

# **Law and ethics: problematising the role of the foundation degree and paralegal education in the English post-compulsory context**

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## **Abstract**

This article is based on research on a foundation degree programme in paralegal education in England. The content explores the pedagogical benefits of this academic programme with its work-related focus. The research has been completed with academic tutors and students who are associated with a foundation degree programme in paralegal education in the north of England. The researchers have adopted an ethnographic paradigm in their exploration of learning and teaching within this academic programme. The research is ‘field based’ as it is situated in a particular context and it has occurred over four years of investigation. The article advocates the development of a transformative learning ethos that is based on a sound philosophy of teaching and learning in order to support the development of understandings of ethics within a vocational foundation degree context. The originality of the article rests in the observation that paralegal education is ideally situated within a foundation degree structure due to its vocational emphasis and its philosophy of pedagogy. The combination of practical work experience on the foundation degree and a clear vision of pedagogy has led to the emergence of a vibrant curriculum within a post-compulsory educational context.

**Keywords:** law; ethics; foundation degrees; post-compulsory education; learning and teaching

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## **Introduction**

The teaching of legal ethics has always been a curriculum concern within legal education literature and education reform (Abel 1988, Webb, Ching, Maharg, and Sherr 2013). When this challenge is combined with the changing demands of the legal services sector, the importance of re-evaluating the context of legal education can be realised. The transitions that have occurred within this curriculum context (such as the changing nature of College provision and the mercurial nature of work related programmes) contribute to this fascinating form of post-compulsory education in England. In considering these curriculum issues, the traditional tensions between academics, students and those in the legal services sector have come together in ways that draw attention to the changing discursive nature of this educational context.

Practitioners have raised concerns that the current model of legal education as provided within English University teaching fails to make students ethically, commercially and professionally competent (Abel 1988). Within many HEIs (Higher Education Institutions), there is a belief that University education should not be focused on the provision of lawyers, but that instead the emphasis should be placed on providing well-rounded academically strong, skilled individuals who choose to become lawyers after studying and reflecting on the nature of their degree programme (Ferris 2014). Whilst there is little doubt that in practice an understanding of ethical responsibilities is important, it can be argued that little appears to have progressed in terms of the teaching of ethics at undergraduate level within this vocational area (Abel 1988, Ferris 2014, Webb, Ching, Maharg, and Sherr 2013). Although the teaching of ethics is considered by the previously cited authors, a challenge to the current model of ethical pedagogy (teaching via simulated learning, student law office and the clinical legal experience) has not been provided. The article considers this curriculum

concern and the content suggests alternative ways of teaching ethics within this particular post-compulsory vocational context.

The article content problematises the teaching of ethics within the current post-compulsory education system in England. It can be argued that whilst there is no doubt that clinical experience has its value to students, it is not clear that this form of pedagogy as it is currently taught within post-compulsory education in England provides an experience that is grounded in how ethics works within practice (Ferris 2014). Moreover, employers ideally want to employ students who are able to apply ethics to legal contexts (Fasterling 2009). The use of ethics within a work environment inevitably requires an understanding of both ethics and the environment in terms of where this understanding is to be applied. In problematising the pedagogy of ethics within a post-compulsory format of teaching and learning (such as pedagogy within a clinic), the business concept of ethics seems to leave a gap. This appears to have resulted in students becoming ‘idealised’ in terms of social justice and ethical conduct, but unable to adjust to the additional pressures of business and ethical conduct (Ferris 2014).

The article argues that there are forms of post-compulsory education which support the acquisition of these skills. The content of the article is based on the ethnographic experiences of one of the authors who has worked extensively within this area (over 25 years of teaching experience and four years of doctoral study). It is argued that the foundation degree (which is designed to link work and higher level critical thinking and skills acquisition) is an ideal potential model for developing these skills. In order to address the need to develop legal and business skills in ethics there is indeed a ready framework in place (as long as the model is informed by a sound pedagogical philosophy). The article considers the challenges that exist in developing this model of pedagogy within paralegal education in England.

## **Research context**

In 2012, 9% of higher education was delivered within colleges of further education (Parry et al. 2012). This educational provision is based on a number of different models of governance and finance. In May 2015, 175,000 students were studying at undergraduate and postgraduate levels in 282 colleges in England (AOC 2015). HE in FE is regarded as being particularly well suited for the delivery of higher education to local communities. The academic provision can be tailored to meet local needs (Thomas 2001). The research in this article has explored the 'FdA (Foundation degree Award) Paralegal Education' programme. This academic programme is designed to meet the needs of both the regulated and non-regulated legal services sector. The FdA has been developed with careful consideration of paralegal services following consultation with practices as well as local stakeholder groups. The premise of the programme is to provide sector ready, employable, confident qualified paralegals, through pedagogy via face-to-face and online media. It is a qualification that still represents a 'work in progress' and this is why the FdA has been selected for this research article. What follows is a discussion of how the curriculum of this vocational based legal higher education qualification at undergraduate level produces successful learning and teaching. The research has focused in particular on the integration of ethics within the pedagogy of the programme.

The FdA in Paralegal Education in England tends to be offered from Colleges who have foundation degree awarding powers (AoC 2015). In the case of the FdA in this research study, the academic programme is an integrated, non-regulated paralegal vocational qualification addressing most of the foundation law subjects along with practice linked courses (for example, criminal law and criminal procedure). As opposed to adopting a traditional method of didactic teaching, the FdA lends itself to a more transformative model of teaching and learning (Chemerinsky 2008). In addressing the integration of ethics into a higher-level vocational course, the programme looks to encourage ethical practice and in

doing so, it adopts an approach which uses a socio legal focus. Moreover, in terms of educational theory, the programme featured in this ethnographic research study applies the principles of Dewey (1904) and Knowles, Holton and Swanson (2005). ‘Transformative learning’ is considered to be a key factor underpinning the philosophy of teaching and learning within the FdA. In providing this philosophy of pedagogy, students can gain insight into the application of ethics within the legal services domain.

The FdA model provides a ‘busy’ curriculum. The academic programme is bound by the benchmark criteria for law in England, but the philosophy of teaching and learning within the academic programme appears to offer flexibility in content and assessment. The FdA appears to offer a creative learning experience in relation to academic development and legal discipline knowledge. This enables the FdA to have a dynamic curriculum for practice based legal education as there is an element of freedom and flexibility. In contrast, within many Russell Group English University academic curricula, an emphasis is placed on teaching that is based on research (Brennan et al. 2010). As a consequence, the presence of an employability agenda is less noticeable.

In practical terms, the integration of ethics into teaching in post-compulsory education appears to depend on the importance of raising awareness of ethical practice and conduct. In exemplifying this argument, within medical schools there is a tradition within teaching hospitals for clinicians to come in and share their experiences with students. Mentoring is also offered in a practical way as is the teaching of communication and counselling skills. This pedagogy appears to support the process of sharing ethical decision making (Fasterling 2009). These opportunities within the medical schools do not appear to be occurring within legal education. The nearest experience is within a clinic, but the opportunities to gain this experience appear to be challenging. The clinics can be underfunded and oversubscribed and not always accessible to students (Fasterling 2009). Moreover, this ‘medical experience’ is

not law. There may be a growing private sector of medical practices and teaching hospitals, but legal education is not supported in the same way. Law in England is not a vocational degree in the sense that those leaving the degree programmes after three or four years of study are not qualified as lawyers according to the Legal Services Act 2007. Those who intend to become lawyers in England usually need to complete further training by working with law firms operating within business models. These 'trainee lawyers' are held to account in relation to their application of professional ethics and how they work within the business ethical context.

### **Research approach**

As noted earlier, the lead researcher has worked extensively within the field of paralegal education. The research data draws on these ethnographic experiences so the content of the article sits within an ethnographic paradigm of research. The research is 'field-based' as it has occurred over a significant period of time and it is situated within a particular context. The lead researcher has also been associated with this area of research during four years of doctoral research on this topic. The research has been generated in a way that is inductive. Detail about the research context has been gathered over time and then interpreted according to a qualitative perspective. The research is based on immersive data as the lead researcher has been part of this research area through participant observation. Reflections have been made on this experience during four years of doctoral study. The research has been generated via participant observation in the sense that the lead researcher has engaged in the activities that have been observed. The authors consider that the success of this research model is evident within educational research. The work of Boulton (1992; 1997) adopts a similar approach by generating rich qualitative data over time. The research is also based on methodological triangulation as the experiences of the lead researcher within this research context have been reflected on via a background of published literature about this context (for

example, Abel 1988, Ferris 2014, Kennedy and Carrington 2004, and Webb, Ching, Maharg, and Sherr 2013). Although there is no straightforward answer to defining ethnography (the authors do not consider this research to be anthropological- it is research on education- and Geertz [1995] comments on the challenges of defining ethnographic work absolutely) this article is essentially based on ethnographic data. The authors have also applied an inductive paradigm of research in considering the need to be aware of values and practice so that students can apply professional ethical codes to their work as paralegals (Nicolson 2010, Sherr 1998).

The research has been approved ethically by the lead researcher's HEI but in this instance, ethical considerations appear to be more complex than being restricted to ethical conduct rules prescribed by organisations or professional bodies. There are tensions between personal, professional and business ethical values which students will come across in real life. The qualitative research approach adopted by the authors has enabled an understanding of ethics in this context in its broadest sense. The authors have considered whether ethics is about developing values in life and practice during this research. The authors argue that for ethics to become transformative, there has to be a philosophy of pedagogy behind its delivery. These considerations have informed the research approach of the authors.

The research explores the question 'how can post-compulsory education in England equip students of law with practical professional skills?' This links to debates within post-compulsory education over the purpose of academic programmes in law. Kennedy and Carrington (2004) argue for the importance of ensuring that legal education does not reproduce existing sets of hierarchical relationships. The issue considered within the article is how the context of post-compulsory education as it links to this subject area is defined? Is it 'life' or 'work' oriented? Although the education reforms that occurred in England from 1992 to 1997 have allowed more expansive forms of higher education to become available, it is

debatable as to whether these reforms have provided the development of innovative programmes which provide authentic experiences and learning transformation in this vocational area (Boon and Whyte 2007).

### **Problematising teaching ethics in post-compulsory education**

In exploring the research question ('how can post-compulsory education in England equip students of law with practical professional skills?') the authors have applied a theoretical framework that is based on an epistemological interpretation of theories of literacy as social practice. This epistemology has been generated into literacy studies by Barton (1994) and Gee (1996) (cited in Tummons 2014, 35). The subsequent theoretical approach enables researchers to critically analyse text-based literacy artefacts. The FdA curriculum in paralegal education has been considered in view of this theoretical background to the research. The formal curriculum document of the FdA can be visualised as a 'literacy artefact'. The curriculum is in turn made manifest within 'literary events' - activities 'where literacy has a role' (Tummons 2014, 35). Literacy events are generated by 'literary practices' that are essentially 'ways that people use language in all sorts of social contexts' (Tummons 2014, 36). 'Literacy events' are relatively easy to observe, but 'literary practices' are not because 'they involve how people feel about, or the extent to which they value the literacy in question' (Barton 1994, 7 cited in Tummons 2014, 36). This is why Barton (1994) argues that literacy can be interpreted as being a set of social practices. The epistemological relevance for this research context rests in the possibility of different literacies and different literacy practices becoming manifest within the FdA in paralegal education. Tummons notes the presence of 'academic literacies' and 'workplace literacies' (2014, 36). Although the domains are not discrete as movement is possible across domains, the consequences result in complex interpretations of literacy artefacts. This theoretical model is considered by the authors to be an ideal theoretical framework to consider the application of the teaching of ethics on an FdA



in paralegal education. The FdA curriculum (or ‘artefact’) is made manifest within pedagogy (where the artefact has a formal role) as a teaching ‘event.’ It is the practice of pedagogy that becomes critical to the success of the FDA in paralegal education. The rest of this article explores pedagogical practices that appear to be successful in making student practitioners aware of applying ethics to practice.

It can be argued that the challenge in teaching ethics concerns the ways in which this aspect of the curriculum transforms from being an ‘artefact’ and an ‘event’ to becoming a key part of shared professional ‘practice’. As noted earlier the traditional approach to teaching ethics within the degree is to apply a model of medical ethics (Downie and Randall 1999). Whilst this is undoubtedly an important framework to consider when considering the pedagogy of ethics, there are real issues which exist in mapping teaching and learning opportunities and assessments for law using this form of pedagogy. As Downie and Randall (1999) argue, this model of pedagogy is based on the Hippocratic understanding that a definite answer can be offered to a definite question. As such, the curriculum remains an artefact that produces events but not necessarily a form of successful literacy practice. What we are recommending is a transformative form of pedagogy that enables what Sherr (1998) refers to as non-traditional pedagogy in order to provide a real life legal experience.

### **Key recommendations for curriculum development of the FdA in paralegal education**

A number of recommendations are now provided based on the research that has been undertaken on teaching ethics within the FdA in paralegal education. The first recommendation reflects on the programme design if the curriculum is to move from being an artefact to becoming a successful example of academic practice.

#### Design

The first point concerns the design of the academic curriculum. Having reflected on the comments that have been made about the academic programme during the research it is clear

that professional lawyers expect students to be familiar with unwritten tacit work practices that link to ethics. An important aspect of professional practice is a commercial and professional awareness that is based on ethical practices and expectations. 'Training' about ethics can be limited and it can also be 'outcome based' so its impact may also be restricted. Quigley (1995, 60-61) emphasises the importance of providing 'disorienting moments' to students if they are to learn effectively so that the practice of the curriculum becomes less of an artefact. It is with this background in mind that the paralegal curriculum of the FdA has been enacted. Maharg (2007) and Cownie (2011) both encourage engagement with educational theory in order to inform teaching and learning in legal education so that a dynamic programme emerges that meets the requirements of staff and students. The function of the academic programme is interpreted as needing to provide 'transformative learning opportunities'. Mezirow's (1997) premise of transformative learning is to create a form of learning that enables far reaching changes for the learner in order to shape future experiences. In this way, the academic curriculum becomes a means of generating transformative learning practices.

The research has identified that a traditional law programme does not necessarily generate this form of learning experience because the curriculum it is not necessarily student centred. As such the curriculum artefact does not generate transformative curriculum practice. Within the FdA in paralegal education however, there are possibilities for transformative learning as long as there is a clear rationale behind the programme's learning objectives. Those teaching and learning on the programme need to explain the purpose of the programme outcomes alongside being aware of the different strategies that are required to deliver content in ways that develop the learning outcomes. Teaching ethics through compliance cannot be truly transformative as this pedagogical strategy fails to engage in the

metacognitive features of engaged student centred learning. This argument is developed through the subsequent sections of this article.

### Pedagogical philosophy

The programme aims and objectives need to enable students to consider, review and reflect on their behaviours and attitudes regarding the world around them. It is necessary to engage emotions, values and feelings within the learning process in the application of law and ethics. The pedagogical philosophy of the FdA in paralegal education appears to depend on two key learning theories – ‘social development learning’ and ‘situated learning’.

### Social Development Learning

Vygotsky’s social development theory is based on the argument that learning takes place within a social domain (Derry 2013). This learning occurs in two ways – externally – through interaction with others and then internally – where the interaction is processed and developed into understanding. In identifying whether or not this is successful Vygotsky suggests that this can be measured by the nature of the interaction and the engagement in the process – the more engaged the more success is likely in the learning process (Derry 2013). So when we consider how to develop ethical practices within the FdA in paralegal education, we need to be aware that ethics can be acquired through compliance (technical), knowledge (content) and practice (informal) learning. Vygotsky’s social development learning is achieved through the support of ‘more knowledgeable others’. In the FdA in paralegal education, professional practice learning is gained through interaction with others who are more knowledgeable than the students. The application of this theory provides an environment for developing ethical understanding within the academic programme. Alongside social development learning emerges the importance of ‘situated learning’.

### Situated Learning Theory

This learning principle is based on the work of Lave and Wenger (1991). The theory is based on the premise that learning takes place within a community of practice (or a social environment) and is a derivative of social learning theory. In the latter case learning takes place through observational modelling and there does not need to be a formal relationship between tutor and observer. Interaction between the parties is not necessary. In making teaching ethics on the FdA in paralegal education a success, learning and teaching appears to depend on reflecting on the ways of combining training, materials and mentoring within the curriculum. The mix of formal and informal communication of professional and ethical awareness which takes place within practices can be based on the ethical guidance that has been established by a professional body. As paralegals have no formal identity and have no regulated structure they may not have access to this eclectic method of acquiring ethical learning. The students who are recruited to the FdA in paralegal education tend to be a broad mix of learners who want to learn practical law alongside experiencing how the law works in practice. Placing students in a learning environment that is founded on transformational learning through social learning principles provides the opportunity to define and develop communication and organisational understanding. This represents a means of applying the principles of Lave and Wenger's (1991) situated learning theory and is a further example of how the curriculum artefact becomes an enabling means of academic practice.

### Problem Based Learning

A key challenge for the academic curriculum has been the development of critical thinking, synthesis and analytical skills within the student cohort (Savin-Baden 2004). In particular, it has been especially important to develop a deeper understanding of practice. In particular this has required the FdA in paralegal education to consider integrating ethics and ethical understandings of the legal services sector within each of the programme's key modules. The

development of the academic programme has considered problem-based learning. This pedagogical strategy allows individual students to contribute to learning in groups and teams. A key component of the development of ethics has witnessed the use of peer assessment and accountability through reflection within the academic programme. Problem based learning has been applied in order to enable deep learning of key concepts. This application of problem based learning has involved the application of the work of Bridges, McGrath and Whitehill (2012). As well as academic skills, the curriculum is regarded as existing to develop a range of other skills that are practical as well as academic. These skills include the development of flexible knowledge; effective problem-solving skills; effective self-directed learning skills; effective collaboration skills, and intrinsic motivational skills. In using this form of collaborative learning the students appear to have gained in confidence by generating skills and knowledge in ways that enhance their awareness of metacognitive strategies. This example of a philosophy behind the pedagogy within the curriculum appears to have enabled the students to become more attuned to understanding the complexities of ethics within the workplace.

#### The pedagogy of ethics within the FdA paralegal education

During the FdA in paralegal education, the students study the following modules: ‘Role Of The Paralegal’; ‘English Legal System’; ‘Crime’; ‘Tort’; ‘Contract’; ‘Work Based Learning’; ‘Personal Development’; ‘Wills’; and ‘Legal Costs’. The first taught module (‘Role Of The Paralegal’) exemplifies how the curriculum enables the students to explore their vocational environment and their ethical responsibilities. Ethics is integrated within a number of key pedagogical themes to consider the personal, professional and organisational aspects of paralegal education. As paralegals, the students are bound by the code of their sector body – however this manifests itself. In addition, the students are also bound by the ethical code of the organisation that they work with. As paralegals work within solicitors’ practices they are

bound by codes of ethics. Yet the training received by paralegals beyond the FdA in this research study can be limited. There is an implicit assumption that employers address this aspect of paralegal work. In order to amend this deficiency, the 'Role of the Paralegal' module encourages students to reflect on their own ethical positions and ethical tensions. This enables the students to engage with the concept of ethics in both a theoretical as well as practical sense. The artefact of the curriculum is essentially embedded within the pedagogical experiences of the students.

#### Assessment methods that develop 'reflection'

The assessments within the FdA in paralegal education have been devised so that they are valid, reliable and consistent. In designing the assessment process for the FdA, the academic tutors on the programme have reflected on the vocational awarding body's traditional approach to assessment. This assessment strategy leads to a number of formal written scenarios with a structured series of questions linking to each learning aim. Although this form of assessment may allow a student to respond 'correctly' to specific questions of law it does not allow the development of 'higher order' critical thinking skills as there is no consideration of complex ethical issues. This approach to assessment appears to negate the view that the paralegal role ought to develop different skills, knowledge and attitudes which are expected within a professional domain. So, in determining assessment strategies which support the development of critical and ethical thinking the FdA in paralegal education has applied creativity to the assessment process. A range of assessments are used throughout the curriculum in order to capture the complex aspects of student learning. These assessment methods include oral and visual presentations so that reflective practice is generated by the academic curriculum. (Schon 1987). Two strategies are adopted in order to generate reflective practice through assessment. Students are asked to create reflective records of their ethical experiences in the community and then asked to explore these reflections within small

groups of more than three students in each group. This assessment strategy enables the development of reflective practice about ethical considerations within the formal curriculum of the FdA in paralegal education. In doing so, the ideas of Dewey (1904) and Knowles, Holton and Swanson (2005) are applied to the formal curriculum.

### **Reflective vignette about pedagogy**

In the earlier section about problematising the academic curriculum of the FdA in paralegal education we made use of the work of Barton (1994), Gee (1996) and Tummons (2014). We argue that there are benefits in regarding theories of literacy as social practices (Barton 1994). These ‘benefits’ are revealed within the following vignette about pedagogy. The vignette comes from a student taught by one of the authors. She reflected on her teacher training programme in ways that made it sound like a literary artefact.

It was only when I got into the classroom that I realised what these theories were about.

It is indeed important to develop learning activities that take into consideration the differing abilities of the learners. It is important too to have assessments that develop the skills of identifying, analysing and synthesising information. It was only once I left the teacher training programme and started teaching that I realised the importance of developing these skills.

If we apply the work of Barton (1994), Gee (1996) and Tummons (2014) we can interpret this vignette as a classic example of a situation where the literary artefact and the literary event have become separated from the practices (or lived professional experiences) of the respondent. The next section of this article explains why the FdA in paralegal education represents a means of unifying artefacts, events and practices!

### **Problematising the role of the foundation degree and paralegal education in English post-compulsory education**

The vignette reveals how practices can occur beyond artefacts and events. Many of us will have experienced ‘events’ that have not produced the ‘practices’ we hoped for. The student in

the vignette appears to be taking a dim view of her teacher training programme and these sentiments may appear to be unsurprising and prosaic. But reflections like this are important as they reveal how practice can become removed from a formal curriculum. The FdA in paralegal education appears to have produced an experience that is the opposite to a separation of artefacts, events and practices. There is something more to the curriculum as it is 'alive' and 'vibrant'. The curriculum is informing learning and teaching and assessment. It is not just what Tummons (2014, 40) refers to as 'some physical stuff'. Artefacts, effects and practices are combining together to produce research-informed teaching and learning. The curriculum of the FdA in paralegal education is not just 'a PDF file' that is 'lying on a desk or in a box file, stored on a USB memory stick or on an email attachment' (Tummons 2014, 40). The key point here is that the curriculum of the FdA in paralegal education is experiencing a long journey. It is going the distance as a form of literacy and informing pedagogy in a rich way (Brandt and Clinton 2002 cited in Tummons 2014, 40). The pedagogy is experienced with feelings of challenge and reflection. A curriculum has emerged that holds the possibility to become fully developed and independent (Eraut 1994; Taylor 1997 cited in Tummons 2014, 41).

The discourse that is associated with the FdA in paralegal education is akin to the discourse that considers professionalism to be ideally characterised by a developmental imperative so that teaching, learning and assessment nurture students (Bathmaker and Avis 2005). The professional identity that is associated with the curriculum appears to generate professional knowledge and expertise that enables professional judgement. The curriculum is not dominated by what Tummons (2014, 41) refers to as a 'managerialist discourse'. This form of dominant discourse is associated with measurement and audit (Strathern 2000). The curriculum can appear to exist for purposes that are beyond the students and the academic staff who are involved with its delivery. A form of 'standards-driven' education can appear



(Lucas 2007). The curriculum appears to answer to an authority that is beyond the practices informing its events in this instance. The FdA in paralegal education has avoided these pitfalls. The student in the vignette would not regard its curriculum as an artefact. The artefact, the events and the practices appear to come together in ways that promote positive experiences of learning and teaching. As such the curriculum appears to be working as well as it can and the pedagogy of ethics is a positive learning and teaching experience.

### **Conclusions**

Literacy studies theory postulates that texts do not have fixed meanings. Each individual brings his or her own experiences and insight into the acts of reading and making meaning (Barton 1994; Barton and Hamilton 1998, cited in Tummons 2014, 42). This article has outlined an example of a curriculum that is successful in the pedagogy of ethics. The FdA in paralegal education appears to be an ideal curriculum for making students aware of how to integrate ethics within their professional work. And yet there are challenges too. Texts need to become persuasive and this is influenced by the dominant discourses that shape understandings (Gee 1996). The FdA in paralegal education is taught within HE in FE. The relative lack of research into this form of education in England is a problem in itself. The consequence is that there is a lack of reinforcement that this is an ideal form of post-compulsory education. It is an unknown quantity. The article has outlined that the FdA in paralegal education is a vibrant curriculum that evidences much good practice. Whereas traditional law degrees do not necessarily blend practical vocational experience with academic study (Abel 1988), the FdA in paralegal education is based on practical issues that are associated with law. The curriculum has been designed with a transformative learning ethos in mind (Mezirow 1997). The teaching, learning and assessment of the programme are a positive example of pedagogy. The teaching staff and the students are ‘in unison to reflect on a shared issue associated with higher education in England’ to avoid ‘a house that Jack

built' (2015, 527). The curriculum becomes a means of enabling its artefact to produce significant learning events and significant learning practices.

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