Educating the Law of Conveyancing Students Through Students-Generated Video Assessment: A Way Forward

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Abstract
Law students at the university are taught substantive and procedural law subjects to prepare them for law practice. Thus, during physical class, the students' assessments are dominated by applications, legal opinions, and essay writings. Online assessments during online class (ODL) require more than just copying and pasting cases or lecture notes. In line with the motivation theory, students shall indulge in their reading and preparing assessments to nurture a comprehensive understanding besides an interest in the substantive or procedural law. Therefore, it is imperative not only to analyse students' video-generated assessment as an effective mode of assessment but also to determine the appropriate rubric. The creation of a video requires mind, inspiration, and interest to mould up throughout the editing process. Answering problems posed to them through video production incorporates knowledge, analytical assessment of the issues, and concluding the findings to ensure every aspect of the issues is addressed. This paper aims to evaluate whether video assessment during ODL is in line with the theory of motivation that enhanced students' understanding of online classes. This is qualitative research whereby a doctrinal method is engaged that reflects a better perception by students for video assessment compared to applications of law through writings. As such, 209 students from the Faculty of Law, Universiti Teknologi MARA were selected as the respondents. This study concluded that using video creation as a form of assessment enhance law students' communication skill to impart professional legal advice through a creative role-play. This exercise allows the students to improve their understanding of conveyancing law and procedure in a more casual yet effective method. To ensure efficacy, the rubric for video assessments shall be clear, precise, and lecturers should convey their reflections to students. It is also important for educators to find out whether the findings of

this paper can further be distinguished by the gender of the students. Thus, this study can further be expanded by relating these findings to the gender of the students.

Keywords: Online Class1, Law of Conveyancing2, Motivation Theory3, Video Assessment4, Rubric5

Introduction

Due to the outbreak of the COVID-19 Pandemic, various policy initiatives are being launched by governments and tertiary institutions across the world to continue teaching activities to contain the virus (Ali, 2020). Universities in Malaysia are also joining the new norm of online education (ODL) (Anisha et al., 2020) The development of E-learning technology conveyed further possibilities of ODL since e-learning allows easy access to materials, flexible space, time and pace of study, comprehensive interaction and communication, and immediate feedback that make the learning process effective (Arora, 2015). Changing in the teaching and learning also affect the assessment methods used to evaluate the students. Its impracticality confronts the previous assessment method that relied heavily on traditional face-to-face examination during this period (Nasri, 2020). At the Faculty of Law, University Teknologi MARA, students in the third year (Part 6) will have to study procedural law papers to equip them with actual legal practice. Law of Conveyancing is one of the courses taught in Part 6 as a core paper. Students must pass the substantive law courses such as Land Law 1 and Land Law 2 prior to registering for this subject. The Law of Conveyancing covers the procedural aspects of land transactions in Malaysia. The aim of this course is to expose students to the conveyancing theoretical aspect for land transactions in Malaysia that closely reflects the industry practice. This course promotes the development for critical thinking and problem-solving skills, values, ethics and professionalism in the area of conveyancing. The For this paper, the students are required to act on behalf of the client starting from taking instructions until the land transaction is perfected. They are also taught in land-related matters such as creating a power of attorney and real property gains tax. The legal procedural aspect of the Law of Conveyancing requires students to understand and visualize the actual land dealings besides the need to incorporate the substantive part on issues relating to land law in Malaysia. With ODL, the students must rely on virtual instructions and lectures and their existing knowledge on substantive law which they acquired at lower level. This may not pose much problem because as reported by the Dasar e-Pembelajaran Negara, Kementerian Pengajian Tinggi, Malaysia, that by 2015, 100% readiness by the stakeholders, including the lecturers, to embark into ODL.

Research by (Ali, 2018) indicates that students tend to strongly bond with information communication technology (ICT). Hence, students have widely accepted the new norm of teaching at Universities through ODL. The crucial part is the assessment that must be carried out to measure the extent the knowledge transfer has taken place. Remote learning provides avenues for students to explore alternative resources in the preparation of their assignments. (Rahman, 2020) reflects that a pdf answer by students compounded eyesight problems of lecturers because of the need to stare at the glary screen hours where it will be unavoidable and sometimes unbearable. Thus, a careful selection of assessments is vital, or else the lecturers may receive a copy and paste assignments. It is worst when the idea of knowledge transfer does not happen when students merely produce the notes they received during lectures and through websites without understanding the rationale of such legal opinion. Written submission of assignments from facts situations posed to the students during close book tests is a popular method during physical class. The written form of assessment (face to

face) is made possible before the outbreak of Pandemic COVID-19. However, even before COVID-19, several researchers (Walters, 2015; Schofield, 2017; Hawley, 2018) suggest that student-generated video creation assessments are an innovative and emerging form of assessment in higher education. In affirmative, (Ferdian, 2019) concluded from the research that assigning students to make video project assignments was a powerful pedagogy that could benefit in developing students'learning skills.

During semester December 2020/March 2021, students who registered for Law of Conveyancing course are given factual situation where they are required to advise a client who intends to purchase a property (together with a building). The client seeks a lawyer's advice on the procedural aspect of the conveyancing process from the beginning until the client is registered as the new proprietor of the said property. Students are instructed to create a video in a group to answer the legal process of transferring land. Ryan (2013) affirm that a video creation project consists of groups of students involved in the video creation can enhance collaboration and team working effort that foster a better working environment. The collaborative effort can expose the students to a real working environment of an Advocate and Solicitor.

Research Questions
- How effective is students' video-generated assessment as a mode of assessment during the outbreak of COVID-19, where teaching and learning are using ODL?
- What is the appropriate rubric of the video-generated assessment that will enable the continued growth and self-development of law students?

Research Objectives
- To analyse students' video-generated assessment as an effective mode of assessment during the outbreak of COVID-19, where teaching and learning are using ODL.
- To determine the appropriate rubric of the video-generated assessment that will enable the continued growth and self-development of law students

Literature Review
The Pandemic divulges the urgent need to develop the educational system's technological infrastructure, expanding the teachers' pedagogical expertise and the student's learning repertoire. It is closely related to the student's ability to adapt ODL and the assessments that they have to reflect that knowledge transfer has occurred. The ability to adjust is associated with motivating factors that geared the students towards accomplishing the desired goal, acquire knowledge and at the same time passing the subject with an excellent grade. Brophy (2010) defines motivation as "a theoretical construct to explain, the initiation, direction, intensity, persistence, and quality of behaviour, especially goal-directed behaviour". Motivation involves goals that provide the incentive for purposeful action with an intended direction. In Self Determination Theory (SDT), Ryan and Decy (2020) stresses that conditions supporting the individual's experience of autonomy, competence, and determination can foster a high quality of forms of motivation and engagement for activities, including enhanced performance, persistence, and creativity. It is vital to possess the optimum level of motivation to ensure the desired goal could be attained. Technology can enhance learning, and video is one of the most effective tools that can promote students' interest in education (Schmid, 2014). In agreement with these findings, Brame (2016) views that the three factors, namely, cognitive load, student's engagement, and

active learning, can provide a solid base for the development, and video is an appropriate educational tool.

ODL inculcates self-learning, and the appropriate assessment can enhance the degree of determination to achieve the desired result, the long term to pave their way as a successful Advocate & Solicitor, the short term to pass the subject with flying colours. At this age of accountability, it is recognised that assessment is a powerful device that can enhance students learning (Ghaicha, 2016). Assessment is defined as the means used to evaluate the outcomes of the educational process (Mundrake, 2000). In affirmative with this definition, James (2006) simplified that assessment is a tool to measure the learning outcome. Hence, it is essential to determine the appropriate mode of assessments to ensure the learning outcome is achieved. Research conducted before the outbreak of COVID-19 by (Hawley and Allen, 2018) was optimistic of student-generated video creation for assessment. It has several benefits, notably supporting the development of digital and communication skills relevant to today's world and enhancing learning. (Hawley and Allen, 2018) reflect the literature on students' video-creation for assessment has highlighted the benefit of this mode of assessment.

Table 1
An Overview of the Benefits on the Students Video-Creation as an Assessments (Hawley and Allen, 2018)

Title	Country	Programme/Institution	Video Creation Project	Benefit/Positive Outcome as highlighted by Ruth H and Cate A (2018)
Wong et al., 2003	USA	Educational technology; postgraduate; on-campus; Michigan University	Students worked in small groups to create "iVideos" – short, two-minute, digital videos designed to evoke powerful experiences about educative ideas.	Students to gain increased competency and efficacy in using technology with this being learned in an authentic manner not divorced from subject content or pedagogy.
Kearney & Schuck 2006	Australia	Across different subjects and topics; 5 schools (two primary and three secondary)	Students worked in groups to create various video creation projects such as animations of astronomy concepts, news stories,	Students recognised these skill developments as being of benefit to them beyond graduation and in their

			advertisements etc., as determined by subject areas.	future employment
Burns & Lester (2007)	UK	Tourism/ On-campus/ University of Brighton	Students had to create visual essays about a city using either video or collection of stills.	Students video creation enhanced learning
Elsom (2009)	UK	Biochemistry/ on-campus/ University of Brighton	Students worked in groups and had to create short videos (4 mins) to explain a particular topic in biochemistry.	The opportunity to use and develop creativity during video creation projects, for example, in considering how to portray subject content in the video, as valuable as both a skill development and as a means to enhance learning, increase motivation and engagement
Cox et al (2010)	UK	Information & Knowledge Management; undergraduate; on campus; University of Sheffield	Students had to create a video (or photostory or animated model in PowerPoint) for 3 minutes on a given theme for submission for assessment.	A further possible factor relevant to the video creation and learning relate to the levels of engagement as studies reported that students video creation to be enjoyable to increase motivation and engagement.

				The opportunity to use and develop creativity during video creation projects enhances learning.
Letschka & Seddon (2010)	UK	Two programmes within Arts/ Design; on-campus; University of Brighton	Two groups of students (3D design/wood, metals, ceramics and plastics; history of design & decorative arts & visual culture) had to create a short video (30 secs – 1 minute) together either on aspects of objects stored in a museum or on contemporary making of objects destined for museum collections.	Using student-generated video creation enabled students to gain increased competency and efficacy in using technology.
Yang & Wu (2012)	TAIWAN	English as a Foreign Language, High Schoo	Students were required to complete digital storytelling projects within groups as part of the teaching.	Using student-generated video creation enabled students to gain increased competency and efficacy in using technology, with this being learned in an authentic manner not divorced from subject content or pedagogy.

Greene & Crespi (2012)	USA	Business/ accounting; on campus; university	Students worked in groups as a compulsory task to produce one minute television advertisements/ students worked in groups as an optional task to create 2-3-minute educational video on accounting topic of choice to share with peers in class	The processes of video creation, for example in preparing a script, considering how to portray a concept in a new way and review/editing of the material, involves several stages of repetition of the content, thus facilitating deeper learning. These include that video creation is active learning which supports and transforms students from passive knowledge consumers into knowledge constructors
Ryan (2013)	IRELAND	Biochemistry module across 3 programmes; undergraduate; on campus; university in Ireland.	The video project replaced a traditional essay and was one part of the summative assessment alongside practical laboratory work and a lab report. Students worked in groups to create an educational digital video for their peers on a biochemical area of	The ease of sharing/viewing content increased the likelihood of peers and others viewing the content, not just academic tutors. This factor also contributed to increased motivation and engagement. These include

			interest to them.	that video creation is active learning which supports and transforms students from passive knowledge consumers into knowledge constructors.
Pereira et al (2014)	SPAIN	Nursing, On Campus, University	Students had to make online videos about "structure and function of the human body."	Development of skill in using technology was cited benefit for video creation for assessment. Video creation projects were done collaboratively with groups of students involved in the video creation; thus, the benefits of collaboration and team working were often reported within the studies.
Russell & Moote (2015)_	UK	English (as a foreign language); distance learning; pre-university foundation level	Students were asked to produce a short individual video on the the topic of studying at a British university which was submitted via a YouTube account.	Using student-generated video creation enabled students to gain increased competency and efficacy in using technology, with this being learned in an authentic manner not divorced from subject

				content or pedagogy.
Walters et al (2015)	NEW ZEALAND	Sports; undergraduate; on campus; University	New assessment method – video creation as opposed to the previous exam. Students had to create a short (3 minute) video to examine a sport and recreation-related issue from a sociological theoretical perspective.	Students recognised these skills by (producing video as assessment) developments that benefit them beyond graduation and in their future employment
Orús, et al (2016)	SPAIN	Business/ on campus; university	Students worked in groups to create videos that explained a theoretical concept of marketing. Videos could partially replace the content of the primary compulsory project of the course, but no direct link to the final mark was assigned to the video.	Video creation enhanced learning
Borowczak & Burrows (2016)	USA	Teacher education; undergraduate; on-campus; university	Students had to create and share their videos and used You Demo as a tool to support their assessment of their own and others work.	Ideas regarding methods for assessing videos have been proposed to advocate for a change management process to support the

development of the assessment criteria, use of rubrics and examples, plus clear guidance using traditional academic rhetoric to show clearly the focus on intellectual content rather than technical difficulty.

In Law School, the primary purpose of law schools is to make sure students are learning the skills they need to think, perform, and conduct themselves as competent lawyers. A valid, reliable, and fair assessment system assesses students learning and improves learning skills (Rogelio, 2010). The American Bar Association (Crompton Report, 1979) states legal education in long-run terms as preparation for a lifetime career involving continuous growth and self-development. Lecturers can provide students with assessment instruments that reflect explicit criteria for their performance to judge their performance. The current assessment practice of a single end-of-the-semester do-or-die final exam does not provide students the feedback they need to develop self-learning skills and improve performance in law school and beyond (Rogelio, 2010). Therefore, by introducing video creation assignment as a new method of assessment it will ensure the Course Learning Outcome (CLO) for Law of Conveyancing subject i.e. to demonstrate the related transaction in conveyancing from the pre-contract stage to the completion of the transaction is achieved.

Method

The paper employs doctrinal research to analyse students' video-generated assessment as an effective mode of assessment during the outbreak of the COVID-19, where teaching and learning are using ODL. A literature search using a systematic approach was undertaken using Google Scholar, EBSCO Host, Heins Online. It covers an extensive range of databases, including journals related to education, technology, and health and social care. Search terms such as "video/ video creation" "assessment" "student generated/ learner-generated" "digital/ technology/assessment" were utilised to produce responses that is relevant to the research topic. In addition, a Google search is employed to student-generated sources to capture as much relevant material as possible (Aromataris & Riitano, 2014). Table 1 offers an overview of the scope of the literature and the video projects described, together with the benefits highlighted by (Hawley and Allen, 2018). In evaluating the effectiveness of video as a form of student's assessment, results from two different groups of students from the Faculty of Law, Universiti Teknologi MARA, Shah Alam, Malaysia are compared. The first group is selected from session2 in 2018/2019 semester. The groups comprised of 209 students who took the paper prior to Covid-19 and their classes and assessments were conducted on a face-to-face basis. This batch represented the group that have taken the ordinary assessment method by resolving the legal issues through a written essay. The second group was taken

from the Session 1 (2020/2021) consisting of 77 students, where the learning and assessments were done online, and the assessment method is by production of a video for the purpose of resolving the legal issues.

Results and Discussion
Results Analysis of Students Taking Law of Conveyancing

Table 2
Analysis of Law of Conveyancing, Faculty of Law, University Teknologi MARA

No	Semester	A+	A	A-	B+	B	B-	C+	C	C-	D+	Total
1	Session 2 2018/2019	0	1 (1%)	4 (2%)	19 (10%)	35 (17%)	50 (23%)	45 (20%)	54 (26%)	0 -	1 (1%)	209 (100%)
2	Session 1 2020/2021	0	5 (6%)	13 (18%)	24 (32%)	12 (16%)	8 (10%)	8 (10%)	7 (8%)	0	0	77 (100%)

Session 2 2018/2019 students were given essay and problem-solving assignments individually. Students from session 1 2020/2021 on the other hand were given video creation assignments where they have to create a group video to solve the factual situation posed to them. The task involved advising a client in a sale and purchase transaction of a property. The students were required to elaborate on the procedures and to solve specific substantive law issues. The video created should incorporate the application of the facts, advising, and ensuring that the flow of the land transaction process is meticulously elaborated in the video. The majority of the students produced a high-quality drama-based video with a mixture of role-playing and edited "Powtoon" based video. Thus, they managed to score a high grade for assignments that give them a better chance of scoring at the subject. The analysis for both physical and ODL systems reflects students achieving a better result during the Pandemic COVID-19, where there is no failure for Session 1 2020/2021 compared to 1% for Session 2 2018/2019. 24% secured "A" compared to only 3% who managed to obtain "A" during Session 2 2018/2019. The majority of students were graded "B" during the ODL.

In comparison, 46% of the students were graded "C" during the face-to-face examination during Session 2 2018/2019. In brief, the result analysis shows the inclination of the younger generations towards ODL. As indicated by (Abdul Rahman, 2021), the students are more active in asking questions and participating in group conversations. ODL is an advantage for introverts because they can speak their minds better and more confidently. From the above analysis, assigning to create a video as a method of assessments has given them an opportunity to be creative in providing solutions. This allows them to explore various avenues in completing the tasks given in an enjoyable manner as compared to the normal essay writing. The video making process is beneficial to the students in terms of visualisation capability, digital creativity, teamwork and the role-play that enhances the student's ability to grasp the procedural aspect in the Law of Conveyancing. As concluded by (Hawley & Allen, 2018) where using the video creation by students for assessment could improve students understanding since they are able to express their learning in a more enjoyable manner. The collaborative learning in the process of the video creation as suggested by (Pereira et al, 2014) is visible from the overall achievement of the result for the law of conveyancing in 2020.

The Video Assessment Rubric shall be precise to meet the learning outcome

The following general rubric on video creation assessment by students impose an objective evaluation on any video assessment:

Table 3
General Rubric for a Video Creation for Assessment
(a project for the International Society Technology in Education (ISTE), 2021)

Points	Excellent	Good	Satisfactory	Needs improvement
Concept	The video demonstrates a key concept	The video shows key concepts.	The video demonstrates a previous concept.	The video does not demonstrate a clear concept.
Design	The quality and materials in the video are very well organised and understandable.	The quality and materials in the video are adequately organised and somewhat clear.	The quality and materials in the video lacked some organization and 50% clear.	The quality and materials in the video are not organized and lack clarity.
Participation	All members demonstrate an active role in the process.	The majority of the members demonstrate an active role.	Half of the group did most of the work.	Only one person demonstrated an active role.
Final Project	The final product looks professional and has visibly demonstrated the concepts.	The final product looks decent and has somewhat demonstrated the concepts.	The final product requires more revisions and did not clearly demonstrate the concepts.	The final product looked unrefined and did not clearly demonstrate the concepts.

The general rubric produced by a member of the International Society Technology in Education (ISTE) clarifies the evaluation criteria and objective where the students can actively anticipate the requirements to obtain excellent results. However, for law students, the rubric should be tailored to the aspiration of continuous growth and self-development. The rubric provides guidelines for students in preparing their assessment and boost their motivation to become creative. The students know how their video is being assessed from the rubric and they are motivated to explore new methods in answering their assessment. In addition, video creation is also a fun way of learning and the students will have better understanding of the course outcome.

Table 4

Rubric in a Video Creation for Assessment for Law of Conveyancing

Points	Excellent	Good	Satisfactory	Needs improvement
Creativity	The editing & The continuity of the video is excellent (5 marks)	The editing & continuity of the video is good (4 marks)	The editing & continuity of the video is satisfactory (3 marks)	The editing & continuity of the video needs improvement and not smooth (2 marks)
Concept & Design	The quality and materials in the video are very well organized and understandable (5 marks)	The quality and materials in the video are adequately organized and somewhat clear. (4 marks)	The quality and materials in the video lacked some organization and were 50% clear. (3 marks)	The quality and materials in the video are not organised and lack clarity. (2 marks)
Participation	All members demonstrate an active role in the process (5 marks)	The majority of the members demonstrate an active role.	Half of the group did most of the work. (3 marks)	Only one person demonstrated an active role. (2 marks)
Application & Findings on the problem solving of the task	The application of the facts and findings with appropriate authority has visibly demonstrated the concepts. (15 marks)	(4 marks) The application of the facts was present and has somewhat demonstrated the findings with the appropriate authority. (12 marks)	The application of the facts and findings with appropriate authority requires more revisions and did not clearly demonstrate the conclusion. (8 marks)	The application of the facts and findings with appropriate authority looked unrefined and did not demonstrate the concepts. (3 marks)

The evaluation of the video assessment focus on the ability to explain the land conveyance process, where the student is expected to demonstrate her primary duty in advising clients by citing all relevant authority and explaining how land transactions should be perfected in accordance with the law. Accordingly, the remaining of the marks is allocated to inculcate the positive attitude and the ability to work as a team that lawyers should have in performing their duty. Alongside the rubric, explicit instruction is vital to ensure clarity in the video generating process to address the issues. In addition to that, a written feedback given together with the marks is beneficial to the students' learning of the subject (Mahoney et al., 2019)

Conclusion

Video creation is a contemporary model of assessment that is likely to be widely accepted, which has the potential to positively transform the student experience and assessment methods (Hawley and Allen, 2018). As an innovative and emerging assessment form, the instructions and rubric should be made available to students. This is inline with the requirements of Program Standards: Law and Shariah Law issued by the (Malaysian Qualifications Agency, 2015). A well-designed rubric makes the assessment process more valid and reliable, where the actual value of rubrics lies in advancing the teaching and learning process (Wolf and Steven, 2007). Ultimately, student-created videos as a tool for an assessment motivate students' engagement in active learning. In particular, it is a suitable assessment method for lecturers during the COVID-19 Pandemic, as it is compatible with distance learning (Matthew et al., 2021). The implementation of video creation assessment for Law of Conveyancing subject has resulted in better result and enhance students' understanding. In particular, for a procedural law subject, Law of Conveyancing, a student-video generated inculcate team-working, engagement in active and practical learning rather than explanations in a written essay form that may lack creativity and visualisation aspect.

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