

Published in 2011 by Sweet & Maxwell, 100 Avenue Road, London, NW1 3PF

part of Thomson Reuters (Professional) UK Limited

Registered in England & Wales, company No 1679046, registered office and address for service:

Abbe House, 33 Abbe High Street, London, EC4N 3DL

For further information or our products and services visit:

www.sweetmaxwell.co.uk

Reprinted 2011

For Dave Higson

Printed by Ashford Colour Press, Gosport, Hants

Typeset by Newsworld Publishing Ltd, Newport, Cheshire

Printed and bound in Great Britain by

Ashford Colour Press, Gosport, Hants

All rights reserved. Crown Copyright material is reproduced with the permission of the

Controller of Her Majesty's Stationery Office and the Queen's Printer for Scotland.

A CIP Catalogue record for this book is available from the British Library

ISBN 978-0-414-41544-4

All rights reserved. Crown Copyright material is reproduced with the permission of the

Controller of Her Majesty's Stationery Office and the Queen's Printer for Scotland.

No part of this publication may be reproduced or transmitted in any form or by any means, or stored in

retrieval system of any nature without the written permission, except in permitted fair dealing under the

Copyright, Designs and Patents Act 1988, or in accordance with the terms of a licence issued by the

Copyright Licensing Agency in respect of photocopying and/or

photographic reproduction.

Application for permission for use of other copyright material including permission to reproduce extracts in

other published works shall be made to the publishers. Full acknowledgment of

author, publisher and source must be given.

Thomson Reuters and the Thomson Reuters Log are trademarks of Thomson Reuters. Sweet & Maxwell is

a registered trademark of Thomson Reuters (Professional) UK Limited

© 2011 Thomson Reuters (Professional) UK Limited

Contents

| | | |
|---|--|----|
| 1 | INTRODUCTION | 3 |
| | What is the purpose of this chapter? | 3 |
| | What is "successful" legal writing? | 3 |
| | What types of writing will I be asked to do? | 7 |
| | How will my work be judged? | 10 |
| | What common mistakes are made in legal writing and how can I avoid them? | 12 |
| | How can I apply all this to myself? | 15 |
| | Summary of chapter 1 | 17 |
| 2 | THE PROCESS OF WRITING | 18 |
| | What is the purpose of this chapter? | 18 |
| | How can I manage my time more effectively? | 18 |
| | How should I prioritise? | 21 |
| | How should I manage the process of writing? | 24 |
| | Summary of chapter 2 | 31 |
| 3 | STRATEGIES FOR DIFFERENT TYPES OF WRITING | 32 |
| | What is the purpose of this chapter? | 32 |
| | What makes a problem question different? | 32 |
| | What makes comprehension exercises different? | 36 |
| | What makes exams different? | 45 |
| | Summary of chapter 3 | 52 |
| | Summary of chapter 10 | 52 |
| | Summary of chapter 11 | 52 |
| | Summary of chapter 12 | 52 |
| | Summary of chapter 13 | 52 |
| | Summary of chapter 14 | 52 |
| | Summary of chapter 15 | 52 |
| | Summary of chapter 16 | 52 |
| | Summary of chapter 17 | 52 |
| | Summary of chapter 18 | 52 |
| | Summary of chapter 19 | 52 |
| | Summary of chapter 20 | 52 |
| | Summary of chapter 21 | 52 |
| | Summary of chapter 22 | 52 |
| | Summary of chapter 23 | 52 |
| | Summary of chapter 24 | 52 |
| | Summary of chapter 25 | 52 |
| | Summary of chapter 26 | 52 |
| | Summary of chapter 27 | 52 |
| | Summary of chapter 28 | 52 |
| | Summary of chapter 29 | 52 |
| | Summary of chapter 30 | 52 |
| | Summary of chapter 31 | 52 |
| | Summary of chapter 32 | 52 |
| | Summary of chapter 33 | 52 |
| | Summary of chapter 34 | 52 |
| | Summary of chapter 35 | 52 |
| | Summary of chapter 36 | 52 |
| | Summary of chapter 37 | 52 |
| | Summary of chapter 38 | 52 |
| | Summary of chapter 39 | 52 |
| | Summary of chapter 40 | 52 |
| | Summary of chapter 41 | 52 |
| | Summary of chapter 42 | 52 |
| | Summary of chapter 43 | 52 |
| | Summary of chapter 44 | 52 |
| | Summary of chapter 45 | 52 |
| | Summary of chapter 46 | 52 |
| | Summary of chapter 47 | 52 |
| | Summary of chapter 48 | 52 |
| | Summary of chapter 49 | 52 |
| | Summary of chapter 50 | 52 |
| | Summary of chapter 51 | 52 |
| | Summary of chapter 52 | 52 |
| | Summary of chapter 53 | 52 |
| | Summary of chapter 54 | 52 |
| | Summary of chapter 55 | 52 |
| | Summary of chapter 56 | 52 |
| | Summary of chapter 57 | 52 |
| | Summary of chapter 58 | 52 |
| | Summary of chapter 59 | 52 |
| | Summary of chapter 60 | 52 |
| | Summary of chapter 61 | 52 |
| | Summary of chapter 62 | 52 |
| | Summary of chapter 63 | 52 |
| | Summary of chapter 64 | 52 |
| | Summary of chapter 65 | 52 |
| | Summary of chapter 66 | 52 |
| | Summary of chapter 67 | 52 |
| | Summary of chapter 68 | 52 |
| | Summary of chapter 69 | 52 |
| | Summary of chapter 70 | 52 |
| | Summary of chapter 71 | 52 |
| | Summary of chapter 72 | 52 |
| | Summary of chapter 73 | 52 |
| | Summary of chapter 74 | 52 |
| | Summary of chapter 75 | 52 |
| | Summary of chapter 76 | 52 |
| | Summary of chapter 77 | 52 |
| | Summary of chapter 78 | 52 |
| | Summary of chapter 79 | 52 |
| | Summary of chapter 80 | 52 |
| | Summary of chapter 81 | 52 |
| | Summary of chapter 82 | 52 |
| | Summary of chapter 83 | 52 |
| | Summary of chapter 84 | 52 |
| | Summary of chapter 85 | 52 |
| | Summary of chapter 86 | 52 |
| | Summary of chapter 87 | 52 |
| | Summary of chapter 88 | 52 |
| | Summary of chapter 89 | 52 |
| | Summary of chapter 90 | 52 |
| | Summary of chapter 91 | 52 |
| | Summary of chapter 92 | 52 |
| | Summary of chapter 93 | 52 |
| | Summary of chapter 94 | 52 |
| | Summary of chapter 95 | 52 |
| | Summary of chapter 96 | 52 |
| | Summary of chapter 97 | 52 |
| | Summary of chapter 98 | 52 |
| | Summary of chapter 99 | 52 |
| | Summary of chapter 100 | 52 |
| | Summary of chapter 101 | 52 |
| | Summary of chapter 102 | 52 |
| | Summary of chapter 103 | 52 |
| | Summary of chapter 104 | 52 |
| | Summary of chapter 105 | 52 |
| | Summary of chapter 106 | 52 |
| | Summary of chapter 107 | 52 |
| | Summary of chapter 108 | 52 |
| | Summary of chapter 109 | 52 |
| | Summary of chapter 110 | 52 |
| | Summary of chapter 111 | 52 |
| | Summary of chapter 112 | 52 |
| | Summary of chapter 113 | 52 |
| | Summary of chapter 114 | 52 |
| | Summary of chapter 115 | 52 |
| | Summary of chapter 116 | 52 |
| | Summary of chapter 117 | 52 |
| | Summary of chapter 118 | 52 |
| | Summary of chapter 119 | 52 |
| | Summary of chapter 120 | 52 |
| | Summary of chapter 121 | 52 |
| | Summary of chapter 122 | 52 |
| | Summary of chapter 123 | 52 |
| | Summary of chapter 124 | 52 |
| | Summary of chapter 125 | 52 |
| | Summary of chapter 126 | 52 |
| | Summary of chapter 127 | 52 |
| | Summary of chapter 128 | 52 |
| | Summary of chapter 129 | 52 |
| | Summary of chapter 130 | 52 |
| | Summary of chapter 131 | 52 |
| | Summary of chapter 132 | 52 |
| | Summary of chapter 133 | 52 |
| | Summary of chapter 134 | 52 |
| | Summary of chapter 135 | 52 |
| | Summary of chapter 136 | 52 |
| | Summary of chapter 137 | 52 |
| | Summary of chapter 138 | 52 |
| | Summary of chapter 139 | 52 |
| | Summary of chapter 140 | 52 |
| | Summary of chapter 141 | 52 |
| | Summary of chapter 142 | 52 |
| | Summary of chapter 143 | 52 |
| | Summary of chapter 144 | 52 |
| | Summary of chapter 145 | 52 |
| | Summary of chapter 146 | 52 |
| | Summary of chapter 147 | 52 |
| | Summary of chapter 148 | 52 |
| | Summary of chapter 149 | 52 |
| | Summary of chapter 150 | 52 |
| | Summary of chapter 151 | 52 |
| | Summary of chapter 152 | 52 |
| | Summary of chapter 153 | 52 |
| | Summary of chapter 154 | 52 |
| | Summary of chapter 155 | 52 |
| | Summary of chapter 156 | 52 |
| | Summary of chapter 157 | 52 |
| | Summary of chapter 158 | 52 |
| | Summary of chapter 159 | 52 |
| | Summary of chapter 160 | 52 |
| | Summary of chapter 161 | 52 |
| | Summary of chapter 162 | 52 |
| | Summary of chapter 163 | 52 |
| | Summary of chapter 164 | 52 |
| | Summary of chapter 165 | 52 |
| | Summary of chapter 166 | 52 |
| | Summary of chapter 167 | 52 |
| | Summary of chapter 168 | 52 |
| | Summary of chapter 169 | 52 |
| | Summary of chapter 170 | 52 |
| | Summary of chapter 171 | 52 |
| | Summary of chapter 172 | 52 |
| | Summary of chapter 173 | 52 |
| | Summary of chapter 174 | 52 |
| | Summary of chapter 175 | 52 |
| | Summary of chapter 176 | 52 |
| | Summary of chapter 177 | 52 |
| | Summary of chapter 178 | 52 |
| | Summary of chapter 179 | 52 |
| | Summary of chapter 180 | 52 |
| | Summary of chapter 181 | 52 |
| | Summary of chapter 182 | 52 |
| | Summary of chapter 183 | 52 |
| | Summary of chapter 184 | 52 |
| | Summary of chapter 185 | 52 |
| | Summary of chapter 186 | 52 |
| | Summary of chapter 187 | 52 |
| | Summary of chapter 188 | 52 |
| | Summary of chapter 189 | 52 |
| | Summary of chapter 190 | 52 |
| | Summary of chapter 191 | 52 |
| | Summary of chapter 192 | 52 |
| | Summary of chapter 193 | 52 |
| | Summary of chapter 194 | 52 |
| | Summary of chapter 195 | 52 |
| | Summary of chapter 196 | 52 |
| | Summary of chapter 197 | 52 |
| | Summary of chapter 198 | 52 |
| | Summary of chapter 199 | 52 |
| | Summary of chapter 200 | 52 |
| | Summary of chapter 201 | 52 |
| | Summary of chapter 202 | 52 |
| | Summary of chapter 203 | 52 |
| | Summary of chapter 204 | 52 |
| | Summary of chapter 205 | 52 |
| | Summary of chapter 206 | 52 |
| | Summary of chapter 207 | 52 |
| | Summary of chapter 208 | 52 |
| | Summary of chapter 209 | 52 |
| | Summary of chapter 210 | 52 |
| | Summary of chapter 211 | 52 |
| | Summary of chapter 212 | 52 |
| | Summary of chapter 213 | 52 |
| | Summary of chapter 214 | 52 |
| | Summary of chapter 215 | 52 |
| | Summary of chapter 216 | 52 |
| | Summary of chapter 217 | 52 |
| | Summary of chapter 218 | 52 |
| | Summary of chapter 219 | 52 |
| | Summary of chapter 220 | 52 |
| | Summary of chapter 221 | 52 |
| | Summary of chapter 222 | 52 |
| | Summary of chapter 223 | 52 |
| | Summary of chapter 224 | 52 |
| | Summary of chapter 225 | 52 |
| | Summary of chapter 226 | 52 |
| | Summary of chapter 227 | 52 |
| | Summary of chapter 228 | 52 |
| | Summary of chapter 229 | 52 |
| | Summary of chapter 230 | 52 |
| | Summary of chapter 231 | 52 |
| | Summary of chapter 232 | 52 |
| | Summary of chapter 233 | 52 |
| | Summary of chapter 234 | 52 |
| | Summary of chapter 235 | 52 |
| | Summary of chapter 236 | 52 |
| | Summary of chapter 237 | 52 |
| | Summary of chapter 238 | 52 |
| | Summary of chapter 239 | 52 |
| | Summary of chapter 240 | 52 |
| | Summary of chapter 241 | 52 |
| | Summary of chapter 242 | 52 |
| | Summary of chapter 243 | 52 |
| | Summary of chapter 244 | 52 |
| | Summary of chapter 245 | 52 |
| | Summary of chapter 246 | 52 |
| | Summary of chapter 247 | 52 |
| | Summary of chapter 248 | 52 |
| | Summary of chapter 249 | 52 |
| | Summary of chapter 250 | 52 |
| | Summary of chapter 251 | 52 |
| | Summary of chapter 252 | 52 |
| | Summary of chapter 253 | 52 |
| | Summary of chapter 254 | 52 |
| | Summary of chapter 255 | 52 |
| | Summary of chapter 256 | 52 |
| | Summary of chapter 257 | 52 |
| | Summary of chapter 258 | 52 |
| | Summary of chapter 259 | 52 |
| | Summary of chapter 260 | 52 |
| | Summary of chapter 261 | 52 |
| | Summary of chapter 262 | 52 |
| | Summary of chapter 263 | 52 |
| | Summary of chapter 264 | 52 |
| | Summary of chapter 265 | 52 |
| | Summary of chapter 266 | 52 |
| | Summary of chapter 267 | 52 |
| | Summary of chapter 268 | 52 |
| | Summary of chapter 269 | 52 |
| | Summary of chapter 270 | 52 |
| | Summary of chapter 271 | 52 |
| | Summary of chapter 272 | 52 |
| | Summary of chapter 273 | 52 |
| | Summary of chapter 274 | 52 |
| | Summary of chapter 275 | 52 |
| | Summary of chapter 276 | 52 |
| | Summary of chapter 277 | 52 |
| | Summary of chapter 278 | 52 |
| | Summary of chapter 279 | 52 |
| | Summary of chapter 280 | 52 |
| | Summary of chapter 281 | 52 |
| | Summary of chapter 282 | 52 |
| | Summary of chapter 283 | 52 |
| | Summary of chapter 284 | 52 |
| | Summary of chapter 285 | 52 |
| | Summary of chapter 286 | 52 |
| | Summary of chapter 287 | 52 |
| | Summary of chapter 288 | 52 |
| | Summary of chapter 289 | 52 |
| | Summary of chapter 290 | 52 |
| | Summary of chapter 291 | 52 |
| | Summary of chapter 292 | 52 |
| | Summary of chapter 293 | 52 |
| | Summary of chapter 294 | 52 |
| | Summary of chapter 295 | 52 |
| | Summary of chapter 296 | 52 |
| | Summary of chapter 297 | 52 |
| | Summary of chapter 298 | 52 |
| | Summary of chapter 299 | 52 |
| | Summary of chapter 300 | 52 |
| | Summary of chapter 301 | 52 |
| | Summary of chapter 302 | 52 |
| | Summary of chapter 303 | 52 |
| | Summary of chapter 304 | 52 |
| | Summary of chapter 305 | 52 |
| | Summary of chapter 306 | 52 |
| | Summary of chapter 307 | 52 |
| | Summary of chapter 308 | 52 |
| | Summary of chapter 309 | 52 |
| | Summary of chapter 310 | 52 |
| | Summary of chapter 311 | 52 |
| | Summary of chapter 312 | 52 |
| | Summary of chapter 313 | 52 |
| | Summary of chapter 314 | 52 |
| | Summary of chapter 315 | 52 |
| | Summary of chapter 316 | 52 |
| | Summary of chapter 317 | 52 |
| | Summary of chapter 318 | 52 |
| | Summary of chapter 319 | 52 |
| | Summary of chapter 320 | 52 |
| | Summary of chapter 321 | 52 |
| | Summary of chapter 322 | 52 |

| | |
|---|------------|
| What is diagnosis of task all about? | 55 |
| Why is diagnosis important? | 57 |
| How do I make a diagnosis on an essay question? | 58 |
| How do I make a diagnosis on a problem question? | 70 |
| Summary of chapter 4 | 79 |
| 5 PLANNING AND CARRYING OUT YOUR RESEARCH | 80 |
| What is the purpose of this chapter? | 80 |
| What is a materials review and how do I do it? | 80 |
| How can I find materials to supplement my reading list? | 82 |
| How do I know that I'm not missing something? | 84 |
| How do I evaluate sources? | 84 |
| How should I filter out the sources I don't need? | 85 |
| How can I read effectively? | 86 |
| How can I improve my note-making strategies? | 90 |
| How can I develop critical skills in relation to my reading? | 95 |
| Summary of chapter 5 | 98 |
| 6 HOW TO USE YOUR MATERIALS IN THE WRITING PROCESS | 99 |
| What is the purpose of this chapter? | 99 |
| What is an argument? | 100 |
| How do I develop effective arguments? | 104 |
| What evidence do I need to use in my arguments? | 107 |
| How do I integrate evidence from other sources into my writing? | 110 |
| How do I use a source within another source in my writing? | 114 |
| How do I deal with evidence which conflicts? | 116 |
| How can I make sure my arguments progress logically? | 119 |
| What is plagiarism? | 121 |
| How should my legal writing be referenced? | 124 |
| Summary of chapter 6 | 129 |
| COMPLETING YOUR ASSIGNMENT | |
| 7 THE WRITING PHASE | 133 |
| What is the purpose of this chapter? | 133 |
| What does structure mean in academic writing? | 133 |
| How do I write a successful introduction? | 135 |
| How do I structure the main text of my answer? | 140 |
| How do I write a successful conclusion? | 144 |
| Summary of chapter 7 | 146 |
| 8 WRITING IN GOOD ENGLISH | 147 |
| What is the purpose of this chapter? | 147 |

| | |
|---|------------|
| Isn't what I say more important than how I say it? | 150 |
| What if I'm really bad at grammar and spelling? | 151 |
| Should I make use of spelling and grammar checkers? | 151 |
| I'm dyslexic—can I overcome this? | 152 |
| How can I improve my sentence construction? | 156 |
| What makes up a sentence? | 156 |
| What's all the fuss about apostrophes? | 162 |
| When should I use an apostrophe? | 164 |
| How can I improve my spelling? | 169 |
| What other matters do I need to know? | 169 |
| How do I write in an academic style? | 171 |
| Summary of chapter 8 | 173 |
| MOVING FORWARD | |
| 9 FINISHING YOUR WORK AND UTILISING FEEDBACK | 177 |
| What is the purpose of this chapter? | 177 |
| What does reviewing and editing mean in academic writing? | 177 |
| How should I review and edit my work? | 178 |
| What does good presentation mean? | 181 |
| How do I write a bibliography? | 182 |
| When is my work ready to hand in? | 182 |
| What can I learn from feedback on my work? | 183 |
| Summary of chapter 9 | 188 |
| 10 WRITING AT THE NEXT LEVEL: DISSERTATIONS/PROJECTS | 189 |
| What is the purpose of this chapter? | 189 |
| How do dissertations compare with other legal writing? | 190 |
| Why choose a dissertation as an option? | 191 |
| How do I choose a suitable topic for my dissertation? | 192 |
| How does the writing cycle work in a dissertation? | 194 |
| How do I diagnose the task for a dissertation? | 195 |
| How do I choose a critical perspective for my dissertation? | 199 |
| What is meant by "hypothesis" and "research questions"? | 201 |
| How do I choose an appropriate title? | 203 |
| How do I plan and structure my dissertation? | 204 |
| How do I research and write up my dissertation? | 206 |
| What particular requirements are there for the finishing stage? | 207 |
| Summary of chapter 10 | 208 |
| APPENDICES | |
| Appendix 1—sample assessment grade descriptors | 209 |
| Appendix 2—assessment grid pro forma | 211 |
| | 216 |

