across universities, a greater proportion of Auckland students selected the “very confident” option: 44 percent of Auckland students compared to 37 percent of Canterbury students, 42 percent of Waikato students and 32 percent of Victoria students. On a gender analysis across the 2017 cohort, female students were more likely to select the “confident” option (39 percent compared to 30 percent of male students). Male students were more likely to select the “very confident” option (47 percent of male students compared to 36 percent of female students). This was a trend apparent in the analysis by gender of the responses of the original cohort when this question was asked in 2016.

Overall, the majority of students in the study are reporting high likely and actual assessment outcomes. We note, however, that these success rates are not necessarily a result or consequence of positive engagement on the measures advanced in higher education literature.

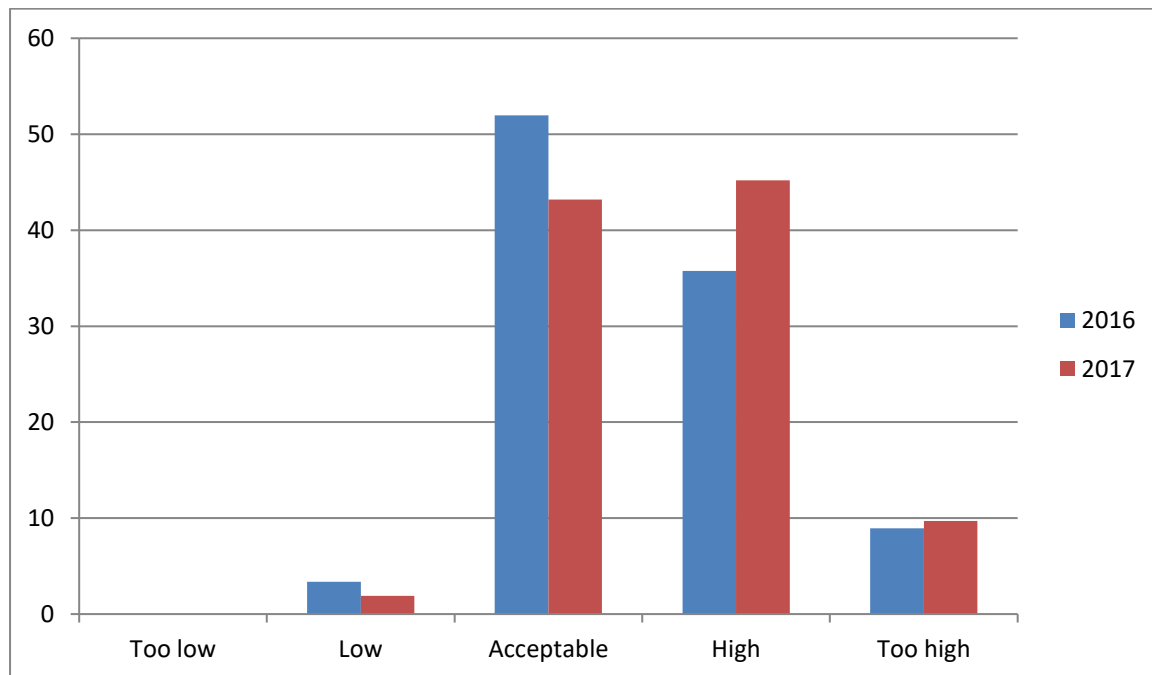
2 *Workload and assessment timing*

As in 2016, questions directed at students’ perceptions of assessment were included in the 2017 survey. The first sought students’ views on their assessment load. Students were asked to select one of five given options on a Likert-type scale ranging from “too low” to “too high”. Across the 2017 cohort, 214 students answered this question (155 from the original cohort). Across the 2017 cohort, the most frequently selected options were “acceptable” and “high”. These options were both selected by 36 percent of students (89). Across the original cohort, the most frequently selected option, by a small margin, was “high” (40 percent (70)). Figure 18 below shows a comparison between the 2016 and 2017 responses to this question and a trend towards a greater proportion of students categorising their assessment workload as “high”.⁶² There were no significant differences on a cross-law school analysis. However, on a gender analysis across the 2017 cohort, male students were more likely to report their assessment load as “acceptable”: 50 percent of male students selected

⁶² Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

this category compared to 41 percent of female students. Female students were slightly more likely to select the “high” option: 46 percent of female students selected this option compared to 39 percent of male students.

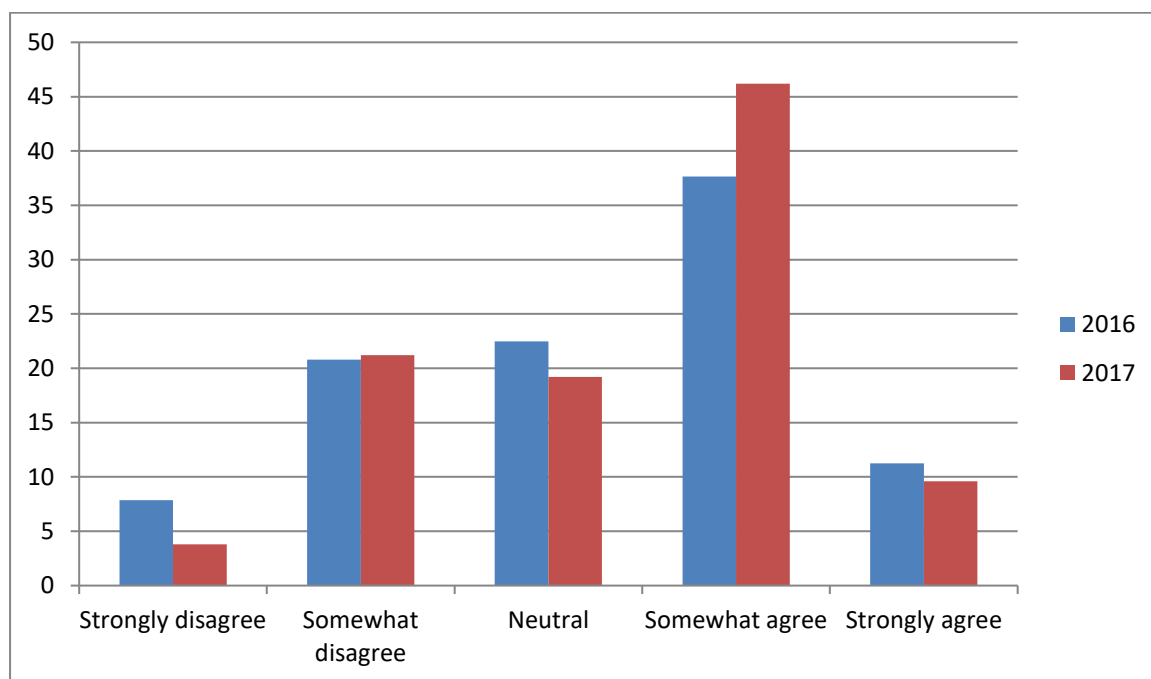
Figure 18. Survey 4 2016, Survey 5 2017: Views on assessment workload (Auckland, Canterbury, Waikato) (percentage)



Students’ views about assessment timing were also collected. Students were asked to indicate their agreement with the following statement on a five-point Likert-type scale: “The timing of my assessments in 2017 has been manageable”. Two hundred and fifteen students answered this question across the 2017 cohort (156 from the original cohort). Across the 2017 and original cohorts, the most frequently selected option was “somewhat agree”: 36 percent (90) of the 2017 cohort and 41 percent (72) of the original cohort. Figure 19 below shows the comparison between the 2016 and 2017 responses of the original cohort to this question and an upwards trend of students’ seeing the timing of their assessments as acceptable.⁶³ There were no differences of note across law schools. A gender analysis showed that a greater proportion of female students selected the “somewhat disagree” option: 24 percent of female students selected this option compared to 14 percent of male students. Female students were also more likely to select the “neutral” option (22 percent of female students compared to 14 percent of male students). Male students were more likely to select the “agree” and “strongly agree” options.

⁶³ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

Figure 19. Survey 4 2016, Survey 5 2017: Views on manageability of assessment timing (Auckland, Canterbury, Waikato) (percentage)

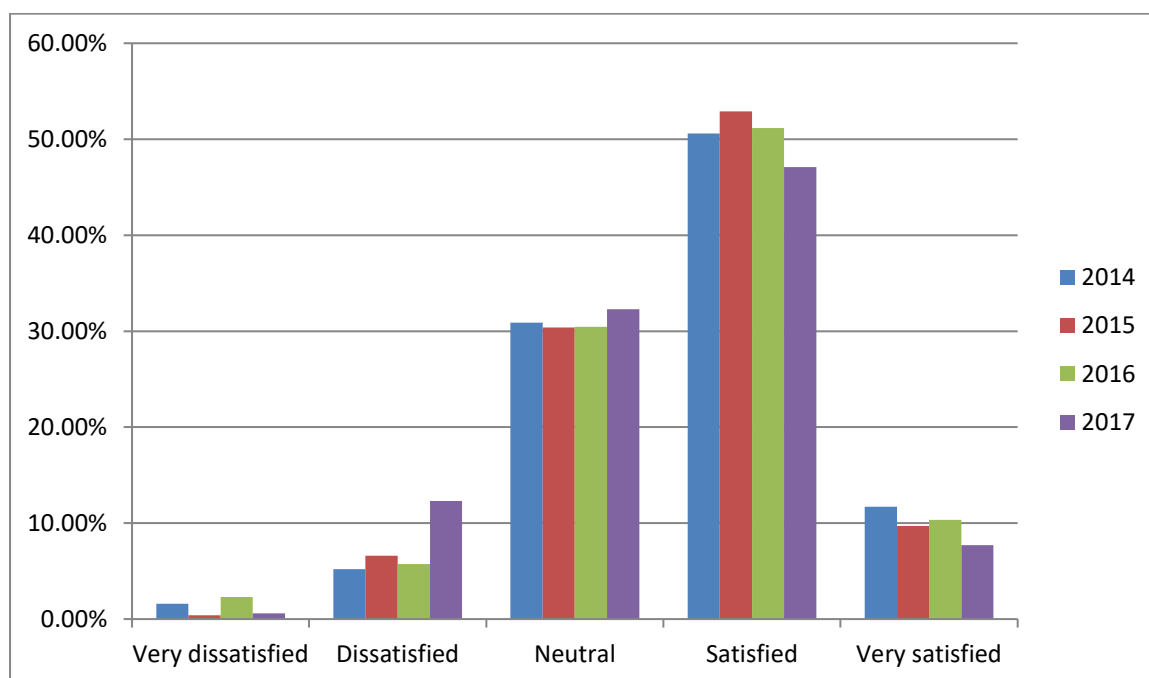


3 Overall satisfaction

The final question in this section asked students to rank their overall satisfaction with their law school experience on a five-point Likert-type scale ranging from “very dissatisfied” to “very satisfied”. Two hundred and fourteen students answered this question (155 from the original cohort). Across both cohorts, the most frequently selected option was “satisfied”: 48 percent (103) of the 2017 cohort and 47 percent (73) of the original cohort. Figure 20 below shows that overall satisfaction rates have remained relatively unchanged for the original cohort over the period 2014 – 2016.⁶⁴ Across universities, Auckland students were slightly less likely to report themselves as “satisfied”: 39 percent of Auckland students selected this category compared to 51 percent of Canterbury students, 62 percent of Waikato students and 51 percent of Victoria students. There were no significant differences in the responses of male and female students.

⁶⁴ Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

Figure 20. Survey 2 2014, Survey 3 2015, Survey 4 2016, Survey 5 2017: Satisfaction with law school experience (Auckland, Canterbury, Waikato) (percentage)



J Completing students

A new set of questions directed at students who intended to complete their law degree by the end of February 2018 was included in the 2017 survey. Twenty percent (46) of the 2017 cohort and 23 percent (41) of the original cohort were in this category. These students were asked a series of additional questions about their future work plans, their feelings of preparedness for work and how they rated themselves in terms of a series of work-related skills and attributes. Although this is a relatively small sample, students’ answers provide a useful, initial indication of students’ feelings of preparedness for their working life after university. We will include further commentary and analysis in this section in 2018 when greater numbers of completing students have completed this set of questions.

Students from the University of Waikato were proportionally the most likely to anticipate that they would complete their degree by the end of February 2017.⁶⁵ Sixty three percent of

⁶⁵ We note that in the first 2014 survey conducted in this study that a smaller proportion of students from the University of Waikato reported that they were completing a double degree, making it more likely that their fourth year of study in 2014 would be their last: see Lynne Taylor et al *The Making of Lawyers: Expectations and Experiences of First Year New Zealand Law Students* (Ako Aotearoa, 2015) 13. In 2014 52 percent of Waikato students reported they were enrolled only in a LLB degree,

students from Victoria (17) identified as completing students, as did seven percent of Waikato students (5), 14 percent of Auckland students (12) and 19 percent of Canterbury students (12).

The proportion of male and female students anticipating completion reflected the overall gender split of the 2017 and original cohort. We have reported key differences in responses according to gender, but because of the small sample, they are likely to be indicative only. Due to the small student sample, we have not reported student results by university in the remainder of this section.

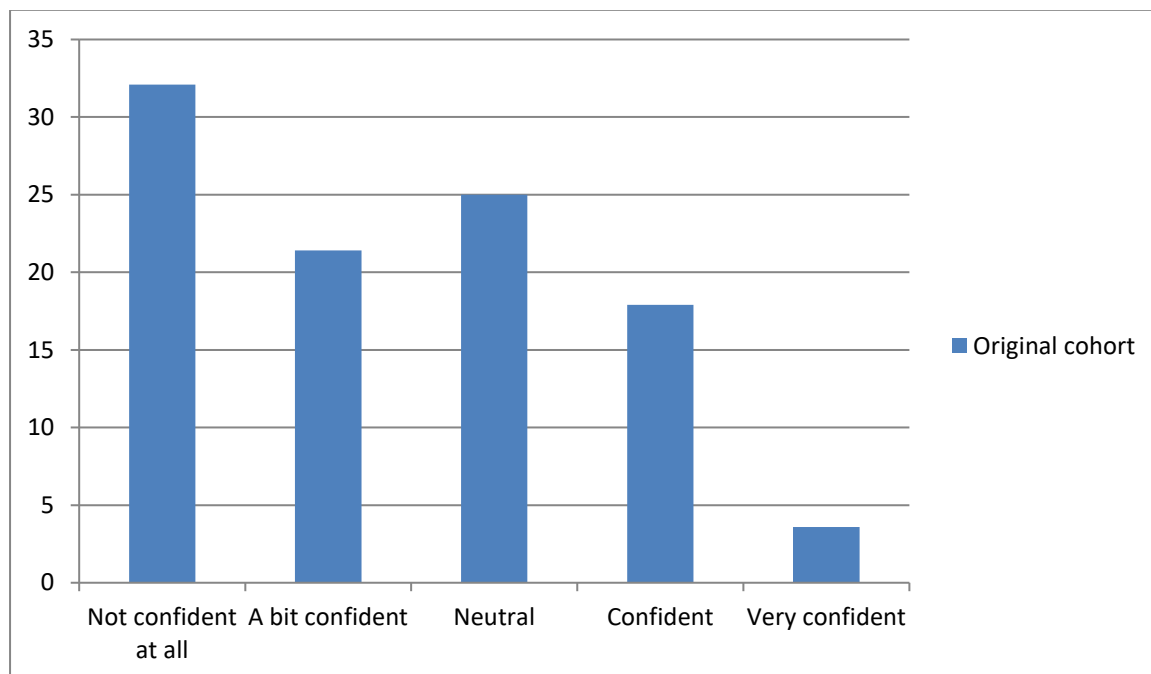
1 Future employment

Students were asked whether they had employment arranged for after they completed their law degree. Students were given three options to choose from when answering this question. Sixty seven percent of the 2017 cohort (31) had no employment arranged. Thirty three percent (15) did have employment arranged, with 22 percent (10) reporting this was law-related employment. The majority of these students reported that their law related employment was with a law firm. Eleven percent (5) reported that they had non-law related employment arranged. Across the original cohort, 68 percent (28) did not have employment arranged. Of the 32 percent (13) who did, 20 percent (8) had arranged law-related employment, most frequently with a law firm. A gender analysis of responses revealed no trends of note.

The students who reported that they did not have employment arranged were asked a series of follow-up questions. The first of these was how confident they felt about finding employment. Students were given five choices from which to select on a Likert-type scale ranging from “very confident” to “not confident at all”. Across the 2017 cohort, more students indicated that they were “not confident” or only “a bit confident” (52 percent (16)), rather than “confident” or “very confident” (23 percent (7)). The most frequently selected option was “not confident at all” (29 percent (9)). Similar trends were apparent across the original cohort, as Figure 21 below shows. A gender analysis of responses of the 2017 and original cohorts revealed that male students were more likely to select the “not confident at all” or “a bit confident” categories: 62 percent of male students in the 2017 cohort selected these options, compared to 47 percent of female students.

compared with 28 percent of students from the University of Canterbury and eight percent of students from the University of Auckland.

Figure 21. Survey 5 2017: How confident do you feel about obtaining employment (Auckland, Canterbury, Waikato) (percentage)?



Students who did not have employment arranged were asked how helpful their university had been in providing them with careers advice. Twenty nine students from the 2017 cohort answered this question (25 from the original cohort). Students were given five choices from which to select on a Likert scale ranging from “not helpful at all” to “very helpful”. Across the 2017 cohort, the largest number of students (31 percent (9)) selected the “neutral” option, with 41 percent (12) selecting either “not helpful” or “only a bit helpful”. The same trend was apparent in responses from the original cohort. On a gender analysis, female students were more likely to select the “not helpful” or “only a bit helpful”.

Students who did not have employment arranged were also asked how prepared they felt for the workforce. Again 29 students from the 2017 cohort (25 from the original cohort) answered this question and were able to select from five options on a Likert-type scale ranging from “not prepared at all” to “very prepared”. Just over half of students in the 2017 cohort (52 percent (15)) felt “prepared” or “very prepared”. Just one student (3 percent) selected the neutral option, with the remainder either feeling “not prepared at all” or only “a bit prepared”. The same trend was apparent in responses from the original cohort. A gender analysis revealed no significant trends of note.

2 *Skills and attributes*

Two questions in this section asked students to rate themselves in terms of a given range of work-related skills and attributes. The list of skills and attributes used in this part of the survey were the same as those used in an associated online survey of employers conducted in early 2017 and in which employers were asked to rate the skills and attributes of law graduates. The list of skills and attributes in the employer survey was developed using four key sources. First, a series of qualitative interviews of 15 employers of law graduates was conducted in 2015, and employers were asked to identify the strengths and weaknesses of law graduates across the three broad areas of knowledge, skills and attributes.⁶⁶ The interview transcripts were then coded to identify common themes concerning the particular skills and attributes of interest to employers of law graduates. The second source which informed the list of skills and attributes was general literature on work readiness of graduates,⁶⁷ and more specific literature on the work readiness of law graduates.⁶⁸ The third source was the extensive range of existing employer skills surveys.⁶⁹ Finally, the work and discussions then underway at the University of Canterbury to identify the five key transferable skills relevant to the “employable, innovative and enterprising” attribute in the UC Graduate Profile also informed the development of the list of skills and attributes in the survey questions.⁷⁰ A comparison of the responses of law students and employers of law graduates will be undertaken once the larger cohort of students participating in this study has completed this part of the survey in 2018.

The extent to which law schools should teach and assess practical skills utilised in legal practice has received little attention in New Zealand. As noted earlier in this paper, the content of the compulsory courses within New Zealand law degrees prescribed by the Council of Legal Education primarily focuses on legal knowledge as opposed to the development of skills and attributes relevant to legal practice. Although not all students who complete a LLB degree will go on to legal practice, those that do complete a separate, independent Professional Legal Studies Course. This short course focuses on developing practical legal skills. Again, as noted above, the assessment of skills such as legal analysis,

⁶⁶ For a report on employer responses, see Natalie Baird and John Caldwell “How ‘work-ready’ are today’s law graduates? The views of 15 city employers” [2016] NZLJ 390.

⁶⁷ See for example Catherine Lissette Caballero, Arlene Walker, Mathew Fuller-Tyszkiewicz “The Work Readiness Scale (WRS): Developing a measure to assess work readiness in college graduates” (2011) 2 *Journal of Teaching and Learning for Graduate Employability* 41; Kevin Lowden, Stuart Hall, Dely Elliot, Jon Lewin “Employers’ perceptions of the employability skills of new graduates” (2011, London, Edge Foundation).

⁶⁸ See here Elizabeth Peden and Joellen Riley “Law Graduates’ Skills – A Pilot Study into Employers’ perspectives” (2005) 15 *Legal Education Review* 87 at 121-124; Susan Wawrose “What do Legal Employers Want to See in New Graduates? Using Focus Groups to Find Out” (2013) 39 *Ohio Northern University Law Review* 505.

⁶⁹ See for example Ewa Kusmierczyk and Liz Medford “2015 Student & Graduate Employability Skills Survey” (Victoria University of Wellington, 2015) and the studies cited therein.

⁷⁰ See <http://www.teachlearn.canterbury.ac.nz/graduate_profile.shtml>.

research and writing is common place across law schools. Law schools also offer students opportunities to practice these skills and others in a practical setting. For example, Canterbury students have the option to enrol in legal internship and clinical legal skills courses.

In the first question in this section, students were asked to rate themselves on a five point Likert-type scale ranging from “poor” to “excellent” in terms of the following skills: research skills, written communication skills, oral communication skills, legal reasoning skills, critical thinking and analytical skills, problem solving skills, numeracy skills, digital literacy and skills in another language.

As Table 3 below shows, the overwhelming majority of the original cohort rated themselves “good”, “very good” or “excellent” in terms of all skills except numeracy and skills in a foreign language. The low ratings for numeracy and foreign languages are unsurprising given the lack of focus on these skills in the law degree programme. However, we note that some aspects of legal practice do require numeracy skills (such as calculation of settlement statements on sales of property and calculation of damages and interest claims in civil litigation), suggesting that a degree of core competency is desirable for law graduates. Students rated their digital literacy skills particularly highly. Notably, students were less likely to rate themselves highly in what we categorise as core legal skills, such as legal reasoning and critical thinking/analytical skills and which would have been a significant focus throughout their legal studies at university. On the other hand, a clear majority of students rated their oral communication skills as good or better. This last result is somewhat surprising given students’ responses in earlier surveys. For example, in the 2016 survey students were asked an open ended question: “what knowledge and skills have you gained during your third year of law studies?” Of the 141 students who answered this question, just two reported gaining oral skills.

Numbers in each of the categories for this question were too small to warrant a gender analysis.

Table 3. Survey 5 2017: Students’ self-rating in terms of skills (Auckland, Canterbury, Waikato) (percentage and number)

Skill	Poor		Fair		Good		Very good		Excellent		Total
Research skills	0.00%	0	12.5%	3	29.2%	7	41.7%	10	16.7%	4	24
Written communication skills	4.2%	1	8.3%	2	20.8%	5	41.7%	10	25.0%	6	24
Oral communication	4.2%	1	4.2%	1	29.2%	7	33.3%	8	29.2%	7	24

skills											
Legal reasoning skills	0.0%	0	8.3%	2	45.8%	11	37.5%	9	8.3%	2	24
Critical thinking and analytical skills	0.0%	0	8.3%	2	41.7%	10	37.5%	9	12.5%	3	24
Problem-solving skills	0.0%	0	4.2%	1	25.0%	6	54.2%	13	16.7%	4	24
Numeracy skills	12.5%	3	37.5%	9	20.8%	5	16.7%	4	12.5%	3	24
Digital literacy	4.3%	1	17.4%	4	21.7%	5	21.7%	5	34.8%	8	23
Skills in another language	40.9%	9	22.7%	5	9.1%	2	1918.2%	4	9.1%	2	22

Students were also asked to rate themselves on a five point Likert-type scale ranging from “poor” to “excellent” in terms of the following work-related attributes: resilience and adaptability, energy and enthusiasm, motivation, maturity, professionalism, personal presentation, initiative and enterprise, independence and autonomy, confidence, self-awareness, self-management, time management, work ethic, ability to follow instructions, willingness to learn, team work and collaboration, being comfortable with ambiguity, commercial awareness, cultural competence and confidence, community awareness, organisational acumen and ethical awareness. As Table 4 below shows, students in the original cohort rated themselves most highly for maturity and independence and autonomy. Interestingly, students ranked themselves lowest for being comfortable with ambiguity, an important attribute for legal practice given that certainty in the practice of law is, more often than not, conspicuous by its absence.⁷¹ These trends were also apparent across the 2017 cohort who answered this question. Numbers in each of the categories were too small to warrant a gender analysis.

Table 4. Survey 5 2017: Students’ self-rating in terms of attributes (Auckland, Canterbury, Waikato) (percentage and number)

Attribute	Poor		Fair		Good		Very Good		Excellent		Total
Resilience and adaptability	0.0%	0	8.7%	2	21.7%	5	26.1%	6	43.5%	10	23
Energy and enthusiasm	4.3%	1	13%	3	39.1%	9	26.1%	6	17.4%	4	23
Motivation	4.3%	1	21.7%	5	17.4%	4	39.1%	9	17.4%	4	23

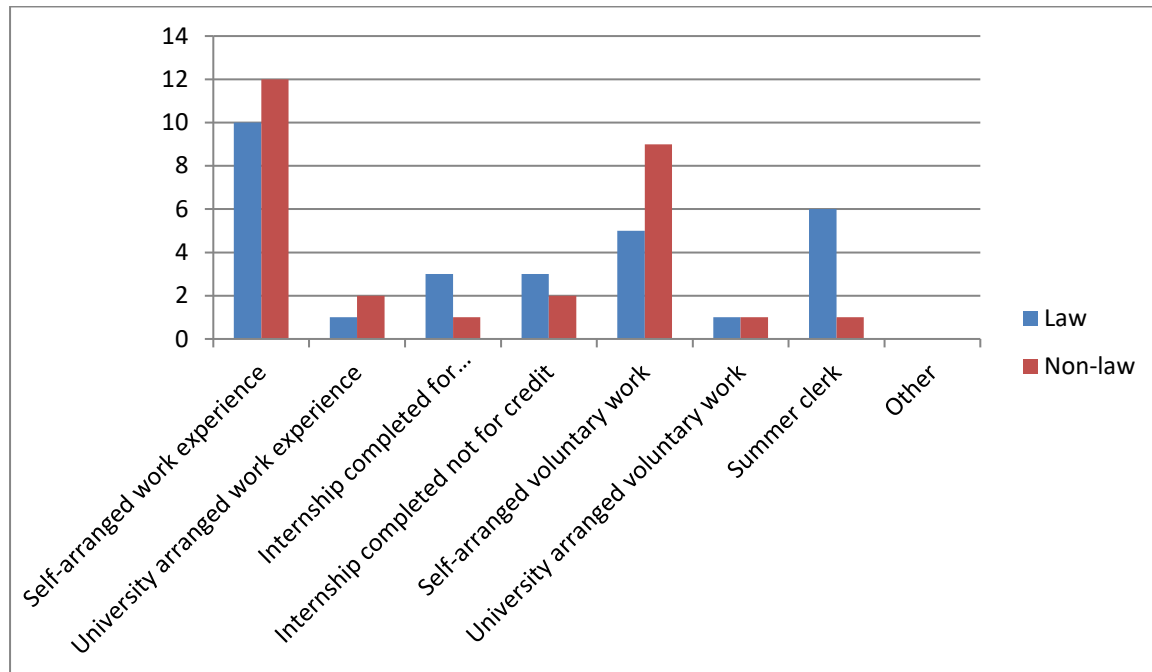
⁷¹ See Stephen Tang and Tony Foley “The Practice of Law and the Intolerance of Uncertainty” (2014) 37 University of New South Wales Law Journal 1198.

Maturity	0.0%	0	4.3%	1	8.7%	2	34.8%	8	52.2%	12	23
Professionalism	4.3%	1	4.3%	1	17.4%	4	39.1%	9	34.8%	8	23
Personal presentation	0.0%	0	8.7%	2	26.1%	6	26.1%	6	39.1%	9	23
Initiative and enterprise	0.0%	0	4.3%	1	47.8%	11	30.4%	7	17.4%	4	23
Independence and autonomy	0.0%	0	0.0%	0	13.6%	3	36.4%	8	50.0%	11	23
Confidence	0.0%	0	17.4%	4	26.1%	6	34.8%	8	21.7%	5	23
Self-awareness	0.0%	0	4.3%	1	34.8%	8	26.1%	6	34.8%	8	23
Self-management	0.0%	0	13.0%	3	26.1%	6	30.4%	7	30.4%	7	23
Time management	0.0%	0	26.1%	6	26.1%	6	17.4%	4	30.4%	7	23
Work ethic	0.0%	0	4.3%	1	30.4%	7	30.4%	7	34.8%	8	23
Ability to follow instructions	0.0%	0	0.0%	0	8.7%	2	73.9%	17	17.4%	4	23
Willingness to learn	0.0%	0	4.3%	1	4.3%	1	56.5%	13	34.8%	8	23
Team work and collaboration	0.0%	0	4.3%	1	30.4%	7	52.2%	12	13.0%	3	23
Being comfortable with ambiguity	8.7%	2	26.1%	6	43.5%	10	17.4%	4	4.3%	1	23
Commercial awareness	4.3%	1	8.7%	2	56.5%	13	17.4%	4	13.0%	3	23
Cultural competence and confidence	0.0%	0	13.0%	3	30.4%	7	39.1%	9	17.4%	4	23
Global awareness	34.3%	1	17.4%	4	52.2%	12	17.4%	4	8.7%	2	23
Community awareness	0.0%	0	13.0%	3	34.8%	8	47.8%	11	4.3%	1	23
Organisational acumen	0.0%	0	18.2%	4	36.4%	8	22.7%	5	22.7%	5	22
Ethical awareness	0.0%	0	4.3%	1	26.1%	6	39.1%	9	30.4%	7	23

A final question in this section explored the extent to which students participated in work-related activities during their time at university. Results are shown in Figure 22 below. Students from the original cohort were more likely to have participated in a self-arranged work-related activity than one arranged by the university at which they were enrolled.

Students were also more likely to have completed a non-law related work-related activity. Numbers in each of the categories were too small to warrant a gender analysis.

Figure 22. Survey 5 2017: Participation in a law or non-law work-related activity (Auckland, Canterbury, Waikato) (number)



3 Advice for prospective law students

The final question in this category was open-ended: students were asked what advice they would give a year 13 high school student about studying law. Thirty six students from the 2017 cohort answered this question and many provided more than once piece of advice. The greatest number of responses was directed at being prepared for hard work and/or pressure and competition (31 percent (11)). Seventeen percent (6) reported that prospective students should think carefully about whether studying law was right for them. A number of students focused on the importance of study related skills such as good reading/writing skills (4), time management (3) and forming study groups (1). Four students offered “don’t do it” as their advice. Three students noted that the later years in the degree were more enjoyable and another three highlighted the importance of looking after yourself and asking for help if you need it. Other advice given in one instance included taking a break before starting university studies, not buying text books, not doing voluntary moots, not to give up, to look out for “white washing” and that studying law was rewarding. A final piece of advice given by one student (with which we concur) is that studying law “was not like tv”.

K Wellbeing

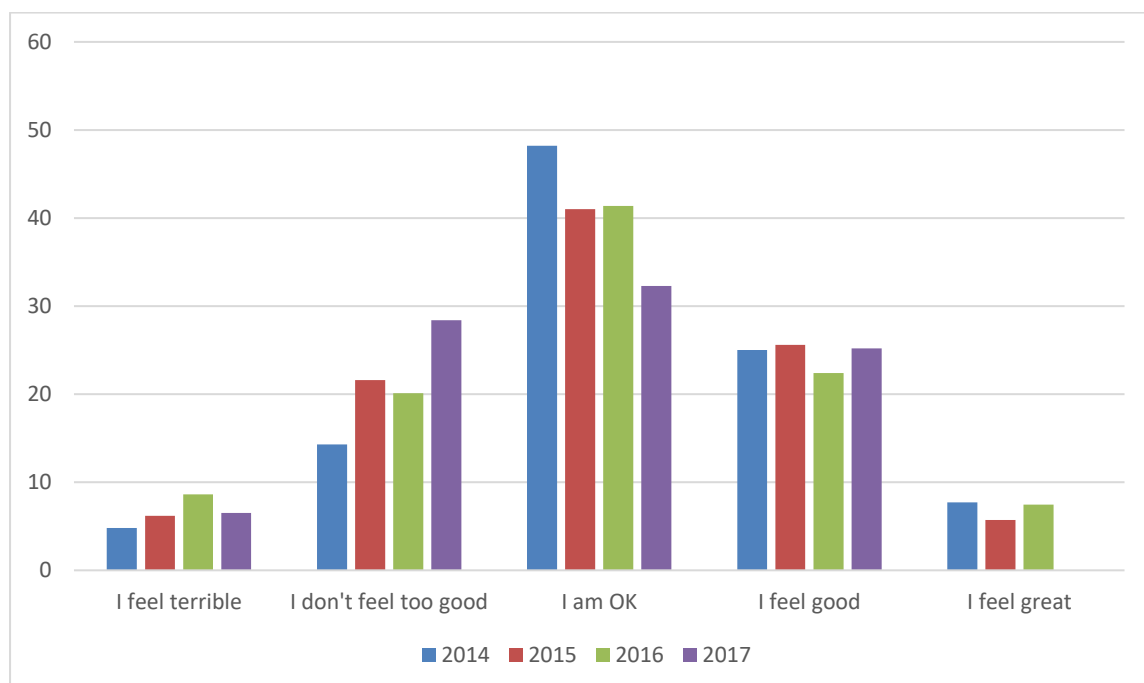
Wellbeing questions asked of students in previous years were repeated in 2017. In the first repeated question, students were asked to select, from a range of five given options, the

option that best described their current mental state. Two hundred and fourteen students from the 2017 cohort answered this question (155 from the original cohort). Across both cohorts, the most frequently selected option was the mid-point option, “I feel ok”. Thirty three percent (70) of the 2017 cohort selected this option, as did 32 percent (50) of the original cohort. Figure 23 shows the responses of the original cohort to this question over time.⁷² Notably, a smaller proportion of the original cohort selected the mid-point option in 2017, and an increased proportion selected the “I don’t feel too good option”.

Across universities, there were some differences. Waikato students most frequently selected the “I feel good” option: 39 percent of Waikato students selected this option, compared to 22 percent of Auckland students, 23 percent of Canterbury students and 26 percent of Victoria students. This option was the most frequently selected by students at Auckland, Waikato and Victoria. The most frequently selected option for Canterbury students was, by a small margin, “I don’t feel too good”.

On a gender analysis, a greater proportion of male students (41 percent) selected the mid-point option compared to female students (28 percent). A greater proportion of female students selected the “I don’t feel too good” option (33 percent, compared to 20 percent of male students).

Figure 23. Survey 2 2014, Survey 3 2015, Survey 4 2016, Survey 5 2017: How would you best describe your current mental state? (Auckland, Canterbury, Waikato) (percentage)



⁷² Note: the data from previous years relates to the students who answered this question in previous years. These students may or may not form part of the original cohort in 2017.

1 Kessler-6 results

An additional screening measure of psychological distress, the Kessler-6 scale, was included in 2017, as it was in 2015 and 2016. The results of this test provide a basis for the comparison of the situation of the students in this study with a number of overseas studies focusing on the mental wellbeing of law students and lawyers.

The Kessler-6 scale is a set of questions used internationally to screen for levels of reported non-specific psychological stress in large populations.⁷³ “Psychological distress” in this context encompasses a range of symptoms including anxiety, depression or rage.⁷⁴

Each student was asked how often, in the previous four weeks, he or she felt:

- ... so sad nothing could cheer him or her up
- ... nervous
- ... restless or fidgety
- ... hopeless
- ... that everything was an effort
- ... worthless

For each option, students selected one of five responses. Each option was allocated a score, as set out below:

- None of the time – scores 1
- A little of the time – scores 2
- Some of the time – scores 3
- Most of the time – scores 4
- Almost all of the time – scores 5

Those whose total score was in the range 6-11 are categorised as likely to be mentally well, those who score 12-19 as likely have a mild/moderate mental disorder and those who score 20-30 as likely to have a severe mental disorder.⁷⁵ As Figure 24 shows, the 2017 results from the 154 students in the original cohort who completed this test were consistent with previous years: 32 percent of students in 2017 scored in the “likely to be mentally well” category, 46 percent scored in the “likely to have a mild/moderate mental disorder”

⁷³ R Kessler, G Andrews, L Colpe, E Hiripi, D Mroczek, S Normand “Short screening scales to monitor population prevalences and trends in non-specific psychological distress” (2002) 32 *Psychological Medicine* 959; Ariana Krynen, Danny Osborne, Isabelle Duck, Carla Houkamau, Chris Sibley “Measuring psychological distress in New Zealand: Item response properties and demographic differences in the Kessler-6 screening measure” (2013) 42 *New Zealand Journal of Psychology* 95 at 95.

⁷⁴ Ministry of Health *The Health of New Zealand Adults 2011/12: Key findings of the New Zealand Health Survey* (Wellington, Ministry of Health, 2012) at 61.

⁷⁵ See <http://www.mindhealthconnect.org.au/guide-to-kessler-6>.

category and 22 percent scored in the “likely to have a severe disorder” category. This trend was largely consistent across law schools, as shown in Table 5 below.

Although no differences of note were apparent on analysis by law school, gender trends apparent in 2015 and 2016 continued in 2017. Male students were more likely to score in the “likely to be mentally well” category in 2017 (46 percent, compared to 29 percent of female students). Female students were more likely to score in the “likely to have a severe disorder category (24 percent of female students scored in this category, compared to 10 percent of male students).

Figure 24. Survey 3 2015, Survey 4 2016, Survey 5 2017: Overall Kessler 6 scores (Auckland, Canterbury, Waikato) (percentage)

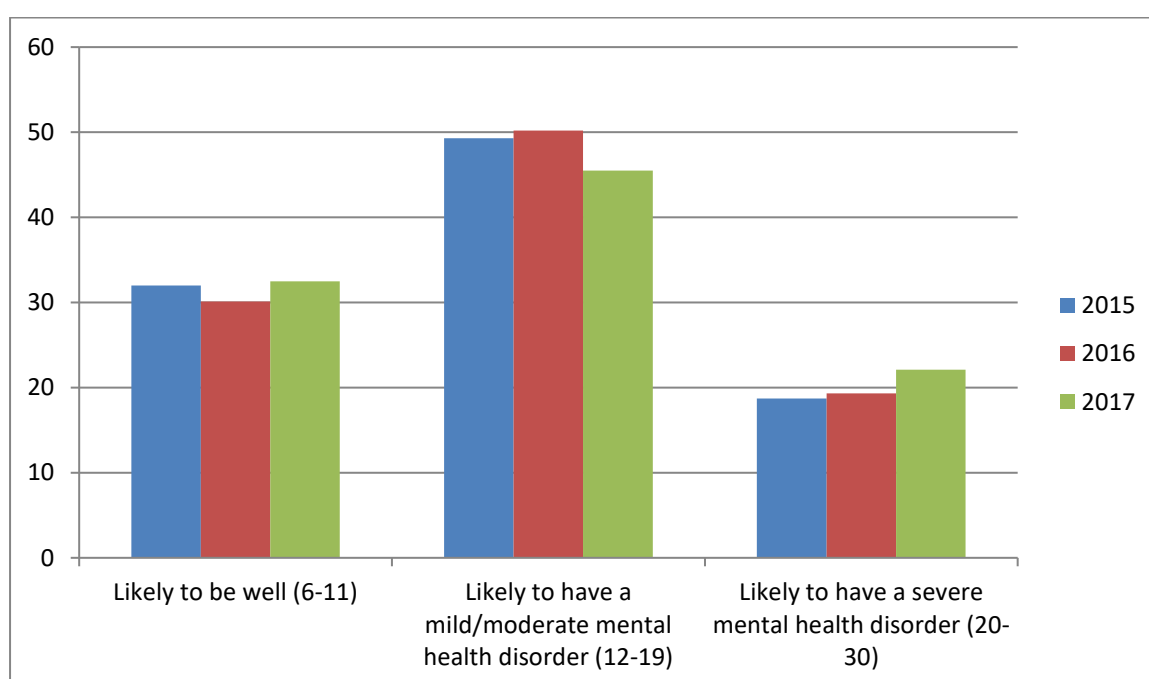


Table 5. Survey 5 2017: Kessler 6 scores across law schools

Kessler score	Auckland	Canterbury	Waikato	Victoria
6-11	19 (27%)	22 (39%)	9 (35%)	21 (36%)
12-19	34 (48%)	24 (42%)	12 (46%)	27 (47%)
20-30	18 (25%)	11 (19%)	5 (19%)	10 (17%)
Total	71	57	26	58

We note, as we did in 2015 and 2016, that when compared with other analyses using the Kessler-6 scale (or the longer Kessler-10 test) to measure levels of psychological distress within the general New Zealand population, the cohort of students participating in this study report experiencing higher rates of both likely mild/moderate and severe

psychological distress.⁷⁶ For example, an analysis of 4,442 Kessler-6 responses from the general population in 2010 reported 77.5 percent of respondents in the well category, 17 percent in the mild/moderate category and just over five percent in the severe category.⁷⁷

The Kessler-10 scale was used in national surveys conducted by the Ministry of Health in 2006/2007, 2011/2012 and 2016/2017. This scale, with 10 questions rather than six, identifies four likely levels of psychological distress: low; moderate, high and very high. The Health surveys report on the prevalence of likely high or very high levels of psychological distress. Again the reported rates of this degree of likely psychological distress are lower than reported by the law student cohort participating in this study. For example, the 2016/2017 national survey results show that overall rates of likely high or very high psychological distress in the adult New Zealand population was 7.6 percent,⁷⁸ up from 6.6 percent in 2006/2007 and 5.6 percent in 2011/2012.⁷⁹ The 2016/2017 Health survey also reports on levels of psychological distress by age and sex. Overall, women were more likely to suffer high or very high levels psychological distress (8.7 percent of women compared to 6.4 percent of men).⁸⁰ Notably, however, the age group most likely to experience psychological distress was young women aged 15 – 24, the age group within which female members of this study are most likely to fall. However, the national reported rate of likely high or very high distress within this group (15.3 percent) is still lower than that reported by female students in this study (24 percent). The 2016/2017 Health survey responses show that 8.6 of males in the 15-24 age group reported likely high or very high levels of psychological distress, the highest of any age group,⁸¹ a similar proportion to that reported by male students in this study (10 percent).

The students' 2017 Kessler-6 scores continue to reflect a number of overseas studies which have shown consistently that law students are likely to be affected to a greater degree by depression and other forms of psychological distress than the general population. One of the first Australian studies on this issue surveyed 741 law students across 13 Australian law schools.⁸² Thirty five percent of law students reported high or very high levels of

⁷⁶ We do however acknowledge that we may not necessarily be comparing like with like in terms of the manner in which the Kessler tests were administered across different studies.

⁷⁷ Ariana Krynen, Danny Osborne, Isabelle Duck, Carla Houkamau, Chris Sibley "Measuring psychological distress in New Zealand: Item response properties and demographic differences in the Kessler-6 screening measure" (2013) 42 *New Zealand Journal of Psychology* 95 at 101.

⁷⁸ Ministry of Health *Tier 1 Statistics: New Zealand Health Survey 2016/17* available at <https://minhealthnz.shinyapps.io/nz-health-survey-2016-17-tier-1/> (last accessed 24 January 2017).

⁷⁹ Ministry of Health *The Health of New Zealand Adults 2011/12: Key findings of the New Zealand Health Survey* (Wellington, Ministry of Health, 2012) at 61.

⁸⁰ Ministry of Health *Tier 1 Statistics: New Zealand Health Survey 2016/17* available at <https://minhealthnz.shinyapps.io/nz-health-survey-2016-17-tier-1/> (last accessed 24 January 2017).

⁸¹ *Ibid.*

⁸² Kelk, above n 16.

psychological distress on the Kessler-10 scale, compared with 12 percent of young people in the general Australian population.⁸³

Whilst one Australian study reports that law students are likely to experience higher rates of psychological distress than other university students, it also reports that distress levels of all university students are higher than those reported by young people in the general population.⁸⁴ Although one recent Australian study, using a different screening test, reports that non-law students report severe levels of distress in similar proportions to law students,⁸⁵ another comparing medical and law students responses to the Kessler-10 test reports that law students have significantly higher likely distress levels.⁸⁶

2 *Comment*

The literature on law student wellbeing summarised in the literature review in Part III above provides some potential explanations for reported levels of likely high psychological distress. The recent Australian studies investigating factors associated with elevated levels of law student distress focused on demographic and external factors, students' personal attributes and law school related factors.⁸⁷ We begin by noting that a significant proportion of the students in this cohort are part of a wider national age group reporting a greater likelihood of likely high psychological distress. We also repeat the finding that one of the most frequently reported external factors having an adverse effect on students' studies in 2017 (employment issues) is reported as being independently associated with elevated distress levels in Australian students, at least to the extent these issues relate to working long hours.⁸⁸ Although the sample is small, we note that a high percentage of completing students reported worry about job prospects. This is a personal attribute found to be independently associated with moderate distress levels in Australian students.⁸⁹ Additionally, a number of studies link students' law school experience with elevated levels

⁸³ Ibid at 12.

⁸⁴ See e.g. Catherine Leahy, Ray Peterson, Ian Wilson, Jonathan Newbury, Anne Tonkin, Deborah Turnbull "Distress levels and self-reported treatment rates for medicine, law, psychology and mechanical engineering tertiary students: cross-sectional study" (2010) 44 *Australian and New Zealand Journal of Psychiatry* 608 at 611, 613.

⁸⁵ Wendy Larcombe, Sue French, Rachel Sore "Who's Distressed? Not only Law Students: Psychological Distress Levels in University Studies Across Diverse Fields of Study" (2015) 37 *Sydney Law Review* 243 at 262. See also Christine Parker "The 'Moral Panic' over Psychological Wellbeing in the Legal Profession: A Personal or Political Ethical Response" (2014) 37 *University of New South Wales Law Journal* 1103.

⁸⁶ Soh et al, above n 17.

⁸⁷ Larcombe and Fethers, above n 14; Soh et al, above n 17.

⁸⁸ Larcombe and Fethers, above n 14, 419.

⁸⁹ Ibid.

of psychological distress.⁹⁰ As noted above, many students' responses to questions directed at their learning and teaching experiences (such as time spent on self-study, time spent on preparatory work and participation rates in interactive activities during class) indicate that there are areas where there is room for improvement in the way in which a significant proportion of students' engage with their studies. This set of responses is also indicative that a significant group are less likely to be intrinsically interested in their studies. Responses to questions related to students' likelihood of feeling a sense of belonging at law school (such as frequency of working with other students outside class and relationships with teachers) again suggest room for improvement. These results are again indicative of lower levels of engagement and similar factors are linked to elevated distress levels in Australian students. These indicators of low engagement also equate on low scores on at least two SDT (self-determination theory) measures:⁹¹ autonomy (students' doing what they choose and enjoy) and relatedness (relating meaningfully to others). As we noted earlier, high scores on SDT measures are associated with wellbeing.⁹²

VI Summary of Findings and Conclusions

In this section we highlight the broad themes and our resulting conclusions emerging from responses of the 2017 and original cohorts and the results of our analysis of students' responses by law school and gender.

A 2017 and original cohorts

We have dealt with the 2017 and original cohorts together in this section because of the overall similarity in trends in the responses of the two cohorts.

We begin by highlighting, as we did in 2016, that the findings relate to a self-selected cohort of students who have the demonstrated academic success and persistence needed to reach a fourth year of law studies. On the demographic measures that we have reported (gender and full-time/part-time study status) the cohort is representative of the wider student body at the law schools attended by the original cohort, although the non-response bias, if any, is unknown.

Students' reported career plans showed that a large majority continue to have the long term goal of a career in legal practice. Within the original cohort, students' notions of what this might entail for them in terms of desired careers and subject areas of interest were closer to the reality of legal practice than in previous years. This is likely to be due to students understanding of a wider range of legal subject areas as they move towards

⁹⁰ Ibid at 393; Sheldon and Krieger "Understanding Negative Effects of Legal Education on Law Students", above n 14; Sheldon and Krieger "Does Legal Education have Undermining Effects on Law Students", above n 15.

⁹¹ Sheldon and Krieger "Understanding Negative Effects of Legal Education on Law Students", above n 14, at 885.

⁹² Ibid at 884, 893.

completion of their law degree and a greater awareness of the areas in which there are legal jobs and the form that those jobs are likely to take.

Although motivation to achieve their intended career might be thought to be indicative of likely positive student engagement for many students, this was not always so on all of Kahu's three student engagement dimensions or measures. When students' reported engagement with their studies is considered in the light of themes emerging from higher education literature on student engagement, perhaps the best that can be said is that findings are mixed.

Starting with the positive, many students did report high rates of attendance at lectures and the most frequently given reason for missing lectures (illness or accident) is an external factor largely beyond the control of individual students. High rates of attendance are indicative of positive engagement in terms of Kahu's behaviour dimension, although we note once again that we were unable to assess the extent to which students' reported attendance rates reflect actual attendance rates. However, responses to other questions directed at students' teaching and learning experiences suggested lower rates of engagement by significant numbers of students on Kahu's other measures of engagement. In relation to cognition (effort directed towards learning and use of deep learning strategies) and affect (interest and enthusiasm in learning tasks) many students reported spending less time on self-study than the law schools at which they are enrolled would expect, although we suggest this is a likely consequence of institutional influences, such as teaching practices and assessment design. For example, many students reported that interactive activities are not a frequent occurrence in their lectures. Only a minority reported participating frequently in the interactive activities that are on offer. Many students reported not enjoying interactive activities that require them to speak before a large audience. Although students reported that their teachers often required them to complete preparatory work before class, only a minority reported completing such work frequently.

Many students' responses to questions relating to the contact with their peers for study related purposes and their contact with teachers outside of the classroom also indicate room for improvement on Kahu's affect dimension of student engagement as it relates to feeling a sense of belonging at law school. Students in the original cohort reported less frequent contact with other students for study purposes outside of class. Students did not report frequent face to face contact with their teachers outside of the class and nearly half of all students reported that between zero and 20 percent of their teachers know them.

Nevertheless, a majority of students were positive about their likely future academic success and reported receiving high academic grades, although a significant minority reported that their assessment load was "high" or "very high". A majority of students were "satisfied" or "very satisfied" with their law school experience. The continued high rates of academic success mean that a majority of students, barring an exceptional event, are likely to complete a law degree. However, although the student sample was small, a majority of

students expecting to complete their studies by February 2018 did not yet have employment arranged. This is of course a significant barrier to achieving a career in legal practice and a likely source of concern for these students. Most students in this category did not feel confident about obtaining employment. Students' self-rating in terms of skills and attributes generated some positive results (high ratings for digital literacy, maturity, independence and autonomy), but many students tended not to rate themselves as highly for core legal skills (legal reasoning, critical thinking/analytical skills) or for some attributes relevant to the practice of law (being comfortable with ambiguity and being commercially aware).

Many students continued to report external factors as having a negative impact on their studies, with work and employment issues being the most frequently reported factor. However, we note that such external factors did not prevent this cohort of students from continuing to persist with and succeed in their studies.

The room for improvement in a number of aspects of student engagement is also consistent with low autonomy and, to a lesser degree, low relatedness on SDT measures. It is hardly surprising then that many students' levels of likely psychological wellbeing remain low, although it is with some relief that we report that overall levels of likely psychological wellbeing have not worsened significantly in 2017.

B Students responses across law schools

As in previous years, with one exception, there was very little difference in trends in students' responses across law schools. The exception is the greater frequency of reference to the Socratic dialogue method of teaching by students from Victoria law school, suggesting this teaching method is used more frequently at this law school than the others in this study.

C Gender

Three key differences between male and female students emerge from the gender analysis of students' responses.

The first difference arises from responses to the questions directed at students' future career aspirations. Female students expressed greater levels of interest in careers and areas of law more directly associated with helping those in need, such as working for a community based organisation, community law, family law and human rights. Male students, on the other hand, expressed greater interest in more technical areas such as commercial/company and intellectual property. Most notably, these differences in areas of interest are reflected in the areas of practice of male and female lawyers. For example, the

New Zealand Law Society reports that 58 percent of male lawyers undertake some commercial/company work, compared to 38 percent of female lawyers.⁹³

The second difference relates to overall reported levels of self-confidence. Despite a greater reported diligence in terms of time spent on self-study and similar reported class attendance rates and grades, female students were less likely to be very confident of passing all their law courses and were more likely to have received results that were better than they had expected. Female students were more likely to report reluctance in participation in interactive activities during lectures because of what we categorise as reasons related to a lack of confidence (not being comfortable speaking before a large audience and/or feeling shy or anxious).

The third difference was in reported levels of wellbeing. On a gender analysis, a greater proportion of male students (41 percent) selected the mid-point option compared to female students (28 percent). A greater proportion of female students selected the “I don’t feel too good” option (33 percent, compared to 20 percent of male students). In terms of Kessler 6 scores, a greater proportion of male students scored in the likely to be well category and a greater proportion of female students scored in the likely to have a severe mental health disorder category.

VII Recommendations: Where to From Here for New Zealand Legal Education?

The findings and conclusions in this report provide base line data on New Zealand law students’ experiences in their fourth year of study. They capture the student voice on a variety of factors identified in higher education literature as affecting student engagement. They provide food for thought for interested stakeholders (students, teachers, law schools and the Council of Legal Education (CLE)).

Our overall assessment is that there is room for improvement in students’ reported engagement with their studies and wellbeing. We emphasise that in practical terms this really means that there is room for improvement by law schools and teachers. Although many teachers may be in a position to make immediate changes to their practices in individual courses, consistent improvement across the sector is only likely to result from changes at the institutional (law school) level. We also emphasise that any change is likely to be subject to constraints imposed by the universities within which the participating law schools sit. Law schools generate steady profits for universities and university managers are likely to be loath to put this at risk. This means it is likely to be very difficult to obtain support for changing the cost-effective practice of large class teaching, particularly in the

⁹³<http://myold.lawsociety.org.nz/in-practice/practice-management/practice-trends-and-statistics/spotlight-on-areas-of-practice> (last accessed 25 January 2018).

first years of the degree when large numbers of students are completing the compulsory courses in the degree.

We also see aspects of the current regulatory regime imposed by the CLE as a constraint on change at a law school level, particularly the limited and descriptive nature of the student outcomes in the prescriptions for the compulsory courses and the requirement of having a final examination worth at least 50 percent of the total course assessment.

Notwithstanding the constraints described above, there is still considerable scope for individual law schools to take action. We suggest that rather than just focusing on teaching and assessment methods, law schools begin by considering what the end result of undergraduate legal education should be in the university in which they sit. In other words, law schools should review (or, if necessary, create) LLB degree/graduate attributes. We think it very unlikely that such a process would result in law schools settling only on knowledge of content assessed primarily through written assignments and examinations. We would expect that law schools would debate which other skills and/or attributes should be included. We note that the list of skills and attributes identified by New Zealand employers of law graduates and in the literature as relevant to legal work (and, we suspect, work generally) is far more extensive than the knowledge-based requirements of Council of Legal Education course prescriptions. Law schools should determine which of these (or others) are appropriate for incorporation in degree/graduate attributes. Law schools also need to ensure that degree/graduate attributes are consistent with the literature on promoting positive student engagement and wellbeing.

Having settled on the desired outcomes, the next and (we think) more difficult step is ensuring that the objectives and assessment programmes of individual courses across and within levels within the degree will ensure that students complete with the desired attributes and in a manner that promotes positive engagement and wellbeing. This of course must be achieved within the current constraints in terms of university policies, teaching rooms (large lecture theatres) and (for the compulsory courses) CLE requirements. However, once there is recognition that the primary focus of legal education is not content based knowledge, this is likely to drive a change in teaching and assessment methods at an institutional level. We would expect that a properly designed and resourced move away from the traditional lecture method is likely to improve student engagement. However, law schools will have to assess whether this requires allocation of sufficient resources for teacher support, education and development. We note that there is a vast array of resources in the legal education literature on teaching for active learning in large university classes and assessment design,⁹⁴ with some of these directed at improving student

⁹⁴ See Lynne Taylor et al “Improving the Effectiveness of Large Class Teaching in Law Degrees” [2013](1) New Zealand Law Review 101.

wellbeing and underpinned by SDT.⁹⁵ There is also likely to be support available within teaching/academic development programmes within universities.

The literature suggests that increasing levels of student engagement is associated with improved wellbeing. As we noted in 2016, if this is not reason enough for individual law schools to take action, a further incentive is the likelihood of reputational benefits associated with producing high quality and healthy graduates.

We also strongly recommend that New Zealand law schools adopt a collegial approach to this issue, as this too is in their long term interest. Successful lobbying for regulatory change at CLE level as to the content and assessment of the LLB degree so as to maximise student engagement and wellbeing is likely to be a powerful tool in obtaining institutional support and resources to effect such change. An initial and welcome change would be the removal of the requirement that compulsory courses in the degree be assessed by an examination weighted at 60 percent of the total course assessment.

⁹⁵ See e.g. *Enhancing Student Wellbeing, 2.3 Next Steps: Incorporating Wellbeing Essentials* <http://unistudentwellbeing.edu.au/curriculum-design/next-steps/>

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APPENDIX TWO

Survey One 2014

You should already have received a letter of introduction, inviting you to participate in this study. A longitudinal study is one that takes place over a longer period of time. It is our intention to follow through the current cohort of first year Law students into the law degree and beyond. There will be two surveys this year, then one in each subsequent year for those who continue into the law degree. Once your studies are complete, we hope to follow you as you move into the workforce. The study will of interest to the legal profession, the university law schools and many other people. There has certainly never been a study like it in New Zealand. As the first survey in the series, this one asks you for some personal information as well as research data. We would like to assure you that your privacy will be maintained – no information about you will ever be revealed. Also, what you tell us is completely confidential. We will only use aggregated data across the whole sample in our reporting. In order to participate in this study, we need you to formally consent. Such consent can be withdrawn in writing at any time. The terms and conditions, and copies of all the ethical documentation, are available [on website]. Your consent to undertake this survey is not intended as a consent for any subsequent survey.

Do you agree to these terms and conditions?

If you tick 'no' the survey will end

- Yes
- No

Part 1. Some information about you

This information is for our administrative purposes only, and to provide some demographic data. Your privacy and confidentiality will be maintained.

How old were you on 28 February 2014?

- 16-17
- 18-20
- 21-25
- 26-30
- 31-35
- 36-40
- 41-45
- 46-50
- 51-55
- 56-60

- 61+

Are you...

- Male
- Female
- Other, please specify... _____

What is your ethnicity?

- New Zealander or pakeha or NZ European
- Māori
- Pasifika
- Australian
- European
- Indian
- Chinese
- Korean
- Japanese
- Other

Where did you mostly live in 2013?

- Canterbury, NZ
- Rest of South island, NZ
- North Island, NZ
- In another country, please specify _____

What were you doing last year?

Tick all relevant responses

- At High School
- Gap year
- In employment
- Caring for dependants
- Other tertiary study
- Voluntary work
- Beneficiary
- Other, please specify... _____

Have you already completed one or more degrees?

- Yes (please write in qualification, e.g. B.A.) _____
- No

Are you....

- A New Zealand citizen
- A permanent resident
- An international student

Do you have a disability that affects your ability to study and learn in the law degree?

- Yes, and I receive assistance from the university
- Yes, and I do not receive assistance from the university
- No

Question 11

What is the highest educational qualification achieved by each of your parents?

	Mother	Father
Doctorate	<input type="checkbox"/>	<input type="checkbox"/>
Graduate qualification (e.g. MA)	<input type="checkbox"/>	<input type="checkbox"/>
Degree	<input type="checkbox"/>	<input type="checkbox"/>
Other post-school qualification	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>
Not applicable	<input type="checkbox"/>	<input type="checkbox"/>
Don't know	<input type="checkbox"/>	<input type="checkbox"/>

Who, in your family, has a law degree?

Tick all relevant responses

- Parent I lived with while growing up
- Uncle, aunt or cousin
- Sister or brother
- Other relative or significant person who influenced you
- No one

Part 2. About your course of study

What degrees are you pursuing this year?

Please write the degree course(s) enrolled for, e.g. 'B.A., LLB'.

Are you studying....?

- Full-time
- Part-time

Why did you choose to study law this year?

Tick all relevant responses

- I want to be a lawyer
- Keep my options open to do law
- It is a useful or interesting paper to take
- It fits well with my timetable
- It fits well with my proposed major
- Other, please specify... _____

If you are intending to go on to complete a law degree, what are your reasons?

Tick all relevant responses

- One or more of my parents/ siblings/ close relatives are lawyers
- It is a good, steady profession
- I am passionate about justice and the law
- Someone else suggested it (eg: parent, teacher)
- I want to help people
- I want to make a difference
- It is a well-paid career
- It is a respected profession
- Other, please specify... _____

Why did you choose to do a law paper at Canterbury?

Tick all relevant responses

- Local university
- Best law school
- Friends going there

- Family live in Christchurch
- Heard good things about it
- Good scholarships
- Criminal Justice degree offered also
- Its where I need to be to complete the other courses/degrees I am enrolled in
- Other, please specify... _____

How confident are you at this stage of being admitted to second year Laws?

1 is not confident at all, 5 is very confident

- 1
- 2
- 3
- 4
- 5
- I do not wish to enter this programme

Part 3. Aspirations

We are interested in your career aspirations at this stage.

On a scale of 1 to 5, 1 being no interest and 5 being extreme interest, how interested are you at the moment in pursuing a legal career?

- 1
- 2
- 3
- 4
- 5

a. If you are interested in pursuing a legal career, what type of career appeals to you at the present time.

Tick all relevant responses

- Private practice (working in a law firm)
- Government position
- In house lawyer for employer that is not a law firm
- Non-governmental or community organisation

Other, please specify... _____

Please identify the area/s of law in which you have an interest

Tick all relevant responses

- Commercial and company
- Community
- Criminal Justice
- Estates and Wills
- Information and Technology
- Media
- International
- Māori Land and Resource Law
- Property law and land transfer
- Public
- Family
- Law and Sport
- Law and Medicine
- Other, please specify... _____
- None

Part 4 Your expectations as a student in 2014

What skills do you expect to have after completing your law studies in 2014?

(Please explain in your own words).

What sort of support/contact do you expect from your law teachers this year?

(Please explain in your own words)

What other sorts of help do you expect from the Law School in 2014, if any?

(Please explain in your own words)

How do you feel about doing law this year?

Tick all relevant responses

- Nervous
- Excited
- Confident
- OK
- A bit stressed
- Very stressed
- Other, please describe... _____

How important is passing your law course/s this year to you?

I is not important, 5 is very important

- 1
- 2
- 3
- 4
- 5

What are the things that might impact on your study this year?

Tick all relevant responses

- Family obligations
- Full time job
- Part time job
- My health
- Health of others
- Close relationships
- Law is hard
- Find studying hard
- Non-law study requirements
- Hobby or sport
- Social life
- Voluntary work
- Other, please specify... _____

In general, how confident are you about studying at University?

1 equals not confident at all, 5 is very confident.

- 1
- 2
- 3
- 4
- 5

What are you good at?

Tick all relevant responses

- Examinations
- Essays
- In-class work
- Oral presentations
- Other, please specify... _____
- I don't know what I am good at

Finally, how many hours of study per week outside lecture and tutorial times do you expect to do in law this year?

- None
- One or two hours
- Three, four or five hours
- Six, seven or eight hours
- Nine or ten hours
- More than ten hours per week

APPENDIX THREE

Survey Two 2014

Here is the second and last survey for 2014 for the law students who responded to the first survey earlier this year. Remember that your consent and ethical rights are carried over to this survey.

Where are you currently studying law?

- Auckland University
- University of Waikato
- University of Canterbury

Do you expect to be admitted to the second year of law in 2015?

Different law schools have different entry procedures. Please choose the response which is closest to your understanding of your situation.

- I have already been admitted to the second year
- All I have to do is pass my course, but I am worried about this
- All I have to do is pass my course, and I am reasonably confident of this
- I am worried my grade won't be good enough
- I really don't know whether I will do well enough
- I am pretty confident that I will do well enough
- Yes, no problem, I will be admitted
- I don't intend to study law next year.

No matter what the outcome of any selection processes, do you intend to continue studying law in 2015?

- Yes I will
- It is likely
- I am unsure
- Probably not
- Definitely not (please state reason) _____

As a result of your study in 2014, do you....

- Want to practice as a lawyer?
- Think you will use your law degree in some other career?
- Not complete or use a law degree in any profession?

What skills have you gained from your law courses in 2014?

Tick all that apply

- Understanding and knowledge of legal system and structure
- Basic knowledge of law and some legal concepts
- Theoretical understandings of law and society
- Critical thinking, analytical skills

- Literacy skills
- Legal method skills
- Oral communication skills
- Skills in argument/persuasion
- Skills training for career and or legal profession
- Baseline law study skills
- Research skills

In what ways have you had contact with your law lecturers in 2014?

Tick all that apply

- In lectures
- Communication on Moodle, Blackboard learn or other online learning platform
- Recorded lectures
- Office hours
- email
- phone
- social occasions
- No contact except attending lectures
- Other, please specify... _____

What could have been done to improve contact with your law lecturers in 2014?

In what ways have you had contact with your law tutors in 2014?

Tick all that apply

- In tutorials
- Communication on Moodle, Blackboard learn or other online learning platform
- Recorded lectures
- Office hours
- email
- phone
- social occasions
- No contact except attending tutorials
- Other, please specify... _____

What could have been done to improve contact with your law tutors in 2014?

What other sort of support have you had from your law lecturers in 2014?

Tick all that apply

- Extra assistance when needed
- Assistance with assessment tasks
- Feedback on assignments
- General encouragement to succeed
- Career guidance
- Support around personal/family issues
- Other, please specify... _____

On a scale of 1-5, how satisfied are you with the support you have had from your law lecturers in 2014?

1= not satisfied at all and 5= very satisfied.

- 1
- 2
- 3
- 4
- 5

How do you feel about your law studies in 2014?

How important is passing your law courses to you?

- Very unimportant
- Quite unimportant
- Neither important or unimportant
- Quite important
- Very Important

What sorts of things have impacted on your law studies in 2014?

- Home and family issues
- Relationship issues
- Personal issues
- Work and employment issues
- Accommodation issues
- Financial issues
- Things to do with studying at university
- Other, please specify... _____

How many hours of study per week on average outside lectures and tutorials have you spent on your law courses in 2014?

- One or two
- Three, four or five
- Six, seven or eight
- Nine or ten
- More than ten

What factors most helped you settle in to your law studies in 2014?

How prepared were you by your High School experience for starting your law studies?

- Not applicable
- Not prepared at all
- A little prepared
- Not too bad
- Quite well prepared

- Very well prepared

To what extent, on average, have the assessment results you have received in your law courses reflected your expectations?

- They were much lower than I expected
- They were lower than I expected
- They were about what I expected
- They were higher than I expected
- They were much higher than I expected

Are you a member of a Law Students' Association?

- Yes
- No

How important to you is the Law Students' organisation and the activities it organises?

- Very unimportant
- Unimportant
- Neither important nor unimportant
- Quite important
- Very important

Do you study with other law students?

- Yes
- No

How often do you study with other law students?

- Once a week or more often
- Every two weeks or so
- Once a month
- Less than once a month
- Only for tests and exams

Do you use social media to communicate with other law students?

- Yes
- No

How satisfied are you with your experience at Law School in 2014?

- Very dissatisfied
- Dissatisfied
- Neutral
- Satisfied
- Very satisfied

How often have you physically visited the law library in 2014?

- Never

- Occasionally
- Monthly
- Fortnightly
- Weekly or more often

How often have you used online legal resources available through your University library?

- Never
- Occasionally
- Monthly
- Fortnightly
- Weekly or more often

What level of student debt do you currently have?

- None at all
- Up to \$5,000
- \$5,001 to \$10,000
- \$10,001 to \$20,000
- More than \$20,000

Finally, how would you currently assess your feelings of general well-being?

- I feel terrible
- I don't feel too good
- I am OK
- I feel good
- I feel great!

APPENDIX FOUR

Survey Three: 2015

Welcome back to the second year of the Law School longitudinal study.

Are you studying second year law in 2015?

- Yes
- No

Why are you not studying second year law in 2015?

- I didn't gain entry to second year law and am repeating first year law paper(s).
- I didn't gain entry to second year law and have chosen not to re-enrol in first year law papers.
- I gained entry to second year law, but declined to take up my place (please explain)
- _____
- Other, please explain... _____

In 2015, are you studying....?

- Full time
- Part time

Are you enrolled in a double degree?

- Yes
- No

If yes, what is that other degree and major?

What are your reasons for doing that other degree?

How interested are you at this stage of your studies in pursuing a legal career?

- Not interested
- A bit interested
- Neutral
- Quite interested
- Very interested

If you are interested in pursuing a legal career, what type of career appeals to you at this time?

Choose as many responses as you wish

- Private practice (working as a lawyer in a firm or by yourself)
- Government position
- Non-governmental or community organisation

- In-house lawyer for a private employer that is not a law firm
- In-house lawyer for an international organisation, such as the United Nations
- Legal academic
- Not sure yet
- Other, please explain... _____

What areas of law are you interested in?

Choose as many responses as you wish

- Commercial and company
- Community
- Criminal law or criminal justice
- Employment
- Estates and wills
- Family
- Human rights
- Intellectual property
- International
- Information technology
- Law and medicine
- Law and sport
- Māori land and indigenous law
- Media law
- Land law
- Environmental law
- Public law
- Other, please specify... _____

How are you finding second year law study?

- It is easy
- Few problems so far
- I am finding it OK
- Difficult, I'm struggling
- Overwhelming

What are the things that you regularly do in a typical second year law lecture?

- Listen to what the lecturer has to say
- Take notes by hand
- Take notes on a laptop or other electronic device
- Record the lecture
- Access the internet to locate legal resources relevant to the lecture
- Access the internet for reasons unconnected with what is happening in class
- Make contact with others outside of class (via text, email or similar)

- Make contact with others inside class (via text, email or similar)
- Ask questions of your lecturer
- Answer questions asked by your lecturer
- Participate in lecturer-directed group activities
- Participate in lecturer-directed individual activities
- Other, please specify... _____

In what ways have you had contact with your law lecturers in 2015?

- Asking questions after lectures
- Communication via 'Learn' or other online learning platform
- Recorded lectures
- Office hours
- Email
- Phone
- Social occasions
- No contact except attending lectures
- Other, please specify... _____

In a few words, describe your ideal second year law lecture.

What are the things that you regularly do in a typical second year law tutorial?

- Listen to what the tutor has to say
- Take notes by hand
- Take notes on a laptop or other electronic device
- Record the tutorial
- Access the internet to locate legal resources relevant to the tutorial
- Access the internet for reasons unconnected with what is happening in the tutorial
- Make contact with others outside of class (via text, email or similar)
- Make contact with others inside class (via text, email or similar)
- Ask questions of your tutor
- Answer questions asked by your tutor
- Participate in tutor-directed group activities
- Participate in tutor-directed individual activities
- Look up the answers to the tutorial question using an electronic device
- Lead the tutorial discussion
- Other, please specify... _____

In what ways have you had contact with your law tutors in 2015?

- In tutorials
- Communication via 'Learn' or other online learning platform
- Recorded tutorials

- Office hours
- Email
- Phone
- Social occasions
- No contact except attending tutorials
- Other, please specify... _____

In a few words, describe your ideal second year law tutorial.

What has your attendance been like at law lectures this year?

What are your main reasons for missing lectures?

What has your attendance been like at law tutorials this year?

What are your main reasons for missing tutorials?

How many hours outside of lectures and tutorials do you typically devote to each of your second year law courses each week?

- 0 - 2
- 3 - 5
- 6-8
- 9-10
- More than 10

What are the things that you regularly do when focusing on your law studies outside of lectures and tutorials?

- Read cases
- Read legislation
- Read articles and texts
- Read student guides
- Study with others
- Write up and supplement lecture notes
- Other, please specify... _____

For what purpose(s) do you do the things identified in the previous question?

- To complete assessment tasks
- To gain a better understanding of material covered in lectures and tutorials
- For general interest
- Other, please specify... _____

How often have you physically visited the law library in 2015?

- Never
- Occasionally
- Monthly
- Fortnightly
- Weekly or more often

If you have physically visited the law library, what did you do there?

- Accessed legal resources
- Consulted a librarian
- Studied alone
- Studied with other students
- Other, please explain... _____

How often have you accessed online legal resources available through your University library?

- Never
- Occasionally
- Monthly
- Fortnightly
- Weekly or more often

How often do you access the online learning platform (e.g. 'Learn') available at your University?

- Never
- Occasionally
- Monthly
- Fortnightly
- Weekly or more often

Which of the following skills/knowledge have you gained during your second year law studies?

- An understanding of the structure and operation of the New Zealand legal system
- A working knowledge of legal principles and concepts
- A theoretical understanding of the law and the legal system
- Critical/analytical thinking skills
- Writing skills
- Legal method skills (case analysis and statutory interpretation)
- Oral communication skills
- Time management skills
- Other, please specify... _____

Please respond to the statements below using the slider provided (0-100):

- **Te Tiriti o Waitangi (the Treaty of Waitangi) benefits my daily life**

- **I am developing confidence in applying bicultural competence in my studies**

What, if any, of the following factors have adversely affected your law studies in 2015?

- Home/family issues
- Relationship issues
- Health issues
- Personal issues
- Work and employment issues
- Accommodation issues
- Financial issues
- Things to do with studying at university
- Other, please explain... _____

What has gone well for you in your law studies in 2015?

What could have gone better for you in your law studies in 2015?

To what extent, on average, have the assessment results you have received in your second year law courses reflected your expectations?

- They were much lower than I expected
- They were lower than I expected
- They were about what I expected
- They were higher than I expected
- They were much higher than I expected

How confident are you of passing all your second law courses?

- Not confident at all
- A bit confident
- Neutral
- Confident
- Very confident

How would you best describe your current mental state?

- I feel terrible
- I don't feel too good
- I am OK
- I feel good
- I feel great

During the past 30 days, about how often did you feel....

	None of the time	A little of the time	Some of the time	Most of the time	All of the time
...nervous?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...hopeless?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...restless or fidgety?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
... so depressed that nothing could cheer you up?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
... that everything was an effort?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
... worthless?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

The last question asked about feelings that might have occurred during the past 30 days. Taking them altogether, did these feelings occur...

- A lot less often than usual
- Somewhat less often than usual
- About the same as usual
- Somewhat more often than usual
- A lot more often than usual
- I have not had any of these feelings

How satisfied are you with your experience at law school in 2015?

- Very dissatisfied
- Dissatisfied
- Neutral
- Satisfied
- Very satisfied

What is the total level of your student debt?

- None
- Up to \$5,000

- \$5,001- \$10,000
- \$10,001 - \$20,000
- More than \$20,000
- Don't know

APPENDIX FIVE

Survey 4 2016

Q1 Welcome back to the third year of the Law School longitudinal study. Remember, the survey is anonymous and confidential. Law staff at the participating universities (the University of Canterbury, the University of Auckland and the University of Waikato) do not have access to any identifying information and cannot identify any student responses, so there is no possibility that your participation can affect how well you do in your degree.

Q2 Are you studying law in 2016?

Yes (1)

No (2)

If Yes Is Selected, Then Skip To Are you studying law in 2016 because ...

Q41 What are you studying currently?

Q42 Are you intending to complete a law degree in the future?

Definitely yes (1)

Probably yes (2)

Neutral (3)

Probably not (4)

Definitely not (5)

If Definitely yes Is Selected, Then Skip To End of Survey
If Probably yes Is Selected, Then Skip To End of Survey
If Neutral Is Selected, Then Skip To End of Survey
If Probably not Is Selected, Then Skip To End of Survey
If Definitely not Is Selected, Then Skip To End of Survey

Q3 Are you studying law in 2016 because you successfully repeated first year in 2015?

Yes (1)

No (2)

Q5 In 2016, are you studying....?

- Full time (1)
- Part time (2)

Q6 How interested are you at this stage of your studies in pursuing a legal career?

- Not interested (1)
- A bit interested (2)
- Neutral (3)
- Quite interested (4)
- Very interested (5)

Q7 If you are interested, what are your reasons for intending to pursue a legal career? Choose as many responses as you wish

- One or more of my parents/siblings/close relatives are lawyers (1)
- It is a good, steady profession (2)
- I am passionate about justice and the law (3)
- Someone else suggested it (e.g. parent, teacher) (4)
- I want to help people (5)
- I want to make a difference (6)
- It is a well-paid career (7)
- It is a respected profession (8)
- Other, please specify (9) _____

Q8 What type of career appeals to you at this time? Choose as many responses as you wish

- Private practice (working as a lawyer in a firm or by yourself) (1)
- Government position (2)
- Non-governmental or community organisation (3)
- In-house lawyer for a private employer that is not a law firm (4)
- In house lawyer for an international organisation, such as the United Nations (5)
- Legal academic (6)
- Not sure yet (7)
- Other, please explain (8) _____

Q9 What areas of law are you interested in? Choose as many responses as you wish

- Commercial and company (1)
- Community (2)
- Criminal law or criminal justice (3)
- Employment (4)
- Estates and wills (5)
- Family (6)
- Human Rights (7)
- Intellectual Property (8)
- International (9)
- Law and medicine (10)
- Law and sport (11)
- Māori land and indigenous law (12)
- Media law (13)
- Land Law (14)
- Environmental Law (15)
- Public Law (16)
- Other, please specify (17)

Q10 What are the things that you regularly do in typical large and small class law lectures? A large class is one in which more than 50 students are enrolled.

Listen to what the lecturer has to say (1)	<input type="checkbox"/>	<input type="checkbox"/>
Take notes by hand (2)	<input type="checkbox"/>	<input type="checkbox"/>
Take notes on a laptop or other electronic device (3)	<input type="checkbox"/>	<input type="checkbox"/>
Record the lecture (4)	<input type="checkbox"/>	<input type="checkbox"/>
Access the internet to locate resources relevant to the lecture (5)	<input type="checkbox"/>	<input type="checkbox"/>
Access the internet for reasons unconnected with what is happening in class (6)	<input type="checkbox"/>	<input type="checkbox"/>
Make contact with others outside of class via social media (7)	<input type="checkbox"/>	<input type="checkbox"/>
Make contact with others inside the class via social media (8)	<input type="checkbox"/>	<input type="checkbox"/>
Ask questions of your lecturer (9)	<input type="checkbox"/>	<input type="checkbox"/>
Answer questions asked by your lecturer (10)	<input type="checkbox"/>	<input type="checkbox"/>
Participate in lecturer-directed group activities (11)	<input type="checkbox"/>	<input type="checkbox"/>
Participate in lecturer-directed individual activities (12)	<input type="checkbox"/>	<input type="checkbox"/>
Participate in lecturer-directed online activities (13)	<input type="checkbox"/>	<input type="checkbox"/>

Other, please specify (14)	<input type="checkbox"/>	<input type="checkbox"/>
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Q11 Why do you access the internet or contact others via social media during classes?

Q12 Think of your favourite law lecturer in 2016. In a few words, describe what this lecturer did that you valued the most.

Q13 In what ways have you had contact with your law lecturers in 2016? Choose all that apply

- Ask questions after lectures (1)
- Communication via "Learn", "Moodle" or other online learning platform (2)
- Recorded lectures (3)
- Office hours (4)
- Email (5)
- Phone (6)
- Social occasions (7)
- No contact, except through attending lectures (8)
- Other, please specify (9) _____

Q14 Are you interested in having more contact with your law lecturers?

- Yes (1)
- No (2)

If No Is Selected, Then Skip To Please select the option that best de...

Q15 What form of extra contact would you like? Please explain in a few words

Q16 Please select the option that best describes your attendance at law lectures in 2016.

- 81% – 100% (1)
- 61% – 80% (2)
- 41% – 60% (3)
- 21% – 40% (4)
- 0% – 20% (5)

Q17 What is your main reason for missing lectures? Choose one response.

- I never miss lectures (1)
- Illness or accident (2)
- Study commitments (3)
- Employment commitments (4)
- Family commitments (5)
- Other commitments (6)
- Personal reasons (7)
- I don't enjoy lectures (8)
- Lectures are recorded (9)
- I can pass without going to lectures (10)
- Other, please specify (11) _____

If I never miss lectures Is Selected, Then Skip To How many hours outside of lectures an...

Q18 When you miss lectures, rank the methods that you have used to catch up Please 'grab and place' your preferred responses

- _____ Self-study (1)
- _____ Use notes from another class member (2)
- _____ Listen to a university made recording of the lecture (3)
- _____ Listen to recording of the lecture made by another class member (4)
- _____ Buy notes offered for sale (5)
- _____ Other, please explain (6)

Q19 How many hours outside of lectures and tutorials do you typically devote to each of your 2016 year law courses each week?

- 0-2 (1)
- 3-5 (2)
- 6-8 (3)
- 9-10 (4)
- More than 10 (5)

Q20 What are the things that you regularly do when focusing on your law studies outside of class time? Choose all that apply

- Read cases (1)
- Read legislation (2)
- Read articles and texts (3)
- Read student guides (4)
- Study with others (5)
- Write up and supplement lecture notes (6)
- Participate in lecturer-directed online activities (7)
- Other, please specify (8) _____

Q21 For what purpose(s) do you do the things identified in the previous question? Choose all that apply

- To complete assessment tasks (1)
- To gain a better understanding of material covered in lectures and tutorials (2)
- For general interest (3)
- Other, please specify (4) _____

Q22 What other law-related activities are you involved with? Choose all that apply

- I volunteer with a community law centre (1)
- I volunteer with other organisations. Please specify (2) _____
- Other, please specify (3) _____

Q23 How often have you physically visited the law library in 2016?

- Never (1)
- Occasionally (2)
- Monthly (3)
- Fortnightly (4)
- Weekly or more often (5)

If Never Is Selected, Then Skip To How often have you accessed online le...

Q24 What did you do in the law library?

- Accessed legal resources (1)
- Consulted a librarian (2)
- Studied alone (3)
- Studied with other students (4)
- Other, please explain (5) _____

Q25 How often have you accessed online legal resources available through your University library?

- Never (1)
- Occasionally (2)
- Monthly (3)
- Fortnightly (4)
- Weekly or more often (5)

Q26 How often have you accessed the online learning platform (e.g. Learn or Moodle) available at your University?

- Never (1)
- Occasionally (2)
- Monthly (3)
- Fortnightly (4)
- Weekly or more often (5)

Q27 What are the skills that have you gained from your 2016 law studies?

Q28 My assessment load in 2016 has been:

- Too low (1)
- Low (2)
- Acceptable (3)
- High (4)
- Too high (5)

Q29 Please state your level of agreement with the following statement: "The timing of my assessments in 2016 has been manageable"

- Strongly disagree (1)
- Somewhat disagree (2)
- Neutral (3)
- Somewhat agree (4)
- Strongly agree (5)

Q30 Rank your top three preferred forms of assessment Please 'grab and place' your preferred responses.

- _____ Closed book individual test or examination (1)
- _____ Open book individual test or examination (2)
- _____ Individual take home test (3)
- _____ Group take home test (4)
- _____ Individual essay/assignment (5)
- _____ Group essay/assignment (6)
- _____ Computer based individual assessment (7)
- _____ Computer based group assessment (8)
- _____ Individual oral assessment (9)
- _____ Group oral assessment (10)
- _____ Other, please explain (11)

Q31 In my law assessments in 2016 I have most frequently achieved the following grade(s)

- A grades (1)
- B grades (2)
- C grades (3)
- Grades below C (4)

Q32 To what extent, on average, have the assessment results you have received in 2016 law courses reflected your expectations?

- They were much lower than I expected (1)
- They were lower than I expected (2)
- They were about what I expected (3)
- They were higher than I expected (4)
- They were much higher than I expected (5)

Q33 How confident are you of passing all your 2016 law courses?

- Not confident at all (1)
- A bit confident (2)
- Neutral (3)
- Confident (4)
- Very confident (5)

Q34 Are you repeating any compulsory law courses that you took in 2015?

- None at all (1)
- One (2)
- Two (3)
- More than two (4)

Q35 What, if any, of the following factors have adversely affected your law studies in 2016?

- Home/family issues (1)
- Relationship issues (2)
- Health issues (3)
- Personal issues (4)
- Work and employment issues (5)
- Accommodation issues (6)
- Financial issues (7)
- Things to do with studying at university (8)
- Other, please explain (9) _____

Q36 How would you best describe your current mental state?

- I feel terrible (1)
- I don't feel too good (2)
- I am OK (3)
- I feel good (4)
- I feel great (5)

Q37 During the past 30 days, about how often did you feel...

...nervous? (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...hopeless? (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...restless or fidgety? (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
... so depressed that nothing could cheer you up? (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
... that everything was an effort? (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
... worthless? (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q38 What factors most adversely affect your mental wellbeing on a regular basis? Please explain in a few words.

Q39 What, if anything, could your law school do to improve your mental wellbeing?

Q40 How satisfied are you with your experience at law school in 2016?

- Very dissatisfied (1)
- Dissatisfied (2)
- Neutral (3)
- Satisfied (4)
- Very satisfied (5)
-

Q41 What is the total level of your student debt?

- Up to \$5,000 (1)
- \$5,001 to \$10,000 (2)
- \$10,001 - \$20,000 (3)
- \$20,001 - \$30,000 (4)
- More than \$30,000 (5)

Q43 Would you like to enter the draw to win an iTunes voucher?

- Yes (1)
- No (2)

If No Is Selected, Then Skip To End of Survey

Q44 Thanks. Please enter your email address and first name. This information will not be used for any other purpose than the prize draw.

APPENDIX Six

Survey 5 2017

Q1 Welcome back to the fourth year of the Law School longitudinal study (and the first year for students at Victoria University of Wellington). Remember, the survey is anonymous, confidential and voluntary. Law staff at the participating universities (the University of Canterbury, the University of Auckland, Victoria University of Wellington and the University of Waikato) do not have access to any identifying information and cannot identify any student responses, so there is no possibility that your participation can affect how well you do in your degree.

Q2 Which university are you studying at?

- Auckland
- Canterbury
- Victoria
- Waikato

(If Victoria selected, students answer additional demographic questions 3 – 15. Auckland, Canterbury and Waikato students skip to question 14)

Q3 How old were you on 28 February 2017?

- 16-17
- 18-20
- 21-25
- 26-30
- 31-35
- 36-40
- 41-45
- 46-50
- 51-55
- 56-60
- 61+

Q4 Are you...

- Male
- Female
- Other, please specify... _____

Q5 What is your ethnicity?

- New Zealander or Pākehā or NZ European
- Māori
- Pasifika
- Australian
- European
- Indian
- Chinese

- Korean
- Japanese
- Other

Q6 Where did you mostly live before you enrolled in your law degree at Victoria?

- Wellington, NZ
- Rest of North island, NZ
- South Island, NZ
- In another country, please specify _____

Q7 What were you doing before you enrolled in your law degree at Victoria?

Tick all relevant responses

- At High School
- Gap year
- In employment
- Caring for dependents
- Other tertiary study
- Voluntary work
- Beneficiary
- Other, please specify... _____
-

Q8 Have you already completed one or more degrees?

- Yes (please write in qualification, e.g. B.A.) _____
- No

Q9 Are you....

- A New Zealand citizen
- A permanent resident
- An international student
-

Q10 Do you have a disability that affects your ability to study and learn in the law degree?

- Yes, and I receive assistance from Victoria University
- Yes, and I do not receive assistance from Victoria University
- No

Q11 What is the highest educational qualification achieved by each of your parents?

	Mother	Father
Doctorate	<input type="checkbox"/>	<input type="checkbox"/>
Graduate qualification (e.g. MA)	<input type="checkbox"/>	<input type="checkbox"/>
Degree	<input type="checkbox"/>	<input type="checkbox"/>
Other post-school qualification	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>

Not applicable
Don't know

Q 12 Who, in your family, has a law degree?

Tick all relevant responses

- Parent I lived with while growing up
- Uncle, aunt or cousin
- Sister or brother
- Other relative or significant person who influenced you
- No one

Q13 Why did you choose study law at Victoria?

Tick all relevant responses

- Local university
- Best law school
- Friends going there
- Family live in Wellington
- Heard good things about it
- Good scholarships
- It's where I need to be to complete the other courses/degrees I am enrolled in

All students answer the following questions

Q14 What degree(s) are you pursuing this year? Please choose all that apply.

- LLB
- LLB (Hons)
- Business or commerce degree
- BSc
- BEng
- BCJ
- Other, please explain _____

Q15 Are you studying ...?

- Full-time
- Part-time

Q16 How interested are you at this stage of your studies in pursuing a legal career?

- Not interested

- A bit interested
- Neutral
- Quite interested
- Very interested

Q17 What type of legal career appeals to you at this time? Choose as many responses as you wish.

Private practice (working as a lawyer in a firm or by yourself).

Government position.

Non-governmental or community organisation.

In-house lawyer for a private employer that is not a law firm.

In house lawyer for an international organisation, such as the United Nations.

Legal academic

Not sure yet.

Other, please explain.

I don't intend to have a legal career

Q18 What areas of law are you interested in? Choose as many responses as you wish

ACC

Commercial and company

Community

Criminal law or criminal justice

Employment

Environmental law

Estates and wills

Family

Human rights

Immigration

Intellectual Property

International

Land Law

Law and medicine

Law and sport

Māori land and indigenous law

Media law

Public Law

Torts

Other, please specify _____

Q19 In what ways have you had contact with your law lecturers in 2017? Choose all that apply

Ask questions after lectures

All class communications via “Learn”, “Moodle”, “Blackboard” or other online learning platform

Individual communications via “Learn”, “Moodle”, “Blackboard” or other online learning platform

Recorded lectures

Office hours

Individual email

All class email

Phone

Social occasions

No contact, except through attending lectures

Other, please specify _____

Q20 How often have you attended law lectures in 2017?

- 0 – 20%
- 21 – 40%
- 41 – 60%
- 61 – 80%
- 81 – 100%

Q21 What is your main reason for missing lectures? Please choose one response

- I never miss lectures
- Illness or accident
- Study commitments
- Employment commitments
- Other commitments
- Personal reasons
- Transport issues
- Timetable clashes
- Timing of lectures
- I don't enjoy lectures
- I can pass without attending lectures

Q22 How often in your lectures do interactive activities occur? Interactive activities include discussions, answering and asking questions, writing exercises and other similar activities.

- Never (*Students who select this option skip to Q24*)
- Rarely
- Sometimes
- Often
- Very often

Q23 How often do you participate in the interactive activities that are on offer during your lectures?

- Never
- Rarely
- Sometimes
- Often
- Very often

Q24 Please give your reason(s) for your answer to the previous question.

Q25 How many of your lecturers do you think know you?

- 0 – 20%
- 21 – 40%
- 41 – 60%

- 61 – 80%
- 81 – 100%

Q26 How many hours outside of lectures and tutorials do you typically devote to each of your 2017 law courses each week?

- 0-2
- 3-5
- 6-8
- 9-10
- More than 10

Q27 How frequently do your lecturers expect you to complete preparatory work prior to attending class?

- Never (*Students selecting this option skip to Q29*)
- Rarely
- Sometimes
- Often
- Very often

Q28 How frequently do you complete any expected preparatory work?

- Never
- Rarely
- Sometimes
- Often
- Very often

Q29 What are the things that you regularly do when focusing on your law studies outside of class time? Please choose all that apply.

- Read cases
- Read legislation
- Read articles and texts
- Read student guides
- Study with others
- Write up and supplement lecture notes
- Participate in lecturer-directed online activities
- Other, please specify

Q30 For what purpose(s) do you do the things identified in the previous question? Choose all that apply.

- To complete assessment tasks
- To gain a better understanding of material covered in lectures and tutorials
- For general interest

- Other, please specify

Q31 How often have you accessed online legal resources available through your university library?

- Never
- Occasionally
- Monthly
- Fortnightly
- Weekly or more often

Q32 How often have you accessed the online learning platform (such as Learn, Moodle or Blackboard) available at your university?

- Never
- Occasionally
- Monthly
- Fortnightly
- Weekly or more often

Q33 What law related extra-curricular activities are you involved with?

- I volunteer with a community law centre
- I volunteer with other organisations. Please specify _____
- I am involved with a law students' society
- I am not involved in any law related extra-curricular activities.
- Other, please specify _____

Q34 How frequently do you interact with other law students outside of class for study related purposes?

- Never
- Rarely
- Sometimes
- Often
- Very often

Q35 How frequently do you interact with other law students outside of class for social or non-study related purposes?

- Never
- Rarely
- Sometimes
- Often
- Very often

Q36 My assessment workload in 2017 has been:

- Too low

- Low
- Acceptable
- High
- Too high

Q37 Please state your level of agreement with the following statement: “The timing of my assessments in 2017 has been manageable”.

- Strongly disagree
- Somewhat disagree
- Neutral
- Somewhat agree
- Strongly agree

Q38 In my law assessment in 2017 I have most frequently obtained the following grades:

- A grades
- B grades
- C grades
- Grades below C

Q39 To what extent, on average, have the assessment results you received in the 2017 law courses reflected your expectations?

- They were much lower than I expected
- They were lower than I expected
- They were about what I expected
- They were higher than I expected
- They were much higher than I expected

Q40 How confident are you of passing all your 2017 law courses?

- Not confident at all
- A bit confident
- Neutral
- Confident
- Very confident

Q41 What, if any, of the following factors have adversely affected your law studies in 2017? Please choose all that apply.

- Home/family issues
- Relationship issues
- Health issues
- Personal issues
- Work and employment issues
- Accommodation issues

- Financial issues
- Things to do with studying at university
- Other, please explain

Q42 What have been your living arrangements in 2017?

- Living with my parents
- Living with my partner and/or children
- Living by myself
- Living with flatmates
- Living in a hall of residence
- Other, please explain

Q43 How satisfied are you with your experience at law school in 2017?

- Very dissatisfied
- Dissatisfied
- Neutral
- Satisfied
- Very satisfied

Q44 How would you best describe your current mental state?

- I feel terrible
- I don't feel too good
- I am ok
- I feel good
- I feel great

Q45 During the past 30 days, about how often did you feel....

	None of the time	A little of the time	Some of the time	Most of the time	All of the time
...nervous?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...hopeless?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
...restless or fidgety?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
... so depressed that nothing could cheer you up?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
... that everything was an effort?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
... worthless?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q46 The last question asked about feelings that might have occurred during the past 30 days. Taking them altogether, did these feelings occur...

- A lot less often than usual
- Somewhat less often than usual
- About the same as usual
- Somewhat more often than usual

- A lot more often than usual
- I have not had any of these feelings

Q47 Do you intend to complete your law degree by the end of February 2018?

- Yes (*Respondents go to Q48*)
- No (*Respondents skip to Q57*)

Q48 Do you have employment arranged for after you complete your law degree?

- Yes, law related employment (*Respondents go to Q49*)
- Yes, non-law related. Please explain _____ (*Respondents skip to Q51*)
- No (*Respondents skip to Q50*).

Q49 What is the nature of your law related employment? (*Respondents skip to Q51*)

- Working in a law firm
- Government position
- In house legal position for an employer that is not a law firm
- Non-governmental or community organisation
- Other, please specify

Q50 How confident do you feel about obtaining employment?

- Not confident at all
- A bit confident
- Neutral
- Confident
- Very confident

Q51 How helpful has your university been in providing you with careers advice?

- Not helpful at all
- A bit helpful
- Neutral
- Helpful
- Very helpful

Q52 How prepared do you feel for the workforce?

- Not prepared at all
- A bit prepared
- Neutral
- Prepared
- Very prepared

Q53 Which of the following work-related activities have you participated in during your time at university? Choose all that apply.

Law Non-law

- Self-arranged work experience
- University arranged work experience
- Internship completed for university credit
- Internship completed, but not for university credit
- Self-arranged voluntary work
- University arranged voluntary work
- Employed as a summer clerk
- Other, please explain _____

Q54 How would you rate yourself in terms of the following skills?

[1= Poor; 2= Fair; 3= Good; 4= Very Good; 5= Excellent]

Research skills	1 – 2 – 3 – 4 – 5	N/A
Written communication skills	1 – 2 – 3 – 4 – 5	N/A
Oral communication skills	1 – 2 – 3 – 4 – 5	N/A
Legal reasoning skills	1 – 2 – 3 – 4 – 5	N/A
Critical thinking and analytical skills	1 – 2 – 3 – 4 – 5	N/A
Problem-solving skills	1 – 2 – 3 – 4 – 5	N/A
Numeracy skills	1 – 2 – 3 – 4 – 5	N/A
Digital literacy	1 – 2 – 3 – 4 – 5	N/A
Skills in another language	1 – 2 – 3 – 4 – 5	N/A

Q55 How would you rate yourself in terms of the following attributes?

[1= Poor; 2= Fair; 3= Good; 4= Very Good; 5= Excellent]

Resilience and adaptability	1 – 2 – 3 – 4 – 5	N/A
Energy and enthusiasm	1 – 2 – 3 – 4 – 5	N/A
Motivation	1 – 2 – 3 – 4 – 5	N/A
Maturity	1 – 2 – 3 – 4 – 5	N/A
Professionalism	1 – 2 – 3 – 4 – 5	N/A
Personal presentation	1 – 2 – 3 – 4 – 5	N/A
Initiative and enterprise	1 – 2 – 3 – 4 – 5	N/A
Independence and autonomy	1 – 2 – 3 – 4 – 5	N/A
Confidence	1 – 2 – 3 – 4 – 5	N/A
Self-awareness	1 – 2 – 3 – 4 – 5	N/A
Self-management	1 – 2 – 3 – 4 – 5	N/A
Time management	1 – 2 – 3 – 4 – 5	N/A
Work ethic	1 – 2 – 3 – 4 – 5	N/A
Ability to follow instructions	1 – 2 – 3 – 4 – 5	N/A
Willingness to learn	1 – 2 – 3 – 4 – 5	N/A

Team work and collaboration	1 – 2 – 3 – 4 – 5	N/A
Being comfortable with ambiguity	1 – 2 – 3 – 4 – 5	N/A
Commercial awareness	1 – 2 – 3 – 4 – 5	N/A
Cultural competence and confidence	1 – 2 – 3 – 4 – 5	N/A
Global awareness	1 – 2 – 3 – 4 – 5	N/A
Community awareness	1 – 2 – 3 – 4 – 5	N/A
Organisational acumen	1 – 2 – 3 – 4 – 5	N/A
Ethical awareness	1 – 2 – 3 – 4 – 5	N/A

Q56 In a few words, what advice would you give a year 13 high school student about studying law?

Q57 What is the total level of your student debt?

- Up to \$5000
- \$5001 -- \$10,000
- \$10,001 -- \$20,000
- \$20,001 -- \$30,000
- More than \$30,000

Q58. This longitudinal study will continue after you leave law school. We would very much appreciate your continued participation. Please provide an email address at which at which we can contact you in 2018.

Q59 Thanks, please enter your email address.

Q60 Would you like to enter a draw to win an iTunes voucher?

- Yes
- No (*Skip to end of survey*)

Q61 Thanks. Please enter your email address and first name. This information will not be used for any other purpose than the prize draw.