

Chapter 1

What can design do for legal education?

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This collection explores what design can do for legal education. It defines design broadly to include a wide range of practices that are devoted to the planning and making by humans of tangibles and intangibles including, for example, product design, graphic design, system design and interaction design; and it addresses a wide range of legal education contexts including higher education, public legal information and legal practice.

In this chapter we introduce some key characteristics of design, and suggest how they might support core objectives in legal education. In the process we demonstrate that designerly ways can influence any and all levels of legal pedagogy—from the top—the relatively abstract, overarching ‘approach’, including conceptual frames and underpinning normative ‘aspirations’; to the bottom—the relatively concrete, specific and action-oriented ‘tasks’ that learners and teachers perform independently or together.¹ And we take care to attend not only to the potential rewards of drawing on designerly ways, but also to some of the risks.

What are designerly ways?

In recent decades design has increasingly come to be understood as a resource to improve other fields of public, private and civil society practice.² Since the early 2000s our attention has been drawn to what design can do for law by, for example, Colette Brunschwig, who was the first to highlight the potential of visual communication in the legal sphere³; Helena Haapio (see Chapter 16) and Stefania Passera, who were the first to focus on contract visualisation especially through the process of a design sprint;⁴ Caitlin Moon, who has opened the door to radical change by introducing legal practitioners to human-centred design;⁵ and Margaret Hagan, who has pioneered the use of design labs to explore how legal services might be made more accessible and engaging.⁶ Today legal design—that is, the application of design-based methods to legal practice—is not only a recognised speciality, but also increasingly embedded across the world in leading law firms and in-house legal departments.⁷ Which is why we see Rae Morgan—formerly Product Development Lead at LexisNexis, now principal consultant at design agency Wilson

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Fletcher—calling in Chapter 19 of this volume for future-focused students and their teachers to pro-actively engage with designerly ways so that they might distinguish themselves in their future legal practice.

Opinions differ as to the core characteristics of design, as to which terminologies best capture them and as to how they might contribute to other fields of practice. We focus on designerly mindsets, processes, strategies. Designerly mindsets are simultaneously practical—that is, seeking and able to make things happen; critical—that is, seeking and able to identify what is wrong and why; and imaginative—that is, seeking and able to conjure what is not yet/still present. We all need and have these abilities—indeed, as we shall see, they are central to lawyering. And these abilities can be enhanced by designerly processes and strategies.⁸ How?

Designerly strategies emphasise making ideas visible and tangible. Most forms of design, are explicitly and primarily about producing visible and/or tangible artefacts for end-users—whether a poster, an app, a pair of shoes or indeed a visual contract. Furthermore, in part because they tend to be devoted to making visible and tangible things, designers tend to communicate visibly and tangibly along the way—to themselves and to others. For example, they make prototypes of their ideas—anything from a cardboard table-top model to a full-scale set complete with props—to help them to see, to think and to collaborate.⁹

Designerly processes tend to emphasise experimentation, both in the sense of generating and following new possibilities; and in the sense of testing hypotheses. Design is about making, and making is an experimental process of generating and testing. Designers do this by prompting and facilitating iterative, divergent and convergent thinking. In so doing they produce a sense of 'structured freedom' in which we can more effectively work with ideas.¹⁰

In combination these mindsets, processes and strategies can generate 'enabling ecosystems' in which our objectives become more possible and probable.¹¹ In order to consider how design might contribute to legal education we must establish what are and ought to be the objectives of legal education.

What is legal education for?

Answers to this question will, of course, vary. We propose that legal education is and ought to be aimed at prompting and facilitating people—including students, publics and clients—to work effectively with law. Furthermore, we propose that, like designers, those who wish to

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work effectively with law must be practical, critical and imaginative. They must be practical, in the sense of knowing how the law is likely to be interpreted, and how to make things happen smoothly and predictably. Those who wish to work effectively with law must also be critical—not only in the sense of identifying multiple sides of every argument, but also in the sense of keeping an eye on what is wrong with law. And those who wish to work with law must be imaginative—not only in the sense of being able to work conceptually, but also in the sense of being able to envisage how whatever is wrong with law might be made right.¹²

But how do we judge what is wrong or right in the context of legal education? Here we can draw on Roger Cotterrell's call to nurture and promote the 'well-being of law as a practical idea' and as a 'communal', as opposed to solely private, 'resource'. For law to function as a practical, communal resource it must be inclusive of the perceptions, expectations and experiences of all those within its actual and potential jurisdiction. Likewise legal educational spaces.¹³

An inclusive education ecosystem is one 'in which pedagogy, curricula and assessment are designed and delivered to engage students in learning that is meaningful, relevant and accessible to all'; and it entails not only 'taking account of', but proactively 'valuing', difference. The call for inclusive approaches to education originated in disabilities studies literature, which in turn drew on design literature to argue that both retrospective adaptation and proactive specialisation are expensive and exclusionary. Better, they argued, to adopt a 'universal design' approach which anticipates diversity, and which builds in the flexibility necessary to value and include it in all its forms.¹⁴ Despite often being used interchangeably, there are distinctions to be drawn between universal design and inclusive design. As Kat Holmes notes, the former has primarily focused on the accessibility of physical space (primarily architecture), and the latter from digital technologies—for example, 'captioning for people who are deaf and audio record books for blind communities'.¹⁵ Most importantly, she notes that inclusive design is committed to the principle of co-design—that is, to the idea that designers must work *with* excluded communities rather than creating *for* them. Examples of co-design in action can be found across several contributions in this volume.

So how might designerly ways support the development of legal education ecosystems that promote practical-critical-imaginative thinking, as well as being inclusive? The following section begins to answer this question by highlighting two designerly 'ways'—visual and material communication strategies, and experimental processes. It draws on our own

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experiences, as well as the experiences reported in the contributions to this volume and by others working at the intersection of design and law.

Visual and material communication strategies, experimental processes

Text remains empress of the legal world. But by supplementing the textual with visual and material formats, and by encouraging experimentation, we can make legal communications more inclusive—that is, more meaningful, relevant and accessible. The following subsections focus on how designerly ways can prompt and facilitate us not only to see legal ideas, but also to actively explore them: to move among them, and in so doing to better understand, even to change, them.¹⁶

Seeing

Information design is the sub-field of design most commonly applied to help us see law. It is devoted to making dense and/or complex information accessible. Information designers aim to transform pieces of data into information, which the user can then convert into knowledge. Richard Saul Wurman famously proposed that, while 'information may be infinite', there are only five methods by which to 'structure' it so that it can begin to be transformed into knowledge: category, time, location, alphabet, or continuum. The trick is to choose the method that is most suitable, depending on what knowledge you wish to convey, to whom and in what context.¹⁷ So information designers draw on insights from disciplines ranging from interface design to cognitive psychology, information science to journalism and marketing to sociolinguistics; and they use design processes to ensure that those insights are applied 'to all aspects of information, including its content and language', as well as its visual form.¹⁸ Successful information design ensures that information is 'attractive' and relevant to 'the situation in which it appears'; and it 'reduces fatigue and errors in information processing', and thereby 'speeds up tasks'.¹⁹ For example, as Sarah Stein Lubrano explains in Chapter 5, strategies such as visual mapping can, among other things, activate affective context and help to manage cognitive load.

Two examples designed by Emily Allbon illustrate the point. First, Lawbore is an award-winning community site that is designed to offer law students an engaging pathway to free online legal resources. It integrates, and thereby leavens, text with images chosen carefully to intrigue, to deepen communication and to make users smile. It is the product of nearly two decades of experimentation, having been continuously redesigned in response to the changing needs and experiences of users, including the addition of new sub-sites every few

years such as Future Lawyer and Learnmore.²⁰ Second, TL;DR (social media shorthand for 'too long, didn't read'), goes further by prompting and facilitating law students and academics without design expertise to experiment with designing legal information and share the results via the site.²¹ Perhaps most significantly, the site carves out a space in which students and academics can engage with each other *through* a wide range of designed materials including visual explainers, whiteboard animations, graphic novels, factsheets, animations, interactive games, videos. Each source includes a description of how and why it was created, which helps to give confidence to others to take up the baton and discover how they might give it a try.

Additional examples are to be found in the contributions to this volume. Clare Williams argues that devices such as personas and graphics can help us to, among other things, make complex ideas accessible by telling compelling stories, and 'empirically grounding the conceptual' (Chapter 3). Turning to the sphere of public legal education, Hallie Jay Pope, founder of Graphic Advocacy (Chapter 13) and artist Isobel Williams (Chapter 12) illustrate how their creative work can hit home where words cannot. Pope introduces an important note of caution by emphasising the associated responsibility, in particular the need to depict 'real stories told by the people who experienced them'. In Chapter 18, we report on our interviews with four experts on design in legal publishing: Robin Chesterman, Global Head of Product and Matthew Terrell, Head of Marketing, both at vLexJustis; and Karen Waldron, Director of Product and Matt Wardle, UX Director both at LexisNexis. They speak with palpable passion about how design can radically enhance the density of legal communications, whilst at the same time enhancing their accessibility: 'You can genuinely be transformative', especially when these techniques are deployed as part of a wider design-driven process.

Exploring

Formal education tends to promote 'technical rationality, analysis and logic over other kinds of knowing'. But Allison James and Stephen Brookfield argue that we ought to make more 'space' for—to develop and value—our 'personal antennae', 'intuition' and 'gut feelings'. In particular, we need to make space for imagination. 'The capacity to imagine is part of what makes us human', and it is essential to any effort to 'conceive of, and realize' something new. In an educational context, imagination is about activating and enhancing the abilities of students, publics and clients to experiment or 'play' with existing ideas and new possibilities. A 'playful student or teacher...embarks on a process in a spirit of optimistic trust.' They are

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'not afraid to suspend [their] disbelief when faced with the unexpected', and 'will travel willingly and curiously to see what it might reveal'.²² A designerly way to activate and enhance imagination, whilst still keeping ourselves practical and critical, is to experiment with making ideas visible and tangible.²³

Making ideas visible can give students and teachers the confidence to draw on intuition to develop and explore a personal sense of a subject. For example, Coltsfoot Vale is a site created by Allbon which supports the teaching and learning of Land Law through interactive storytelling (Figure 1.1).²⁴ Students click on locations within a fictitious English village to reveal a 'story' or 'scenario' about the people living in it, and associated commentary and questions help students get a handle on land law concepts and principles. Coltsfoot Vale places land law in an accessible context; engaging students in the story and allowing them to develop empathy—to put themselves into the shoes of another.²⁵ It is hoped that other academics and practitioners may also in future be inspired to experiment by 'adopting a property' and developing a scenario for it.

[Figure 1.1: Screenshot from TL;DR including interactive subsite Coltsfoot Vale. Images © Emily Allbon.]

If we also make ideas tangible, we can maximise inclusion. Sarah Frug has observed that those engaging in legal design have too often assumed that visual communication is universally inclusive. One manifestation of this tendency is that '[p]rominent visual law projects have published images, with non-descriptive, incomplete, or misleading alternative text.' The result is 'a data-impooverished environment' in which those with visual impairments, as well as others who draw indirectly on machine-generated summaries of legal sources, 'are effectively barred from access to meaningful content.'²⁶ By making things not only visible but also tangible, and by encouraging each other to narrate those visible and tangible representations of our ideas, we can ensure that we make use all available senses to activate and enhance our imaginations. For example, in the first session of a module that Perry-Kessaris teaches on International Economic Law she invites students to use LEGO to collaboratively prototype what they expect the module will cover, and what they feel that it ought to cover; and to record themselves as they narrate their model. The aim is to prompt and facilitate them to take some individual and communal ownership of the module from the outset, and reflect back on those early imaginings at the end of the module. Here the 'ensuing discussion'—for example, around 'how different models connect with each other and how they can be adjusted' is as important as the 'building.'²⁷ A further example is

provided in this volume by Ximena Sierra Camargo, who in her MA Peacebuilding programme in Colombia prompts and facilitates the building of bridges across a diverse student body, split across 'divides of discipline and of lived experience', by inviting them to communicate through objects and visual devices (Chapter 4).

We can also use existing artefacts in the visual and material world as new sources for communicating about law. As Audre Lorde famously observed, '[t]he master's tools will never dismantle the master's house. They may allow us to temporarily beat him at his own game, but they will never enable us to bring about genuine change.'²⁸ So, for example, the manifesto of DecoloniseUKC—a student-led campaign at the University of Kent argued that we must 'promote academic risk-taking', combat the 'fear' of using sources 'beyond the "white canon"'.²⁹ And such calls are echoed among specialists in gender, sexuality and disability. Drawing on the established practice of object-based learning,³⁰ Perry-Kessaris worked with colleagues Lisa Dickson and Sophie Vigneron to prompt and facilitate LLM students at Kent law School to use museum artefacts as alternative sources.³¹ The KLS LLM Legal Treasure Tours were held annually 2014-2016 at the British Museum. Students identified a legal object in the collection, presented a commentary in front of it, and then re-created the object on-site as a clay model.³² Reporting for the group in 2015, student Sophie Bannister said the Tour offered 'a break from what [they] see as typical law elements and gave [them] the opportunity to look at historical objects and artefacts and find law within them, around them and amongst them'.³³

Enabling ecosystems

Especially when used in combination, these designerly ways can generate practical-critical-imaginative, structured-yet-free, potentially enabling ecosystems. Within such ecosystems the ability of those who work with law to understand and meet the challenges of nurturing and sustaining law as a practical, communal resource is enhanced.³⁴ Different ecosystems will be required depending on the timeframe and objectives.

When time is short, and our objectives are relatively precise and discrete, we can use an ad-hoc fast and furious design 'sprint' format. Here ideas are made visible and tangible in iterative rounds of hands-on, sketching, prototyping, and testing.³⁵ Participants are prompted and facilitated to think carefully about who their user might be—what are their perceptions, expectations and experiences? They are supported to be imaginative in their problem-solving, experiment with different ideas, to prototype solutions and test without worrying about being 'wrong'. This is important in a legal context, given that lawyers tend to find it

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especially difficult to 'embrace' the possibility that 'failure can have a positive connotation.'³⁶ And because sprints emphasise collaboration, they can help to highlight and challenge entrenched institutional silos, exclusionary homogeneity and hierarchy.

The sprint format can be applied across a wider range of legal education contexts. For example, Allbon has run sprints with Nepali lawyers in order to better explore the challenges in communicating reproductive rights to citizens; and as part of formal legal education.³⁷ Contributions in this volume demonstrate a variety of other applications. In Chapter 6, Michael Doherty and Tina McKee detail how they used a sprint to redesign the delivery of a higher education programme, emphasising that service design process and strategies can be productive no matter what your level of experience. From Camilla Baasch Andersen (Chapter 10) we learn of a module on contracting innovation which emerged out of the Comic Contracting Project at the University of Western Australia; and from Lisa Toohey, Monique Moore and Sara Rayment (Chapter 7), we have the first dedicated module in Australia on legal design thinking, which was introduced at Newcastle Law School. In Chapter 8, Rossana Ducato and Alain Strouwel talk us through their 'European IT Law by Design' module at UCLouvain in Belgium, including provocative micro level details of activities carried out in class to build skills. In Chapter 9 we see a cross-disciplinary collaboration between Andy Unger (Law) and Lucia Otoyó (Computer Science), who have joined forces to teach 'Law and Technology' to both law and computer science students at London's South Bank University; and discover how this has resulted in important positive impact beyond academia: namely, a spin-off project to create a racism reporting tool for a local community group. Turning to a public legal education context, Gráinne McKeever and Lucy Royal-Dawson detail their ongoing adventures in using human-centred design as part of their Litigants in Person in Northern Ireland project (Chapter 11); and Emily Allbon and Rachel Warner explain how, working with civil liberties organisation Liberty, they adapted a co-design workshop to be delivered online in response to the pandemic (Chapter 14). Each contribution includes practical insights into strategies, processes, challenges and findings, giving a clear sense of how and why to do it.

When we are working to a longer timeframe, and our objectives are more diffuse, we can take a slower, more open approach. For example, Perry-Kessaris has redesigned Research Methods in Law—a compulsory year-long module for postgraduate research students at Kent Law School—around a series of design briefs, each of which invites students to collaboratively experiment with a different aspect of the research process through their own project, often in visible and tangible ways.³⁸ The aim is to make students 'good hunters' by

training them in 'the art of inquiry', by 'sharpen[ing] their powers of observation', and by 'encourag[ing] them to think *through* observation rather than *after* it'.³⁹ We tend to think of 'reflection as a cognitive process', but in fact we 'perceive' and, therefore, 'reflect with' all 'senses in an embodied, mobile existence'.⁴⁰ So it is productive to ground learning in practical activities: 'the quality of discussions' whilst completing such practical activities tends to be 'quite unlike anything experienced in an ordinary seminar'.⁴¹ Students on Research Methods in Law have reflected that such tasks made them more willing to ' "give things a go", rather than obsessively overthinking'; more 'aware' that 'answer[s] may lie ...anywhere... not just ... in textbooks and journal articles'; more 'free to experiment with different ideas and a bit more open'; and they see the module as a kind of 'intention-setting for the sort of open and collegiate academic life we should hope for in future'.⁴² Further examples of the creation of longer term ecosystems can be found among the contributions to this volume. In Chapter 2, Siddharth De Souza and Lisa Hahn explain how they sought to develop a sense of community among postgraduate researchers, and make collaboration more possible and probable, through their creation of a 'Socio-Legal Lab' which emphasises experimentation with different research methods, and sharing experiences of 'how it feels to use them'. Likewise, Erika Pagano, Head of Legal Innovation and Design at Simmons Wavelength, offers valuable insights into how design can break down silos and hierarchies in law firms, as well as how to make it happen (Chapter 17).

[Figure 1.2: Judith Onwubiko presenting (top left), and recreating in clay (top right), a collection of manillas (metal shaped in the form of a bracelet, commonly used as currency in C15th-C20th West Africa, including as part the Transatlantic slave trade) at the British Museum; and postgraduate research students making models of their projects at Kent Law School (bottom). Images © Amanda Perry-Kessaris]

Conclusion

Across the world, law firms and in-house legal departments alike are increasingly investing in legal design expertise.⁴³ And in the UK, there are signs that regulators of the legal professions are considering, or are being encouraged to consider, more human-centred approaches that align closely with the aims and strengths of designerly mindsets, strategies and processes. For example, the Legal Services Board, which is the statutory body responsible for regulating the regulators of the legal profession including the Law Society and the Bar Council, proposed in its State of Legal Services Report 2020 the development of 'simple legal products' to promote accessibility in legal communications. It also argued that

regulatory bodies must 'put the interests of the public and consumers at the heart of everything they do'. And it noted that this requires not only directly encouraging or forcing the professions to improve services, but also ensuring that consumers have 'the information and tools they need' to choose the legal services and providers that best suit their needs, thereby promoting 'competition' so that current and potential providers are pushed to 'redesign legal services that respond to [those] needs.'⁴⁴ These objectives were echoed in the 10 year strategy for 'reshaping legal services', launched by the LSB in 2021, which includes 'fairer outcomes, stronger confidence and better services' as key themes.⁴⁵ Steve Brooker, Head of Policy Development and Research at the LSB, is convinced that design can directly enhance our ability to meet those objectives, and thereby 'have a transformational impact on improving access to justice'. Specifically, he argues that designerly ways can help by 'increasing public understanding of the citizen's legal rights and duties, making it easier for people to navigate the market and building trust in technologies'. And he is passionate about the relevance and value of inclusive design principles to regulators, drawing directly, for example, on the work of entrepreneurial, design-driven organisations such as Fair By Design.⁴⁶ Meanwhile, also in 2020, the Bar Council co-hosted a legal design sprint run by Allbon for university students in celebration of Justice Week. Joanne Kane, a barrister who acted as judge, considered the legacy of the event, stating it 'must be a shared determination between legal practitioners and designers to make online legal resources accessible to all, for the benefit of society as a whole.'⁴⁷

All of this suggests that law students ought to be introduced to and, ideally, trained in designerly mindsets, strategies and processes before they enter the professions. However, that introduction must be critical, for like law, design is not inherently 'good'. Designers are as prone as any other professional to being exclusive; and they sometimes ignore, misread or fails to anticipate users—especially users who are not like them.⁴⁸ So the design-based interventions proposed above are not a panacea—not least because they will be experienced differently by different users. If they are to enhance the experience of those who work with law now and in the future, they must be part of a proactively inclusive ecosystem. And educators have a foundational, dynamic and reflective role to play in developing such ecosystems. For instance, as Emily MacLoud explains in Chapter 15, understanding our own ethical lens in relation to accessibility and engagement is pivotal to the successful deployment of designerly ways in legal education.

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We hope that this volume prompts and facilitates you to reflect on how you already do, and how you might in future, use designerly ways in legal education; and to place those efforts in a wider legal, design and educational context.

¹ Melanie Nind & Sarah Lewthwaite (2020) A conceptual-empirical typology of social science research methods pedagogy, *Research Papers in Education*, 35:4, 467-487. For example, influenced by her experiences as a part-time student of visual communication and then graphic design, Amanda Perry-Kessaris began by introducing occasional design-based tasks into her teaching of Research Methods in Law but eventually came to take a design-based approach to the module as a whole.

² Dorst, K, Kaldor, L, Klippan, L, and Watson, R (2016) *Designing for the common good* Amsterdam: BIS Publishers, p. 3. See also L. Kimbell, 'Rethinking Design Thinking: Part I' (2011) 3 *Design and Culture* 285.

³ Brunschwig, C. R (2001) Visualisierung von Rechtsnormen: Legal Design [Visualization of Legal Norms: Legal Design] Schulthess.

⁴ See for example, Haapio, H. and Passera, S. 'Visual Law: What lawyers need to learn from information designers' *VoxPopuLII*, 15 May 2013

<https://blog.law.cornell.edu/voxpath/2013/05/15/visual-law-what-lawyers-need-to-learn-from-information-designers/>; and Legal Design Jam <http://legaldesignjam.com/>.

⁵ 'Making law better with Caitlin Moon', Legal Design Podcast, Episode 10, 2 May 2021 <http://legaldesignpodcast.com/10-making-law-better-with-cat-moon/>

⁶ See the Legal Design Lab <https://www.legaltechdesign.com> and Hagan, M. Hagan, M. (Undated) *Law by Design*. Available at: <http://www.lawbydesign.co/en/home/>

⁷ For regular contemporary insights in legal design thinking and practice see The Legal Design Podcast at <http://legaldesignpodcast.com/>

⁸ Here we are drawing on the framework developed by Amanda Perry-Kessaris, which builds in particular on the findings and terminology of social designer Ezio Manzini. See Perry-Kessaris, A. (2021) *Doing sociolegal research in design mode* Routledge; Manzini, E (2015) *Design, When Everybody Designs* MIT Press.

⁹ Perry-Kessaris 2021 Chapter 2.

¹⁰ Perry-Kessaris 2021 Chapter 1.

¹¹ See Perry-Kessaris 2021, Chapter 2.

¹² Perry-Kessaris, A (2019) 'Legal design for practice, activism, policy and research' 46:2 *Journal of Law and Society* 185-210

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¹³ Perry-Kessaris 2019. See Cotterrell, R (2006) *Law, culture and society: legal ideas in the mirror of social theory*. Aldershot: Ashgate; Cotterrell, R (2018) *Sociological Jurisprudence: Juristic thought and social inquiry* Routledge.

¹⁴ Hockings, C. (2010) 'Inclusive learning and teaching in higher education: a synthesis of research'. *Advance HE*. <https://www.advance-he.ac.uk/knowledge-hub/inclusive-learning-and-teaching-higher-education-synthesis-research> pp. 1 and 4. See also Thomas, L., and May, H. (2010) *Inclusive learning and teaching in Higher Education* <https://www.advance-he.ac.uk/knowledge-hub/inclusive-learning-and-teaching-higher-education>; *Advance HE* (2019) *Equality + higher education Staff statistical report 2019*. <https://www.advance-he.ac.uk/knowledge-hub/equality-higher-education-statistical-report-2019>; Ahmed, S (2012) *On being included: racism and diversity in institutional life*. London: Duke University Press; and Goodrich, P., & Mills, L. (2001). *The Law of White Spaces: Race, Culture, and Legal Education*. *Journal of Legal Education*, 51(1), 15-38.

¹⁵ Holmes, K. (2018) *Mismatch: How inclusion shapes design* MIT Press p.55-56

¹⁶ Allbon, E. (2019) 'Changing mindsets: encouraging law teachers to see beyond text' 7:1 *Journal of Open Access Law* Special issue on "Visual Law" Available at <https://ojs.law.cornell.edu/index.php/joal/article/view/96>

¹⁷ Wurman, R. S. (1989) *Information Anxiety* Doubleday, p. 59.

¹⁸ Waller, R ([1995] 2011) 'Information design: how the disciplines work together' Simplification Centre Technical Paper no 14. <https://www.reading.ac.uk/web/files/simplification/SC14DisciplinesTogether-7.pdf>

¹⁹ Frascara, J. (2015) *Information design as principled action: Making information accessible, relevant, understandable, and usable* Common Ground Publishing, p. 8.

²⁰ <http://lawbore.net/>

²¹ <https://tldr.legal/home.html>

²² James, A. and Brookfield, S. D. (2014) *Engaging Imagination: Helping Students Become Creative and Reflective Thinkers* Jossey-Bass, pp. 3, 14-15, 57-8 and 64.

²³ Perry-Kessaris, A (2021) *Doing Sociolegal Research in Design Mode*. Routledge.

²⁴ Allbon, E. (Undated) 'A day in coltsfoot vale'. TL:DR. <https://tldr.legal/resource/a-day-in-coltsfoot-vale.html>

²⁵ Allbon 2019. Research conducted at UCL in 2010-2012 found that most students across a range of disciplines found object-based learning more effective than a lecture: Chatterjee, H. and Duhs, R. (2010) 'OBL in Higher Education' CETLD Learning at the Interface Conference Proceedings

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http://arts.brighton.ac.uk/__data/assets/pdf_file/0010/18649/01-Object-based-learning-in-higher-education.pdf.

²⁶ Sara Frug 'Toward Inclusive Design for Visual Law.' *Journal of Open Access to Law* 7, no. 1 (2019): 1–11, <https://ojs.law.cornell.edu/index.php/joal/issue/view/8>

²⁷ James, A. and Brookfield, S. D. (2014) *Engaging imagination: helping students become creative and reflective thinkers* Jossey-Bass, p. 116.

²⁸ Lorde, A (1984). *Sister outsider: Essays and speeches*. Trumansburg, NY: Crossing Press.

²⁹ See Memon, R A and Jivraj, S (2020) 'Trust, courage and silence: carving out decolonial spaces in higher education through student–staff partnerships' 54:4 *The Law Teacher* 475-488. Note that have used the term 'decolonizing the curriculum' very broadly to capture the dominance of law as a discipline and profession: MacDonald, R. A. and McMorrow, T. B. (2014) 'Decolonizing Law School' 51:4 *Alberta Law Review* 717. But some, especially indigenous, scholars argue that decolonization is very specifically about 'the repatriation of Indigenous land and life' in settler colonies and, ought not to be appropriated by or deployed as 'a metaphor for other things we want to do to improve our societies': Tuck E. and Wang, K. W. (2012) 'Decolonization is not a metaphor' 1:1 *Decolonization: Indigeneity, Education and Society* pp. 1-40 at p. 1.

³⁰ See generally Helen Chatterjee and Leonie Hannan (2015) *Engaging the Senses: Object-Based Learning in Higher Education* Routledge. See also Morgan, L. (2017) 'Understanding Dworkin through art: object-based learning and law' 52:1 *The Law Teacher* 53-67.

³¹ <https://amandaperrykessaris.org/legaltreasure/>

³² See further Perry-Kessaris A. (2017) 'The pop-up museum of legal objects project: an experiment in 'sociolegal design' 68:2 *Northern Ireland Legal Quarterly* Special Issue on the Pop Up Museum of Legal Objects 225-44.

³³ Bannister, S. (2015) 'Legal Treasure Hunt'. *Mastering Law*. Blog Post. 19 June 2015. <https://blogs.kent.ac.uk/klsllm/2015/06/19/legal-treasure-hunt/>

³⁴ See further Perry-Kessaris 2021 Chapter 2.

³⁵ See Knapp, J, Zeratsky, J and Kowitzt, B (2016) *Sprint: How to solve big problems and test new ideas in just five days* Bantam Press.

³⁶ <https://www.ft.com/content/e66d15b2-8f39-11e7-9084-d0c17942ba93>

³⁷ An example is a sprint hosted by the Bar Council as part of Justice Week 2020: Emily Allbon 'The Legal Design Sprint – the perfect end to Justice Week 2020'. Blog Post.

Emily Allbon and Amanda Perry-Kessaris (2022) 'What can design do for legal education?' in *Design in Legal Education* Routledge.

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³⁸ Perry-Kessaris, A. (2016) Sociolegal model making 1: Decision. Film. Available at <https://vimeo.com/174647035>

³⁹ Ingold 2013, p. 11.

⁴⁰ James and Brookfield 2014, p. 13. See also Brown, N. and Collins, J. (2018) 'Using LEGO to understand emotion work in doctoral education' 5:4 *International Journal of Management and Applied Research* pp. 193-209.

⁴¹ Ingold 2013, p. 9.

⁴² See Perry-Kessaris, A (2020) 'Making sociolegal research more social by design: Anglo-German roots, rewards and risks' 21:6 *German Law Journal* 1427-1445.

⁴³ See 'Episode 13: Legal designing financial services with Fiona Philipps'. (*Legal Design Podcast*, 23 May 2021) <http://legaldesignpodcast.com/13-episode-legal-designing-financial-services-with-fiona-phillips/> > accessed 19 July 2021.

⁴⁴ Legal Services Board *State of Legal Services 2020 Report*. <https://legalservicesboard.org.uk/state-of-legal-services-report-2020> accessed 19 July 2021.

⁴⁵ Legal Services Board (2021) *Reshaping Legal Services*. March 2021. <https://legalservicesboard.org.uk/our-work/reshaping-legal-services-a-sector-wide-strategy>

⁴⁶ Email from Steve Brooker to the authors (12 August 2021). See also Fair by Design website: <https://fairbydesign.com/>

⁴⁷ Joanna Kane, 'Elevating publicly available legal resources: The Legal Design Sprint'. Young Bar Blog. Undated.

<https://www.barcouncil.org.uk/resource/young-bar-blog-elevating-publicly-available-legal-resources-the-legal-design-sprint.html> accessed 19 July 2021. See also Emily Allbon 'The Legal Design Sprint – the perfect end to Justice Week 2020'. Blog Post. Law Bore. March 1 2020. <https://blog.lawbore.net/2020/03/the-legal-design-sprint-the-perfect-end-to-justice-week-2020/>

⁴⁸ See for example Criado Perez, C (2020) *Invisible women: exposing data bias in a world designed for men*. Vintage.