

Developing Capacity to Cope with Ethical Dilemmas in Legal Practice Through Teaching 'Giving Voice to Values' Techniques

Wednesday 24 September 2014

4-6pm (Refreshments served from 3:45pm)

Monash University Law Chambers, 555 Lonsdale Street, Melbourne

Many legal ethics courses develop students' ability to identify and analyse ethical issues and even to determine 'the right thing to do'. However, we know from extensive research in behavioural ethics that well developed ethical reasoning abilities do not necessarily equate to ethical action.

The ANU Legal Workshop has adapted the Giving Voice to Values curriculum developed by Mary Gentile (Babson College, USA) to move students beyond ethical analysis to ethical action in legal practice.

Presenters

Chair: Professor Christine Parker, Monash Law Faculty

- **Vivien Holmes**, ANU Legal Workshop
- **Anneka Ferguson**, ANU Legal Workshop
- **Justine Rogers**, *UNSW School of Law*

Vivien Holmes and **Anneka Ferguson** from the ANU Legal Workshop will:

1. Briefly explore what we can learn from behavioural ethics about ethical decision making and ethical action.
2. Briefly explore the importance of values in promoting wellbeing and developing professional identity.
3. Demonstrate how we use the GVV curriculum in a legal practice context; and
4. Provide an overview of student and staff reactions to the pedagogy employed.

The session will be interactive. Participants will be invited to engage in one of the GVV exercises we use in the course and debrief/reflect on issues emerging.

Justine Rogers will:

1. Explain the ethos and structure of the new professional ethics course at UNSW Law and how GVV and other frameworks and concepts are used.
2. Provide examples of successful and less successful curriculum change to date (structure and content).
3. Identify "opportunities for growth".
4. Share results of a survey of the first LEJ cohort to support the components above.

This session will include time for participants to share similar "change management" experiences and devise together some teaching strategies to more fully integrate GVV while also meeting the other objectives and expectations of a legal ethics course.

Speaker Biography

Vivien Holmes

Vivien teaches Legal Ethics in the ANU's Graduate Diploma of Legal Practice. She received an ANU College of Law Award for Teaching Excellence (Team teaching) in 2012 and a Vice Chancellor's Citation for Excellence in Education in 2103.

Prior to joining ANU, Vivien worked as a litigation solicitor in private and government practice, a government legal policy officer, the Registrar of the NT Supreme Court, the NT Registrar of Probates, the NT Deputy Coroner and a Judicial Registrar of the NT Magistrates' Court. She has been a member of the Social Security Appeals Tribunal and the Research Ethics Committee of the Australian Institute of Aboriginal and Torres Strait Islander Studies.

She is currently a member of the ACT Law Society Complaints Committee.

Anneka Ferguson

Anneka convenes Practice Management and Legal Practice Trust Accounting within the Professional Practice Core (PPC) course in the ANU Legal Workshop's Graduate Diploma of Legal Practice.

Prior to joining ANU, Anneka worked as a personal injury litigation solicitor in both private and government practice. Her teaching motivation derives from her early years in legal practice where she realised how little was taught at university about operating, surviving and thriving in legal practice and, since 2012, her research has evaluated the impact of our courses on student wellbeing, professional/ethical identity and readiness for practice. More recently, this has elicited some very important results regarding how values and self-determination theory can be promoted using the pedagogy employed in the PPC.

Anneka has been a fellow of the National Institute for Teaching Ethics and Professionalism (NIFTEP) July 2012 workshop in Banff and received an ANU College of Law Award for Teaching Excellence (Team teaching) in 2012 and Vice Chancellors Citation for Excellence in Education in 2103. Her two most recent conferences papers have been presented to the 9th Annual Global Legal Skills conference in Verona and the American Association of Law Schools 2014 Annual Meeting in New York. Publications include 'The possibility of wellbeing: preliminary results from surveys of Australian professional legal education students' QUT Law Review, vol. 14, no. 1, pp. 27-51 (with Stephen Tang); and 'Desperately Seeking ... Relevant Assessment? A Case Study on the Potential for Using Online Simulated Group Based Learning to Create Sustainable Assessment Practices', Legal Education Review VOLUME 22 (2012) No 1&2 (with Elizabeth Lee).

Justine Rogers

Justine Rogers is the designer and convenor of Lawyers, Ethics & Justice, the new, core applied legal ethics course at UNSW Law. Her research focuses on lawyers' identities and wellbeing, legal ethics and ethical decision-making, and the changes to the legal professions. Justine completed her DPhil at the Centre for Socio-Legal Studies at the University of Oxford, which was an ethnographic study of London barristers and pupillage. Her most recent paper is 'Feeling Bad and Being Elite: A comparative analysis of the anxieties and uncertainties of aspiring barristers' (2014) 13(1) Comparative Sociology 30-57 (special edition on 'anxiety at the top').

Justine's other research area is legal education. While in the UK, she co-wrote an extensive report for the Law Society of England and Wales on how best to teach and assess legal ethics. With the support of the OLT and UNSW, she is currently investigating law students' attitudes towards and skills in legal ethics. She is part of a research project on lawyers' stress, an ARC-funded study led by Professor Janet Chan. Justine also holds an MSc in Educational Research Methodology from the University of Oxford.

COST: Free

RSVP: Wednesday 17th September, 2014 to meli.voursoukis@monash.edu

Please note, places are limited.

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