

## Revision and examination guidance

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### ***General***

During the course of your studies and as you approach exam time you will no doubt be receiving advice, not all of which is the same, from many sources. Mine is based on my experience taking examinations at degree, post-graduate, and a number of other levels and from twenty-four years of experience of the problems, difficulties, and successes of students. This does not mean to say that this will coincide with the experience of others, or what may work for one person will necessarily work for another. I am loath, therefore, to give full and detailed advice of 'the best way' to learn and pass exams, merely to give some pointers on the way.

### ***Revision for examination***

#### **Revision preparation**

The most important requirement for revision is a coherent set of notes from which to work. If you do not have a complete and reasonably comprehensive set, the first task will be to produce a set of concise notes prior to the revision period. You may find it necessary to rewrite parts of your notes in order to reduce them to a manageable size for revision purposes.

#### **What to revise**

##### *Exam content*

An internally set and marked examination, which is the case in nearly all degree examinations, would usually reflect fairly accurately what has been taught during the year. Whilst there is no guaranteed way of knowing when a topic will appear in an examination, there are a number of indicators which can help you decide what might appear and what you choose to revise.

First of all, list the topics in your course. You can probably identify about eight to twelve topics which might justify an examination question. There may be some topics which are so important, there will always be a question on them, so you should consult past papers for evidence of how often the syllabus topics have appeared previously.

Other indicators are: the number of lectures spent on topics during the teaching of your course; the topics covered in the tutorials and essays during the course of the year; whether certain matters were topical in the particular year.

##### *Revision content*

If you opt to revise selectively there is the crucial choice of revision subjects to decide. Having compiled a list of the probables, you need to decide how many and which ones

you are going to revise. Revision of between 50 per cent to 80 per cent of a syllabus would cover most students' plans; some will revise 100 per cent.

Most degree examinations will involve a straight choice of two to five questions from between seven or eight to fifteen set. Decide which topics you know well and are confident in, and those areas in which you are weak. If there are not enough of the former, then more work is required on one or more topics falling into the latter group. If in doubt, ask the lecturer whether mixed topic questions are a possibility or probability.

In reality there is a lot of overlap which may be repeated in the examination, so be prepared for the mixed question in making your decision as to how many topics to cover. Past papers will be the best evidence of this unless the course lecturer and examiner has changed for this year, or advises a change.

### **How to revise**

Revision should not be too passive and there are two things to avoid:

(a) mechanically underlining or highlighting passages, which, although making the words prominent on a page, will be of little help if most of a page is emphasized.

(b) the photocopying of masses of material and trying to read it for revision rather than your own edited or distilled notes.

Methods to assist you include: reciting the material out loud and, if it helps, pacing the room at the same time, because material continually recited tends to stick in the mind, it encourages activity and aids concentration, or at least stops you falling asleep.

Another active alternative is to rewrite the notes continually. As they become more and more familiar rewriting becomes unnecessary and it becomes possible to slim down the notes to major headings or key words and case law *or just the titles to prompt your memory.*

#### *Practice for the examination*

Some time ought to be spent during revision in the analysis of past questions and drafting possible answers. Practice at question answering is extremely important. The questions can be selected from a range of questions on topics in tutorial sheets, essay titles, and past examination papers.

There is no need to write all the answers fully but you may wish to practise writing complete answers to some of the questions within the amount of time permitted. In general, it is sufficient to draw up a plan of what you would include if the question was set in an examination. Do this without reference to notes, but check later to see that you covered most if not all of the points.

A planned introduction to each of the topics which you have learnt could prove useful, but do not attempt to prepare model answers to be written regardless of the actual question or form of it. Prepare topics within a flexible framework so that you can cope with different sorts of question on the same topic. Even though the actual questions on a particular topic

could vary enormously, often a concise introduction could form a common opening to a range of questions on a particular topic. The advantages are, they save time and prepare you and the examiner for what follows. Additionally, definitions can be prepared.

Whilst, for the most part, the accurate citation and acknowledgment of authors is not necessary or expected in examinations, it is nevertheless always welcome and helps to demonstrate your mastery of the material.

#### *Length of revision period*

I would advise you not to skip the last tutorials or lectures. You might learn something to your advantage even if you have already decided not to revise the subject matter of the last topic.

To help plan your revision time, a revision timetable can prove very useful, but preferably not a complicated system which ends up taking more time to construct and redraft than the revision itself.

## **Examinations and assessments**

### **The examination**

At the start, allow time to read over the paper as a whole and to select the questions you intend to attempt and to understand what the questions are actually requiring in an answer. However, some papers are quite lengthy and a thorough reading of the questions could take ten to fifteen minutes. A compromise is to find a question about which you are confident and can carry on with, but don't spend too long on it. Finish it, if you can, before the allotted time. When you have finished the first question you will be in a better frame of mind to read the rest of the paper and choose the remaining questions.

#### *General examination technique*

You should be able to establish the rubric in advance of the examination; if not, ask before you enter the exam hall.

The rubric informs you about the length of time allowed for the examination, the structure of the examination, how many questions to answer, whether there are compulsory questions and, in the case of a sectioned examination paper, how many questions should be answered from each section. Unless the contrary is stated, you may assume that all the questions on a paper carry equal marks.

### **The most important rule in respect of the examination**

You must attempt all the questions required of you! To help you do this you must work out the amount of time you can spend on each answer and stick to it.

Omitting to follow this golden rule of examination technique leads to more failures or drastic lowering of marks than any other failing. Unless your other answers are exceptional, you are far more likely to pick up more marks by starting a new question than by spending additional time on the others.

If you find that you are reaching your time-limit for an answer, leave plenty of space and move on to the next question. You can always come back later to finish the question if you have sufficient time. As a last resort, when time has virtually run out, you can include brief notes of what you would have written had time permitted or refer to your plan as the continuation of the answer or the answer itself.

### **The second most important rule**

Make sure you answer the question set and not one that you would have liked the examiner to set. Questions in examinations and other pieces of work rarely, if ever, take the form, 'Write all you know about', but this is often the form of the answer produced.

Read every question at least twice before starting to answer it.

### **Types of question**

Essay questions are intended to get you to discuss the points of law arising, especially the controversial points, new developments, and to give overviews of the whole topic. Problem questions try to get you to apply provisions and principles of law to factual circumstances. The better answers will also be expected to highlight legal developments and discuss particular difficulties or ambiguities in the application of the law.

Essay questions often involve the citation of an extract from a judgment, academic article, official report or, less frequently, a legislative provision; sometimes a statement is not attributed to any of these sources which usually means that the examiner has devised this statement.

Explain, comment, evaluate, and discuss are all similar terms which require more than a descriptive answer. They require you to give reasons, to put the comment or quote into context, and to show the influence on the development of the law or require you to show the strengths and weaknesses of alternative points of view.

### **Planning answers**

Although you will be anxious simply to get on and start writing, take time to plan an answer.

A plan should enable you to answer coherently and according to a considered structure, to ensure that all the main points are covered, and to avoid an excessive time spent on one point or repetition.

#### *Essays*

The plan should begin by breaking down the question into its different requirements unless the statement is short and straightforward. Next, try to define any words or phrases which need further explanation. The part of your plan which identifies the legal issues involved in the question may be useful as the basis for the introduction to your answer.

Essay-type questions, by their nature, can be much wider in the scope of material to be covered than problems, therefore the answer can also be much wider and it is often

difficult to determine clearly the line between what is relevant to the answer and what is not. The only rule of thumb that can be given here is to advise you to pose the question when considering including additional information; does it assist in answering the question? If the answer is, not really, then don't bother!

### *Legal problems*

As you re-read the question, the factual issues, legislation, and relevant case law which spring to mind should be briefly noted.

After identifying the area of law, the material facts, and specific provisions which appear relevant to the problem, apply the provisions of law to the facts. It may be that you can obtain at least a provisional answer at this stage. It is likely, however, that you will then be required to cite relevant cases to assist you in reaching a conclusion on the matter or to confirm your conclusion and to demonstrate how the courts have previously resolved the matter. Apply the principles adopted in those cases to the facts or statements in the question. If there is inconsistency between cases, you should distinguish these cases from each other, commenting on whether or not the distinction could affect the application of law in the problem at hand. For years now, I have suggested a simple perhaps even simplistic mnemonic/acronym to help remember this technique: **FLAC**. **Facts**, **Law** (which can include provisions of primary or secondary legislation, case law, or principles of law), **Application** of the law to facts and the **Conclusions** or **Consequences**. Write it down at the top of the answer sheet and it will help you get at least a basic order for your answer. In citing cases, do not concern yourself if you can't remember the full name of it or any part of the name, but make sure, by a brief description, of the case you mean. In most instances this will be acceptable, as it is the principle of law which is important and not the names of cases.

Difficulties may well be caused in problems by two or more potential parties. Make notes for each, which, if they prove to coincide, will allow you to answer for two parties at the same time.

This plan should then be used as the basis for your answer. No doubt as you write your answer, further relevant material will be remembered which can be incorporated. Always start your answer on a clean page and leave plenty of space, even a clear page, between your answers, or write on every other line.

### **The use of statutory materials in the examination room**

Some institutions allow statutory materials to be referred to during the examination. One real advantage is that there is no need to concentrate too heavily on memorizing statutory provisions whilst revising. It leaves you more time to consider the application and interpretation. It also makes it pointless to reproduce the whole of a legislative provision in an answer if the examiner knows that you have it in front of you. Indeed, there is no need for the reproduction even if statutory materials are not allowed to be used in the examination.

However, to ignore completely the legislative provisions prior to the examination means you will be unfamiliar with them and will probably waste time finding the relevant provisions. If you can, try to treat these materials as a last resort or a mental crutch to

which you can refer should your memory fail you. There is no compulsion to look at them at all, but you may still need to cite specific parts of the provisions when using a particular provision to support your answer.

### **Assessed course work**

Many courses allow for some form of assessed work.

Many assessment questions are taken from old examination papers but you are, of course, now concentrating on specific aspects of the law and will be expected to deal with them in depth. The preparation thus requires the reading of a wide range of texts and articles from which you need to make careful notes.

A particular consideration is the need to be accurate with your citation of work you have consulted and from which you have reproduced paragraphs.

I wish you all the very best in the exam and hope you do yourself a real favour by doing well.