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and

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This guide is also available in electronic form on the School of Law’s web pages

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THE WRITING GUIDE

WHO SHOULD USE THIS GUIDE

This guide is written for undergraduates writing practice essays, semester essays, and course work in law. It is directed primarily at those modules which are assessed by course work, though much of what it says is equally relevant to writing essays which do not count for formal assessment.

There are three types of essay which form part of the undergraduate syllabus in law:

**Practice essays**: these are essays whose purpose is formative, that is, to allow you to practise your writing. They do not count towards your final grade in the module. But failure to submit practice essays is recorded and treated in much the same way as an unexplained absence from a tutorial.

**Semester essays**: those courses which consist of two modules running back to back across the two semesters and which do not have any course work component include a requirement that each student produce a semester essay at the end of the first semester. It does not count towards the final grade in the two modules. However, visiting students here for only one semester may be formally assessed through semester essays.

**Course work** refers to written work undertaken outside the examination room which counts, in whole or in part, for the final grade in the module.

This guide addresses the task of writing essays, of structuring your arguments, of properly referencing your material, and of presenting your material in an attractive manner.

There is a more advanced guide entitled *Writing a Research Paper*, which is written for final year undergraduates writing dissertations and for taught postgraduates writing research papers and dissertations on their degree programmes.

It is important to spend some time studying the conventions of legal writing as presented in this guide before starting to write your first essay. There is no reason why, as a consequence of studying this guide, your essay cannot be very well presented and perfectly referenced. The guide highlights practical ways in which you can produce an essay which is well organized, clearly presented and correctly referenced.

The matter of achieving a good writing style and critical engagement with the focus of the title is more complex. That will develop the more you read, the more you write, the more you work at your writing, and the more you listen to and reflect upon the feedback you get on your writing.

**When writing any essay**, you should always consult the relevant regulations, any Code of Practice applicable to your programme, your Undergraduate Handbook, and any specific guidance provided in relation to the module in which you are writing your essay. Follow any specific guidance for the essay in preference to the general guidance given in this guide.

ASSESSED ESSAYS

Most of you will be familiar with this form of assessment. For some, however, it will be new. All essays are asking you to express your knowledge and understanding of aspects of your subject. Writing an essay is a form of active learning. Your essays will enable your tutors to assess the extent and depth of your knowledge,
including your abilities at legal research, the construction of argument, and the effective presentation of your ideas. We will also want to see that you can write concisely, clearly and accurately.

THE BASICS

The task of writing an assessed essay involves:

- finding out what is expected of you;
- managing your time;
- understanding what the essay title requires;
- selecting a title that offers you sufficient scope to demonstrate your knowledge and understanding;
- occasionally selecting and developing critical points from lectures and tutorials;
- gathering material for the essay;
- summarizing and reflecting on information from a range of legal resources;
- putting in your own ideas and conclusions;
- planning the structure of the essay;
- expressing yourself clearly and succinctly;
- writing and revising a draft, that is, editing the text by checking the relevance of what you have written and the clarity of its content;
- citing authority for your arguments;
- using the required form of citation for the authorities that you use.
- proof reading to correct surface errors in grammar, spelling and punctuation;
- avoiding plagiarism.

OUR EXPECTATIONS

Those who are charged with the assessment of your work will assume that it is a serious piece of work seeking to answer the question set. In assessing your work, the examiners will be looking for evidence that:

- you have read the key sources relevant to your title with a questioning mind;
- you have understood the material and arguments contained in your main sources;
- you can relate general theory to specific examples;
- everything in the essay, whether it is based on your reading materials or your own ideas, is relevant to the title;
- you can construct a reasoned argument, taking account of differing points of view;
- you can write clearly and use the terminology of the subject appropriately;
- you can follow the correct conventions as to the presentation of your material;
- you can reference your writing in accordance with the standard conventions for the citation of authorities, inclusion of footnotes, and a bibliography, if required.

REQUIREMENTS

ESSAY QUESTIONS AND PROBLEM QUESTIONS

What you are asked to do may take a number of forms. It could be a ‘traditional’ essay asking you to consider some aspect of the law, or it could be a problem testing your ability to apply your knowledge to a factual situation. Most writing you are asked to do as a law student involves a structured piece of writing and the ordered presentation of an argument well supported by authority. You will not be asked simply to ‘write all
you know about” a particular topic; yet some students cannot resist surveying an area of law when something much more discriminating is being requested. Many lecturers report that this remains a common defect found both in course work and in examination scripts.

**WORD LIMITS**

All essays will carry a word limit. This may vary. Footnotes are always included in the word limit. Writing to a prescribed length and format involves skills which you will find useful in a wide range of vocational settings after you have graduated.

Whatever the word limit, it has not been fixed at random, but has been determined as the appropriate space in which to answer the questions set. You may feel that not enough space has been allowed, but you should realize that the word limit is imposed to test your ability to express yourself clearly and concisely. By refining your essay plan, you should be able to gauge the amount of detail needed to develop the main points.

Failure to comply with the word limits will result in the imposition of penalties in accordance with the University’s procedures; do check these in your Undergraduate Handbook. You will be required to declare the number of words in your essay, which directs your mind to the required word limit. Word limits are strictly applied; there is no policy of ignoring small over-runs in word limits. It is cheating to declare an inaccurate word count.

**SUBMISSION DEADLINES**

Always check the deadline for submission, and keep to it. The time and manner of submission are formal requirements, and must be strictly observed. If the deadline is noon and you submit an hour later, you have missed the deadline. A standard system of penalties operates in the University in relation to late submission. Again familiarize yourself with the rules which can be found in your Undergraduate Handbook. You may be required to submit both hard copy and an electronic copy of your work.

The standard rule in the law school is that tutors will set out their requirements for submission of practice essays. But there is a much more formal system for submission of course work which is for formal assessment, that is, which provides or contributes to your final mark for a particular module. Such work must be handed in personally to the School Office, and you will be given a receipt for it. Do not lose this; it is your proof that you have submitted the material in time.

If for any reason you wish to submit your work in any form other than personal submission, you must seek formal permission to do so. Permission will only be given for special reasons. The procedure is set out in your Undergraduate Handbook.

We do, however, take a sympathetic view of problems beyond your control which affect your ability to submit work by the required deadline. There is a system under which you can ask for an extension of the deadline for the submission of any work.

For practice essays, you should see your tutor and explain the problem.

For course work, there is a more formal procedure which is explained in your Undergraduate Handbook. But you should also see your subject tutor and your personal tutor for advice as soon as it becomes clear that you may have a problem meeting a deadline. Where the reasons for the extension are health-related, some medical evidence is required to support your application. You may also be asked for some evidence of other personal circumstances which affect your ability to submit work on time.
Retrospective extensions of the deadline for submission are only given in the most exceptional circumstances. You are normally required to seek the extension in advance of the deadline for submission or you run the risk that you will incur the penalties set out above.

Never be casual or cavalier about deadlines; the law school takes them very seriously. Organizing your life to meet deadlines is part of developing a sense of responsibility in managing the many demands on your time.

**MANAGING YOUR TIME**

Find out the deadline for submission. Then work backwards to determine how much time you will be able to spend on the assignment. The time you need to write a good essay for assessment should not take you away from the study of other subjects.

Think carefully and constructively about the time and resources you will need to write the essay. This is the way to avoid panic and staying up all night at the last minute. It is unlikely that you will do your best work if you do not organize yourself and your time.

Spend some time thinking about how and when you work best. Follow this pattern in writing assessed essays.

You might find the following grid useful in identifying your own work style. Ticking the left box means that you strongly agree with the proposition set out there. Ticking the right box means that you identify most with the proposition set out there. Use the other three boxes to show shades of opinion in between the two extremes:

<table>
<thead>
<tr>
<th>Develop ideas quickly</th>
<th>Needs lots of thinking time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quick to see resources needed</td>
<td>Need time to collect resources</td>
</tr>
<tr>
<td>See immediately what to do</td>
<td>Need time to grow into topic</td>
</tr>
<tr>
<td>Good at speed reading</td>
<td>Need to read slowly</td>
</tr>
<tr>
<td>Can work anywhere</td>
<td>Work best in a particular place(s)</td>
</tr>
<tr>
<td>Write best in a single session</td>
<td>Write best in several sessions</td>
</tr>
<tr>
<td>Need lots of breaks</td>
<td>Tend not to need breaks</td>
</tr>
<tr>
<td>Work best in the morning</td>
<td>Work best in the evening</td>
</tr>
</tbody>
</table>

Filling in this grid will help your awareness of the working methods that best suit you. Think about now much time you will need for each stage of the essay writing process: research, reading, thinking, writing, and checking.
UNDERSTANDING THE QUESTION

TOPIC AREA, FOCUS AND INSTRUCTION

Keeping in mind the notions of topic area, focus and instruction will help you to answer the question set and to avoid the inclusion of irrelevant material in your response. Attention to topic area, focus and instruction applies to both the traditional essay question and to problems.

The topic area is the broad area or areas of the syllabus you are being invited to consider. The focus of the question will indicate how you are being asked to present your knowledge of the topic area or areas. The instruction will specify what you are to do with your knowledge in applying it to the question set.

This technique of breaking down questions into topic area, focus and instruction can be applied both to essays and to problems. It can assist you in deciding how much space to allocate to the discussion of the points raised in the question.

ESSAY QUESTIONS

"Inquisitorial procedures remove the need for representation in tribunals"
Discuss

The topic area is representation in tribunals, while the focus is on inquisitorial procedures. The instruction is ‘Discuss’. This enables you to look at all sides of the argument, since it is a broad instruction. It is not, however, an invitation to write generally about tribunals, or about inquisitorial procedures.

Two variations on this essay title appear below. Think about how your approach would vary if you were writing an essay on one of these titles.

Assess the contribution of inquisitorial procedures to reducing the need for representation in tribunals.

Argue the case that inquisitorial procedures remove the need for representation in tribunals.

PROBLEM QUESTIONS

You can apply the technique of topic area, focus and instruction to problems, though problems are likely to have more than one topic area.

One night, Jeremy’s car is found badly damaged when he returns from taking his new girlfriend, Belinda, out to dinner. It has been rammed by another vehicle while parked. Jeremy tells the police that his former girlfriend, Penelope, threatened to smash up his car if he ever went out with Belinda.

The police call at Penelope’s house and question her; she denies all knowledge of the incident. The police then arrest Penelope and search her house and garage, where they find a car with damage to the front bumper. Penelope refuses to say how the damage was caused. She is taken to the police station where the police tell her that the paint from her car matches flakes of paint found on Jeremy’s car. This is untrue. Penelope then makes a statement admitting that she drove into Jeremy’s car, but did not intend to cause much damage. She is charged with criminal damage.

Advise Penelope
(a) on the determination of her mode of trial, and
(b) on the consequences of any unlawful action taken by the police.

The topic areas are mode of trial, arrest, search powers, and questioning of suspects. The focus is on determining the mode of trial, and the exercise of police powers. The instruction is to advise Penelope. The instruction is specific here; it names two areas to consider and you are advising the person charged, not the
victim of the offence. Your answer would look very different if you were asked to advise Jeremy on his remedies.

**SELECTING A QUESTION FROM A LIST**

You will often have a choice of question to answer. If you look through the choice of essay titles carefully, bearing in mind *instruction*, *topic area* and *focus*, you will avoid the trap of focusing on the general area at the expense of what the question is really about and you will be better equipped to select a title you will enjoy writing on.

The key to selecting a title from a set list is to remember that the titles have been prepared and selected with great care. The lecturer will have a clear notion of the ideas and content you are to cover in responding to the title. If the lecturer merely wanted you to write all you know about the topic covered, you would be instructed to do this. That you are never so instructed indicates that the lecturer is looking for more than the regurgitation of your notes.

This is not say that there is a predetermined ‘right’ answer to any question, but it does mean that there are clear limits on the number of responses legitimately available.

In selecting a title from a given list, ask the following questions:

1. What is the general area of content demanded by the question?
2. What are the specific concepts on which the topic is focused?
3. What conclusions are to be drawn? You will almost always be asked to make a judgment on a topic.
4. What aspects of the subject are being covered?

Having regard to your answers to these questions, choose a title which reflects your own interest and the time and resources at your disposal to complete it.

**GATHERING MATERIAL**

**PLANNING**

If you have analyzed the essay title or problem carefully, you will have a clear idea of the relevant topic areas and be in a position to collect together the material you will need to answer the question effectively. It is good practice to make a provisional plan before beginning your research, as this provides you with a clear idea of questions you need to explore and your information requirements.

The sources you will use will include your lecture notes, materials you prepared for tutorials, your text books, and any additional materials on the Blackboard pages for the module. But these materials alone are unlikely to be all you will need. Most essays or problems will require you to carry out some research in the library or on the internet. This might be something simple like reading cases or statutes, or one or two key articles or research reports, to which reference has been made in class. On the other hand, it might require you to seek out new materials in a new area. Remember to read carefully any specific guidance which accompanied the essay titles.

This guide assumes that you have followed the legal skills instruction you were offered in the first semester of your first year. It does not repeat here material covered there.

Part of the initial task of gathering material for your answer is the identification of ideas and issues raised by the question. This enables you to begin to appreciate how wide (or narrow) the coverage of the question is.
The thinking and planning stage should lead to a clearer focus on the key issues raised by the question, which will assist you in meeting the word limit while providing an effective answer to the question. It should also enable you to develop confidence in what to leave out. Many students find it difficult to decide what material is not relevant to the answer.

You may find it helpful at this stage to review your provisional plan of the contents of your answer. This can help to prevent your getting side-tracked as you get interested in material you read during the research stage.

**RESEARCH**

At this point it is time to visit the library, in person and online. Research is not a treasure hunt with the prize being the perfect answer to your question hidden somewhere in the library. This is particularly true if you plan to use the internet to collect information. Your work in the library is the gathering of information not available in the books you own. You are using one of the University’s major learning resources. Do not spend excessive amounts of time seeking to unearth every conceivable piece of written material on the topic areas covered. Equally do not ignore a principal case, report or article just because it is not on the library shelf when you look for it.

Remember that you can ask a librarian for help if you get into difficulties or cannot find something you are looking for.

A key requirement at this stage is to have a system for organizing the material you collect. An absolute requirement is to ensure that you have full references for everything you read. This will save you hours later on if you need to reference the material or find it again. If you make photocopies or print material from the web, make sure you know exactly where they came from. Develop your own system for organizing material you collect for your essays. After you have finished each period of work in the library, spend a few minutes organizing your material. Remember that references scribbled on odd bits of paper have an annoying habit of getting lost.

As you read material you will evaluate its usefulness. The material might be directly in point but ten years old. If timeliness if key to your research (and it often will be), this will significantly lower the value of this material for you. The material might be in point and up-to-date, but treated very briefly in one of the weekly law journals. This too will affect its value for you.

**WEB-BASED RESOURCES**

Two good starting points are the Law Subject Room on the Library website, and the Blackboard pages for the module.

Determining the quality of information is a key part of every aspect of research, but is particularly important when relying on web-based material.

The CARS Checklist is designed for ease of learning and use:

- Credibility
- Accuracy
- Reasonableness
- Support
The CARS Checklist is summarized as follows on [www.virtualsalt.com/evalu8it.htm](http://www.virtualsalt.com/evalu8it.htm)

<table>
<thead>
<tr>
<th>Credibility</th>
<th>trustworthy source, author’s credentials, evidence of quality control, known or respected authority, organizational support. Goal: an authoritative source, a source that supplies some good evidence that allows you to trust it.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accuracy</td>
<td>up to date, factual, detailed, exact, comprehensive, audience and purpose reflect intentions of completeness and accuracy. Goal: a source that is correct today (not yesterday), a source that gives the whole truth.</td>
</tr>
<tr>
<td>Reasonableness</td>
<td>fair, balanced, objective, reasoned, no conflict of interest, absence of fallacies or slanted tone. Goal: a source that engages the subject thoughtfully and reasonably, concerned with the truth.</td>
</tr>
<tr>
<td>Support</td>
<td>listed sources, contact information, available corroboration, claims supported, documentation supplied. Goal: a source that provides convincing evidence for the claims made, a source you can triangulate (find at least two other sources that support it).</td>
</tr>
</tbody>
</table>

**NOTE-TAKING**

Note-taking still has a role to play in the age of the photocopier and the internet. Even if you photocopy or download lots of material and highlight it, you should still be making notes of your thoughts as you read through the material. Photocopying and downloading should not be thought of as substitutes for reading and evaluation.

Precision and relevance are the core qualities of good notes. Adopt a system which will enable you to know whether your note is a précis of the whole piece, a paraphrase of part of it, or a direct quote. If you cannot identify which when you come to use the material later, you may inadvertently plagiarize the material. This is particularly true if you take notes directly onto the computer, and cut and paste material from your notes into your essay. It is good practice to write directly quoted material in red (together with a page reference)—or to type it in italics, or in some other readily identifiable way, on the computer—so that it can easily be identified as quoted material at a later stage of your work.

How do you choose between a paraphrase and a quotation when you come across a comment directly in point which you are pretty sure you will include in your essay? A paraphrase is relevant where it is the content of the material which is important, while a quotation is appropriate where the mode of expression of the idea captures it in a particularly effective or characteristic way. In law, the quotation from a reported case also has a particular role to play as the statement of authority for a legal proposition.

**AVOIDING PLAGIARISM**

Plagiarism is the presentation of the thoughts or writings of others as your own. It is a form of cheating. Please read the University’s statement on academic dishonesty in the Undergraduate Regulations, and the section on plagiarism in the Undergraduate Handbook.

Collaborative work can also lead to plagiarism. While we encourage collaboration in some of your work (for example, in preparation for tutorials), when we come to assessment, we want to assess your work alone. Unless you have been expressly assigned a group project, you must not collaborate with others in the
preparation of your assessed essays. In addition, you must not use another student’s notes, essay or essay drafts as the basis for your own work. You must never cut and paste sections of another student’s material as part of your essay. To do any of these things constitutes plagiarism just as much as if you had copied the material from a book or some internet resource.

Whenever you draw on the ideas of others, you must say so. The common form of acknowledgement is the citation of the source in a footnote.

Assessed work which contains plagiarized material will be severely penalized. Serious cases of plagiarism involve acts of dishonesty. The professional bodies may take the view that a person guilty of plagiarism is not a suitable person to join the legal profession.

Everyone knows that it is cheating to copy someone else’s work whether it has been published or not. So copying a fellow student’s work is just as much plagiarism as copying out of a published book.

Rather more complex is the extent to which you can rely on the work of others. The following guidelines may help you to develop a proper sense of when you need to acknowledge a source:

1. Part of the task of research is to collect together a range of ideas and to take account of them in forming your own ideas. You should include all the key books and articles you have used to collect that range of ideas in your bibliography (if one is required), regardless of whether you have referred to them expressly in your text.
2. You must include a reference to specific ideas or conclusions of others on which you rely by the use of an attributed quotation or the reporting of the idea or conclusion in a reference like a footnote.
3. Do not assume that, because a text has not been referred to by your tutors, they are unaware of its contents. It is generally easy for tutors to spot material which is not your own, either because they are familiar with the source or because your writing style suddenly changes. Some of your assessed work will be submitted to a plagiarism detection service.

Plagiarism can take many forms. All forms of plagiarism are taken seriously. The law school has prepared an online tutorial on how to avoid plagiarism, and all those using this guide are advised in the strongest terms to complete that tutorial.

The online tutorial can be found at:
connect.le.ac.uk/plagiarismlaw/

If you complete this tutorial, you should probably not have to worry that your writing might contain material which has been plagiarized, since you will know what plagiarism is and how to avoid it. If you are still uncertain about what constitutes plagiarism after completing this tutorial, see your personal tutor or your subject tutor.

YOUR IDEAS

You may find that putting in your own ideas and conclusions is difficult. After all you are studying the subject for the first time and the more you read, the more it seems that all the ideas have been explored. However, many of your essay titles and problems will have been set in areas where there is more than one view. You are expected to collect the evidence, use it, and form your own conclusions. Your tutors are not expecting you to have startling new insights into the subject, but they do want you to be clear for yourselves and for them what you have understood about the topic area. The emphasis in higher education is on active learning, which means that you must be deeply involved in your own legal education and not simply be good at getting down a set of lecture notes.
Your own ideas should be rooted in the literature of the subject. The bizarre irrelevance will be seen as just that and not as a brilliant insight. Your conclusions must follow from the material you have used and be related to it.

However, the hallmark of a distinction level essay can sometimes be found in the way in which you have related the focus of the essay question to other topic areas, sometimes in other areas of law being studied. Such linkages may well advance the argument in an interesting way and demonstrate a higher level of literacy in the language of the law.

One way of developing your skills in independent thinking is critical reading and critical writing. An appendix to this guide reprints the Student Learning Centre’s advice on critical writing, which many students have found helpful.

**PLANNING YOUR ANSWER**

You will continue to develop the structure of your ideas as you prepare a draft of your answer. Where you start will be a matter for you, but you need not start on the first page of the first section. You may prefer to write a section setting out the background to the problem you are exploring rather than the introduction to the essay. Do remember the provisional plan you made at an earlier stage. If you find that your writing does not fit the plan, revise it.

Remember that your purpose is to present reasoned argument based on authority. When you write, you will discover some difficult areas; you will identify areas that you think will need re-drafting; you will write too much on some areas and need to prune the material; and you will identify gaps to be filled.

If you have trouble getting started, begin with a section that is more straightforward and you will soon find the flow of words is there. Do not put off the task of getting words onto the page. It is easier to revise a text than to start from scratch. But do not fall into the trap of regarding words on the page as unchangeable.

Your essay will be broken into sections. You should plan a system of headings. You will not need more than two levels of heading for an assessed essay. Be consistent in the use of headings and use them as a guide to the reader. Headings are signposts which can indicate to the reader how the argument is developing. In answers to problem questions, they signal very effectively that you are moving from one aspect of the problem to another.

Sometimes it is helpful to produce an outline, that is, just the list of main headings and sub-headings. Most word processors will generate an outline automatically for the headings you use if they are defined as a style in the document template. The outline shows the shape and structure of your paper and can illustrate quite dramatically whether too much attention is being given to one aspect of the question at the expense of other aspects.

**EXPRESSING YOURSELF CLEARLY**

**SOME GENERAL PRINCIPLES**

When seeing students to offer feedback, lecturers are frequently told, ‘I meant to say that’. But your lecturers can only mark what you have said, and cannot know what you meant to say. Your ability to express yourself concisely, clearly and accurately is one of the skills we are testing. Always try to write simply and clearly. Accept that you can always improve the clarity of your writing.
If you are not sure about the use of certain standard grammatical forms, refer to a useful set of short information sheets produced by the Student Learning Centre: www.le.ac.uk/slc/

Keep one idea to each sentence, and make sure your sentences are not too long. The Plain English Campaign has lots of useful advice on keeping your writing crystal clear: www.plainenglish.co.uk/

It is vital to proof read your essay, and it can be helpful to ask a friend to read through your final draft for grammar, spelling and punctuation inaccuracies.

There is considerable focus at all levels of education on what are called core transferable skills. These are those skills which can be learned in one context and readily be transferred to another context. The ability to express yourself clearly and succinctly in writing is a good example of such a skill. You will already have writing skills, but they can almost certainly be improved and developed. A frequent regret expressed by lecturers is that students could improve their performance without needing to know more if only they would express themselves more clearly. The message is, therefore, to pay attention to the clarity of your writing. This is one of the skills being measured in this form of assessment.

Here are some writing hints, which you may find obvious, but lecturers frequently complain that they are not observed:

- Write in complete sentences.
- Do not write very long sentences; the meaning can get obscured. A good guide is not to exceed twenty words in any sentence.
- Use punctuation effectively; punctuation consists of more than full stops and commas!
- Use paragraphs effectively; a new paragraph signals a new idea or area of discussion.
- Pay due attention to spelling and grammar.

The usual requirement is for assessed essays to be word processed. You are expected to develop these skills if you do not already have them. Practice essays might, however, be submitted in hand-written form; check your tutor’s requirements. If you can hand in your essay in hand-written form, make sure that your handwriting is neat and legible. Lecturers are human and are influenced by the legibility and readability of your work. How you present your work sends out strong signals about how much you value your own work.

**USING GENDER NEUTRAL LANGUAGE**

A recognized feature of good modern writing is the use of gender neutral language. This means avoiding the use of male terms when the person about whom you are writing could just as easily be a woman as a man.

The use of ‘he’ when referring to judges, lawyers, students or any group of people is seen as re-inforcing gender stereo-typing of certain groups. The old convention that the term ‘he’ also included ‘she’ is no longer regarded as acceptable in many quarters.

The use of a plural rather than a singular will often enable the gender neutral personal pronoun ‘their’ to be used. So:

*Lawyers are products of their background.*

is preferable to

*A lawyer is the product of his background.*
But it is increasingly common (and The Oxford Guide to the English Language reports the usage as going back five centuries!) for the plural pronoun to be used since English has no singular pronoun to denote common gender. This can produce inelegant sentences. So, some would regard

* A lawyer is the product of their background

as odd. In this case using ‘lawyers’ in the plural avoids the inelegant language. A further alternative would be

* A lawyer is the product of his or her background.

This usage is unwieldy if repeated too often, but its occasional use can be effective in showing the reader that the writer is aware that lawyers are just as likely to be women as men.

Obviously, there will be occasions where the use of the singular pronoun is appropriate:

* Everyone in the women’s movement has had her own experience of sexual discrimination.

When creating examples to illustrate your argument, think whether all your examples from a particular group are men or women. A good piece of writing will reflect a growing concern with gender equality at all levels of our lives.

### SOME GENERAL PRACTICES IN WRITING

The following guidance picks up one or two areas where there are general writing conventions.

Latin or foreign words or phrases, whether abbreviated or not, should usually appear in italics, unless the phrase has passed into common English usage:

- mens rea
- sine qua non
- quantum meruit
- prima facie
- ultra vires
- raison d’être

Much helpful guidance on spelling and whether something should appear in italics can be found in The Oxford Dictionary for Writers and Editors, Clarendon Press, 1981. [REF 808.0203 OXF]

You may also find Fowler’s Modern English Usage [REF 428.003 FOW] or Oxford English: A Guide to the Language [REF 428 DEA] helpful reference material to clear up any confusion you might have about the proper use or spelling of particular words used in particular contexts. One relevant example is that the word ‘judgment’ is spelled without a middle ‘e’ when used in legal contexts, whereas in other contexts it is spelled ‘judgement’.

Names of foreign courts should appear in roman and not in italics:

- Conseil d’Etat
- Bundesverfassungsgericht
Capital letters should only be used where strictly necessary. Capital letters should not be used for court (unless referring to a particular court) judge (unless used as part of a title) or state (unless referring to a particular state, for example, the State of Victoria).

Numbers up to 20 should be written in words in the text. The numbers 20 and above should appear as numbers; so

three  
seventeen  
24

Percentages should be written in numbers and the words ‘per cent’ should be used rather than the symbol %:

75 per cent.

WRITING AND REVISING A DRAFT

THE FIRST DRAFT IS FOR YOU

We have already touched on a number of aspects of preparing the draft of your essay. The first draft is for you, not for the assessor. So it need not be perfectly polished or perfectly expressed. But it should be in the form of the final text. This means that it should include an introduction and conclusion, and include all the points you expect to make in the order you expect to make them.

THE INTRODUCTION

There should always be some form of introduction. The introduction does not need to be long; a short sharp introduction can be a most effective start to an essay. The purpose of the introduction is to show the reader what you understand to be the issues raised by the question and how you propose to tackle them. It is also the place to define any key terms for the essay, or to state any assumptions you are making in responding to the question set.

In the introduction, you should avoid repeating the question. Nor is this the place to develop your argument. It may, however, be appropriate to spell out the implications of the question in a little more detail in order that you can pursue your argument within a well ordered framework. Whether it is the place to give notice of your conclusion is much more contentious. Some people argue that the introduction is no place to state your conclusion. Others say that a statement like:

*I shall be arguing in this essay that Professor Lapping’s thesis on privity of contract is fundamentally flawed.*

is extremely powerful and makes the reader sit up and take notice. Even if this technique is used, you should note that the introduction is not the place to say why the thesis is flawed.

THE BODY OF THE ANSWER

The body of your answer contains the development of the argument and all the essential information to sustain your conclusion.
The body of the answer will be divided into a number of sections. Think about what these sections should be and begin each section with an indication of its purpose. The skilful use of headings can provide very helpful signposts to the reader here. Be consistent in the use of headings; you are unlikely to need more than two levels of heading for an assessed essay. Use examples to illustrate the points you are making and include your own comment to explain the significance of those points.

Quotations can be useful, but an essay which is merely a collection of quotations will not score highly. The key is to be selective in the use of quoted material and to weave it carefully into the fabric of your answer. Avoid writing an essay which is a ‘quotation sandwich’, that is, a few lines of text followed by a quotation throughout.

You should take care not to jump around among the issues raised by the question. If you find that you are doing this, take another look at the plan and see whether there is an adjustment to it that can be made to avoid this.

One of the most important things to remember is that all statements must be supported by evidence or authority. This is an absolute must in legal writing.

Finally, you should check that the content of the main sections of your answer reflects what you have indicated you would cover in the introduction. If it does not, one or the other (or possibly both) need to be revised.

**THE CONCLUSION**

The conclusion draws together the threads of your argument. It does not repeat those arguments. Nor does it repeat the introduction. The conclusion should focus on the question set and state how you have answered the question. There should be no new arguments in the conclusion.

If you have undertaken a problem question, then the conclusion can summarize your conclusions on the range of issues which has been raised.

**REVISING THE FIRST DRAFT**

You should allow yourself time to review your draft. Do not leave everything to the last minute. Reviewing material you have written is best done after a break of a couple of days. If you review the draft immediately, you will have in mind what you intended to say. If you review it a couple of days later, you will be much more objective in evaluating whether the text says what you want it to. The assessor does not have the benefit of being able to ask you what you mean. So the text must be clear and speak for itself.

Once you have completed your first draft, you can engage in self-criticism. Look at what you have written. Is it clear in its message? At this stage you should be able to produce your main argument in summary form, say, in 100-150 words. Try this. Can you do it? If so, does the essay lead in this direction? Are some sections too detailed compared with others? Are there gaps in the reasoning?

You will be reviewing both the content and the style and presentation. If a friend is willing to read through the draft, they can tell you whether the sense is clear. Friends obviously cannot assist you with the substance of your work, but advice on the clarity of the writing and argument can be an invaluable part of the process of self-assessment.

The following self-evaluation questions about your text will draw your attention to important aspects of your writing:
• Is the argument clear?
• Are the main points sufficiently developed and the examples appropriate?
• Is there appropriate reference to authority to support the essay’s propositions?
• Are the introduction and conclusion effective?
• Do you think it is a good piece of writing?

THE BIBLIOGRAPHY

You will often be asked to produce a bibliography at the end of your written work. If so, this will be assessed, and so treat the preparation of your bibliography seriously. The bibliography lists the resources you have used to prepare your essay. It appears at the end of the text. It is good practice to list separately (1) primary sources divided into statutory material and cases, (2) books and chapters in books, and (3) articles from journals. Material in your bibliography should be listed in alphabetical order, unless otherwise directed.

For most assessed essays, the bibliography will not need to be elaborate. There will be three relatively short sections. The first should give the proper reference to statutory material and cases on which you have relied. The second should list all the books, chapters in books of essays, and research and policy reports used. The third should list all the articles from journals used. All three sets of materials must be cited in accordance with the system the law school has adopted on which guidance appears below.

USING YOUR TUTOR EFFECTIVELY

For much of the work covered by this guide, you will not have a supervisor, and your tutor is not expected to spend time helping you with your work. Once you have been given general guidance on the task assigned, you will be expected to get on with it on your own. Part of what we are testing is your abilities in this regard.

If you are able to seek advice from your subject tutor, use this session wisely. The role of the tutor is not to re-draft your essay for you so that it will achieve a higher mark, or to tell you what the answer to the question is. The tutor’s role is to sharpen your own ability to assess whether the essay shows strengths and where further work is needed. The more you are willing to engage in discussion about your ideas, the more helpful you will find any feedback you receive at this stage.

Even where (as will be common) the essay is to be completed without supervision or guidance, remember that you can consult your subject tutor if you find that you are in difficulties. If you are having trouble with the assignment, then the sooner you consult, the sooner you will be able to address the difficulty. Delay at this stage is not a sensible choice. Try and specify what your precise difficulties are in the form of questions on which you can focus with your subject tutor.

Remember also that, if your difficulties relate to more general problems you are experiencing, you can consult your personal tutor for general advice in coping with your studies.

WORD PROCESSING

Assessed essays should be word processed. There are plenty of word processing facilities available for student use and learning to use them is a valuable skill in itself.

The law school expects you to be a competent word processor. Do take advantage of the training we offer you if you do not have this skill. The law school has a computer officer, who can help students experiencing difficulties in using the facilities available on the campus network.
Always have a backup in case things go wrong when using the computer. You should also save your current work on the computer you are using at least every ten minutes, so that you will always be able to go back to a very recent version if things go wrong with the version you are working on. You can set up most word processing packages to do this automatically. Keep your USB stick safe if that is where you keep your backup.

Use of computing facilities available to you on campus is the safest means of preparing your essay. If you are using a machine of your own, or making use of one belonging to a friend, make sure you know what operating system and word processing software it uses and whether it is compatible with the University system when you want to make a printout of your essay for submission.

SPECIFIC REQUIREMENTS FOR PARTICULAR ESSAYS

Always check the instructions you have been given in the module for which you are writing your essay. Follow the requirements set out there, even if they conflict with the general guidance given in this guide.

All course work is assessed without our knowing who you are. You will be asked to include only your student anonymity number on the material which will go to the tutor. Take care to record this accurately, otherwise we will not know who you are. Some students are too casual in recording this number, which requires detective work on the part of academic and support staff to identify who you are.

When you hand in course work, you are required to complete a standard form declaration. Your work will not be accepted by the School Office unless accompanied by such a declaration. You will be given a receipt. Keep it safe; it is your proof that you have submitted your work. Remember that you may be required to submit both hard copy and an electronic version of your work.

FEEDBACK ON YOUR WORK

You will get some brief feedback on your essays. Read through your essay and reflect on the feedback. This way, you will develop your skills and learn from experience.

If you do not understand something indicated in the feedback, do consult your subject tutor or personal tutor. However, you will get most out of this consultation if you are willing to listen. No one reacts well to a confrontational meeting in which you demand that your essay be remarked. Most lecturers are happy to help you understand what you need to do in order to improve. The best feedback reports let you know why you have achieved the mark awarded, and what you would need to do to obtain a better mark.

If opportunities are offered for feedback meetings, do not expect a member of staff to offer you special arrangements if you do not avail yourself of such a meeting at the specified time.

SOME RESOURCES

Remember that you can always raise a query with a subject tutor or your personal tutor. Also keep handy for reference purposes your copy of the Undergraduate Handbook, the Undergraduate Regulations and your copy of this guide. Note too that we keep virtually all of our guidance available online.

The Student Learning Centre is available to all students. It can be found on the second floor of the David Wilson Library in the Student Development Zone. The Centre publishes many useful guides on aspects of your work as an undergraduate. You can also see an adviser on a confidential basis if you are worried about your skills in undertaking the tasks we set in the law school. Check out their website on www.le.ac.uk/slc/
You might also find the following books useful:


Do not forget that the University Library has a vast array of resources to help you with your studies. A good starting point if you want to development your information skills is: [www.le.ac.uk/library/learning/index.html](http://www.le.ac.uk/library/learning/index.html)
CITING AUTHORITIES

THE OXFORD STANDARD FOR THE CITATION OF LEGAL AUTHORITIES

The law school has decided that the required system of citation for all work done by undergraduates and postgraduates in the law school is The Oxford Standard for the Citation of Legal Authorities. This is known as OSCOLA. All the examples given in this guide follow OSCOLA.

See denning.law.ox.ac.uk/published/oscola.shtml for the latest version.

You will be expected to develop familiarity with the requirements of OSCOLA as you progress through your degree programme. This section of the guide only gives some very basic initial guidance, and is no substitute for consulting OSCOLA.

Learning the proper citation and referencing conventions is part of the development of legal writing skills. You will gain marks by using the recommended form of citation. Get used to using the OSCOLA system and you will soon find that referencing your work is not a chore.

Whether or not footnotes are required in your assessed essay, there is always a requirement that you refer to the authorities on which you have relied both generally in the preparation of your essay and specifically in support of propositions appearing in your essay. The former is achieved by adding a bibliography to your work, while the latter is achieved by footnotes or some other form of specific reference to the authority.

This guide proceeds on the basis that footnotes are the form in which you will cite specific authority and that a bibliography is required as part of your essay. Do check specific guidance for each piece of work and follow that guidance in preference to this general guidance if there is any conflict.

PRIMARY AND SECONDARY SOURCES

Legal sources are usually divided into primary sources and secondary sources. Primary sources are, as the name suggests, original materials. Statutes, law reports and official publications are usually referred to as primary source materials, though empirical studies may also be primary materials. Books, articles, comments and notes are referred to as secondary materials: they comment on primary materials.

A common complaint from lecturers is that students tend to rely too heavily on secondary sources in preparing essays without ever consulting the primary sources. This can lead to inattention to detail and a lack of precision in your final work.

USING FOOTNOTES

INTRODUCTION

Footnoting involves the insertion of superscript numbers in the main body of the text which are expanded into full references in notes appearing at the foot of each page.

Footnotes should be kept brief and to a minimum. Their main purpose is to point the reader to the authority for propositions contained in the text. Sometimes footnotes are used to contain a comment which is not central to the main discussion in the text, but which is nevertheless helpful in developing the argument to the full. On occasion it is useful to relegate some points of detail to footnotes, but this should not be overdone.
Footnotes should be numbered consecutively throughout your essay using Arabic numerals, and appear single spaced at the foot of each page. You will find that standard word processing packages perform this task for you. Good, clear and accurate footnotes undoubtedly create a favourable impression in any research work.

**FREQUENTLY CITED MATERIAL**

If you are going to cite a work frequently in your paper, it is permissible to abbreviate the citation by choosing an abbreviation and indicating this in the first full citation of the work, as for example:


Subsequent references to the work either in the text or footnotes can then simply use the abbreviation. In footnotes it is helpful to refer back to the footnote where the full reference is given, unless the abbreviation is included in a table of abbreviations:

23 Ovey and White, n 4 above 248.

Note that use of the abbreviation ‘n’ for ‘footnote’.

In longer works (a dissertation as distinct from an assessed essay), a table of abbreviations is sometimes used to list commonly used abbreviations.

**LOCATION REFERENCES**

There are a number of useful abbreviations, which explain where an authority can be found, or is cited in full. The most frequently met are defined below.

*ibid.* This is the Latin for ‘ibidem’, meaning ‘the same’; it does not appear in italics. Use only when a citation is to the same authority as the immediately preceding citation in the same footnote, or a previous footnote, and only where the previous footnote contains only one authority. In all other cases use ‘above’:

4 Fiona Cownie, Anthony Bradney, and Mandy Burton *English Legal System in Context*, (*4th* ed. Oxford University Press, Oxford 2007) (cited in this paper as ‘Cownie, Bradney and Burton’).

5 ibid. 250.

*above* This term indicates that the authority is cited fully at an earlier point, to which reference should be made:

23 Cownie, Bradney and Burton, n 4 above 248.

Do not use ‘above’ for citations to cases or statutory material. If a case is cited frequently, it may not be necessary to repeat the citation in a footnote every time it is mentioned. There is no standard rule here. It might be helpful in some cases to include an abbreviated reference to the case in a table of abbreviations. Use your common sense and ask yourself whether it would help or annoy the reader to be referred to a footnote merely repeating the citation to the source. Specific quotations from judgments should always be footnoted.

*below* This signal is used if a point is discussed later in your paper. You may wish to provide more guidance on where the material appears.
Some key rules in citing legal materials

op.cit. This abbreviation is commonly used and is not italicized. Avoid the use of this locator. It stands for opere citato and means ‘in the work cited’. It is used to refer to a work whose full citation has been given earlier. It is often used as an alternative to ‘above’. The use of ‘above’ is to be preferred because it always refers back to the location of the earlier citation making for ease of reference.

loc.cit. This stands for loco citato which means ‘at the place quoted’. It is used similarly to ‘op. cit.’ and its use should likewise be avoided.

passim This means ‘here and there’. The term is used if no particular section of the cited authority is precisely in point, but there are useful comments here and there throughout the cited authority. It indicates to a reader that not every part of the authority need be read, only those parts relevant to the matter under discussion. The term is never used alone, only in conjunction with a full reference to the particular source.

**SIGNALS USED IN FOOTNOTES**

As noted above, the main purpose of footnotes is to direct the reader to the authority for particular propositions. There are a number of signals used by convention in footnotes to indicate the reason for the citation of particular authority. These signals are only used in footnotes.

**[no signal]** Cited authority directly supports statement in the text.

**eg** There are a large number of authorities in point, but citation of them all would not be helpful A sample is sufficient to establish the point made in the text.

**see** Cited authority constitutes basic source material supporting an opinion or conclusion of either law or fact drawn in a textual statement. It indicates that the asserted opinion or conclusion will be suggested by an examination of the cited authority, rather than that the opinion or conclusion is stated explicitly in the cited material.

**contra** Cited authority directly contradicts statement although the facts may be different. Usually an honest admission that there is strong evidence opposing the view you have taken. The signal is usually used after a list of authorities supporting the proposition in the text.

**see also** Cited authority is broader in scope than, or generally develops a question analogous to, the discussion in the text without lending much support to the proposition asserted, though it can nevertheless profitably be compared with it.

**SOME KEY RULES IN CITING LEGAL MATERIALS**

This section is no substitute for beginning to familiarize yourself with OSCOLA, but the following key rules will help you to fix in your mind some of the basics of citing legal materials.

**CASES**

Case names appear in italics, but the law report reference appears in roman:

*Pepper v Hart* [1993] AC 593 (HL)

**STATUTES**

Anti-terrorism, Crime and Security Act 2001, s 15(1)(b)
BOOKS

Author, *Title in italics* (edition publisher, place of publication date) page

So:

Edwina Higgins and Laura Tatham, *Successful Legal Writing* (Sweet & Maxwell, London 2006) 85

JOURNAL ARTICLES

Author, ‘Title within single quotation marks’ citation, page

So:

Paul Craig, ‘Constitutional Foundations, the Rule of Law and Supremacy’ [2003] PL 92, 96

SQUARE BRACKETS AND ROUND BRACKETS

Dates are put in square brackets when the volume uses the date to identify itself. Dates in round brackets are additional information about the date of the judgment or periodical.

So *Public Law* does not use volume numbers, but the *European Law Review* does. So the variants would be:

[2009] PL ###

(2009) 34 EL Rev ### (this simply tells you that volume 34 is published in 2009).

RECOGNIZED ABBREVIATIONS OF JOURNALS

The best source is the Cardiff Index to Legal Abbreviations maintained by the law library at the University of Cardiff

[www.legalabbrevs.cardiff.ac.uk](http://www.legalabbrevs.cardiff.ac.uk)

If you use a recognized abbreviation of a journal, it appears in roman. If you need to cite the title in full, it appears in italics.

So:

(2009) 34 EL Rev

(2009) 34 *European Law Review*

USE OF FULL STEPS

The convention on the use of full stops in abbreviations can vary. OSCOLA states, ‘Abbreviations, whether in text or footnotes, are not marked by full stops.’ Follow this practice.
Critical writing

It is common for feedback on student writing to focus on the need to engage more critically with the source material. Typical comments from tutors are: ‘too descriptive’, or ‘not enough critical analysis’. This Study Guide gives ideas for how to improve the level of critical analysis you demonstrate in your writing.

What is critical writing?

The most characteristic features of critical writing are:

• a clear and confident refusal to accept the conclusions of other writers without evaluating the arguments and evidence that they provide;
• a balanced presentation of reasons why the conclusions of other writers may be accepted or may need to be treated with caution;
• a clear presentation of your own evidence and argument, leading to your conclusion; and
• a recognition of the limitations in your own evidence, argument, and conclusion.

What is descriptive writing?

The most characteristic features of descriptive writing are that it will describe something, but will not go beyond an account of what appears to be there. A certain amount of descriptive writing is needed to establish for example:

• the setting of the research;
• a general description of a piece of literature, or art;
• the list of measurements taken;
• the timing of the research;
• an account of the biographical details of a key figure in the discipline; or
• a brief summary of the history leading up to an event or decision.

The difference between descriptive writing and critical writing

With descriptive writing you are not developing argument; you are merely setting the background within which an argument can be developed. You are representing the situation as it stands, without presenting any analysis or discussion.

Descriptive writing is relatively simple. There is also the trap that it can be easy to use many, many words from your word limit, simply providing description.
In providing only description, you are presenting but not transforming information; you are reporting ideas but not taking them forward in any way. An assignment using only descriptive writing would therefore gain few marks.

With critical writing you are participating in the academic debate. This is more challenging and risky. You need to weigh up the evidence and arguments of others, and to contribute your own. You will need to:

- consider the quality of the evidence and argument you have read;
- identify key positive and negative aspects you can comment upon;
- assess their relevance and usefulness to the debate that you are engaging in for your assignment; and
- identify how best they can be woven into the argument that you are developing.

A much higher level of skill is clearly needed for critical writing than for descriptive writing, and this is reflected in the higher marks it is given.

**Finding your academic voice**

When you engage in critical writing you are developing your own academic voice within your subject. Wellington et al. (2005 p.84) offer some suggestions for distinguishing between the academic and the non-academic voice. They suggest that the academic voice will involve:

- “healthy scepticism ... but not cynicism;
- confidence ... but not ‘cockiness’ or arrogance;
- judgement which is critical ... but not dismissive;
- opinions ... without being opinionated;
- careful evaluation of published work ... not serial shooting at random targets;
- being ‘fair’: assessing fairly the strengths and weaknesses of other people’s ideas and writing ... without prejudice; and
- making judgements on the basis of considerable thought and all the available evidence ... as opposed to assertions without reason.”


Try to get into the habit of writing critically, by making sure that you read critically, and that you include critique in your writing.

**Stringing together of quotes**

It can be tempting to string together quotes to support an argument, feeling that the more quotes you include, the stronger your argument. It is important, however, to remember that you also need to interpret the quotes to the reader, and to explain their relevance, discuss their validity, and show how they relate to other evidence.

**Strategic use of paragraphs**

There are several ways in which you can use the paragraph to enhance your critical writing.
You can use paragraphs to make a clear and visual separation between descriptive writing and critical analysis, by switching to a new paragraph when you move from description to critical writing, and vice versa. This can help in:

- emphasising to the reader that you are including both description and critical analysis, by providing a visual representation of their separation; and
- pushing you to produce the necessary critical writing, especially if you find that your description paragraphs are always longer, or more frequent, than your critical analysis paragraphs.

A paragraph break can provide a brief pause for your readers within a longer argument; giving them the opportunity to make sure they are keeping up with your reasoning. Paragraphs that are overly long can require readers to hold too much in their mind at once, resulting in their having to re-read the material until they can identify the point you are making.

You can also use paragraphs to push yourself to include critical writing alongside descriptive writing or referencing, by considering each paragraph almost as an essay in miniature. Within each paragraph you would:

- introduce the point you want to make;
- make the point, with supporting evidence;
- reflect critically on the point.

If it’s worth including, it’s worth telling us why

A certain amount of descriptive writing is essential, particularly in the earlier parts of the essay or assignment or dissertation. Beyond that, however, there is a danger that too much descriptive writing will use up valuable words from your word limit, and reduce the space you have for the critical writing that will get you higher marks.

A useful habit to get into is to make sure that, if you describe some evidence relevant to your argument, you need then to explain to the reader why it is relevant. The logic of your explanation contributes to the critical component of your writing.

So, a sentence or two might describe and reference the evidence, but this is not enough in itself. The next few sentences need to explain what this evidence contributes to the argument you are making. This may feel like duplication at first, or that you are explaining something that is obvious, but it is your responsibility to ensure that the relevance of the evidence is explained to the reader; you should not simply assume that the reader will be following the same logic as you, or will just work out the relevance of the quote or data you have described.

Line of argument

So far this Study Guide has considered the detail of what you write. The other key element in critical writing is the overall structure of your piece of writing. For maximum effectiveness, your writing needs to have a line, or lines of argument running through it from the Introduction to the Conclusion.

Just as you have used paragraphs on a micro scale to present your critical writing, so you need to consider the ordering of those paragraphs within the overall structure. The aim is to lead your readers carefully through the thread of your argument, to a well-supported conclusion.
Example of effective critical writing

The text below is an example of good critical writing, and is based on essay material supplied by University of Leicester’s School of Psychology.

The author refers to the available evidence, but also evaluates the validity of that evidence, and assesses what contribution it can realistically make to the debate.

There are a number of inherent methodological difficulties in evaluating treatment efficacy in this area, and this has contributed to controversy within the research literature surrounding treatment outcomes for this group of offenders (Marshall, 1997). Firstly, while there is no doubt that the primary criterion of treatment success is a reduction in the rate of re-offending (Marshall et al., 1999), reconviction data does not, in isolation, provide a realistic representation of actual levels of re-offending by this group. It is well established that there is a discrepancy between re-offending and reconviction rates: the latter underestimating the number of offences committed (Grubin, 1999). Indeed, a significant proportion of offences committed by offenders are either unreported, or do not result in the offender being convicted (Abel et al., 1987).

You can see how the author is considering the available evidence, but also the limitations on that evidence, and will be taking all of this into account in drawing conclusions.

Checklist for an overall review of your writing

It is always worth taking a critical look at your own writing before submitting it for assessment. The kinds of questions that might be useful to ask at that stage are:

What is the balance between descriptive and critical writing?

While a certain amount of description is necessary to set the context for your analysis, the main characteristic of academic writing is its critical element. A useful way to check this balance in your own writing is to use two coloured pens and to mark in the margin whether the lines are descriptive or critical. The balance will change at different points, but you need to make sure there is enough of the colour that represents critical writing.

Why should the reader be convinced by what I’ve just written?

Remember that, just as you are asking ‘Why should I believe what I’ve just read?’, the readers of your work will be asking the same question of your writing. A critical read through your own writing may reveal gaps in your logic, which you can rectify before you submit it for the critique of others.

Is my conclusion trailed and supported sufficiently well by my preceding analysis and argument?

Check out the conclusions that you have drawn, then locate and check the supporting evidence you provide earlier on. This is a good way of making sure you haven’t forgotten to include a crucial piece of evidence. It is also a way of checking that, when your reader comes to the end of your writing, the conclusions make sense, rather than being a surprise, or an unconvincing leap of logic.
Have I included any unsubstantiated statements?

Sometimes a generalised, sweeping statement can slip through: the kind of statement that might be acceptable on conversation, but not in academic writing. There are three main ways of dealing with such statements:

- present the evidence to support the statement
- re-phrase the statement to sound more cautious e.g.: ‘it could be argued …’ or ‘this suggests that …’
- remove the statement
This Guide must be read in conjunction with:

The University’s Undergraduate Regulations

The School of Law Undergraduate Handbook

Any specific guidance given for a particular assignment

Some useful University of Leicester websites:

www.le.ac.uk/law

blackboard.le.ac.uk

www.le.ac.uk/library

www.le.ac.uk/slc/
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