

Composition of papers and division of time

1. This exam comprises six Short Answer Questions (SAQs), each comprising two parts.
2. You will have three hours to complete the exam (unless you have other agreed adjustments in place).

Materials

3. **This examination is OPEN BOOK.** You are **NOT** allowed to use any materials other than those made available to you.
4. The Handbook is available within each question and can be viewed by clicking on 'BSB Handbook'.

SAQ grading scheme

5. Each of the six SAQs is divided into two sub-parts. Each sub-part is of equal weight.
6. Markers are instructed to grade each answer as follows:

Satisfactory (Competent)	<p>A competent answer demonstrating satisfactory understanding of the key issues, but with some inaccuracies and/or omissions. Such inaccuracies and/or omissions do not materially affect the integrity of the answer.</p> <p>Analysis and/or evaluation may be present but is not highly developed.</p> <p>Evidence of insight, but it may be limited.</p> <p>Use of appropriate information and principles drawn from syllabus materials.</p> <p>Shows an awareness of the key issues and comes to appropriate conclusions.</p> <p>A competent answer may exceed these minimum criteria.</p>
Unsatisfactory (Not competent)	<p>Poor understanding of the key issues, with significant omissions and/or inaccuracies.</p>

	<p>Limited or completely lacking in evidence of understanding.</p> <p>Interpretation, analysis and/or evaluation is shallow and poorly substantiated.</p> <p>Little or no evidence of insight.</p> <p>Limited use of information and principles.</p> <p>Not evident that syllabus materials were understood and/or incorporated into answer.</p> <p>Shows very limited awareness of the key issues and fails to come to appropriate conclusions.</p> <p>Further or alternatively, the answer contains material which, in the view of the examiners, is so clearly incorrect that, if it were to be replicated in practice, it could significantly affect the client's interests or the administration of justice (such acts or omissions would include behaviour which would require reporting to the BSB) and/or place the barrister at risk of a finding of serious misconduct OR the answer, in the view of the examiners, is not a genuine attempt to engage with the key issues and subject matter of the question OR there is no answer, ie a failure to provide any response to the question.</p>
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7. There is no restriction, other than the time available for the test, on the number of words you are permitted to use by way of a response to each sub-part of a question. You should use your good judgment in order to provide a comprehensive answer to each question, ensuring that you address what is asked of you.
8. In answering SAQs, you are expected to quote accurately the Core Duties, principles and source material which are applicable in any sub-part of a question. This exam is intended to test your ability to identify and analyse the ethical issues raised in the questions and then to apply your knowledge of Professional Ethics in seeking to resolve those issues.
9. The close application of ethical principles to the facts outlined in each scenario is the key to success in this exam. In order to obtain a grade of "Satisfactory", you are advised to write coherently so as to evidence fully your knowledge and understanding of **all key issues** involved and your evaluation of the correct ethical approach to adopt in the circumstances in order to effect

the appropriate resolution. Examiners are looking for answers that clearly demonstrate a full appreciation of all ethical issues raised and the application of the relevant principles and Core Duties. Therefore, answers should provide a detailed description of these as well as a comprehensive and clearly reasoned explanation in support of the resolution proposed. A statement of principle without the demonstration that its application has been properly understood will not meet the “satisfactory” threshold. Bullet-point style answers are acceptable, but they must be coherent. Please note that Surpass does not offer bullet-point formatting, but bullet points may be created using hyphens ("-").