MY GUIDE TO ANSWERING LAW ESSAY QUESTIONS IN EXAMS

1. CASE LAW

One of the most important requirements for answering questions on the law is that you must be able to back the points you make with authority, usually either a case, a statute or a constitutional provision. It is not good enough to state that the law is such and such, without stating the case or provision which says that that is the law.
This means that you must be prepared to learn fairly long lists of cases. For exam purposes you need to memorise the name of the case, a brief description of the facts, and the legal principle which the case established.
Once you have revised a topic well, you should find that a surprisingly high number of cases on that topic begin to stick in your mind anyway, but there will probably be some that you have trouble recalling. Knowing the names of cases makes you look more knowledgeable but if you do forget a name, referring briefly to the facts will identify it. It is not necessary to learn that the dates of cases, though it is useful if you know whether it is a recent or an old case. N.B Dates are usually required for statutes.
You need to know the facts of a case in order to judge whether it applies to the particular situation you are dealing with. However, unless you are making a detailed comparison of the facts of a case and your particular question, in order to argue that the case should or could be distinguished, you should generally make only brief reference to facts, if at all – long descriptions of facts waste time and earn few (if any) marks.

2. IS THERE ALWAYS A RIGHT ANSWER?

In law exams, there is not usually a right or wrong answer. What matters is that you show you know what type of issues you are being asked about. Essay questions are likely to ask you to "discuss", "criticise", or "evaluate", or "examine". You simply need to produce a good range of factual and critical material in order to do this. Please do not reproduce large chucks of lecture notes! The lecturer will want to see evidence that you understand the topic you are writing about.

3. ANSWER THE QUESTION ASKED

Over and over again, examiners complain that candidates do not answer the question they are asked – so if you can develop this skill, you will stand out from the crowd. You will get very few marks for simply writing all you know about a topic, with no attempt to address the issues raised in the question. If you can adapt the material that you have learnt on the subject to take into account the particular emphasis given to it by the question, you will do well. A good idea is to practise with past exam papers.

4. PLAN YOUR ANSWER

Under the pressure of time, it is tempting to start writing immediately, but five minutes spent planning each essay question is well worth spending – it may mean that you write less

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