

# Kent Law School Skills Hub: Frequently Asked Questions

## What are seminars?

Seminars are small group discussion with around 10-15 students, which allow you to explore and discuss the ideas you've encountered in your readings and lectures.

### **Before the seminar**

You'll be given seminar worksheets with required, recommended and further readings, along with questions/tasks to consider. You need to complete these in advance and come prepared to share your thoughts. Consider making notes – they'll jog your memory in those painfully early 9am seminars.

### **During the seminar**

Join in the discussion. A good seminar involves students sharing their thoughts, with the seminar leader simply guiding the conversation. A bad seminar involves plenty of awkward silences.

Make sure you come prepared and be confident in your own ideas. Have an opinion, but be open-minded. It's ok to disagree with your peers, but be polite and listen to their point – you might find that seeing things from a different perspective changes your mind.

### **After the seminar**

If you have struggled to understand anything, ask your seminar leader for further guidance or revisit any readings if necessary.

Think about how the seminar fits with other lectures/seminars. Are themes developing?

Make sure that any notes are organised and legible so that you can revisit them later in the year.

## Seminars: do I have to do all the seminar readings?

You should always read the required readings, which you'll need to answer the seminar questions and take part in the discussion.

If you can't read everything, it's better to understand what you have read than to try to read everything. 100% of a third of the task is better than 30% of all of it.

Focus on the required readings first. The recommended and further readings will then allow you to deepen your understanding of the subject. (Remember: your lecturer has recommended them for a reason!) If you don't have time to read them in advance of seminars, it's always worth returning to them when researching for essays or preparing for exams.

## How can I read quickly and effectively?

Everybody reads at different speeds, but (generally speaking) you'll become faster at reading with practice.

There is a difference between reading and reading effectively. The key is to work out what you actually need to do for your seminar, assessment or exam.

Think about why you are reading a particular text and the questions it will help you to answer. You can then determine how closely you need to read the text and which sections to focus on.

Make sure that you're in a comfortable setting and that you're free from distractions like Facebook.

Reading effectively is a skill that you'll develop over time, and you'll figure out what works best for you.

Am I expected to remember everything I have read?

No. We are, in the words of Daft Punk, only human after all.

It's far more important that you're able to understand what you read, and remember the important parts.

### How do I learn legal language?

Legal language almost seems like a foreign language ("legalese").

The first thing to do is arm yourself with some dictionaries. Ideally, one regular English dictionary and one "Law dictionary". (For those whose first language is not English, you might also benefit from a bilingual dictionary in your native language.) "Pocket-size" versions (though no one actually has pockets big enough for them) are fairly cheap and are available at the University bookshop, or online (for free!) via LibrarySearch.

Then, as you read your materials, highlight any words that you cannot understand and look them up in your English and/or Law dictionary.

### How can I distinguish between ratio and obiter?

#### **Ratio decidendi**

The ratio decidendi of a judgment is the reason for the decision (e.g. liable or not liable).

So, to identify the ratio, you want to find the judge's conclusion (liable/not liable; guilty/not guilty, etc.). Then, working backwards, look for the reason why. What was the key factor in her decision? It might be that there was/wasn't a duty of care, that the chain of causation was/wasn't broken, or that the legal principle can/cannot be applied here because XYZ. You're looking for XYZ.

Easier said than done, we know. But if you have understood the relevant legal principles and authorities, the ratio will often seem clear. If it doesn't, that may be because the area of law or the judgments in question are particularly unclear, which is probably why you've been asked to look at it!

#### **Obiter dicta**

Obiter dicta, on the other hand, are things said by the way. That is, they are comments made by the judge that do not actually have a direct bearing on the issues in the instant case and do not, therefore, create binding precedent.

Comments made obiter do, however, give an indication as to a judge's viewpoint more generally and (particularly where made by senior judges) are likely to prove persuasive in later cases. Judges will often give you a clue before making obiter comments, with phrases like "if I had found that A [which I didn't], then I would have decided that Y [but I'm not going to because I didn't find that A]" or "if the facts of this case were C [which they're not], then I would have found that..." you get the picture.

Judges like to talk (some more than others) and so what is said obiter in some cases can be quite lengthy. If you are relying on obiter in an assessment then remember that what has been said is NOT binding (unlike the ratio), but can (and often will) prove to be quite persuasive.

## How do I write a case note, essay or answer a problem question?

For concise guides to writing case notes, law essays and answering problem questions, see the KLS Skills Hub Moodle page.

## How can I avoid procrastination?

Here are some of our top tips to limit procrastination:

- Discipline: Only you can make yourself sit down, concentrate and work. Remember that you're paying to be here! Promise yourself a treat at the end of the task at hand
- Plan ahead: Invest in a diary and use to-do lists to plan when you'll work on particular modules and/or assessments. In the run up to assessments, our Assignment Survival Kit can help you organise your time
- Remove distractions: Put your mobile phone on silent. Log out of Facebook, Twitter, etc. Turn off the TV. Stay away from that friend that never stops talking
- Take breaks: It's crucial to give your brain a rest. Every hour or so, take a short break (for 15 mins or so) and recharge your batteries
- Use the University's online Productivity Tools to get back on track.

## Why do we have to do group work and presentations?

Group work encourages you to collaborate with your peers, sharing ideas and learning from one another while discovering the importance of individual responsibility within a team.

By giving presentations you'll become more confident and develop the ability to present your ideas clearly and eloquently through speech.

These skills are a big hit with employers, and will come in handy when attending interviews and assessment centres.

## Should I do a dissertation?

Dissertations are not for everyone and, contrary to popular belief, at Kent Law School you don't have to do one. It is important to ask yourself a few questions:

- Do you enjoy doing (and perform well in) coursework?
- Are you well-organised?
- Are you particularly intrigued by a topic?
- Do you have the self-motivation to undertake thorough, lengthy and (potentially) tedious research on a single, usually quite narrow, topic?

If you answer yes to all or most of the above, you will likely find that completing a dissertation will work for you.

## I'm an international student, how can I learn about English culture and the English legal system?

The best way to learn about English cultures is to talk to your peers and read domestic newspapers.

Domestic students may have come across the law and seen crime dramas on TV, but any advantage they gain is insignificant. For this reason, the English Legal Systems and Skills module forms a fundamental part of your education.

As an international student, you may be at an advantage in the sense that you're able to engage with the law through a different perspective.

## I didn't study law at A-Level, am I at a disadvantage?

No. Previous legal education (at A Level or otherwise) is not a prerequisite for the study of law at university. A Level Law doesn't have the same breadth and depth as your degree.

If you have studied law before, be prepared to have some of what you thought you knew added to or challenged.

## How should I prepare for exams?

See the KLS Skills Hub Moodle page for practical tips.

## What happens if I fail an exam?

Students cannot appeal against the academic judgement of the examiners and papers will not be re-marked. Kent Law School completes a rigorous moderation process to ensure that marks are fair and consistent.

Resits take place in August. For most resits the mark will be capped at 40% (i.e. you either fail or receive a mark of 40% if you pass).

If you feel you might have mitigating circumstances, you should contact the Law Advisers as soon as possible.

## I'm not pleased with my grade, can I resubmit my assignment?

Students cannot appeal against the academic judgement of markers and papers will not be re-marked. Kent Law School completes a rigorous moderation process to ensure that marks are fair and consistent.

It is not generally possible to resubmit an assessment because you're disappointed with your grade. You should make use of the support on offer to ensure you get it right first time around.

In exceptional circumstances, where a student's mark is inconsistent with previous marks and there is evidence that s/he is likely to achieve a higher mark if offered another attempt, there may be an opportunity to make up for a poor mark at the discretion of the module convenor.

## Contact your module convenor for further information.

I submitted the wrong document and the deadline has passed. What should I do?  
Contact the Law Support Office immediately.

## How can I navigate the Law Library?

Many of the sources you use (e.g. textbooks) will be available via LibrarySearch, the University's library system. The Library webpages provide information and guidance.

You will also need to use legal databases like Westlaw, LexisNexis and JustCite. These can be found on Lawlinks.

## What can I do if I have back-to-back classes?

Classes usually start at 5 minutes past the hour and end at 5 minutes to, so you should have around 10 minutes to get across campus.

Make sure that you're organised so that you know where you need to go, then get your skates on...

## Outside of my studies, do I need to find work experience and placements?

Yes. What you do and when you do it will depend on the kind of career you're pursuing.

For information about careers and opportunities, see the Law School's Employability Officer Jayne Instone and/or visit Kent Law School's Employability Blog at <https://blogs.kent.ac.uk/klsemployability/>

## Does the first year matter?

For most students, your first year marks will not count towards your final degree classification.

For those taking the three-year LLB, second year makes up 40% of your final mark, with third year contributing the final 60%. Other students should seek further information.

BUT, you do need to pass all of your first year modules to receive a qualifying law degree, which you'll need if you want to practise as a lawyer.

AND, employers will generally ask to see all of your grades. If you have underperformed without good reason, this may work against you when applying for jobs.

### Can I choose between coursework and exams?

It depends on the module. There is no choice in most modules, but you may be able to choose between dissertations and exams in some cases. You should consult the relevant module outline or contact your module convenor for more information.

When choosing optional modules in later stages, you may be able to choose modules that are more or less coursework-heavy. Think about where your strengths lie.