**LAW**

Classification of Examinations and Assessed Assignments (written) for Undergraduate Degrees: Marking Criteria

|  |  | First year | Second year | Final year |
| --- | --- | --- | --- | --- |
| FirstExceptional90-100 | All levels | Outstanding answer, well written, highly structured & informed, showing striking personal insight and originality |
|  | Knowledge and Understanding | Substantial understanding of the relevant law and issues demonstrating, for example, originality in written assignments, comprehensive understanding of the knowledge base. Identification of uncertainties and ambiguities and differing viewpoints; no errors or omissions. | Full understanding of the relevant law and issues, demonstrating, for example, originality in written assignments, comprehensive understanding of the knowledge. Identification of uncertainties and ambiguities and differing viewpoints; no errors or omissions.  | Full and sophisticated understanding of the relevant law and issues, demonstrating for example, extraordinary originality with a high degree of precision and independent thought. Uncertainties and ambiguities considered and solutions proposed; no errors or omissions; work of publishable quality. Exceptional, comprehensive, thorough in treatment.  |
|  | Application, argument and critical analysis | Exceptional demonstration of the use of authority, legal method and critical thinking, with a higher degree of autonomy or exploration that clearly exceeds the key and recommended reading. Extensive range of academically robust sources, used critically in evidencing discussions. Rigorous use of sources and initiative.  | Exceptional demonstration of the use of authority, legal method and critical thinking, with a higher degree of autonomy or exploration that clearly exceeds the key and recommended reading. Extensive range of academically robust sources, applied in an insightful manner. Highly rigorous use of sources and impressive initiative shown.  | Exceptional demonstration of the use of authority, legal method and incisive critical thinking, with a higher degree of autonomy or exploration that clearly exceeds the key and recommended reading. Extensive range of academically robust sources used and applied critically to the assignment in a highly insightful manner. Highly rigorous sourcing and impressive initiative shown.  |
|  | Structure & Presentation | Excellently structured, focused and well-written presentation. Excellent OSCOLA referencing and very well‐presented bibliography/reference list, if applicable. Excellent use of grammar, spelling and language conventions. | Excellently structured, focused and well-written presentation. Compelling arguments made. Excellent OSCOLA referencing and very well‐presented bibliography/reference list, if applicable. Excellent use of grammar, spelling and language conventions. | Excellently structured, focused and well-written presentation. Compelling argument throughout. Excellent OSCOLA referencing and very well‐presented bibliography/reference list, if applicable. Excellent use of grammar, spelling and language conventions. |
| First Outstanding 80-89 | All levels | Highly thoughtful answer informed by wider reading, showing clarity of thought, personal insight and originality |
|  | Knowledge and Understanding | Extensive knowledge and understanding of the law and issues with informed discussion. Includes comprehensive information and excellent insight into the material and its significance.  | Extensive knowledge and understanding of the relevant law and issues with highly informed discussion. Includes full information and highly subtle insight into the material and its significance.  | Extensive knowledge and understanding of the relevant law and issues with insightful discussion. Includes coherent and full information and comprehensive insight into the material and its significance.  |
|  | Application, argument and critical analysis | Extensive range of sources used and applied in a focused and critical manner. Outstanding demonstration of the use of authority, legal method and evidence of critical evaluation, with a degree of autonomy/exploration that clearly exceeds the key and recommended reading. Displays good initiative. No errors or omissions. | Extensive range of sources used and applied in a highly focused and critical manner. Outstanding demonstration of the use of authority, legal method and independent and critical evaluation, with a degree of autonomy/exploration that clearly exceeds the key and recommended reading. Displays strong initiative. No errors or omissions. | Extensive range of sources used and applied in a detailed integrative way throughout the work. Outstanding demonstration of the use of authority, legal method, independent and critical evaluation integrated throughout with a degree of autonomy/exploration that clearly exceeds the key and recommended reading. Displays very strong initiative. No errors or omissions. |
|  | Structure & Presentation | Clear and fluent academic writing style. Demonstrating in depth focus and structured skilfully. Excellent OSCOLA referencing and very well‐presented bibliography/reference list, if applicable. Excellent use of grammar, spelling and language conventions. | Clear and fluent academic writing style. Demonstrating in depth focus and structured skilfully. Excellent OSCOLA referencing and very well‐presented bibliography/reference list, if applicable. Excellent use of grammar, spelling and language conventions. | Clear and fluent academic writing style. Demonstrating in depth focus and structured skilfully. Excellent OSCOLA referencing and very well‐presented bibliography/reference list, if applicable. Excellent use of grammar, spelling and language conventions. |
| FirstExcellent70-79 | All levels | Thoughtful answer informed by wider reading showing clarity of thought and personal insight |
| Knowledge and Understanding | Thorough knowledge and understanding of the relevant law and issues with sound discussion. Exhibits special insight into the material and its significance.  | Thorough knowledge and understanding of the relevant law and issues, demonstrating good evaluation. Exhibits distinctive insight into the material and its significance.  | Thorough knowledge and understanding of the relevant law and issues with insightful and creative evaluation. Exhibits critical insight into the material and its significance.  |
| Application, argument and critical analysis | A comprehensive range of relevant literature/evidence used. Excellent demonstration of use of authority, legal method and critical thinking, with a degree of autonomy/exploration that may exceed the key and recommended reading. Displays initiative. No errors or omissions. | Comprehensive range of relevant literature/evidence is used to support arguments and demonstrates awareness of wider issues. Excellent demonstration of use of authority, legal method and critical thinking, with a degree of autonomy/exploration that may exceed the key and recommended reading. Displays initiative. No errors or omissions. | Comprehensive range of relevant literature / evidence used, demonstrating independent thought and extensive reading. Excellent demonstration of use of authority, legal method and critical thinking, with a degree of autonomy/exploration that may exceed the key and recommended reading. Displays special initiative. No errors or omissions. |
| Structure & Presentation | Clear and logical presentation. Coherently structured. Excellent OSCOLA referencing and well‐presented bibliography/reference list, if applicable. Good use of grammar, spelling and language conventions. | Clear, logical and integrated presentation. Coherently structured. Excellent OSCOLA referencing and well‐presented bibliography/reference list, if applicable. Good use of grammar, spelling and language conventions. | Clear, fluent, integrated and focused presentation. Coherently structured. Excellent OSCOLA referencing and well‐presented bibliography/reference list, if applicable. Good use of grammar, spelling and language conventions. |
| Upper 2ndGood60 - 69 | All Levels | Good understanding with a coherent and logical argument |
| Knowledge and Understanding | Good knowledge of the relevant law and issues, showing evidence of discussion. Clear understanding of the basic material and its significance.  | Good knowledge of the relevant law and issues, demonstrating some insight and evaluation. Clear understanding of the material and its significance.  | Good knowledge of the relevant law and issues, demonstrating some wider implications and evaluation. Clear and critical understanding of the material and its significance.  |
| Application, argument and critical analysis | Competent use of relevant literature. Good demonstration of use of authority, legal method and critical thinking, with consistent self-direction; effective use of key and recommended reading, if applicable. May contain minor inaccuracies, irrelevancies or omissions.  | Good use of relevant literature. Good demonstration of use of authority, legal method and critical thinking, with consistent self-direction; effective use of key and recommended reading, if applicable. May contain minor inaccuracies, irrelevancies or omissions. | Breadth in examples and literature / evidence used without any major omissions. Demonstrates extended reading. Good demonstration of use of authority, legal method and critical thinking, with consistent self-direction; effective use of key and recommended reading, if applicable. May contain minor inaccuracies, irrelevancies or omissions. |
| Structure & Presentation | Coherent and well-organised presentation. Clear structure. Good OSCOLA referencing, if applicable. Bibliography/reference list is extensive, but may be slightly disorganised or contain minor omissions, if applicable. Satisfactory use of grammar, spelling and language conventions. | Clear, well-organised and logical presentation. Clear structure. Good OSCOLA referencing, if applicable. Bibliography/reference list is extensive, but may be slightly disorganised or contain minor omissions, if applicable. Satisfactory use of grammar, spelling and language conventions. | Very clear, well-organised and logical presentation. Clear and orderly structure. Good OSCOLA referencing, if applicable. Bibliography/reference list is extensive, but may be slightly disorganised or contain minor omissions, if applicable. Satisfactory use of grammar, spelling and language conventions. |
| Lower 2ndSatisfactory50 - 59 | All Levels | Satisfactory understanding demonstrated with some analysis |
| Knowledge and Understanding | Reasonable knowledge of the relevant law but is mainly descriptive. Fair understanding of the basic material, although the understanding may be incomplete. Demonstrates an attempt to answer the question directly. Some inaccuracies, irrelevances or omissions. | Reasonable knowledge of the relevant law and issues. Competent understanding of the material, although the understanding may be incomplete. Demonstrates a satisfactory attempt to answer the question. Some inaccuracies, irrelevances or omissions. | Reasonable knowledge of the relevant law and issues. Competent and critical understanding of the material, although the understanding may be complete. Demonstrates a fair attempt to answer the question. Some inaccuracies, irrelevances or omissions. |
| Application, argument and critical analysis | Satisfactory knowledge base that begins to explore relevant law although contains some errors and omissions. Satisfactory application of law to facts or question. Appropriate reading, attempts made to use the material in the work. | Satisfactory knowledge base that begins to explore relevant law although contains some errors and omissions. Satisfactory application of law to facts or question. Evidence of evaluative thought in some areas. Appropriate reading is demonstrated to support the discussion. | Satisfactory knowledge base that begins to explore relevant law although contains some errors and omissions. Satisfactory application of law to facts or question. Some evidence of analysis or synthesis. Appropriate material accessed but little evidence of extended reading. |
| Structure & Presentation | Acceptable structure but some information may be set out in a disorganised manner. Satisfactory OSCOLA referencing, if applicable. Entries in the bibliography/reference list are incomplete and contain some errors, if applicable. Reasonable use of grammar, spelling andlanguage conventions, but may contain some errors and lack of fluency. | Acceptable structure but some information may be set out in an unclear manner. Satisfactory OSCOLA referencing, if applicable. Entries in the bibliography/reference list are incomplete and contain some errors, if applicable. Reasonable use of grammar, spelling and language conventions, but may contain some errors and lack of fluency. | Acceptable structure. Satisfactory OSCOLA referencing, if applicable. Entries in the bibliography/reference list are incomplete and contain some errors, if applicable. Reasonable use of grammar, spelling and language conventions, but may contain some errors and lack of fluency. |
| Third Basic40 - 49 | All Levels | Basic understanding demonstrated |
| Knowledge and Understanding | A response demonstrating an understanding of basic points and principles sufficient to show that some of the learning outcomes/assessment criteria have been achieved at a basic level. Limited understanding demonstrated of basic material. A number of important inaccuracies, irrelevances or omissions. | A response demonstrating an understanding of basic points and principles sufficient to show that some of the learning outcomes/assessment criteria have been achieved at a basic level. Basic understanding demonstrated. A number of important inaccuracies, irrelevances or omissions. | A response demonstrating an understanding of basic points and principles sufficient to show that some of the learning outcomes/assessment criteria have been achieved at a basic level. Basic understanding of the body of material. A number of important inaccuracies, irrelevances or omissions |
| Application, argument and critical analysis | Some general knowledge demonstrated but analysis limited in depth and breadth. A partial coverage of the key issues. Limited coverage of relevant law and basic demonstration of attempt to use authority and legal method in an appropriate way. Some attempt to apply law to facts or question. Low quality in a number of areas and poor range of reading.  | General knowledge demonstrated but analysis limited in depth and breadth. A partial and rather superficial coverage of the key issues. Sparse coverage of relevant law and basic demonstration of attempt to use authority and legal method in an appropriate way. Some attempt to apply law to facts or question. Low quality in a number of areas and poor range of reading.  | General knowledge demonstrated but analysis limited in depth and breadth. A partial and superficial coverage of the key issues. Skeletal coverage of relevant law and basic demonstration of attempt to use authority and legal method in an appropriate way. Some attempt to apply law to facts or question. Low quality in a number of areas and poor range of reading. |
| Structure & Presentation | Some difficulty with structure. Some disorganised sections. Poor OSCOLA referencing, if applicable. Inadequate bibliography/reference list, if applicable. Inappropriate materials (e.g. unspecified website articles) may have been consulted, if applicable. Although still comprehensible the work displays poor use of grammar, spelling and language convention. | Some difficulty with structure. Some unclear sections. Poor OSCOLA referencing, if applicable. Inadequate bibliography/reference list, if applicable. Inappropriate materials (e.g. unspecified website articles) may have been consulted, if applicable. Although still comprehensible the work displays poor use of grammar, spelling and language convention. | Some difficulty with structure. Some incoherent sections. Poor OSCOLA referencing, if applicable. Inadequate bibliography/reference list, if applicable. Inappropriate materials (e.g. unspecified website articles) may have been consulted, if applicable. Although still comprehensible the work displays poor use of grammar, spelling and language convention. |
| FailMarginal Fail30 – 39 | All Levels | Limited understanding demonstrated. |
| Knowledge and Understanding | Inadequate response to the question set. A mark in this range may reflect: failure to address the question set; insignificant argument. Contains little relevant information, is erroneous in matters of fact/law and interpretation; it may be badly written, there may be no references, there may be little evidence of reading. | Inadequate response to the question set. A mark in this range may reflect: failure to address the question set; insignificant or no argument. Contains little relevant information, is erroneous in matters of fact/law and interpretation; it may be badly written, there may be no references, there may be little evidence of reading. | Inadequate response to the question set. A mark in this range may reflect: failure to address the question set; insignificant argument. Contains little relevant information, is erroneous in matters of fact/law and interpretation; it may be badly written, there may be no references, there may be little evidence of reading. |
| Application, argument and critical analysis | Extremely limited knowledge base; limited understanding of relevant law and issues. Little attempt to apply law to facts or question. Legal authorities are hardly analysed. May demonstrate confusion and/or contain irrelevant material.  | Very limited knowledge base; very limited understanding of relevant law and issues. Little attempt to apply law to facts or question. Legal authorities are hardly analysed at all. May demonstrate confusion and/or contain digressions or irrelevant material. | Limited knowledge base; extremely limited understanding of relevant law and issues. Little attempt to apply law to facts or question. Legal authorities are hardly analysed and/ or completely misunderstood. Hardly any comprehension of legal authorities. May demonstrate confusion and/or contain digressions or irrelevant material. |
| Structure & Presentation | The work has a very weak structure and lacks logical order. Work is barely comprehensible due to very poor use of grammar, spelling and language conventions. Hardly any referencing and completely inadequate bibliography/reference list, where applicable. Very poor OSCOLA referencing, if applicable. | The work has a very weak structure. Work is barely comprehensible due to very poor use of grammar, spelling and language conventions. Hardly any referencing and completely inadequate bibliography/reference list, where applicable. Very poor OSCOLA referencing, if applicable. | The work has a weak structure. Work is barely comprehensible due to very poor use of grammar, spelling and language conventions. Hardly any referencing and completely inadequate bibliography/reference list, where applicable. Very poor OSCOLA referencing, if applicable. |
| Fail Clear Fail1- 29 | All Levels | Little, inadequate understanding demonstrated |
| Knowledge and Understanding | Work is mainly inaccurate or meaning is very unclear. No meaningful response to the question. Contains no relevant information. | Work is mainly inaccurate or meaning is very unclear. No meaningful response to the question. Contains no relevant information. | Work is mainly inaccurate or meaning is very unclear. No meaningful response to the question. Contains no relevant information. |
| Application, argument and critical analysis | Poor and/or inappropriate material. Shows lack of understanding of the topic. There is little or no evidence of knowledge or understanding of the subject. No serious attempt to carry out the task assigned.  | Poor and/or inappropriate material. Demonstrates poor understanding of topic. There is little or no evidence of knowledge or understanding of the subject. No serious attempt to carry out the task assigned. | Poor and/or inappropriate material. Demonstrates poor understanding of topic. There is little or no evidence of knowledge or understanding of the subject. No serious attempt to carry out the task assigned. |
| Structure & Presentation | The work is completely lacking in structure or organisation. Very hard/impossible to understand due to poor use of language, spelling and language conventions. Minimal or no referencing or bibliography, where applicable. | Has little to no structure at all. Very hard/impossible to understand due to poor use of language, spelling and language conventions. Minimal or no referencing or bibliography, where applicable. | Has a very weak or incoherent structure. Very hard/impossible to understand due to poor use of language, spelling and language conventions. Minimal or no referencing or bibliography, where applicable. |
| FailClear FailFail 0 | All Levels |  |
| Procedures and Policies | A mark of zero may for example be awarded in accordance with penalties for late submission for which no special dispensation has been made or where submitted work is deemed to be of no academic merit, as a penalty in some misconduct cases. | A mark of zero may for example be awarded in accordance with penalties for late submission for which no special dispensation has been made or where submitted work is deemed to be of no academic merit, as a penalty in some misconduct cases. | A mark of zero may for example be awarded in accordance with penalties for late submission for which no special dispensation has been made or where submitted work is deemed to be of no academic merit, as a penalty in some misconduct cases. |

EXAM

|  |  |
| --- | --- |
| ASSESSMENT CRITERION. | WEIGHT |
| Knowledge and Understanding | 50 |
| Application, argument and critical analysis | 40 |
| Structure & Presentation | 10 |

ESSAY

|  |  |
| --- | --- |
| ASSESSMENT CRITERION. | WEIGHT |
| Knowledge and Understanding | 40 |
| Application, argument and critical analysis | 40 |
| Structure & Presentation  | 20 |

|  |
| --- |
| CITING CASES IN EXAMEnsure that you underline the case name when citing a case in an examination. In printed text the full citation is used, for example: *R (on the application of Miller and another) v Secretary of State for Exiting the European Union; Re Agnew and others’ application for judicial review (reference by the Attorney General for Northern Ireland); Re McCord’s application for judicial review (reference by the Court of Appeal (Northern Ireland))*[2017] 1 All ER 593Clearly you are not expected to memorize all these details and in an examination it would be appropriate to cite the case as:  R (Miller) v Secretary of State for Exiting the European Union [2017]. If you cannot remember the names of both parties then write the name of one of the parties, for example, “the Miller case”.  In the context of a good answer this will be enough information for the examiner to realize that you know the relevant authority.   Obviously this wouldn’t apply to writing “R” in a Criminal case, such as R v Blaue. If you can’t remember the case name then – rarely – and as a last resort – you can rehearse some of the facts of the case.  For example: “In a decided case, where the issue was whether displaying goods on the shelves of a self-service shop was an invitation to treat or an offer”. Generally dates will not matter but it can be useful to remember the level of the Court and the sequence of the cases where a case has been overruled or doubted.  |