**SPEAKING THE SAME LANGUAGE? PERCEPTIONS OF FEEDBACK AMONGST
ACADEMIC STAFF AND STUDENTS IN A SCHOOL OF LAW**

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Abstract

Starting from the assumption that feedback has a crucial role to play in student learning, this paper aims to answer three questions. First, how do students perceive the feedback process? Second, to what extent are students perceptions different from tutors? Third, what are the implications for enhancing the feedback process?

A questionnaire was developed from staff and student focus groups and the appropriate literature which examines feedback across five different dimensions; expectations of feedback, outcomes of feedback, experiences of giving and receiving feedback, types and forms of feedback and understanding of feedback. The questionnaire was distributed to staff and students electronically. In total 16 completed responses were received from academic staff (representing a response rate of 66%) and 240 responses from students (representing a response rate of 44%).

Results of the study suggest that there is a significant gap between feedback given and the degree to which it is understood and, therefore, acted upon. This raises serious issues about, for example, the extent to which feedback fulfils its general purpose in helping students learn. Furthermore, perceptions of the volume and variety of feedback given differ widely which has an impact on the extent to which students view feedback as a useful activity.

The paper raises a number of important issues about feedback. In particular, the paper suggests that the type and variety of feedback and the terminology used in feedback are crucial if feedback is to be a powerful mechanism for student learning.

Introduction

Within both the generalist and the specialist legal education literature, there is a growing body of evidence which suggests that there is growing concern about the quality of feedback to students and how it impacts on learning. For example Gibbs and Simpson (2004-5) have suggested that there has been a general “*reduction*” in both the quality and quantity of feedback (p.9) and this problem is further exacerbated, according to Vardi (2009) because “*much of the feedback students receive is unhelpful*” (p.351). In a study for the UK’s Centre for Legal Education, Hodgson and Bermingham (2004) argued that these general trends are present in legal education and suggest that this is due to a combination of three factors: “*larger classes, greater student diversity and diminishing resources*” (p.5). Bailey (2008) further suggests that modularisation, semesterisation and over-zealous quality assurance procedures (p.2) also contribute to a decline in the extent to which feedback in higher education fulfils its purpose.

In discussing the purpose of feedback, Mutch (2003) focuses on feedback as a key mechanism in “*the development and enhancement of learning*” (p.36) which is common across both the generalist and specialist literature; Bone (1999), for example, argues that in legal education “*feedback is a crucial part of the learning loop*” (p.13). In a study of over 2000 students, Carless (2006) identified feedback as a “*key characteristic of quality teaching*” (p.219) and suggested that it fulfils a wider variety of functions including the justification of grades, the demonstration of tutor authority and as a general academic ritual. However, despite the importance placed on feedback as a part of the student learning experience, Bone (1999) identifies disciplines such as science, engineering, geography and medicine where there is a substantial body of literature on feedback and points out that legal education is lacking in such evidence as “*articles mainly concern the content of law teaching rather than the process*” (p.ii).

In reviewing the literature on feedback, Bailey (2008) suggests that most of it falls into one or more categories which include understanding assessment criteria, experiences and perceptions of feedback, feedback interactions and the language used in feedback. This study crosses a number of these categories and contributes to the literature in two ways. First, by adding to the scarce literature on the process of legal education (Bone, 1999) and, second, through the addition of a reliable and valid evidence base which should address some of the methodological shortcomings identified by Mutch (2003) such as the over-reliance on “*small samples*” (p.27). The paper aims to answer the same research questions as Carless (2006, p.221) albeit in a legal education context rather than a general higher education context. First, how do students perceive the feedback process? Second, to what extent are students perceptions different from tutors? Third, what are the implications for enhancing the feedback process?

Literature Review

This review of literature focuses on three inter-related issues. First, expectations of feedback and the underlying, and often implicit, assumptions which underpin much of the literature. Second, outcomes of feedback and the benefits to student

learning. Third, experiences of feedback which focuses on both the form and content of feedback and the extent to which it is understood and acted upon. The review begins, therefore, with the assumption that feedback is central to learning and a crucial part of the whole student learning experience. This assumption is accepted by practically all the literature from both a generalist and specialist legal education perspective. For example, Orrell (2006) suggests that it is “*the cornerstone of all learning*” (p.441), Woolf (2004) points out the “*widespread agreement*” (p.479) on this issue, Weaver (2006) notes that this assumption is “*accepted in academic circles*” (p.379), Brown (2004-5) points out that feedback lies at the “*heart*” of any learning process (p.84) and Hounshell et al (2006) say that this link has “*long been acknowledged*” as being “*indispensible*” (p.1). For Bloxham and West (2007) this assumption leads to two key concerns: Do students understand feedback and do students use feedback to improve their performance? The importance of these issues is further developed by Crisp (2007) who notes the increasing time and effort spent across higher education generally in improving the quality of feedback to students.

Quality feedback, according to Miller (2009), should clarify what is expected of students. Gibbs and Simpson (2004-5) elaborate on this by suggesting that quality feedback will have a number of characteristics based around its specificity, factors under the control of students, its timeliness and that it is in a form which allows students to both receive and act upon it. This approach mirrors the work of Nicol and MacFarlane-Dick (2006) who offer a number of principles which should underpin quality feedback such as how it clarifies what good performance is, promotes independent learning, motivates and encourages students and identifies gaps in knowledge and understanding. Broadly speaking, there is little in this issue which distinguishes feedback in legal education from feedback more generally across higher education. Bone (1999), for example, identifies the characteristics of good feedback as being prompt, encouraging, constructive and rational. The real test of feedback is more in the implementation of these principles than in the principles themselves.

Hodgson and Bermingham’s (2004) study suggests that there are problems with legal education in terms of how these principles are translated into practice and positive outcomes. For example, they identified that frequently “*students fail to act upon feedback*” (p.6) and, more broadly, many of the assumptions which underpin both the theory and practice of feedback in legal education should be “*revisited*” (p.6). Again, issues in legal education are similar to those elsewhere in the sector. For example, Koka and Hein (2003) point out that feedback in physical education rarely creates a “*stimulating learning environment*” (p.333) and a more general study by Weaver (2006) points out that feedback often fails to produce an environment in which students feel motivated. Just as there are issues in terms of feedback and the learning environment, so too are there issues with feedback and independent learning. Barrow (2006), for example, questions the extent to which “*students are encouraged to adjust their approach*” (p.358) and Parikh et al (2001) question whether feedback in medical education “*directs learners to the appropriate type of study*” (p.632). In legal education, Bone (2006) argues that feedback should facilitate students to “*evaluate their understanding and become more adept*” (p.1) and crucial to this in, for example, programmes in

criminology, is the development of clear and coherent links between “*learning outcomes, assessment tasks, assessment criteria, marking procedures and feedback*” (Case, 2007, p.287).

The key question is, therefore, why there is a gap between the principles which underpin the practice of feedback and the outcomes which result. Vardi (2009) argues that this gap is the result of poor practice such as feedback being too brief, not specific enough, involving arbitrary judgements about standards and using terms which may be vague, cryptic, sarcastic and lacking in praise. Burke (2009) also suggests that poor practice is the primary cause of poor outcomes: “*it is too brief, too negative, too difficult to decipher or to understand*” (p.42). For many, however, this explanation is too one dimensional because the cause of the problem is a gap in expectations between academics and students. For example, Parikh et al’s (2001) work concluded by suggesting that “*faculty members perceive that they provide effective feedback more often than students perceive that they receive such feedback*” (p.632) and crucial to this is the fact that different students will want different things from feedback and these things are frequently different to the perceptions held by their teachers (Hyland and Hyland, 2001). The main manifestation of this gap is the body of evidence which suggests that students do not understand the content and purpose of feedback: Crisp (2007) points out that what may be “*self evident*” to academics is often not to students (p.574); Orrell (2006) raises issues of the “*expert language of academic disciplines*” (p.441); Hyatt (2005) argues that the “*rhetorical conventions*” of feedback are frequently confusing to students (p.340); Williams (2005) suggests that academic language is “*opaque to many university students*” (p.168) and Weaver’s (2006) evidence suggests that students do not have a significant understanding of academic discourse to make best use of feedback. The paper now turns to discuss how data was gathered to further explore these issues.

Methodology

The sample for this study was drawn from undergraduate students in the School of Law (SoL) at a pre-1992 university in the UK. SoL is predominantly an undergraduate school; just over 95% of all full-time students study on SoL’s undergraduate programmes in Law and, of these students, over 90% study on the LLB degree. All degree programmes are three years in duration and students have the option of undertaking a professional training year between the second and final year although very few students take this opportunity. The School has 24 members of academic staff in a range of posts from professor through to reader, senior lecturer, lecturer and tutor. Table 1 provides summary details of the population and sample of this study for both academic staff and students.

Table 1: Population and Sample Characteristics

Unit of Analysis	Population	Responses	Response Rate
Total Undergraduate Students	542	240	44%
First Years	253	111	44%
Second Years	185	67	36%
Final Years	104	62	60%
Academic Staff	24	16	66%

The method of data collection chosen for this study was primarily determined by the ethical regulations of the university in which SoL is located. These regulations insist that students are made aware of a clear separation between their degree studies and surveys they may participate in. In practical terms this meant that a paper based survey distributed in, for example, large lectures was not possible even though *“response rates for web surveys are lower than those for paper and pencil surveys”* (Sax et al, 2003, p. 413). The instrument for the study was, therefore, administered on-line and all undergraduate students and academic staff in SoL were invited to participate.

In total, 240 fully completed responses were received from students giving an overall response rate of 44%. There is variation in response rate across levels of study. For example, whilst 44% of first year students and well over half of final year students completed the survey, for second year students the response rate fell to around 1 in 3. These response rates were, on the whole, not surprising although the response rate amongst second year students was a little disappointing. This is, however, consistent with Sax et al’s (2003) study which shows that university students are *“responding at lower rates than in previous decades”* (p. 411) The study does offer significantly higher response rates (for example Koka and Hein, 2003 and Miller, 2009) and sample size than similar studies (for example Vardi, 2009, Hyatt, 2005 and Williams, 2005). Nevertheless, the issue of non-response bias still remains and the difficulty for this study is that the usual methods of dealing with non-response bias, for example comparisons with known values of the population, are not available: No demographic data such as age, gender or ethnicity was collected on advice from the University’s Ethics Committee. The implications of this are two-fold. First, any conclusions drawn from the data must be tentative as generalisability may be an issue and, second, findings of this study need to be examined in relation to findings of previous studies in this area.

The study was conducted in two parts with a similar questionnaire used in each. The first part of the study was for academic staff and the second part of the study was for students. In both cases, invitations to participate were e-mailed, reminder e-mails were sent weekly and the survey was kept open for 4 weeks. The questionnaire for the survey was in three parts. The first part contained 15 questions, modified slightly between the student and staff parts of the study, which asked about expectations of feedback, outcomes of feedback and

experiences of feedback. For each of these questions, staff and students were offered a statement and asked to respond on a 5 point likert scale which ranged from 'Strongly Disagree' to 'Strongly Agree'. All the questions were derived from the generalist education and legal education literature on feedback and were pre-tested in a focus group of 5 academic staff and a focus group of 8 undergraduate students. Table 2 below presents the questions and indicates examples of where in the literature they were sourced.

Table 2: Survey Questions

Staff Question	Student Question	Source Examples
(1) Expectations of Feedback		
Feedback enriches the whole student experience	Feedback is an absolutely crucial element of my whole student experience	Hodgson and Bermingham, 2004 Bone, 1999
Feedback is the main mechanism through which a student's performance is improved	Feedback plays a crucial role in improving my performance	Bone, 2006 Orrell, 2006
Feedback clarifies what good performance is through the establishment of criteria and expected standards	Feedback is important because it clarifies for me what good performance is through the establishment of criteria and expected standards	Bone, 2006 Nicol and MacFarlane-Dick, 2006
Feedback explains to students the gaps in their knowledge and understanding	Feedback explains to me the gaps in my knowledge and understanding	Gibbs and Simpson, 2004-5 Nicol and MacFarlane-Dick, 2006
Feedback is a mechanism for self-reflection and self-development	The feedback I receive is a mechanism for self-reflection and self-development	Miller, 2009 Barrow, 2006
(2) Outcomes of Feedback		
Feedback encourages and motivates students in their studies	I am motivated and encouraged in my studies as a result of the feedback I receive	Miller, 2009 Koka and Hein, 2003
Feedback enables students to accurately self-assess and self-correct their own performance	As a result of the feedback I receive, I can accurately self-assess and self-correct my performance	Miller, 2009 Barrow, 2006
Feedback directs students towards the most appropriate study practices	The feedback I receive directs me towards the most appropriate study practices	Bone, 2006 Hodgson and Bermingham, 2004
Feedback identifies the gap between a student's current and hoped for performance	The feedback I have received has helped to identify the gap between my current and hope for performance	Gibbs and Simpson, 2004-5 Nicol and MacFarlane-Dick, 2006
(3) Experiences of Feedback		
The most important feedback that students receive is their mark	The most important feedback that I receive is the mark on a piece of work or examination	Hyland and Hyland, 2007 Case, 2007
The most useful feedback that students receive is written feedback on assignments	The most useful feedback I get is written feedback on my assignments	Carless, 2006 Crisp, 2007
Students receive frequent feedback during a module, not just on assignments	I receive frequent feedback during a module, not just on my assignments and other	Mutch, 2003 Burke, 2009

	assessed work	
Feedback takes a variety of written and non-written forms	I have received feedback which takes a variety of written and non-written forms	Vardi, 2009 Williams, 2005
Periodic verbal feedback is a necessary supplement to written feedback	Verbal feedback now and then is a really useful supplement to written feedback	Gibbs and Simpson, 2004-5 Hounshell et al, 2006
Feedback occurs nearly every time a student meets with a lecturer to discuss an academic issue	I get feedback on how I am doing nearly every time I meet with a lecturer to discuss an academic issue	Williams, 2005 Hyatt, 2005

The second part of the questionnaire concerned the types and frequency of feedback given by staff and received by students. From the staff focus group, a list of different mechanisms through which feedback is given to undergraduate students was produced. In order to ensure validity, this list was cross referenced with the literature on types of feedback to produce a final list of 9 items which were then used in the study; staff were asked about the frequency with which they used each type of feedback and students were asked about the frequency of receiving each type of feedback and how useful they found it. A four point likert scale was used to measure frequency (ranging from 'Frequently' to 'Never') and a five point likert scale ranging from 'Not at all useful' to 'Very useful' was used to measure usefulness. Table 3 below presents these 9 items and, again, some examples of where support for them can be found in the literature.

Table 3: Types of Feedback Given by Academic Staff

Type of Feedback	Support Examples
General feedback	Bone, 1999 Burke, 2009 Barrow, 2006 Weaver, 2006
Grades only	
Individual written comments	
Individual verbal comments	
Group feedback	
Examples of good practice	
Postings in Virtual Learning Environment	
Model Answers	
Peer Feedback	

The final part of the instrument concerned the use and understanding of words and phrases used in feedback. Staff were asked in the focus group to produce a list of frequently used words and phrases in feedback to undergraduate students which was, again, cross referenced with the literature. From this, a final list of 12 items was created and staff were asked how often they used these phrases using a four point likert scale ranging from 'Frequently' to 'Never'. An open comment box was also used in the staff survey for staff to list additional comments but no additional suggestions were provided. In the student version of the survey they were first asked about how frequently they received these words and phrases in their feedback and they were also asked to comment on how confident they were in understanding what these comments meant using a four point likert scale

which ranged from 'Very unsure' to 'Very confident'. Table 4 below presents these 12 items and, again, some examples of where support for them can be found in the literature.

Table 4: Words and phrases used in feedback

Word or Phrase	Support Examples
Vague	Hodgson and Bermingham, 2004 Weaver, 2006 Crisp, 2007 Bloxham and West, 2007
Wider reading required	
Fails to answer the question	
Relevance	
Referencing	
Logical and coherent structure	
Key concepts identified	
Too descriptive	
More critical reflection needed	
Lacks application of theory	
Underpinning theory	
Superficial analysis	

The paper now turns to consider the findings of the study.

Findings

Within SoL there are a number of key differences in the perceptions of staff and students across all of the different dimensions of feedback investigated. Table 5 presents the results of the study as far as the expectations of feedback are concerned.

Table 5: Expectations of Feedback (% who agree or strongly agree)

Students		Staff	
Feedback is an absolutely crucial element of my whole student experience	76	Feedback enriches the whole student experience	94
Feedback plays a crucial role in improving my performance	74	Feedback is the main mechanism through which a student's performance is improved	38
Feedback is important because it clarifies for me what good performance is through the establishment of criteria and expected standards	78	Feedback clarifies what good performance is through the establishment of criteria and expected standards	82
Feedback explains to me the gaps in my knowledge and understanding	61	Feedback explains to students the gaps in their knowledge and understanding	75
The feedback I receive is a mechanism for self-reflection and self-development	62	Feedback is a mechanism for self-reflection and self-development	88

The most significant difference in perception between academics and students is that concerning the role that feedback plays in improving performance; almost twice as many students as academics felt that feedback is the crucial mechanism through which a students' performance is improved. The extent to which feedback helps students self-diagnose their performance also shows marked differences whereby a much higher proportion of staff felt that this was a key role of feedback compared to students. There is much less of a gap between staff and students as far as establishing what good performance is and identifying gaps in knowledge and understanding. This contributes to the mixed signals about the expectations of feedback generated by the data. There is also an interesting question about how important feedback is to the whole student experience; practically all staff surveyed placed feedback as a central component of the wider student experience compared to just 3 in 4 students who felt the same way. If there are gaps in the expectations of what feedback should deliver, there are also significant gaps between what academics believe feedback does deliver and the beliefs of students.

Table 6: The Outcomes of Feedback (% who agree or strongly agree)

Students		Staff	
I am motivated and encouraged in my studies as a result of the feedback I receive	48	Feedback encourages and motivates students in their studies	69
As a result of the feedback I receive, I can accurately self-assess and self-correct my performance	37	Feedback enables students to accurately self-assess and self-correct their own performance	56
The feedback I receive directs me towards the most appropriate study practices	48	Feedback directs students towards the most appropriate study practices	56
The feedback I have received has helped to identify the gap between my current and hope for performance	60	Feedback identifies the gap between a student's current and hoped for performance	82

Students do not believe that feedback delivers on many of its key purposes. For example, just under half of the students surveyed felt motivated and encouraged by feedback or that feedback helped them improve their study habits and only slightly more than one third of students felt that feedback helps them progress towards independent learning through self-assessment and self-correction. More positively, a significant majority of students did feel that feedback was successful in bridging the gap between how they did perform and how they wanted to perform. Student perceptions of outcomes, however, stand in stark contrast to those of academics who have much higher perceptions of what feedback delivers. For example, two-thirds of staff believe that feedback motivates their students yet less than 50% of students feel the same way. These differences in perception are, in many cases, at their most extreme when we consider the experiences of students as far as feedback is concerned.

Table 7: Experiences of Feedback (% who agree or strongly agree)

Students		Staff	
The most important feedback that I receive is the mark on a piece of work or examination	41	The most important feedback that students receive is their mark	13
The most useful feedback I get is written feedback on my assignments	65	The most useful feedback that students receive is written feedback on assignments	19
I receive frequent feedback during a module, not just on my assignments and other assessed work	12	Students receive frequent feedback during a module, not just on assignments	88
I have received feedback which takes a variety of written and non-written forms	24	Feedback takes a variety of written and non-written forms	94
Verbal feedback now and then is a really useful supplement to written feedback	70	Periodic verbal feedback is a necessary supplement to written feedback	75
I get feedback on how I am doing nearly every time I meet with a lecturer to discuss an academic issue	12	Feedback occurs nearly every time a student meets with a lecturer to discuss an academic issue	75

There is clearly an issue between what academic staff in SoL are doing and what students believe they are receiving. For example, 88% of staff say they give frequent feedback which goes beyond assessed work but only 12% of students say they receive this kind of feedback. Almost all academics say they give a variety of written and non-written feedback but only one in four students claim to receive both written and non-written feedback and whilst just one academic felt that a grade or mark is the most important element of feedback, more than 1 in 4 students have the same belief. Overall, therefore, the gap between academics and students appears to be very wide and this is the case even when they meet directly; over three-quarters of academics believe that students get feedback whenever they meet to discuss an academic issue compared to just 12% of students. Table 8 illustrates a further mismatch between what academics believe they are doing and what students believe they are receiving.

Table 8: Types of Feedback Received (% who receive/give this type of feedback frequently or often)

Students		Staff	
General Feedback	67	General Feedback	94
Grades Only	61	Grades Only	25
Individual Written Comments	61	Individual Written Comments	100
Individual Verbal Comments	41	Individual Verbal Comments	88
Group Feedback	40	Group Feedback	94
Examples of Good Practice	40	Examples of Good Practice	88
Postings in Virtual Learning Environment	39	Postings in Virtual Learning Environment	75
Model Answers	37	Model Answers	69
Peer Feedback	29	Peer Feedback	44

There are five different types of feedback which more than 80% of academics suggest are delivered frequently or often to students compared to just three which students say they receive frequently or often. The most popular form of feedback used by academic staff, individual written comments on assessed work, is received by only 61% of students even though 100% of staff use this type of feedback. The converse of this is feedback in the form of just grades on a piece of assessed work which a quarter of staff use but 61% of students receive. In terms of variety, therefore, there is a gap between the types of feedback that are given and the types of feedback that are received. Perhaps a more important issue is not what types of feedback are used but rather how useful students find different types of feedback. Table 9 presents the results of this from the study.

Table 9: Usefulness of Feedback Received (% who find it very or quite useful)

Students	
General Feedback	64
Grades Only	59
Individual Written Comments	92
Individual Verbal Comments	78
Group Feedback	41
Examples of Good Practice	76
Postings in Virtual Learning Environment	40
Model Answers	80
Peer Feedback	39

On a positive note, the most useful form of feedback that students receive is individual written comments on work which all staff give on a regular basis (although only 61% of students receive). The relationship between usefulness and frequency, however, does raise a number of areas for concern. For example, 80% of students believe that model answers are a useful feedback mechanism but only 37% of students feel they regularly receive this kind of feedback (compared to 69% of staff who say they give this kind of feedback). Conversely, 94% of staff give feedback on a group bases whereas only 41% of students find this feedback useful. Similarly, the two most frequent forms of feedback students say they receive, general feedback and grades only feedback, are seen by students as being less useful than four other forms of feedback.

Table 10: Key Words and Phrases Used in Feedback

	% of staff who use them often or frequently	% of students who are unsure or very unsure about what they mean
Vague	44	32
Wider reading required	88	10
Fails to answer the question	88	29
Relevance	88	27
Referencing	94	11
Logical and coherent structure	100	31
Key concepts identified	94	16
Too descriptive	94	39
More critical reflection needed	94	46
Lacks application of theory	94	41
Underpinning theory	69	63
Superficial analysis	69	66

Table 10 presents the 12 most common words and phrases used by staff when giving feedback to students and how confident students are in understanding them. There is a common vocabulary of feedback used by staff. For example, all staff comment on the structure of a students written work and 94% of staff comment on how an assignment is referenced, its descriptiveness and the quality of critical reflection it contains. The key issues is, however, not necessarily what is written but what is understood by students. Almost one-third of students have only a limited understanding of what the most commonly used phrase in feedback means and, of the 12, 7 are not fully understood by more than 30% of students. The effort put into feedback by academic staff does not, for a substantial minority of students, result in understanding. What these results suggest is that there is a clear breakdown between the work that academic staff are doing in giving feedback to students and what students are receiving in terms of feedback and the outcome of this is that staff and students are working with different levels and types of expectation, they experience feedback in fundamentally different ways and do not share much of a common understanding of what feedback is and what it is supposed to do.

Discussion and Implications

The first implication of this study is that there is little which makes feedback in legal education stand out from the rest of the higher education sector; it faces the same pressures, is built on the same assumptions and has many of the same problems. For example, both Gibbs and Simpson (2004-5) from a generalist perspective and Hodgson and Bermingham (2004) from a legal education perspective reach the same conclusions about how the massification of higher education makes giving quality feedback difficult. In the more specific issues raised by the data, there are many similarities between SoL and other elements of higher education. For example, Parikh (2001) identified a gap between what is given and what is received in terms of feedback, Williams (2005) noted the difficulty many students have in understanding the language used by academics

and Crisp's (2007) work pointed out that many students are more interested in grades than feedback all of which are conclusions drawn from the data in this study. There is also evidence which suggests that SoL is not exceptional compared to other schools or departments of law in relation to feedback issues (Case, 2007). As well as the psychological comfort that may come from knowing that you are not alone is dealing with difficult issues, the positive from all this is that SoL (and legal education in general) should not be deterred from looking outside of the world of legal education for ways to deal with these problems.

The most important of these issues for SoL is the perceptions gap between academics and students; there seems to be little common understanding of what feedback is and means. Staff think it more important than students in the wider learning experience, staff see it as an on-going iterative process compared to students who see it mainly in terms of assessment, staff focus on a wide variety of feedback mechanisms whereas students feel they receive only a few and staff give feedback in forms that students cannot engage with. It is unlikely that there is any quick fix for this kind of problem, especially when the growing emphasis on independent learning in higher education is increasingly at odds with the ethos in pre-university education in the UK. Studies from elsewhere suggest that this gap can only be addressed and closed with a systematic and coherent set of interventions which go beyond individual effort in the classroom. Mutch (2003), for example, sees this as an issue of "*programme design*" (p.36) which begins with how students are inducted and oriented into higher education and continues throughout their studies. With this kind of effort it could be possible to soften the contrast in SoL between National Student Survey (NSS) scores which rate feedback as poor and external examiner reports which are much more positive.

The main manifestation of all this is in the lack of understanding of the key terms used in feedback. This is a problem for two reasons. First, as Bone (1999, 2006) has pointed out, for law students feedback only has value if it is acted on and students in SoL cannot act on what they do not understand. Second, much of the lack of understanding is in the higher level academic skills like critical analysis and application of theory. From a staff perspective there is also the issue of workload and, in a lot of cases, the pointless exercise of writing feedback that is not understood. There is more to dealing with this issue than, for example, handing out dictionaries to all new undergraduates as this is probably a symptom of a the wider systemic problem identified earlier. Nevertheless, the basic point that feedback must be understood to be acted on should not be lost especially in an increasingly competitive sector where the NSS and the promotion of independent learning are likely to become more, not less, important.

There are two main limitations of this study. The first is that it focuses on just one school from one university and so questions about generalisability are inevitable. Given that, demographically, there is little that makes SoL's staff or students particularly different from other schools or departments of law in the same part of the sector and that the evidence presented is consistent with evidence from elsewhere, it is probably realistic to make the claim that SoL is

pretty typical of the legal and higher education sector overall. The second limitation is that the paper offers a snapshot of perceptions of feedback rather than a running commentary which tracks how these perceptions change over time. The data gathered does allow for analysis of different levels of study, analysis which is beyond a paper of this length, and which is perhaps the best suggestion for future research in the field.

Conclusion

Oscar Wilde suggested that truth was rarely pure and certainly never simple and so too is it with feedback to law students. What this paper illustrates more than anything else is that there is probably no natural or automatic process through which something is transmitted from an academic and arrives at a student unencumbered and unchanged by experience, expectation and interpretation. What the paper does not really illustrate is that it is often easier to identify a problem than it is to solve a problem and in this specific case the problem and solution is multi-dimensional and complex. Dealing with this is most likely one of those rare and simple pleasures that can come from more research in the area.

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