

Examiners' Comments on the 2020 Examination

Head V: Principles of Common Law

The examination paper consisted of four parts:

Part A (Constitutional Law & Introduction to Legal System);

Part B (Law of Contract);

Part C (Introduction to Law of Torts); and

Part D (Criminal Law).

The examination paper had ten questions and the candidates were asked to attempt one question from each part. The candidates were given 45 minutes reading time. After the expiry of the reading time, each was given an oral examination by two Examiners.

A few more Hong Kong cases could have been given to substantiate the answers given.

Generally, the candidates were aware of the relevant legal principles and were able to link them up to the facts of the questions and provide answers that correctly answered those questions. Pleasingly, a number of answers revealed a superior understanding and analysis of the salient issues.

At times, a deeper understanding might have been provided by referring to the names (short citations are acceptable here) and facts of some applicable cases.

Past candidates performed better on questions concerning Contract Law and Legal System compared with questions on Tort and Criminal Law. For Criminal Law in particular, topics like "murder", "voluntary manslaughter" & "involuntary manslaughter" are not easy to tackle and future candidates may need to consider placing greater attention to those subjects, if they have not dealt with them before.

This year was particularly challenging as Zoom arrangements were made for candidates and examiners to be in separate rooms for social distancing purposes. Nonetheless, the examination proceeded smoothly and no technical issues occurred which were reported to have affected any of the candidates. Thanks to the Law Society staff for their hard work in preparation.