

Law FHS Examination Conventions 2019-20

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1. Introduction

Course Title: FHS BA in Jurisprudence (course 1) and BA Law with Law Studies in Europe (course 2)

Year to which conventions apply: students completing finals in 2019-20

Supervisory Body: Social Sciences Quality Assurance Committee

Purpose of Examination Conventions:

Examination Conventions are the formal record of the specific assessment standards for the course or courses to which they apply. They set out how examined work will be marked, and how the resulting marks will be used to arrive at a final result and classification of an award.

Because certain information pertaining to examinations (for example, rubrics for individual papers) will only be finalised by the Board of Examiners in the course of the year, it will be necessary to issue further versions of this document. The version number of this document is given below. Subsequent versions will follow a numbering sequence from 1.1 upwards. Each time a new version is issued, you will be informed by email, and the updates will be highlighted in the text and listed below.

Version 1.1

This version and subsequent versions can be obtained from the WebLearn site

<https://weblearn.ox.ac.uk/portal/hierarchy/socsci/law/undergrad/page/home>

2. Examination papers and rubrics

(a) Course 1: Candidates will be examined in seven standard subjects and two standard optional subjects and must have satisfactorily completed the Legal Research and Mooting Skills Programme. The standard subjects are:

- (i) Administrative Law
- (ii) Contract
- (iii) European Union Law
- (iv) Jurisprudence
- (v) Land Law
- (vi) Tort
- (vii) Trusts

A list of standard optional subjects can be found at

https://weblearn.ox.ac.uk/portal/hierarchy/socsci/law/undergrad/fhs_options

(b) Course 2: Candidates will be examined in seven standard subjects (as for 2(a) above) and two standard optional subjects and must have satisfactorily completed the Legal Research and Mooting Skills Programme. Candidates are also required to have spent, after matriculation, one academic year in residence in a European university approved by examination regulation and to have attended such courses at the approved university as are approved in accordance with the Examination Regulations, and to have completed such examinations at the approved university as the faculty board may specify.

The rubrics for individual papers can be found at Appendix A towards the end of this document.

3. Materials normally available in the exam room

The list of materials that would normally be available in the exam room for each paper is enclosed at Appendix B. NB Please note that there will be an updated version of the conventions to confirm certain elements of the additional documentation.

4. Marking Conventions

4.1 University scale for standardised expression of agreed final marks

Agreed final marks for individual papers will be expressed using the following scale:

70-100	First Class
60-69	Upper second
50-59	Lower second
40-49	Third
30-39	Pass
0-29	Fail

4.2 Qualitative assessment criteria for Open-book Exam questions

Timed examination answers

First class (70% and above)

70-75% An answer that is exceptionally good and shows several of the following qualities:

- acute attention to the question asked;
- a deep and detailed knowledge and understanding of the topic addressed and its place in the surrounding context;
- excellent comprehensiveness and accuracy, with no or almost no substantial errors or omissions, and coverage of at least some less obvious angles;
- excellent clarity and appropriateness of structure, argument, integration of information and ideas, and expression;
- identification of more than one possible line of argument;
- good appreciation of theoretical arguments concerning the topic, substantial critical analysis, and (especially in the case of high first-class answers) personal contribution to debate on the topic.

75-80% An answer that is exceptionally good and shows all of the qualities listed above. Will include a strong personal contribution to debate on the topic.

80+% A truly exceptional answer.

Upper second class (60-69%)

Upper second class answers represent a level of attainment which, for an undergraduate, can be regarded as in the range reasonably good to very good. To an extent varying with their place within this range, they show at least most of the following qualities:

- attention to the question asked;
- a clear and fairly detailed knowledge and understanding of the topic addressed and its place in the surrounding law;
- good comprehensiveness and accuracy, with few substantial errors or omissions;
- a clear and appropriate structure, argument, integration of information and ideas, and expression;
- identification of more than one possible line of argument;
- reasonable familiarity with theoretical arguments concerning the topic, and (especially in the case of high upper second-class answers) a significant degree of critical analysis.

Lower second class (50-59%)

Lower second-class answers represent a level of attainment which, for an undergraduate, can be regarded as in the range between reasonable, and acceptable but disappointing. To an extent varying with their place within this range, they generally show the following qualities:

- normally, attention to the question asked (but a lower second class answer may be one which gives an otherwise upper second class treatment of a related question rather than the question asked);
- a fair knowledge and understanding of the topic addressed and its place in the surrounding law;
- reasonable comprehensiveness and accuracy, possibly marked by some substantial errors or omissions;
- a reasonably clear and appropriate structure, argument, integration of information and ideas, and expression, though the theoretical or critical treatment is likely to be scanty or weak.

Third class (40-49%) and pass (30-39%)

Third class and pass answers represent a level of attainment which, for an undergraduate, can be regarded as acceptable, but only barely so. They generally show the following qualities:

- the ability to identify the relevant area of the subject, if not necessarily close attention to the question asked;
- some knowledge and understanding of the topic addressed and its place in the surrounding law, notwithstanding weakness in comprehensiveness and accuracy, commonly including substantial errors and omissions;
- some structure, argument, integration of information and ideas, and lucidity of expression, though these are likely to be unclear or inappropriate and to offer negligible theoretical or critical treatment.

Essays and problems

The above statements apply not only to answers to essay questions but also to answers to problem questions. In particular, good problem answers (upper second-class standard) will explore different solutions and lines of argument. The best answers (first-class standard) might offer a critical or theoretical treatment of the doctrines under discussion where appropriate and in addition to solving the problem posed.

4.3 Qualitative assessment criteria for extended essays (e.g Medical Law and Ethics)

The following criteria will be used in the marking of extended essays:

Engagement: <ul style="list-style-type: none">• identification and definition of a problem;• range of issues addressed;• depth, complexity and sophistication of comprehension of issues and implications.
Argument: <ul style="list-style-type: none">• coherence, control, independence and relevance of argument to problem;• conceptual and analytical precision;• clarity and sophistication of development of argument;• flexibility: discussion of a variety of views.
Evidence: <ul style="list-style-type: none">• sophistication of methods of research;• range of material deployed;• relevance of information deployed;• understanding of historical debate;• depth, precision, detail and accuracy of evidence cited.
Organization & Presentation <ul style="list-style-type: none">• clarity and coherence of structure;• clarity and fluency of prose;• correctness of apparatus and form of footnotes & bibliography.

These criteria inform the following marking bands:

Distinction (70 – 100)

80% +

An essay which is outstanding for both originality and sophistication and excels across the range of criteria.

75 – 80%

An essay which excels in more than one criteria and at least highly competent in all others.

70 – 75%

An essay which is very highly competent in all areas, probably excelling in at least one group of criteria.

Relative weaknesses in some areas may be compensated by obvious strengths in others.

Pass (30 - 69)

60 -69%

An essay which demonstrates considerable competence across the range of criteria.

An ability to offer a coherent argument based on evidence found in research.

Additional strengths, such as the range of issues addressed, sophistication of argument and the range and depth of research may compensate for other weaknesses.

50 – 59%

An essay which shows evidence of solid competence in research and analysis, but failing in one criterion.

40 – 49%

An essay which fall down on a number of criteria, but will exhibit some vestiges of the qualities required, such as the ability to define a problem, to deploy evidence found in research, or to offer some coherent analysis towards an argument. However, these qualities will not be displayed at a high level or consistently.

30 – 39%

An essay which display a modicum of knowledge or understanding of some points, but will display almost none of the higher qualities described in the criteria, and will not be based on any meaningful research

Fail (less than 30%):

Some or all of the criteria required for a pass answer are absent.

See 5.2 below for further information about how overall classifications are calculated.

4.4 Verification and reconciliation of marks

Unlike other subject areas, the Law Faculty does not double mark all scripts for its undergraduate examinations. Instead, it operates a rigorous process which incorporates extensive double-blind marking according to a system approved by the supervisory body. The Faculty takes great care to ensure the objectivity of marking procedures.

The process begins with the team of markers for each paper meeting to discuss how to treat the marking of individual questions and then, as the marking progresses, liaising to exchange information about how candidates are handling questions.

Once first marking has been carried out, marks profiles for each marker are compiled and compared with one another. If any profile looks to be out of line with that of other markers, then second marking of the scripts in question takes place, following which the two markers meet to compare the marks and agree a single final mark for the script in question. A record is completed for each candidate for each paper where a marks reconciliation process has taken place.

All scripts that on their first reading have been awarded failing marks (in FHS this includes scripts falling below the mark of 40 required for the paper to be counted towards the professional qualification) are second marked, as are potential prize-winning scripts and any scripts identified by the first marker as unusual. Where more than one assessment contributes to the overall mark for a paper, the assessment marks will be combined according to the weightings defined in the rubric.

After this first stage, the Board of Examiners meet and compare the profiles for each paper, which may then lead to re-readings to address any anomalies. Second marking will also be applied for candidates whose overall marks place them in the following categories: in the Diploma, those on the distinction and fail borderlines; in FHS, those on the borderline of any classification (e.g. 1st, 2:1 etc.) and those for whom any script has a first mark four marks or more below the candidate's overall average. Second marking may also be required to determine the winners of prizes. In exceptional circumstances (e.g. medical), third readings may take place.

After this second stage, the Board of Examiners meet again and agree a final classification/result for each candidate, having taken account of medical and other special case evidence and having made appropriate adjustments for such matters as a breach of rubric. The Examiners also agree on the award of prizes at this stage.

4.5 Scaling

To account for difficulties associated with the COVID-19 pandemic, the Examiners may choose to scale marks where in their academic judgement:

- a) a paper was more difficult or easy than in previous years, and/or
- b) an optional paper was more or less difficult than other optional papers taken by students in a particular year, and/or
- c) a paper has generated a spread of marks which are not a fair reflection of student performance on the University's standard scale for the expression of agreed final marks, i.e. the marks do not reflect the qualitative marks descriptors.
- d) the results in a paper are significantly different from those expected and/or compared to other assessments

Such scaling is used to ensure that candidates' marks are not advantaged or disadvantaged by any of these situations. In each case, examiners will establish if they have sufficient evidence for scaling. Scaling will only be considered and undertaken after moderation of a paper has been completed, and a complete run of marks for all papers is available.

If it is decided that it is appropriate to use scaling, the examiners will review a sample of papers either side of the classification borderlines to ensure that the outcome of scaling is consistent with academic views of what constitutes an appropriate performance within in each class.

Detailed information about why scaling was necessary and how it was applied will be included in the Examiners' report and the algorithms used will be published for the information of all examiners and students.

4.6 Incomplete scripts and departure from rubric

The mark for an absent answer in any script will be zero, and the mark for a part-answer, or a 'skipped', 'rushed final', 'short' or 'weak' answer, will be such a mark above zero as is appropriate, relative to more successful answers, in terms of the quality of what has been written, and the extent to which it covers the question.

The overall mark for a script will be calculated by averaging the number of marks, including zeros, over the number of questions that should have been answered on the paper.

If a candidate completes the correct number of questions, but fails to answer a question which is compulsory (e.g. where the candidate does not answer a problem question as required by the rubric of that paper), marks will be deducted, and this may affect the final result. It is therefore of the utmost importance that candidates comply with the rubric of the paper and answer the number and type of questions stipulated.

Candidates who write answers in note form must also expect to have their overall mark for the paper reduced.

4.7 Penalties for late or non-submission (for Jurisprudence essays, Comparative Private Law essays, Medical Law and Ethics essays, Jessup Moot memorials, and Advanced Criminal Law essays)

The scale of penalties agreed by the board of examiners in relation to late submission of assessed items is set out below. Details of the circumstances in which such penalties might apply can be found in the Examination Regulations (Regulations for the Conduct of University Examinations, Part 14.)

Lateness	Cumulative mark penalty
Up to two hours late	2 marks
Up to 24 hours late	5 marks
Up to six calendar days late	10 marks
Beyond six calendar days late	A mark of zero will be awarded ¹
More than 14 calendar days after the notice of non-submission	Fail

Application to the Proctors for permission for late submission of essays should be made, by the candidate's college on the candidate's behalf, before the submission date if at all possible, although retrospective applications are permitted in exceptional cases.

4.8 Penalties for over-length work (for Jurisprudence essays, Comparative Private Law essays, Medical Law and Ethics essays, and Advanced Criminal Law essays)

Where a candidate submits a piece of written coursework which exceeds the word limit prescribed by the relevant regulation, the Examiners, if they agree to proceed with the examination of the work, may reduce the mark by up to 10 marks.

¹ Where more than one assessment contributes to the overall mark for a paper, it is possible to get a mark of zero for a submission, but still pass overall.

4.9 Over-length work for open-book examination submissions

Candidates should not write more than the following numbers of words in their answers in open-book examination responses:

- (a) For Jurisprudence, and exams with 4 questions: a word limit of 2000 words for each question;
- (b) For exams with 3 questions: a word limit of 2700 words for each question.

For electronic submissions, candidates should record the word-length, as calculated by their own pc/laptop software programmes, on the submission itself. Whilst no penalty will be applied where a candidate exceeds the relevant limit, examiners will not read the additional words.

4.10 Penalties for late-submission of open-book examination responses

Candidates should upload their submission within the time allowed for their open-book examination. Candidates who access the paper later than the published start time (and who do not have an agreed alternative start time) will still need to finish and submit their work within the originally published timeframe or be considered to have submitted late. Candidates who access the paper on time but who submit their work after the published timeframe will also be considered to have submitted late.

Where candidates submit their examination after the end of the specified timeframe and believe they have a good reason for doing so, they may submit a self-assessment mitigating circumstances form to explain their reasons for the late submission. See

<http://www.ox.ac.uk/students/news/2020-05-03-mitigating-circumstances-process-updated-covid-19>

For further details.

The Exam Board will consider whether to waive the penalties (outlined below) for late submission.

The penalties will be applied at the paper level and are as follows:

Time	Penalty
First 15 minutes	No penalty
16 minutes – 30 minutes	5 marks or 5% of marks available (if not marked on 100 mark scale)
31 minutes – 45 minutes	10 marks or 10% of marks available (if not marked on 100 mark scale)
Up to an hour	15 marks or 15% of marks available (if not marked on 100 mark scale)
After one hour	Fail mark (0)

Penalties will only be applied after the work has been marked and the Exam Board has checked whether there are any valid reasons for late submission.

4.11 Penalties for plagiarism/poor academic practice

The Board of Examiners shall deal finally with cases of poor academic practice where the material under review is small and does not exceed 10% of the whole.

In determining the incidence of plagiarism, the Board will use Turnitin for online submissions. Assessors should mark work on its academic merit. It is the Board's responsibility to deduce marks for derivative or poor referencing.

Depending on the extent of poor academic practice, the board shall deduct between 1% and 10% of the marks awarded by the assessors if poor referencing is found where material is widely available (with an exception for factual information or a technical description that could not be paraphrased easily); where passage(s) draw on a variety of sources, either verbatim or derivative, in patchwork fashion (and examiners consider that this represents poor academic practice rather than an attempt to deceive); where some attempt has been made to provide references, however incomplete (e.g. footnotes but no quotation marks, Harvard-style references at the end of a paragraph, inclusion in bibliography); or where passage(s) are lifted from 'grey literature' i.e. web sources with no clear owner.

If a student has previously had marks deducted for poor academic practice, or has been referred to the Proctors for suspected plagiarism, the case must always be referred to the Proctors.

Any more serious cases of poor academic practice than described above should also always be referred to the Proctors.

4.12 Penalty for non-submission of work (for Jurisprudence essays, Comparative Private Law essays, Medical Law and Ethics essays, Jessup Moot memorials, and Advanced Criminal Law essays) or for open-book examinations.

Where a candidate fails to submit a piece of examinable course work, they must ask their college to apply to the Proctors for dispensation. If such dispensation is either not sought or not granted, the candidate will fail the FHS examination as a whole, and will have to repeat all parts.

5. Progression rules and classification conventions

5.1 Qualitative descriptors

Qualitative descriptors are intended to provide summaries of the qualities that will be demonstrated in attaining each classification – First, Upper Second, etc. – overall.

The qualities a First overall will demonstrate include acute attention to the questions asked; a deep and detailed knowledge of the topic; excellent clarity and structure; and good appreciation of theoretical arguments.

The qualities an Upper Second overall will demonstrate include attention to the questions asked, a fairly detailed knowledge and understanding of the topic; good and accurate coverage of the topic; good clarity and structure; and reasonable familiarity with theoretical arguments.

The qualities a Lower Second overall will demonstrate include attention to the questions asked which may vary from adequate to disappointing; some knowledge and understanding of the topic; some

coverage of the topic and a reasonable level of accuracy, though possibly marred by substantial errors or omissions; a reasonable level of clarity and structure, although theoretical or critical argument is likely to be insubstantial or weak.

The qualities a Third or Pass overall will demonstrate include the ability to identify the relevant area of the subject; a limited knowledge and understanding of the topic, usually marred by substantial errors and omissions; some degree of structure and argument, although ideas are likely to be unclear or inappropriate and to offer negligible theoretical or critical treatment.

Note that the aggregation and classification rules in some circumstances allow a stronger performance on some papers to compensate for a weaker performance on others.

5.2 Final outcome rules (adjusted to accommodate the Safety Net arrangements)

The final outcome rules are as follows, bearing in mind that the examiners have some discretion to deal with exceptional circumstances, in accordance with the Examination Regulations. These rules have been adjusted to accommodate the Safety Net arrangements agreed by the Board of Examiners.

For the award of a Class I overall:

- a. Four marks of 70 or above, no marks of below 55 in Core papers, and no marks of below 50 on Options papers and/or Jurisprudence (if as a result of the examination mark reducing the average); or
- b. Five marks of 70 or above, no marks of below 45 in Core papers including no more than two marks below 60 and no more than one mark below 50, and no marks of below 40 in Options papers and/or Jurisprudence (if as a result of the examination mark reducing the average).

For the award of a Class II.i overall:

five marks of 60 or above, no more than one mark below 45 but not below 40 in Core papers, no more than one mark below 40 but not below 30 in Options papers and/or Jurisprudence (if as a result of the examination mark reducing the average).

For the award of a Class II.ii overall:

five marks of 50 or above, no more than one mark below 40 but not below 35 in a Core paper, no marks of below 35 in Options papers and/or Jurisprudence (if as a result of the examination mark reducing the average).

For the award of a Class III overall:

five marks of 40 or above, no more than three marks below 35 of which no more than one can be in a Core paper;

For the award of a Pass overall:

five marks of 40 or more, no more than three marks below 30 of which no more than one can be in a Core paper

The Safety Net will also require the board examiners to ensure the following outcomes:

1. The **proportion of Class I overall** (ie. not individual papers, but overall Class I) awarded will be no less than the proportion of Class I overall awarded, on average, over the last three years across Course I and Course II taken together;
2. The **combined proportion of Class I and Class II.i overall** (ie. not individual papers, but overall Class II.i) awarded will be no less than the combined proportion of Class I and Class II.i overall awarded, on average, over the last three years across Course I and Course II taken together;
3. Subject to exceptional circumstances (such as incomplete scripts), the **proportion of Fail overall** (ie. not individual papers but overall Fail) will be no greater than the proportion of Fail overall awarded, on average, over the last three years across Course I and Course II taken together;

6. Resits

A candidate who does not attain a classified result (i.e. who attain a fail or a pass) may apply to resit the following year. He/she should talk to the Senior Tutor in their College about the relevant procedures.

7. Consideration of mitigating circumstances

A candidate's final outcome will first be considered using the classification rules/final outcome rules as described above in section 5.2. The exam board will then consider any further information they have on individual circumstances.

Where a candidate or candidates have made a submission, under Part 13 of the Regulations for Conduct of University Examinations, that unforeseen circumstances may have had an impact on their performance in an examination, the final Board of Examiners decide whether and how to adjust a candidate's results. Further information on the procedure is provided in the *Policy and Guidance for examiners, Annex C* and information for students is provided at www.ox.ac.uk/students/academic/exams/guidance.

Candidates who have indicated they wish to be considered for the Declared to Deserve Honours outcome (DDH) will first be considered for a classified degree, taking into account the safety net policy and any individual MCE. If that is not possible and they meet the DDH eligibility criteria, they will be awarded DDH/DDM.

8. Details of examiners and rules on communicating with examiners

The names and positions of examiners are listed below. Students are strictly prohibited from contacting internal or external examiners directly.

Prof S Douglas (Chair)
Prof R Taylor
Dr I Goold
Prof A Tzanakopoulos
Prof J Goudkamp

Prof R Williams
Prof B Häcker
Prof B McFarlane

Appendix A Form and rubric of examination papers: FHS Jurisprudence and DLS Trinity 2020

Administrative Law

There will be 10 questions of which FHS candidates should answer 4, and DLS candidates should answer 3.

Advanced Criminal Law

There will be 6 questions, one in Part A, and five in Part B. Candidates should complete two essays, including one from Part A, and one from Part B. The essays will have equal weighting when calculating the overall mark for this course.

Civil Dispute Resolution

There will be 10 questions of which FHS candidates should answer 4, and DLS candidates should answer 3.

Commercial Law

There will be 10 questions, 5 of which will be problem questions. FHS candidates should answer 4 questions including at least two problem questions. In problem questions candidates should assume that the only applicable law is English law. [This paper is not available to candidates who are offering Personal Property.]

Company Law

There will be 12 questions, 4 of which will be problem questions. FHS candidates should answer 4 questions including at least one problem question. DLS candidates should answer 3 questions including at least one problem question.

Comparative Private Law

One essay question will be chosen from a list of three questions.

Competition Law and Policy

There will be 8 questions, 4 of which will be problem questions. FHS candidates should answer 3 questions including at least one problem questions. DLS candidates should answer 3 questions, including at least one problem question.

Constitutional Law

There will be 10 questions of which FHS candidates should answer 4, and DLS candidates should answer 3.

Candidates are asked to note that some questions may involve a greater degree of mixing of topics than has been the norm in past papers.

Contract

There will be 12 questions, 5 of which will be problem questions. FHS candidates should answer 4 questions including at least two problem questions; DLS candidates should answer 3 questions including at least one problem question.

Copyright, Patents and Allied Rights

There will be 12 questions, 4 in Part A (Copyright), 4 in Part B (Patents) and 4 in Part C (Problems). FHS candidates should answer four questions, at least one question from Part A, at least one question from Part B, and at least one question from Part C. DLS candidates should answer 3 questions; one question from Part A, one question from Part B, and one question from Part C.

Copyright, Trade Marks and Allied Rights

There will be 12 questions, 4 in Part A (Copyright), 4 in Part B (Trade Marks) and 4 in Part C (Problems). FHS candidates should answer four questions, at least one question from Part A, at least one question from Part B, and at least one question from Part C. DLS candidates should answer 3 questions; one question from Part A, one question from Part B, and one question from Part C.

Criminology and Criminal Justice

There will be 12 questions of which FHS candidates should answer 4, and DLS candidates should answer 3.

Criminal Law

There will be 11 questions, 7 of which will be essay questions (Part A) and 4 of which will be problem questions (Part B). FHS candidates should answer 4 questions, including at least one question from Part A and at least two questions from Part B. DLS candidates should answer 3 questions, including at least one question from Part A and at least one question from Part B.

Environmental Law

There will be 10 questions including problem questions, but choice of questions will be unrestricted. FHS candidates should answer 4 questions, and DLS candidates should answer 3.

European Union Law

There will be 10 questions of which FHS candidates should answer 4, and DLS candidates should answer 3.

Family Law

There will be 12 questions of which FHS candidates should answer 4, and DLS candidates should answer 3.

History of English Law

There will be 12 questions of which FHS candidates should answer 4, and DLS candidates should answer 3.

Human Rights Law

There will be 10 questions, of which FHS candidates answer 4 and DLS candidates answer 3.

International Trade

There will be 10 questions, 5 of which will be problem questions. FHS candidates should answer 4 questions including at least two problem questions. In problem questions candidates should assume that the only applicable law is English law.

Jurisprudence

There will be 10 questions of which FHS candidates should answer 2. The exam will have equal weight with the Jurisprudence essay in the calculation of the overall mark for this course.

Labour Law

There will be 12 questions of which FHS candidates should answer 4, and DLS candidates should answer 3.

Land Law

There will be 11 questions on this paper, 5 of which will be problem questions. FHS candidates taking this paper should answer 4 questions including at least one problem question. DLS candidates should answer 3 questions including at least one problem question.

In all cases, candidates will not be expected to display in-depth knowledge of human rights issues in answering problem questions.

Media Law

There will be 10 questions of which FHS candidates should answer 4.

Medical Law and Ethics

Two essay questions will be chosen from a list of nine questions. The essays will have equal weight in the calculation of the overall mark for this course.

Moral and Political Philosophy

There will be 12 questions; 8 in Part A (Moral Philosophy) and 4 in Part B (Political Philosophy). Candidates should answer 3 questions, including at least one from Part A and at least one from Part B.

Personal Property

There will be 10 questions, up to 3 of which will be problem questions but choice of questions will be unrestricted. Candidates should answer 4 questions. [This paper is not available to candidates who are offering Commercial Law.]

Public International Law

There will be 9 questions of which FHS candidates should answer 4, and DLS candidates should answer 3.

Public International Law (Jessup Moot Option)

There will be nine questions, four in Part A and five in Part B. FHS candidates should answer two questions, one question from Part A and one question from Part B.

Roman Law (Delict)

There will be 10 questions, 4 of which will require comment on selections from the set texts (in English), FHS candidates should answer 4 questions including at least two of the text questions; DLS candidates should answer 3 questions including at least one of the text questions.

Taxation Law

There will be 8 questions, 2 of which will be problem questions but choice of questions will be unrestricted. FHS candidates should answer 4 questions, and DLS candidates should answer 3 questions.

Tort

There will be 12 questions, 5 of which will be problem questions. FHS candidates should answer 4 questions including at least two problem questions; DLS candidates should answer 3 questions including at least one problem question.

Trusts

There will be 14 questions, 4 of which will be problem questions. FHS candidates should answer 4 questions including at least one problem question; DLS candidates should answer 3 questions including at least one problem question.

Appendix B Materials normally available in the exam room: FHS Jurisprudence and DLS Trinity 2020

Items marked (TBC): Confirmation is still awaited from the examiners in respect of whether these will be offered in exactly the form reported on this list – there will be a second iteration of this document which will address those cases. Confirmation has already been received in respect of items annotated with the word ‘confirmed’.

Administrative Law

Administrative Law Case List 2019-20

Civil Dispute Resolution

Civil Dispute Resolution Case List 2019-20

Documents (TBC)

Civil Procedure Rules 1998, parts 1, 3, 7, 12, 13, 24, 25, 31, 39, 44, 52

Arbitration Act 1996, ss. 1, 4, 9, 33, 37, 40, 42-44, 67-71, 81

Consumer Rights Act 2015, Schedule 8

Human Rights Act 1998, s. 12(3)

Senior Courts Act 1981, s. 49(2)

Practice Direction – Pre-action Conduct and Protocols

Directive 2013/11/EU on Consumer ADR

Company Law

Butterworths Company Law Handbook, 33rd edition

Company Law Case List 2019-20

Competition Law and Policy

Blackstone’s UK and EU Competition Documents, 8th (2015) edition, ed. Kirsty Dougan

Competition Law and Policy Case List 2019-20

Constitutional Law

Constitutional Law Case List 2019-20

Contract

Blackstone's Statutes on Contract, Tort and Restitution, 29th (2018-19) edition, ed. Francis Rose

Contract Case List 2019-20

Documents: (confirmed)

Consumer Protection from Unfair Trading Regulations 2008 (SI 2008/1277) (as amended) Pts 1, 2, 4A & reg. 29

Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 (SI 2013/3134) (as amended) regs. 4 - 10 & 13; Scheds. 1 and 2

Consumer Rights Act 2015 Pt 1 Chap. 1, extracts from Chap. 2 (ss. 3-24, 31), Chap. 4 & Chap. 5; Pt 2; & Sched. 2

Directive on Unfair Terms in Consumer Contracts (93/13/EEC) of 5 April 1993 (as amended)

Copyright, Trade Marks and Allied Rights

Blackstone's Statutes on Intellectual Property 13th (2016) edition

Copyright, Trade Marks & Allied Rights Case List 2019-20

Documents: (TBC)

Charter of Fundamental Rights of the European Union

Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to Approximate the Laws of the Member States Relating to Trade Marks (codified version)

Criminal Law

Criminal Law Case List 2019-20

Booklet of extracts from Criminal Law Statutes containing the following (confirmed)

Accessories and Abettors Act 1861, s. 8

Offences Against the Person Act 1861, ss. 16, 18, 20, 23, 24, 47

Infanticide Act 1938, s. 1

Homicide Act 1957, ss. 1, 2, 4

Suicide Act 1961, ss. 1, 2, 2A, 2B

Criminal Procedure (Insanity) Act 1964 ss. 1, 4, 4A, 5, 6

Criminal Justice Act 1967 s. 8

Criminal Law Act 1967, s. 3

Theft Act 1968, ss. 1-6, 8, 9, 12, 21, 22, 25

Criminal Damage Act 1971, ss. 1, 2, 3, 5, 10

Criminal Law Act 1977, ss. 1 and 2 (not 1A) and 5(1), (6), (8) and (9)

Theft Act 1978, s. 3

Magistrates' Courts Act 1980 s. 44

Criminal Attempts Act 1981, s. 1

Law Reform (Year and Day Rule) Act 1996 ss. 1, 2

Crime and Disorder Act 1998 s. 34

Sexual Offences Act 2003, ss. 1-9, 13, 73-78, and 79(2), (3), (8) and (9).

Fraud Act 2006, ss. 1-5

Serious Crime Act, 2007 ss. 44-47, 49-51, 56, 59, 64-67 and excerpts from Schedule 3 (Listed Offences)

Criminal Justice and Immigration Act 2008 s. 76

Coroners and Justice Act 2009, ss. 54-56

Environmental Law

Environmental Law Case List 2019-20

European Union Law

Blackstone's EU Treaties and Legislation, 28th (2017-18) edition, ed. Nigel Foster, OUP

European Union Law Case List 2019-20

Family Law

Blackstone's Statutes on Family Law, 26th (2017-18) edition

Family Law Case List 2019-20

History of English Law

History of English Law Case List 2019-20

Documents (confirmed)

Statutes for History of English Law FHS 2019-2020:

Magna Carta 1217 c. 3-6

Magna Carta 1225 c. 36

Petition of the Barons 1258 c. 27
Statute of Marlborough of 1267 c. 17
Statute of Westminster I 1275 c.48
Statute of Gloucester 1278 c. 11
Statute of Mortmain 1279
Statute *De Donis Conditionalibus* 1285
Statute *Quia Emptores* 1290
Mortmain Act 1391
Statute Concerning Grants by Cestuy que Use 1484
Fraudulent Deeds of Gift Act 1487
Wardship Act 1490
Statute of Fines 1490
Recoveries Act 1529
Mortmain Act 1531
Statute of Uses 1536 Preamble & ss 1-4, 8-9
Statute of Enrolments 1536
Statute of Wills 1540 Preamble and ss 1-2
Act for Explanation of the Statute of Wills 1542 Preamble and ss 1, 5, 7-9
Tenures Abolition Act 1660 Preamble and ss 1-10
Statute of Frauds 1677 Preamble and ss 4, 7-9, 17
Promissory Notes Act 1704

Human Rights Law

Human Rights Case List 2019-20
Documents (confirmed)
European Convention on Human Rights
European Charter of Fundamental Rights
Human Rights Act 1998

International Trade

Blackstone's Statutes on Commercial and Consumer Law, 20th (2011-12) edition, ed. Francis Rose

International Trade Case List 2019-20

Jessup Moot

Blackstone's International Law Documents, 13th (2017) edition

Labour Law

Blackstone's Statutes on Employment Law, 27th (2018-19) edition, ed. Richard Kidner

Labour Law Case List 2018-19

Land Law

Blackstones Statutes on Property Law, 26th (2018-19) edition, ed. Meryl Thomas

Land Law Case List 2019-20

Documents: [TBC]

Consumer Credit Act 1974 ss. 140A-140C

Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 Art 60C (2) and 61(3)

Mortgage Repossessions (Protection of Tenants etc.) Act 2010 (in full)

Consumer Rights Act 2015, ss. 2, 61-69

ECHR (art 8, and protocol 1 art 1)

Media Law

Blackstone's Media Law Statutes, 4th edition (2013)

Media Law Case List 2019-20

Documents: [TBC]

Communications Act 2003, s. 368E

Juries Act 1974, s. 20A-20C

Police and Criminal Evidence Act 1984, ss. 8, 9, 11, 13, 14 and extracts from Schedule 1

Terrorism Act 2000, extract from Schedule 5

Criminal Justice and Courts Act 2015, ss. 33-35 and 37

Digital Economy Act 2017, ss. 14-30.

Investigatory Powers Act 2016, ss. 28, 29, 113, 114, 154, 195 and 264

Personal Property

Personal Property Case List 2019-20

Public International Law

Blackstone's International Law Documents, 14th (2019) edition

Taxation Law

Extracts from Tax Legislation compiled by the Law Faculty

Taxation Law Case List 2019-20

Tort

Blackstone's Statutes on Contract, Tort and Restitution, 29th (2018-19) edition, ed. Francis Rose

Tort Case List 2019-20

Trusts

Blackstones Statutes on Property Law, 26th (2018-19) edition, ed. Meryl Thomas

Trusts Case List 2019-20

Charities Act 2011, ss. 1-5 (TBC)