

Examination Report

Exam Session:	August 2016
Exam Paper:	Unit 1

The purpose of the report is to provide feedback to tutors and candidates on the candidates' performance in the examination with recommendations about how any issues identified may be addressed.

This report should be read in conjunction with the relevant examination paper.

1. Summary of Candidate Performance

The performance on the question paper was very good overall, some good performances and some very good performances. The difference in performance levels was due to knowledge and application of the authority to the questions. The paper was completed very well with all candidates passing.

The table below sets out the data on the paper.

Number of Candidates	15
Total Fails	0
Total Pass	15
% Pass	100
% Fail	0

It was evident that all the candidates were prepared for the examination due to the pass rate. The strengths in performance were being able to identify the appropriate procedure, identify the relevant authority and apply knowledge. The weaknesses were where candidates did not demonstrate they could identify the appropriate procedure, identify the relevant governing authority and demonstrate an ability to apply that knowledge, all of which are required at level 6. At times some students simply run out of time on a particular question but this was not very often. The weaker performing candidates failed to answer the questions with sufficient depth of knowledge or authority. The weaker performing candidates may have cited the correct law but they failed to address the question posed and relate it back to the question.

Within the examination the question paper assessed 100% of the learning outcomes.

Candidates performed particularly well in Section B of the paper. Students did well in areas such as proportionality, methods of funding, CLSB Code of Conduct and Detailed Assessment procedure. All questions were mandatory and the best performing question was the detailed assessment procedure question. The questions on CLSB Code of Conduct and wasted costs were not answered well.

2. Candidate Performance for Each Question

Q1 – Default Costs Certificate

This was a short compulsory question in section A of the paper, the question only attracted up to 5 marks. Candidates were required to explain the circumstances where it would be appropriate to apply for a Default Costs Certificate. Weaker responses lacked sufficient detail above and beyond the initial explanation of a DCC. Candidates therefore often failed to show any depth to their knowledge base.

The table below sets out the data on this question.

Number of Candidates	15
Total Fails	1
Total Pass	14
% Pass	93
% Fail	7

This question was answered well and students had a high pass mark overall.

This question was deemed fair by the assessment team. Unfortunately the weaker students just did not provide enough detail for the higher marks. Maybe they felt the low available marks did not require much detail. Some papers only provided two or three sentences for this question.

Q2 – Indemnity Principle

This was a short compulsory question in section A of the paper, the question only attracted up to 5 marks. Candidates were asked to explain what was meant by the indemnity principle. For higher marks candidates needed to provide analysis of the principle rather than just an explanation. Candidates responded well to the demands of the question. The candidates performed well and were able to outline sufficient detail to get strong marks. The low percentage of fails did not provide sufficient authority to warrant higher marks.

The table below sets out the data on this question.

Number of Candidates	15
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Total Fails	4
Total Pass	11
% Pass	73
% Fail	27

This question was answered well by 73% of candidates. It was clear that candidates had prepared well for this question and they were able to demonstrate their knowledge to the question set. Some candidates were able to achieve as high as 80% for this question. Candidates who did well provided a clear explanation and analysis.

The question was deemed fair by the assessment team.

Q3 – Summary Assessment

This was a compulsory question in section A of the paper, the question attracted up to 10 marks. Candidates were required to explain when may a summary assessment take place? The question required candidates to outline the procedure.

The table below sets out the data on this question.

Number of Candidates	15
Total Fails	4
Total Pass	11
% Pass	73
% Fail	27

The performance on this question was very good overall. Candidates who performed well were able to outline the procedure and showed good depth of knowledge. They understood summary assessment and the relevant procedure. Marks were lower where there was a failure of the candidate to show sufficient knowledge of the procedural framework, those candidates cited some of the relevant CPR but missed integral parts.

The question was deemed fair by the assessment team.

Q4 – Funding

This was a compulsory question in section A of the paper, the question attracted up to 10 marks. Candidates were required to explain what funding is available for personal injury matters.

The table below sets out the data on this question.

Number of Candidates	15
Total Fails	0
Total Pass	15

% Pass	100
% Fail	0

Where candidates performed weaker there was a clear lack of knowledge, understanding and preparation for this question. Some candidates failed to adequately apply the authority. Overall the standard was very good for this question and the pass rate reflected this. Students were able to list all the different methods of funding available.

This question was deemed fair by the assessment team.

Q5 – Default Judgment.

This was a compulsory question in section A of the paper, the question attracted up to 10 marks. Candidates were asked to explain when it might be appropriate to apply for Default Judgment.

The table below sets out the data on this question.

Number of Candidates	15
Total Fails	5
Total Pass	10
% Pass	67
% Fail	33

The range of marks was 20% - 80% and the average mark was 5 at 50% The candidates that performed were able to provide detail on the procedure and demonstrate knowledge. The candidates that did not perform as well did not cite much applicable authority and were unable to illustrate adequately the knowledge of the relevant procedure.

The question was deemed fair by the assessment team.

Q6 – CLSB Principles

This was a compulsory question in section B of the paper, this question was one of the smaller questions and attracted up to 10 marks. Candidates were required to prepare a summary of the principles of the CLSB code of conduct and give examples.

The table below sets out the data on this question.

Number of Candidates	15
Total Fails	0
Total Pass	15
% Pass	100
% Fail	0

The range of marks was 50% - 90% and the average mark was quite high at 60%. This question was well answered and it was clear that students had prepared well.

This question was deemed fair by the assessment team, and 100% of the papers showed a good performance by the candidates.

Q7 – Wasted Costs

This was a compulsory question in section B of the paper, this question was one of the smaller questions and attracted up to 10 marks. The question required candidates to prepare a summary on what is meant by a wasted costs order and when such an order could be made.

The table below sets out the data on this question.

Number of Candidates	15
Total Fails	1
Total Pass	14
% Pass	93
% Fail	7

The question was answered reasonably well with 93% of candidates achieving the required standard.

The question was deemed fair by the assessment team.

Q8 – Detailed Assessment

This was a compulsory question in section B of the paper, this question was one of the larger questions and attracted up to 20 marks. Candidates were required to prepare the body of an email regarding the detailed assessment procedure.

The table below sets out the data on this question.

Number of Candidates	15
Total Fails	0
Total Pass	15
% Pass	100
% Fail	0

All candidates clearly had the requisite knowledge of the detailed assessment procedure. The question was answered well with 100% of candidates achieving the required standard. Some candidates achieved high marks of up to 80% for this question. The weaker responses did not provide a greater depth as required for the high end marks. Students performed very well.

The question was deemed fair by the assessment team.

Q9 – Ethics and Professional Standards

This was a compulsory question in section B of the paper, this question was one of the larger questions and attracted up to 20 marks. Candidates were required to prepare a body of training notes requested by the Senior Partner. This question was answered strongly with 100% passing.

The table below sets out the data on this question.

Number of Candidates	15
Total Fails	2
Total Pass	13
% Pass	87
% Fail	13

Marks ranged from 40% – 85% with the average mark being a pass at 60%. Where candidates passed they were able to apply the issues to the question and deal with ethics sufficiently and with relevant authorities. The strong performance is not a surprise as it is a main costs topic.

This question was deemed fair by the assessment team, only 13% of the papers showed poor performance by the candidates.

Lynne Male
Education Manager

Mark Armstrong
Moderators