

**BAR  
STANDARDS  
BOARD**

REGULATING BARRISTERS

**THE BAR STANDARDS BOARD  
CENTRAL EXAMINATIONS BOARD  
CHAIR'S REPORT**

**Spring 2019 Sitting**

## EXECUTIVE SUMMARY

The Central Examination Board (“CEB”) has now completed its eighth cycle of overseeing Spring assessments in the three knowledge areas of the Bar Professional Training Course (“BPTC”). The confirmed post-intervention outcomes of the Spring 2019 centralised assessments following review of the BPTC cohort performance by the CEB are as follows:

	2019 Spring Sit*	2018 Spring Sit*	2017 Spring Sit*	2016 First Sit *	2015 First Sit *	2014 First Sit *	Change 2018 to 2019
<b>Professional Ethics</b>							
Number of Candidates	1887	1869	1589	1570	1572	1649	18
Passing MCQ	N/A	N/A	N/A	97.4%	91.5%	81.0%	N/A
Passing SAQ	74.8%	68.9%	57.6%	70.8%	58.0%	65.6%	5.9%
Passing Overall	74.8%	68.9%	57.6%	70.2%	56.7%	59.6%	5.9%
<b>Civil Litigation and Evidence</b>							
Number of Candidates	1890	1890	1597	1499	1595	1663	0
Passing MCQ	63.2%	66.90%	60.2%	74.1%	71.3%	68.6%	-3.7%
Passing SAQ	N/A	N/A	N/A	68.4%	65.0%	67.8%	N/A
Passing Overall	63.2%	66.90%	60.2%	62.2%	58.0%	57.4%	-3.7%
<b>Criminal Litigation, Evidence and Sentencing</b>							
Number of Candidates	1765	1732	1502	1421	1483	1586	33
Passing MCQ	61.0%	76.9%	78.2%	85.9%	83.3%	84.1%	-15.9%
Passing SAQ	N/A	N/A	N/A	72.1%	64.2%	78.2%	N/A
Passing Overall	61.0%	76.9%	78.2%	70.3%	62.5%	72.8%	-15.9%

(\*Although the first sit assessment, a number of candidates will have undertaken the assessments on a deferred or referred basis.)

## 1. BACKGROUND AND CONTEXT

### 1.1 Why the Central Examinations Board was established

The 2010/11 academic year saw the first round of assessments under the BPTC regime (replacing the BVC) in the wake of the Wood Report (July 2008). For 2010/11, all Providers were required to assess candidates in Professional Ethics, Civil Litigation, Remedies<sup>1</sup> & Evidence (“Civil Litigation”), and Criminal Litigation, Evidence & Sentencing (“Criminal Litigation”) (often referred to as the “knowledge areas”) by means of multiple-choice questions (MCQs) and short answer questions (SAQs). Together these three subjects represent 25% of the BPTC (i.e. 30 credits out of 120). For 2010/11, the knowledge area assessments were set and marked by the Providers. Centralising these assessments was a key recommendation of the

<sup>1</sup> NB Remedies was later removed from the syllabus

Wood Report, and the CEB was established to oversee this change on behalf of the Bar Standards Board (“BSB”). 2011/12 was the first year of operation for the system of centralised examinations for the knowledge areas on the BPTC. No changes were made to the format of assessment, but the setting of the assessments was undertaken independently of the Providers by a team of CEB examiners appointed by the BSB.

## **1.2 The 2011/12 to 2015/16 assessment formats**

From the 2011/12 academic year, up to and including the 2015/16 academic year, candidates in each of the three centrally assessed subjects were required to attempt an MCQ test, and a SAQ test. The Civil and Criminal Litigation assessments each comprised a paper requiring candidates to attempt 40 MCQs and five SAQs in three hours. The Professional Ethics assessment required candidates to attempt 20 MCQs and three SAQs in two hours. All questions in all papers were compulsory and the pass mark in each part of each paper was fixed at 60%. All MCQ papers were marked electronically using Speedwell scanning technology. All SAQ papers were marked by teaching staff at the relevant Provider institution, with marks being remitted to the CEB for processing. The marks for the MCQ and SAQ elements of each of the papers were aggregated to provide each candidate with a combined mark for each subject. Candidates were required to achieve the pass mark of 60% in both elements of each assessment, there being no scope for the aggregation of marks below 60% between MCQ and SAQ scores to achieve the minimum 60% pass mark overall.

## **1.3 The assessment formats from Spring 2017 onwards**

Acting on the recommendations of the BSB’s Education and Training Committee, from the Spring 2017 sitting, the CEB introduced significant changes to the format and marking processes for the centralised assessments on the BPTC. Both the Civil Litigation and Criminal Litigation assessments were modified to become three-hour papers comprising 75 MCQ and Single Best Answer (SBA) questions. This change meant that the answers for the entire paper in each subject could be marked electronically using Speedwell scanning technology. The assessment in Professional Ethics became a two-hour paper (increased to two hours and thirty minutes from the Spring 2018 sit) comprised of six SAQs, the marking being undertaken by a team of independent markers appointed by the BSB.

1.3.1 2017 was also the first year in which Bar Transfer Test (BTT) candidates had to take centralised assessments in the three knowledge areas rather than assessments set by BPP University, the institution appointed by the BSB to provide BTT training. For the Spring 2017 sitting, BTT candidates thus sat the same Civil Litigation and Criminal Litigation papers as the BPTC cohort on the same dates, and (for logistical reasons relating to the Spring 2017 assessment) a separate Professional Ethics paper. For the Spring 2018 sit, BTT candidates attempted the same Professional Ethics assessment as the BPTC candidates (see section 6 for BTT results). Unless otherwise specified, cohort performance data analysed in this report, and any assessment reliability analysis is based on the results achieved by BPTC candidates only.

## 1.4 Table of Provider centres and active dates

Provider	Centre	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19
BPP University	London	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
BPP University	Leeds	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
BPP University	Manchester	No	No	Yes	Yes	Yes	Yes	Yes	Yes
BPP University	Birmingham	No	No	No	No	Yes	Yes	Yes	Yes
BPP University	Bristol	No	No	No	No	No	No	Yes	Yes
Cardiff University	Cardiff	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
City University	London	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
University of Law ("ULaw")	Birmingham	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
University of Law ("ULaw")	London	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
University of Law ("ULaw")	Leeds	No	No	No	No	No	Yes	Yes	Yes
University of the West of England ("UWE")	Bristol	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
University of Northumbria ("UNN")	Newcastle	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Manchester Metropolitan University ("MMU")	Manchester	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Nottingham Trent University ("NTU")	Nottingham	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Kaplan Law School	London	Yes	Yes	Yes	Referrals only	No	No	No	No

1.4.1 As indicated above, BPP started to deliver the BPTC in Manchester in the 2013/14 academic year, in Birmingham in the 2015/16 academic year, and in Bristol, for the first time, in the 2017/18 academic year. The University of Law Leeds centre had examination candidates for the first time in Spring 2017. Kaplan Law School recruited its last intake in the 2013/14 academic year (although it had a very small number of referred and deferred candidates in the Spring 2015 cohort and a handful of candidates finishing in the 2015/16 academic year).

## 1.5 Terms used in this report

- "All-Provider" refers to the aggregated data bringing together cohort performance across all Providers centres

- “By Provider” refers to data comparing the performance of each of the Providers relative to each other
- “Spring sit” refers to the March/April/May exam cycle. Note that some candidates undertaking these examinations may be doing so on a referred or deferred basis
- “Summer sit” refers to the August exam cycle. Some candidates undertaking these examinations may be doing so on a deferred basis (i.e. as if for the first time)
- “Combined” refers to the pre-Spring 2017 assessment format where the result for a centrally assessed knowledge area was arrived at by aggregating a candidate’s MCQ and SAQ scores.

## **2. THE ASSESSMENT PROCESS SPRING 2017 ONWARDS**

The assessment process is overseen by the CEB whose members are appointed by the BSB. The CEB comprises a Chair, teams of examiners (a Chief Examiner and a number of Assistant Examiners for each subject), an independent Observer, an independent Psychometrician and senior staff from the BSB. The Chair and the examiners between them contribute a mix of both academic and practitioner experience.

### **2.1 How examination papers are devised and approved**

- 2.1.1 The bank of material used for compiling the centralised assessments is derived from a number of sources, including, questions devised by specialist question writers commissioned by the BSB (some of whom are based at Provider institutions), questions devised by members of the central examining teams, and some questions adapted from material originally submitted by Provider institutions at the request of the BSB.
- 2.1.2 Draft assessment papers are compiled by the relevant CEB examiner teams, under the guidance of the Chief Examiner for each centrally assessed knowledge area. A series of paper confirmation meetings are held, attended by the relevant examiner team, the Chair of the CEB, and key BSB support staff. These meetings consider the suitability of each question and the proposed answer, with particular emphasis on balance of coverage, syllabus coverage, currency of material, clarity and coherence of material, and level of challenge. If a question has been used previously, we also consider the statistics regarding its prior performance. In addition, the draft Litigation papers are reviewed by the BSB’s syllabus team to ensure that all questions comply with the current curriculum. Any recommendations made during this process by the BSB’s syllabus team are passed on to the Chief Examiner who will determine any changes to be made to the draft paper. The draft paper is then stress tested under the equivalent of exam conditions, and the outcomes used to inform further review by the relevant Chief Examiner. For Professional Ethics, a Technical Reader checks the draft exam paper to assess whether the examination questions are, in legal terms, technically correct and the language sufficiently clear. The outcome of this process is fed back to the Chief Examiner who makes the final decision on whether to alter any of the questions as a result. Finally, a proof reader checks each exam paper for

compliance with house style, grammatical accuracy, typographical errors; and ease of reading.

## **2.2 Standard setting: Civil Litigation & Evidence, and Criminal Litigation, Evidence & Sentencing**

- 2.2.1 Before candidates attempt the examinations for Civil Litigation and Criminal Litigation the papers are subjected to a standard setting process to determine a pass standard which will be recommended to the Final Examination Board. The method used for these two subjects is known as the Angoff Method, and it helps ensure that the standard required to achieve a pass mark is consistent from one sitting of the assessment to the next. Using standard setting, the number of MCQs a candidate needs to answer correctly in order to pass the assessment may go up or down from one sitting to the next depending on the level of challenge presented by the exam paper as determined by the standard setters. For a more detailed explanation of this process see: [https://www.barstandardsBoard.org.uk/media/1854147/20171005\\_standard\\_setting\\_centralised\\_assessments.pdf](https://www.barstandardsBoard.org.uk/media/1854147/20171005_standard_setting_centralised_assessments.pdf)
- 2.2.2 Standard setting for the Professional Ethics paper takes place after the examination in that subject as explained below at 2.5.

## **2.3 How the exams are conducted**

- 2.3.1 For the Spring 2019 sitting candidates at each of the Provider institutions attempted the assessments in each of the knowledge areas on the same dates as follows:

BPTC and BTT Professional Ethics	Monday 8 April 2019 at 2pm
BPTC and BTT Civil Litigation	Tuesday 16 April 2019 at 2pm
BPTC and BTT Criminal Litigation	Thursday 18 April 2019 at 2pm

- 2.3.2 In any case where a Provider identifies candidates as having special assessment arrangements necessitating a start time earlier than that of the main cohort, the relevant candidates are not allowed to leave their assessment area until the commencement of the main cohort assessment. Secure delivery and collection arrangements are put in place for all examination materials.
- 2.3.3 In exceptional circumstances candidates can be allowed to attempt the assessments at locations overseas. The onus is placed on the candidates' Provider institution to ensure that a secure assessment centre is available, and the BSB normally requires the start time of the examination at the overseas centre to be the same as the UK start time (an earlier/later start time may be permitted provided there is an overlap and candidates are quarantined). To ensure the complete security of the examination papers the BSB dispatches all examinations to the overseas contacts directly. See: [https://www.barstandardsboard.org.uk/media/1997449/bqm\\_part\\_2b\\_-\\_b4\\_centralised\\_assessments.pdf](https://www.barstandardsboard.org.uk/media/1997449/bqm_part_2b_-_b4_centralised_assessments.pdf)

- 2.3.4 Provider institutions are given guidance on examination arrangements by the BSB. Exam invigilation reports are submitted by Providers, detailing any issues they believe may have had a material bearing on the conduct of the examination itself at their assessment centres (for example, public transport strikes, bomb alerts, fire alarms, building noise), and these reports will be considered at the CEB Subject and Final Exam Boards.
- 2.3.5 Each Provider oversees its own "fit to sit" policy. Some Providers require candidates to complete a "fit to sit" form at the time of an exam. Other Providers will complete this process at enrolment, candidates confirming that if they are present at the time of the exam, they are fit to sit the exam.

## **2.4 Marking**

- 2.4.1 Candidates attempting the MCQ papers in Civil Litigation and Criminal Litigation record their answers on machine-readable answer sheets. Provider institutions return the original answer sheets to the BSB for machine marking. The MCQ answer sheet scanning is undertaken by specially trained BSB support staff, using Speedwell scanners and software. The scanner removes the risk of wrongly capturing marks which may occur with human input. This process enables accurate production of data statistics and results analysis.
- 2.4.2 For Professional Ethics, candidates write their answers to the SAQs in the answer booklets supplied by the BSB. These are scanned and uploaded to Objective Connect by the Provider institutions, each candidate having a unique candidate number.
- 2.4.3 Once scripts are uploaded, the BSB staff compare the scripts received with the exam attendance lists supplied by Providers to ensure all the expected scripts have been received. A more comprehensive check takes place which checks that each script is completely anonymised of Provider information, all pages are accounted for and all SAQs have been attempted. This is used in a later check of any marks reported as Did Not Attempt ("DNA").
- 2.4.4 Markers are divided into teams - there are always six markers in each team but the number of teams depend on the number of markers available and the number of Professional Ethics scripts to be marked - for Spring 2019 there were twelve teams, each marker dealt with 163-165 scripts during the first marking process. Teams consist of BPTC Provider staff and practitioners. Care is taken to ensure Provider-based markers are not marking their own candidates' scripts. This arrangement means that one member in each of the six marking teams only marks SAQ1, another only marks SAQ2 and so on. The advantage of this approach is that a candidate's script is marked by six different examiners, thus helping to even out the impact of markers who are "hawks" (harsher markers) and "doves" (more generous markers). It also removes the "halo effect" whereby a good (or poor) answer to a particular SAQ influences the marks awarded to other answers.
- 2.4.5 Markers are allocated to an SAQ that matches their area of expertise (Civil and Criminal Law). Up to ten sample scripts are selected at random from each

team's pool, ensuring there are scripts from each Provider being marked by that team. Each marker marks his or her allocated SAQ across all sample scripts according to the existing mark scheme (version 1). Therefore, up to 50 scripts are sampled by the markers. The examining team reviews the majority of the sample scripts but not necessarily all of them. Markers are invited to a markers' meeting where markers are divided into groups based on the SAQ they have been allocated and this generates a discussion that influences and feeds into a revised mark scheme (version 2). A Team Leader is allocated to each team and acts as a liaison between the markers and the Chief Examiner. The Team Leader addresses any general marking queries and seeks clarification from the examining team when required, minimising the time it takes the team to respond to each query directly.

2.4.6 Markers are supplied with an Excel spreadsheet onto which they enter the relevant data. The spreadsheet is pre-populated with the candidate numbers for the scripts being marked by a particular team and lists all the bullet points available for the SAQ, enabling a full breakdown of how candidates achieved their final marks. The spreadsheet is locked to accept only the characters accepted in the mark scheme (i.e. – if a point in an SAQ marking scheme is worth 1 mark, the only possible marks are 0 and 1). This minimises the risk of allocating too few or too many marks to a candidate. The spreadsheet can be updated upon issue of version 2 of the mark scheme, if there are any changes to the marks available per SAQ or its marks' breakdown. Where a candidate achieves a mark of 0, markers are required to confirm if a candidate did so because their answer did not attract any marks or because the question was not attempted. Markers also report if they deem a SAQ/script to be illegible. Markers record their marks on the spreadsheet, and these are returned to the CEB for processing and further clerical checks and missing marks. The spreadsheet permits analysis of the way in which all markers approached a particular question and allows comparison of marker group performance and individual marker performance. The examining team provides markers with a finalised marking scheme and they are encouraged to raise queries with the Team Leader as their marking progresses. Team Leaders in turn direct any material queries to the Chief Examiner.

2.4.7 Markers are instructed that they may award a candidate a mark of 0 for a part of an answer if what the candidate has written is incoherent prose (bullet-point answers are acceptable). Similarly, where the salient points can only be identified by the marker making an extensive search for points throughout unconnected parts of the examination script, they are instructed that they may award a mark of 0 rather than joining together unconnected points from across the candidate's script. Any decision by a marker that a script falls below these thresholds is subject to review and moderation to ensure fairness and consistency in the application of these threshold requirements. Similarly, where a marker is having difficulty with the legibility of a candidate's script the marker will, in the first instance, print the relevant pages to see if that assists and, if difficulties persist, escalate the matter to the marking team leader to resolve. Where necessary, issues of legibility can be referred to the CEB examining team for further assistance and a final decision on whether a script



is legible or not. Where part of an answer is confirmed as being illegible, the candidate can still be awarded marks for that part of the answer that is legible.

- 2.4.8 Once first marking has been completed, Team Leaders are responsible for checking a sample of marks from each of their team members, checking that marking has been done in accordance with the mark scheme. Once this moderation process has taken place, the Team Leader produces a report indicating any areas for concern or agreeing to the approach to marking taken by the team members. The reports are considered by the CEB examining team. The Team Leaders' marks are moderated by the CEB examining team.
- 2.4.9 Once standard setting has taken place (see 2.5 below), scripts which have been scored to a certain point below the pass standard as determined by the Psychometrician are second marked. Second marking is undertaken "blind" (i.e. second markers do not know the marks awarded by the first markers) and by SAQ, rather than by script (i.e. those markers who first marked SAQ1 will second mark SAQ1). Care is taken to ensure the second markers do not mark scripts from their own institution. Second marks are submitted to the BSB who will compare the first marking with the second marking. Both markers are then responsible for discussing the marks awarded and for coming to an agreement on the final mark to be awarded to the candidate.
- 2.4.10 Once all the marks are agreed, the BSB will compare all records of DNA submitted by the markers with those recorded on the first check conducted by the BSB. It is assumed that marks awarded by the marker for a DNA recorded by the BSB checking staff are for the benefit of the candidate and no further action is taken (as the BSB staff are not qualified to make an academic judgement about whether the question has been answered but wrongly identified). Where the marker awarded DNA but the BSB has not identified it as such, the query is raised with the marker.
- 2.4.11 For all three centrally assessed knowledge areas, once the marking is completed, statistical data is generated (based on candidates' marks) and presented at a series of examination Boards.

## **2.5 Standard setting for the Professional Ethics assessment**

In Professional Ethics, standard setting uses the Contrasting Groups method. Candidate scripts are marked (as explained at 2.4.2 to 2.4.10 above) and a group of standard setters (who are not aware of the marks awarded) review a sample of scripts in order to allocate them to one of three groupings: "pass", "fail" or "borderline". Once this process is complete the data is analysed to identify the correlation between the marks awarded and the "borderline" performance, and in turn the recommended passing standard for the assessment. A more detailed explanation of this process can be found at:  
[https://www.barstandardsBoard.org.uk/media/1854147/20171005\\_standard\\_setting\\_centralised\\_assessments.pdf](https://www.barstandardsBoard.org.uk/media/1854147/20171005_standard_setting_centralised_assessments.pdf)

## 2.6 Examination Boards

2.6.1 The CEB operates a two-tier examination Board process. A first-tier Subject Board is convened for each of the knowledge areas attended by all members of the examining team, the independent Psychometrician and independent Observer. The recommendations from each of these first-tier Boards are then fed into an over-arching Final Examination Board where the recommendations are considered and a final decision on cohort performance in each of the centralised assessment knowledge areas is arrived at.

2.6.2 The Subject Board is advised by the independent Psychometrician in respect of the outcome of the standard setting process and whether there are any grounds to question the reliability of the assessment, or whether there are any other factors that might lead the Subject Board to recommend a different pass standard. Once the Subject Board agrees what its recommendation to the Final Board will be in respect of the passing standard to be applied, the Subject Board reviews the raw data on cohort performance in relation to the assessment as a whole (overall passing rate and Provider cohort passing rates) and the results for each component question (or part-question) making up the assessment.

The key data presented to the Subject Board (reflecting the recommended pass standard) will also include:

- overall pass rates and Provider pass rates for the current and previous two cycles of assessment.
- data showing the pass rate for each MCQ (for Civil and Criminal Litigation) and each component of each Ethics SAQ, achieved at each of the Providers cross-referenced to the representations made in the assessment pro-formas returned by the Providers – thus flagging up any correlation of Provider criticisms and concerns with systemic poor performance by candidates.
- “Manhattan” diagrams (pentile histograms) which rank candidates (for Civil and Criminal Litigation) into 20% bands based on their performance in an exam. For each exam question, the first bar of the Manhattan diagram shows the top 20% of candidates and the proportion who answered the question correctly. A decrease in correct answers going down through the bands indicates a good discrimination between strong and weak candidates.
- statistical analysis by the Psychometrician.
- the Chief Examiner’s commentary on the assessment process.
- Invigilator reports detailing evidence of issues that may have impacted on the conduct of the examination itself at any Provider centre.

2.6.3 On the basis of the above evidence, and as advised by the independent Psychometrician, the Subject Boards have the discretion to intervene where there is evidence that a particular element of an assessment has not operated effectively. Options typically include:

- crediting more than one answer to an MCQ as correct.

- disregarding an MCQ or part of an SAQ entirely if deemed defective or inappropriate (e.g. no correct answer) – no candidate is credited, and the maximum score is recalculated.
- crediting all candidates with the correct answer if an MCQ or part of an SAQ is deemed defective or inappropriate.
- scaling overall marks for an assessment, or for a sub-cohort due to local assessment issues (provided the sub-cohort constitutes a statistically reliable sample for scaling purposes).
- (in respect of the Professional Ethics SAQ results) scaling the marks awarded by a marker, second marker, or marking team.

2.6.4 In confirming marks for cohorts of candidates the CEB is concerned to ensure that a consistent measure of achievement has been applied across all Providers, and that proper account has been taken of any relevant factors that may have had a bearing on the performance of a cohort of candidates. As a result, the CEB has the discretion to scale cohort marks (upwards or downwards) if it feels there are issues relating to all candidates, or a statistically relevant sub-cohort of candidates, that justify such intervention. The CEB will not use this discretion to intervene in respect of issues arising from the delivery of the course by a Provider or matters related to the conduct of the assessment that can be dealt with through a Provider's extenuation processes.

2.6.5 The Final Examination Board considers the recommendations of the Subject Boards in respect of the Provider cohort performances in the three knowledge areas. The meeting is attended by the CEB Chair, the relevant Chief Examiners, key BSB staff, an independent Psychometrician and independent Observer. The function of the Final Examination Board is to test the recommendations of the Subject Boards, and to confirm the MCQ/SAQ cohort marks subject to any outstanding quality assurance issues. Once cohort marks are confirmed by the CEB they cannot subsequently be altered by Provider institutions. The process for challenging marks confirmed by the CEB is outlined [here](#).

## 2.7 Reporting results to Providers

2.7.1 Once the CEB has confirmed the centralised assessment marks for each cohort of candidates at each Provider the marks are distributed to the Providers where they feed into the individual BPTC or BTT candidate profiles considered at the Provider award and progression examination Boards. The actual scores achieved by candidates need to be aligned with a 60% passing mark in order to best fit with the Providers' systems. Hence if, for example, the passing standard for Criminal Litigation is 43/75 (in effect 57%), a candidate achieving 43/75 will be reported as having a score of 60% (the pass mark). All other candidate scores will be translated accordingly depending on the pass standard adopted.

2.7.2 It is at the BPTC Provider examination boards that issues relating to individual candidates such as extenuating circumstances or academic misconduct are considered.

## 2.8 Grade boundary allocations

2.8.1 In addition to receiving a % score for each of the centrally assessed subjects, BPTC candidates are also allocated to one of four grade groups (Outstanding, Very Competent, Competent and Not Competent) depending on their performance in each assessment. The CEB does not exercise any discretion in respect of these gradings – they are a product of the score achieved by the candidate. Prior to the introduction of standard setting to determine the pass standard for centralised assessments, the 60% to 100% range used for the awarding of passing grades was apportioned as follows:

- 10% of the 60 to 100 range (60-69%) for “Competent” (i.e. 25% of the available range from 60% to 100%);
- 15% of the 60 to 100 range (70-84%) for “Very Competent” (i.e. 37.5% of the available range from 60% to 100%); and
- 15% of the 60 to 100 range (85-100%) for “Outstanding” (i.e. 37.5% of the available range from 60% to 100%),

This was effectively a 2:3:3 allocation ratio across the three passing grades.

2.8.2 At its June 2017 meeting, the CEB Final Examination Board reviewed the options in respect of the approach to be adopted to the allocation of grade boundaries in the light of the introduction of standard setting (where the mark equating to the passing standard can vary from one assessment to the next). Two options were considered: the “2:3:3” ratio methodology and a norm-referencing approach. Norm-referencing takes data from previous cycles as an indication of what a typical cohort performance might be expected to look like.

2.8.3 On the basis of the four Spring assessment cycles from 2012/13 to 2015/16 the averages for each of the centrally assessed subjects were:

Professional Ethics	Outstanding	Very Competent	Competent	Not Competent
2012/13	20.2	54.5	11.6	13.7
2013/14	8.2	34.9	18.6	40.3
2014/15	8.8	35.4	12.5	43.3
2015/16	16.3	47	6.9	29.8
Average 4 cycles	13.1	43.0	12.2	31.8

Criminal Litigation	Outstanding	Very Competent	Competent	Not Competent
2012/13	14.0	42.8	11.3	31.8
2013/14	16.8	39.2	16.8	28.2
2014/15	18.5	33.6	11.5	38.5
2015/16	20.7	36.1	13.3	29.7
Average 4 cycles	18.3	38.9	13.2	31.6

Civil Litigation	Outstanding	Very Competent	Competent	Not Competent
2012/13	8.4	31.8	18.0	43.8
2013/14	8.6	32.8	18.6	42.6
2014/15	13.0	31.6	13.4	42.0
2015/16	16.1	31.3	14.8	38.8
Average 4 cycles	11.0	31.9	15.7	41.6

2.8.4 Taking Professional Ethics as the example, on average over those four assessment cycles, 13% of candidates achieved “Outstanding”, 43% “Very Competent” and 12% “Competent”, the remainder being “Not Competent”. Taking those that passed as a group the ratio of the three passing grades was roughly 23:59:18. Using the same methodology, the ratios were approximately 26:55:19 for Criminal Litigation and approximately 19:54:27 for Civil Litigation.

2.8.5 Applying the “2:3:3” ratio methodology, if the standard setting process produced pass standards of 45/75 (60%) for both the Civil and Criminal Litigation papers the grade boundary points would be as follows (applying the 25%; 37.5% and 37.5% proportions above):

Mark Thresholds				
	Raw	Scaled	Scale Factor	
Competent	45	60	1.33	
Very Competent	53	70	1.32	
Outstanding	64	85	1.33	
Max mark	75	100	1.33	

2.8.6 Similarly, for Professional Ethics (where a score of 36/60 would be 60%) the grade boundary points would be:

Mark Thresholds				
	Raw	Scaled	Scale Factor	
Competent	36	60	1.67	
Very Competent	42	70	1.67	
Outstanding	51	85	1.67	
Max mark	60	100	1.67	

2.8.7 Where, however, the standard setting process recommends a pass standard that deviates from 45/75 or 36/60 the grade boundaries need to be recalibrated to maintain the 2:3:3 ratio (as explained at above at 2.8.3). For example, if the Civil Litigation pass standard was determined to be 50/75 (reflecting a view by the standard setters that the paper was less challenging) the grade boundaries (using the methodology outlined above) would be as follows:

Mark Thresholds			
	Raw	Scaled	Scale Factor
Competent	50	60	1.20
Very Competent	56	70	1.24
Outstanding	66	85	1.30
Maximum mark	75	100	1.33

Hence, with a pass standard of 50/75, a candidate would have to correctly answer at least 66/75 MCQs to be classified as “Outstanding” instead of 64/75 if the pass standard had been 45/75.

- 2.8.8 Similarly if, for example, in Professional Ethics the standard setting process produced a pass standard of 24/60 the grade boundaries (using the methodology outlined above) would be as follows:

Mark Thresholds			
	Raw	Scaled	Scale Factor
Competent	24	60	2.50
Very Competent	33	70	2.12
Outstanding	47	85	1.83
Maximum mark	60	100	1.67

Hence, a candidate would only have to achieve 47/75 to be classified as “Outstanding” instead of 51/75 if the pass standard had been 36/60.

- 2.8.9 The Spring 2017 Final Examination Board was unanimous in its view that the “2:3:3” ratio methodology was to be preferred as a more objective approach to allocating candidates to the grade boundary framework on the basis that it was neither transparent nor best practice to adopt a quota-based approach to grade boundaries, and such an approach was not reflected in any other aspect of the CEB’s work. The CEB has always taken the view that the percentage of candidates falling within any particular grade boundary was a product of the examination process and not something that was in any way engineered by the CEB as a desirable or acceptable outcome.

- 2.8.10 Note that where a candidate’s standard setting adjusted % score falls between two whole numbers a rounding up methodology is applied, hence a candidate with a post standard setting score of 69.5% is reported as “Very Competent” as the 69.5% is treated, for the purposes of grade boundary allocation, as 70%.

### 3. SPRING 2019 RESULTS IN PROFESSIONAL ETHICS

#### 3.1 Professional Ethics pre-intervention pass rates – all Providers Spring 2017 to Spring 2019

Professional Ethics All Provider pre-intervention	Spring 2019	Spring 2018	Spring 2017
SAQ Comparison	74.8%	68.9%	57.6%

3.1.1 The table above shows a Spring 2019 pre-intervention passing rate of 74.8%; that is a significant improvement on Spring 2018 and is highest achieved across the three sittings for which data is provided. The Spring 2019 passing rate is a product of the Final Board endorsing a recommended passing standard for the Professional Ethics SAQ assessment of 29/60 (see 2.5 above for further explanation of standard setting). Data from cycles prior to Spring 2017 have been excluded as the form of assessment was different 2017 (an MCQ paper comprising twenty questions, and an SAQ paper comprising three questions – both elements having a fixed pass mark of 60%).

#### 3.2 Details of Final Examination Board discussions

3.2.1 The Board noted that the Professional Ethics examination was taken by both BPTC and BTT candidates. The total number of BPTC candidates sitting was 1,887 and 81 for the BTT cohort. The Board received data for the Spring 2019 indicating a pre-intervention national pass rate for BPTC candidates of 74.8%, an increase of 5.9% compared to Spring 2018.

3.2.2 The Chief Examiner commented that the Spring 2019 sit saw the largest cohort compared with previous sits. Different sources were used to identify markers whose marks needed to be verified; this allowed the team to undertake re-marking prior to the second marking. The Final Board was satisfied that the marking and moderation process was robust.

3.2.3 The passing standard determined through the standard setting process and reported at the Subject Board was 29/60. There were no interventions recommended following the Subject board. The Final board agreed to accept a passing standard of 29/60.

3.2.4 In terms of lessons learned, the Chief Examiner reflected that more focussed training should be provided to markers in future.

3.2.5 The Psychometrician confirmed that the reliability score for the assessment using Cronbach's coefficient  $\alpha$ , was 0.8, which was higher than both Spring 2018 and Spring 2017 assessments. The mean score had also increased from 28.78 (42.97%) in Spring 2018 to 32.30 (53.83%) in Spring 2019. This implied that candidates were being more successful in identifying points that aligned with the mark scheme.

3.2.6 The independent Observer was pleased to see that developments had been put in place to the marking processes when compared with previous sittings.

### 3.3 Detailed statistical analysis of each SAQ sub-part

SAQ						
SAQ 1(a)	Marks	Mean	Std Dev <sup>2</sup>	Corr. with other Qs <sup>3</sup>	Cont. to total variance <sup>4</sup>	Expected cont. <sup>5</sup>
	4	2.4	0.76	0.32	4.0	6.7
	The question was highlighted by the Psychometrician as the correlation with other questions was below 0.4%. The Chief Examiner noted that although it is unusual to have a 4-mark question at the start of the examination paper, the scenario was plausible, clear and had appropriate signposts. There was common misapplication of CD2 by candidates. The Final Board decided no intervention was warranted.					
SAQ 1(b)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	6	3.25	1.53	0.49	12.7	10
	The question was highlighted by the Psychometrician because of the higher than expected contribution made by the question to the total variance. The Chief Examiner noted that the scenario involved a straight forward "Cab Rank" rule case with an appropriate mark scheme that allowed for candidates to achieve maximum marks. The Final Board decided no intervention was warranted.					
SAQ 2(a)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	5	2.94	1.06	0.40	8.8	8.3
	No material issues were raised in relation to this question. The Final Board decided no intervention was warranted.					
SAQ 2(b)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.

<sup>2</sup> Standard deviation

<sup>3</sup> Correlation with other questions

<sup>4</sup> Contribution to total variance

<sup>5</sup> Expected contribution to total variance



<b>SAQ</b>						
	5	3.17	1.01	0.42	6.7	8.3
	No material issues were raised in relation to this question. The Final Board decided no intervention was warranted.					
SAQ 3(a)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	4	2.50	1.01	0.36	7.0	6.7
	The question was highlighted by the Psychometrician as the correlation with other questions was below 0.4. The Chief Examiner noted that this was a straightforward question where candidates were expected to memorise a sequence of answers and adapt it to the scenario. The scripts revealed the confusion of some candidates who thought that this was a conflict of interest problem - resulting in a duty to withdraw - which was not the case. The Final Board decided no intervention was warranted.					
SAQ 3(b)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	6	3.52	1.30	0.49	7.9	10
	No material issues were raised in relation to this question. The Final Board decided no intervention was warranted.					
SAQ 4(a)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	6	3.02	1.32	0.51	10.8	10
	No material issues were raised in relation to this question. The Final Board decided no intervention was warranted.					
SAQ 4(b)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	4	2.03	0.90	0.45	6.3	6.7
	No material issues were raised in relation to this question. The Final Board decided no intervention was warranted.					
SAQ 5(a)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	6	3.0	1.44	0.44	10.9	10
	No material issues were raised in relation to this question. The Final Board decided no intervention was warranted.					

SAQ						
SAQ 5(b)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	4	1.72	0.93	0.53	7.4	6.7
	No material issues were raised in relation to this question. The Final Board decided no intervention was warranted.					
SAQ 6(a)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	6	2.93	1.29	0.52	10.6	10
	No material issues were raised in relation to this question. The Final Board decided no intervention was warranted.					
SAQ 6(b)	Marks	Mean	Std Dev	Corr. with other Qs	Cont. to total variance	Expected cont.
	4	1.83	1.06	0.38	6.9	6.7
	The Chief Examiner noted that the scenario raised issues concerning the conflict between client's and barrister's personal interests, and that most candidates covered the expected points as reflected in the mark scheme (although some may have put undue importance on the value of the barrister's personal interests.) The Final Board decided no intervention was warranted.					

3.3.1 Ideally the “correlation with other questions” figure will be at least 0.40. Sub-parts 1(a), 3(a), and 6(b) fall short of this but quite narrowly, the lowest value being 0.32, and this question was discussed carefully at the Subject Board, as indicated above. In terms of standard deviation, a figure representing at least 15% of the marks available for a sub-part is desirable, and this was achieved in respect of all sub-parts.

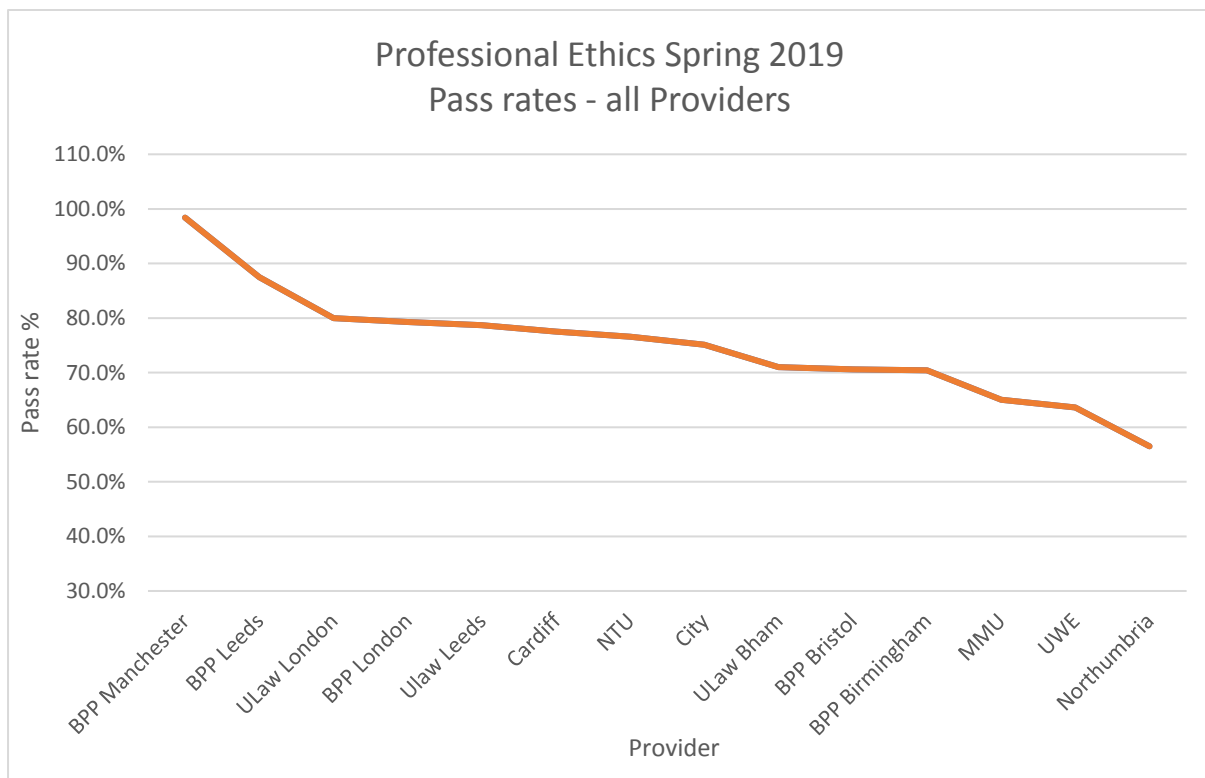
3.3.2 The standard deviation and the correlation with other questions data enter into the calculation of the contribution to total variance. A deviation of more than 1% from the expected contribution can sometimes suggest that further investigation of other factors is warranted.

### 3.4 Professional Ethics post-intervention pass rates – all Providers Spring 2014 to Spring 2019

Professional Ethics All Provider post-intervention	Spring 2019	Spring 2018	Spring 2017
SAQ Comparison	74.8%	68.9%	57.6%

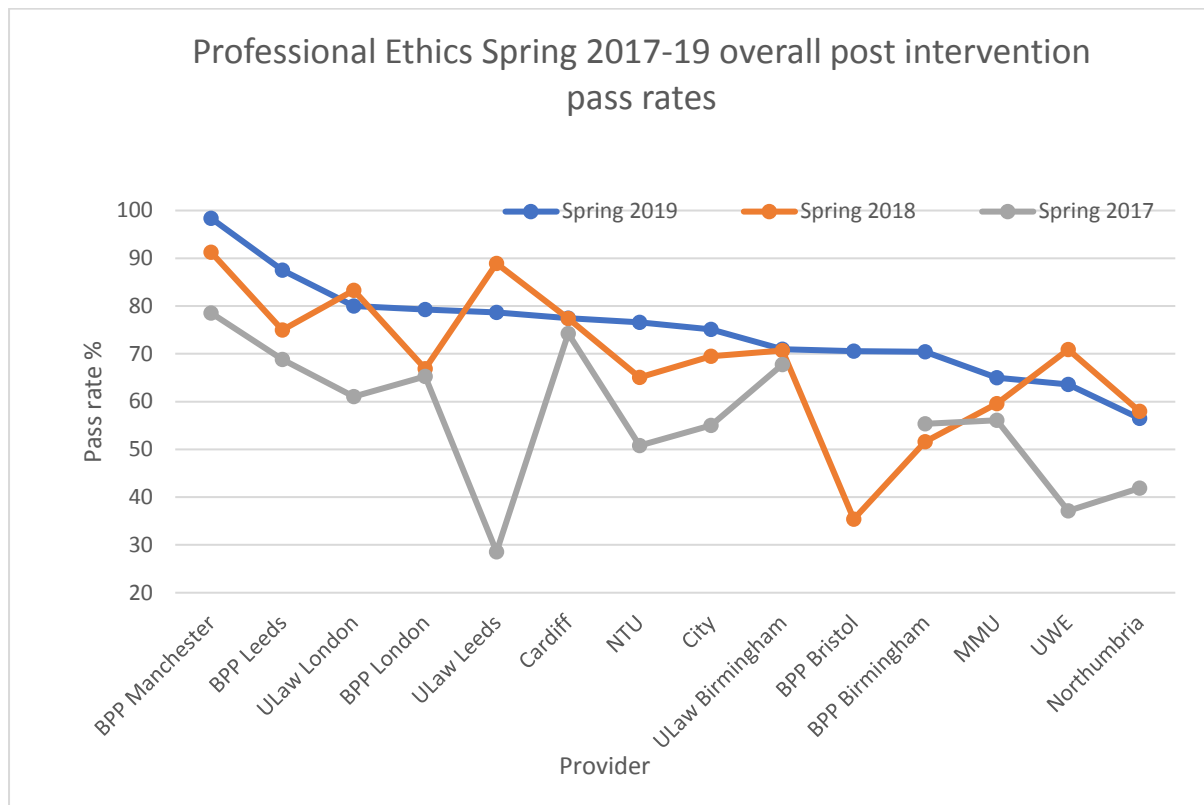
3.4.1 The table above confirms that there were no interventions necessary in respect of the post moderation results for Professional Ethics.

### 3.5 Professional Ethics Spring 2019 pass rates across all Providers



3.5.1 Providers are ranged left to right in order of their Spring 2019 passing rates. Hence BPP Manchester had the highest passing rate at 98.4 % and Northumbria the lowest at 56.5% - a range of 41.9%, wider than either the Criminal or Civil Litigation assessments. The variation in Provider cohort performance is marked. The top three Provider cohorts have an average passing rate of over 88%, whilst the bottom three Provider cohorts have an average passing rate of just 61.7%, suggesting the assessment discriminated effectively between weak and strong cohorts.

### 3.6 Professional Ethics Spring post-intervention pass rates 2017 to 2019



3.6.1 Providers are ranged left to right in order of their Spring 2019 passing rates, and the data shows their passing rates across the three Spring assessment cycles from Spring 2017 to Spring 2019 (note that BPP Bristol entered its first cohort in Spring 2018). Data for sittings before Spring 2017 have been excluded as the form of assessment was significantly different prior to Spring 2017 (an MCQ paper comprising twenty questions, and an SAQ paper comprising three questions – both elements having a fixed pass mark of 60%). Note that no pre-intervention data is provided for the Professional Ethics results as no interventions were agreed by the Final Board.

3.6.2 Of those Providers who had cohorts for each Spring sit of the Professional Ethics exam between 2017 and 2018, BPP Manchester achieve the highest average cohort passing rate (89.4%), whilst the lowest average is recorded by Northumbria (52.1%). BPP Manchester has had the top performing cohort across all three cycles.

3.6.3 Looking at the change in Provider cohort performance from Spring 2018 to Spring 2019 across the 14 Provider centres, 10 Provider cohorts deliver an improved performance and four show a decline in passing rates. BPP Bristol show the biggest improvement with an increase of over 35%, whilst ULaw Leeds shows the sharpest decline with a drop of over 10% compared with Spring 2018. On average Providers saw a rise of over 6% in passing rates compared to Spring 2018.

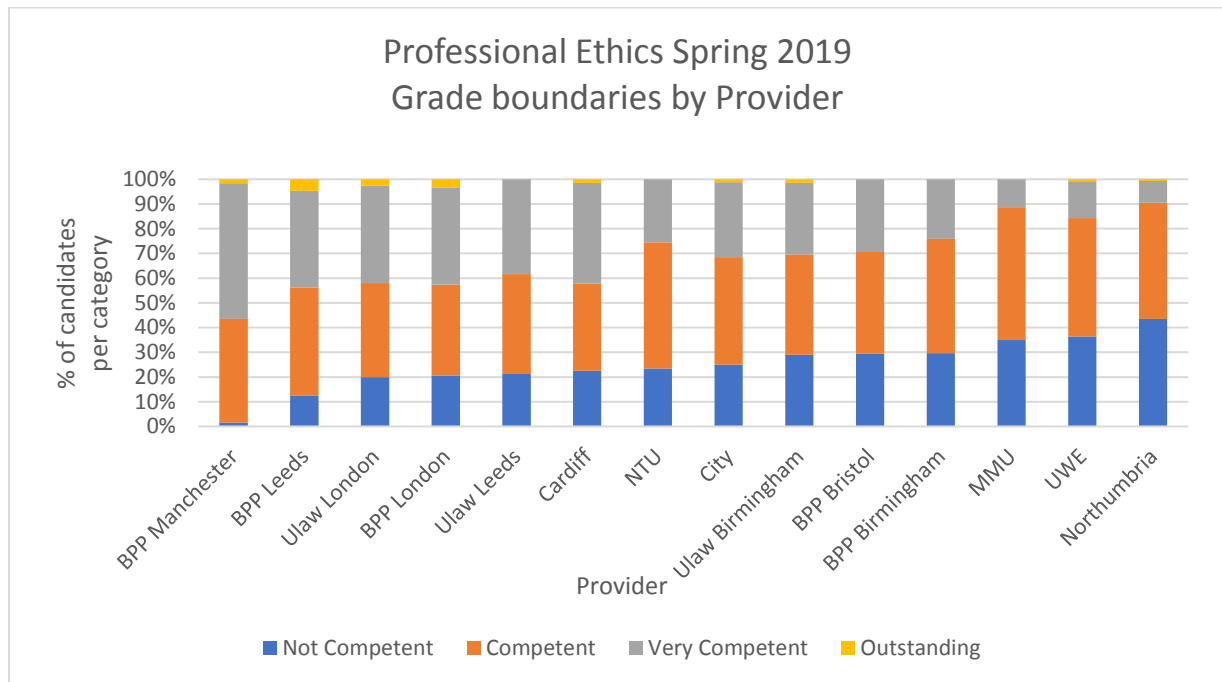
3.6.4 Comparing Spring 2019 cohort passing rates with Spring 2017 shows all 13 Provider centres with cohorts across all three cycles improving on their Spring 2017 passing rates – with ULaw Leeds improving by over 50%. On average Providers saw a rise of over 18% in passing rates compared to Spring 2017. (BPP Bristol is excluded from this calculation as it had no cohort in Spring 2017.)

### 3.7 Overall grade boundary distribution

All Provider Grade Boundary Distribution			
Not Competent	Competent	Very Competent	Outstanding
25.2	42.1	31.1	1.6

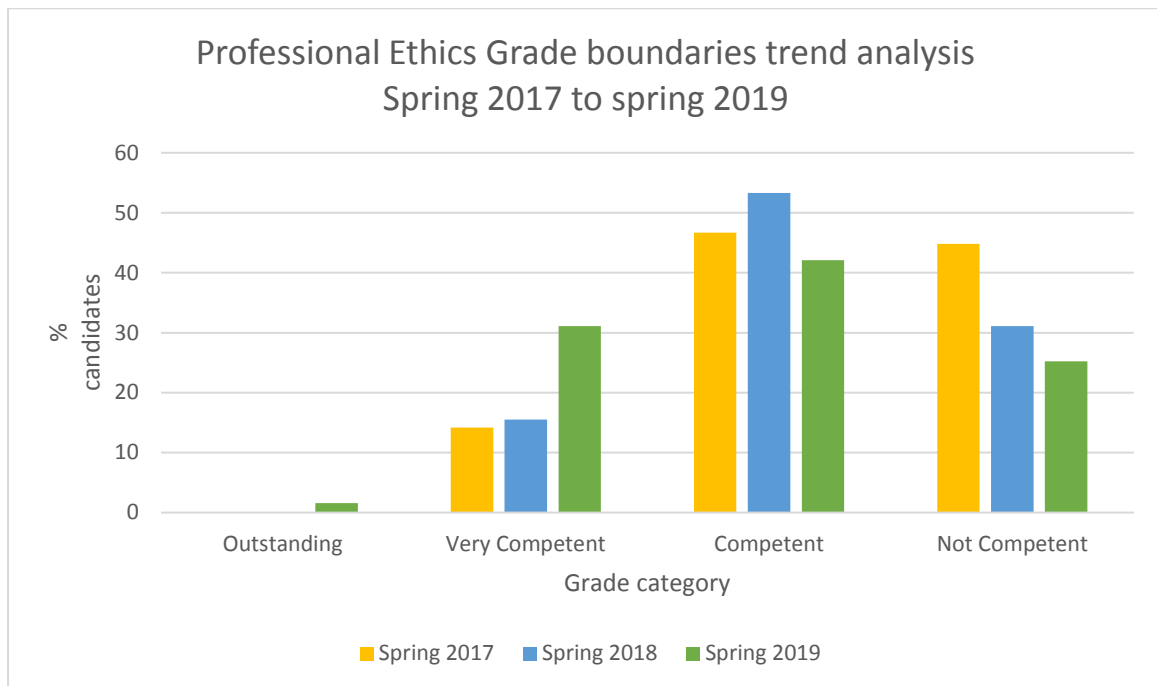
3.7.1 The standard setting process determines where the “Not Competent”/ “Competent” boundary lies, and grade boundaries are then calculated accordingly to ensure that the passing grades are allocated proportionately across the “Competent / Very Competent / Outstanding” classifications. As explained above at 2.8 (above), for an assessment comprising six SAQs, each carrying 10 marks, a passing standard of 36/60 equates to a passing score of 60%, thus mirroring the fixed pass mark used in centrally assessed exams prior to Spring 2017. In a system with a fixed pass mark of 60% candidates awarded marks of 60% to 69% were graded “Competent”; those awarded marks of 70% to 84% were graded “Very Competent”; and awarded marks between 85% and 100% were graded “Outstanding”. With the introduction of standard setting, the performance identified as equating to the pass standard can vary from one year to the next depending on the perceived level of difficulty offered by the examination. Where the passing standard is identified as being below 36/60 the range of “Competent / Very Competent / Outstanding” classifications is stretched to cover a broader range of scores. Conversely where the passing standard is identified as being above 36/60 the range of “Competent / Very Competent / Outstanding” classifications becomes compressed. The Spring 2019 all-Provider cohort results for Professional Ethics show that, on this basis, there are 31 candidates achieving the “Outstanding” classification.

### 3.8 Spring 2019 post-intervention grade boundaries by Provider



3.8.1 Providers are ranged from left to right in declining order of Spring 2019 passing rates, hence the “Not Competent” grouping rises from left to right, mapping the increasing failure rate across the Provider cohorts. Five Provider cohorts failed to produce any candidates graded “Outstanding.”

### 3.9 All-Provider Spring 2017 to Spring 2019 grade boundary trend analysis



3.9.1 The improvement in the passing rate across most Provider centres is reflected in an improvement in the number of candidates achieving the “Outstanding” grade, and a significant increase in the percentage graded “Very Competent” (up over 15% compared to Spring 2018).

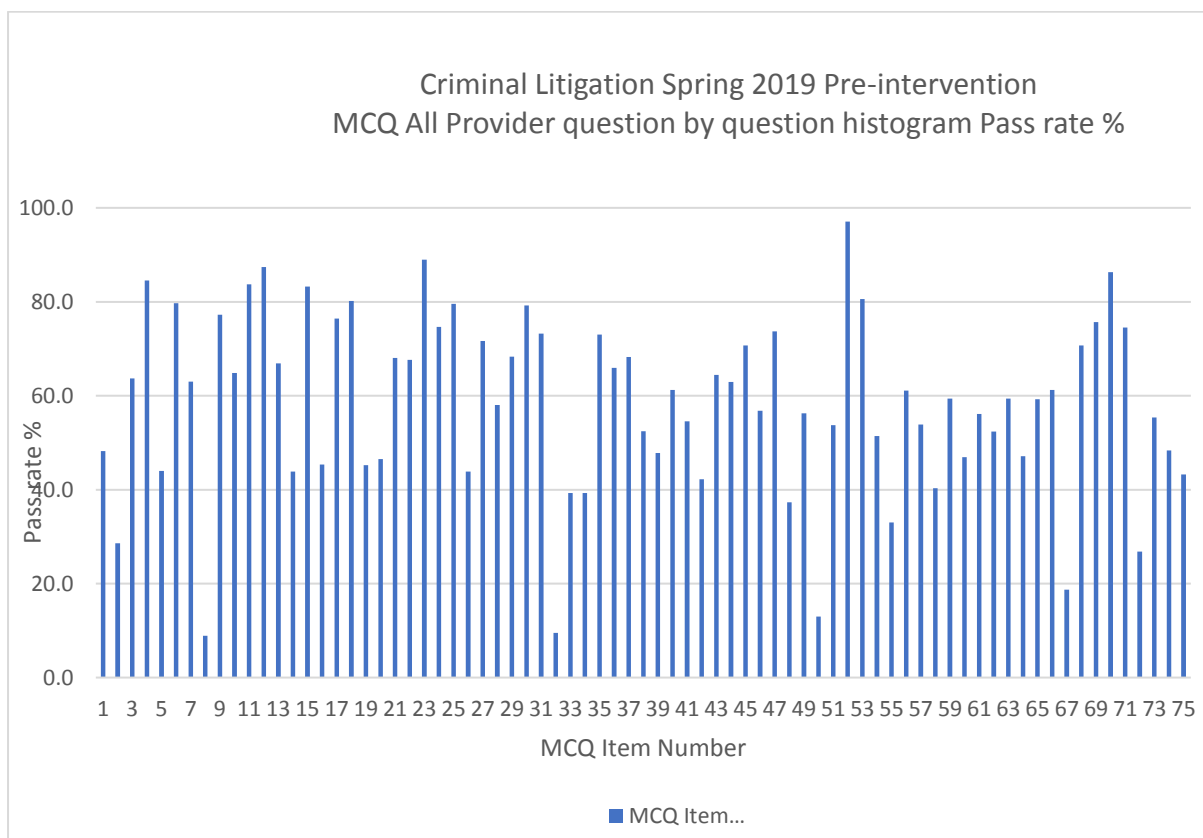
## 4. SPRING 2019 CRIMINAL LITIGATION RESULTS

### 4.1 Criminal Litigation pre-intervention pass rates – all Providers Spring 2017 to Spring 2019

Criminal Litigation All Provider pre-intervention	Spring 2019	Spring 2018	Spring 2017
MCQ Comparison	45.9	74.9	77.0

The table above shows the all-Provider Spring 2019 pre-intervention cohort passing rate of 45.9% for Criminal Litigation, based on a pass standard recommended to the Board (as a result of the standard setting process) of 45 out of 75. The decline in the pre-intervention passing rate (29%) is particularly marked, and the lowest recorded since the new-style assessment based on 75 MCQs was introduced for the Spring 2017 sit.

### 4.2 Pre-intervention histogram of MCQs



The pre-intervention data shows ten MCQs with an all-Provider cohort passing rate below 40% (compared to 8 in the Spring 2018 sit). There is slight evidence of candidate performance fall-off when comparing passing rates across the paper. The average pre-intervention passing rate for MCQs 1-25 is 64%, for MCQs 26-50 55%, and for MCQs 51 to 75 it is 56%.



### 4.3 Details of Subject Board discussions and interventions

4.3.1 The Board noted that the Criminal Litigation examination was taken by both BPTC and BTT candidates. It was noted that the total number of BPTC candidates sitting was 1,765 and 41 for the BTT cohort.

4.3.2 Interventions agreed by the Final Board

Q8	<p>Passing rate 8.9%. 0.160 discrimination.</p> <p>The Board considered the Provider comments, but they had no merit. The Chair noted that 56.8% of candidates selected distractor [B], also there was a weak positive correlation (0.028) for distractor [A] and (0.073) for distractor [D]. The examining team confirmed this was intentionally a hard question. The examining team noted that distractor [B] was the most obvious distractor and was technically correct. They confirmed a reasonable inference could not be drawn. Usually a suspect would be asked to explain why they had stolen goods in their possession. In this case the necklace was not in the suspect's possession when they were arrested. The Chair queried the police officer asking Gavin to explain its/his presence. The Board agreed this sentence introduced some ambiguity – it should say the “presence of the necklace”.</p> <p>Intervention confirmed by the Final board: credit option [B] in addition to the correct answer [C].</p>
Q32	<p>Passing rate 9.5%. 0.000 discrimination.</p> <p>There were no Provider comments. The Chair noted a very strong positive correlation for distractor [A]. The examining team confirmed this was intentionally a hard question. They felt candidates were confused about what you give for IDPC. Another type of disclosure was CPIA 1996. This question conflated those two types of disclosure. The facts were clearly set out in the question, but it was unlikely that candidates had been taught this subject or had read about it. The BCP reference was D9.14. Candidates were not recognising the justice and fairness test. The Chief Examiner said distractor [A] was technically correct, but was not the best answer, however they would consider crediting this answer. The examining team decided there was a really fine line between distractor [A] and answer [D], and this combined with the poor discrimination meant both answers would be accepted. This intervention was made in the absence of any Provider Feedback.</p> <p>Intervention confirmed by the Final board: credit option [A] in addition to the correct answer [D].</p>

Q48	<p>Passing rate 37.3%. 0.043 discrimination.</p> <p>The Board considered the Provider comments and agreed there was some merit with regard to distractor [D]. The examining team agreed that in a Magistrates Court the answer would definitely be answer [A], but in a Crown Court distractor [D] was equally arguable.</p> <p>Intervention confirmed by the Final board: credit option [D] in addition to the correct answer [A].</p>

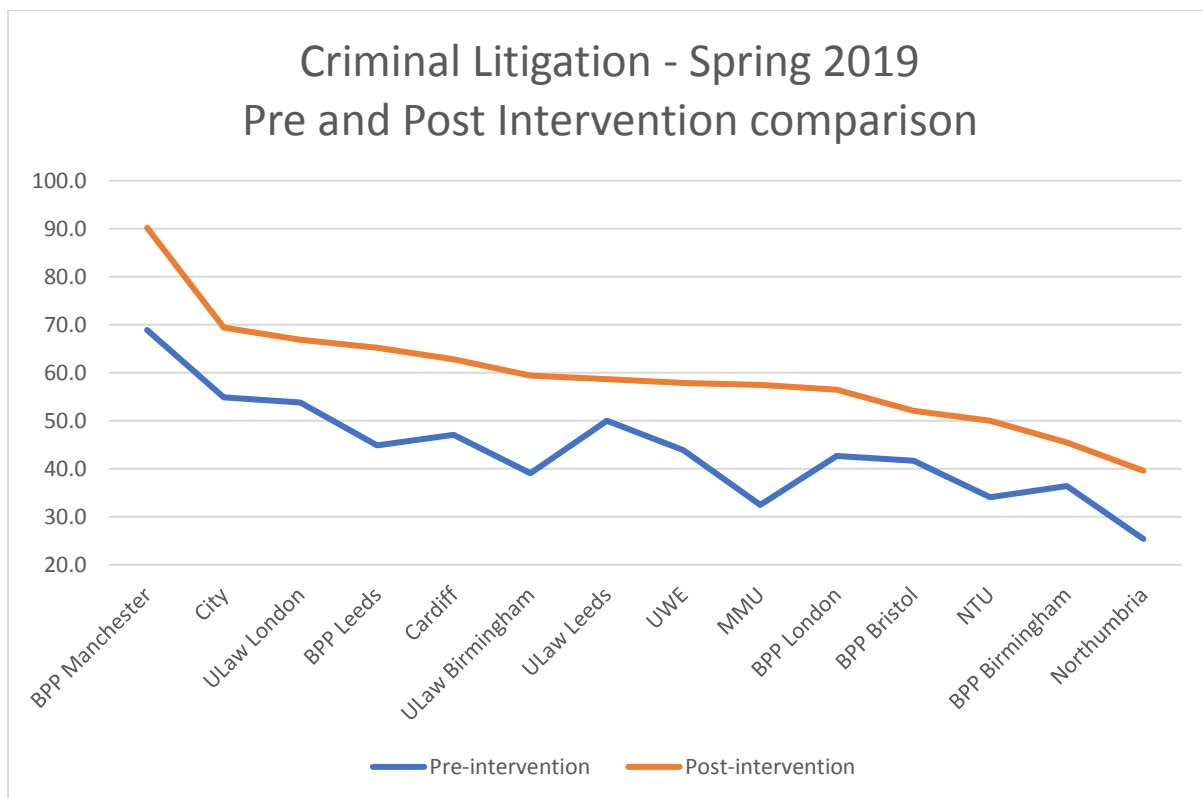
- 4.3.3. The Final Board reviewed the recommended passing standard of 45/75 and reflected on the fact that the standard setting was carried out with the exam questions in syllabus order, which might have influenced the decision on the passing standard. The case was made that the outcome may have been different if the paper had been standardised in the randomised order that the candidates see in the final version of the exam paper. It was also noted that there were eight standards setters rather than the recommended number of ten. The Chair confirmed the rationale for confirming a lower passing standard taking into account the overall level of challenge presented by the paper. The Board agreed to accept a passing standard of 43/75.
- 4.3.4 The Psychometrician reported that the reported pre-intervention reliability score for this assessment using the Kuder Richardson scale, was 0.83 (against an accepted benchmark reliability score of 0.80) and that this remained unchanged post-interventions.
- 4.3.5 The largely positive Providers' feedback was considered. Providers commented that they appreciated the use of Blackstone Criminal Practice references in the mark scheme which helped their understanding of the part of the syllabus being tested.
- 4.3.6 The Independent Observer confirmed that due process had been followed.

#### 4.4 Criminal Litigation post-intervention pass rates – all Providers Spring 2017 to Spring 2019

Criminal Litigation All Provider post-intervention	Spring 2019	Spring 2018	Spring 2017
MCQ Comparison	61.0	76.9	78.2

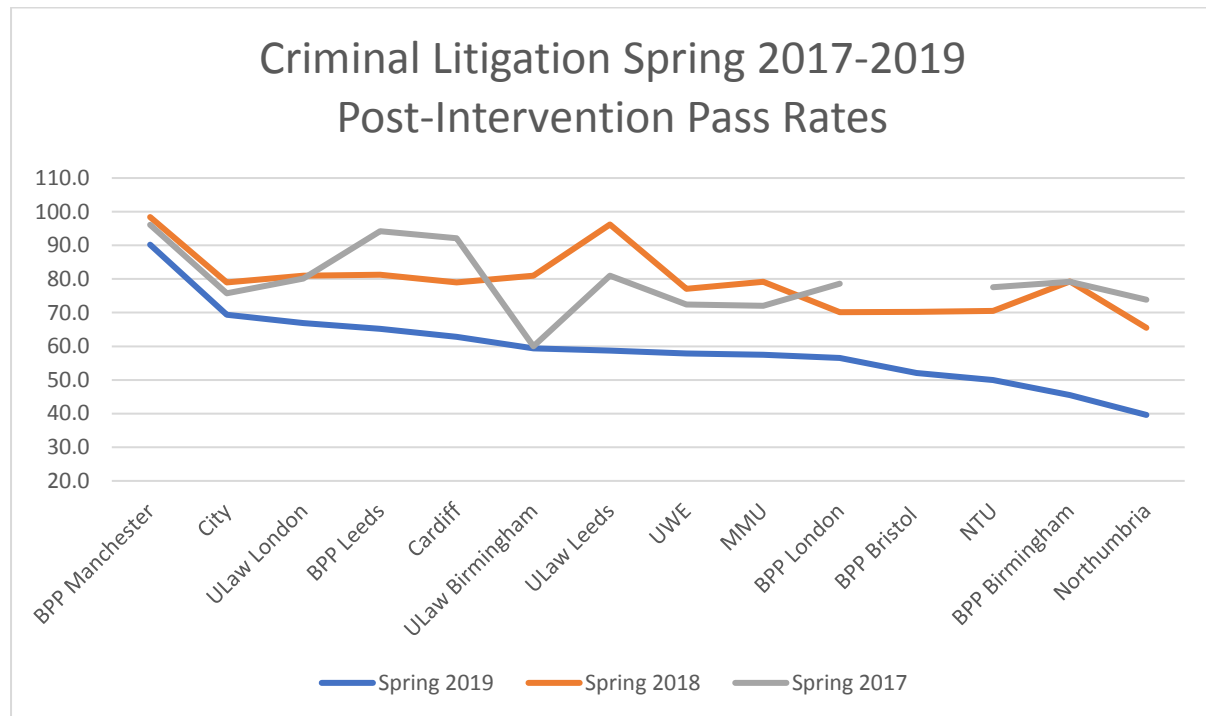
4.4.1 The Spring 2019 all-Provider BPTC post-intervention passing rate was 61%, down 15.9% on Spring 2018 and the lowest recorded across all three cycles of the new 75 MCQ assessment introduced in the Spring 2017 sit.

#### 4.5 Spring 2019 pre- and post-intervention passing rates by Provider



Providers are ranged left to right in order of their post-intervention passing rates. Hence BPP Manchester had the highest Spring 2019 post intervention passing rate at 90.2% and Northumbria the lowest at 39.6% - a range of over 50%. The interventions (both in relation to MCQs 8, 32 and 48 and the passing standard) had a positive impact on all Provider cohorts – the average uplift in passing rates being 15.45%. BPP Manchester saw the biggest positive impact of over 21% whilst the smallest impact was on the ULaw Leeds cohort at 8.7%. Overall the interventions had a slightly bigger impact on the top seven Provider cohorts (ranked by post-intervention passing rates) than on the bottom seven.

## 4.6 Criminal Litigation Spring 2017 to Spring 2019 post-intervention pass rates



4.6.1 Providers are ranged left to right in order of their Spring 2019 post-intervention passing rates. Data from assessments prior to the Spring 2017 sit has been excluded as it no longer provides a useful point of comparison given the changes to the assessment made with effect from the Spring 2017 sit. The data shows that BPP Manchester has delivered the strongest post-intervention cohort performance in Criminal Litigation across all three Spring sit cycles of the current form of assessment, with an average cohort passing rate across those three cycles of 94.9%. BPP Leeds have the second highest average passing rate over the same period at just over 80%. Northumbria have the lowest average passing rate at 59.6%.

4.6.2 All Providers report a decline in passing rates compared to the Spring 2018 sit – the average fall being 19.7%. This figure masks some wide variations, however. Whilst the decline for the BPP Manchester cohort was just over 8%, for ULaw Leeds it was 37.5%, and for BPP Birmingham 33.8%. Overall the decline in passing rates impacted more on the lowest seven performing cohorts as opposed to the highest performing seven.

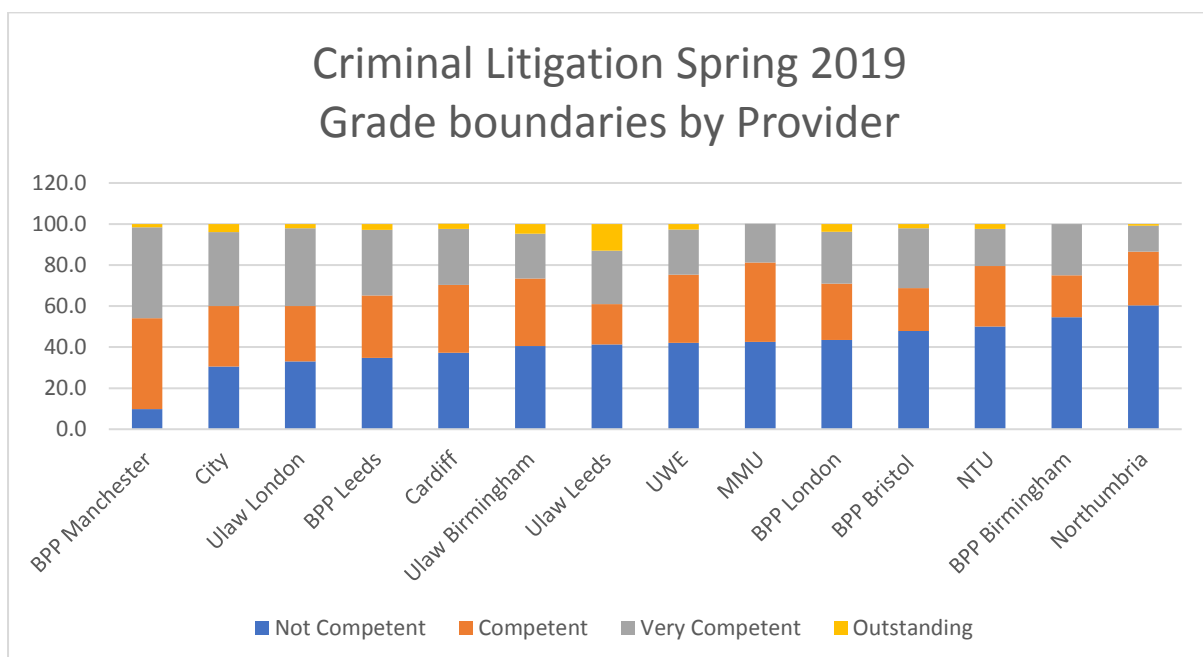
4.6.3 Comparing changes in Provider cohort performance between Spring 2017 and Spring 2019, again all experienced a decline in their cohort passing rate – the average being 19% (BPP Bristol excluded from these calculations as there was no Spring 2017 cohort for that Provider).

## 4.7 Overall grade boundary distribution

All Provider Grade Boundary Distribution			
Not Competent	Competent	Very Competent	Outstanding
38.98%	29.46%	28.44%	3.12%

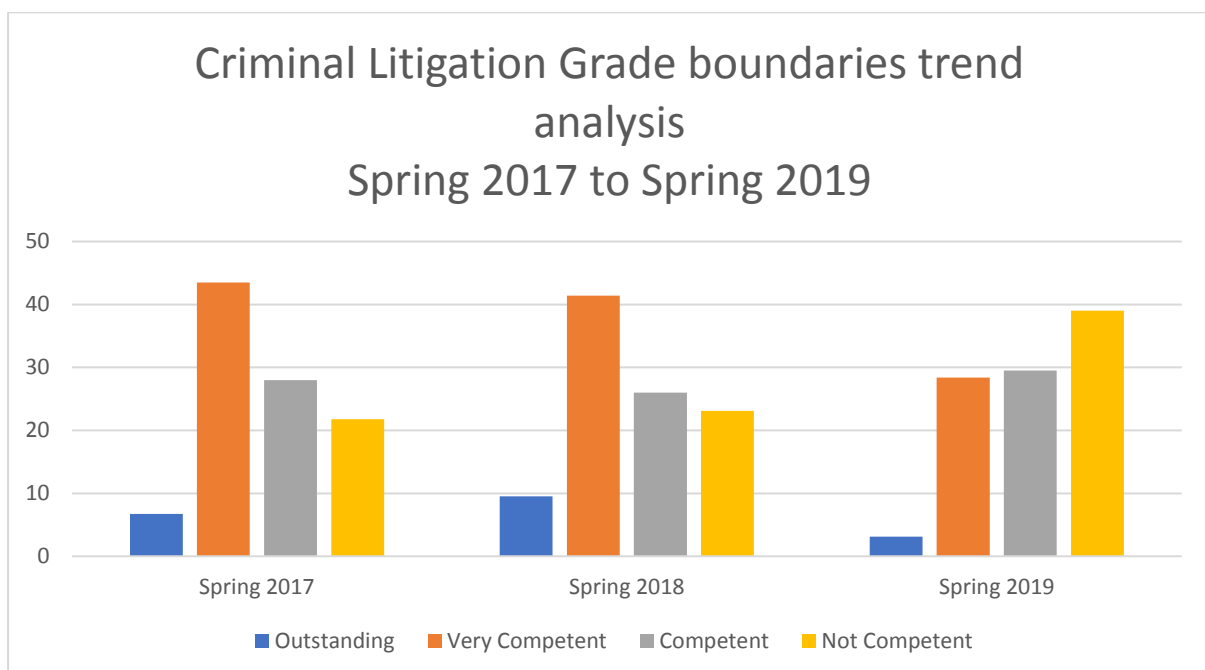
4.7.1 The standard setting process determines where the “Not competent”/”Competent” boundary lies, and grade boundaries are then calculated accordingly to ensure that the passing grades are allocated proportionately across the “Competent / Very Competent / Outstanding” classifications. As explained above at 2.8 (above), for an assessment comprising 75 MCQs a passing standard of 45/75 equates to a passing score of 60%, thus mirroring the fixed pass mark used in centrally assessed exams prior to Spring 2017. Under the 60% fixed pass mark regime candidates awarded marks of 60% to 69% were graded “Competent”; those awarded marks of 70% to 84% were graded “Very Competent”; and awarded marks between 85% and 100% were graded “Outstanding”. From Spring 2017 onwards, where the passing standard is identified as being below 45/75, the range of “Competent / Very Competent / Outstanding” classifications is stretched to cover a broader range of scores. Conversely where the passing standard is identified as being above 45/75 the range of “Competent / Very Competent / Outstanding” classifications becomes compressed. The Spring 2019 all-Provider cohort results for Criminal Litigation show that even with a passing standard set at 43/75 there are relatively few candidates achieving the Outstanding classification.

## 4.8 Spring 2019 grade boundaries by Provider



4.8.1 Providers are ranged from left to right in declining order of Spring 2019 post intervention passing rates, hence the “Not Competent” grouping also rises from left to right, mapping the increasing failure rate across the weaker Provider cohorts. As can be seen the distribution of the 55 candidates graded as “Outstanding” does not neatly align with the cohort passing, most notably in respect of ULaw Leeds which, despite being only the seventh strongest cohort in Criminal Litigation, saw 13% of its candidates achieve an “Outstanding” grade. Only two Providers, MMU and BPP Birmingham failed to produce a single candidate graded “Outstanding”.

#### 4.9 All-Provider Spring 2017 to Spring 2019 grade boundaries trend analysis



4.9.1 The marked decline in the percentage of candidates achieving “Outstanding” in Criminal Litigation is a direct result of the overall weaker cohort performance compared to the two previous Spring sits based on the current form of assessment. Similarly, the decline in percentage of candidates securing a “Very Competent” grade (down over 13% from Spring 2018 to Spring 2019).

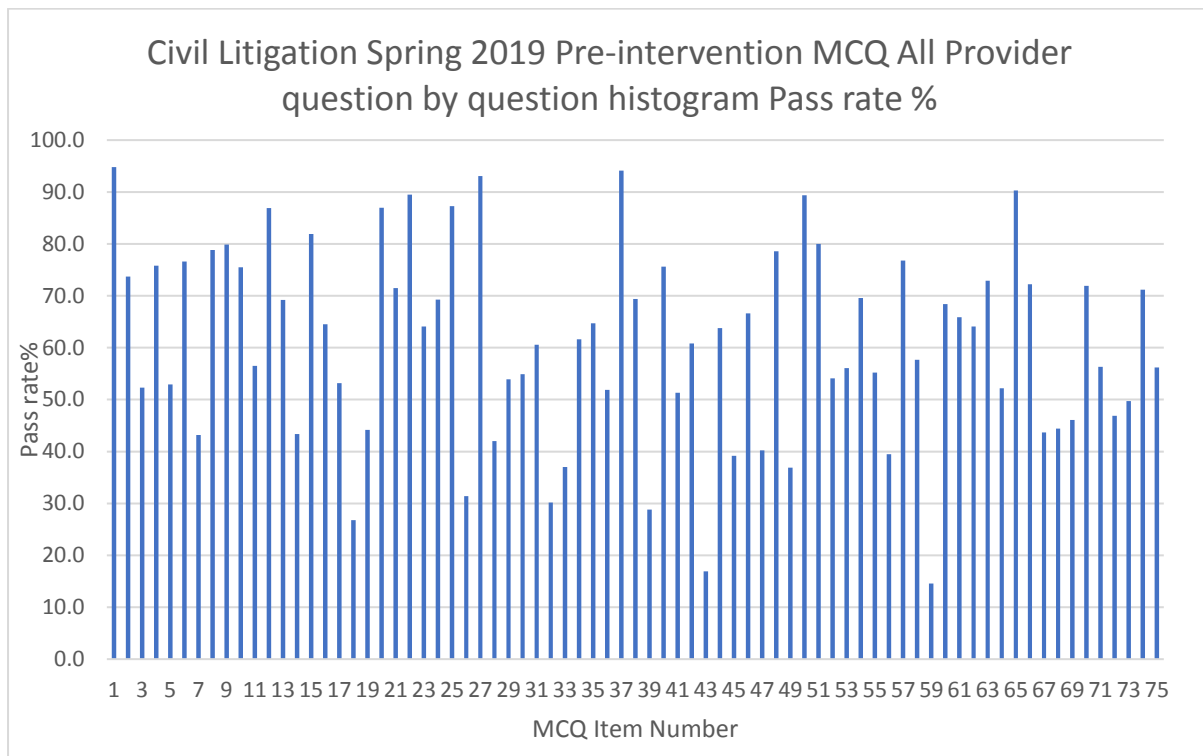
## 5. SPRING 2019 CIVIL LITIGATION RESULTS

### 5.1 Civil Litigation pre-intervention pass rates – all Providers Spring 2017 to Spring 2019

Civil Litigation All Provider pre-intervention	Spring 2019	Spring 2018	Spring 2017
MCQ Comparison	46.4%	63.9%	59.3%

The table above shows the all-Provider Spring 2019 pre-intervention cohort passing rate as being 46.4% for Civil Litigation, based on a pass standard recommended to the Board (as a result of the standard setting process) of 45 out of 73. This is, by some distance, the lowest pre-intervention passing rate since the change to the Civil Litigation assessment introduced for the Spring 2017 sit, but significantly is in line with the 45.9% pre-intervention passing rate for Criminal Litigation in Spring 2019. Not only are Criminal Litigation and Civil Litigation what are sometimes referred to as paired subjects (i.e. similar subject matter and same form of assessment) but, as this was a Spring sitting, there were 1,633 candidates sitting both exams – roughly 90% of candidates for both examinations. In general terms it would not be unreasonable to expect a similar results profile across both assessments. Further analysis of the pre-intervention data also revealed that of the 864 candidates failing Criminal Litigation, 675 were also listed as failing Civil Litigation – suggesting a correlation of 78%. Amongst the weakest (based on pre-intervention total score) 231 Criminal Litigation candidates only ten were listed as having passed Civil Litigation. Similarly, amongst the strongest (based on pre-intervention total score) 331 Criminal Litigation candidates only ten were listed as having failed Civil Litigation. In very general terms the evidence suggests that strong candidates did well in both Litigation papers and weak candidates struggled in both.

## 5.2 Pre-intervention histogram of 75 MCQs



The pre-intervention data shows ten MCQs with an all-Provider cohort passing rate below 40% (down from twelve in the Spring 2018 sit). Candidates performed much more strongly across the first 25 MCQs (68% average passing rate) compared to the performance across MCQs 26-50 (55.7% average passing rate) and MCQs 51-75 (59% average passing rate).

## 5.3 Details of Subject Board discussions and interventions

5.3.1 The Final Board noted that the Civil Litigation examination was taken by both BPTC and BTT candidates. The total number of BPTC candidates sitting was 1,890 and 39 for the BTT cohort.

5.3.2 Interventions agreed by the Final Board

Q17	The question had an overall passing rate of 53.2% and the data suggested poor discrimination. The Provider comments were considered. The Chief Examiner agreed that there was a flaw in the fact pattern that may have caused some candidates difficulties. The Chief Examiner agreed that this was not a scenario where both parties could succeed and allow sums to be set off against each other. The claim in misrepresentation either succeeded wholly or failed wholly. [A] was the correct answer, however the Final Board considered whether [B] should also be accepted as a correct answer in line with the Providers' and Chief Examiner's comments.
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	Intervention confirmed by the Final board: credit option [B] in addition to the correct answer [A].
Q32	<p>The question had an overall passing rate of 30.2%. and the data suggested acceptable discrimination. Provider comments suggested that the question was potentially very confusing between options [A] and [C] and the semantic distinction between “May not” and “May” both of which reflected the true position that it is not mandatory (or often desirable) to set out the name of the witness in a particular of claim. The Chief Examiner agreed that distractor [A] should be credited as it was a potentially correct answer in practice, however [C] remained the correct answer.</p> <p>Intervention confirmed by the Final board: credit option [A] in addition to the correct answer [C].</p>
Q36	<p>The question had an overall passing rate of 51.9% and the data suggested acceptable discrimination. There were no Provider comments to consider. The Final Board agreed that the distractors for this question were not on syllabus.</p> <p>The Final board decided to intervene by disregarding the question and to endorse the consequential impact on passing standard calculations.</p>
Q39	<p>The question had an overall passing rate of 28.8%, and the data suggested weak discrimination. Provider comments regarding options [A] and [D] were noted. The Chief Examiner commented that there appeared to be an error in the authority given in the answer to [A]. 44.2.15 does not deal with a reasonable sum for a payment on account. 44.2.12 WB 2018 does (of which the first two paragraphs are on syllabus). The part which refers to costs budgets being a “sensible starting place” is not on syllabus and therefore candidates might struggle to distinguish [A] and [C]. Further, the Chief Examiner agreed with Provider views as regards summary assessment and the failure of Ahmed to provide an explanation. Candidates might have selected [D] on this basis.</p> <p>Intervention confirmed by the Final board: credit options [C] and [D] in addition to the correct answer [A].</p>
Q49	<p>The question had an overall passing rate of 36.9%. and the data suggested weak discrimination. The Chief Examiner agreed with Provider comments as regards the Lugano convention. [A], [B] and [C] were flawed as distractors.</p> <p>The Final board decided to intervene by disregarding the question and to endorse the consequential impact on passing standard calculations.</p>

Q59	<p>The question had an overall passing rate of 14.6%. and the data suggested weak discrimination.</p> <p>Based on syllabus reading, it was felt that it would be impossible for candidates to distinguish between distractors [A] and [B], both being costs orders within the court's reasonable discretion. The Chief Examiner agreed with the Provider comments that both distractors [A] and [B] could be correct answers.</p> <p>Intervention confirmed by the Final board: credit option [A] in addition to the correct answer [B].</p>
Q72	<p>The question had an overall passing rate of 46.9% %. and the data suggested weak discrimination. The Provider comments were considered. The Psychometrician observed that 46.9% of candidates chose the correct answer [B] but the positive correlation was weak at 0.08; a small number of the stronger candidates also selected option [D]. The Chief Examiner commented that, on the given fact pattern, there were future shows to be considered, hence [B] was not a final disposal case. As there was a lack of clarity on the final disposal case, [D] should be considered as a correct answer.</p> <p>Intervention confirmed by the Final board: credit option [D] in addition to the correct answer [B].</p>

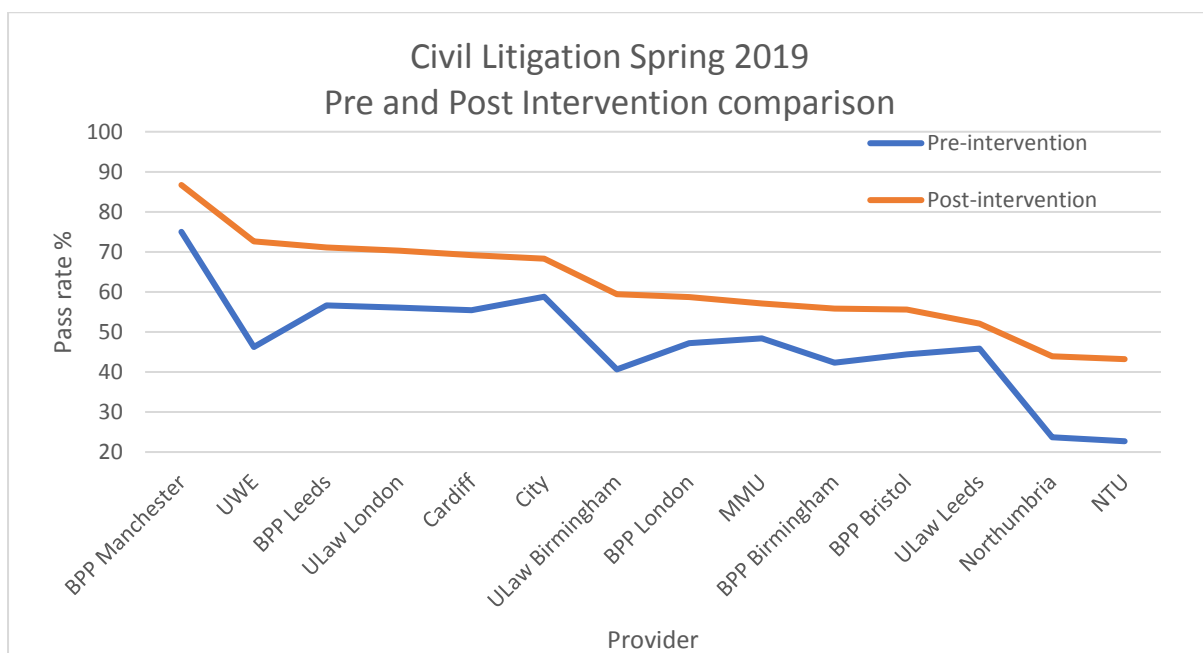
- 5.3.3 It was noted that the pass standard resulting from the standard setting process had been 46/75, however, following the Final board's decision to remove two MCQs that passing standard had been recalculated 45/73. The Final board noted that, as with Criminal Litigation, the standard setting for Civil Litigation had been carried out with the exam questions presented to the standard setters in in syllabus order which might have influenced the passing standard. The outcome may have been different if the paper had been standardised in the randomised order that the candidates see in the final version of the exam paper. It was also noted that there were nine standard setters rather than the recommended number of ten. The Chair confirmed the rationale for lowering the passing standard as recommended by the standard setting process in order to be fair to the candidates. The Board agreed to endorse a passing standard of 44/73.
- 5.3.4 The Psychometrician reported that the reported pre-intervention reliability score for this assessment using the Kuder Richardson scale, was 0.86 (against an accepted benchmark reliability score of 0.80).
- 5.3.5 The Independent Observer confirmed that the decisions made in respect of the Civil litigation assessment had been robust and that issues had been discussed thoroughly and due process followed.

## 5.4 Civil Litigation post-intervention pass rates – all Providers Spring 2017 to Spring 2019

Civil Litigation All Provider post-intervention	Spring 2019	Spring 2018	Spring 2017
MCQ Comparison	63.2%	66.9%	60.2%

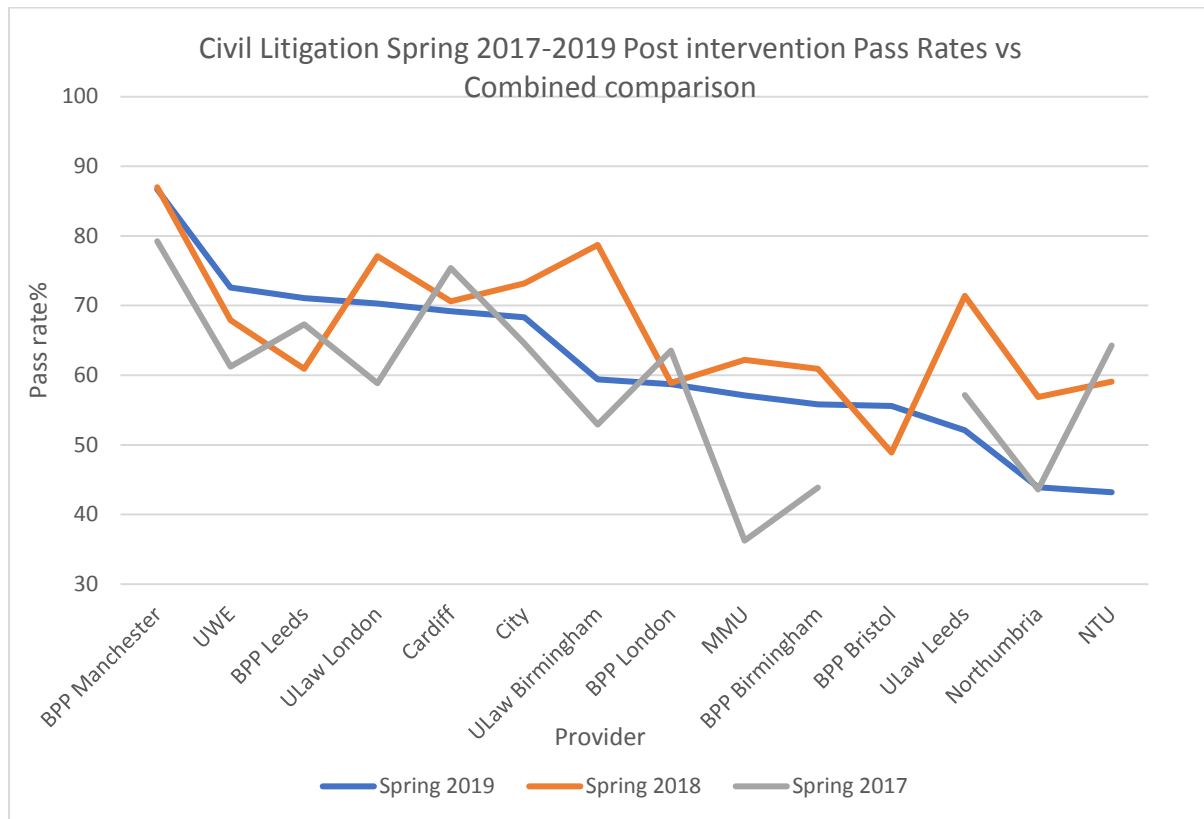
5.4.1 The impact of the seven MCQ interventions agreed by the Final Board along with the recalculation of the passing standard can be clearly seen in the post-intervention passing rate which increases by 16.8%. The post-intervention passing rate of 63.2% is broadly in line with that achieved over the two comparable sittings in Spring 2018 and 2017.

## 5.5 Pre- and post-intervention passing rates by Provider



5.5.1 Providers are ranged left to right in order of their post-intervention passing rates. Hence BPP Manchester had the highest Spring 2019 post intervention passing rate at 86.7% and NTU the lowest at 43.2% - a range of 43.5 %. The interventions had a somewhat uneven impact on passing rates. All Providers saw passing rates rise as a result of the agreed interventions, second placed UWE seeing the biggest uplift of 26.4%, whilst twelfth place ULaw Leeds saw a rise of only 6.3%.

## 5.6 Civil Litigation Spring 2017 to Spring 2019 post-intervention pass rates



5.6.1 Providers are ranged left to right in order of their Spring 2019 post-intervention passing rates. Data from assessments prior to the Spring 2017 sit has been excluded as it no longer provides a useful point of comparison given the changes to the assessment made with effect from the Spring 2017 sit. The data shows that BPP Manchester has delivered the strongest post-intervention cohort performance in Civil Litigation across all three Spring sit cycles of the current form of assessment, with an average cohort passing rate across those three cycles of 84.3%. Cardiff have the second highest average passing rate over the same period at 71.1%. Northumbria have the lowest average passing rate at 48.1%.

5.6.2 Eleven Providers reported a decline in passing rates compared to the Spring 2018 sit – the average fall being 5%. The top seven cohorts saw an average drop of 2.5% compared to the bottom seven who saw an average drop of 7.4%.

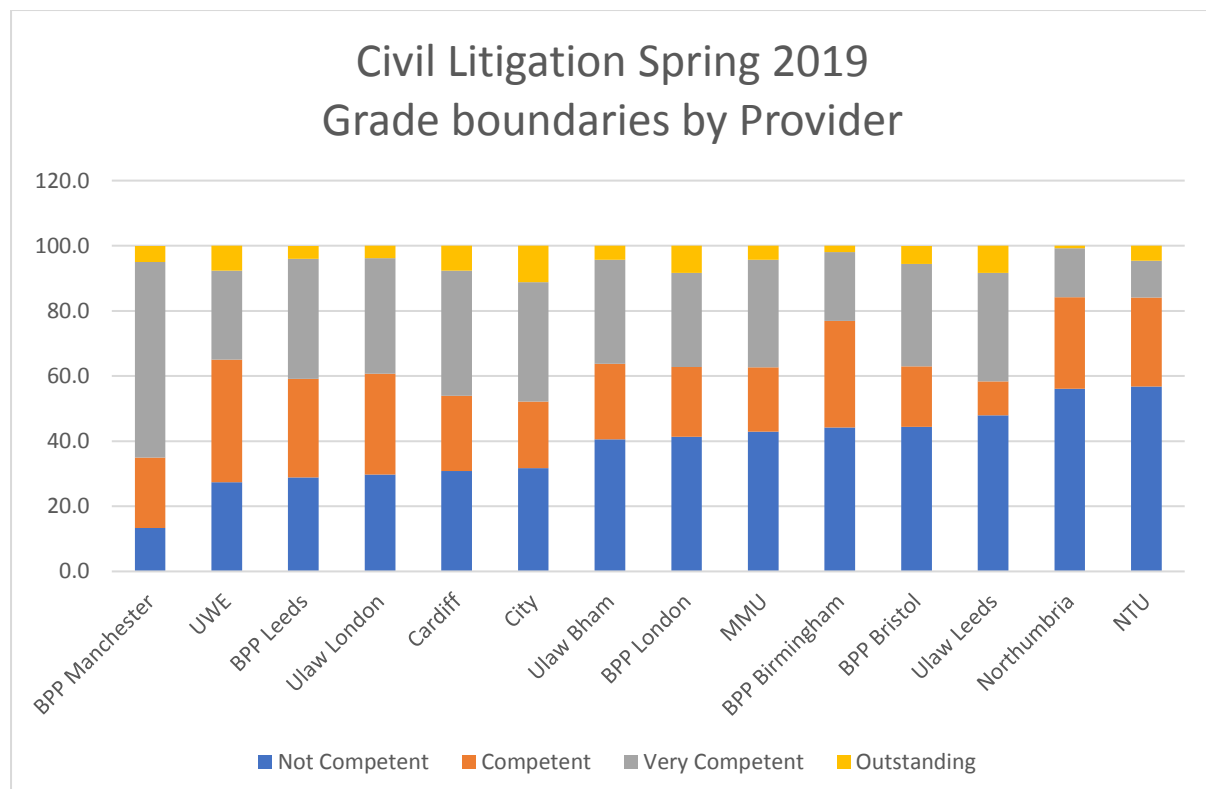
5.6.3 Comparing changes in Provider cohort performance between Spring 2017 and Spring 2019, four experienced a decline in their cohort passing rate, with NTU recording a decline of over 21%. Overall passing rates were up 3.1% in Spring 2019 compared to Spring 2017, with MMU leading the way with a 20.9% improvement.

## 5.7 Overall grade boundary distribution

All Provider Grade Boundary Distribution			
Not Competent	Competent	Very Competent	Outstanding
36.72%	24.02%	32.17%	7.09%

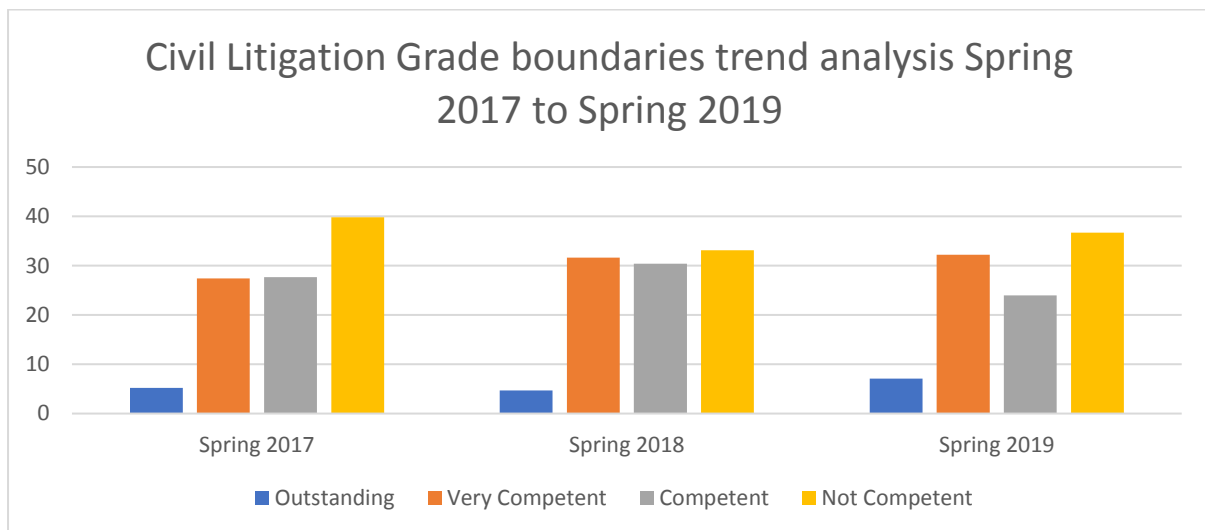
5.7.1 The standard setting process determines where the “Not competent”/”Competent” boundary lies, and grade boundaries are then calculated accordingly to ensure that the passing grades are allocated proportionately across the “Competent / Very Competent / Outstanding” classifications. As explained above at 2.8 (above), for an assessment comprising 75 MCQs a passing standard of 45/75 equates to a passing score of 60%, thus mirroring the fixed pass mark used in centrally assessed exams prior to Spring 2017. Under the 60% fixed pass mark regime candidates awarded marks of 60% to 69% were graded “Competent”; those awarded marks of 70% to 84% were graded “Very Competent”; and awarded marks between 85% and 100% were graded “Outstanding”. From Spring 2017 onwards, where the passing standard is identified as being below 45/75, the range of “Competent / Very Competent / Outstanding” classifications is stretched to cover a broader range of scores. Conversely where the passing standard is identified as being above 45/75 the range of “Competent / Very Competent / Outstanding” classifications becomes compressed. The Spring 2019 all-Provider cohort results for Civil Litigation shows an encouraging number of candidates achieving the “Outstanding” classification, more than double the rate in Criminal Litigation.

## 5.8 Spring 2019 Civil Litigation grade boundaries by Provider



5.8.1 Providers are ranged from left to right in declining order of Spring 2019 post intervention passing rates, hence the “Not Competent” grouping also rises from left to right, mapping the increasing failure rate across the weaker Provider cohorts. As can be seen the distribution of the 134 candidates graded as “Outstanding” does not neatly align with the cohort passing, most notably in respect of Cardiff which, despite being only the fifth strongest cohort in Civil Litigation, saw 11% of its candidates achieve an “Outstanding” grade. Every Provider managed to produce at least one candidate graded “Outstanding”.

### 5.9 All-Provider Spring 2017 to Spring 2019 grade boundaries trend analysis



5.9.1 The recovery in the number of candidates graded “Outstanding” is reflected in the above chart – the highest percentage achieved in the Spring sit since the change in assessment format introduced in 2017. Also notable is the year-on-year increase in the percentage of candidates graded “Very Competent” up from 27% in Spring 2017, to 31.6% in Spring 2018, and 32.2% in Spring 2019.

## 6. BAR TRANSFER TEST RESULTS

The results for Bar Transfer test (“BTT”) candidates attempting the Spring 2019 BTT assessments were considered by the Subject Exam Boards and the Final Board. For the Spring 2019 sit, all BTT candidates attempted the same centrally assessed exam papers as the BPTC candidates.

### 6.1 BTT Spring 2019 results

Subject	Number of BTT candidates	Spring 2019 pre-intervention passing rate the BTT cohort	Spring 2019 post-intervention passing rate the BTT cohort
Professional Ethics	81	38.3%	38.3%
Civil Litigation	39	20.5%	38.5%
Criminal Litigation	41	22.0%	34.1%

## 7. COMPARING POST-INTERVENTION PASSING RATES ACROSS SUBJECT AREAS SPRING 2017 TO SPRING 2019

### 7.1 Centralised assessment post-intervention passing rates compared Spring 2019

	2019 Spring Sit
<b>Professional Ethics</b>	
Number of Candidates	1,887
Passing Overall	74.8%
<b>Civil Litigation and Evidence</b>	
Number of Candidates	1,890
Passing Overall	63.2%
<b>Criminal Litigation, Evidence and Sentencing</b>	
Number of Candidates	1,765
Passing Overall	61.0%

This table shows the post intervention passing rates for the three centralised assessments for the Spring 2019 sit.

### 7.2 Centralised assessment grade boundaries compared Spring 2019

	Ethics Spring 2019	Civil Spring 2019	Criminal Spring 2019
Outstanding	1.6	7.1	3.1
Very Competent	31.1	32.2	28.4
Competent	42.1	24.0	29.5
Not Competent	25.2	36.7	39.0

7.2.1 This table shows the percentage of candidates being awarded “Outstanding”, “Very Competent”, “Competent” and “Not Competent” across the three centralised assessment for the Spring 2019 sit.



7.2.2 The table below shows how the total number of grades at each level were distributed across the three centralised assessments. For example, across all three centralised assessments there were a total of 220 instances of a candidate achieving the grade “Outstanding”. Just under 61% of these instances were, however, achieved in Civil Litigation. Even allowing for the slightly bigger cohort in Civil Litigation the percentage of candidates achieving the grade “Outstanding” is significantly higher than for the two other centrally assessed subjects. Similarly, given the 44.9% of Professional Ethics candidates achieving the “Competent” grade.

	Not Competent	Competent	Very Competent	Outstanding	Candidates
Ethics Spring 2019	25.6%	44.9%	33.0%	14.1%	33.6%
Criminal Spring 2019	37.0%	29.4%	28.3%	25.0%	31.4%
Civil Spring 2019	37.4%	25.7%	38.7%	60.9%	35.0%

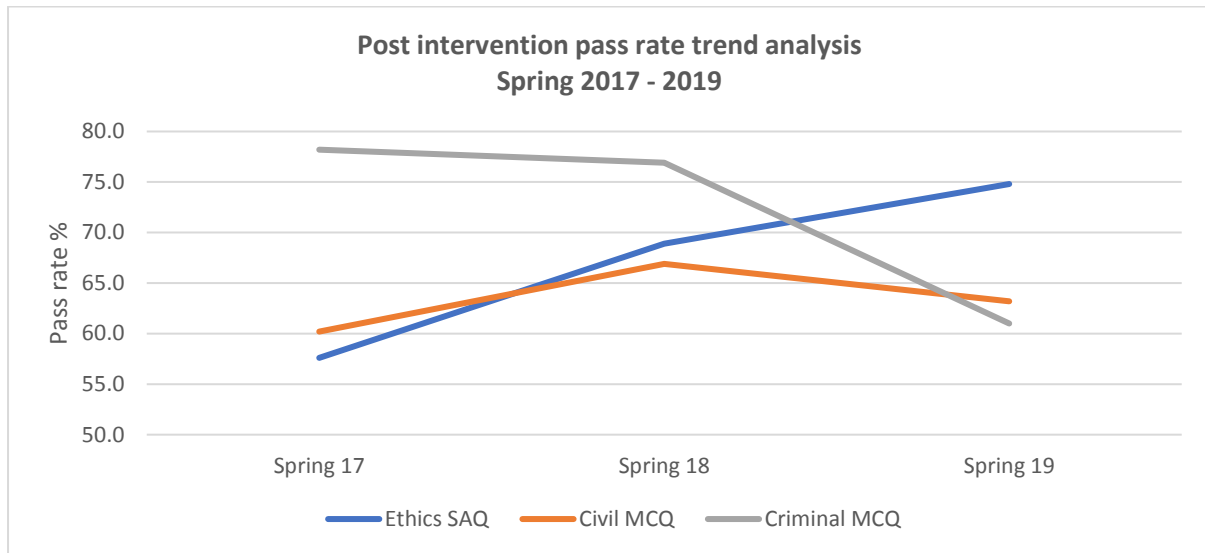
### 7.3 Comparison of candidates passing across all three centralised assessments Spring 2019

Comparison of Candidates passing across papers			
Candidates Passing Professional Ethics	Also passed Criminal Litigation	Also Passed Civil Litigation	Also Passed Criminal and Civil Litigation
1,411	898	912	774
Candidates passing Criminal Litigation	Also Passed Professional Ethics	Also Passed Civil Litigation	Also passed Professional Ethics and Civil Litigation
1,077	898	871	774
Candidates passing Civil Litigation	Also passed Professional Ethics	Also passed Criminal Litigation	Also passed Criminal Litigation and Professional Ethics
1,195	912	871	774

With the higher passing rate in Professional Ethics it is no surprise that there is a lower correlation between passing Professional Ethics and passing in either of the litigation subjects than vice versa. Hence of those passing Professional Ethics, 63% also passed Criminal litigation and 64% passed Civil Litigation. Looked at from the perspective of those passing Civil Litigation, 76% also passed Professional Ethics, whilst 83% passed Criminal Litigation. A pass in Criminal Litigation suggested an

80% chance of also passing Civil Litigation, whilst a pass in Civil Litigation suggested a 72% chance of also passing Criminal Litigation.

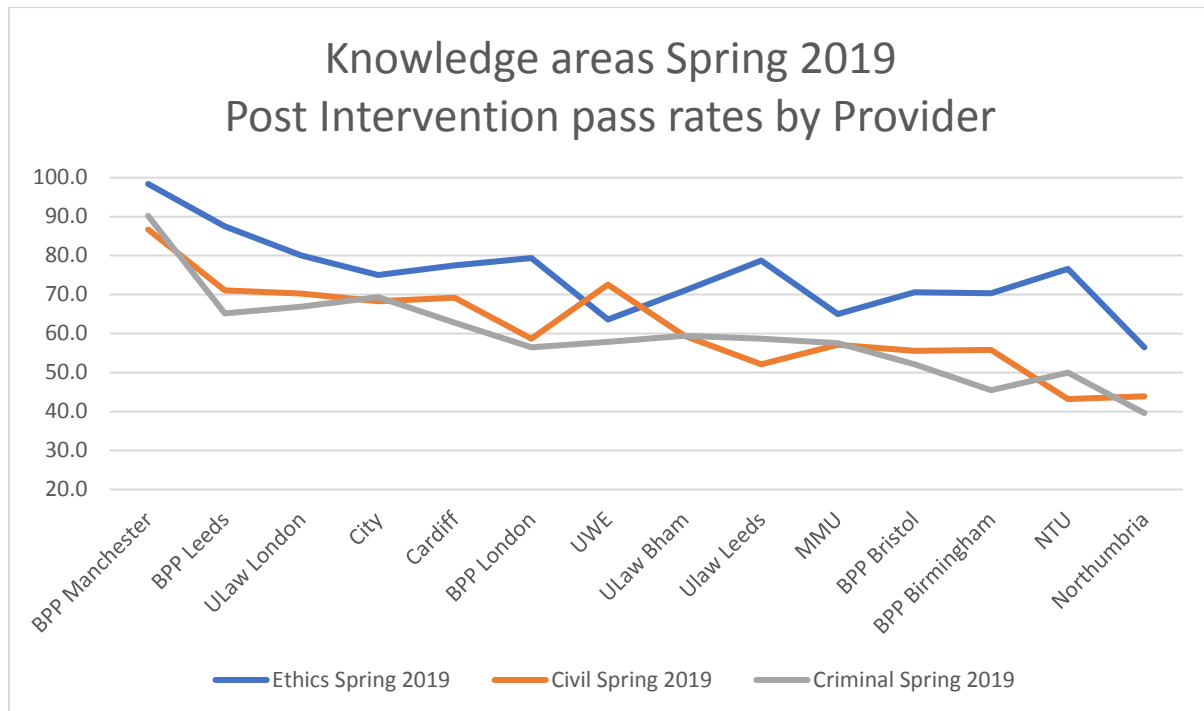
#### 7.4 Centralised assessment post-intervention passing rate trends Spring 2017 to Spring 2019



7.4.1 Across the three Spring sit cycles detailed in the above chart Criminal Litigation has the highest average post-intervention passing rate at 72% followed by Professional Ethics at 67.1% and Civil litigation at 63.4%. For the last two sittings the post-intervention passing rates have been within a 10 or 11% range.

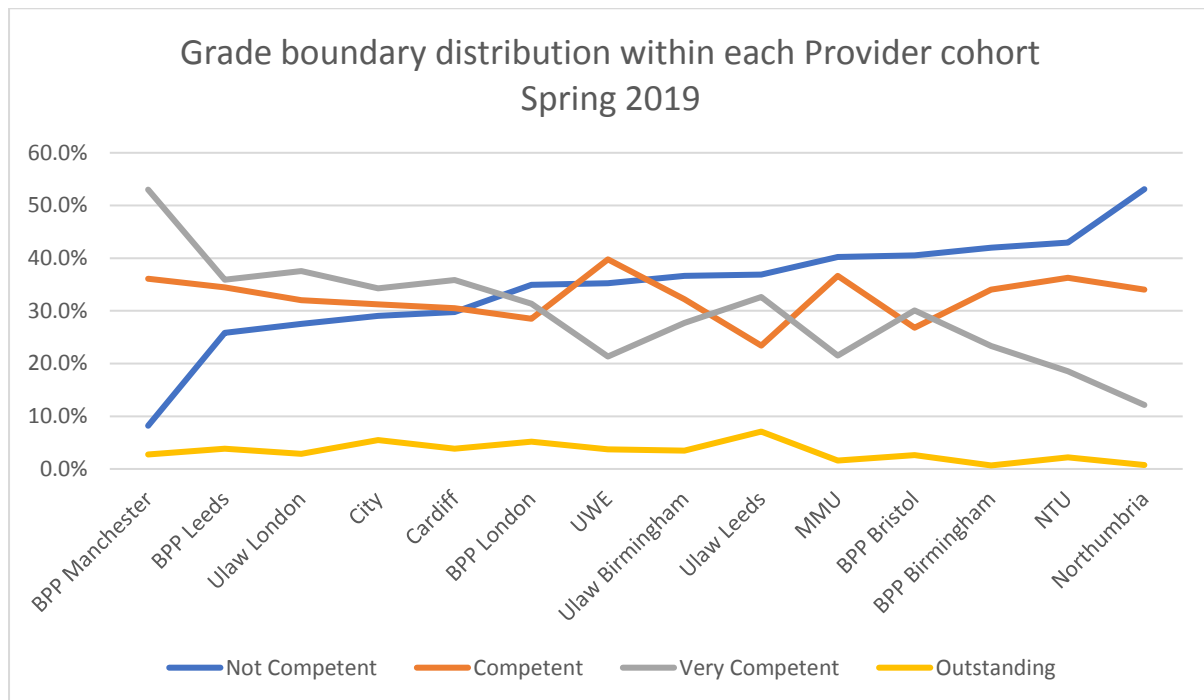
## 8. COMPARING SPRING 2019 RESULTS ACROSS PROVIDERS

### 8.1 Spring 2019 post-intervention passing rates by Provider



8.1.1 Providers are ordered left to right according to the average post-intervention passing rate achieved by their cohorts across all three subject areas in the Spring 2019 centralised assessments. BPP Manchester is the highest performing cohort in all three centralised with an average passing rate across the three subject areas of 91.8% and Northumbria the lowest at 46.7%. It is notable that, for the second Spring sit in succession, BPP Manchester has the highest performing cohort in all three subject areas (and was highest in 2 in Spring 2017). The highest post-intervention cohort passing rate in any of the centrally examined subject areas was achieved by BPP Manchester with a 98.4% passing rate in respect of Professional Ethics. The worst Provider cohort performance across any centrally examined subject areas was achieved by Northumbria where only 39.6% passed Criminal Litigation.

## 8.2 Analysis of grade boundary distribution within each Provider cohort Spring 2019



8.2.1 The data in the above table shows the spread of candidates at each Provider achieving a grade of “Outstanding”, “Very Competent”, “Competent” or “Not Competent” in one of the three centralised assessments in the Spring 2019 sit. By way of example, if a Provider had 60 candidates and each candidate attempted the three centralised assessments there would be 180 instances of candidates attempting the centralised assessments at that Provider. If, across all three centralised assessments there were 18 instances at that Provider of candidates achieving an “Outstanding” grade, the data would show the rate as being 10%. It should not be assumed on this basis that 10% of candidates at that Provider necessarily achieve an “Outstanding” grade as the same candidate may achieve that grade in more than one assessment. With that caveat in mind the data shows that at BPP Manchester (where there were 182 instances of a candidate attempting a centralised assessment), 2.7% of those instances resulted a candidates achieving an “Outstanding” grade, 53% resulted a candidates achieving a “Very Competent” grade, 36.1% a “Competent” grade and in 8.2% of instances a “Not Competent” grade. It is notable that in each of the five best performing cohorts more candidates achieved a “Very Competent” grade than any other grading.

## 8.3 Distribution of grade boundaries across Provider cohorts Spring 2019

8.3.1 For the Spring 2019 sitting there were 5,542 instances of BPTC candidates attempting the three centralised assessments. The table below illustrates the proportion of that 5,542 represented by the candidates at each Provider. Hence BPP Birmingham, with 150 instances of candidates attempting the centralised assessments, contributed 2.7% of the 5,542 total instances of

assessment. The two right hand columns indicate the proportion of the overall total of “Very Competent” and “Outstanding” grades awarded to candidates at each Provider. On this basis it can be seen that, whilst BPP Birmingham contributes 2.7% of assessment instances, its candidates are only achieving 2.1% of the “Very Competent” grades awarded across all Providers, and only 0.5% of the “Outstanding” grades. City, by contrast contributes 25.6% of candidates but achieves 28.6% of the “Very Competent” grades and 35.5% of the “Outstanding” grades.

	Instances	% of instances	% of Very Competents	% of Outstandings
BPP Birmingham	150	2.7%	2.1%	0.5%
BPP Bristol	153	2.8%	2.7%	1.8%
BPP Leeds	209	3.8%	4.4%	3.6%
BPP London	1087	19.6%	20.1%	25.5%
BPP Manchester	183	3.3%	5.7%	2.3%
Cardiff	393	7.1%	8.3%	6.8%
City	1416	25.6%	28.6%	35.5%
MMU	251	4.5%	3.2%	1.8%
Northumbria	420	7.6%	3.0%	1.4%
NTU	135	2.4%	1.5%	1.4%
Ulaw Birmingham	202	3.6%	3.3%	3.2%
Ulaw Leeds	141	2.5%	2.7%	4.5%
Ulaw London	450	8.1%	10.0%	5.9%
UWE	352	6.4%	4.4%	5.9%

## 8.4 Ranking of Provider cohorts Spring 2019

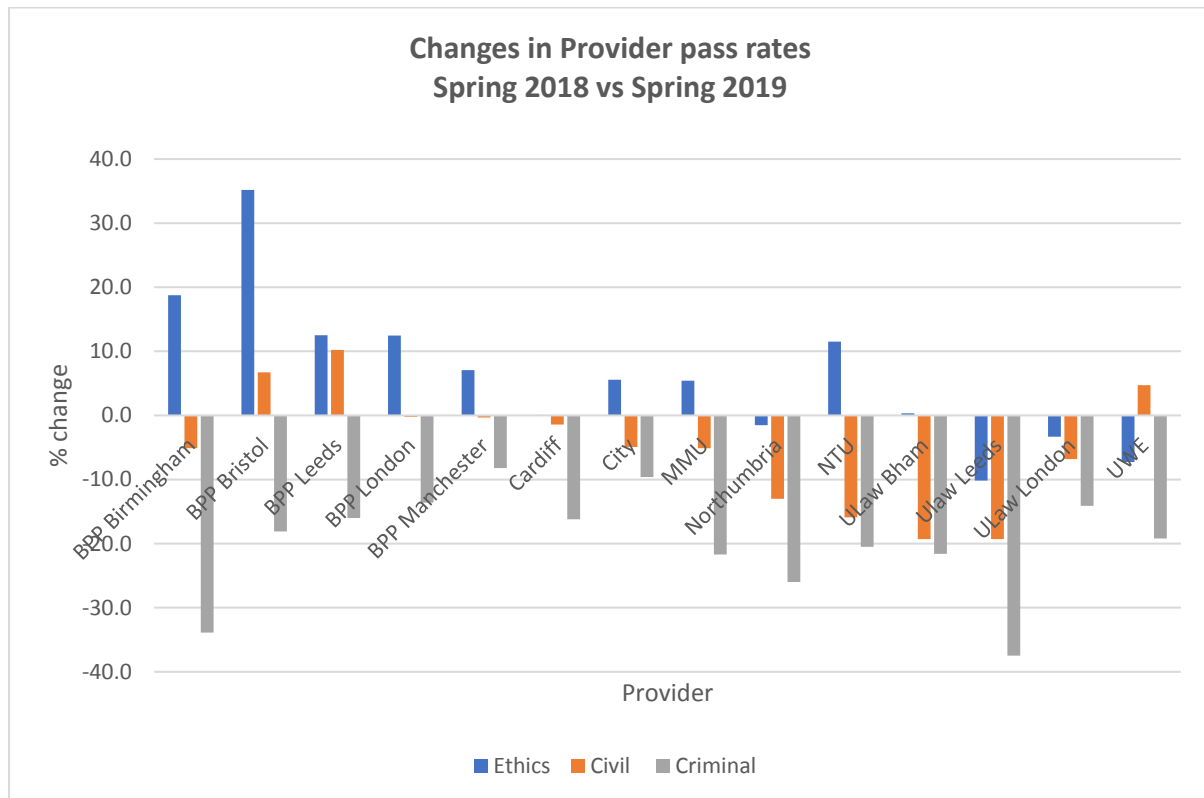
8.4.1 Provider cohort performance can also be compared in terms of the ranking position of each Provider in each of the centrally assessed areas. For these purposes a Provider ranked first in one of the three centrally assessed subjects is awarded 1 point, and a Provider ranked last out of 14 is awarded 14 (hence the lower the total the stronger the Provider’s cohort). On this basis, the Spring 2019 sit, Providers can be ranked as per the table below (Spring 2018 rankings and change provided for reference). These figures reveal a significant ratings drop for ULaw Leeds compared to Spring 2018, with most of the lower ranking Providers falling back from their Spring 2018 positions.

Provider	Ranking score Spring 2019	Ranking score Spring 2018	Change
BPP Manchester	3	3	0
BPP Leeds	9	9	0
ULaw London	10	11	1
City	12	21	9
Cardiff	15	18	3
UWE	17	23	6
ULaw Bham	21	13	-8
BPP London	24	34	10
ULaw Leeds	28	9	-19
MMU	28	26	-2
BPP Bristol	33	40	7
BPP Birmingham	35	28	-7
NTU	39	32	-7
Northumbria	41	39	-2

8.4.2 If the Provider cohort results are aggregated to show performance by Provider group rather than study centre (i.e. combining the passing rates across all branches operated by Providers) the pre-'92 University grouping emerges as the most consistently successful across the Spring 2019 sitting.

Provider	Ranking score Spring 2019	Ranking score Spring 2018	Change
Cardiff	15	18	3
City	12	21	9
Pre-'92 Universities	13.5	19.5	6
ULaw Bham	21	13	-8
ULaw Leeds	28	9	-19
ULaw London	10	11	1
ULaw Group	19.7	11.0	-8.7
BPP Birmingham	35	28	-7
BPP Bristol	33	40	7
BPP Leeds	9	9	0
BPP London	24	34	10
BPP Manchester	3	3	0
BPP Group	20.8	22.8	2
MMU	28	26	-2
Northumbria	41	39	-2
NTU	39	32	-7
UWE	17	23	6
Post-'92 Universities	31.3	30.0	-1.3

## 8.5 Changes in post-intervention passing rates Spring 2018 to Spring 2019



8.5.1 This table looks at the year-on-year change in post-intervention Provider cohort passing rates across the three centrally assessed area comparing the Spring 2018 and Spring 2019 sit results for BPTC candidates. The figures show that no Provider managed to increase its cohort passing rates across all three subject areas compared to their Spring 2018 sit results. Three Providers, Northumbria, ULaw Leeds and ULaw London, saw a year-on-year decline across all three subject areas. The average change across the subject areas was: Professional Ethics up 6.2%; Civil Litigation down 5%, and Criminal Litigation down 19.7%. Looking at the changes in post-intervention passing rates across all three subjects at each Provider (i.e. aggregating the rise and fall in passing rates) shows that only BPP Bristol and BPP Leeds managed to achieve net rises in their aggregated passing rates compared to Spring 2017 (BPP Bristol up over 23%). At subject level, the highest year-on-year improvement was achieved by BPP Bristol in respect of Professional Ethics (up 35.2%), whilst the biggest reverse was experienced by BPP Birmingham in respect of Criminal Litigation (-33.9%).



## 8.6 Spring 2019 pass rates by mode of study

**Spring 2019 Mode of study pass rates**

	Professional Ethics		Civil Litigation		Criminal Litigation	
	Part-Time Pass %	Full-Time Pass %	Part-Time Pass %	Full-Time Pass %	Part-Time Pass %	Full-Time Pass %
BPP Birmingham	N/A	71.7	100.0	52.0	N/A	46.5
BPP Bristol	N/A	70.6	N/A	56.3	N/A	52.1
BPP Leeds	62.5	91.1	81.3	59.3	73.3	63.0
BPP London	70.7	81.0	49.1	56.7	34.7	60.1
BPP Manchester	N/A	98.4	N/A	85.0	N/A	90.2
Cardiff	N/A	77.5	N/A	66.9	N/A	62.8
City	61.8	76.1	48.8	66.9	63.6	70.0
MMU	50.0	65.4	54.5	57.5	75.0	55.6
Northumbria	100.0	56.2	100.0	36.0	100.0	38.6
NTU	N/A	76.6	N/A	36.4	N/A	50.0
ULaw Bham	69.2	71.4	46.2	60.0	61.5	58.8
Ulaw Leeds	N/A	78.7	N/A	50.0	N/A	58.7
ULaw London	87.0	78.7	76.0	65.4	80.0	64.8
UWE	61.1	62.6	73.3	64.7	40.0	60.6

8.6.1 This table disaggregates full-time and part-time candidates passing rates by Provider for the Spring 2019 assessments. Where a Provider is shown as “N/A” it indicates that there is no part-time mode offered. A passing rate of “0.0” indicates that no part-time candidates passed.

8.6.2 Care needs to be taken in interpreting this data as some part-time cohorts may be very small, hence the results of a handful of candidates can result in significant fluctuations in passing rates. Subject to that caveat, it can be seen that, generally part-time cohorts did as well as full-time cohorts. Across 25 assessments points were there were results for both full-time and part-time candidates, full-time candidate cohorts have higher passing rates in 13 instances and part-time in 12. Part-time cohorts were least successful in Professional ethics where there were only three Provider centres where they out-performed full-time cohorts. Looking at those Provider centres having part-time candidates attempting all three centrally assessed examinations, the part-time cohorts at BPP London and City had lower passing rates across all three examination. By contrast ULaw London and Northumbria had part-time cohorts who outperformed their full-time cohorts in terms of passing rates across all three examinations.

## 9. RESULTS ADDENDA

Due to exam processes errors there are a small number of candidates who have been excluded from the data sets used for this report or allocated to the wrong cohort group.

- (a) A candidate whose script was not fully scanned – marking was eventually completed but the data sets used for this report do not include the result for this script as the issue came to light shortly before publication and would have had only a negligible impact on the statistics.
- (b) Marks for a candidate were omitted because the candidate was not on the attendance list provided by the Provider. Candidate results have now been finalised but could not be in the data for this report. Impact on the accuracy of the data sets is minimal.
- (c) Two candidates who should have been included in the BTT cohort were misclassified by their Provider as BPTC candidates and are included in their BPTC cohort results. The error came to light too late for the data set for this report to be amended. The impact on the accuracy of the data sets is minimal.

Professor Mike Molan  
Chair of the Central Examination Board  
12 August 2019