

LLB COURSEWORK SUBMISSION FORM

FAMILY LAW REFERRAL SEPTEMBER ASSIGNMENTS.

NOTE: Please sign as appropriate below and submit with coursework.
Coursework will NOT be marked without:

- (a) This form being signed.
- (b) Being typed.
- (c) Word count must be given at end of text (ie so that it does not include the bibliography)
- (d) Fill out cover sheet correctly and attach to the front of your assignment. This is available from the Student Programme Office.

After fulfilling all of the above conditions please submit your assignment prior to five o'clock on the prescribed date of submission deadline (see below). You submit it by:

- (i) Getting the cover sheet stamped with the machine provided and then
- (ii) Posting it into the (top) Business etc box outside the Student Programme Office.

Module: Family Law LAW3204

Tutor: Alice Blythe.

Submission date/s:

Assignment Number: 2 of 2

Consult your Make-Good sheet.

If your Make-Good sheet informs you that you are to answer the new Assignment 1 presented here, you answer the new Assignment 1 presented here, Assignment 1. Likewise with assignment 2. You might also be required to submit both of the answers.

Assignment Titles: [see below]

Assignment Length: Assignment 1: words 2,500

50% of mark for course

Please refer to the back of this document for penalties for late submission and grading descriptors. It is the candidate's responsibility to familiarise themselves with the Institute's policies on plagiarism and use of unfair means contained within the Student handbook

Please submit this form with the completed assessment.

I declare this submission to be my own work and complies with the student handbook regarding unfair means.

Signed (student name).....Date.....

Penalties for late submission

Coursework handed in after the deadline stated overleaf will be penalised as follows:

Up to one week late: 10% of the mark deducted

More than one week late, but handed in before the end of the module: Max. mark 40%

Handed in after the end of the module: Assignment accepted at the discretion of the examination board – max. mark 40%

Coursework not submitted will be recorded as fail. Extensions without penalties may be granted, but only in exceptional circumstances e.g. illness, and should be accompanied by written evidence.

Grade Description	Mark Classification		
Work of Exceptional Quality	High	80+	I
	Middle	75-78	I
	Low	70-74	I
Work of Very Good Quality	High	67-68	II.i
	Middle	64-66	II.i
	Low	60-63	II.i
Work of Good Quality	High	57-58	II.ii
	Middle	54-56	II.ii
	Low	50-53	II.ii
Work of Satisfactory Quality	High	47-48	III
	Middle	44-46	III
	Low	40-43	III
Unsatisfactory Performance	Borderline	35-38	BF
	Clear Fail	below 35	F

The definitions of the above criteria are:

Work of Exceptional Quality

Virtually all of the relevant information/skills accurately deployed. Excellent and exceptional grasp of theoretical, conceptual, analytical and practical elements. Very effective integration of theory, practice and information in relation to the objectives of the assessment. Substantial evidence of originality and creativity as appropriate to the subject.

Work of Very Good Quality

Most of the relevant information/skills accurately deployed. Good grasp of theoretical, conceptual, analytical, practical elements. Effective integration of theory, practice and information in relation to the objectives of the assessment. Significant evidence of originality and creativity as appropriate to the subject.

Work of Good Quality

Some of the relevant information/skills accurately deployed. Adequate grasp of theoretical, conceptual, analytical and practical elements. Fair integration of theory, practice and information in relation to the objectives of the assessment. Some evidence of originality and creativity as appropriate to the subject.

Work of Satisfactory Quality

Some omissions in the deployment of information/skills. Some grasp of theoretical, conceptual, analytical and practical elements. Limited integration of theory, practice and information in relation to the objectives of the assessment. Limited evidence of originality and creativity as appropriate to the subject.

Unsatisfactory Performance

Borderline Fail

Deficiencies or omissions in information, skills, theoretical, conceptual, practical elements. Limited integration of these in relation to the assessed work's objectives. Some relevant content and marginal evidence of skills,

knowledge or creativity which could, in the light of overall performance, constitute the basis for a pass grade in the examiners' judgement.

Clear Fail

Little evidence of the information, skills, theoretical, conceptual, analytical, creative or practical elements relevant to the assessment. Mainly irrelevant and/or incorrect information provided. Scant evidence of understanding of the requirements of the assessment.

The question/s:

Please note that in line with the benchmark standards for Law set out in the grid (below), you are expected to produce this assignment using a good standard of English language. Follow the conventions regarding appropriate referencing and citation (for both statute and case law). The use of appropriate journal articles is also expected.

This assignment MUST be word-processed.

You should consult your Programme Handbook for the requirements regarding late submission etc.

What counts in the wordcount?

Bibliography: No. However you are required to write a bibliography.

Footnotes: No. Note: Matter to be marked must be included within the main body of the work and not in the footnotes.

Quotations in text: Yes

Title of assignment typed in text: No (Note: You do not need to type it in the text at all).

The 10% tolerance rule: No penalty shall be exacted if the word count is within 10% of the allotted word count.

Assignment 1

Jerry and Margot have been married for 25 years and are now both aged 50. Jerry is a successful businessman and Margot was a stay-at-home housewife. Margot was a fantastic cook and helped Jerry with his work by throwing lavish dinner parties inviting Jerry's boss and business contacts.

Since their daughter Abigail has grown up and left home, Jerry and Margot have become increasingly estranged. When Abigail left home Jerry joined the local freemasons lodge. Margot was deeply upset by this. She made it clear to Jerry by saying that she hated "the funny handshake brigade" and flatly refused to accompany Jerry to the annual Ladies' Night. This caused Jerry much embarrassment as the other businessmen all had their wives with them and mocked Jerry saying he was "under the thumb", that his wife was a "firebrand" and that she was out of control.

Margot says that Jerry spends all of his time either at the lodge or playing golf with his friends. In order to have some fun herself, Margot joined a book club where she read many works by Germaine Greer. Margot thinks that she has been a slave to her marriage and her husband for years. Margot now refuses to talk to Jerry or to do his washing and ironing or to cook his meals.

One Saturday while Jerry was out playing golf, Margot decided to teach Jerry a lesson. She changed all of the locks and when Jerry returned home drunk at 2.00am she refused to let him in leaving Jerry to spend the night in the garden shed. She decided to let him into the house the following morning but only on the condition that he promise to mow the lawn.

Feeling increasingly unloved and frustrated, Jerry had an affair with the barmaid at the golf club. Their relationship was passionate but brief. They dated for a couple of weeks and had sex once. Their relationship is now over but Jerry feels very lonely. Jerry is unsure as to whether Margot knows of this affair. If she does suspect anything she has not said anything and Jerry fears that she may not even care.

Jerry now wants to divorce Margot. Margot does not want to be divorced because she does not want to upset her elderly mother who is a devout Catholic. Furthermore, Margot's mother is a wealthy lady who has threatened to disinherit any of her children who divorce.

Jerry does not know what to do and whether he could obtain a divorce.

Advise Jerry.

Assignment 2

Roxy has been living with her boyfriend Sean for the past year in the house that Sean owns since he inherited it from his uncle Charlie. Roxy has just given birth to a baby girl Amy and she has another daughter Polly from a previous relationship.

Sean has always been violent towards Roxy but since Amy's birth the violence has become worse. Roxy always dreads Amy crying in the night as Sean is always angry and violent if his sleep is disturbed. Roxy is frightened and does not know what to do. Roxy has no family to go and stay with as both of her parents are dead. She has nowhere to go if she was to leave Sean. Furthermore, Polly is seven years old and settled in a nearby school.

The last time Roxy took a severe beating from Sean he fractured two of her ribs, broke her jaw and gave her cuts and bruises. Roxy does not want to involve the police as she fears this will only make matters worse.

- a) Advise Roxy about the civil law remedies which are available to her under the Family Law Act 1996.
- b) Would your advice be different if the house was owned jointly by Sean and Roxy.

POINTERS

Do not use the 1st person - " I would advise Bill" could be written, "Bill should be advised that..."

Abbreviation - do not abbreviate unless you inform the reader first - e.g. The Companies Act 1985 (CA 1985), you then go on to use "CA 1985" during the rest of your assignment.

The same should apply to the names of characters ie "Adrian (who shall be referred to as 'A') etc.

Citation - in an assignment (not an exam) it would be expected that the full case citation when first used, *R v Jones*¹ then just the name and year thereafter, *R v Jones*. If there were two *R. v. Jones* the differentiate by the date ie *R. v. Jones* [1999] *R. v. Jones* [2007]. Note that the citation should be in the footnote. For further guidance on this see Introduction to Law Enchiridion Week 5, Hour 2 or the supplement *An Introduction to Law* that has been provided to you by the Law Team.

In answering any law problem question ensure that you follow the simple process of establishing

- 1) the **legal principle**;
- 2) whilst **applying** them to the facts.
- 3) also ensure that you **prove** the principle – don't just state it – apply it.
- 4) and give supporting authority - case law or statute or both and apply to the facts before you.)

Try to start answering the question as **soon** as possible - **do not** write all you know about the areas of concern without applying the law to the problem before you.

¹ [1999] 2 All ER 234

HE6 (L3)		Fail Clear fail	Fail Marginal fail	3 rd Acceptable pass	2:2 Satisfactory/good	2:1 Very good	1st Excellent	1st Outstanding
Assessment criterion		0-34	35-39	40-49	50-59	60-69	70-79	80+
1 Generic: Clarity of expression, including spelling grammar and punctuation, overall structure	Range of Marks	0-2	3	4	5	6	7	8-10
	Up to 10%	Very poor use of language Failure to observe conventions of grammar and spelling very poor or no structure	Poor use of language Failure to observe conventions of grammar and spelling poor structure	Generally understandable But may not be always fluent and structure may need attention Some errors in spelling and grammar	Language and structure mainly fluent and well organised Grammar and spelling generally observes conventions	Language and structure fluent and well organised Grammar and spelling observes conventions	Clear and appropriate style and structure. Grammar and spelling observes conventions	Excellent style and structure. Appropriate to task. Grammar and spelling observes conventions
2 Knowledge and understanding	Range of Marks	0-8	9	10-11	12-14	15-16	17-19	20-25
	Up to 25 %	No evidence of engagement with relevant law very numerous errors or omissions	Little evidence of engagement with relevant law, numerous errors or omissions	Limited identification of relevant law, with some important errors and omissions	Generally good identification of relevant law though with some minor errors and omissions	Very good identification of relevant law	Excellent identification of relevant law with evidence of wider reading	Excellent identification with strong evidence of wider reading, uncertainties and ambiguities considered
3 Analysis Including demonstration of use of cases/ Academic writing and legal method as appropriate	Range of Marks	0-9	10-11	12-14	15-17	18-20	21-23	24-30
	Up to 30%	Little demonstr-ation of attempt to use authority	Little demonstr-ation of attempt to use authority in appropriate way	Some demonstr-ation of attempt to use authority and legal method in appropriate way	Good demonstration of use of authority and legal method	Very good demonstration of use of authority and legal method; demonstration of reading and use of case law and academic material	Excellent demonstration of reading and use of case law and academic material, evidence of wider reading, identification of ambiguities and uncertainties and differing viewpoints where appropriate	Excellent comprehensive or original demonstration of reading o and use of case law and academic material, evidence of wider reading, identification of ambiguities and uncertainties and differing viewpoints where appropriate
4 Application of law/argument to facts of question OR essay title	Range of Marks	0-8	9	10-11	12-14	15-16	17-19	20-25
	Up to 25%	No attempt to apply to facts or to question	Failure to answer question; little attempt to apply to facts or to question	Some attempt to apply law to facts or question though may be inconsistent or contain inaccuracies	Good application of law to facts or question though may be inaccuracies irrelevances or omissions	Very good application of law to facts or question though may minor inaccuracies irrelevances or omissions	Excellent application of law to facts or question	Comprehensive and thorough application with uncertainties and ambiguities identified and alternates where applicable described. Thorough and/or original in treatment
5 Parameters: Conformity with instructions representation, word limit and count Bibliography and referencing etc	Range of Marks	0-2	3	4	5	6	7	8-10
	Up to 10 %	Very little or no compliance	Little compliance	Limited compliance	Acceptable	Mostly complied with: non compliance in some minor matters	Very occasional /minor flaws	All instructions as to parameters fully complied with

NOTE: To be fair to the student who adheres to the word limit, there must be a penalty for those who exceed it; the penalty is that the excess words will not be read or marked.