

# **‘Deaths in Prison Custody’ Capstone Course: Engaging Final Year Law Students In Service Learning and Public Value**

## **Abstract**

Capstone service learning courses are designed to overcome the negative effects of fractioned knowledge by enabling students to consolidate and apply what they have learned over a program of study. They also promote a scholarship of engagement. This article documents the learning experiences of students on a Deaths in Prison Custody capstone service learning course. Though such a criminal justice course requires significant staff input and involves some loss of educational control, it has many benefits including enhanced learning, meaningful service, public value, and civic engagement. The focus on this article is on student learning experiences. It outlines how the pragmatic focus of such a course made knowledge and student learning relevant and actionable. It also describes how the deliberately unstructured design of the course, together with its emphasis on public value, encouraged autonomous and self-directed learning, prompting the students to take greater ownership of their learning.

## **Keywords**

Capstone, service learning, deaths in custody

## Introduction

**[T]here is a disturbing gap between college and the larger world. There is a...parochialism that seems to penetrate many higher education institutions, an intellectual and social isolation that reduces the effectiveness of the college and limits the vision of the student (Boyer, 1987, p. 6)**

The purpose of this article is to examine the learning possibilities and opportunities provided by a bespoke capstone service learning module offered to final year law students with a strong interest in criminal justice at the University of Limerick. The final year module seeks to synthesise student learning experiences across their programme of study whilst also linking that learning with service to the community. Designing a module around these synthesising and linking impulses represents an attempt to move away from the orthodoxy of modular learning – mostly experienced in ‘paper rule’ silos in the lecture hall – which almost always challenges students along the same conventional, somewhat formulaic, lines: lectures that follow a set syllabus covering core knowledge content + lecturer as the knowledge provider + supplementary tutorials + continuous assessment (usually in the form of an essay) + end of term summative examination = proof of proficiency in the module of study. The capstone service learning module seeks to disturb and disrupt the standardisation and routinisation of student learning experiences on this program of study by flipping what normally occurs: there are no lectures or tutorials, no ‘sage on the stage’, no conventional reading list, and no end of year assessment instruments that map syllabus content knowledge. Instead the emphasis is firmly placed on values such as prior learning, pragmatic knowledge, self-directed learning, non-academic expertise, soft skills, and a scholarship of engagement and civic responsiveness.

The idea for the service learning aspect of this module was initially provided by the Inspector of Prisons in Ireland, Judge Michael Reilly, who approached the authors in May 2014 seeking advice on how best to construct a database in relation to deaths in custody in Ireland. We proposed that the project could be undertaken via a service learning capstone module, entitled Advanced Lawyering, which provides final year law students with the option of working on specific service learning projects during the course of the following academic year. The key deliverable for this particular project would be a report which would outline best practice on compiling data on deaths in custody in a number of specified jurisdictions and also recommend the form that an Irish database should take. During the course of the academic year 2014/15, the authors monitored student expectations and experiences of the module. The data collected is presented in the analysis section and we have attempted to ground our findings in a broader international literature. The article commences by providing a conceptual overview of the commitments and assumptions underpinning capstone service learning before outlining the particular nature of the project and our methodology in gathering the data.

### **Capstone Service Learning**

Capstone courses have grown in popularity over the last two decades. They are primarily designed to overcome the silo effect of modularisation so that students can integrate what they learn across the curriculum and apply it in open-ended, real world ways. They often act as a 'culminating experience' at the end of particular programmes of study (Schmid, 1993; Wagenaar, 1993). As Durel notes, the 'capstone course is defined as a crowning course or experience coming at the end of a sequence of specific courses with the specific objective of integrating a body of relatively fragmented knowledge into a unified whole' (Durel, 1993, p. 223). They are in this regard a 'liminal threshold at which students change their status' (Durel, 1993, p. 223) – from undergraduates to postgraduates, from student experience to work experience, from amateurs to experts, from non-professionals to professionals. Capstone courses can include formal courses, seminars, guest lectures, team teaching, independent projects, academic/professional partnerships, personal reflections, industry internships, study abroad programmes, or a combination of several experiences (Gardner, 1998, p. 302). They should, where possible, involve less formal class contact time – the objective is not to learn new 'hard skills' – and they should provide more opportunity for group working, problem solving, communication, reflection and presentation (Bailey, Oliver, and Townsend, 2007). They can take many forms and may, for example, be issue-based, internship-based, or focused on professional development (Goldstein and Fernald, 2009).

There are a number of integrative objectives inherent in capstone courses which can be roughly classified as backward and forward looking (Cuseo, 1998, pp. 301-302). In respect of the former, they aim to consolidate and apply previous learning. At the most general level, a properly designed capstone course can help to bring to the surface what students have learnt through a program, and thus implicitly protect it (Redmond, 1998, p. 73). They thus have a synthesizing effect, ensuring that students experience, through a structured process, the 'complexity of knowledge' in the programme of study undertaken (Wagenaar, 1993). Many academic programs of study have coherent curricula in that the relevant modules are all encapsulated within their borders. Often, however, these modules stand in dissonant isolation of each other and no mechanism exists to draw out the learning that occurs in each silo (Taylor, 2010). Capstone courses help to remedy this problem by facilitating synthesis and integration of learning across the programme of study (Boyer, 1992, p. 92). They pull together themes, throughlines, and undercurrents, while promoting a sense of coherence across the program. They also facilitate students' understanding of how their programmes of study apply in particular contexts (Carlson and Peterson, 1993).

Prominent integrative themes emerging from capstone objectives therefore include synthesis (acting as magnets that pull together relevant seams of prior knowledge from the curriculum programme), reflection (over the broad range of the curriculum), application (apply what they have learned), closure (a culminating experience) and transition (from one liminal space into the next) (Rosenberry and Vicker, 2006; Gardener, 1998). But in addition to the synthesis, integration or application of previously acquired knowledge, capstone courses are also

forward looking in that they prompt self-examination and reflection, leading to personal and professional growth (Goldstein and Fernald, 2009, p. 28; McGaw and Weschler, 1999; Rowles, Cyr Koch, Hundley and Hamilton, 2004, p. 14). They promote ‘big picture’ holistic thinking, and can explicitly enhance soft skills such as problem solving, decision-making, teamwork, planning, critical thinking and human relations skills (Bailey et al. 2007; Van Acker, 2011, p. 69; Kilcommins, 2015, pp. 143-156).

Service-learning, as a particular type of capstone, is a course-based experiential learning strategy that engages students in meaningful and relevant service with a community partner while employing on-going reflection to draw connections between the service and curriculum course content. It seeks in particular to promote a scholarship of engagement and civic responsiveness (Bringle and Hatcher, 1999,; Mason O’Connor, McEwen, Owen, Lynch and Hill, 2011). Where possible, service-learning should provide relevant and meaningful service to the community (taking students outside the gates of the university), be designed to enhance academic learning, and contribute to the preparation of students for community or public involvement (Stanton, Giles and Cruz, 1999). To work properly, the service and learning should carry equal weight (Sigmon, 1997). It should help students to see beyond the commodification and fragmentation of knowledge, emphasising its potential to generate change, and impact on policy choices. As far as possible, it seeks to move away from the traditional view of teacher as knowledge expert and student as passive, receptive recipient. It does so by providing structured opportunities that value and emphasise student participation, ‘reciprocal learning’ (Sigmon, 1997), non-academic expertise, the development of soft skills, and the facilitation of ‘learning by doing’ (Blouin and Perry, 2009, p. 131).

The section that follows provides an analysis of a capstone service learning course offered to final year Law students at the University of Limerick in 2014/15. It was grounded in an experiential learning strategy that sought to engage students in meaningful service with the Inspector of Prisons in Ireland, who sought our advice on the best way in which to record prison deaths in Ireland. Though somewhat experimental, directing the research question into a final year service learning capstone course would, it was felt, provide three core benefits. To begin with, the project was seen as being of potential pedagogical significance in that it could facilitate deep learning - by encouraging students to integrate ideas across the programme of study; by increasing their capacity for self-directed learning; and by helping to embed soft skills such as report writing, critical thinking, teamwork, and public speaking. It would also benefit the Law School by building relations with a key stakeholder in the Irish criminal process. Finally, it was envisaged that the engagement would provide public value through the labour input of staff and students, cost savings through the free use of university resources, and a tangible, evidence-based output in the form of a report with findings and recommendations. The purpose of this article is to focus on the first of those perceived benefits, the learning experiences of the students who engaged on the course.

### **Recording Deaths in Custody in Irish Prisons**

The School of Law at the University of Limerick offers a final year module, entitled Advanced Lawyering (LA 4017). Introduced in 2008, the purpose of the capstone module is to enhance the analytical and research skills of Law students by engaging in various types of end-of-curriculum projects, including those having a service learning and public value orientation. Students had the choice of a range of projects this academic year on topics such as Contemporary issues in Employment Law (with the Citizens Advice Bureau); Deaths in Custody (with the Inspector of Prisons); the new Child and Family Relationships Act (with the Citizens Advice Bureau); and How to Make a Will (an information session for University staff). If such projects are not available, or students do not wish to engage, it is possible to undertake individual final year research project with a supervisor.

As regards the Deaths in Custody project, the Inspector of Prisons in Ireland asked the authors if it would be possible to conduct an extensive international literature review on deaths in custody and to design a database based on international best practice. The Office of the Inspector of Prisons, however, had no resources available to conduct the research. It was decided in the circumstances to undertake the work as an Advanced Lawyering project. A small teaching grant was secured from the Faculty of Arts, Humanities and Social Sciences to produce the findings in a report format and to support a field trip for the students (€1650). The research was seen as beneficial in that it would permit the Inspector of Prisons to test mortality rates relative to the general population and to prison populations in other jurisdictions; identify risk factors within the Irish prison system and compare to international risk factors; point to appropriate remedial steps, if any, which may be taken to reduce the number of deaths of prisoners in the custody of the Irish prison service; make recommendations as to what data should be collected in Ireland in order to meet best practice and to form a data bank of information. It is expected that the report will be presented to the Minister for Justice and Equality by the Inspector of Prisons.

After the authors had undertaken some background research on deaths in custody, and a call for student participants had gone out, two initial consultations took place in early February with the ten students who agreed to undertake the work. In these consultations, the research project was set out and a report structure agreed; the roles of the academics and the Inspector of Prisons was outlined; relevant jurisdictions were chosen as chapters for the report (Ireland, England and Wales, Northern Ireland, Canada, and Australia); students were allocated in pairs to the selected jurisdictions; research presentations with the Inspector of Prison were scheduled; a progress review was also scheduled at midpoint in the academic term; a visit to Mountjoy Prison was arranged; assessment instruments were outlined (50% of the marks was allocated for the chapter submission by each pair of students; 30% for the paired presentations to the Inspector of Prisons; and 20% for the final group findings and recommendations); and a deadline for submission of the chapters and findings and conclusions was proposed.

## Method

In order to ascertain the views of students on their experiences and evaluation of this service learning module, the authors sought approval from the Arts, Humanities and Social Sciences Research Ethics Committee at the University of Limerick. An information letter was provided to the students inviting them to participate voluntarily in the evaluation of the service learning project. It was made clear that students were under no obligation to participate in the empirical research on their experiences. A gatekeeper was appointed – a faculty member who did not have a direct involvement in the project or the module. The gatekeeper contacted the students to ask them to participate in the study. In this way there is no blurring of the boundaries between lecturer/researcher and between student/research-evaluation participant. In our study, the gatekeeper's contact details were provided as the point of contact if the student has questions about their participation in the evaluation study. It was also specified in information letter that non-participation in the evaluation study had no bearing on the assessment of the students work for the research project.

The number of students on the Deaths in Custody project was limited to 10 so as to ensure sufficient participant engagement with the project, and to permit adequate feedback to be provided by both the supervisors and the Inspector of Prisons (Dougherty and Parfitt, 2009, p. 5). Larger group sizes can lead to difficulties such as free-riding (Griffin, Griffin and Llewellyn, 2004), and students may become frustrated working in poorly constructed teams (Holdsworth, Watty and Davies, 2009, p. 12). The data from students was collected through an initial on-line questionnaire which was issued prior to the commencement of the project, in-depth semi-structured interviews conducted as it neared completion, and a final on-line questionnaire which was administered after the submission of the report by the students.

The initial questionnaire was administered in early February 2015, as the project began. It sought to scope out student expectations and concerns at the start of the project. Of the eight responses, most expected to learn about research and report writing skills. The aspects that they were most looking forward to included producing a tangible product in the form of a report, working under experts, 'taking part in practical research that may have a real world effect', and getting an insight into life conditions in an Irish prison. The majority of respondents identified working as part of a team to produce a set of recommendations as the biggest challenge that they would face on the project. Concerns were also expressed by respondents in relation to the certainty of the project. One respondent expressed apprehensiveness about the direction his/her work was going to take, and determining if the path chosen was the correct one. Another was apprehensive 'about the rarity of both qualitative and quantitative research in my assigned jurisdiction'.

The semi-structured interviews with each of the ten students took place in mid to late April 2015. The interviews allowed us to ask the students open-ended questions about their experiences, and the benefits gained and challenges encountered in undertaking the service learning capstone project. The interviews were transcribed and reviewed to look for emerging themes. Quotations from the students in the findings and analysis section set out below are identified by an alphanumeric code, for instance LS1, LS2, etc. They are also italicised to distinguish them from quotes taken from the questionnaires. A final questionnaire was

administered to the ten students on the 28<sup>th</sup> April (with eight responses) after the completion of the project. Students were asked to rate their overall experience of the project on a Likert scale. They were also asked to identify how the service learning module was different from other modules undertaken during their degree, and whether it made them think differently about their degree. The data collected is presented in the findings and analysis section set out below.

### **Findings and Analysis**

The primary finding that can be derived from this study is how positively it was viewed by participants as a mode of learning. Of the eight respondents who answered the final questionnaire, three ranked their overall experience of the project as very good (4 on the scale), and five rated it as excellent (5). From our interviews and follow up questionnaire with the students, it was possible to be more specific on the reasons for such high satisfaction ratings. To begin with, service learning capstone courses are pragmatic: they make knowledge relevant, practical, actionable and relevant, help to bridge the theory-practice gap, building pathways between disciplines, and between the lecture hall and the 'real world' (Champagne, 2006, p. 98). As one interviewee noted:

*A lot of the time we are just doing...essays that are just read by one or two people and it is just kind of forgotten, but this actually had some sort of...real world application... And I just thought that's great, that's actually a real world change and it's something that's nice to be part of. You can say 'well I've helped towards something ...that I've actually changed the world positively'..., which is quite rare. (LS9)*

They are also very useful in helping and encouraging students to integrate ideas across the programme of study: 'you're putting into practice things you've learned over the last four years' (LS4). In addition, they promote deep learning by demanding that students continuously navigate between general curriculum content and specific issues/problems (Franchetti, Hefzy, Pourazady and Smallman, 2012, p. 30; Juma, Gire, Corwin, Washburn and Rebello, 2010, p. 183; Stephens, Jones and Barrow, 2011, p. 65), often helping students with ownership of their learning. One interviewee, for example, noted: '[In] this project I found... you [are]...vested in it and you're motivated to put work into it' (LS9). Another noted: " I think when you are actually that engaged in it and your working as part of a group rather than just sitting there listening to a lecturer's voice for hours each day...you are going to eventually engage and take an interest and get more out of it in the long term...I know more about our deaths in custody project now than probably any of my other modules(LS10).

Many of the interviewees also commented on the opportunity for self directed learning which the capstone offered: "With this...you...had free reign in your jurisdiction which I think was really good (LS4)". Another noted: "[T]he big thing for me was the autonomy that we had in that we were kind of our own bosses, we could kind of drive the research in whichever direction we wanted to..."(LS9). This was further confirmed in the final wrap up questionnaire. When asked how the Deaths in Custody project module differed from other modules undertaken in the course of their degree, respondents referred to the 'independent

learning', 'greater autonomy' and 'freedom' that the project offered as opposed to 'being spoon-fed the information' which marked much of their learning in other modules.

Given the experiential and active design approach to learning, many academic commentators assessing the pedagogical benefits of capstone courses have found that they are particularly useful for embedding generic skills such as leadership ability, problem solving, increased empathy, report writing, critical thinking, teamwork, public speaking, time management, and increased capacity for self-directed learning. (Knox, Sabatini, Hughes, Lambert and Ketner, 1998, p. 109; Rhodes and Agre-Kippenham, 2004, p. 5; Van Acker and Bailey 2011, p. 72). This was confirmed in our study where students flagged the benefits of learning soft skills such as communication, research, report writing, group work, problem solving and presentation skills:.

*[Y]ou...just automatically found yourself going into a lot more detail and a lot more depth' (LS1).*

*If this was just an essay, I would just throw down anything but I actually wanted to do this properly...[E]very sentence had to be accurate and had to make sense. So it was definitely important (LS4).*

*The teamwork element of it was the biggest thing (LS4).*

*The fact that...other people are depending on you, you are always going to be trying that bit harder... (LS8).*

*You are taking greater care in what you are saying [in a report]. Whereas in an essay it is more like an opinion or something and it is not actually important (LS6).*

By operating in academic environments that create uncertainty and ambiguity (viz. at the boundaries between disciplines, or between professional practice and the academic curriculum), capstone courses direct the learner away from familiar and settled patterns of learning, thereby promoting student independence and creativity. One student, for example, relished the challenge that the project offered: *I could have done the [final year project] but again that's just like an academic essay and I kind of knew that I could do that anyway so I wanted to challenge myself and do something different, outside my comfort zone...(LS9).* Others found the transition more challenging:

*[I]t's so broad...[Y]ou're sifting through so much information...There was so much [information] out there that you 're like: "Oh my God, this is never going to stop" (LS2).*

*We seem to put a lot of work into researching things that were not actually relevant at all...[I]t was having to remind yourself constantly what the actual project is. That was hard...(LS6)*



*I think it is kind of difficult to know what was relevant. That was a big thing that we found...I had a folder full of stuff...(LS7)*

Service learning activities are also seen as an excellent conduit for wider professional and civic engagement and provide benefits to the wider community, particularly in relation to labour input, commitment, energy and ‘fresh outsider’ perspectives (Blouin and Perry, 2009, p. 121; (Goldstein and Fernald, 2009, p. 32 ). Engagement of this kind can help students (the focus of this study) link their learning and skills with life beyond the gates of the university. As one interviewee noted: ‘*You definitely do feel like you ... your abilities in what you have learned are being...valued more so...it is just nice that someone outside is relying on it.*’ (LS3). Similarly, one respondent in the final wrap up questionnaire noted that the best part of the project was ‘having your abilities valued enough to be trusted with something as important as this’ whilst another suggested that it was ‘presenting in front of Judge Reilly [the Inspector of Prisons in Ireland] and seeing how happy he was with the research we had done’.

Some studies have also found that employability increases as a result of summative modules of this kind (Hotaling, Burks Fasse, Bost, Hermann and Forest, 2012, p. 648; Gnanapragasam, 2008, p. 262; Keller, Parker and Chan, 2011). This was commented upon by a number of the interviewees in our study:

*[I]f somebody was looking at a CV and...you have a published report or just [done] something...different..., I think it would be valuable (LS4)*

*It does look good on the CV. I mean certainly that is definitely a major plus to doing this as a project as opposed to maybe doing my own...Final Year Project. (LS 8)*

*Well practically it was brilliant for my CV and applying for jobs...So that’s something which I was talking about a lot in the interview I had and in my applications. (LS10)*

Finally, capstone service learning courses can act as a bridge at important transitional and transformative points in the educational process – between academia and the world of work, between disciplines, between undergraduate and postgraduate education, and between ‘student communities of practice’ and ‘professional communities of practices’ (Hotaling et al. 2012, p. 632). In facilitating transformation, they help to change how students identify and perceive themselves; for example, after completing a capstone, students are more likely to identify themselves in the relevant discipline – they see themselves thinking and acting as engineers, historians, pharmacists, lawyers, and so on (Dunlap, 2005, p. 76). This was noted by one interviewee: *I [realised] that [I am]...just more analytical...from doing a law degree...- thinking like a lawyer (LS4).*

There are a number of drawbacks to service learning capstone courses which merit attention. Most of these have been identified in the literature rather than in any of the data that we have

collected. They are still worth recounting for the sake of completeness. To begin with, the diversity and range of service learning capstone courses has obvious benefits but can, on occasion, also result in overly ambitious course module designs that diminish the purpose of the exercise and contribute little or nothing to the service project (Chewar, Huggins and Blair, 2006). A further criticism of the design of such courses is that they are insufficiently rigorous (Grigg et al. 2004, p.164), unduly restrictive and limiting (Healey, Lannin, Derounian and Stibbe, 2012, p. 20), or not relevant to the material that is adduced in the classroom. Students have also complained that they were not adequately prepared to meet the challenges of such a course (Humphrey Brown and Benson, 2005, p. 676; Healey, Lannin, Stibbe and Derounian, 2013, p. 32). The majority of students on our capstone project complained that more deadlines would have prepared them better. As one interviewee noted: *'I suppose the only think I would have say maybe if there was a more structured deadline...[Y]ou can let things drift a little bit when you don't have a deadline (LS5).*

The literature also reveals that some academic staff are uncomfortable with the loss of educational control – the faculty member in a capstone has to become 'a guide on the side' rather than the 'sage on the stage' (Todd and Magleby, 2005, p. 208). This requires lecturers to concede learning and teaching autonomy to students, student teams, stakeholders and communities. This loss of educational control to professionals and communities may unearth problems, particularly where they turn out to be unreliable guides in relation to academic content and assessment. When education is extended into professional and community arenas – as it often will with capstone service learning education – the accountability structures may alter which can give rise to unforeseen difficulties (Todd and Magleby, 2005, p. 208). Similarly it has been suggested that some students are not motivated to become self-directed, more engaged learners (Kerka, 2001, p. 4), or may lack enthusiasm and commitment and not, for example, develop the 'soft skills' as envisaged. This can result in risks for those working with service learners.

Some findings point to the workloads and resources which such a course demands (Fallon and Brown, 2002, p. 45; Jones, Barrow, Stephens and O'Hara, 2012, p. 1096). Service learning courses by their very nature require continued input from stakeholders, the maintenance of networks, the development of feedback loops, the sourcing of useful projects, the establishment of international links, and the creation of diverse assessments that will align with the learning outcomes required. There are 'special challenges' involved in designing, presenting and assessing learning in module of this kind (Chaplin and Hartung, 2012, p. 37; Gardner, 1998, p. 252). The coordinators of such a module need to be very organised in prescribing what is to be expected of students, in the provision of scaffolding, in the defining of roles, and in ensuring that the course aligns with the relevant programme of study (Wuller, 2010). Service learning projects – like this one – also tend to be task specific in orientation, rather than providing a sustained resource for a university. This places a heavy onus of academic staff to source and develop new projects that provide both learning and service.

## **Conclusion**

Service learning capstone courses provide an excellent space in which to nurture the capacity of students to engage in self directed learning, thus enabling them to identify more strongly with their discipline whilst also allowing them to develop their soft skills and creativity. The same space also offers exciting opportunities for ‘town to meet gown’, for universities to build pathways for engagement with civic and professional stakeholders which, among other things, can enhance public value and ensure that higher education gates remain – as the poet Seamus Heaney suggests - ‘unbarred’. Given their amorphous nature, it is important in designing such courses that sufficient attention is devoted to class sizes, the availability of resources, accountability structures, modes of assessment, and the provision of feedback. For service learning capstone courses to work effectively, they require a significant input of logistical time which will largely be dedicated to preparation, planning and reviewing. They will also require the development and maintenance of strong relationships with stakeholders. Logistical preparation work of this kind may be a new experience for many academics more accustomed to the traditional ‘talk and chalk’ familiarity of the lecture hall and seminar room. However, provided the workload involved is securely scheduled and the pedagogical commitments underpinning them are properly understood, the possibilities for the introduction of capstone service learning courses are almost endless. They provide an excellent culminating academic experience that combines the knowledge of academic discipline(s) with student and stakeholder engagement.

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