**Optimize – Your Blueprint for Exam Success**

# *Why Optimize?*

In developing the Optimize format, Routledge have spent a great deal of time talking to law students like you, and to your lecturers and examiners about assessment and examination preparation,teaching and learning. The aim of the Optimize series is to help you make the most of your knowledge to obtain good marks – to optimize and improve your revision.

**Students**

Students told us that there an enormous amount to learn in the study of law, and that visual features such as diagrams, tables and flowcharts made the law easier to follow. Learning and remembering cases is an area of difficulty, as is applying legal authorities in problem questions and essays. Revision guides can make this easier by presenting cases more succinctly; showing concepts in a visual format and highlighting how leading judgments can be applied in assessment.

**Lecturers**

Lecturers agree~~d~~ that visual features are effective to aid learning, but remain concerned that students learn by rote when using revision guides. To succeed in assessment, they want to encourage their students to get their teeth into arguments, to support their answers with leading authorities, and show they have truly understood the principles underlying their questions and assignments. In short, lecturers want their law students to show they understand and analyze how they are being assessed, rather than learning by rote and not applying their knowledge to essay and problem questions.

**Assessment Criteria**

If you want to do well in exams, it is vitally important that you understand how you will be assessed. In order to get the best out of your exam or essay question, your first port of call are the learning outcomes and the marking criteria, usually in your law-specific module guide or available from your law school syllabus; this will help you to identify and recognize the skills and knowledge you will need to succeed. Like course outlines, assessment criteria can differ from school to school, syllabus to syllabus. Studying the full contents of your law syllabus, specific to your law school is therefore invaluable. To give you a clear idea of what these criteria look like, we have collated the most common terms from 64 marking schemes for core curriculum courses in the UK. 

# *Optimizing the law*

The format of this second edition Optimize Law volume has been developed bearing these assessment criteria and the learning needs of students firmly in mind.

* **Visual Format:** Our expert series advisors have brought a wealth of knowledge about visual learning to help us develop the books’ visual format.
* **Tailored Coverage:** Each book in the Optimize series is tailored to the needs of your core curriculum course and presents all commonly taught topics.
* **Assessment led-revision:** Our authors are experienced law lecturers with an interest in how students learn, and they have structured each chapter around revision objectives that relate to the criteria you will be assessment on.
* **Assessment led-pedagogy:** The aim higher, common pitfalls, up for debate and case precedent features used in these books are closely linked to common assessment criteria in most law syllabuses in the UK– showing you how to gain the best marks, avoid the worst pitfalls, apply the law and think critically. When answering discursive questions.
* **Putting it into Practice:** Each chapter presents example essay or problem questions and model answers to show you how to apply what you have learned.

Routledge and the Optimize team wish you the very best of luck in your exams and coursework essays!

**A note from the author: Ursula Smartt**

Dear Reader,

The second edition of this book coincides with The United Kingdom’s vote to leave the European Union (so-called ‘Brexit’) – a seismic change in public constitutional law. Once Article 50 of the Lisbon Treaty is invoked, there will be a period of two years to complete negotiations and exit the EU. Depending on the withdrawal negotiations and changes in the Westminster Parliament, this period may be either shortened or extended. If one thing is clear, it is that the negotiations for the terms of the UK’s exit are likely to impact on your law syllabus.

While those of you who wished to see the UK remain within the EU are understandably disappointed, Brexit may well provide an unexpected opportunity for the UK to introduce new laws and once outside the EU there could be more opportunity to reach bilateral trade agreements with major, high growth countries which have been unable to agree deals with the EU (e.g. India and China). Human rights law in form of the European Convention on Human Rights (ECHR) and the Human Rights Act 1998 are not affected by Brexit.

This edition has been completely revised taking into account a number of the country’s law syllabus changes. Taking into account students’ feedback and those who used the first edition, they found that the book helped them enormously with their exam revision, in their coursework submissions and how to gain high marks. Students who used the first edition of this text reported back that it enhanced their knowledge of Public Law and increased their understanding of the subject areas, particularly with the more difficult and theoretical concepts, such as the Rule of Law, Parliamentary Supremacy (or Sovereignty) and the EU, Devolution and the administration of Judicial Review.

It is important that you understand the meaning and function of Public Law, the constitutional set-up and the interaction of human rights law with UK law. After studying this text students said they understood the role and function of Judicial Review better and the remedies and mechanisms available to UK citizens when challenging the legality and procedural fairness of decisions of public bodies, such as local government, government departments, Ministers and other public bodies. The text also explains non-court based remedies such as complaints procedures via the Ombudsman scheme. The text focuses in detail how the Human Rights Act 1998 has impacted on all areas of Public Law and finishes with police powers and the right to peaceful assembly.

One of the best ways to help yourself understand this area of law is that you demonstrate in your coursework and exams that you have read widely, that is not only your prescribed textbook, but also law reports and public law journals (e.g. ‘Public Law’). There are some excellent discussion papers on the parliamentary website: [www.parliament.uk](http://www.parliament.uk) (e.g. the Royal Prerogative or Devolution) and legal commentary on leading cases which you can access via either Westlaw or LexisNexis. These references are particularly important in a coursework essay or case study and remember you must always cite your sources clearly in both the bibliography and footnotes (or in-text) or your work. This text gives you an outline and short summary of leading cases (authorities) and it is important that you read these cases and their judgements in full in order to demonstrate detailed knowledge of the ratio in each case.

Now for some practical tips on examination technique:

1. Before you go into the examination room, make a mental note of how long you can spend on each question. If it is a three hour examination and you have to answer four questions, allow approximately forty minutes for each answer. This will leave you about ten minutes at the end of the exam paper to read through all your answers at the end, making sure you have checked spelling and grammar to present the examiner with an overall well-written legal argument for each question. Time management is therefore most important in an exam: make sure you give equal time to each answer.
2. The reason it is important to do this is that it is easier to attain the first 50% of marks on an answer than the second 50% of marks and it follows that you do not want to run out of time before you can finish that last answer and gain at least those first 50% of marks for it.
3. It is always a good idea, whether it is a problem question or an essay question, to draft a rough answer plan. This can be difficult to do when everyone around you seems to be busy writing an answer but if you can discipline yourself to do this, you will probably produce a far better paper. By giving some preliminary thought to your answer, you are less likely to leave points out and your answer will undoubtedly have a better structure. You can draft a rough answer plan plus all the leading cases you want to use for each answer on the first page of the exam answer book (or rough piece of paper if this is provided).
4. If you are answering an essay question, remember to keep that question in mind throughout, tailor your knowledge to that question and refer back to the question/statement where you can. This is because it is a common mistake to regurgitate lecture notes on a topic without reference to the wording of the question. Generally essay questions are divided into two or three parts. Make sure you address and discuss each part of the question.
5. Finally, it is a good idea to answer your favourite question first because it will inspire and motivate you. After all you ought to feel great having done all your revision for this subject!