

# **International Legal English Certificate**

## **Examination Report**

**May 2006**

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### **WEBSITE REFERENCE**

This report can be accessed through the Cambridge ESOL website at:

[www.CambridgeESOL.org](http://www.CambridgeESOL.org)

## INTRODUCTION

This report provides a general view of how candidates performed overall and on each paper in the May 2006 session, and offers guidance on the preparation of candidates.

### • **Grading**

Grading took place during June 2006, approximately 4 weeks after the examination was taken.

The four ILEC papers total 200 marks, after weighting. Each paper (Reading, Writing, Listening, Speaking) represents 25% of the total marks available. It is important to note that candidates do not 'pass' or 'fail' in a particular paper or component, but rather in the examination as a whole. A candidate's overall ILEC grade is based on the aggregate score gained by the candidate across all four papers.

The overall grades are set using the following information:

- statistics on the candidature
- statistics on the overall candidate performance
- statistics on individual questions, for those parts of the examination for which this is appropriate (Papers 1 and 3)
- the advice of the Principal Examiners based on the performance of candidates, and on the recommendation of examiners where this is relevant (Papers 2 and 3)
- comparison with statistics from previous years' examination performance and candidature.

ILEC has three passing grades: 'C1 Pass with Merit', 'C1 Pass' and 'B2 Pass', and two failing grades: 'Narrow fail' and 'Fail'. The overall pass rate for the May 2006 examination was 92.3%. In total, 19.2% of candidates were awarded a grade 'C1 Pass with Merit', 34.6% were awarded a grade 'C1 Pass' and 38.5% were awarded a 'B2 Pass1'.

Statements of Results contain a graphical display of a candidate's performance in each paper. These are shown against a scale of Exceptional – Good – Borderline – Weak and indicate the candidate's relative performance on each paper.

### • **Special Consideration**

Special Consideration can be given to candidates affected by adverse circumstances immediately before or during an examination. Examples of acceptable reasons for giving Special Consideration include illness and bereavement. All applications for Special Consideration must be made through the local Centre as soon as possible after the examination affected.

### • **Irregular Conduct**

The cases of candidates who are suspected of copying, collusion or breaking the examination regulations in some other way will be considered by the Cambridge ESOL Malpractice Committee. Results may be withheld because further investigation is needed or because of infringement of the regulations.

### • **Notification of Results**

Candidates' Statements of Results are issued through their local Centre approximately six weeks after the examination has been taken. Certificates are issued about four weeks after the issue of Statements of Results. Requests for a check on results may be made through the local Centre, within one month of the issue of Statements of Results.

- **Useful Documentation**

Cambridge ESOL produces the following documents which may be of use to teachers or institutions preparing candidates for ILEC:

- *Regulations* (produced annually, for information on dates, etc.)
- *ILEC Handbook* (for detailed information on the examination and sample materials)
- *Examination Report* (produced once a year)
- *Past Paper Pack* (including Examination Papers, CD and tapescript for the Test of Listening, keys, sample Test of Speaking material and Test of Writing mark schemes and sample scripts)
- *ILEC Speaking Test Video* (for information on the Speaking test including worksheets for candidates)

In addition, online teaching resources for ILEC are now available (visit the website: [www.cambridgeesol.org/teach/ilec](http://www.cambridgeesol.org/teach/ilec)). Included are sample tasks, tips for teachers and students, and a range of familiarisation and practice activities.

**Users of this Examination Report may find it useful to refer simultaneously to the relevant Past Paper Pack.** This, together with further copies of this report, is available from the Centre through which candidates entered, or can be purchased using the order form online at **www.CambridgeESOL.org**

If you do not have access to the Internet, you can obtain an order form from:

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Feedback on this report is very welcome and should be sent to the ILEC Subject Manager, Cambridge ESOL, at the above address. Please use the feedback form at the end of this report.

## ILEC Test of Reading

PART	Task Focus	Input	Response	Number of questions
1	Lexical: semantic precision, collocations, fixed phrases, complementation, linking words and phrases	Two law-related texts, each with 6 primarily lexical gaps	4-option multiple choice cloze	12
2	Grammatical and lexico-grammatical; e.g. conjunctions, prepositions, pronouns, auxiliaries, quantifiers etc.	A law-related text with structure and discourse gaps	Open cloze	12
3	Lexical (affixation and compounding)	Two short law-related texts, each containing six gaps	Word formation	12
4	Reading for detail and gist	A single law-related text divided into four sections, or four related short texts preceded by multiple-matching questions	Multiple matching	6
5	Reading for text structure and detail with an emphasis on cohesion, coherence, and global meaning	A law-related text from which sentences have been removed and placed in jumbled order after the text. Candidates must decide from where in the text the sentences have been removed.	Gapped text	6
6	Reading for detail, gist, opinion, implication and referencing	A law-related text followed by four-option multiple choice questions	4-option multiple choice	6

The format of the ILEC Test of Reading is based on eight texts, with 54 questions of varied types (multiple choice, open cloze, word formation, multiple matching and gapped text). Questions 1 – 36, which test candidates' knowledge and control of the language system, carry one mark for each correct answer. Questions 37 – 54, which test candidates' understanding of written text, carry two marks for each correct answer. The total out of 72 is then weighted to 25% of the candidate's overall mark.

Candidates are required to transfer their answers onto an answer sheet, as instructed on the question paper, with **no extra time** being allowed for this purpose. Once received at Cambridge ESOL, candidates' answer sheets are computer-scanned.

Part 1 requires candidates to choose a word or phrase from a set of four (A, B, C, D) to fill a gap in a text. This involves choosing the answer which has the right meaning and fits both grammatically and within the text as a whole. This part of the paper tests knowledge of aspects of vocabulary, such as fixed phrases and collocations, shades of meaning, phrasal verbs and linkers. There are two short texts, each containing six questions. The first text includes an example.

Part 2 is an open modified cloze task, consisting of a text with 12 gaps, plus an example. Candidates have to fill each gap in the text with one word only. This part focuses mainly on awareness and control of structural items such as conjunctions, prepositions, pronouns, auxiliaries and quantifiers. Answers must be grammatically correct at phrase and sentence level, and also be appropriate to the meaning of the whole text. There may be more than one word which is acceptable to complete the gap; candidates should supply only one word.

Part 3 is designed to test word formation through affixation and compounding. Candidates are required to supply an appropriate word, formed from a given base word, to fill a gap in a text. There are two short texts, each containing six questions. The first text includes an example.

Part 4 requires candidates to scan a text which is divided into four sections, or presented as four short texts. Candidates are required to match questions with the relevant information from the text. Some of the options will need to be used more than once. The questions are printed before the text to replicate a real-world situation where candidates know their purpose in reading a text. There are six questions and an example.

Part 5 requires candidates to select the sentences which fit the gaps in a text. In each case only one answer is correct. The task consists of a single-page gapped text followed by the options, including one extra sentence which does not fit in any of the gaps. Each option may be used only once. There are six questions and an example.

Part 6 consists of a single-page text followed by four-option multiple-choice questions. Candidates need to read the text closely in order to distinguish between, for example, apparently similar viewpoints, outcomes, or reasons. The task may also contain a question focusing on the meaning of a particular word or phrase in the text, or on a reference word such as a pronoun. There are six questions.

- **Comments on candidate performance**

### **Part 1**

Candidates performed reasonably well on this part of the paper. The second text (Questions 7-12) proved slightly harder overall than the first (Questions 1-6). The first text was an extract from a lease, written in American English. Questions 1 and 5 proved the most challenging to candidates, while 4 and 6 were the easiest. In Question 1, the correct answer was D: lease **space** in the Property. Several candidates chose B (area) and a few selected C (room). While it would be possible to say 'lease a room', it is not possible to use the noun without an article. In Question 5, the correct answer was A: shall **indemnify** Landlord against any costs. Some candidates chose B (reimburse), which clearly does not work with the preposition 'against'; option C is ruled out for the same reason. Question 5 in particular shows that it is important for candidates to be made aware of technical and semi-technical legal language.

The second text was an extract from a UK website dealing with changes to regulations governing access to the countryside. Here, Questions 8 and 9 proved substantially harder than the other questions. Question 8 tests understanding of the collocation 'issued to **date**' and the correct answer was D. Most of the strongest candidates did select the correct option, but many others chose C, showing understanding of the general meaning to be conveyed but failing in their word precision. A few candidates also chose option A. Question 9 tests a semantic set of verbs and the correct answer was C, **inspected**. Better candidates answered correctly, but many weaker candidates chose one of the other three options, with B (regarded) being particularly attractive. Here, it is possible that first language interference was an influence.

### **Part 2**

The text for this part was taken from a journal article about the litigation process. Although candidates managed to complete the gaps, certain questions proved quite challenging. The most challenging were Questions 15, 16, 21, 23 and 24. The least challenging were 13, 17 and 19. In Question 15, candidates had to recognise the use of the phrase 'in which' used in conjunction with the noun 'manner'; one common wrong answer was 'of' and a few candidates wrote 'by'. In Question 16, the correct answer was either 'where' or 'when'. One candidate repeated the phrase 'in which' here, thus losing the mark as two words were produced instead of one. A common wrong answer in 16 was 'that'.

Question 21 tests the linking phrase 'not to mention' and required candidates to produce the word 'not'. Several candidates wrote 'and' and a few produced 'also', thereby demonstrating some understanding of the linking required. The phrase 'not to mention' is commonly used in legal texts and candidates need to know it and be able to use it. In Question 23, the correct

answer was 'being' and this entailed recognition of the use of the passive form 'being' plus participle. Several candidates wrote 'having', perhaps grasping at the passive structure 'having been', or otherwise, failing to recognise the need for a passive form. A few candidates produced 'which'.

Question 24 required 'every' or 'each' in the phrase 'at every single stage'. Most of the stronger candidates answered correctly, although the spelling of 'every' proved problematic, with the mistake 'evry' being produced. Common wrong answers included 'the' and 'any'.

### **Part 3**

The second of these word formation tasks, an extract from a journal on the awarding of US government contracts, proved slightly more challenging to candidates than the first one, an extract from a letter accompanying an insurance contract. In the first task, Questions 25-30, the most challenging word formations were 26 and 30. Question 26 required the answer 'regardless', as part of the phrase 'regardless of'. The most common wrong answer here was 'regarding'. In Question 30, some candidates produced the erroneous 'respondance' and a few mis-spelled 'response' as 'responce'.

The most challenging questions in the second task were 32 and 34. For Question 32, some candidates produced the form 'hazarding' and 'hazardful' was also produced, showing recognition of the need for an adjective. Question 34, also requiring an adjective (restrictive), was sometimes wrongly answered as 'restricted'.

### **Part 4**

This multiple matching reading task presented extracts from a journal article on adverse possession. The task proved fairly challenging to candidates and in particular, Questions 38 and 42 caused difficulty. In Question 38, the correct answer was B but several candidates chose A, and to a lesser extent, C was also chosen. The words 'title' and 'owner' occur in text C, which may have attracted weaker candidates to 'wordspot' across the question and text. To select the correct answer B requires understanding of most of the text, and in particular the last three lines of the paragraph. While text A mentions 'possession' and 'intention to possess', it does not provide a paraphrase of the entire meaning of Question 38.

In Question 42, the correct answer, C, was chosen by most of the better candidates. However, weaker candidates selected D or, to a lesser extent, B. Question 42 necessitates an understanding of the word 'immaterial', which may have proved too challenging for some candidates. The complex wording of the final sentence in C may also have caused weaker candidates a problem, whereas stronger candidates appear to have processed it accurately.

### **Part 5**

This gapped sentence task, based on a website article relating to US employment law, was handled well by candidates. Question 46 proved slightly more challenging than the other gaps, but even so, most of the stronger candidates chose the correct answer, F. Some candidates chose C, the 'distractor' or extra sentence, but this cannot fit into the gap, as it refers to the employer's rights and would thus make the paragraph somewhat incoherent. Sentence F, on the other hand, links in to the discussion of employees and raises the idea of a separate arbitration agreement, which is referred to again after the gap: 'have them sign it'.

### **Part 6**

The text for this multiple-choice task dealt with opinions on managing the media from a law firm's point of view and was taken from a journal. It proved largely unproblematic for candidates, apart from the final question, 54. Here, the correct option D was chosen by most of the stronger candidates, but several weaker ones chose C or, to a lesser extent, A. The support for D can be found in the second half of the final paragraph of the text: Tony Mawson says "That way you could make enemies" and later, "in reality you're just encouraging them to put their best investigative journalist onto you", both of which suggest that bringing a libel action against a newspaper may well do more harm than good. While the text mentions other newspapers, there is nothing stated about 'investigating similar stories', which option C is

about. Similarly, the meaning of option A is not reflected in the text, as it in fact says the opposite, Tony Mawson's words being: "although you might hope it will have a deterrent effect, in reality you're just encouraging them to put their best investigative journalist onto you". Weaker candidates may have seized on the phrase 'deterrent effect' and matched this with 'discourage' in option A. However, it is crucial in this part to read the whole text closely and to think about the meaning of the incomplete sentence and option together when looking for evidence in the text.

- **Recommendations for candidate preparation**

Make sure the students read as widely as possible in class and at home. Classroom reading can include a range of reading texts from authentic sources such as law textbooks, law journals, web pages and, where possible, legal correspondence. Encourage students to interact fully with each text by focusing on pre-reading questions. These stimulate interest in the topic dealt with by the text and train students in prediction techniques.

Students need to be able to read at speed, and use different reading strategies such as skimming for overall content, scanning for specific information, and reading closely for detail. Suggest that students monitor their reading speed and try to improve it if necessary.

It will be useful for students to refer to dictionaries and grammar books while studying. However, they should also be encouraged to read texts without thinking that they need to understand every word. They are not allowed to use a dictionary in the examination and should therefore be trained to try to guess the meaning of unknown words from the context.

It is important to make sure the students are familiar with the standard format of the test by going through the sample materials with them.

Make sure students are familiar with the instructions on the front page of the question paper, and for each part of the test. They should also be familiar with the technique of indicating their answer on the separate answer sheet, so that they can do this quickly and accurately. They will need to be shown how to do this and to practise in a timed exercise. They need to think about the relative merits of transferring their answers onto the answer sheet at the end of each task or waiting until the end of the test. If they find it difficult to complete the six parts in the time allowed, it may be wiser to transfer answers after each part.

When students are familiar with the different task types, it is a good idea to discuss which part(s) take them longer to complete. Following this discussion you may wish to suggest possible timings for each task. Students may prefer to attempt tasks which they find easier first. Students should be reminded that, since Questions 1 – 36 carry one mark for each correct answer and Questions 37 – 54 carry two marks for each correct answer, each of the six parts is worth an equal number of marks. The outcome of the discussion will also help you to decide which sections of the paper to focus on for further practice and may lead on to assistance with faster reading strategies.

Remind students to check the spelling of their answers to Parts 2 and 3, as incorrect spelling is penalised, and to write clearly and in capital letters on their answer sheet.

### **Part 1**

Students should be encouraged to read extensively from appropriate sources in order to build up a wide vocabulary. In doing so, they should pay attention to the shades of meaning differentiating sets of similar words, collocations fixed phrases, and complementation

Any vocabulary-building activity working with lexis relevant to legal English is likely to be useful in preparing for this task.

Spend time practising linking words and phrases (which will also benefit students' writing skills).

Advise students to consider all the options carefully before deciding on their answer. Several of the options may appear possible, but only one will be semantically and grammatically correct in that particular context.

## **Part 2**

Some gaps can be filled by referring just to the immediate phrase or sentence, but others will require understanding of the paragraph or whole text. Where relevant, students should be encouraged to try to circle the word or words in the text that determine the answer.

The kinds of words which are gapped may well correspond to the kinds of errors that students make, so discussion of their writing may be useful.

Remind students that only one word is required for each answer. Answers of more than one word will be marked wrong, even if they include the correct answer.

Remind students to use the context to help them identify the missing part of speech, e.g. conjunction, preposition, pronoun, auxiliary, quantifier.

Passive forms are commonly used in legal English and candidates need to be made aware of this through exposure to representative texts.

## **Part 3**

Remind students that they need to understand the context of each gap in the text to decide which part of speech (noun, verb, adjective or adverb) is required.

Sometimes a plural form or a specific part of a verb will be required. Encourage students to read the text around each gap closely to recognise what is required.

Sometimes a negative prefix will be required. There is often at least one word requiring a prefix (e.g. un-, im-, ir-, dis-,) in a Part 3 task, so check that students are aware of these forms.

## **Part 4**

Encourage students to highlight key words in the question, to help them focus their reading.

Discourage students from selecting an answer solely on the basis of matching a word in the question with a word in the text, as careful reading is required to ensure an accurate match in terms of meaning. Students will benefit from practice in paraphrasing, as the wording of the question is likely to differ from that of the text. Ask students to divide suitable texts into four sections and to identify ideas within each section, focusing on how the sections are similar and how they are different. They can then use paraphrasing to write their own statements about each paragraph of the text.

## **Part 5**

Encourage students to read the text as a whole, and not to focus on each gap separately. They need to understand that an idea of the structure and the development of the theme of the text is necessary before starting to do the task. Students frequently make the wrong choices by selecting options which fit the text before the gap, and neglecting to check that the text after the gap follows on smoothly.

Part 5 requires an overt focus on cohesion and coherence to which some students may not be accustomed. Give students plenty of practice in recognising a wide range of linguistic devices

which mark the logical and cohesive development of a text, e.g. words and phrases indicating time, cause and effect, contrasting arguments, pronouns, repetition and use of verb tenses.

Alert students to the dangers of simply matching options and sections of the text containing the same words. The task is designed to test understanding of the development of ideas, opinions and events rather than the superficial recognition of individual words.

It would be useful for students to reassemble texts that have been cut up, discussing why sentences do or do not fit together. They may also benefit from altering the cohesion of texts to make sentences fit together or prevent them from doing so.

The cut and paste function of word processing packages can be exploited in preparing for this task.

## **Part 6**

Students should read the whole text before reading the multiple-choice questions. Particularly since three of the four options are incorrect, there is little point in trying to absorb them all before tackling the text. Instead, students should be trained to check each option in turn against the evidence of the text.

Students should be encouraged to read each question very carefully, thinking about the initial question or incomplete sentence and the four options A-D. In the case of an incomplete sentence, the completed sentence created by matching it to an option must match what is written in the text, and not just reflect the option alone.

As in the other parts of the test, it is important that students avoid simply matching words in the text with words in the question or option. Careful study of the questions and text is very important.

When working through the sample task it may be useful if students try to answer the question in their own words and then check their formulation against the options, rather than reading the options first. It will also be useful to ask students to underline the part of the text where they found the answer and then justify it to the rest of the class, and even to identify the information that the distractors are based on.

## DOs and DON'Ts for ILEC READING

- DO** read the instructions for each part carefully and use the examples to help you.
- DO** think beforehand what order you would like to do the parts in – for example, you may prefer to start with the longer Reading tasks (Parts 4, 5 and 6).
- DO** look at the words before and after the gaps in Parts 1, 2, 3 and 5.
- DO** check the spelling of your answers in Parts 2 and 3.
- DO** consider the whole context of Part 3 gaps – this may help you to realise when a plural form or negative prefix is needed.
- DO** write your answers to Parts 2 and 3 clearly in capital letters.
- DO** leave yourself enough time to transfer your answers to the answer sheet.
- DO** allow enough time for reading Parts 5 and 6.
  
- DON'T** worry if you don't understand every word in a text – try to guess meaning from context.
- DON'T** leave any answers blank – you won't lose marks for wrong answers.
- DON'T** spend too long on the Use of English tasks – remember that the Reading questions carry two marks each, and the Use of English questions are only worth one mark each.
- DON'T** write more than one word for each Part 2 answer.
- DON'T** re-use the example letter H in Reading Part 5. It may be a good idea to cross option H out, so that you remember not to use it again.
- DON'T** write in pen on the answer sheet.

## ILEC Test of Writing

PART	Functions/Communicative Task	Input	Response	Register
1	Explaining, refuting, presenting and developing arguments, suggesting etc.	A rubric, input letter and five content points	A letter (120 – 180 words)	Neutral/formal
2	Presenting and developing arguments, expressing and supporting opinions, evaluating ideas, describing, summarising, recommending, persuading, explaining, apologising, reassuring, complaining, etc.	A rubric and four content points	A memorandum	Neutral/formal

For ILEC, candidates are required to produce two pieces of law-related writing. The questions supply candidates with sufficient information to enable them to use an appropriate style and register, and to address all the content points.

Both Part 1 and Part 2 tasks are compulsory. Part 1 requires candidates to produce a short letter of between 120 and 180 words based on an input letter and five content points. In Part 2, candidates are asked to produce a memorandum of between 200 and 250 words.

Each Writing task is marked by a trained examiner. Examiners mark in teams, monitored by Team Leaders. Each marking session is led by a Principal Examiner. Examiners refer to a General Mark Scheme which provides detailed descriptions of performance at each of six levels of proficiency, with scores converted to provide a mark out of 20 for Part 1 and out of 30 for Part 2 (making a total of 50 marks, i.e. 25% of the candidate's overall score). In addition to this, a Task-specific Mark Scheme for each question gives guidance on the features an answer should contain.

In Part 1, the test focus is on the candidate's ability to produce a letter in response to an input text. Candidates must read all of the input material carefully. Candidates need to adopt an appropriate style, layout and register for the task: the overall aim of the task being to have a positive effect on the target reader. Listing information in simple sentences is not enough: organisation and cohesion, clear layout, balance, appropriate register, control and accuracy of language are all important features of task achievement. Evidence of range of language is also required, which means building on key words from the input rather than lifting whole segments. Part 1 tasks offer candidates the opportunity to expand on the information given and this enables them to demonstrate their range of language. In Part 2, the test focus is on the candidate's ability to produce a memorandum in response to input. Attention to every element in the rubric is essential for effective task achievement and candidates will be expected to develop law-related topics and discuss law-related issues in a non-technical way in their answers. Because the task is longer than Part 1, candidates have more scope to demonstrate a range of structure and vocabulary.

- **Comments on candidate performance**

The Part 1 task required candidates to write a formal letter to their client, a manufacturing company, giving advice on whether to take action against a construction company contracted by the client to construct a new building, the completion of which had been delayed. For Part 2, candidates had to write a memorandum to a partner in their law firm assessing a case in which a client company's intellectual property rights had possibly been infringed.

### **Part 1**

All candidates found this question accessible and almost all showed a clear understanding of what was required in terms of content and the need to include all five content points. Only a very small number omitted one content point and were penalized. All candidates were able to write in correct letter format with suitable opening and closing formulae, usually proposing a meeting or inviting further contact by letter with their client. Most candidates organized their letters into clear paragraphs and linked the five points well.

Generally an appropriate level of formality and politeness was sustained with a good range of language of advice from both B2 and C1 candidates (e.g. 'I strongly advise against', 'in my experience', 'it is important to remind you', 'I have to warn you'). There were occasional lapses into informality, however, ('I don't agree with you', 'our chance to succeed is not bad') so candidates do need to be reminded of the importance of ensuring the formal tone is consistent.

In addition to the legal terms in the input letter, many candidates were able to include further relevant terminology such as 'burden of proof', 'breach of contract' and 'out of court settlement'. However, some candidates attempting to use legal terminology made errors in the grammatical structure of the phrase (e.g. to seek for a settlement', 'high risk to loose', 'taking a court action'). Candidates should be encouraged to use relevant legal terminology but also to learn their correct grammatical structures.

The first point was generally done well and opened the letter effectively. Candidates began with an opening phrase referring to receipt of the client's letter and then refuted the idea that conclusions had been reached with a range of simple formal phrases (e.g. 'the facts are still unclear to me', '...remain unclear to me', 'contrary to what you may think ...'). Most dealt with this point succinctly and moved on to expand on the points relating to the case, which worked well.

Most candidates dealt with the second point by quoting 'ground defects on site' from the client's letter and then explaining that this would need investigation. B2 candidates used simple phrases (e.g. 'deserves more investigation', 'some investigations to confirm this') while stronger candidates were able to develop the point and show good C1 range (e.g. 'launch an investigation to establish the link between', 'an investigation so as to know whether your counterpart could seriously put the blame on 'ground defects on site' or not').

The third point was sometimes linked appropriately to the second point (e.g. 'only then will there be a chance', 'that does not furnish us with a strong case against them') but often lifted from the input letter (e.g. 'only a chance to recover damages'). While it is acceptable to use key phrases from the input letter such as 'recover damages', candidates should, whenever possible, develop the point in their own language to demonstrate their range.

The fourth point was dealt with succinctly (e.g. 'would certainly be hard to prove') though some stronger candidates were able to develop the point (e.g. 'such intangible factors are hard to prove', 'in my experience it is very difficult to find the required evidence').

The final point allowed for good expansion as candidates explained the reason(s) for their recommendation. Most quoted time and costs, as well as the uncertainty as to the outcome, as being the main reasons for recommending settlement rather than court action. B2 candidates produced some good expressions (e.g. 'the burden of proof is too heavy and time consuming') but many also used incorrect vocabulary and structures (e.g. 'the risk to loose the process and

pay the whole costs to high', 'It will be a huge gain of time for you to settle', 'avoid to go to court / avoid to loose money'). C1 candidates expanded on the point effectively, showing excellent control of collocation (e.g. 'better to propose settlement because it is time and cost efficient', 'I would recommend you to try to reach an out-of-court settlement in order to avoid prohibitive costs that legal proceedings incur', 'in terms of cost-effectiveness, a settlement would probably be the best solution in the present case').

## **Part 2**

This question was generally done well. Candidates with B2 language had no difficulty in understanding what was required and only one candidate failed to demonstrate an understanding of what infringement of IP rights meant. C1 candidates produced some very realistic memoranda showing a wide range of expression, impressive control of collocation and a convincing grasp of the issues.

Answers were well organised on the whole, most candidates opting for a format of headings corresponding to the four bullet points in the question. This worked well and ensured that all four points were addressed. The tone was generally formal or neutral. In a few cases there were some informal phrases or direct questions to the reader of the memorandum. While not totally appropriate, this could be taken as in-house style and was not penalised.

Most candidates dealt with the first point well, outlining the essentials of the case which ranged from illegal copies and downloads of music and films to copies of shoes, watches and sunglasses, from copying ideas for novels and articles to developing identical logos. B2 candidates were able to describe the alleged infringement but some had difficulty with vocabulary (e.g. 'new marks' 'the trademark right of our client', 'by a concurrent company'). C1 candidates wrote concisely while developing the point well (e.g. 'since the blueprints are available for anyone to see, according to patent rules, my client came to me with his suspicions', 'has collected valuable evidence to prove the illegal use of this trademark', 'these issues of brand recognition and similarities in the portfolio').

The advantages of settlement were deemed to be mostly related to cost (e.g. 'less expensive than to go to court', 'the cheapest option') and confidentiality. Again C1 candidates were able to expand the point and show good range (e.g. 'negotiate with the other party in our client's best interests and avoid the risk of loosing in a legal procedure').

Point three (disadvantages of settlement) was generally well linked to the previous point using 'however' or 'on the other hand'. There were concerns that a settlement would not solve the problem (e.g. 'is not obliged to respect what was decided during the settlement') or would be difficult to achieve because of poor relations between the parties concerned. Some C1 candidates produced very good range and natural language (e.g. 'our client feels that settlement is not an appropriate response to a 'highly criminal matter' as they put it', 'company X might fold in the process and we might be left with nothing at all').

Both B2 and C1 candidates were, generally, able to move to the evaluation of whether legal action would be appropriate very smoothly, adding it on to the previous points. B2 candidates, however, did make errors in grammatical structures and vocabulary (e.g. 'I advice to go in court', 'going until court', 'to obtain damages to infringe the rights', 'to avoid other infringements by heavy damages sentence'). C1 candidates expanded the point effectively (e.g. to opt for legal action even though it will be more time consuming and complicated since two different jurisdictions have to be considered').

### **• Recommendations for candidate preparation**

In general, the message for candidates is to read each question carefully and carry out exactly the task required. Candidates should be familiar with the number of content points that each question has, and should check whether or not there is a second part to a bullet point. They should then address each of these points. It is also important to make sure they are familiar with the task types and topics. Students will need guidance on the particular features of each

task type and the appropriate style and tone. An inappropriate style is not specifically penalised but may mean that the overall impression mark is adjusted. Train your students to read the questions carefully, underlining the most important parts. They then need to plan an answer which addresses all the points required by the task. This will help them balance their answers so that a range of language can be demonstrated.

The time allowed for the Writing paper (1 hour 15 minutes) is designed to be sufficient for students to make brief plans and then write their two answers as clearly as possible. They should not worry if they make mistakes but they should make clear corrections so that the examiner can follow and mark what they have written. Your students will need practice in writing tasks at this level within the word limit so that they know when they have written enough in their own handwriting.

Students need to think carefully about who the target reader is for each task and try to write in an appropriate style and tone. Is the target reader, for example, a client, a colleague or someone in a position of authority? Do they need to present difficult information politely (as in a complaint) or are they trying to persuade somebody to do something? The balance between the function(s) required by the task and the relationship with the target reader is important.

When planning their writing, it is important that students use effective paragraphing and they should be encouraged to develop each of the required points in a separate paragraph. Headings in Part 2 memoranda also often make the text easier for the target reader to follow. Using a variety of linking words is important, as is ensuring that the flow of ideas in the writing is logical and easy for the reader to follow. At levels B2 and C1, it is particularly important that students can demonstrate an overall cohesion to the whole task as well as at sentence level. Students should also be encouraged to use a range of complex language. If, in doing so, they make mistakes, the examiner will always give credit for the complex language attempted as long as the mistakes do not impede communication. Students will need practice in developing points as fully as possible in order to demonstrate a range of language and in using as wide a variety of vocabulary as possible by, for example, using synonyms. Credit will also be given for the appropriate use of legal terminology.

Errors which do not impede communication may, nonetheless, affect the overall success of the communication and students need regular practice in checking their work for errors and inaccuracies. Encouraging students to make systematic checks of their work – verb tenses or singular / plural agreements, for example – is useful. In addition, make your students aware of the importance of spelling and punctuation. Although spelling errors and faulty punctuation are not specifically penalized, they can sometimes impede communication. If so, the overall impression mark may be adjusted. American usage and spelling are as valid as British usage and spelling.

Part 2 on the Test of Writing carries more marks than Part 1 so your students should practise planning the time they spend on each question carefully.

## **Part 1**

Train your students to read the opening paragraphs and instructions and to think carefully about what their role is and the purpose of the task, who they are writing to and why and what they are trying to achieve in the task.

Students can use key words from the question but should not lift whole segments of the input. No credit is given for language which has been obviously lifted from the question. Students should therefore be given practice in using their own words when using information from the input.

The task is made up of an input letter with notes. Students, therefore, need practice in reformulating the language used in note forms into full sentences, paying particular attention to verb tenses and use of definite / indefinite articles.

## Part 2

Good answers will contain detailed and specific information and it is, therefore, useful practice for students to brainstorm their ideas in class in order to generate appropriate content. Once ideas have been generated, students need guidance in how to organize the content of their answers. It is useful to consider what knowledge can be assumed and what should be included and to what extent factual points need illustration.

Part 2 questions have four content points to address. Students need to be trained not only to address all four points but also to consider the balance of their answers. The points do not necessarily require equal amounts of writing and it is important when reading the question to notice whether, for example, the question asks for a **brief** consideration of something.

Remind your students that they should not reproduce a task that they have done in class on a similar topic as such answers rarely address the task set. It is essential that they address the points in the rubric and not simply write 250 words on the topic.

- **DOs and DON'Ts for ILEC WRITING**

- |              |   |
|--------------|---|
| <b>DO</b>    | read each question carefully.   |
| <b>DO</b>    | decide exactly what information you are being asked to give.  |
| <b>DO</b>    | identify the person you are writing to and the overall purpose of what you have to write.   |
| <b>DO</b>    | organise your ideas and make a plan before you write.   |
| <b>DO</b>    | for Part 1 tasks, think carefully about how to link the five notes.   |
| <b>DO</b>    | for Part 2 tasks, think carefully about the balance of the content points – which can be expanded and which can be dealt with more concisely. |
| <b>DO</b>    | write your answers in the question booklet provided.  |
| <b>DO</b>    | write in a formal / neutral style.  |
| <b>DO</b>    | organise your ideas into clear paragraphs.  |
| <b>DO</b>    | follow your plan and remember the overall purpose of what you are writing.  |
| <b>DO</b>    | use as wide a range of structures and vocabulary as you can.  |
| <b>DO</b>    | allow time for checking and revising what you have written.   |
| <b>DO</b>    | check that you have covered all the content points.   |
| <b>DO</b>    | check for spelling and punctuation errors.  |
| <b>DO</b>    | make sure that you have crossed out any errors and that the final version is easy to read.  |
| <b>DON'T</b> | start writing before you have finished your planning.   |
| <b>DON'T</b> | 'lift' too much language from the question.   |
| <b>DON'T</b> | write much more than the word limit in each part – you shouldn't include irrelevant material.   |

## ILEC Test of Listening

PART	Main Skill Focus	Input	Response	Number of questions
1	Gist, detail, function, purpose, topic, attitude, feeling, opinion, inference, etc.	Three short monologues or dialogues not linked thematically	3-option multiple choice	6
2	Listening for gist, specific information, opinion, and attitude	A dialogue set in the context of an interview, a meeting, a hearing, a consultation, a negotiation, a social situation, etc. between two or more people	3-option multiple choice	5
3	Locating and recording specific information	A monologue set in a legal context (training seminars, presentations, lectures, etc.)	Gap-filling requiring limited written responses (i.e. no more than 3 words)	9
4	Listening for gist. For example, function, attitude, feeling, opinion, inference, identification of speaker, topic, etc.	5 short monologues linked by theme or topic, from 5 different speakers	Multiple matching	10

The Test of Listening is designed to test a range of listening skills. The test lasts approximately 40 minutes and contains 30 questions, with one mark awarded for each correct answer. There are four parts to the test and a range of text and task types is represented. All parts of the recording are heard twice. All instructions, rubrics and pauses are recorded onto the CD, as is the five minutes transfer time at the end of the test.

Candidates write their answers on the question paper. In Part 3 of the test, they are required to write a word or short phrase (of up to three words) in response to the written prompt. In Parts 1, 2 and 4, they must choose the correct answer from those provided: A, B, C, etc. At the end of the test, candidates have five minutes to transfer their answers on to the separate answer sheet.

Part 1 features three unrelated short extracts with two three-option multiple-choice questions on each text. These extracts may be self-contained monologues or dialogues. There is an introductory sentence to each extract on the question paper which gives information to contextualise what is heard. The extracts are set in a range of legal contexts and each question focuses on a different aspect of each text. Each text is approximately one minute in length and is heard twice.

Part 2 features discussions and interviews of 3-4 minutes in length. Tasks are designed to test the understanding of gist, attitude and opinion as well as specific information from the text. There are five three-option multiple-choice questions. The questions follow the order of information presented in the text.

Part 3 features an informational text of 3-4 minutes in length. Tasks in this part are designed to test the retrieval of detailed information from the text. Candidates are required to write a word, or words, in response to a written prompt. In such tasks, candidates copy the target words only onto the answer sheet.

There are nine questions. The questions follow the order of information presented in the text, and keys focus on the actual words heard on the recording. Candidates who paraphrase the information may still get the mark, but only if their answers are fully meaningful in the context of the question prompts. Keys generally focus on concrete pieces of information or stated

opinions and are designed to be short and to fit comfortably into the space on the answer sheet. Correct spelling is expected at this level, although some minor variations may be allowed. Care is taken, however, not to focus on words that cause undue spelling difficulties as keys, and both US and British English spellings are accepted.

Part 4 features five thematically-linked short extracts, each of which has a different speaker. This part of the test involves two tasks, each consisting of five questions from which candidates choose the correct option from a list of six. The whole sequence is heard twice.

- **Comments on candidate performance**

#### **Part 1**

Candidates coped well with this section which included both informal discussions between lawyers and a meeting a meeting between a lawyer and her client. Candidates had few problems with getting the correct answers to the questions on extract one, whereas those on questions on extracts two and three proved more challenging. All the questions discriminated well between weaker and stronger candidates with Question 6, which focussed on the outcome of the case under discussion, being the most challenging.

#### **Part 2**

This part, which focussed on a question-and-answer session at a seminar on environmental law, was generally well answered. Candidates had few problems with questions 7 and 8, whereas questions 9-11 proved more challenging. Weaker candidates may have missed the force of the speaker's argument in these questions, for example in Question 11 where he talks about various aspects of his work, but stresses with the expression 'above all' the part which he finds most enjoyable.

#### **Part 3**

This part, which featured a meeting at which a forthcoming conference was being discussed, was generally well answered, although some questions proved more challenging than others. For example candidates at this level had little difficulty with questions 13, 14, 16 and 18, whereas questions 15 and 19 proved more challenging. Some weaker candidates failed to get the mark due to clear weaknesses in their listening skills, for example those who wrote 'launch' or 'lounge' for question 15, and 'water rides' or 'water whites' for Question 15.

Other candidates may not have read the sentence carefully enough and so repeated information which had already been provided; for example candidates who wrote 'issues of taxation' for Question 13 had clearly retrieved the correct information from the text, but should be reminded that they risk losing the mark if the sentence they create no longer makes sense or becomes ambiguous. Spelling was not generally an issue with minor variations being accepted, as long as the intended meaning was clear. The candidate who wrote 'expert whiteness' for question 19 did not get the mark, however, as clear understanding of the text had not been demonstrated.

#### **Part 4**

This Part of the test, in which five people commented on a survey of law firms that had been carried out, proved the most challenging part of the test, and there was good discrimination between weak and strong candidates. Task One was generally well answered, although candidates had some difficulty with question 23, whilst Task Two was more challenging, especially questions 27 and 30. Candidates needed to successfully understand the gist of what each person was saying in order to answer the questions in both tasks. For example, Speaker Four is clearly talking about the internal management of the company, mentioning particularly the flow of information and an unwillingness to share ideas. This gives the key B for question 29. Candidates who chose option F, however, had heard a mention of 'client dissatisfaction' at the beginning of the piece, but this is not the main point that the speaker is making about the firm in question.

- **Recommendations for candidate preparation**

### **Part 1**

Remind students that there is a range of task focus in these questions, and they are not necessarily being tested on a detailed understanding of the text alone.

Questions may be focused on, for example, speaker purpose, attitude, opinion or agreement in dialogues. Some questions may focus on one specific piece of text, for example one speaker's turn, or may be focussed on a gist understanding of the whole text.

Students can be encouraged to concentrate on the question stems, rather than the options in their preparation – so that they can listen for the answer in the text and then match this to the closest option.

### **Part 2**

This is one of the longest parts of the Test of Listening, and students should be given plenty of exposure to longer interviews and discussions.

Students need to follow the line of development in these texts and recognise when the conversation has moved on from one particular aspect of the issue being discussed to another. For example, on a first listening in class, students can listen simply for the number of issues discussed, what they are, and where the natural breaks in the dialogue come, as well as each speaker's general attitude towards those issues.

As in Part 1, students can be encouraged to concentrate on the question stems, rather than the options in their preparation – so that they can listen for the answer in the text and then match this to the closest option.

The questions in this part will use language that paraphrases and reports ideas from the text. As the texts often focus on the attitudes and opinions of speakers, which are discussed at length, students need to have a good command of the meaning and use of the type of language used to report these ideas succinctly in the questions. They will, for example, need to understand such words as reporting verbs (e.g. regrets, admits, recommends, etc.), adjectives and adverbs describing attitudes and feelings (e.g. disappointed, frustrated, unexpected, etc.) and words used to report opinions (e.g. insists, suggests, denies, etc.) and degrees of certainty, (e.g. doubtful, convinced, etc.).

### **Part 3**

Remind your students that the task rubric and the set of sentences on the page provide a lot of information about what they are going to hear. Encourage them to use the preparation time wisely. One way of doing this is to give them pre-listening tasks in the classroom that will help them to activate likely vocabulary and other language features associated with the topic and context. For example, they can look at the information in the rubric and try to visualise the speaker and the situation; to imagine the kind of information that might be given, and the type of language that might be used.

Encourage students to read through the set of sentences and think about the type of information that is missing. Remind them that most keys will focus on concrete pieces of information (e.g. nouns, proper names, etc.) and will generally be single words or very short noun groups (e.g. adjective plus noun), and that usually no more than three words are required.

Tell students not to try and write long answers and not to repeat information which is already on the page. Some students try to paraphrase the information they hear rather than using the actual words on the tape. This is not a good idea. Remind students that the set of sentences

will be a summary or paraphrase of the information in the text, but that the words they write in the gaps should be those they hear on the tape.

In this task, the word(s) students write must complete the sentence logically and grammatically. By using the actual words on the recording, students can complete the sentences without worrying too much about the grammar. They should, however, check that they have heard the correct form of the word. For example, if students do not hear clearly whether a word is singular or plural, they should check the rest of the sentence to see which is required.

#### **Part 4**

Remind students that they will hear five different speakers, but that the texts will have a thematic link. In this part of the test, the whole series of texts is heard once and then the whole series is repeated.

Encourage students to think about the theme of the texts and to think about the kinds of attitudes and ideas that they expect to hear in connection with these topics.

Remind students that they will be listening for gist meaning rather than detail in these texts, so although they may not understand every word, they should be able to pick out the speaker's main point, feeling, attitude or opinion – or to identify the speaker from what they say.

This part of the test can appear daunting to students, because there are two tasks, so remind them that they are listening for gist and that as they listen, they must complete both tasks. Students need to practise this kind of task and develop the confidence to choose an option as they listen, even if they are not absolutely sure of what they have heard.

Reassure students that whilst they are listening, they will often be understanding more than they think, and will probably pick up the correct gist from the text and therefore choose the correct option, even if they can't explain why afterwards.

If you want students to develop this skill of gist listening, it may not always be helpful to go through the text with them afterwards, as close analysis of the language of the texts will not necessarily help them to develop the most appropriate listening strategies.

As in Part 3, a sound knowledge of the type of words used to report attitudes and feelings in the questions will help students in this part.

- **DOs and DON'Ts for ILEC LISTENING**

- |              |  |
|--------------|--|
| <b>DO</b>    | listen to, and read, the instructions to understand what you have to do.   |
| <b>DO</b>    | think about the topic, the speaker(s) and the context as you read the questions.   |
| <b>DO</b>    | use any pauses to read the questions and try to predict the answer.  |
| <b>DO</b>    | remember that the information/questions on the page follow(s) the order of information in the recording in Parts 2 and 3.                                    |
| <b>DO</b>    | try to use the actual words you hear on the tape in Part 3.  |
| <b>DO</b>    | use the pause between the first and second listening to check your answers.  |
| <b>DO</b>    | check that your answer makes sense in the gap in Part 3. Check the wording both before and after the gap when checking your answer.                          |
| <b>DO</b>    | check that your answer is correctly spelled in Part 3.   |
| <b>DO</b>    | copy only the missing words onto the answer sheet in Part 3.   |
| <b>DO</b>    | read through both tasks in Part 4 in the pause before you hear the recording for the first time.   |
| <b>DO</b>    | remember that there are two questions for each speaker in Part 4.  |
| <b>DO</b>    | copy your answers carefully onto the answer sheet and check that you have followed the numbering correctly.  |
| <b>DON'T</b> | try to write very long answers in Part 3.  |
| <b>DON'T</b> | repeat information which is already in the sentences in Part 3.  |
| <b>DON'T</b> | panic in Part 3. There is plenty of time to write your answers as you listen.  |
| <b>DON'T</b> | worry if you miss a question. Continue with the next question then listen again for the missing information when you hear the recording for the second time. |
| <b>DON'T</b> | leave a blank space on the answer sheet. If you're not sure, guess.  |

## ILEC Test of Speaking

PART	Format/Content	Time	Interaction Focus
1	Conversation between the interlocutor and each candidate.  Giving personal information and expressing opinions.	About 2 minutes	The interlocutor encourages the candidates to give information about themselves and to express personal opinions.
2	A 'mini-presentation' by each candidate on a law-related theme.  Sustaining a long turn and managing discourse by giving information, and expressing and justifying opinions.	About 7 minutes	The candidates are given prompts which generate a short talk on a law-related topic.
3	Two-way conversation between the candidates.  Turn-taking (initiating and responding appropriately), negotiating, collaborating, exchanging information, expressing and justifying opinions, agreeing and/or disagreeing, suggesting, speculating, comparing and contrasting, and decision-making.	About 4 minutes	The interlocutor delegates to the pair of candidates a law-related collaborative task, consisting of a shared task with prompts for discussion.
4	Discussion on topics related to the collaborative task.  Responding appropriately, developing topics, exchanging information, expressing and justifying opinions, and agreeing and/or disagreeing.	About 3 minutes	The interlocutor leads a discussion with the two candidates, based on questions related to the task in Part 3.

The ILEC Test of Speaking is conducted with pairs of candidates by two Oral Examiners: an Interlocutor and an Assessor. The test takes approximately 16 minutes and is divided into three parts.

Part 1 of the test gives candidates the opportunity to show their ability to respond to questions and expand on their responses, talking about their legal studies and/or legal work experience. In this part of the test, the interlocutor asks candidates for some information about themselves. The interlocutor then asks the candidates to offer their opinion on certain law-related topics.

In Part 2 candidates are given the opportunity to speak for one minute without interruption. Each candidate is given a choice of two law-related topics and asked to talk for one minute about the chosen topic. Candidates are given one minute to choose and prepare their topic. Candidates may be asked to give information and/or express and justify opinions. Topics are different for each candidate and there are three prompts for the candidates to use if they wish. Candidates can show their ability to manage discourse and express themselves coherently using appropriate language. Candidates should pay attention while their partner is speaking, as they are asked to respond with a question after their partner has spoken. Candidates should be made aware, however, that they should not speak during their partner's long turn.

In Part 3 the candidates are given oral and written instructions to form the basis for a task which they discuss together. Candidates are expected to work towards a negotiated completion of the task and are assessed on their ability to negotiate and collaborate with each other while doing this. The task gives candidates the opportunity to show their range of language and their ability to invite the opinions and ideas of their partner. There is no right or wrong answer to the task and candidates can agree to differ.

In Part 4 the interlocutor directs the interaction by asking questions which encourage the candidates to respond appropriately and to develop the topics or issues introduced in Part 3. This part of the test gives candidates an opportunity to show that they are capable of discussing topics and certain issues in more depth.

- **Assessment**

The assessor awards marks to each candidate for performance throughout the test according to four analytical criteria (Grammar and Vocabulary, Discourse Management, Pronunciation and Interactive Communication). The interlocutor awards marks according to a global achievement scale, which assesses the candidate's overall effectiveness in tackling the tasks. Mark sheets are completed by the examiners and computer scanned. The Speaking paper is out of a total of 50 marks (25% of the candidate's overall score).

Candidates are assessed on their own performance according to the established criteria, and are not assessed in relation to each other. Candidates are not penalised if they have difficulty understanding their partner.

- **Comments on candidate performance**

Candidates' performance for May 2006 was generally satisfactory. Analysis of data reveals that candidates had no particular problems with any specific task and that the highest average mark was for Interactive Communication, with lower average scores for Discourse Management and Pronunciation. The lowest average scores were for Grammar and Vocabulary and Global Achievement.

Feedback from oral examiners has been generally positive. Candidates who have not met each other before the Speaking test do not need to feel concerned as evidence suggests that this does not affect performance. In addition, candidates who were Law students performed equally as well as those who were practising lawyers.

### **Part 1**

This part of the test gives the examiners their first impression of the candidates and it is therefore important that candidates speak about themselves and their work or studies with appropriate detail, using their own experiences as a basis for extended contributions. Candidates are advised not to rehearse answers to questions that they think may be asked, as this often leads to inappropriate responses.

### **Part 2**

In this part of the test, candidates are expected to produce an extended piece of discourse in the form of a mini-presentation. Candidates should use the preparation time allowed to organise their thoughts and produce a structured, connected talk, which will be reflected in the score for Discourse Management.

Candidates should follow instructions to listen carefully to their partner's talk and ask a question afterwards.

### **Part 3**

The collaborative task gives both candidates the opportunity to interact and co-operate with each other. Candidates who perform well do not merely agree with their partner, but express their own views and opinions and develop their partner's comments. Candidates are expected to negotiate and should not feel concerned if they do not agree. However, strong disagreement can undermine a partner's confidence and an over-assertive candidate may lose marks.

Candidates should make full use of the time available, starting their discussion when they have absorbed the information fully, and finishing only when the examiner asks them to. They should not feel concerned when they are asked to stop, as this will simply mean that they have talked for the allotted time.

#### Part 4

After the discussion activity, the follow-on questions provide a further opportunity for candidates to express their point of view. This also provides an opportunity for examiners to redress any imbalances in turn-taking that may have occurred in other parts of the test. It is therefore vital that candidates offer more than a minimal response and take the opportunity to initiate discussion, as well as to answer the interlocutor's questions.

- **Recommendations for candidate preparation**

Students should be aware that they are not being assessed on their ideas or their knowledge of the law but do need to contribute fully in all parts of the test in order for an assessment of their language ability to be made. It is essential, therefore, that students are able to participate in pair and group activities effectively, showing sensitivity to turn-taking and responding appropriately to their partners. Pair and group activities should, therefore, be a regular feature of classroom learning.

Students should be given extensive practice in listening carefully to instructions and remembering what they are asked to do. They should know exactly what to expect in each part of the test and they should be equipped with the right kind of language for each part, e.g. giving personal information, exchanging information/opinions, giving reasons, speculating, agreeing and disagreeing politely, justifying and negotiating. They should also be encouraged to speak clearly so that they can be heard and understood, and paraphrase effectively when they do not know or cannot remember a word. Students should be made aware that different varieties of standard English accents are acceptable.

It is useful to give students a 'mock' Test of Speaking before the examination so that they have an idea of how long each part of the test will be, and how they can maximise the time available to show the examiners what they can do. Students should be aware that if they are uncertain about what they have to do, they can ask for the instructions to be repeated but to do this too often will leave them less time to concentrate on the task itself.

Students should be advised not to wait too long before they begin to speak. A short pause to gather their thoughts is acceptable, but anything longer than this will give them less time to produce a sample of language. They should realise that producing a one-word answer will not give them the opportunity to show their range of language, etc. so they should expand on their answers and responses wherever possible.

#### Part 1

Students should be made aware that they are expected to react naturally to the interlocutor's questions and not rehearse speeches for this part of the test. It is important to demonstrate in class what is required in this part of the test.

Train students to 'think on their feet' and answer a question quickly even if they have never thought about that particular subject before. For example:

- Interlocutor: What kind of qualities do you think a good lawyer needs?
- X Candidate 1: Oh ... er ... I've never really given that much thought.
  - ✓ Candidate 1: Well, I think a lawyer should be confident, with a good knowledge of the law, but also approachable and good at communicating with people.

Encourage students to practice Part 1 in groups of 3. One student could be the interlocutor and the other two the candidates, and they could then change roles. Materials from sample papers can be used for this activity.

Advise students to try and use a variety of tenses, language and structures in this part of the test. This will create a good impression and give them confidence to tackle the other parts of the test.

## **Part 2**

Give students practice in talking for one minute on a set law-related subject which they have prepared briefly, or in 'holding the floor' in a classroom situation so that they can organise their thoughts and ideas quickly during this long turn.

Tell students not to waste precious time by reading out the topic and/or prompts as this is not necessary. Tell students simply to start talking about their chosen topic.

Make sure students are aware that they do not have to use the prompts; they are there to use if the candidates wish.

Tell students not to adopt 'closure' techniques such as, 'That's it! I've finished!' They should keep talking until the interlocutor says, 'Thank you.' In this way, they will maximise the time available for their one-minute long turn.

Build up a bank of topics which you can use for practice in the classroom. Encourage students to talk about the topics without giving them specific prompts. This will help them to think about the topics in more depth, and train them to think of something to say if they run out of ideas during the examination itself.

Make sure that students have plenty of practice in organising their ideas coherently. Useful phrases to link ideas will help them. They can build up their own lists of suitable phrases throughout the course, thus ensuring that they have a range of language and structures to draw upon when necessary.

## **Part 3**

Encourage students to make use of conversation 'fillers', e.g. 'Well, now, let me see...', which they can call upon (sparingly) to give themselves time to think, and to make use of strategies which invite their partner to contribute to the discussion, e.g. 'Would you agree...?'

Warn students not to reach conclusions in the first minute or so of the test as they may leave themselves with nothing to talk about for the remainder of the time. Train them to discuss each aspect of the task in detail before reaching a decision. Students need strategies for making the most of the three minutes of time available.

Doing timed tasks in class will help students make the best use of the three minutes available for Part 3.

Students should be encouraged to react to as great a variety of topics as possible and express ideas and opinions of their own. Simply agreeing or disagreeing with, or echoing what their partner has said, will not enable them to show what they can do. They should always expand on what they say, e.g. instead of saying, 'Yes, I agree', a better response might be, 'Yes, I certainly do agree that this is a very serious problem, but is it one we could do something about?'

Conduct 'mock' Part 3 practice by giving each student a different role card, e.g. Student A could constantly interrupt Student B, or Student B could be instructed to say almost nothing at all, or give one-word responses, thus forcing Student A to keep talking, or be constantly inviting their

partner to speak. This will provide invaluable training in sensitivity to turn-taking and in managing and developing interaction.

#### **Part 4**

Encourage students to talk about topical law-related issues and issues of general interest to the legal world and express an opinion about them so that they can participate fully in the last part of the test. Candidates are asked questions by the interlocutor and they are expected to develop the discussion, rather than simply give one-word answers.

Tell students that they are not being assessed on their ideas or their knowledge of the law, but examiners can only assess candidates on the language they produce, and those candidates who fail to make a contribution will not do well. Reading an English newspaper or English language law journals, or listening to or watching the international news on a regular basis will help give candidates ideas they may be able to use in Part 4 of the test.

Set up a regular debating session in class. Students A and B could be given a short time to argue either for or against a law-related issue. The other members of the class could then be invited to express their own ideas. This will encourage students to have the confidence to express their ideas in public, and comment on issues they may never have thought about before.

After doing a Part 3 task, ask students what kinds of questions they think they may be asked in Part 4. In groups, they could produce three or four and then compare them with those produced by other students. This will help them to be prepared for what they might be asked in this part of the test.

At this stage of the test, the worst thing that can happen is a long silence. Train students to react almost immediately to what they are asked to talk about or to give themselves a little time by 'thinking aloud', or if necessary, relating something to their own experience, e.g. 'Well, that is something I've never actually thought about but, on reflection, I would say that...'

Students may be losing their concentration by this stage in the test. It is important that they are given practice sessions of 16 minutes so that they know exactly what it is like to do a Speaking test for this length of time. The impression they make at the end of the test is equally as important as the one they have made throughout the rest of the test. Regular participation in a complete practice Speaking test will train students to maintain their level of concentration as the end of the test approaches.

## DOs and DON'Ts for ILEC SPEAKING

- |              |   |
|--------------|---|
| <b>DO</b>    | try to enjoy the test and take advantage of every opportunity to show the examiners what you can do.  |
| <b>DO</b>    | remember that this is not a test of your legal knowledge but of your ability to use English in law-related situations.                        |
| <b>DO</b>    | listen carefully to the interlocutor's instructions and remember them. This will help you to perform better in the test.                      |
| <b>DO</b>    | try to respond naturally to the interlocutor's questions.   |
| <b>DO</b>    | try to use a range of tenses and vocabulary when you are speaking.  |
| <b>DO</b>    | use the prompts given to help you if you wish, but remember that you will not be penalised for not using them.                                |
| <b>DO</b>    | try to concentrate throughout the test. Your performance at the end of the test is equally as important as your performance at the beginning. |
| <b>DON'T</b> | rehearse long speeches to use during the test.  |
| <b>DON'T</b> | hesitate for too long before speaking. You will waste valuable time.  |
| <b>DON'T</b> | give one-word answers. Try to expand on your responses.   |
| <b>DON'T</b> | interrupt your partner during their long turn. You will have the opportunity to ask a question afterwards.                                    |
| <b>DON'T</b> | ask the examiner to supply a word you can't remember, or don't know. Paraphrase what you want to say.   |
| <b>DON'T</b> | reply to a question saying, 'I don't know'. Force yourself to have an opinion.  |
| <b>DON'T</b> | stop talking before the time is up. Keep going until the interlocutor says, 'Thank you.'  |

## FEEDBACK FORM

### ILEC Examination Report – May 2006

We are interested in hearing your views on how useful this report has been.

We would be most grateful if you could briefly answer the following questions and return a photocopy of this page to the following address:

University of Cambridge  
ESOL Examinations  
Reports Co-ordinator  
1 Hills Road  
Cambridge  
CB1 2EU

Fax: +44 1223 460278

1. Please describe your situation (e.g. EFL/ESOL teacher, Director of Studies, Examinations Officer, Local Secretary).
  
2. Have you prepared candidates for ILEC? YES/NO
  
3. Do you plan to prepare candidates for ILEC in the future? YES/NO
  
4. How have you used this report (e.g. to provide feedback to other teachers, for examination practice, etc.)?
  
5. Which parts of this report did you find most useful?
  
6. Which parts are not so useful?
  
7. What extra information would you like to see included in this report?
  
8. (Optional) Your name .....
- Centre .....

Thank you.