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A case for challenging traditional assessments: a student-led workshop as an authentic approach to assessment in law and beyond

Stephen Bunbury 

Westminster Law School, University of Westminster, London, UK

ABSTRACT

This study investigates the use of authentic assessment to diversify traditional approaches within higher education, focusing specifically on legal education. Responding to critiques that conventional assessments no longer align with the skills and demands of contemporary legal practice, this research examines student and staff engagement with authentic tasks across undergraduate law programmes. The study explores how authentic assessments, such as student-led workshops, shape perceptions of learning relevance in terms of employability, drawing on mixed-methods data from two university-funded student partnership projects, including qualitative focus groups and quantitative surveys. While the relationship between assessment type and student performance is multifaceted and influenced by numerous variables, the study foregrounds student buy-in and the clear recognition of authentic tasks as meaningful and professionally aligned. Rather than attempting to attribute performance outcomes solely to assessment design, the research highlights how relevance and engagement function as critical drivers of learning. The findings provide evidence-based insights and practical examples for higher education practitioners aiming to adopt inclusive, practice-informed assessment. While the single-institution focus and modest sample size may limit wider generalisability, the study contributes to growing theoretical and pedagogical conversations and offers a foundation for future cross-institutional and longitudinal research in inclusive legal education.

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Introduction

Authentic assessment has recently become a focal point in higher education (HE) following the increase in contract cheating (Eaton 2020; Erguvan 2021; Newton 2018; QAA 2022), growing graduate employability concerns in many countries (Sotiriadou et al. 2020), and access to HE for students who had never previously considered it as an option (Macdonald and Stratta 2010). Authentic assessment has garnered particular attention in HE around the world. For example, it has received widespread attention in the UK (Maclellan 2004; McArthur 2023; Rust 2007; Sambell and Brown 2021; Sambell,

CONTACT Stephen Bunbury  bunburs@westminster.ac.uk  Westminster Law School, University of Westminster, 4-12 Little Titchfield Street, London W1W 7BY, UK

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McDowell, and Montgomery 2013) and Australia (Ajjawi et al. 2019; Ashford-Rowe, Herrington, and Brown 2014). Recent emphasis on artificial intelligence (AI) and the pandemic¹ has forced HE providers to rethink assessment practices and ensure they are prioritised (Sotiriadou et al. 2020).² Studies have shown that inherent issues remain with implementing authentic assessment given the current structure of universities (McArthur 2021). This inevitably highlights the need for HE institutions to focus on inclusive curriculum design and authentic assessment as:

authentic assessments are closely aligned with activities that take place in real work settings, as distinct from the often artificial constructs of most university courses. (Wild and Berger 2015, 1)

In law, a qualifying law degree course in the UK differs from other disciplines ‘in that it requires arguments to be constructed, at even the most academic level’ (Wild and Berger 2015, 1). It is argued that the only way to respond to the ever-growing student numbers and increase in summative assessments is by assessing students *en masse* ‘to differentiate between students and rank them according to their achievement’ (Gulikers, Bastiaens, and Kirschner 2004, 67; Wild and Berger 2015, 131). While this may be seen as a pragmatic solution to the immediate need (Wild and Berger 2015), these approaches neither prepare students for legal practice nor foster deep learning (Miller and Konstantinou 2021) or improve academic performance (Wild and Berger 2015). It does the opposite (Miller and Konstantinou 2021). Institutions are, therefore, encouraged to review the allocation of funds invested in teaching, learning, and assessment and instead invest in authentic means of assessing students.

This article makes the case for rethinking traditional assessments (many of which are increasingly viewed as outdated) within disciplines such as law. Drawing on an empirical study, it explores the use of student-led workshops as a summative assessment strategy in a final-year disability law module, highlighting their potential to promote inclusive learning and professional skill development.

The London-based university where this empirical study was based chose to adopt authentic assessments across the university, as detailed in their education strategy. In turn, the awarding gaps across the university were reduced.³ However, it must be noted that the disability law module (a final year elective 40-credit module) on which this study is based, applied this approach before it became more common practice in the institution. It may be speculated that it paved the way, along with other assessments.⁴ Examining this from the students’ perspectives is crucial to understanding what and how they learn in different contexts.⁵ This context presents a valuable case for exploring the role of authentic assessment in inclusive education.

Framing the study: theory and practice

This study is underpinned by constructivist learning theory (Biggs 1996), which posits that learners construct meaning through active engagement with tasks situated in relevant contexts (Biggs and Tang 2011). Authentic assessment aligns with this approach by requiring students to perform tasks that mirror real-world professional challenges (Gulikers, Bastiaens, and Kirschner 2004). The design of student-led workshops (where

learners take on roles as facilitators) encourages deeper learning and application of legal knowledge.

Additionally, situated learning theory (Lave and Wenger 1991) informs the research, supporting the value of assessments embedded in professional contexts. Within legal education, this involves mimicking the tasks and decision-making processes of legal professionals, which student-led workshops can effectively simulate. The framework also draws from inclusive pedagogy (Florian and Black-Hawkins 2011), advocating for assessments that accommodate diverse learner backgrounds and promote equity. Authentic assessments are argued to facilitate this inclusivity by allowing students to relate their research to their lived experiences and personal identities. Together, these theories support a shift away from surface learning and recall-based traditional assessments towards inclusive, skills-based approaches that prepare students for future careers.

The development of authentic assessment in the last 25 years

Interest in authentic assessment extends beyond law into fields such as STEM and health, offering a framework that emphasises 21st-century skills (McArthur 2023). Cumming and Maxwell (1999) advocate for assessments that move beyond theoretical knowledge, engaging students in practical, real-world tasks such as simulations, case-based learning, and collaborative problem-solving, which align with evolving professional and societal demands. While authentic assessment addresses challenges like graduate preparedness, inclusivity, and reducing academic dishonesty, its overuse risks diluting its significance (Fawns et al. 2024).

Advancements in technology and competency-based education have supported its adoption (Darling-Hammond and Adamson 2014), yet barriers remain, including resource demands, concerns about reliability, and insufficient educator training (Gulikers, Bastiaens, and Kirschner 2004). Over time, authentic assessment has evolved from replicating tasks to focusing on societal values like social justice, inclusivity, and well-being (McArthur (2023); Ajjawi et al. (2023)). AI tools now enable flexible and accessible assessments but challenge compatibility with traditional learning environments (Vlachopoulos and Makri 2024). This shift emphasises holistic approaches that prepare students for real-world challenges while reaffirming higher education's role in promoting social good (Sambell and Brown 2021). This article presents findings from an empirical study on student-led workshops as an innovative assessment method for an undergraduate law degree.

Reframing authentic assessment: integrity, inclusion, and employability in curriculum design

Authentic assessment has become an established principle of innovative curriculum design, moving beyond traditional modes such as lectures, exams, and textbook-based learning (Bryan and Clegg 2019; Ornellas, Falkner, and Stålbrandt 2019). Its central premise involves engaging students in whole tasks or projects that mirror professional and real-world challenges (J. Herrington, Reeves, and Oliver 2010). This shift has gained momentum across disciplines as universities seek to embed assessment strategies that

are more inclusive, meaningful, and skills-focused. Courses are increasingly encouraged to focus on entire authentic projects, rather than isolated academic exercises.

Authentic assessment prioritises the application of knowledge over factual recall and has been shown to reduce academic misconduct, particularly contract cheating (Sotiriadou et al. 2020). However, its open-ended and often collaborative nature can generate ambiguity for students around expectations, marking criteria, and independent contribution (Murphy et al. 2017). Similarly, experiential learning grounded in real-world, reflective engagement (Kolb 1984; Moon 2004) raises challenges in maintaining consistent academic standards, especially when learning outcomes differ based on individual experience. Without appropriate scaffolding, students may face unequal access to experiential opportunities or struggle with unfamiliar pedagogies. Preserving academic rigour in this context requires thoughtful alignment between intended outcomes, task design, and assessment criteria, balancing innovation with accountability (Sambell and Brown 2021).

Recent research suggests that authenticity should be treated as an aspirational principle integrated within broader pedagogical frameworks. These frameworks must balance authenticity with core educational aims such as inclusion and academic integrity (Fawns et al. 2024). When embedded purposefully, authentic assessment enables students to link theory to practice in ways that support deep learning and professional preparedness. Student-led workshops, for instance, challenge traditional assumptions by allowing learners to design and deliver content in ways that reflect their personal experiences (Acevedo 2020). This form of assessment fosters independent thinking, confidence, and a deeper understanding of subject matter, surpassing what is typically achieved through standardised exams such as multiple-choice questions (Morrison 2018).

Authentic tasks are most effective when they support knowledge construction, promote academic rigour, and foster employability (Biggs and Tang 2007; Jones 2019; Mueller 2005). These assessments are designed to cultivate transferable skills valued by employers across sectors, including communication, critical thinking, teamwork, and adaptability (Oliver 2015; Rigg 2013). In legal education, students may be assessed through problem-solving tasks, peer-led workshops, and collaborative activities using tools such as Kahoot or small-group facilitation (Jones 2019). These activities help students contextualise legal content while also building essential professional competencies (Cranmer 2006; Sotiriadou et al. 2020).

Authentic assessment is not limited to law. In business and other disciplines, methods such as viva voce (oral assessments) are used to deepen understanding and enhance real-world relevance (Sotiriadou et al. 2020). These approaches respond to calls for more complex and socially relevant learning tasks that challenge students to navigate ambiguity and develop justice-oriented awareness (J. Herrington, Reeves, and Oliver 2010; McArthur 2023). As Wild and Berger (2015) argue, many traditional curricula fail to prepare students for real-world demands, particularly those requiring flexible problem-solving and decision-making in real time. Embedding authentic assessment supports not only academic outcomes but also lifelong learning and professional resilience.

Inclusive curriculum design and the impact of authentic assessment

This study was conducted to inform the HE sector about different authentic assessment practices (using law as an example). It has also drawn on best practices,

authentic assessment, and innovation, where students swap roles and facilitate a workshop as part of their summative assessment for the module. Ensuring that course design and assessments are inclusive of all students, regardless of their protected characteristics, is fundamental to ensuring they can all excel (Bunbury 2020; Croucher and Romer 2007). Therefore, ensuring diversity in assessment and assessment practices diversifies approaches to assessment, encouraging inclusive design, which then promotes academic integrity and improves employability prospects for graduates. Although legal education has engaged only minimally with inclusive curriculum design literature, this gap highlights the significance of studies such as this one.

There is limited literature or scholarship in law that specifically addresses inclusive curriculum design, as most studies focus more generally on inclusive curriculum design (Bunbury 2020; Morgan and Houghton 2011). Although there is extensive literature on inclusive curriculum design in HE, there seems to be a gap in studies focusing on inclusive curricula in legal education. Nevertheless, in general, inclusion in a learning and teaching context is often difficult to define, as it varies depending on the context and is very much based on the situation (Bunbury 2020; Rodriguez-Falcon et al. 2010). This is not only an issue in HE but has also been a point of contention for children in schools catering to special educational needs, a topic that has recently gained attention in the broader field of education (Bunbury 2020; Hornby 2014). However, inclusion also requires that curriculum design reflects and responds to students' cultural and social backgrounds, while addressing their physical, sensory, and mental health needs (Bunbury 2020; Morgan and Houghton 2011). It is suggested that student-led workshops achieve this by granting students the autonomy to engage with the characteristics of an inclusive assessment, allowing them to reflect on their cultural and social backgrounds. As such, authentic assessment not only supports academic integrity and employability but also helps create equitable learning environments.

Therefore, this study situates authentic assessment as both a pedagogical innovation and a strategy for inclusion, offering insights for legal educators and HE practitioners seeking to respond to the evolving demands of a diverse student body and a rapidly changing professional landscape.

Project aims

This study explores how authentic assessment can catalyse transformative change within undergraduate legal education. Responding to growing calls for inclusive curriculum design and the limitations of traditional summative approaches (McArthur 2021; Miller and Konstantinou 2021; Wild and Berger 2015), it focuses on the implementation of student-led workshops as an alternative form of assessment within a Qualifying Law Degree (QLD) programme. In line with the argument that authentic assessments better mirror real-world practices and support deeper engagement (Wild and Berger 2015), the study investigates whether these workshops can improve student learning, enhance engagement, and support equity, particularly for students from underrepresented or marginalised backgrounds.

The study explores whether student-led workshops can provide a platform for students to engage critically with identity, culture, and positionality in legal education. By

embedding teamwork, creativity, and strategic thinking skills, often sidelined in doctrinal legal training, into assessment design, the study interrogates how broader graduate attributes can be more effectively developed through inclusive, practice-oriented approaches (Sotiriadou et al. 2020).

A central question is whether these workshops not only diversify assessment formats but also enable more students to demonstrate their abilities meaningfully, thus enhancing fairness and academic integrity (Eaton 2020; Newton 2018). The research acknowledges ongoing challenges in implementing authentic assessment, including workload implications, resource constraints, and the need to maintain rigour and consistency across diverse assessment types. Nevertheless, by positioning students as active co-constructors of knowledge, the study aligns with emerging HE priorities that emphasise shared responsibility, inclusive design, and sector-wide transformation (McArthur 2023; QAA 2022).

Ultimately, the study contributes to the broader discourse on rethinking legal education in response to contemporary challenges. It offers practical insights for institutions aiming to develop equitable, engaging, and future-facing assessment strategies that reflect the diversity of the student body and the evolving demands of legal and professional practice.

Methodology

This article is based on a report from an internally funded pedagogic research project that explored the use of authentic assessment to promote inclusivity, engagement, and skill development within undergraduate legal education. The study employed a mixed methods research design, combining qualitative and quantitative approaches to generate both breadth and depth of understanding and integrated this into the findings (Creswell and Plano Clark 2018). This methodological choice reflects a pragmatic paradigm (Biesta 2010), allowing the research questions (not the method) to drive the design and facilitating the generation of actionable insights within a real-world educational setting.

A mixed methods strategy was particularly suited to this project, as it allowed for the triangulation of data sources and the integration of complementary insights. Quantitative data were drawn from internal module performance metrics, including assessment grades and student engagement, enabling the identification of patterns in student outcomes across two academic years (2021/22 and 2022/23). These findings were contextualised through the collection of qualitative data derived from semi-structured interviews and focus groups with participating students. Such integration enhances the analytical depth and credibility of the research (Denscombe 2021), ensuring that the findings are not only empirically robust but also attuned to the complexity of student experience.

Assessment criteria

This study was situated within the Disability Law module, which adopts a distinctive two-part assessment strategy aligned with principles of authentic assessment (Gulikers, Bastiaens, and Kirschner 2004; Sambell and Brown 2021). The structure integrates two complementary assessment methods to evaluate students' legal knowledge, critical thinking, and applied skills. The first component

involves a traditional written assignment, such as an essay, which enables students to demonstrate their understanding of legal frameworks and critically analyse relevant law. The second component employs an authentic assessment task that requires students to apply their legal knowledge in a practical, real-world or professionally oriented context. This dual approach supports a more inclusive and comprehensive evaluation of learning by allowing students to demonstrate both theoretical insight and the ability to produce meaningful, context-driven outputs. The assessment design includes student-led workshops (40% of the module mark), a 4,000-word critical essay (55%), and a synoptic reflective component (5%) designed to encourage meta-cognitive reflection across the student's academic journey. The student-led workshops (delivered individually or in small groups) required the creation and facilitation of a 45–75-minute session that addressed a topical legal or socio-legal issue. Students were assessed on their planning (LO1), facilitation and engagement (LO1, LO5), use of media and innovation (LO2, LO5), oral communication (LO5), and quality of research and evidence (LO4). These criteria align with the widely cited definition of authentic assessment as being 'closely aligned with activities that take place in real work settings' (Wild and Berger 2015, 1) and reflect calls to diversify assessment to support student learning and employability (Sotiriadou et al. 2020).

The essay component was similarly designed to support deeper learning, requiring students to contextualise legal issues, critically engage with the law and theory, and evaluate competing perspectives (LO2–LO5). The inclusion of a synoptic reflective assessment component supports vertical integration across the degree programme and promotes reflective thinking, a skill often overlooked in conventional legal assessment practices (Ryan and Ryan 2013). To pass the module, students must complete all components.

Participant demographics and study context

The study was conducted over two academic years (2021/22 and 2022/23) within the disability law module (Table 1). While participation numbers were modest, they aligned with accepted norms in qualitative research and reflected the demographic composition of the wider law school cohort (Webley 2010). The law school itself is recognised for its diversity, enrolling a majority of second- or third-generation Black and Asian students, many of whom are from working or middle-class backgrounds, inner-city London communities, and are the first in their families to attend university. This demographic context further supports the study's focus on inclusive, student-led pedagogic approaches.

While the overall sample size was small, the study followed a purposive sampling strategy and adhered to principles of methodological rigour in qualitative research. The

Table 1. Participant overview by academic year.

Academic Year	Module Enrolment	Students Participated	% of Cohort	Notes
2021/22	6	2	33.3%	3 initially agreed, 1 withdrew
2022/23	17	4	23.5%	4 agreed, 1 withdrew

iterative, multi-phase structure of the project enabled longitudinal comparison and reinforced the reliability of thematic findings across both years.

Phases

The overall project followed three phases, focusing on authentic and inclusive assessment practices. In Phase 1, students identified challenges with past assessments and compared workshop feedback and grades under the guidance of an internal facilitator. Key themes of authenticity and inclusion emerged. Phase 2 expanded on these themes through structured focus groups and 45–60-minute interviews conducted by an external and internal facilitator. These discussions informed Phase 3 of the first stage of the project, conducted during the initial academic year, which culminated in a recommendation report outlining actions to promote authentic assessment and inclusivity in the law school. This report subsequently informed the second part of the study undertaken in the following academic year.

The project utilised an appreciative inquiry model to structure its approach. Phase 1 featured unstructured discussions, allowing facilitators to identify core themes, which then shaped the topic guides for Phase 2's structured interviews and focus groups. The interview guide drew on similar studies related to inclusivity in curriculum design and assessment (Shenton 2004), emphasising authenticity and innovation along with equity, diversity, and inclusion (EDI). Open-ended questions (Walliman 2011) enabled in-depth exploration, while document analysis supplemented the data.

Content analysis was employed to evaluate the benefits of authentic assessment design and monitor student performance and well-being in relation to inclusion. Interviews and focus groups were transcribed and manually coded using a thematic approach based on the topic guides developed in Phase 1. The study adhered to ethical research standards, receiving approval from the university's Ethics Committee before data collection began.

Results and discussion

The results presented in this study underpin a discussion regarding the aims of the project. Various themes emerged from the data analysis, which will be discussed as they appeared in the semi-structured interviews and focus groups.

Nature of the assessment and student performance

All participants reported that the assessment, designed to reflect real-life working environments, was more accessible than traditional essay-based evaluations (Jones 2019; Wallace 2010). When asked whether workshops align well with law degrees, which are traditionally essay-focused, 100% of students agreed that they fit seamlessly into the curriculum. One student highlighted that workshops not only cover the required material but also develop practical skills. Another student emphasised the realism of the format, noting, 'It's kinda like what barristers and solicitors do every day; they talk for a living, so presenting like this is more realistic than an essay'. While one student found the experience 'tiring' and more demanding than anticipated, she recognised its value: 'It was

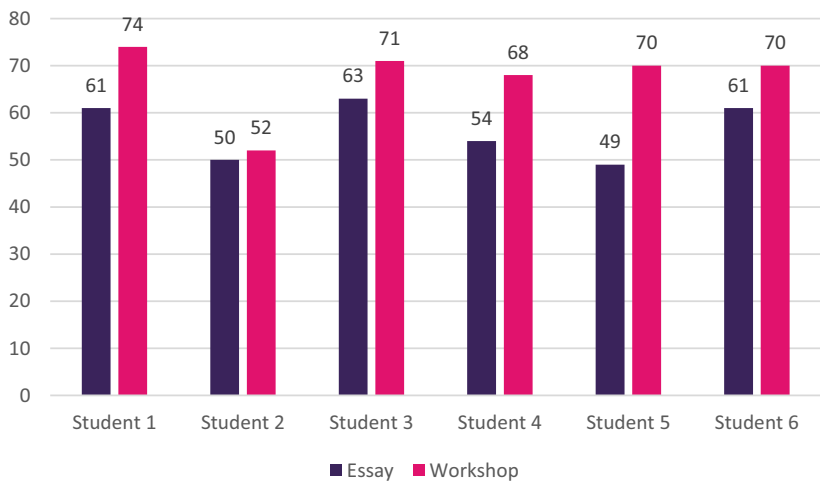
advantageous to experience that because, as lawyers, the job is to keep people engaged and speak freely to an audience'. These insights suggest that workshops not only enhance accessibility and engagement but also cultivate skills essential for professional legal practice. As a result of this, the quantitative data demonstrated that most students from both cohorts excelled in this component compared to the assessed essay (McArthur 2023). In the 2021/22 cohort, all six students (100%) achieved a higher mark in the workshop assessment than in the essay. Similarly, in the 2022/23 cohort, 12 out of 17 students (approximately 71%) performed better in the workshop assessment. These results highlight the effectiveness of workshops in improving student performance and suggest their potential to enhance learning outcomes across diverse cohorts. Participants mentioned that they or people they knew, chose the module solely because they knew the assessment would be a student-led workshop. This was a recurring theme throughout the focus groups and interviews for both cohorts. While some participants only became aware of the assessments at the beginning of the modules, interestingly, others had discovered this before selecting the module, thus influencing their choice. The participants reported that the assessment was 'different, exciting, enjoyable, flexible, competitive ...' and that 'it was so nice to speak and put into practice what I had researched'. They highlighted that the assessment made the student experience enjoyable, making it feel more like a real-life setting, as presented in the literature (Wild and Berger 2015). However, while the workshop format was widely appreciated, it was not universally well-received. Some students experienced significant anxiety, particularly those who were shy or struggled with public speaking or whose first language was not English. One student stated: 'I know at least one of my friends who was having sleepless nights just so scared of having to stand up in front of the class in case they made themselves look stupid'. Others noted that concerns about accents or self-consciousness about their appearance could detract from their performance.

For those who excelled, factors such as greater autonomy in structuring the workshop, reduced reliance on academic conventions (e.g. footnotes or bibliographies), and the practical nature of the task made the experience less stressful compared to essay-based assessments. One student shared, 'I just felt like I was able to go and show what I knew and sort of give myself a pat on the back'.

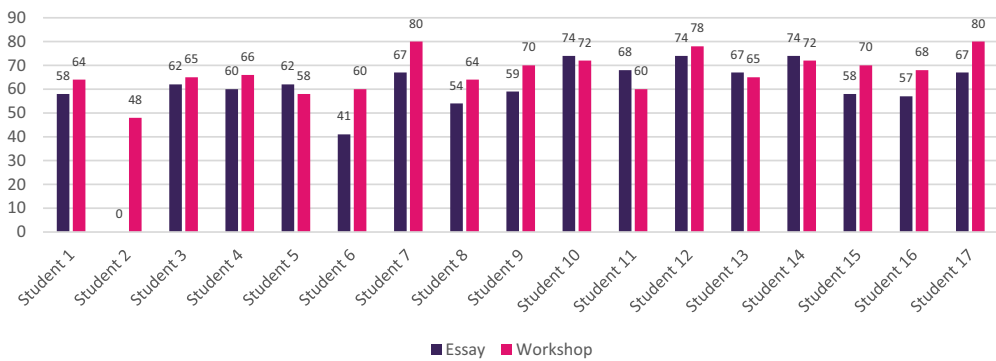
Importantly, the module is optional, and students are made fully aware of the assessment style before enrolling. While some students initially found the idea intimidating, many overcame their fears through practice and ultimately felt more confident. Future research should examine the experiences of those who did not excel, exploring how factors such as anxiety, language barriers, or discomfort with public speaking might impact their outcomes, as suggested in prior studies (McArthur 2023).

Essay marks vs. workshop marks: academic years 2021/22 and 2022/23

A quantitative analysis of the marks awarded in previous years for the essay and the student-led workshop revealed that most students achieved higher grades in the workshop component across both cohorts (Graph 1 and 2). This outcome likely reflects a combination of factors, including increased student engagement, the perceived relevance of the workshop to real-world legal practice, and the opportunity for students to take ownership of their learning. While there is no formal correlation between



Graph 1. Quantitative analysis of marks awarded for the essays and student-led workshops in 2021/22.



Graph 2. Quantitative analysis of marks awarded for the essays and student-led workshops in 2022/23.

performance in the two assessment components, it is encouraging to observe this trend in the quantitative data. It suggests that students have meaningfully engaged with the authentic assessment and recognise its value in preparing them for future professional activities:

One participant stressed the importance of understanding the subject matter in terms of delivering the workshop:

We were really, you know, teaching the others in the class what we have learned and that did make me feel like I had learned more rather than just going into a class and maybe being asked to participate by a teacher and maybe not.

It can be concluded that student-led workshops encourage deep and non-instrumental learning when students are challenged. However, such a conclusion may appear overly generalisable or premature, given the limited scope of this study. Morrison (2018) provides a pertinent perspective, emphasising that creativity in assessments such as poster presentations enhances independent thinking, flexibility,

and critical skills. This aligns with recommendations from the Legal Education and Training Review (LETR) and highlights the potential of innovative learning strategies to cultivate socially, ethically, and culturally aware individuals. Conversely, Morrison critiques the Solicitors Qualifying Examination (SQE) for its focus on instrumentalist learning, which may suppress the broader skills students require. Mason (2018) also criticises the SQE for its emphasis on task-specific knowledge over the development of broader skills. This narrow focus, according to Mason, risks undermining students' ability to cultivate critical thinking and other competencies essential for legal practice. Drawing from Morrison's findings, it is evident that a larger-scale investigation is necessary to substantiate these claims. Until then, supporting this argument with existing studies reinforces the value of creative and student-centred learning approaches in higher education contexts. It is clear from the findings that the workshops' focus on ensuring the activities are executed in a social context, which is typical of an authentic learning environment (Ornellas, Falkner, and Stålbrandt 2019).

Compatibility with a law degree

Participants highlighted the real-life aspects of the assessment as positive and welcomed more of these types of assessments in their degrees. They connected their experience of the assessment to legal practice and the roles of barristers and solicitors.⁶ They noted that the skills acquired are those required in real life as a legal practitioner and in any work-place setting.

One student said:

It's just kinda like what barristers and solicitors do every day, they talk for a living, so presenting like this, it's kinda more realistic than an essay'.

She added that she had the opportunity to

... speak about what I know and what I've learnt because whenever I'm like, constrained to an essay I always wish that I'm able to talk about it and express all these million things I know and have learnt.

This type of assessment should be retained and encouraged in HE and other degrees as students find the skills, they developed beneficial to their working and professional lives. Students felt that public speaking was beneficial for gaining transferable skills in terms of using these skills for those who were seeking to become practising lawyers. Students stated that public speaking was a useful skill in their professional lives. This, in turn, enhances employability skills, both academically and for those wishing to become lawyers or those entering the world of work. When asked if they thought workshops lend themselves well to law degrees, which employ more essay-based assessments and examinations, the participants unanimously agreed that such an approach fitted in well. They concluded that student-led workshops allow students to apply their legal knowledge to realistic situations (Jones 2019).

Structure of assessment and authenticity

The participants perceived the assessment as being 'less academic'. Two students from the 2021/22 cohort noted that it required less writing and placed less emphasis on structure compared to a traditional essay. In other words, the structure was not rigid. Interestingly, all the participants agreed that the openness of the structure was beneficial as it allowed them more freedom. The participants' feedback, in terms of autonomy, was mixed. They thought it was good, but one participant suggested that they would have liked much more refined guidance. Although this finding is useful, it must be noted that authenticity in assessment gives students the autonomy to construct their learning by ensuring they take responsibility for it (Biggs and Tang 2011). However, it must be noted that 'however influential, Biggs' meaning of authentic remains somewhat under-developed at this stage' (McArthur 2023, 88). Participants liked the relative freedom the workshop provided, whereby they were able to showcase their skills and were appreciative of the fact that it was not complete freedom but rather a structured one.

Using reversing roles meant that the participants had to take on multiple roles during the workshop. It is clear from the findings that these roles required them to use '... a range of resources ... to examine and distinguish relevant from irrelevant information' (A. Herrington and Herrington 2006; J. Herrington, Reeves, and Oliver 2010; Ornellas, Falkner, and Stålbbrandt 2019, 115), and to construct meaning from the tasks set (Biggs and Tang 2007). Reversing roles allowed the students to develop several transferable skills, such as research and communication skills, public speaking, teamwork, problem-solving, IT skills, and self-confidence, which formed part of the assessment criteria and learning outcomes for the module. Oral and communication skills are ranked highly by employers in terms of employability (Gray, Emerson, and MacKay 2005; Sotiriadou et al. 2020): 'In particular, communication skills represent an important basis for employability across many different professions' (Chan 2011; Sotiriadou et al. 2020, 2133). This interactive element promotes deep and effective learning instead of the memorisation of information that may enable a student to pass a traditional examination (Jones 2019; Wallace 2010). In addition, the interaction allows the assessor to ask questions to check understanding through dialogue (Jones 2019). The participants acknowledged the need to be able to construct an essay concerning future employment but highly preferred the presentations and workshops. The findings highlighted how incorporating practical skills in legal education is pivotal once students enter the world of work as practising lawyers (Jones 2019). It is often an area where there is disagreement and discussion about the '... relationship between theory taught at universities and skills necessary in legal practice' (Jones 2019, 37; Kielb 2017). This may replicate certain tasks in the workplace. One of the facilitators noted this but questioned the extent to which it is true in all types of employment or professional practice. Two students highlighted the importance of graduate employability and authenticity in assessment design, emphasising these as key factors in their academic experience. It should be encouraged and retained to enable graduates to develop their 'work-readiness' and help them to be job-ready (Ashford-Rowe, Herrington, and Brown 2014; Sotiriadou et al. 2020).

Stress, pressure, and student well-being in preparing for the assessment: mirroring real-life work

The participants described preparing for the workshop as ‘less stressful’ and ‘easier’ than writing an essay, as the research phase was less burdensome for them. However, they recognised that this type of authentic assessment did not appeal to all students and could potentially lead to some feeling anxious. One participant expressed that it was ‘tiring’ and that she did not expect it to be as strenuous as it was to keep a classroom engaged for a long period, but she found it ‘advantageous . . . because, as lawyers, that’s sort of the job, to keep people engaged and be able to speak freely to an audience’. This, again, highlights the authentic elements of the assessment in that it replicates real-life situations in and outside the workplace (Wild and Berger 2015). It was noted that the module was an elective, and some students had full knowledge of the assessment before choosing it. While some of them initially felt nervous at the thought of delivering a workshop to the class, once they overcame this, they felt more confident. It was also expressed that any nervousness could be overcome by putting in extra work and practising the workshop presentation beforehand. Some participants also felt that working as part of a team helped alleviate any initial fears.⁷ They agreed that the assessment was less stressful than other modules, specifically core modules which, in the past, relied heavily on traditional essays and examinations, which did not prepare them for the world of work.

Inclusive curriculum design

Inclusive curriculum design in terms of student-led workshops was beneficial to some participants. According to two participants in 2021/22, the student-led workshop did not necessarily promote inclusion in comparison to a traditional assessed essay. One of the participants highlighted how the workshop could be an issue in terms of an inclusive environment for students with anxiety, speech impairment, mobility issues, or visual impairments. In the first cohort, there was a mismatch between what the module convenor considered as inclusive and the student’s perception of inclusion. The participants added that for students for whom English was their second language, it could be ‘traumatising if people were to, like, mock their accent. Something small like not being able to pronounce something could be really embarrassing for them’. Students stressed the importance of using a variety of assessments, such as exams, essays, presentations, and student-led workshops, to address inclusion.

One student who excelled in the 2021/22 cohort concluded that although this assessment was used for a module that covered disability discrimination, the assessment itself did not address issues that some disabled students encounter. The facilitator agreed with the 2021/22 cohort, noting that the participants were not aware of alternative arrangements for those students with declared disabilities. This is something that was addressed in Phase 2 with the 2022/23 cohort, where the facilitator explained the meaning of EDI (in particular, inclusion) and provided the students with clearer information about alternative arrangements or reasonable adjustments for disabled participants. Two participants in 2021/22 did not feel that the module explicitly addressed EDI issues. However, they stated that they could work on something personal to them. They benefitted from the assessment from an EDI perspective, with the findings indicating that they focused on topics

that personally impacted them. For example, one student focused on hate crime and disability because of their lived experience. Another participant came from a different country where disability is still a stigma and wanted to explore this further, adopting a UK approach.

The workshop-style assessment was largely seen as inclusive by participants, particularly in its ability to incorporate personal experiences and provide the freedom to design formats that played to their strengths. From an intersectional perspective, this approach allowed students to explore how overlapping identities (such as race, culture, gender, and disability) intersect to shape lived experiences. One student explained, 'We were able to have an understanding of how different cultures and like different races perceived disability', emphasising the module's focus on diversity and its relevance to intersectionality. The same student reflected on the diversity within the class, noting, 'Everyone brings, like, race, sex, culture, religion to all topics of debate. So obviously it makes it really engaging and inclusive and diverse as well'.

However, an intersectional analysis also reveals that the workshop format was not equally accessible to all. Two participants from the 2021/22 cohort expressed concerns that the workshop assessment might inadvertently disadvantage students with hidden disabilities, such as anxiety or speech impediments. Similarly, another noted the potential for non-native English speakers to feel 'traumatised ... [if] people mock their accent', highlighting the vulnerability faced by those navigating intersecting challenges related to language, cultural identity, and confidence.

In sum, while most students found the workshop inclusive and engaging, an intersectional perspective underscores the importance of offering a balanced range of assessment types. This ensures that all students, regardless of their intersecting identities, have equitable opportunities to succeed and thrive.

Conclusions and recommendations

The findings in this study may be useful in contributing to the existing literature and scholarship regarding authentic assessment, inclusive design, and the diversification of approaches to assessment practice, all of which ultimately improve employability prospects. They may also be useful for other HE practitioners, informing policy and authentic inclusive curriculum design for core or elective modules in various disciplines beyond law.

In terms of diversifying approaches to learning and assessment, student-led workshops allow students to reflect and draw on their experiences of the law and relate them to real-life settings. This enables students to construct their meaning from the task set and is consistent with the current literature on authentic assessment. This adds another dimension to the assessment as it reaches students who, perhaps, have declared disabilities or have experience dealing with a family member or friend with a disability. The assessment approach also addresses intersectionality, which incorporates individual discrimination and disadvantages, such as race, culture, and disability. The findings demonstrate that implementing student-led workshops in disciplines promotes student engagement and inclusion. In addition, they have addressed the project aims by identifying student-led workshops as an authentic and innovative approach to teaching, learning, and assessment in law degree programmes, ones which improve student performance and equip

students for employment. It is recommended that law schools move away from traditional methods of assessing students and address barriers, such as staff reluctance to adopt authentic approaches in curriculum design and the use of limited resources as excuses, to implement more authentic assessment.

Notes

1. For a further discussion on the impact of artificial intelligence see: Debby R. E. Cotton, P.A. Cotton & J. Reuben Shipway. 2023. 'Chatting and cheating: Ensuring academic integrity in the era of ChatGPT' *Innovations in Education and Teaching International*. doi:10.1080/14703297.2023.2190148.
2. Impact in terms of academic integrity: see Eaton, S.E. 2020. Academic Integrity During COVID-19: Reflections From the University of Calgary *International Studies in Educational Administration* 48 (1):80–85.
3. Black-white 18/19 (31.3 to 18.2 in 19/20) and Asian-White 20.1 to 13 in 19/20. These figures are from London-based university where this study was conducted.
4. For an example of non-textual reflective authentic assessment, see: Bunbury, S., and Andreas Philippopoulos-Mihalopoulos. 2023. 'The Law School Degree Show: law, materiality, decolonization and authentic assessment' *Law Teacher*, 57 (2): 187–200. doi:10.1080/03069400.2022.2161248.
5. There are other examples of authentic assessment, such as presentations and advising clients, that are still relevant but beyond the scope of this paper.
6. For a further discussion in terms of how this applies to other disciplines such as business, using an interactive (viva voce) exam, see: Sotiriadou., P. D. Logan, A. Daly and R. Guest (2020) 'The role of authentic assessment to preserve academic integrity and promote skill development and employability'. *Studies in Higher Education*, 45:11, 2132–2148. doi.org/10.1080/03075079.2019.1582015.
7. Students can choose to deliver their workshop solo.

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ORCID

Stephen Bunbury  <http://orcid.org/0009-0008-4763-0495>

References

- Acevedo, B. 2020. "Ideas for Decolonising the Curriculum in Teaching and Learning: A Personal Reflection." (Blog). July 10, 2020. <https://aru.ac.uk/blogs/decolonising-the-curriculum>.

- Ajjawi, R., J. Tai, M. Dollinger, P. Dawson, D. Boud, and M. Bearman. 2023. "From Authentic Assessment to Authenticity in Assessment: Broadening Perspectives." *Assessment & Evaluation in Higher Education* 49 (4): 499–510. <https://doi.org/10.1080/02602938.2023.2271193>.
- Ajjawi, R., J. Tai, T. L. Huu Nghia, D. Boud, L. Johnson, and C. J. Patrick. 2019. "Aligning Assessment With the Needs of Work-Integrated Learning: The Challenges of Authentic Assessment in a Complex Context." *Assessment & Evaluation in Higher Education* 45 (2): 304–316. <https://doi.org/10.1080/02602938.2019.1639613>.
- Ashford-Rowe, K., J. Herrington, and C. Brown. 2014. "Establishing the Critical Elements That Determine Authentic Assessment." *Assessment & Evaluation in Higher Education* 39 (2): 205–222. <https://doi.org/10.1080/02602938.2013.819566>.
- Biesta, G. 2010. "Pragmatism and the Philosophical Foundations of Mixed Methods Research." In *SAGE Handbook of Mixed Methods in Social & Behavioral Research*, edited by A. Tashakkori and C. Teddlie, 95–117. 2nd ed. Thousand Oaks, California, USA: SAGE Publications.
- Biggs, J. 1996. "Enhancing Teaching Through Constructive Alignment." *Higher Education* 32:347–364. doi:10.1007/BF00138871.
- Biggs, J., and C. Tang. 2011. *Teaching for Quality Learning at University*. Thousand Oaks, California, USA.
- Chan, V. 2011. "Teaching Oral Communication in Undergraduate Science: Are We Doing Enough and Doing It Right?" *Journal of Learning Design* 4 (3): 71–79. <https://doi.org/10.5204/jld.v4i3.82>.
- Cranmer, S. 2006. "Enhancing Graduate Employability: Best Intentions and Mixed Outcomes." *Studies in Higher Education* 31 (2): 169–184. <https://doi.org/10.1080/03075070600572041>.
- Creswell, J. W., and V. L. Plano Clark. 2018. *Designing and Conducting Mixed Methods Research*. Thousand Oaks, CA: SAGE.
- Croucher, K., and W. Romer. 2007. *Inclusivity in Teaching Practice and the Curriculum. Guides for Teaching and Learning in Archaeology*. Liverpool: Higher Education Academy. https://www.heacademy.ac.uk/assets/hca/documents/guides/Archaeology_teaching_and_learning_guides/Number6_Teaching_and_Learning_Guide_Inclusivity.pdf.
- Cumming, J., and G. S. Maxwell. 1999. "Contextualising Authentic Assessment." *Assessment in Education Principles, Policy & Practice* 6 (2): 177–194. <https://doi.org/10.1080/09695949992865>.
- Darling-Hammond, Linda, and Frank Adamson. 2014. *Beyond the Bubble Test: How Performance Assessments Support 21st-Century Learning*. United States of America: John Wiley & Sons.
- Debby, R. E. Cotton, P. A. Cotton, and J. Reuben Shipway. 2023. "Chatting and Cheating: Ensuring Academic Integrity in the Era of ChatGPT." *Innovations in Education and Teaching International*. <https://doi.org/10.1080/14703297.2023.2190148>.
- Denscombe, M. 2021. *The Good Research Guide: Research Methods for Small-Scale Social Research Projects*. Maidenhead, Berkshire: Open University Press.
- Eaton, S. E. 2020. "Academic Integrity During COVID-19: Reflections from the University of Calgary International Studies in." *Educational Administration* 48 (1): 80–85.
- Erguvan, I. D. 2021. "The Rise of Contract Cheating During the COVID-19 Pandemic: A Qualitative Study Through the Eyes of Academics in Kuwait." *Language Testing in Asia* 11 (34): 1–21. <https://doi.org/10.1186/s40468-021-00149-y>.
- Fawns, T., M. Bearman, P. Dawson, J. H. Nieminen, K. Ashford-Rowe, K. Willey, N. Press, C. Damşa, and N. Press. 2024. "Authentic Assessment: From Panacea to Criticality." *Assessment & Evaluation in Higher Education* 50 (3): 1–13. <https://doi.org/10.1080/02602938.2024.2404634>.
- Florian, L., and K. Black-Hawkins. 2011. "Exploring Inclusive Pedagogy." *British Educational Research Journal* 37 (5): 813–828. <https://doi.org/10.1080/01411926.2010.501096>.
- Gray, F. E., L. Emerson, and B. MacKay. 2005. "Meeting the Demands of the Workplace: Science Students and Written Skills." *Journal of Science Education and Technology* 14 (4): 425–435. <https://doi.org/10.1007/s10956-005-8087-y>.
- Gulikers, J., T. J. Bastiaens, and P. A. Kirschner. 2004. "A Five-Dimensional Framework for Authentic Assessment." *Educational Technology Research & Development* 52 (3): 67–86. <https://doi.org/10.1007/BF02504676>.
- Herrington, A., and J. Herrington. 2006. "What Is an Authentic Learning Environment?" In *Authentic Learning Environments in Higher Education*, edited by A. Herrington and J. Herrington, 1–13.

- Hershey, PA: Information Science Publishing. In *Authentic Learning Environments in Higher Education*, edited by A. Herrington and J. Herrington, 1–13. Hershey, PA: Information Science Publishing.
- Herrington, J., T. C. Reeves, and R. Oliver. 2010. *A Guide to Authentic e-Learning*. London, UK: Routledge.
- Hornby, G. 2014. *Inclusive Special Education: Evidence-Based Practices for Children with Special Needs and Disabilities*. New York: Springer.
- Jones, D. 2019. "Legal Skills and the SQE: Confronting the Challenge Head-On." *The Law Teacher* 53 (1): 35–48. <https://doi.org/10.1080/03069400.2018.1515841>.
- Kielb, M. 2017. "Legal Education from the Perspective of Legal Practice." *Onati Socio-Legal Series* 7 (8): 1636–1646. <https://opo.iisj.net/index.php/osls/article/viewFile/713/1068>.
- Kolb, D. A. 1984. *Experiential Learning: Experience as the Source of Learning and Development*. United States of America: Prentice Hall.
- Lave, J., and E. Wenger. 1991. *Situated Learning: Legitimate Peripheral Participation*. Cambridge: Cambridge University Press.
- Macdonald, C., and E. Stratta. 2010. "From Access to Widening Participation: Responses to the Changing Population in Higher Education in the UK." *Journal of Further and Higher Education* 25 (2): 249–258. <https://doi.org/10.1080/03098770120050909>.
- MacLellan, E. 2004. "How Convincing Is Alternative Assessment for Use in Higher Education?" *Assessment & Evaluation in Higher Education* 29 (3): 311–321. <https://doi.org/10.1080/0260293042000188267>.
- Mason, L. 2018. "SQEzing the Jurisprudence Out of the SRA's Super Exam: The SQE's Bleak Legal Realism and the Rejection of Law's Multimodal Truth." *The Law Teacher* 52 (4): 409–424. <https://doi.org/10.1080/03069400.2018.1532170>.
- McArthur, J. 2021a. "For Assessment to Count as Authentic It Must Mean Something to Students." (Blog). March 3, 2021. <https://wonkhe.com/blogs/for-assessment-to-count-as-authentic-it-must-mean-something-to-students/>.
- McArthur, J. 2021b. "QAA Annual Conference Blog - Rethinking Authentic Assessment in a Post-COVID World: Is It Right to Hope for Change?" May 7, 2021. <https://www.qaa.ac.uk/news-events/blog/qaa-annual-conference-blog-rethinking-authentic-assessment-in-a-post-covid-world>.
- McArthur, J. 2023. "Rethinking Authentic Assessment: Work, Wellbeing, and Society." *Higher Education* 85 (1): 85–101. <https://doi.org/10.1007/s10734-022-00822-y>.
- Miller, E., and I. Konstantinou. 2021. "Using Reflective, Authentic Assessments to Embed Employability Skills in Higher Education." *Journal of Work-Applied Management* 14 (1): 4–17. <https://doi.org/10.1108/JWAM-02-2021-0014>.
- Moon, J. A. 2004. *A Handbook of Reflective and Experiential Learning: Theory and Practice*. New York: Routledge Falmer.
- Morgan, H., and A. Houghton. 2011. *Inclusive Curriculum Design in Higher Education: Considerations for Effective Practice across and within Subject Areas*. New York: The Higher Education Academy.
- Morrison, D. 2018. "The SQE and Creativity: A Race to the Bottom?" *The Law Teacher* 52 (4): 467–477. <https://doi.org/10.1080/03069400.2018.1530337>.
- Mueller, J. 2005. "The Authentic Assessment Toolbox: Enhancing Student Learning Through Online Faculty Development." *Journal of Online Learning and Teaching*. <http://jolt.merlot.org/vol1no1/mueller.htm>.
- Murphy, V., J. Fox, S. Freeman, and N. Hughes. 2017. "Keeping It Real": A Review of the Benefits, Challenges and Steps Towards Implementing Authentic Assessment." *All Ireland Journal of Higher Education* 9 (3): 2801–32313.
- Newton, P. M. 2018. "How Common Is Commercial Contract Cheating in Higher Education and Is It Increasing? A Systematic Review." *Sec Assessment, Testing and Applied Measurement* 3 (67): 1–18. <https://doi.org/10.3389/feduc.2018.00067>.
- Oliver, B. 2015. "Redefining Graduate Employability and Work-Integrated Learning: Proposals for Effective Higher Education in Disrupted Economies." *Journal of Teaching & Learning for Graduate Employability* 6 (1): 56–65. <https://doi.org/10.21153/jtlge2015vol6no1art573>.

- Ornellas, A., K. Falkner, and E. Edman Stållbrandt. 2019. "Enhancing Graduates' Employability Skills Through Authentic Learning Approaches." *Higher Education, Skills & Work-Based Learning* 9 (1): 107–120. <https://doi.org/10.1108/HESWBL-04-2018-0049>.
- QAA. 2022. *Contracting to Cheat in Higher Education: How to Address Essay Mills and Contract Cheating*. Gloucester: QAA. <https://www.qaa.ac.uk/docs/qaa/guidance/contracting-to-cheat-in-higher-education-third-edition.pdf>.
- Rigg, D. 2013. "Embedding Employability in Assessment: Searching for the Balance Between Academic Learning and Skills Development in Law: A Case Study." *The Law Teacher* 47 (3): 404–420. <https://doi.org/10.1080/03069400.2013.851337>.
- Rodriguez-Falcon, E., M. Evans, C. Allam, J. Barrett, and D. Forrest. 2010. *The Inclusive Learning and Teaching Handbook*. Sheffield: The Inclusive Learning and Teaching Project.
- Rust, C. 2007. "Towards a Scholarship of Assessment." *Assessment & Evaluation in Higher Education* 32 (2): 229–237. <https://doi.org/10.1080/02602930600805192>.
- Ryan, M., and M. Ryan. 2013. "Theorising a Model for Teaching and Assessing Reflective Learning in Higher Education." *Higher Education Research & Development* 32 (2): 244–257. <https://doi.org/10.1080/07294360.2012.661704>.
- Sambell, K., and S. Brown. 2021. "COVID-19 Assessment Collection." (Blog). July 18, 2021. <https://sally-brown.net/kay-sambell-and-sally-brown-covid-19-assessment-collection/>.
- Sambell, K., L. McDowell, and C. Montgomery. 2013. *Assessment for Learning in Higher Education*. London, UK: Routledge.
- Shenton, A. 2004. "Strategies for Ensuring Trustworthiness in Qualitative Projects." *Education for Information* 22 (2): 63–75. <https://doi.org/10.3233/EFI-2004-22201>.
- Sotiriadou, P., D. Logan, A. Daly, and R. Guest. 2020. "The Role of Authentic Assessment to Preserve Academic Integrity and Promote Skill Development and Employability." *Studies in Higher Education* 45 (11): 2132–2148. <https://doi.org/10.1080/03075079.2019.1582015>.
- Vlachopoulos, D., and A. Makri. 2024. "A Systematic Literature Review on Authentic Assessment in Higher Education: Best Practices for the Development of 21st Century Skills, and Policy Considerations." *Studies in Educational Evaluation* 83:101425. <https://doi.org/10.1016/j.stueduc.2024.101425>.
- Wallace, C. J. 2010. "Using Oral Assessment in Law: Opportunities and Challenges." *The Law Teacher* 44 (3): 365–377. <https://doi.org/10.1080/03069400.2010.524035>.
- Walliman, N. 2011. *Your Research Project*. London: Sage.
- Webley, L. 2010. "Qualitative Approaches to Empirical Legal Research." In *The Oxford Handbook of Empirical Legal Research (2010)*, edited by Peter Cane and M. Kritzer Herbert, online ed. ed. Oxford: Oxford Academic, 18 Sept. 2012). <https://doi.org/10.1093/oxfordhb/9780199542475.013.0039>.
- Wild, Charles., and Daniel Berger. 2015. "Get Real: Using Authentic Assessment Techniques to Improve Law Degree Academic Performance." Paper presented at the 2nd Teaching & Education Conference, Florence. September.