

PERFORMANCE INDICATORS FOR SQE2 LEGAL WRITING ASSESSMENT

<i>Skills</i>	<i>Indicators demonstrating competence</i>	<i>Indicators that do not demonstrate competence</i>
Include relevant facts	The candidate refers to and/or addresses the salient facts provided in their instructions. Salient facts could include facts which are important in ensuring the client's needs/ objectives are met, or relevant to legal advice	The candidate includes many facts in their answer which have no bearing on their legal advice
Use a logical structure	- The candidate's presentation of information is well-organised, set out clearly and easy to follow - The reader is able to understand the candidate's answer without difficulty	- The candidate's presentation of information is confused and rambling - The reader is unable to follow or understand the candidate's answer
Advice/content is client and recipient focused	- The candidate demonstrates an understanding of the client's circumstances including their needs, objectives and priorities - The candidate, where relevant and appropriate, explores options and advises on strategies and solutions	- The candidate does not understand the client's perspective e.g. they focus on irrelevant issues /provide extraneous advice/fail to advise on relevant options, strategies and solutions - The candidate fails to take into account who the client is and does not recognise the key issues in the case or consider any risks

	• The candidate takes into account who the client is; recognises the key issues in the case and considers any risks • Where appropriate, the candidate imparts any difficult or unwelcome news clearly and sensitively	• The candidate lacks empathy or sensitivity if imparting difficult or unwelcome news
Use clear, precise, concise and acceptable language which is appropriate to the recipient	• The reader understands the candidate's use of language and clarity of expression • The candidate's language is appropriate to the recipient and the situation • The candidate avoids unnecessary technical terms/legal jargon • The candidate uses formalities appropriate to the context and purpose of the communication	• The reader struggles to understand the candidate's use of language; the answer lacks clarity and/or is poorly expressed • The reader's understanding is adversely affected by the density or brevity of the answer • The candidate uses language which is not appropriate to the recipient and/or the situation e.g. candidate adopts an essay-style approach • The candidate uses unnecessary or confusing technical terms/legal jargon
Law	<i>Indicators demonstrating competence</i>	<i>Indicators that do not demonstrate competence</i>
Apply the law correctly to the client's situation	• The candidate identifies the correct legal principles and applies them correctly to the facts of the case	• The candidate does not identify the correct legal principles

		The candidate does not apply the legal principles correctly to the client's situation
Apply the law comprehensively to the client's situation	The candidate's writing is of sufficient detail in the context of the client's situation and the relevant factual and legal issues	The candidate's writing is not sufficiently detailed in the context of the client's situation and the relevant factual and legal issues
Identify any ethical and professional conduct issues and exercise judgment to resolve them honestly and with integrity	Where relevant, the candidate recognises ethical issues and exercises effective judgment in addressing them in accordance with the SRA Principles and rules of professional conduct	The candidate does not recognise ethical issues or exercise effective judgment in addressing them in accordance with the SRA Principles and rules of professional conduct