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## Using an Enquiry-Based Learning Project to Develop Criminological Understanding

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### Summary

This paper details a project carried out in order to encourage students enrolled on final-year Criminology module at the University of Reading to develop a more sophisticated understanding of the links between criminological theory and criminal justice policymaking. One of the established learning outcomes for this module requires student to: 'Apply theoretical criminological concepts to practical issues within the field of crime, law and social control'. Students have, in the past, tended to take a simplistic view of the theory-policy relationship, and to fail to explain how conceptual issues translate into practical outcomes. A new assessed work project was developed to address this. Students were given a client-based task, focused on meeting the needs of a fictional Minister for Justice, who required a research report to guide the allocation of crime-prevention funds. Students had a £100m budget to allocate to selected policy options (each costing £12-40m), and had to justify their choices with reference to criminological theory and evidence. The project was reflexive in order to mirror the reality of government policymaking. The results obtained demonstrated that the students had internalised and understood the theory-policy relationship as a result of forging and justifying these links to a 'real' client.

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## Introduction: The Need for the Project

Criminology is a sociological discipline which is regularly taught as an adjunct to a wide range of other academic subjects, including Psychology, Chemistry, Politics, and Law. As a criminologist within a Law School, I have become well aware of some specific challenges that arise in relation to teaching this subject to final-year Law students, such as the difficulty in not assuming a background familiarity with sociological and political ideas and concepts; in common with other 'theoretical' subjects on the law syllabus, student familiarity with underlying theoretical ideas is often largely eroded during the two preceding years of a law degree (Barnett and Yach 1985, p166). One particular problem has been the need to impress upon the students the *purpose* of the discipline; in the absence of precedents and rules to be established through statutes and case decisions, students often fail to appreciate that the theoretical content of the module is intended to translate into practical changes and developments in the 'real world' of the criminal justice system. Criminology itself is a very diverse discipline (QAA 2007), and regularly forms the basis for entire degree courses; condensing this breadth of material into a single module which gives a good overview without being too simplistic is a substantial challenge. While the substantive Criminology module covers theoretical issues to do with the causes, distributions, and theoretical explanations of crime and offending, it also covers official responses to crime (policing, penology, the theory of crime control) as well, and it is in making meaningful connections between these two parts of the module that students have in the past tended to struggle.

Understanding the ways in which potential policies can be explained and justified theoretically is important, and it is also vital that students are able to recognise the practical implications of the theories of offending that form the basis of much discussion within the discipline; indeed, the perceived decline of the influence of criminological theory and evidence within the sphere of governmental policymaking has been identified as the key challenge facing the discipline at the turn of the century (Garland and Sparks 2000). Of course, criminal justice policymaking is a complex and multi-faceted process, and reflects a multitude of different interest groups, governmental, and political pressures (see Downes and Morgan 2007), however, criminologists have highlighted the importance of analysing this process critically and reflecting on the shortcomings that distort the creation of criminal justice policy. Accusations of 'penal populism', whereby policy is made on the basis of its likely public appeal rather than on the basis of any evidence or consideration of efficacy, have placed a renewed emphasis on understanding the ways in which theory and research can, and should, inform policymaking (Pratt 2007; Roberts et al. 2003). As such, encouraging students to also engage in this process is an important aim of the module.

During the academic year 2007-08 I implemented an assessed project to try and encourage students enrolled on the Criminology module to develop a more nuanced and sophisticated understanding of the links between criminological theory and policymaking within the criminal justice system. One of the established learning outcomes for this module requires student to: 'Apply theoretical criminological concepts to practical issues within the field of crime, law and social control', reflecting the QAA benchmark requirement that Criminology students should be able to demonstrate 'competence in using criminological theory and concepts to understand crime,

victimisation and responses to crime and deviance' (QAA 2007, para. 5.3). 'Responses to crime' such as the policing and prison systems, crime prevention and CCTV, and restorative and diversionary justice, constitute one component part of the module and amount to approximately 25 per cent of the module content. Yet students, perhaps because of the tendency towards the compartmentalisation of knowledge that is a by-product of modular university teaching systems (Boud 2000), have tended to struggle to generate links between this area and the rest of the module themselves unless given specific direction and examples, and so have not tended to successfully fulfil this specific learning outcome in the past. In particular, they have tended to take a very simplistic view of the theory-policy relationship, and to struggle to explain exactly how a set of conceptual issues might impact on the way that the criminal justice system operates. This problem has not in the past been helped by a tendency to assess these different parts of the module separately and in isolation; the exam questions and assessed coursework component of the module tended to stick to one substantive area of the module rather than ranging more broadly across different fields.

## Redesigning the Coursework Component

It was determined that the most productive way of addressing this problem was to realign the assessment activities on the module with the intended learning outcomes in order to ensure that the hoped-for skills were actually being inculcated, in line with constructive alignment techniques. Constructive alignment states that learning opportunities and assessments must be designed in order to fit in with the goals and aims set out in the learning outcomes, thereby giving students the opportunity to develop those specified skills, and ensuring that the module assessment actually measures and tests these skills (Biggs 1999). These outcomes must take the form of objectives or goals that will be sought: "In aligned teaching, there is maximum consistency throughout the system. The curriculum is stated in the form of clear objectives, which state the level of understanding required, rather than simply a list of topics to be covered" (Biggs 1999, p26). When drawing up the learning outcomes for the criminology module, I was keen to ensure that the students were being assessed on the skills and approaches that made criminology a valuable and distinctive discipline. Accordingly, the emphasis within the learning outcomes was placed firmly on encouraging students to engage with 'deep' learning tasks, such as the critical analysis and evaluation of materials, rather than simply in reproducing a list of criminological facts (what might be termed 'surface' learning tasks; Marton and Säljö 1976).

Constructive alignment technique states that because the learning outcomes placed an emphasis on developing high-level skills and understanding (Bloom 1956), the assessment must also focus on these aspects of student performance, and on the key skill of being able to create and sustain logical arguments. As such, an essay question that merely requires students to discuss the substantive detail of a theory of crime and offending, or which focuses on descriptive and comprehension-based learning tasks, will tend to prompt answers that demonstrate the ability to reproduce information, but not necessarily to do anything original or creative with this information. Narrow questions (in terms of substantive scope and what students are required to do with the material) have a tendency to produce correspondingly narrow answers. In order to prompt the creativity and breadth of outlook that was sought, and to align the assessment with the intended learning outcome, a much boarder assignment was needed, which would give students a degree of freedom to utilise their high-level 'deep' learning skills and produce outcomes that demonstrate more complex levels of understanding, in line with the higher levels of the SOLO taxonomy (Biggs and Collis 1982). How could students be prompted to draw these links between theory and practice, and to apply their

substantive knowledge to a specific problem? Crucially, since the assessed work assignment for the module fulfils both summative *and* formative functions, could a way be found to provide students with an enhanced knowledge of what the assessment criteria for the subsequent examination would be? If the assessed work could make students more conscious of the approaches to utilise in future, this would constitute a transferable addition to students' skills portfolio and help improve self-assessment and learning performance in the future (Rust *et al.* 2003, p161).

A redesign of the assessed work project within the module (contributing 30 per cent of the total module mark) was therefore undertaken in order to try and align the assessment activities for the module more squarely with the learning outcomes. In particular, a presentation on enquiry-based learning at a University of Reading Teaching and Learning Conference had showcased a method of encouraging the independent development of skills in applying and utilising substantive knowledge through client-centred assessed work projects (Dorward 2007). To summarise, it was suggested that allocating students to work on a project that involves providing outcomes for a 'client', such as dispatching Real Estate and Planning students to value and survey sites for clients such as English Heritage, allowed them to more effectively apply and develop transferable skills and understand the knowledge that they had gained. Although the field of criminal policy does not present many opportunities for client-based work, the concept was one that bore further consideration.

Enquiry-based, or problem-based learning (EBL/PBL), is where knowledge is generated as a consequence of trying to solve a problem; as Boud observes, "The principal idea behind problem-based learning is...that the starting point for learning should be a problem, a query or a puzzle that the learner wishes to solve" (Boud 1985, p13). The key features of this approach are the use of stimuli materials to present a problem as a simulation of 'real life' or professional practice, the limitation of the resources available to answer the question so that students learn by defining the problem, elements of co-operative/group work, and the deliberate lack of a simple solution to the problem (Boud and Feletti 1997, p2). Discussion with peers allows students to consider what approaches might be appropriate in trying to reach a solution, and to determine what must be learned in order to reach that solution. Because the problem is open-ended and has no 'correct' answer or outcome, and because a degree of flexibility of thought is required in determining *how* to solve the problem as well as what the solution should be, students learn both substantive content *and* thinking strategies at the same time (Hmelo-Silver 2004).

While problem-focused questions and assessments are not uncommon in law as a discipline, much of the use of PBL in Law to date has focused on the inculcation of semi-vocational 'lawyering' skills and the simulation of legal practice activities as a method of enhancing conceptual understanding (Martin 2003; Payne 2003). The additional features of PBL provide a distinctive method of enabling students to enhance their theoretical understandings in a non-substantive legal subject such as Criminology, and engage with the deeper learning outcomes specified for the module. Because enquiry-based learning emphasises explicitly research-based study skills, and because it is reliant upon the application of knowledge to solve a problem, it provides a method of allowing students to use and apply the substantive research that they cover on the module (Hmelo-Silver 2004). Students can best gain an understanding of the way that theory transfers into policy and practice by working for criminal justice system professionals who actually make policy; the learning outcome can thus be met by translating the academic into the practical. By engaging students in advising on the policymaking process, working for a 'real world' client, and applying theoretical knowledge in order to solve a specific problem, they would be able to uncover these

theory-practice links for themselves as an outcome of delivering reasoned policy proposals to the client. This idea formed the basis for the subsequent project.

## Implementation

When it came to implementing this idea, one important and intractable problem was encountered at the offset; there is a shortage of 'real world' clients for students to work with in the criminal justice sphere, and those that do exist deal with issues of such sensitivity and gravity that it is extremely difficult to envisage how students could meaningfully be engaged in this. Issues of research ethics and the time taken to obtain clearance from governmental agencies act as barriers to placing students with real criminal justice bodies, and the logistics of finding clients for all students on the module ( $n=100$ ) were too prohibitive. A solution was found by 'creating' a fictional client, Sir Geoffrey Hagan, the Government Minister for Justice, who would set out the aims and objectives of a project that the criminology students would complete; this was to be *Project Panacea*. The Minister would allocate a notional budget of £100m for the individual student to spend on introducing a range of criminal justice policies into practice; each policy (of a total number of 20) had an individual cost of between £10-40m, thereby requiring students to manage the funds and prioritise goals when making their choices; the total expenditure had to come to no more than £100m. These costs were notional in the sense that they did not realistically reflect the actual sums involved in criminal justice policymaking. Students were instructed that they had to allocate the funds so as to "deliver policy choices which are fully justified and reflect a coherent set of underlying theoretical principles, which reflect criminological research and evidence, and are fully assessed for their likely effectiveness and limitations."

Right at the beginning of the project, students were introduced to their 'client' via a press release and a project launch document; this set out the terms of the project and contextualised it within the wider operation of the criminal justice system. The policy items that were set out in a project 'manifest', with a value and a short description of each one provided, and students also 'met' the Minister via a video podcast broadcast in a lecture. The policy options that students were selecting from were set out in a project 'manifest', with a value and a short description of each one; one example of such an item was:

### Item 16: Inside Recruitment

This item involves a scheme which gives some convicted offenders employment opportunities on release from prison. Working in partnership with SuperElec, a national energy supplier, vocational training will be offered within prison so that prisoners can take up jobs as electrical engineers upon their release. This is intended to ensure that prisoners can contribute to society and avoid the problems associated with unemployment. This would be available to 10 per cent of prisoners.

Cost: £35m

This particular item was based on a series of programmes that have been implemented within British prisons, and which offer convicted prisoners a potential pathway out of offending behaviour cycles (see Webster *et al.* 2001; Sarno *et al.* 2000 for examples). Using policy 'items' of this sort was calculated as the best way to provide some form of parameter to the solution of the project; students have a wide range of options to choose, and can do so in a myriad number of combinations, but they must still remain within the broad scope of the project and cannot go too far down blind

alleyways or into the realms of fantasy. This bounded autonomy did, however, still give students complete freedom in terms of the way in which they justified and explained their choices, and also meant that they had to engage with a more defined (although still very broad) body of research literature.

The project brief specified the two stages of the project. Firstly, they would be required to present some initial ideas (focused on one substantive area of practice) as a group in a tutorial class setting; this stage was intended to get them engaged with the project and sharing some general ideas about how to recognise links between theoretical ideas and practical implications and uses. These presentations were not assessed and did not contribute to the module mark. Secondly, the students would have to produce an independent piece of written work; this would be completely unrelated to the group presentation and would form the basis of the summative assessment. The project briefing gave students a list of objectives to be achieved as a result of their written reports, which had to:

- Refer to a coherent set of underlying theoretical principles;
- Outline clearly the way your budget of £100million has been allocated;
- Justify your item choices via reference to Criminological research and evidence;
- Critically evaluate the likely effectiveness and limitations of the items chosen;
- Meet the key goals set out by the Minister for Justice (the proposals should be cost-effective, produce demonstrable outcomes, and take a consistent approach).

All of the material that students received was ‘written by’ the Minister for Justice or his staff, and was presented and formatted in the style of a formal government publication. The visual and conceptual presentation of the project involved a number of innovations, including the provision of a launch document with a ‘government-style’ statement of objectives from the Minister (culled from other official documents), accompanied by a launch video featuring the ‘Minister’ setting out the aims of the project, and additional documents (project briefings, item manifests, referencing guides) which were all formatted consistently in the style of a government publication. The project was supported using e-learning facilities, including the use of a designated non-staff email address for the Project ([projectpanacea@reading.ac.uk](mailto:projectpanacea@reading.ac.uk)) to allow students to communicate directly with ‘the Minister’ and his staff about the project, and the use of a designated Blackboard (our institutional Virtual Learning Environment) page to provide updates on the project as the Minister’s thinking changed, in the form of official memos and audio/visual podcast episodes. This was important in terms of providing the students with explicit cues about the ‘external-facing’ nature of the Project and the outputs they were to produce.<sup>1</sup> Finally an audio/visual podcast was used in a revision session after the assessed work submission, to provide generic feedback from ‘the Minister’ on student performance on the project, and to make explicit what the aims were, and how this should translate into future performance.

Of these innovations, the most important was the use of the University’s VLE, Blackboard, to facilitate changes in the project as it progressed. These changes were fully publicised so that students did not miss them, and took place sufficiently early in the project that they did not

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<sup>1</sup> It was also noticeable that students used a very different, and much more formal (some would say ‘appropriate’), style of communication when they were emailing the ‘Minister’ compared to that taken in general communication with members of academic staff, much to the chagrin of this Module Convenor. While this seems a relatively minor outcome, it does signal some of the embedded ‘careers-consciousness’ that the Project sought to promote as a secondary outcome.

detrimentally affect student performance of the task. This reflexivity and contingency was introduced as a direct adjunct to the learning outcomes – to illustrate something of the reality of policymaking in government, and demonstrate how external pressures affect research projects. This also reflects some of the key concerns of problem-based learning techniques, such as the emphasis on making assessment activities open-ended and ‘problematized’ simulations of real-life practices (Boud and Feletti 1997). As commentators and observers on the politics of criminal justice policy have regularly observed, this tends to mean haphazard and short-term thinking and a lack of clear principled thought (Roberts *et al.* 2003; Lacey 2007). In this case, the Minister became panicked by bad media coverage at one point and introduced a new policy item in response, the costs of several items were changed when it was realised that certain items had hidden overheads attached to them, and the group presentation was directed at a particular set of concerns by the Minister so as to pacify and address the concerns of his parliamentary colleagues.

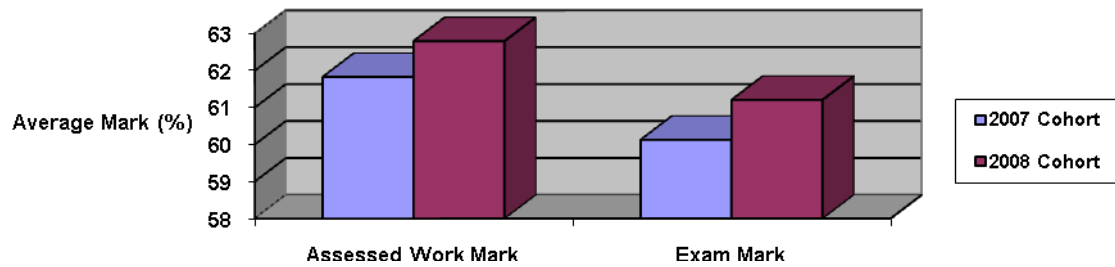
## Project Outcomes

The project was implemented in 2007 and the first cohort to undertake it submitted their assessed work in April 2008, graduating later that year. The assessments and positive student feedback that accompanied the project mean that it has operated again in subsequent academic years, along the same lines as in the first iteration. The first outcome of the project was that students were clearly intrigued, engaged, and motivated by this atypical research and assessment activity. They enjoyed the podcasts, responded well to the direction they were given, and appreciated the aims and value of the project. While the ‘realism’ involved was not so realistic that the students were actually misled or deceived as to the nature of the project, they did enter into the ‘role-play’ spirit of the project, communicating with the ‘Minister’ directly via email and presenting their assessed work in formal report style, attaching covering memos and writing to/for their intended audience. Feedback from students indicated that they had enjoyed participating in the project:

“I have to express my gratitude for this Project Panacea idea. Never before I had so much fun while learning and expressing my knowledge in a project wonderfully designed to stimulate a student's mind.” (Criminology student feedback, via email)

The standard of the reports received was very good, with many achieving high marks and the average mark on the assessed work increasing to 62.8 per cent from 61.8 per cent the previous year (see figure 1, below). In particular, performance in relation to the specific learning outcome of ‘applying theoretical criminological concepts to practical issues within the field of crime, law and social control’ was considerably improved in the opinions of the marking team (although this was not quantifiably measured). The reports demonstrated that the students had developed the capacity to draw clear links between conceptual and theoretical frameworks, and practice-based policy outcomes, and utilise the former to effectively justify and support the latter. Students had effectively digested and assessed the numerous source materials involved in the project, had read widely and independently to find relevant material relating to the policy choices, had considered the problems of implementation and likely effectiveness when writing their answers, and had managed to make their proposals theoretically consistent and principled.

**Fig.1: Assessment Results (pre- and post-project)**



The second key result to highlight is that the improvements in student capacity to perform the task of linking research to practice appeared to carry over into the examination as well as the assessed work. In the subsequent summative examination at the end of the module, students performed better in 2008 than in the preceding academic year (61.2 per cent compared to 60.1 per cent; fig. 1 above). By engaging in research which was focused on delivering a set of specific outcomes, the students had developed a more focused approach to writing and presenting issues; the ability to present proposals clearly and concisely, and to justify decisions convincingly, constitutes a transferable academic skill that students can use and apply in future assessment and learning activities (Rust et al. 2003). The exam answers were more rounded, more effective at linking parts of the module together, and demonstrated a much clearer consciousness of the ways in which theory and policy can intersect. The lessons from the assessed work had been learned and retained, and the students also demonstrated a much-enhanced awareness of the general politics of lawmaking within the criminal justice system, arguing effectively about the need for government policy to be informed by research and evidence. As well as becoming better-performing students, Project Panacea had made them more considered and aware as Criminologists as well.

## Conclusions

This paper has demonstrated a way of developing and implementing enquiry-based learning (EBL) techniques within the legal curriculum, and shown that the key features of this type of learning activity (as outlined by Boud & Feletti, 1997) can be realised within the structure of an existing, orthodox, assessment regime. It was necessary to ensure that the assessment redesign conducted here fitted in with the requirements and weightings of the degree programme structure for the Reading LLB, and was as 'resource-neutral' as possible. Project Panacea succeeded on both of these fronts, and also demonstrated that the fundamental components of EBL assessment activities can be reproduced and accommodated within a relatively modest project that only constitutes a small proportion of the overall assessment activity for a module. By utilising the virtual learning environment and a range of online communication methods, the client-focused and 'real-life' context and the 'problematized' subject matter that are fundamental to an EBL project were quickly and easily incorporated. An approach of this sort is only valuable to the extent that it assists in realising the aims and outcomes of the module, and serves the needs of the students and teacher in question; in this instance, the process was closely focused on one aspect of the assessment criteria for the module, meaning that the EBL activity served the module rather than vice versa.

It must be recognised that many of the assessments made of this project are relatively impressionistic; it is difficult to quantify assessments of how well students performed on one of the



five learning outcomes for the module because all five are assessed together and cannot easily be disaggregated. In addition, there are many reasons why student performance can improve on a year-to-year 'between-measures' comparison of this sort, including (but not limited to) changes and enhancements in the wider degree curriculum, variations in entry requirements and student attainment pre-degree, variations in teaching style and changes in the competence of the staff involved with the module, and so on. Yet it remains the case that there did appear to be a more focused and effective student approach in the 2008 cohort, and this was expressed both within and subsequent to the project outlined here. As such, it is possible to surmise that the project did succeed in making a difference to students' abilities to link theoretical concepts to practical policy ideas, and that this was a direct result of the use of the problem-based learning technique. Certainly both the teaching staff and the external examiner for the module reported an improvement in this regard, and validated the retention of the project for future years.

While some small details of the project (such as the relative costs of items, and the guidance given on what is expected in terms of a 'report style' in writing the assessed work) will be reviewed and altered in future, the feedback and results suggest that it is worth retaining and developing further. The intention in the first instance is to identify ways of expanding the scope of this project to more directly address some of the other module learning outcomes, such as the development of the ability to appraise established and accepted public/political notions of crime and crime control, perhaps by tying an exam question to the project and requiring students to critically evaluate and respond to 'media' criticism of their Project Panacea report as a form of pre-seen question, thereby demonstrating an understanding of how the politics of law and order is socially constructed. Integrating the project more fully into the module assessment might also potentially involve moving towards an open-book exam assessment that utilises some of the additional skills that it has enhanced, such as the ability to evaluate materials and conduct independent research in order to fulfil a specific brief and produce a required output. Because EBL ties in so well with the HE sector's current emphasis upon enhancing student engagement with research-led teaching, this aspect of the project work is something that can be expanded upon and embedded further within the module. In addition, because the project focuses on non-vocational research activities, and is not directly engaged with simulating the formal strictures of the world of practice, the skills learned via enquiry-based learning are more *research-oriented* than *practice-oriented* in nature, and so are perhaps more transferable than might otherwise be the case.

Lastly, the main conclusion for this paper should be a more general one; that Problem-Based Learning approaches can offer something substantial and valuable to a legal curriculum, and can assist teachers in achieving specific targeted outcomes within their modules. The law is an area that inherently lends itself to problem-solving as dispute, disagreement, and difficulty are the bread and butter of the legal system. But EBL goes beyond the kind of problem question or fact pattern approaches that have been familiar to students of the law for generations; it allows for ways of making the student the primary architect of the solution rather than the question-setter. While there are very many legal questions to which a 'correct' answer exists, there are very many more where it does not; in these cases, lawyers and students have to exercise informed judgements based on their substantive knowledge and personal outlook on an issue. Encouraging this sort of autonomy and inculcating ways of making good-quality judgements, whether we agree with the outcomes reached or not, is something that Law Schools should aim to do; EBL provides a way of doing this.<sup>2</sup>

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<sup>2</sup> The UKCLE website contains a resource site dedicated to supporting and encouraging the use of PBL approaches in law and the legal curriculum; <http://www.ukcle.ac.uk/resources/pbl/index.html>

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