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RESEARCH ARTICLE

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STUDENT PERFORMANCE IN LEGAL EDUCATION, FACILITATING AND INHIBITING FACTORS: THE CASE STUDY OF THE UNIVERSITY OF GUYANA LAW PROGRAM

***Kamadyah Young**

Department of Law, University of Guyana, Turkeyen Campus, Greater Georgetown, Guyana

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***Corresponding author: Kamadyah Young,**

ABSTRACT

Producing High Quality Legal Practitioners begins at improving the institutions and experiences of those individuals at a university level. We ought to find the inhibiting and facilitating factors in legal education to reproduce more of what works and to improve those aspects of learning inhibiting high performance. This research seek store veal commonalities in student, professor and administrative staff observations and experiences; towards the conclusion of the material factors impacting student performance in legal education. This study employed a qualitative research approach engaging a case study and focus group discussions. Atotal of 200 questionnaires were distributed to students. Focus group discussions were summarized according to the most popular responses. Professor and administrative staff input was gathered through interview processes. Results revealed an overwhelmingly majority of students sharing similar beliefs concerning inhibiting factors. Improvement in managing their work load, improved access to resources, improvement in professor teaching styles were salient inhibiting factors. Professors commonly believed poor study habits and poor class attendance were the main inhibiting factors. Findings differed across different periods of time, suggesting that research in this area should be ongoing to observe broader trends. Results produced clarity to build a robust approach towards enhancing student performance in legal education.

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INTRODUCTION

Exceptional student performance is one of the core undertakings of any university or institution of learning for that matter. It is the most fundamental element that determines where a university is placed within the hierarchy of institutions of higher learning. Whether a university is at the apex of this hierarchy or towards the bottom speaks volumes about that university's administration and management, its professors, facilities, quality and standard of education offered, accreditation and even job opportunities available to graduates upon completion of their respective programs of study. Prospective students around the world research universities' student performance (pass and failure rates) to decide whether to attend that university or not, since the likelihood of their performance would be based upon the ratios of performance of other students who attended the same university. Universities around the world accept or reject applicants based upon their high school performance levels since this is an indication of their readiness and preparation to perform well once introduced to university life. Universities guard their reputations carefully by scrutinizing applicants, selecting those which will most likely maintain their positioning in the hierarchy of institutions of higher learning or which will place them in an even better position, closer to the apex. The higher the university and the more a university can offer in terms of overall quality and standard of education, the more students it will attract and the more profitable that institution will become. It can expand beyond domestic markets, to attract regional

and international students, thereby allowing the institution to afford better quality professors, facilities and a wider range of programs. These investments will continue to yield greater and greater profits. Student performance therefore, is critical to the very existence of a university, and so it is with the University of Guyana. Recognition of the aforementioned facts, forms the platform for this study. Unfortunately, legal rules and ethical principles holds sacrosanct the release of critical data pertinent to this study, namely student names and grades. Whilst this may have been somewhat of a hurdle encountered during the research process, an understanding of the rules and principles in operation to protect student privacy was appreciated. Consent was required from every student for the release of grades, much of whom changed phone numbers, email addresses or for unknown reasons were unable to be contacted. Not only was the consent of their grades necessary; but interviews about their experiences at the university, facilitating and inhibiting factors encountered proved difficult and, in most cases, impossible to be gathered from them. A small amount of data was however accessible and was used to formulate conclusions. Consequently, the researcher resorted to much ground work and unofficial data, drawing from professors' interviews, administrative staff observations and drawing upon my own experiences as a student and my observations and experiences currently as a lecturer. Though the information gathering process posed a considerable challenge in terms of time and accessibility, the researcher is of the belief that the content gathered was sufficient, conclusive and reliable.

Aim/Purpose of Study: The purpose of this study is to critically assess and analyze student performance in legal education at the University of Guyana. Due to the magnitude of such an undertaking, Tort Law has been selected as the course from which to draw findings. It is arguable that the quality of University of Guyana graduates in legal education has sharply declined over the past twelve to fifteen years. The quality of lawyers produced is also arguably not the same when compared to previous years. As such, this study seeks to investigate and realize the facts pertaining to performance in legal education. It will seek out inhibiting factors with the intent to recommend adaptive measures to remedy and improve student performance in legal education. Additionally, the study serves to highlight existing factors which facilitates exceptional student performance. The objective behind this is quite simple, if The University maintains and expands upon those measures which currently work to positively impact student performance, whilst eliminating or reducing those factors within their control which negatively impact student performance; it is highly likely that the ultimate objective to improve student performance would be achieved. Amongst academic and administrative staff at the University of Guyana there may or may not be a divide as to whether student performance in legal education has become increasingly worse or whether it has improved. Nevertheless, I vehemently believe that they all will agree that as a university, there is much room for improvement. There are improvements to be made domestically in order to continue to thrive and compete with recently introduced and upcoming law programs offered at a host of institutions across the country. On a regional level, improvements in performance would serve to give the University of Guyana greater recognition, a louder and stronger voice within the Caribbean Single Market and Economy (CSME) and its operative agreements and ultimately the right and recognition to operate independently as other Law Schools within the region. Globally, greater accreditation would speak volumes. The availability of more options for University of Guyana graduates would add value and tremendous meaning. To dedicated academic and administrative staff, a greater sense of pride and belonging, a renewed energy and zeal towards greater accomplishments all would be provided. Whilst this study's focus is to reveal the state of student performance in legal education at the University of Guyana, even broader goals would include future utilization of this research to formulate and recommend appropriate programs, teaching and study methodology, etcetera; necessary for the improvement, growth and development of this program. Measures implemented within the law program can then serve as a blueprint for the University at large, so as to improve the overall performance of University of Guyana graduates and ultimately, the University's brand and standard of education.

Chapter One

Professor and Administrative Staff Observations: In this chapter we will examine academic and administrative staff members' points of view on the question of whether student performance in legal education has improved or gotten worse over the years at the University of Guyana. A number of law professors will be interviewed and asked to fill out questionnaires, particularly tort law lecturers. Administrative staff within the law department, the faculty of social sciences, the examinations division and the registry will be interviewed as well. Data as it pertains to student grades was inaccessible due to legal restrictions as it relates to student confidentiality. Nevertheless, the individuals who were interviewed all possess direct knowledge pertaining to student performance and experience regarding the factors which are responsible for student performance. Thus, the information gathered and conclusions derived are reliable and extremely useful. University of Guyana staff members within the registry were of the opinion that student performance has become poorer when compared with student performance in legal education twelve to fifteen years ago. Many registry staff members expressed the belief that lecturers and professors were the main reason for this occurrence. A few registry staff members had relatives pursuing law degrees, and therefore had more access to professor teaching habits than the raw data they were exposed to on their jobs. They expressed that the age of law students or legal qualifications prior

to entering the law program at the University of Guyana did not stand as an inhibiting factor to student performance. They noted that students were not performing well, and these trends in performance span widely across ages, regardless of whether students took Caribbean Advanced Proficiency Examinations (CAPE) or had practical exposure to legal training through their jobs as paralegals. They noted that students who went into the law program with a first degree also struggled and experienced performance issues. It was noted during the interviewing process with registry staff members that more individuals are entering the law program with first degrees than in previous years. Additionally, they noted that many applicants are currently police officers, majors and other Guyana Defense Force officials and employees within the ministry. They stated that even many of these individuals are failing courses. Much of the onus in their viewpoints should be placed on professors and lecturers who they believed were not clear and effective in their lectures. They opined that students were leaving classes having not grasped concepts and were not receiving the instructional guidance that they should have. One registry employee went so far to say that lecturers are not being adequately trained to deliver course content and are not being taught how to grade examinations. This registry employee spoke of an instance where a student told him that they were experiencing difficulty grasping a concept in class, and the lecturer's response was that he/she was not too familiar with the subject area, and that they had been thrust into teaching the course. It was clear that among the registry and examinations division employees many of the inhibiting factors outlined were ruled out as causes for poor student performance. Age, maturity of applicants, qualifications upon entering the law program/legal experience or training were all found not to be inhibiting factors in student performance according to their views. Student study patterns and examination preparation along with course delivery were however found to be inhibiting factors in student performance in legal education at the University of Guyana among registry and examinations division staff members.

Research Questionnaire Sample: The purpose of this questionnaire is to gather information pertinent to the facilitating and inhibiting factors affecting student performance in legal education, particularly at The University of Guyana. Understanding the content and teaching strategies which students are exposed to in classrooms will assist in this regard. Additionally, your input provides the opportunity to examine lecturer observations within and outside of the classrooms; both factors that positively or negatively impact student performance; and this is critical to formulating accurate conclusions.

1. Please State Your Name
.....
2. How many years have you lectured at The University of Guyana?
.....
3. Please state the courses you have taught at The University of Guyana
.....
4. What is/was the average size of your classes?
.....
5. Have you taught or conducted tutorial sessions in Tort Law at The University of Guyana?
.....
6. Please describe your teaching methods or course delivery style
.....
7. Do you dictate notes during classes?

-
8. Do you assign tutorial questions?
.....
9. Do you grade tutorial question submissions?
.....
10. Do you distribute course outlines and worksheets?
.....
11. Do you give reading assignments from recommended texts?
.....
12. Is your lecture style more interactive or do you mostly engage in explanations to help students grasp concepts?
.....
13. What measures are in place to recognize poor performing students and to address performance issues with them?
.....
14. What is the average student attendance in your classes?
.....
15. Are attendance variations based upon age, gender, employment or any other noticeable factors?
.....
16. Is student attendance higher at lectures or tutorials?
.....
17. Does class attendance have a significant bearing on student performance? If yes, please state why you believe this to be the case?
.....
18. Are you aware of student study patterns? If so, please state your observations?
.....
19. Please describe the impact of these study patterns on student performance.
.....
20. What do you believe to be the significant facilitating and inhibiting factors affecting students' performance in legal education at The University of Guyana?
.....
- both factors that positively or negatively impact student performance; and this is critical to formulating accurate conclusions.
1. Please State Your Name
 2. How many years have you lectured at The University of Guyana?
Nine years
 3. Please state the courses you have taught at The University of Guyana
Tort Law, Criminal Law, Trade Relations, Legal & Ethical Issues, Environmental Law
 4. What is/was the average size of your classes?
40 students
 5. Have you taught or conducted tutorial sessions in Tort Law at The University of Guyana?
YES
 6. Please describe your teaching methods or course delivery style
I distribute course outlines before the commencement of each course. The course outline will list the topics to be covered for the course, the recommended textbooks and other general guidelines for the course, such as, the method of assessment and attendance stipulations. Secondly, I distribute worksheets for every topic that appears on the course outline. These worksheets explain key concepts/principles within the given topic along with a list of cases that serve as examples of the principles in question. Each worksheet assigns readings to be covered for the given topic. During lectures students are permitted to ask questions which they've encountered during their readings. I also ask students to respond to questions which I ask in order to facilitate the learning process. Tutorial questions are then assigned to students as their names appear on the register so as to ensure that all students are given an opportunity to present. During the presentation of tutorial questions, students are asked to give their input on the presenter's remarks and are permitted to ask questions. At the end of the presentations students are given a grade based upon the quality and accuracy of their response, along with an explanation as to why they received the said grade
 7. Do you dictate notes during classes?
Rarely
 8. Do you assign tutorial questions?
Yes
 9. Do you grade tutorial question submissions?
Yes
 10. Do you distribute course outlines and worksheets?
Yes
 11. Do you give reading assignments from recommended texts?
Yes
 12. Is your lecture style more interactive or do you mostly engage in explanations to help students grasp concepts?
I engage in both explanations and questioning which facilitates interaction and class discussions. Nevertheless, I would say that my style is more interactive.
 13. What measures are in place to recognize poor performing students and to address performance issues with them?
Class interaction and questioning is employed in order to discover student weaknesses. Students who have difficulty are encouraged to participate in tutorial sessions. They also have the option of meeting with me during office hours.
 14. What is the average student attendance in your classes?
25

Research Questionnaire One: The purpose of this questionnaire is to gather information pertinent to facilitating and inhibiting factors affecting student performance in legal education, particularly at The University of Guyana. Understanding the content and teaching strategies which students are exposed to in classrooms will assist in this regard. Additionally, your input provides the opportunity to examine lecturer observations within and outside of the classrooms;

15. Are class attendance variations based upon age, gender, employment or any other noticeable factors?

Employment

16. Is student attendance higher at lectures or tutorials?

Lectures

17. Does class attendance have a significant bearing on student performance? If yes, please state why you believe this to be the case?

Definitely. A student will never have an opportunity to assess their progress and understanding unless they participate in class discussions. Group discussions in classroom settings reduces the need for independent study and it increases the likelihood of retaining content. Whenever an individual is asked questions, or has to explain information, it strengthens their knowledge and understanding of the content. Additionally, tutorial presentations provide an excellent gauge to students of what their lecturer is looking for and what is his/ her grading styles, students who attend these sessions regularly, largely outperform those who are absent.

18. Are you aware of student study patterns? If so, please state your observations?

Most students' study sessions intensify approximately 1 month before the commencement of examinations, prior to this time only little reading is done here and there. Most of their time is devoted to the preparation of tutorial questions and research papers, which does help in terms of creating clarity in understanding material and also memorization. Most students do tend to read a bit more outside of class in subject areas which they are most interested in, or with which they are most comfortable. Most students lack study habits outside of what has been described.

19. Please describe the impact of these study patterns on student performance.

Since most students lack study patterns outside of what was described above, they tend to do better in subject areas which they like the most, they devote more time and attention here. Students would perform much better if they adhered to rigid study plans or schedules throughout the year as opposed to the last-minute preparation approach.

20. What do you believe to be the significant facilitating and inhibiting factors affecting students' performance in legal education at The University of Guyana?

Inhibiting factors include the lack of adequate research material and access to legal databases. Additionally, poor classroom facilities also create a poor work environment which contributes towards students' poor attitudes and approaches to their work. Many students have personal financial constraints and are required to work. This negatively impacts the time they have available to devote towards studying.

There's a general lack of mentorship for students. Although lecturers are available, there seems to be a barrier to students accessing personal advice and assistance from lecturers regularly. Classes are generally too large, especially tutorials, students are thereby deprived of the attention and personal direction they need. Oftentimes lecturers are asked to teach subject areas which they are not very comfortable with, not having done advanced studying in the specific area. As such, they have to read unfamiliar content and attempt to teach that which they themselves have not had adequate time to prepare.

Facilitating factors include the fact that lecturers are open minded and desire that students do well. They are willing to do more, most lecturers devote time and personal resources outside of what their work contracts require in order to see students excel. Legal education is provided at the University of Guyana at a cost that is within reach of Guyanese. Although the library and internet

access aren't the best, students are provided with some level of work materials.

Research Questionnaire Two: The purpose of this questionnaire is to gather information pertinent to facilitating and inhibiting factors affecting student performance in legal education, particularly at The University of Guyana. Understanding the content and teaching strategies which students are exposed to in classrooms will assist in this regard. Additionally, your input provides the opportunity to examine lecturer observations within and outside of the classrooms; both factors that positively or negatively impact student performance; and this is critical to formulating accurate conclusions.

1. Please State Your Name

.....

2. How many years have you lectured at The University of Guyana?

4 years

3. Please state the courses you have taught at The University of Guyana

Real Property (1&11), Law in Society, Jurisprudence, Law and Legal Systems, Public International Law (1&11)

4. What is/was the average size of your classes?

65

5. Have you taught or conducted tutorial sessions in Tort Law at The University of Guyana?

No

6. Please describe your teaching methods or course delivery style

My course delivery style is that of The Facilitator. This style promotes self-learning and help students develop critical thinking skills. This is not the only style used- the interactive style as well as problem based learning have also been used. The style is chosen based on the particular needs of the class.

7. Do you dictate notes during classes?

No

8. Do you assign tutorial questions?

Yes

9. Do you grade tutorial question submissions?

Yes

10. Do you distribute course outlines and worksheets?

Yes

11. Do you give reading assignments from recommended texts?

Yes

12. Is your lecture style more interactive or do you mostly engage in explanations to help students grasp concepts?

Some topics call for more interaction than others—approximately 50% of all classes are interactive

13. What measures are in place to recognize poor performing students and to address performance issues with them?

At the University level all students are adults—I am not sure that lecturers can even insist that a student focus on performing better. I however do let the students know that they may come anytime during office hours for assistance

14. What is the average student attendance in your classes?

45

15. Are class attendance variations based upon age, gender, employment or any other noticeable factors?

Those gainfully employed often cannot make a lot of the classes. Classes are largely female so female attendance is very high.

16. Is student attendance higher at lectures or tutorials?

Higher at lectures when tutorials were separate. My tutorials are now part of the lectures

17. Does class attendance have a significant bearing on student performance? If yes, please state why you believe this to be the case?

The failures time and again come mainly from those who either hardly attend classes or sporadically attend.

18. Are you aware of student study patterns? If so, please state your observations?

Last minute study pattern – cram and dash

19. Please describe the impact of these study patterns on student performance.

Students do not achieve their full potential in either assignments or exams

20. What do you believe to be the significant facilitating and inhibiting factors affecting students' performance in legal education at The University of Guyana?

Limited access to research materials (books, internet etc), frequent blackouts during night exams though there should be a backup system, no online classrooms, limited classrooms outfitted with either projectors or microphones.

RESEARCH QUESTIONNAIRE

The purpose of this questionnaire is to gather information pertinent to the facilitating and inhibiting factors affecting student performance in legal education, particularly at The University of Guyana.

Understanding the content and teaching strategies which students are exposed to in classrooms will assist in this regard. Additionally, your input provides the opportunity to examine lecturer observations within and outside of the classrooms; both factors that positively or negatively impact student performance; and this is critical to formulating accurate conclusions.

1. Please State Your Name

2. How many years have you lectured at The University of Guyana?

Approximately 20 years

3. Please state the courses you have taught at The University of Guyana

Tort, Public International Law
Administration of Trusts and Estates
International Relations (non-law student)

4. What is/was the average size of your classes?

56-60 (Some 80-83)

5. Have you taught or conducted tutorial sessions in Tort Law at The University of Guyana?

Yes

6. Please describe your teaching methods or course delivery style

Lectures with explanations by me and questions allowed from students. Tutorials – about 5 students volunteer/selected to ^{each} answer to tutorial question. Other students to comment on answer. Discussions by students and lecturer

7. Do you dictate notes during classes?

Yes

8. Do you assign tutorial questions?

Yes

9. Do you grade tutorial question submissions?

Yes

10. Do you distribute course outlines and worksheets?

Yes

11. Do you give reading assignments from recommended texts?

No specific assignment but students are required to read recommended text and not rely on lecture notes alone

12. Is your lecture style more interactive or do you mostly engage in explanations to help students grasp concepts?

Mixture of dictation along with explanations and examples to help students grasp concepts

13. What measures are in place to recognize poor performing students and to address performance issues with them?

Performance in Tutorials mostly. Sometimes it is recognised in Lectures. Advise them to practice answering as many Tutorial questions as possible to be able to understand discussions during tutorials.

I undertake to mark at least one individual answer to a Tutorial question as a guide especially to those who may not get an opportunity to present an answer during tutorials

14. What is the average student attendance in your classes?

50-55

15. Are class attendance variations based upon age, gender, employment or any other noticeable factors?

Cannot say. Employment prevents some. Also religion with respect to Saturday classes

16. Is student attendance higher at lectures or tutorials?

Lectures

17. Does class attendance have a significant bearing on student performance? If yes, please state why you believe this to be the case?

Yes. Any misconceptions they may have about a topic is cleared up. Some answers are way off base and is often a sign of non attendance.

18. Are you aware of student study patterns? If so, please state your observations?

Some study throughout semester alone or in groups. Some are last-minute. Some rely only on lecture notes.

19. Please describe the impact of these study patterns on student performance.

Last-minute ones often focus only on certain areas and often mistake one area for another

20. What do you believe to be the significant facilitating and inhibiting factors affecting students' performance in legal education at The University of Guyana?

For quality of intake. Classes are too large. Inhibits effective Tutorials

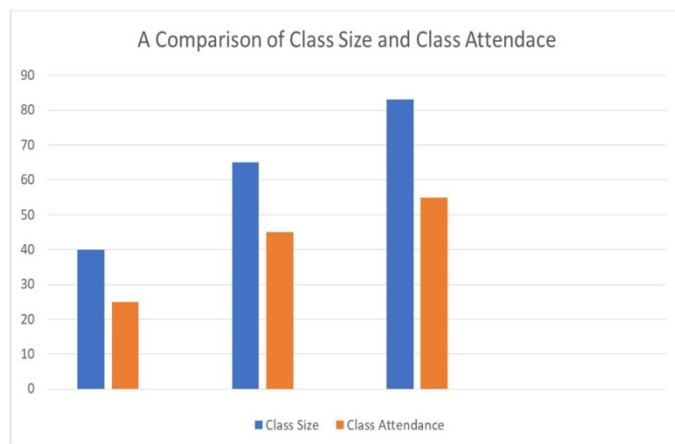


Figure 1.

A Comparison between Class Size and Class Attendance:

According to the lecturers there is a noticeable disparity between the class size and class attendance. It is evident from the responses received that about a third of the class is usually absent from lectures. With an average class size of forty (40) students, only twenty-five (25) students attended the lectures, similarly with average class sizes of sixty-five (65) students, only forty-five (45) students attend.

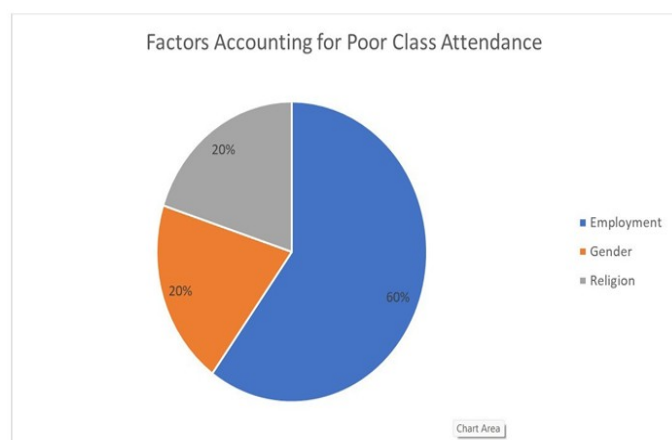


Figure 2

Factors Accounting for Poor Class Attendance: Student attendance fluctuates for various reasons. A few of the most prevalent reasons expressed by the lecturers are employment, religion and gender.

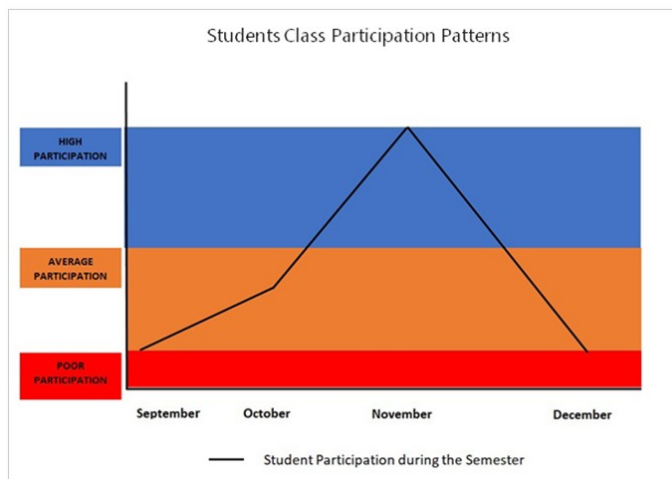


Figure 3

Students Class Participation Patterns: "Failing to prepare, is preparing to fail". A good lecturer is able to discern a failing student, sometimes just by assessing their level of preparedness or participation in the class. At the beginning of the semester student participation is most times very poor, however, just before the finals in November there is a significant peak in class participation. It is an assumption that students are able to engage in the interactive sessions because they are reading in preparation for the final exams.

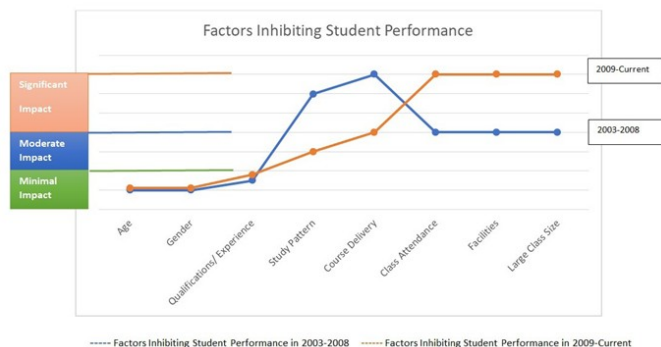


Figure 4

A Comparison of the Impact of Factors Inhibiting Student Performance from the Period 2003- 2008 to 2009-Current: There are a host of factors that lecturers believe have; and still continue to inhibit student performance. A few of them are student study patterns, course delivery/teaching method, class attendance and class sizes. When we compare the results of the period 2003-2008 to 2009-current there is much to consider. In the period 2003-2008 lecturers believed that student study patterns and course delivery positively facilitated students' performance. However, in 2009-current student study patterns, class attendance and class sizes have become the main inhibiting factors when assessing students' performances.

General Findings and Analysis of Data: In pursuit of discovering inhibiting and facilitating factors in student performance in legal education, Tort Law was selected as the area of focus from which to observe trends. A fifteen (15) year period of time was identified for comparative purposes to make observations and from which to draw plausible conclusions. Some Tort lecturers within this period of time were not accessible and others were deceased. Those lecturers who were available were asked to fill out questionnaires and were also interviewed to give a much broader perspective than what questionnaires could encapsulate. Additionally, a few lecturers outside of the area of Tort law were also interviewed in efforts to secure information pertaining to student performance due to the difficulties encountered in accessing Tort Law lecturers. The findings amongst lecturers were highly similar and, in most cases, pretty much identical. One of the

most observable trends were that class sizes were simply too large for effective teaching. Practically all lecturers interviewed expressed this concern, they stated that having very large classes significantly affected their ability to focus in and give students individual/closer attention during tutorials. This factor was not identified by the researcher as a possible inhibiting factor; however, during the interviewing process it was found to be connected with that of course delivery. Class sizes in all cases negatively impacted the effectiveness of course delivery since it was seen to have taken away from lecturers' ability to focus in on students and give the individual attention necessary. In assessing course delivery further, lecturers were asked what measures they usually adopt to address students who perform poorly. Most lecturers indicated that they have office hours where students can access them outside of classes. They all expressed the importance of tutorials in this regard. They believed that tutorials provided the perfect forum to assign questions to weaker students who generally did not participate in class discussions. This method is used to get weaker students especially, to become more involved. Since grades and lecturer comments are given for tutorial submissions, students are able to see how they are coming along; and where there may be flaws in their understanding on a given topic or subject area. Professors and lecturers alike were generally found to have clear identifiable teaching/student guides. They all distributed course outlines at the beginning of courses. Worksheets were generally distributed for each topic on the course outline. In some cases, reading assignments from recommended textbooks were outlined on worksheets as well. Delivery/teaching styles were found to be mostly facilitating and interactive. Few lecturers dictated notes.

Lecturers also displayed a genuine care and concern for student performance. They expressed willingness to have more contact hours with students than the timetables would generally specify, especially during examination periods. Although faced with adverse working conditions, lecturers would use many of their personal resources to acquire teaching aids. Generally, lecturers seem to display a high commitment level to students, they seemed to be least engaged in cases where students' work attitudes were poor. All lecturers interviewed expressed concern and experienced extremely poor levels of attendance for their classes. This may be considered as one of the main causes of poor student performance among lecturers. Upon observing lecturer teaching styles and methods, there is/was certainly much to forfeit in terms of course content and instructional advice during tutorials. These sessions having been poorly attended may offer some guidance as to why student performance has dropped over the years. Lecturers found that students' need to work was the primary reason why students were absent from classes. Another significant cause of poor class attendance was religious beliefs. Over the past few years, students' performance in tort law has been extremely low. Interviews with tort lecturers highlighted that many students were unable to attend classes not only due to employment but also due to their religious beliefs and subsequent inability to attend classes on Saturdays. Lecturers also identified that many students had very active social lives, and this interfered with their focus levels and discipline to attend classes. All lecturers interviewed found student study patterns to be extremely poor. Last minute, cram and dash were a few of the terms used to describe the manner in which students prepared for examinations. This quality of examination preparation varied when compared to students twelve to fifteen years ago. Years ago, students seemed to possess a greater work ethic and approached their studies with a greater appreciation for the need to be adequately prepared for their professions as opposed to a narrow perspective of merely sitting examinations. The interviewing process produced a consistent viewpoint that students rarely read areas covered in the course which they have not selected to answer on the examination paper. This was held to be different with students' years ago, whilst individuals may have focused on some areas in greater detail than others, they nevertheless read and studied enough to be able to answer a question on any area covered within the course. It was found that generally graduates fifteen years ago possessed a much greater pride in themselves and the quality of work which they produced, they appreciated a direct correlation between the quality of their work and how they performed on examinations as an indication of the quality of

lawyers they would become. Another common inhibiting factor identified by lecturers were dilapidated facilities. This spanned from the structure and poor state of the classrooms and offices, to poor ventilation, restrooms in disrepair and the lack of access to water. All lecturers expressed great concern and dissatisfaction with inadequate teaching material. They spoke to the fact that updated, modern and technological classrooms would assist tremendously in the delivery of more efficient and effective lectures. They expressed the complaints of students who would often struggle to gain access to vital course textbooks and legal databases to follow along with classes and as study guides. Contrarily, there was the consensus that age, gender, legal qualification/experience upon entering the program had little to do with the decline in student performance over the years. All lecturers interviewed expressed the view that student performance has indeed dropped over a fifteen-year period of time; and they noted that the age, gender, maturity and qualifications of applicants did not vary to a large degree over the period of time under study.

In an interview with one lecturer a very significant factor inhibiting student performance was identified and is certainly worth expounding upon. The point of view expressed was that student performance in Tort law, and in legal education generally, stems from a much wider societal problem. Over the years there has been a steady drop in standards within legal training. It was noted that years ago lecturers, professors and Heads of Departments stressed legal training from a more holistic point of view. Student appearance was addressed and given a greater level of seriousness. Students were encouraged to dress in formal legal attire when attending classes. Within classrooms they were told to use legal jargon and emphasis was placed on accurate pronunciation of words. Professors of that time developed student articulation and courtroom mannerisms, student posture and confidence. Legal training was not confined to classroom content and academics, it stretched beyond those walls to student morality, confidence and a sense of pride in the nobility of the profession. As such, students' approach to learning, studying, examination preparation, class attendance, overall interest and participation was significantly greater; and so was their performance. The wider University society, their professors and students were synonymous with the legal training offered and so was their student performance. While this may have been a positive endeavor it has had some measure of drawbacks. The international standards and ideals which previous governments were exposed to due to their close ties with colonial masters have been compromised in search for a new "Caribbean Way."

This is why we currently see strides being taken to introduce creolize in schools as a subject. Unfortunately, much of the populace lacks the ability to speak and write in a manner that is grammatically correct. Yet, standards are being dropped to accept, pass and promote students who lack these very basic, essential skills. Within government offices and even within schools our leaders and educators do not measure up to international standards of appropriate and acceptable communication and expression. The drop in standards over the past years is a wider societal issue. It is witnessed in our families, in our government, in nursery, primary and secondary schools, within The University of Guyana at large and also within legal education, training and student performance. Any measures or attempts to reinstitute rules and higher standards within the law department seems to be met with high criticism by the student body. Many students simply refuse to comply. Most lecturers interviewed agreed that students are highly complacent to the most basic rules of dressing appropriately for classes and not eating in classrooms. This complacent attitude translates into the classroom and into a general reluctance to work hard and to aim for the highest of academic standards. All lecturers interviewed agreed that students basically only study topics which they wish to answer in the examination. They pursue the easiest ways out; their attitude and general approach is to pass their courses by exerting the least possible effort. Their social lives occupy a high volume of their time and seems to be their priority. This perspective while not identified from the outset of this research as a possible inhibiting factor, speaks volumes and offers a plausible explanation for the evident decline in interest and student performance in not only Tort Law but legal education generally.

Chapter Two

Student Observations

RESEARCH QUESTIONNAIRE SAMPLE

1. Please state your name
.....
2. Please state your gender
.....
3. What was your age at the time you began pursuing your law degree at the University of Guyana?
.....
4. Please state/describe any legal experience/studies or exposure you gained prior to studying law at the University of Guyana.
.....
5. Did this experience help you in any way during your studies at the University of Guyana? If so, please describe in what way.
.....
6. How often did you attend tort law lectures and tutorials?
.....
7. Describe the lecturer's teaching strategies/techniques/methods.
.....
8. How effective were the teaching strategies/techniques/methods used?
.....
9. How frequently did you participate in classroom discussions?
.....
10. Did you find lectures or tutorials to be more helpful?
.....
11. Were you a part of a study group? If so, explain how this impacted your understanding of the course.
.....
12. What were your study patterns/habits during examination periods and outside of examination periods?
.....
13. What study habits/patterns did you observe in your colleagues?
.....
14. What grade did you receive in tort law?
.....
15. How would you describe the teaching facilities and study facilities/material available to you during your studies?
.....

16. Describe how the availability or unavailability of material/facilities impacted your studies?

.....

17. On a scale from 1-10, 0 being the least effective and 10 being the most effective, please rate the quality of your tort law professor's delivery.

.....

18. Please describe any factors that facilitated you during your studies at the University of Guyana

.....

19. Please describe any inhibiting factors during your studies at the University of Guyana.

.....

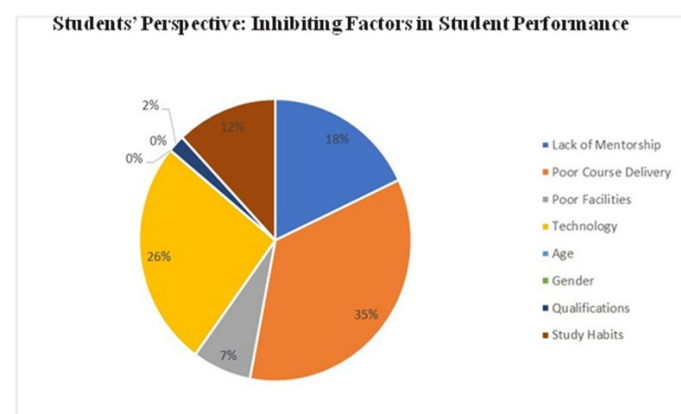


Figure 5.

Students' Perspective: Factors Inhibiting Student Performance over the Past 15 Years

Students, like lecturers, evaluate their performance. According to their responses, poor course delivery or teaching methods was the main inhibiting factor behind their performance. Closer to the period of 2009 to current years, technological improvements were the next major factor found to be lacking, followed by the lack of mentorship from lecturers and superiors. 200 students were interviewed and were asked to respond to questions appearing on the questionnaire. Interviews proved to be more successful in gathering information since most questionnaires distributed were not returned. Also, students were generally more expansive in their responses through dialogue than they were when given questionnaires. Unfortunately, the data presented above does not convey the mental and emotional anxiety which students expressed during interviews. There was generally a great deal of frustration on their part as it pertains to the lack of mentorship and guidance. They expressed great interest in both academic and professional advice and simply believed that lecturers and the administration at large were outside of their hand reach.

Students expressed a genuine concern about course delivery methods. Many students left classes unclear and struggled to acquire class materials which they believed were completely unavailable. They stated that they mostly depended upon past students for notes and textbooks. The library was found to be of little or no good use in terms of providing basic textbooks for courses. These factors seemed to create a major frustration for students, especially for those coming from less affluent families. While students did admit to some degree that they could do more where their own input is concerned, they nevertheless highlighted the struggles of having to work and study. Many were interested in more flexible class schedules which could accommodate their need to work. It was certainly more difficult to contact graduates from twelve to fifteen years ago, this time factor did serve as an impediment during the research process. Of the 200 interviewees,

approximately 60 persons were students at the University more than nine years ago. The experiences and inhibiting factors differed between the two groupings of students. Students of the more former years expressed a greater appreciation for lecturers and attributed their success largely to their professors. They also heeded to more strict study schedules and generally displayed more useful and purposeful study patterns than contemporary students. There were some similarities in student observations and experiences regardless of their years of attendance. This was mostly found in the state of facilities and the availability of resources and legal databases. Little improvement was done in these areas over the years. Generally, student perspectives were highly indicative of many inhibiting and facilitating factors within the Department of Law at the University of Guyana. These viewpoints when coupled with those of professors and the administration at large assist to formulate a distinct picture of the state of legal education being offered at the University.

Chapter Three

Analysis of Findings

From the outset of this research the following factors were identified as possible factors inhibiting student performance in legal education at the University of Guyana. Namely;

- Age
- Gender
- Qualifications/experience upon entering the program
- Course delivery styles/methods
- Student study patterns

According to professors, students' ages and genders have been pretty constant over the years and have not had any direct or observable impact on student performance over the past fifteen years. The interviews revealed that students are a bit more qualified upon entering the law program when compared to previous years. Nevertheless, this greater level of qualifications has not had a significant effect on improved student performance. From an observation of lecturer teaching techniques and methods, course delivery does not seem to be a factor inhibiting student performance. However, the registry and examinations division staff members were of the view that the quality of course delivery over the past fifteen years has declined, and as such, course delivery does currently inhibit student performance in legal education. Interviews with students have also identified course delivery styles and methods to be poorer as compared to previous years. Students enrolled between 2003 and 2008 expressed little concern and complaint about lecturer performance, while students interviewed post 2008 expressed a lack of clarity on the point of class delivery. As it pertains to student study patterns, lecturers observed that class participation and interest would peak during the weeks approaching examinations. This they attributed to improved study patterns and class preparation. Students interviewed supported this disposition in admitting to greater levels of reading as their examinations approached. However, students enrolled 10 – 15 years ago predominantly expressed more frequent study schedules than students enrolled post 2008. The aforementioned factors were identified as probable inhibiting factors prior to the commencement of this study. After having conducted the research; student ages, genders, qualification/experience upon entering the program of study were all found not to have served as noticeable inhibiting factors to student performance in legal education. The data also revealed that student study patterns did inhibit student performance in more contemporary years as a result of poorer study habits among students. Contrarily, student study patterns were found to be better twelve to fifteen years ago, and as such positively impacted student performance during that time. A number of factors inhibiting student performance in legal education were not highlighted from the onset of this research; but arose during the interviewing and questionnaire process. One such factor was class sizes. Both lecturers and students were of the opinion that the large size of classes limited the individual attention and clarity that the students required. Most lecturers were of the belief that as class sizes have grown over the years it has made

the course delivery process even more challenging. Additionally, poor class attendance was found to be an inhibiting factor to student performance. The research data revealed that increasingly high employment rates among students contributed significantly towards this attendance issue. Religious beliefs and active social habits amongst students also contributed towards poor class attendance. Students expressed the lack of mentorship not only on the part of lecturers but the departmental and faculty staff as well. They were of the view that more guidance should and could have been available to them during the course selection process. Greater guidance was needed in terms of how to approach classes and the pursuit of their law degree generally. Two very common areas among lecturers and students (past and present) inhibiting student performance were that of poor facilities at the University and the lack of technology and availability of sufficient teaching/study material. Professors/lecturers expressed that this created a strain and made the course delivery process more challenging. They expressed that greater comfort and pride with one's surroundings would/may positively impact class attendance; this therefore would indirectly impact student performance. Both students and lecturers were of the view that modern technological advancements such as microphones, projectors and Wi-Fi would positively impact the course delivery process. It was unanimous that the lack of availability of research material/class textbooks and access to legal databases certainly inhibits student performance in legal education. Another significant finding during this study was the viewpoint that a wider societal drop in standards may account for the drop in student performance in legal education at the University of Guyana. It was expressed that generally our country as a whole has lost/broken its ties with our colonial masters in pursuit of independence and a unique Caribbean culture. Consequently, we have relaxed and to some extent abandoned international standards in search of our own identity. Our government and their officials, our school systems and so forth all have accepted being different from what international standards generally dictate. We are generally more laid back as a country, and this wider society grooms and impacts students who eventually enroll at the University of Guyana at large, and similarly within the department of law as well. This nonchalant attitude dictates students' approach to classes from what they wear, to how they carry themselves; and the ethics or lack thereof with which they approach their studies.

Chapter Four

Factors Affecting Student Performance: Articles and International University Findings:

The University of Guyana as an institution has features and an institutional culture that is unique. Its professors, administrators and students are all unique individuals, nevertheless, they possess human characteristics and tendencies that are common to all humanity. It is therefore useful to consider studies conducted at other national and international institutions as it pertains to facilitating and inhibiting factors affecting individual/student learning. In a study conducted by the Ministry of Education in Guyana, motivation was found to be among the most important factors affecting student learning. This factor is of particular significance to the study at hand.¹ Some lecturers expressed that the average age of students upon entering the law program is lower compared to 12 -15 years ago. Not only are the applicants younger, but students generally shoulder less financial responsibility compared to years ago. While they may make financial contributions to their homes, they are not the sole bread winners. "The realities and financial responsibilities of life have not completely registered in the minds of contemporary students" is how one lecturer put it. There is an undeniable connection between shouldering responsibilities and hardships in life and one's level of motivation. Individuals who have dealt with financial challenges and much of the woes of adulthood generally approach life more seriously, and tend to exert greater effort as they are more motivated towards altering their circumstances for the better. Contemporary law students study less and socialize more. All lecturers interviewed

expressed noticeably poorer study patterns and examination preparation levels on the part of students over the past few years. Some even stated that students are generally more complacent and lazier. Other comments were that students wanted to be "spoon fed" and were not interested in doing their work themselves. The correlation between age, maturity and one's level of motivation is seen clearly. During childhood one can be motivated by treats, stickers, toys and making one's parents proud. As an individual grows and life changes, so does the motivational factors. At the point of early adulthood, motivation is most often connected to an individual's appreciation of the fact that their academic success or lack thereof will determine the quality of life which lies ahead. In cases where one is less exposed to the responsibilities of earning for themselves and families, or where economic stability is experienced, there is generally less of an urgency to change the status quo since the individual is already comfortable. However, where one experiences hardships and economic struggles there is a greater likelihood that the individual would be more motivated to succeed so as to alter their circumstances and ultimately live a better life.²

University of Guyana law applicants generally enter the law program with less practical legal experience and exposure. They carry less responsibility in life and are therefore generally not as mature as applicants 12-15 years ago. This decrease in maturity while not being the most popular view may have arguably had some effect on the drop in student performance over the years. In the same study, prior knowledge of the subject area was also cited as serving an instrumental role in students' learning and receptivity.

It was stated that:

*"A student could have the highest IQ in the room, but if he hasn't been exposed to basic information that relates to the lesson, he will have difficulty learning. For example, imagine that you were placed in a chemistry class without having been taught the periodic table. You'd likely not learn a thing. The same is true for a student who is being asked to solve algebraic equations but does not know his multiplication tables a scenario that is all too common."*³

Students who have prior experience as paralegals or clerks generally have a better understanding of the practical nature of the law. This is simply because he/she has already been exposed to legal thinking, reasoning and processes, it is therefore easier to grasp and apply concepts. Much of the research data collected indicates that not enough students are exposed to the practical application and operation of legal principles and thinking upon entering the law program. While students may have been introduced to law for their CAPE examinations, they still have very little exposure to the practical application of legal principles and legal jargon. Research suggests that students' learning environment, facilities and access to technology all play a major role in determining student performance.⁴ Teachers/professors are also more or less motivated by the availability or lack of sufficient and efficient resources with which to do their job. In fact, in most instances both students and professors research university facilities and technology prior to joining as a student or member of staff. Professor and student comfort is undeniably paramount. Spaces for teachers and students with an adequate temperature, ventilation, and lighting, access to water, electricity, internet services, sanitary services and proper drainage of sewage waters were all seen as basic conditions for quality infrastructure. The majority of these conditions proved to be absent during the professor and student interviewing process at the University of Guyana. Many complained of constant water shortages and dirty bathroom facilities. Blackouts during classes or study sessions at nights, poor internet services and inadequate availability of research material or resources.

² Ibid

³ Caf , <The importance of having a good school infrastructure> (CAF Development Bank of Latin America, 4 October 2016) <<https://www.caf.com/en/currently/news/2016/10/the-importance-of-having-a-good-school-infrastructure/>> accessed 18 May 2022

⁴ Ibid

¹Paul Mupa and Tendeukai Isaac Chinooneka, 'Factors contributing to ineffective teaching and learning in primary schools: Why are schools in decadence?' [2015] 6(19) Journal of Education and Practice.

The availability of sufficient and efficient teaching resources was found to be of such importance that many professors would invest their personal funds from time to time to buy teaching materials or to provide their own access to technology in order to better facilitate learning and comfort. Evidence in Bangladesh, Ecuador, India, Indonesia, Peru, and Uganda indicates that teachers in schools with good infrastructure have, on average, 10 percent less absenteeism than teachers in schools with deficient infrastructure. In fact, the study found that infrastructure had a greater effect reducing absenteeism than teacher salaries or the effect of the administrative tolerance for absences. During the research many professors at the University of Guyana indicated that their classes are poorly attended throughout the semester. Perhaps an upgrade in infrastructure and a more learner friendly environment could resolve this issue.⁵

"In 2002, a study by Mark Schneider determined that environmental conditions played a part in student success. These factors were supported by research from Penn State University.⁶

Acoustics and noise: How quiet classrooms are, as well as open spaces, has been shown to impact student performance. Excessive noise was also found to negatively impact teachers and students.⁷

Air quality: The quality of indoor air is a major contributor to absenteeism, especially amongst students with respiratory issues.⁸

Lighting: Artificial lighting has been shown to have a negative impact on students, whereas schools with a lot of natural light can boost morale and reduce off-topic behaviour. One study found that students with the most exposure to natural daylight progressed 20 percent faster in math and 26 percent faster in reading than students who were taught in environments with the least amount of natural light.⁹

Temperature control: The temperature in which a person works affects engagement levels and overall productivity — including student achievement. The Penn State study found that the optimal temperature range is between 20 and 23 degrees Celsius."¹⁰

CONCLUSION

Research has demonstrated that student performance in legal education has declined over the years. The main factors which have inhibited performance includes large class sizes and class attendance issues, poor course delivery styles and techniques, poor student study patterns, decline in standards across the wider society, lack of mentorship, poor facilities and the lack of technology and research materials.

The major facilitating factors impacting student performance are positive lecturer attitudes towards assisting students and effective course delivery techniques. Most individuals interviewed, students, lecturers and administrative staff members commented very little on the

issue of facilitating factors in student performance. This study is one among many initial steps to improve student performance in legal education at the University of Guyana. Having identified some of the salient factors inhibiting student performance, steps can now be taken to analyze these factors in greater detail, towards the discovery and implementation of remedial measures. Students and lecturers lie at the core of performance issues. It is imperative that the administration at the University of Guyana engage both of these parties in order to improve not only the standing of the Department of Law, but the University of Guyana as a whole. Studies suggest that the conditions and challenges faced at this institution are not peculiar. They are basic impediments faced by a host of learning institutions around the world. Each entity involved must play its part to support the efficient functioning of the whole. The administration has to solve the resource-based issues and the undesirable environmental conditions on campus. The students must face their responsibility for their own performance and exert greater effort as it pertains to their academic output. Professors and lecturers must cooperate and continue to adjust their teaching styles and methods with the changing times and student personalities. The responsibility to resolve student performance issues in legal education necessarily demands the cooperation of all vested parties. A study of this nature should become an ongoing exercise at the University of Guyana. A one-time fix or solution is impracticable with issues of this nature. We must frequent the drawing boards of assessment towards the improvement of the University. This research revealed that the factors which may impact performance negatively at one point may very well become facilitating factors at a different point in time. Continual assessment therefore is key and continual change and adaptation to society, students, lecturers and the administration is paramount.

REFERENCES

- Ariani, Mohsen Ghasemi, and Fatemeh Mirdad, 'The Effect of School Design on Student Performance' [2016] 9(1) International Education Studies.
- CAF, 'The Importance of Having a Good School Infrastructure' (CAF Development Bank of Latin America, 4 October 2016) <https://www.caf.com/en/currently/news/2016/10/the-importance-of-having-a-good-school-infrastructure/> accessed 18 May 2022.
- Mupa, Paul, and Tendeukai Isaac Chinooneka, 'Factors Contributing to Ineffective Teaching and Learning in Primary Schools: Why Are Schools in Decadence?' [2015] 6(19) Journal of Education and Practice

⁵ Ibid

⁶ Mohsen Ghasemi Ariani and Fatemeh Mirdad, 'The Effect of School Design on Student Performance' [2016] 9(1) International Education Studies.

⁷ Ibid

⁸ Ibid.

⁹ Ibid

¹⁰ Ibid