

Legal Profession Admission Board

September 2023

Equity

Examiner's Comments

1. As in past examinations, students were advised that all topics covered in the course were examinable. The examination paper consisted of one compulsory question worth 40% of the final mark. Students also had to do two further questions from a choice of 3 questions. These two questions were worth 20% of the final mark. The remaining 20% of the final mark came from the compulsory assignment for the course. The examination contained a compulsory question to ensure that students covered all the materials in the course when preparing for the examination.

2. Apart from half of question 4, all the questions were problem style questions in which students were asked to give advice to one of the persons involved in the question. In other words, they were asked to play out the role of a legal practitioner.

3. In answering the questions, the quality of answers varied, especially in questions 1-3. Poor marks in these questions generally flowed from students making fundamental errors in terms of what issues the facts gave rise to and/or apply relevant legal principles to the issues raised. This has been the reason for poor marks in the past and was so again, notwithstanding significant efforts during the semester to point out these common fundamental errors that students make.

4. As the examination was a confidential examination, these comments cannot identify the specific issues in the questions.

5. Of the 123 students who sat the examination, nine (7.32%) received Pass with Distinction grade, twenty-five (20.33%) received a Pass with Merit grade, and 60 (48.78%) received a Pass grade. Twenty-nine students (23.58%) received a Fail grade. The failure rate was solidly below the failure rate for the previous session (38.83%), but still a little above the traditional failure rates. The major reason for failed grades was that students simply made basic errors - they did not understand fundamental principles. However, the marks for students who passed were a significant improvement over last semester's marks with solid increases in the numbers who got Pass with Merit or Pass with Distinction grades. A factor that contributed to this improvement in Merit and Distinction grades was the improved attendance and, importantly, engagement, at weekend schools as well as numbers participating in the online tutorial sessions. However, a downside, probably contributing to the failure rate, was poor attendance at the weekly live lectures.