

Exam Skills for Success in Land Law



During the Module

- Be sure to attend all your lectures and tutorials and engage fully in them. Make sure you prepare the work for tutorials and then speak up and play a full role—that is a sure-fire way to learn.
- Do go to the revision lecture if your tutor offers one. It will help you prepare for your revision time and will give you a broad overview of what you have done during the module, helping you to reflect on the coverage of topics.

The Revision Period

- Use previous papers to help you structure your revision. Your exam is likely to follow the same pattern and structure as in previous papers unless your tutor or your module has changed.
- Check the length of your paper and the number of questions you are required to complete during that time. This enables you to be able to practise under exam conditions. Basic arithmetic applies here: divide the length of the paper by the number of questions you have to do and then you know how long on average you have to write each question. Then sit in your room with a timer on and tackle questions from past papers.
- Practise writing some answers by hand rather than by word processing, especially if you are out of practice at handwriting. There are two points to be made here: is your handwriting legible and can you actually write fast enough to complete what is necessary within the time allowed for the exam? If legibility is your problem, then get a copy book and practise handwriting. And do those test exam questions in the privacy of your study under exam conditions until you have had enough practice at simply writing, so that is not a barrier in the exam.
- Avoid question spotting, which can leave you completely up the creek without a paddle. Do not limit your chances of success in this way. Basic arithmetic again applies. If you have to answer three questions and only one or two are what you have worked for, your chances of succeeding well (or at all) are tragically limited. Further, some students revise a topic on the basis that they

will only answer an essay question on that topic. And then, horror of horrors, a problem question crops up for the first time in five years. Revise a topic from all angles. Be ready to answer either a problem or an essay question on it.

In the Exam Room

- READ THE QUESTION, THEN ANSWER THE QUESTION THAT HAS BEEN SET (not the one you wish had been set).
- You will be marked on whether you have spotted all the issues. So, in a problem question read it slowly and carefully. List the issues in your plan. There is unlikely to be anything in the question that is not important, so you need to ask yourself—what is that point about? Why is that fact included?
- In a problem question, are you asked to advise purchasers or a named person? Write your answer on that basis: ‘the purchasers are advised that they will be bound by this interest . . .’.
- In an essay, what is the instruction? Are you asked to comment or to compare or discuss? For example, if you are asked to discuss whether the law relating to overriding interests is in a fair and rational state, you are being asked to critique this area of law. So, if you set out to explain it you will only achieve so many marks (if you are accurate) but if you use that knowledge to critique this area of law, then you will be doing what the examiner wants and your mark will improve. Throughout the essay you will need to comment as you go along and then your conclusion will address this precise point: ‘In conclusion, this area of law is in a fair and rational state because, while the mirror principle in respect of registered title is the underpinning factor, nevertheless it is important to permit some interests to bind a purchaser even where they are not reflected on the register.’ It means you have to think yourself into the question. You might have revised and practised questions on this topic, but this particular angle might be new. Don’t be fazed by it, but think yourself into it. Use your knowledge and turn it round to address the question.
- You already know how long you have and how many questions you need to answer so you know how long you have for each one. Make sure you have a working watch with you and that it is synchronised with the exam room clock. Give yourself time to read the paper and choose your questions, then set yourself a time limit for each answer. Don’t be caught out at the end by running out of time and having to write sad billets-doux to your examiner—‘Sorry, out of time’. No marks for that.

- Don't worry about saving the planet when writing your answers. The answer book is all yours to use so write on one side only and start each answer on a new page. That way, when you have last-moment inspiration you will have room to go back and add it in without sending your examiner on a hunt for that tiny asterisk.
- Write the question number clearly at the beginning of each answer and also write numbers clearly for sub-sections within each answer. Leave a space between sub-sections.
- Don't be afraid to use headings and underline them as you go along.
- Underline cases and statutes as you go along. Rulers are not required—just draw a freehand line under the relevant name.
- Remember, if you are allowed, to bring your statute book with you to the exam. Observe the rules as to what you are permitted to write or highlight in it. There is nothing more distressing than to have your statute book removed by the invigilator plus the possible penalty of breaking the rules. Make sure that you have read the statutes in this book during lectures and as part of your preparation for tutorials. You want to have it as a comfort blanket with you, so it needs to be familiar to you.
- Always include the date of a statute, which is no problem if you have your statute book with you. If you can, do the same for cases, but that is less of a demand than for statutes.
- Don't quote big chunks verbatim from a statute—reference the section, sub-section etc. to pinpoint it.
- Memory matters. Learn the case names. Use memory techniques that work for you—sticky notes around the house; card indexes; fancy software packages, whatever works for you. And if, despite all that, in the exam room your mind goes blank, then identify a case by giving a few of its key facts: 'In a case where the young man was befriended by the gentleman farmer who made promises to him that if he worked for him then the estate would be his . . . '.

The Structure and Approach to Problem Questions

All the books in this series have adopted the IRAC structure (Identify the issues, Relevant law, Apply the law, and Conclusions). This has the advantage of imposing a clearly remembered structure on you. The 'I' (the facts or factual issues) is the issue-spotting bit. You need to pick up all the issues to earn all the marks that are going. Miss one and you miss earning marks. The 'R' is the law. In land law this is usually a mix of statute and case law. The 'A' is really the core of getting top marks—the trick with a problem question is applying the law to the problem. Stating the law is one thing—the clever bit is to do what

lawyers do—apply it to the problem and become a problem-solver. The 'C' is (obviously) the conclusion. A word of warning about the IRAC approach: it helps to get a structure into your answer—or more importantly into your thoughts in the first place. But in the answer plans we have often summarised the points quite extensively—so you will find that the suggested answers do go into quite a bit more detail than the answer plans. It is probably fair to say that the answer plan gives you the basics. But if you want to do better than that and get into the heady and utterly desirable upper-second and first-class answers, then study the suggested answers, where we have attempted to give you the full monty.

Last Word

- Do you write well? Lawyers are wordsmiths. Words are our tools and we must use them precisely to convey what we mean. Writing well is an essential requirement and if you have been pulled up about this in formative coursework, or, if you know that this is not your strong point, then do something about it. It may be that your university offers classes in writing skills. Go to them. Practise writing. Write letters to friends and relatives. Write a short story and ask someone to read it over and critique it. Learn basic grammar from an English grammar book. Read how others write. Read a judgment and see how judges construct their sentences. We would like to urge you to write beautifully—but clarity will suffice. Clarity comes from writing grammatically and coherently. You will not be marked on whether you have good knowledge of grammar. But you will be marked on whether you have made clear what you are arguing. That comes from good writing skills.



Online resources

www.oup.com/uk/qanda/

Go online for extra essay and problem questions, a glossary of key terms, online versions of all the answer plans and audio commentary on how selected ones were put together, and a range of podcasts which include advice on exam and coursework technique and advice for other assessment methods.