

Legal Method of Observation, Interpretation and Communication

Prepare for observation

- You need to have some questions in mind before beginning participant observation. Typically, I will provide you with some goals for your observation, or these goals may be generated from the whole class discussion.
- You need to keep these goals in mind while observing behaviours and other factors that are most relevant to the research problem in question. For example, you might be advised to focus on the behaviors of male substance abusers, interactions between women and men, or the length of time individuals spend at a certain place. But, remember that behaviours, issues, and other factors that may not appear to be relevant may have a connection to the goals. So, stay focused but keep an open eye to observe everything.

Obtain data

- Observe, observe, observe.
 - The specifics of observing depend on each project. However, you may always want to pay attention to the following categories: (i) appearance; (ii) verbal behavior and interactions; (iii) physical behavior and gestures; (iv) personal space; (v) human traffic; (vi) people who stand out.
- Take notes of everything you see, whether or not you may think it is relevant for your task.
 - Pay attention to details.
 - Take detailed notes of what you experience and what you observe. Notes should include an account of events, how people behaved and reacted, what was said in conversation, where people were positioned in relationship to one another, their comings and goings, physical gestures, your subjective responses to what you observed, and all other details and observations necessary to make the narrative of the observation experience complete.
- Textual notes need to be entered into computer files; and data of all forms must be analyzed and consulted on a regular basis throughout the course.

- Occasionally quantify data. For example, you may need to count the number of people who enter a particular space and engage in a particular activity during a specified segment of time.
- Do diagrams, maps, etc.
- Participant observation may be done individually, in pairs, and in teams.

Analyzing data

- Use your notes to describe what you have observed as objectively as possible.
 - At this stage, avoid reporting your interpretation rather than an objective account of what you observe.
 - To interpret is to impose your own judgment on what you see. For example, an interpretive description of a street corner might be that it was “dirty and overly crowded.” An objective description would be that “there was garbage everywhere; and there were so many people around that it was difficult to move.”
- Analyze your data. Pay attention to behavior and relationships.
- Analyze what you did not see.
 - It is important to be aware of what has not happened, what you did not see. For example, suppose that you saw a man point a gun at a woman; then you looked at the woman, you heard a shot; and you saw the woman fall down, bleed, and die. You need to make it explicit that you did not see the man actually shoot the woman. It is possible, for example that someone else did it; or that the woman had an epileptic seizure, and she fell down and died as a consequence of this and not because of a gunshot.

Interpret data

- You need to identify the legal rules that will be applied for your interpretation.

- Use legal theories and categories of analysis to do your interpretation.
- Justify your statements, arguments, and conclusion.
- Inferences and assumptions
 - If you have to make inferences and assumptions in order to interpret your data, make the inferences and assumptions explicit. For example, in the hypothetical above, if you infer that the man shot the woman, make it explicit that you are inferring this.
- Make connections to other discussions, facts, cases, theories, and interpretations.
 - This is a very important aspect of the whole process.
 - Use the situation under analysis in the future to connect other situations to this one.
 - Connections include comparisons, illustrations, exemplifications, evaluations, etc.

Communicate your observation and interpretation

- First describe your observations.
 - Be specific.
 - Be thorough.
 - Include details.
- Communicate your analysis and interpretation

- Make your analysis explicit.
- Make inferences and assumptions explicit.
- Make the legal rules and theories explicit.
- Provide a justification for your interpretation.
- When communicating in writing, you must observe the following:
 - Be organized.
 - Use headings to signal you are taking up a new issue.
 - Be concise. No need to be flowery or wordy: Stay focused.
 - Always include a title.
 - Always include an introduction. The introduction must explain the problem you seek to address. It must also help organize your answer by telling the readers what you are going to say. The introduction should be short, simple, and clear.
- Conclusion: The purpose of the conclusion is to give an answer to the problem in question.