

Overview

The assessments have wholly succeeded in testing the learning outcomes of the LSC. The high mean average score of 73% on the written paper was a particular testament to the quality of the materials and the teaching.

To support these findings the meeting was helpfully equipped with sensibly designed, easy to use spreadsheets for all results in both assessments. A very efficient discussion of the trends in students' performance was thereby possible.

Five recorded advocacy performances were watched by all, enabling a similarly useful discussion.

The question paper in relation to the learning outcomes of the course (IPLC1 Written examination)

Having already reviewed and approved the question paper, I had already formed a very positive view about its suitability for testing the learning outcomes. This view was borne out by the marks which I reviewed. The spread was good, with the highest scores peaking at around 73%. This skew of the distribution towards the upper end of the scale seems entirely consistent with the fact that the candidates are already professional, motivated people with great experience of sitting examinations. It does not in my view suggest that paper was insufficiently challenging.

The oral examination in relation to the learning outcomes of the course (IPLC 2 – Oral examination)

The only unexpected observation in these results was a double peak rather than the expected single peak of a normal distribution. Given the relatively small cohort size, this is no cause for concern and does not suggest to me any anomaly.

The content of the oral task was perfectly suitable for testing the learning outcomes. However, it contained the same content as the in-course case study. I was not alone in taking the view that, for this reason, even an enthusiastic candidate might face a challenge in generating enough spontaneous sparkle to score very highly on the persuasiveness criterion in the mark scheme.

It would also be desirable for the task to generate the necessity of responding to/pre-empting arguments which an opponent would use, in recognition of the context being adversarial. I would hope that the paper would provide advocates with ample opportunity for 'comment', which is of course the essence of submissions advocacy. The best candidates would then be able to take points about how much weight to attach to given evidence.

Outcomes of the marking

Examiner selection, training, instructions, standardisation, supervision, and appraisal were not discussed at the meeting. I did not raise them either, because I had already formed favourable conclusions for my report of 10th August 2015, which are at page 4.

I sampled scripts at random. I noted the spread of marks to be good, with the only questions on the written paper attracting attention being 6 and 11, because of the generally low marks achieved on them. Neither struck me as difficult questions, especially 11, which asked only for a list of unfavourable outcomes caused by Part 36 of the CPR. The small size of the cohort removes any concern that this reflected any defect in the question.

The viewing of recorded performances in the oral assessment enabled me to re-visit the marks for those candidates, all of which I concurred with. The maximum mark of 20 inevitably means that the % awarded is limited to increments of 5%, but I do not see any practical problem in this. There is no requirement for a more differentiated measure of candidates' performances.

I am very happy to approve the marks.

Quality assurance of the course (faced to face and on-line).

I dealt with this at page 6 of my report of August 10th, and no issues arose during the awarding meeting to cause me to re-visit those conclusions.

Recommendations

Good practice is evident in design, delivery, QA, examiner selection, and assessment. My only suggested improvement is the one noted above concerning the case papers for use in the oral assessment. I suggest that the candidate be equipped with arguments relied upon by an opponent, in the interest of generating more lifelike submissions where the candidate not only promotes their own case, but comments on the legal and evidential weaknesses of the other side's. The other side's arguments might most usefully be supplied to the candidate in the form of a recently received skeleton argument (in the context of an application). Alternatively, a transcript of evidence of an opposing side's witness might be provided if the context is to be a closing speech.

I suggest that this recommendation be considered for the next iteration of the course.

Nigel Waddington 9th December 2015