



Formative Assessments: Perspectives of Law School Students

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Introduction

This paper will examine the pedagogical importance of formative assessments in supporting law students' learning today. To do so, it will examine the findings collected from a focus group discussion with law finalists, findings which will not only demonstrate the continued learning benefits of formatives, but how formatives can be more successfully incorporated into our learning environments. Accordingly, this paper seeks to affirm the pedagogical benefits of formatives from the law school perspective.

Context

Assessment and feedback play a significant role in improving and supporting student learning (O'Donovan et al., 2015). For students, it is the most important element of the curriculum (Ramsden, 2003, p.182). Feedback, particularly formative feedback, is accordingly renowned as the most powerful influence on student learning and achievement (Hattie, 1987); formative assessments are recognised as providing significant learning benefits (Sambell et al., 2013, p.49-50).

For example, Bloxham and Boyd (2007, p.31) note that formatives are assessments for learning, assessments which allow students to learn by doing by allowing them to practice using new concepts, as opposed to merely reading about these (Sadler, 2009), a form of learning recognised as effective for many (Race, 2005). As McDowell et al (2011) note, students consequently react more positively to modules which incorporate formatives; they provide a more engaging and supportive learning environment which allows students to build on their knowledge (Sambell et al., 2013, p.49, 53). Scholars, such as Sambell et al (2013, p.25, 49-52), thus uphold the benefits of formatives, noting that formative feedback allows students to practice and improve their skills ahead of the summative, and thus feeds-forward to build and enhance their learning and performance (Sambell et al., 2013, P.49-50).



Accordingly, formative feedback opportunities are deemed essential to learning, meaning learning and teaching should be designed to promote practice and rehearsal (Sambell et al., 2013, p.49-52). This paper seeks to build on such pedagogical insights by providing up-to-date findings on the benefits of formatives for law students today, and their need to be more widely used in light of these.

This paper specifically focuses on the benefits of formatives from the law student's perspective, and their recommendations on how formatives can be best used in the school, in order to address the perceived difficulty of incorporating formatives into law teaching. For example, it is widely renowned that formative assessments, particularly in legal education, present administrative difficulties; with rising student numbers, legal academics often struggle to provide effective formative feedback whilst maintaining a reasonable workload (Colbran et al., 2016) meaning, despite formatives being central to student achievement, as law modules often have larger student numbers, there is often not sufficient time for law teachers to provide such formative feedback (Allen, 2010). This paper accordingly seeks to address such perceived difficulties, and affirm the need for an increased use of formatives in legal education, by examining student perspectives on why formatives are important, and how to efficiently incorporate formatives in legal education (Field and Jones, 2010).

Research Aims and Methodology

The research aims are as follows: to identify student perspectives on the use of formative assessments; to determine the benefits of such assessments for student learning; and to determine how best to incorporate formatives into law school teaching.

The research accordingly seeks to encourage change within the department; it aims to encourage colleagues to use formative assessments if the benefits of these are recognised by our students, a change which is required at departmental level to allow students to receive the benefits of formatives consistently across their degree programme, and to ensure colleagues are providing teaching in-line with the University's assessment regulations, which require all modules to "incorporate a scheme of assessment which [...] includes an appropriate combination of formative and summative elements" (Lancaster University, 2024). The findings will build upon an existing departmental report by providing further evidence to support the wider integration of formative assessments in the law school (Purewal, 2022).

The findings presented within this paper derive from a 2-hour focus group with final year law students undertaken in March 2024. The focus group followed a 'question and answer' format, where students were presented with a variety of open-ended questions on



formatives to discuss. The focus group allowed me to gather qualitative data which could be analysed to identify shared student perspectives on formatives.

Findings and Implications

An analysis of the focus group responses illustrates two key themes, both of which correspond with, and directly address, the research aims surrounding (a) student perspectives on formatives and (b) how to incorporate formatives into our teaching; namely, that these assessments are recognised as beneficial to student learning, but they can be better integrated within the law school's curriculum.

a) **Formatives Enhance Student Learning**

Firstly, law students continue to recognise the benefits of formatives as a learning tool. Their responses upheld the importance of formatives in providing feedback which 'feeds-forward', allowing them to strengthen their skills ahead of their summative assessments and secure stronger summative grades in return. For example, one student noted "an improvement in [their] grades after completing some formative assessments", with others sharing that they "received [their] first A+ in a module after completing the formative assessment in it", experiences aligned with existing pedagogical findings that summative results are evidently higher for students who complete formative tasks (Jones, 2020).

This enhancement of learning of knowledge and skills that the formatives were able to secure were particularly valued by the students since strong performance in summative assessments is 'pivotal' to securing graduate work; they explained how job applications specifically focus on their academic performance, and thus how important such practice assessments are in ensuring strong performance, and subsequently, a successful application.

The students consequently requested that "all modules in the law school should offer practice assessments because of how useful they are for improving our grades"; they called for these assessments to become compulsory, particularly on core modules, a finding which affirms existing pedagogical insights that students should be given extensive opportunities to engage with formative tasks given their ability to develop learning (Sambell et al., 2013, p.49).

In light of such findings, teaching within the law school should be reformed; by upholding the continued benefits of formative assessments for student learning, colleagues should be encouraged to integrate formative assessments within their teaching.



b) Room for Improvement

In addition to upholding the benefits of formatives, the students also provided critical insights into how our use of formatives could be improved to ensure wider student engagement.

For example, a key consideration surrounded the timing of when formatives are offered. The students noted that formatives should be offered in their first year of study as this is where they felt the least confident with assessment methods; “I wish we had the opportunity to do formatives in our first year because that is the year where I really struggled with my studies and adjusting to the new assessments the most”. Accordingly, opportunities to practice assessment skills in their first year, instead of only in their second and third year as currently occurs, would be particularly useful to their learning journey. This recommendation aligns with pedagogical perspectives which note how we should build in formative feedback at earlier stages of the student’s learning journey to enable them to feed-forward, thereby upholding such views (Sambell et al., 2013).

Similarly, regarding the timing of formatives, the students noted that they were unable, or less likely, to complete Lent term formatives due to other academic commitments, including preparing for summative assessments instead; “I know we had a formative offered in this module, but I did not have the time to do it because I was working on my summative assessment”. They therefore suggested that, for Lent term modules, the formative could be designed as a task which forms part of their summative assessment preparation. For example, receiving feedback on an essay plan or a paragraph of their assessment would balance their summative preparation with such opportunities for rehearsal.

In addition, the students explained that wordcounts are also important in securing student engagement. For example, they stated they would be less likely to undertake a 2,000-word formative, even if this wordcount mimicked their summative assessment’s, due to the time it would take to complete, and the additional workload it creates; “it’s hard to balance a formative, with a larger wordcount, with work you are doing for a summative assessment at the same time”. They therefore recommended that a 500-600 wordcount would be both sufficient in testing their skills, and manageable to complete. As noted above, this could take the form of providing feedback on a paragraph of their summative assessment or their essay plan.

Such insight can be used to distinguish the types of formatives offered in different year groups. For example, a higher wordcount piece could be offered in first year since this is



where students desire, and have the time to complete, such in-depth practice, with shorter formatives being offered in subsequent years as their skills have already begun to develop.

A final insight provided on how formatives can be improved surrounds the type of formatives offered; the students note that an innovative formative is more likely to encourage participation than traditional 'mock-assessments'. For example, some students had undertaken a poster presentation which not only tested their knowledge, but was also enjoyable to complete, thereby allowing them to engage with active learning within such modules; "it wasn't just fun to do, but I could use the feedback to improve my summative coursework before I handed it in". Where innovative formatives would not suit the module's curriculum, the students advised on how to improve traditional formative tasks. For example, they upheld the benefits of being able to choose the question they need the most practice on, a choice which subsequently secures inclusivity and engagement (CAST, 2018).

Accordingly, for colleagues who already utilise formative assessments, these insights provide novel recommendations and welcomed findings which can be used to reform our use of formatives.

Conclusion

To conclude, this paper has provided important research findings which reiterate the pedagogical benefits of formatives from the student perspective, and their consequential need for integration into our teaching, findings which encourage change in the use of formatives in the law school. These initial findings will be researched further over the upcoming years to affirm, and further evidence, the importance of formatives for student learning and our need to utilise such assessments for learning within our teaching, findings which will form part of a departmental report I aim to produce to lobby for the reform of the use of formatives in the school.

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