



Trial by Jury

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Simulations

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The basic idea underpinning this type of simulation is to use the format of a criminal trial to allow students to understand, present and evaluate evidence using a range of formats (from a simple speech through graphics to video). Although there is no particular requirement to use any kind of visual aid you may find that some students will choose to develop the use of these aids over time if you run regular simulations.

Preamble

The "Trial" Simulation Template solves a number of problems:

1. It's transferable. One problem with simulations is that they can involve a great deal of work for the teacher and are too specific to be used in other situations. A Sim specifically applicable to labelling theory, for example, can't be easily adapted to illustrate material deprivation in education. The basic Trial template, however, is transferable; you can run simple simulations on any topic - and across disciplines like sociology or psychology - where there are strong arguments "for" and "against" an idea or issue.

2. It's tight structure means everyone can have a clearly-defined role. This gives pre-class prep work a solid structure and objective. If individual students are to perform well in The Trial they have to know both their own Brief and that of their opponents.

The format also encourages students to develop a way of thinking that uses the required A-level skills (Knowledge, Evaluation etc.) in a highly-structured way. They practice and develop these skills in ways that can be applied to their written work.

3. Non-compliers - those who, for whatever reason did not do the required preparation work can still be easily integrated into the classroom simulation (see *below*).

The simulation may involve a number of roles and will depend on how many students are involved. Where you have a very large class a certain number of students can be assigned jury service (see *below*), for example. However, because this is simply a template it can be tweaked to suit the particular needs and requirements of teachers and students.

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The Roles

The Judge - this is the logical role for the teacher because they can use it to maintain order in the Court: when the prosecution has the floor, for example, the defence cannot talk - although as Judge you may allow "objections"; the Jury can be instructed to dismiss particular evidence; they must not be allowed to discuss things in the Courtroom etc. As Judge you may also want to give a broad summary of all the evidence once it has been presented; if you have a Jury in place you may also want to give them directions in terms of considering how plausible / convincing some of the evidence was.

The teacher can make the Judge role as active or as passive as they like. For example, if you like doing a bit of "stand-up teaching" you can introduce a Summative section quite naturally into the process. Once all the evidence has been presented you can "sum-up" the arguments for and against, pointing-out ideas that could have been mentioned / developed, weaknesses in an argument etc., in your role of directing the Jury towards their decision.

Prosecution team - ideally a maximum of 5 students should serve as prosecutors. Their role is to present evidence that will result in the Jury convicting whatever is On Trial. In Sociology, for example, if you have "Positivism On Trial" (effectively a debate between Positivism / Interpretivism at As-level) the prosecution team's role is to argue in favour of Interpretivism (they are trying to "convict" Positivism).

Defence team - their role is to defend whatever is On Trail (in this example, they will put forward the case "for Positivism").

The Jury - if the class is very small you can dispense with a Jury (once all the evidence has been presented Prosecution and Defence reconvene as "The Jury" and they can discuss and argue the evidence, come to a conclusion etc.). Juries can, however, serve a latent function, particularly if you emphasise the idea that jurors are expected to take notes so they can remember the prosecution / defence arguments. A Jury, for example, may consist of:

Weaker students who find it difficult to work independently. By making them take notes, follow the arguments rather than having to contribute, etc., this can help to build their confidence until they are ready to take part in subsequent Sims.

Shy students - some students are just not very comfortable talking in front of their peers. Being part of the Jury gives them an important role in the debate. In addition, if you give the Jury 10 -15 minutes "to deliberate" without intervention from prosecution / defence this helps shy / weaker students build their confidence. At the start of these simulations you may want to use the Judge role to help the Jury deliberate (i.e. discuss the pros and cons of the evidence they've heard).

Non-compliers. With any kind of flipped teaching an ever-present problem is students who, for whatever reason - from illness to laziness - do not prepare for the classroom task. These students can be easily integrated into the simulation as part of the Jury. Not only does it give them a logical role, it also means they will have to take notes and have some involvement in classroom discussion.

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The Preparation

Prosecution and defence teams need to be given clear instructions about what to prepare for the Trial. If you are doing Secularisation On Trial, for example, prosecutors may focus on anti-secularisation arguments while the defence focuses on pro-secularisation arguments (it's just a question of getting this clear in your own mind before telling the students what they need to research / prepare).

Stress that all of the students in the class should be required to prepare whatever work you set (whether it be reading a textbook chapter, watching a particular video or whatever) on the basis that "they all need to be familiar with the issues" if they are to make a proper judgement.

Some students will, for whatever reason, not complete the work while others will decide to go into more depth than the prep. you've set. The Sim allows you to accommodate a wide range of student responses...

The Process

How you conduct the Trail is your choice, but it might be helpful to:

1. Ask the Prosecution to broadly outline their case ("We will show that Secularisation is not occurring..."). If you want to appoint a Lead Prosecutor (ideally someone confident) this task will fall to them. They may also raise "Objections" to the Defence's case (if you decide to go with this idea as part of the process - *see below*).
2. Ask the Defence to do the same.
3. The Prosecution team present their case. The Sim works best if each member of the Prosecution presents one key idea in turn. Try to limit this to 5 or 6 key (anti-secularisation) arguments, otherwise things can become confusing. Make this clear to students that part of their pre-Trial prep. is to identify the strongest ideas possible. Where teams can be in contact electronically outside the classroom encourage them to co-operate in deciding which team member will present which evidence. Otherwise, each team should be given a few minutes "prep time" at the start of the class to sort-out who is presenting what.

Tell students that the Rules of the Court state that their presentation format should be:

1. The key idea, stated clearly.
 2. A short explanation of how and why it's an important idea in the context of the Trial
 3. Evidence to support the idea (which can take any form the students like - audio or visual).
- By encouraging this presentation format you're also helping students organise and prepare their ideas / arguments for written exams - if they get used to:

presenting an idea (knowledge),
explaining how (analysis) and
why (interpretation) it's important and
producing evidence to support it (evaluation)

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it means they will find this easier to do in written exams (*as long as they remember to also include opposing arguments*).

4. Ask the Defence to do the same.

If you so decide Prosecution or Defence can raise "Objections" to the evidence the other is presenting. However, you need to work-out clear rules for this if you use it - how and why, for example, can one team object to the evidence presented?

5. Summation - as noted, you can interpret / develop your role as Judge in whatever way you like, but some form of "closing comments" can be useful.

6. Jury deliberates and then gives their verdict and, most importantly, their reasoning (e.g. Secularisation is not occurring because...).

As noted, if you are operating without a Jury (a Magistrate's rather than a Crown Court...) the Judge can take-on this role.

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