



Higher National Unit specification

General information for centres

Unit title: Legal Research Techniques

Unit code: F1GS 34

Unit purpose: This Unit is designed to provide candidates with the specialist research skills required to locate and retrieve legal information from the main sources of law through effective research.

On completion of the Unit the candidate should be able to:

- 1 Explain the use and purpose of the main law resources available in a specialist law library
- 2 Retrieve information from the main law resources available in a specialist law library.
- 3 Retrieve information from a main electronic legal database.

Credit points and level: 1 HN credit at SCQF level 7: (8 SCQF credit points at SCQF level 7*)

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Recommended prior knowledge and skills: Access to this Unit is at the discretion of the centre. However, it is strongly recommended that the HN Unit F1A7 34 *Scottish Legal System* has been achieved, as it is important that the candidate has an understanding of the legal system and can distinguish between primary and delegated legislation and common law.

Core Skills: There are opportunities to develop the Core Skills of Problem Solving at SCQF level 6 in this Unit, although there is no automatic certification of Core Skills or Core Skills components.

Context for delivery: If this Unit is delivered as part of a Group Award, it is recommended that it should be taught and assessed within the subject area of the Group Award to which it contributes.

Assessment: The whole of this Unit will be assessed on a holistic basis, with two assessments covering all three Outcomes. The first assessment may take the form of written/oral responses to either a set of restricted response questions or multiple choice questions which will sample the knowledge required from Outcome 1. In the second assessment the candidate will be required to retrieve information from various sources sampled from the knowledge and skills detailed in Outcomes 2 and 3.

Centres will have discretion in designing assessments so that they can assess outcomes individually or combine outcomes where they consider it appropriate.

Higher National Unit specification: statement of standards

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The sections of the Unit stating the Outcomes, Knowledge and/or Skills, and Evidence Requirements are mandatory.

Where evidence for Outcomes is assessed on a sample basis, the whole of the content listed in the Knowledge and/or Skills section must be taught and available for assessment. Candidates should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Explain the use and purpose of the main law resources available in a specialist law library

Knowledge and/or Skills

- 1 Reasons:
 - ◆ Precision
 - ◆ Accuracy
 - ◆ Currency
 - ◆ Comprehension

- 2 Resources:
 - ◆ Text books
 - ◆ Primary legislation
 - ◆ Delegated legislation
 - ◆ Legislation citators
 - ◆ Case reports
 - ◆ Case citators
 - ◆ Law journals and periodicals
 - ◆ Institutional writers
 - ◆ Electronic databases references

Higher National Unit specification: statement of standards (cont)

Unit title: Legal Research Techniques

Outcome 2

Retrieve information from the main law resources available in a specialist law library

- 1 Resources:
 - ◆ Text books
 - ◆ Primary legislation
 - ◆ Delegated legislation
 - ◆ Legislation citators
 - ◆ Case reports
 - ◆ Case citators
 - ◆ Law journals and periodicals
 - ◆ Institutional writers
- 2 References:
 - ◆ Citations
 - ◆ Legal acronyms

Outcome 3

Retrieve information from a main electronic legal database

Knowledge and/or Skills

- 1 Subscription databases:
 - ◆ Westlaw (Scotland)
 - ◆ Lawtel
 - ◆ Lexis Nexis
 - ◆ Scots Law Times (Online and/or CD Rom)
- 2 Non Subscription databases:
 - ◆ Scotcourts
 - ◆ Office of Public Sector Information
 - ◆ Journal of the Law Society (online)
 - ◆ Statute Law

Higher National Unit specification: statement of standards (cont)

Unit title: Legal Research Techniques

Evidence Requirements for the Unit

Candidates will be required to provide evidence of their research skills by i) answering questions sampling knowledge across all three Outcomes; and ii) evidence of their ability to retrieve information from various sources sampled from the knowledge and skills detailed in Outcomes 2 and 3.

For the first assessment, the following should be sampled:

- ◆ any three of the bulleted topics from each of headings 1 and 2 of Outcome 1

In the second assessment, the candidate will be provided with enough information to enable retrieval of data from directed sources. The sampling will be taken from Outcomes 2 and 3 as follows:

- ◆ any two bulleted topics from heading 1 of Outcome 2
- ◆ any of the bulleted topics from heading 2 of Outcome 2
- ◆ any two of the bulleted topics in Outcome 3 which can be from either the subscription or the non-subscription databases

Assessment Guidelines for the Unit

The whole of the Unit may be assessed holistically, with two assessments covering all three Outcomes. The first assessment may take the form of either a set of restricted response questions or multiple choice questions which samples knowledge in Outcome 1. The second assessment will require the candidate to apply their research skills by researching and retrieving data in response to questions providing acronyms, citations etc, which covers Outcomes 2 and 3

The first assessment should be carried out under supervised conditions, with the candidate being allowed one A4 sheet of notes and should be completed within a period of one and a half-hours. One error will be allowed. This assessment should be approximately 600 words in lengths, or equivalent.

The second assessment should be unsupervised, with the candidate being allowed two weeks for the completion of the assessment. One error will be allowed over the two Outcomes. This assessment should be approximately 600 words in length or equivalent.

In relation to the second assessment, the candidate could be given information which will enable retrieval of materials which could be used in other Units eg F19P 34 *Scots Private Law* or F1B4 34 *Scottish Criminal Law*, or F1A6 34 *Scottish Criminal Procedure*. These are suggested examples but the question sampling could be directed to retrieval of information which would be relevant to other Units. Different items should be sampled on each assessment occasion.

Administrative Information

Unit code:	F1GS 34
Unit title:	Legal Research Techniques
Superclass category:	CY
Original date of publication:	June 2007
Version:	03 (September 2009)

History of changes:

Version	Description of change	Date
02	Outcomes amended/changed to remove references to current law.	18/4/08
03	Assessment guidelines amended to allow centres greater discretion in designing assessments.	26/08/09
	Wording revised relating to guidance for candidates with additional support needs.	

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Higher National Unit specification: support notes

Unit title: Legal Research Techniques

This part of the Unit specification is offered as guidance. The support notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this Unit

At the end of this Unit the candidate will have the specialist research skills required to identify and use the main sources of law and enable location and retrieval of legal information from these sources through effective research.

There are particular areas which, while not apparently necessary to the completion of the Unit, are a necessary background to assist a candidate in effective research. For example, it is difficult to research a case or an Act of Parliament without a basic understanding of the differences between common law and statute law, and civil and criminal law. However, where the candidate has completed the Unit F1A7 34, *Scottish Legal System*, then they should already possess this understanding.

Outcome 1

This Outcome is designed to provide a general introduction to the resources available in a law library and to provide the candidate with the knowledge and skill necessary to identify resources..

Outcome 2

This Outcome will familiarise the candidate with acronyms and methods of citation and how to use these to locate information from the various resources and retrieve information from Statutes, Statutory Instruments, case reports and articles.

Outcome 3

This Outcome is designed to familiarise candidates in more detail with, the main subscription databases including Westlaw (Scotland), Lawtel, Lexis Nexis, Scots Law Times (Online and/or CD Rom) and the non subscription databases including Scotcourts, Office of Public Sector Information, Statute Law and Journal of Law Society of Scotland (online) and to provide the candidate with the knowledge and skill required to retrieve information from these resources.

Where an institution has access for candidates to one of the main subscription databases then candidates should be encouraged to use this to locate materials. However as not all institutions will have these facilities therefore candidates should make use of the available non-subscription databases.

Higher National Unit specification: support notes

Unit title: Legal Research Techniques

Guidance on the delivery and assessment of this Unit

This is a mandatory Unit within the HNC Legal Services Group Award. Whilst it is anticipated that it will be offered as part of the Group Awards it could be delivered as a stand-alone Unit for those who have an interest in acquiring legal research skills.

Teaching should concentrate on informing the candidates of the various sources and resources and demonstrating how to use these, with candidates being given opportunity to practice their research skills by retrieving data from these sources.

Opportunities for developing Core Skills

All elements of the Core Skill of *Problem Solving*, Planning and Organising, Critical Thinking, and Reviewing and Evaluating, could be developed and enhanced in the Unit, which requires the accessing and application of legal information. Identifying and maximising use of available legal resources whilst determining their relevance and currency will involve a high level of critical thinking. Group discussion of issues and appropriate legal case studies may be useful during and adopt effective research strategies which allow on-going opportunities for review and potential adjustment. The provision of support materials which encourage and reinforce analytical evaluation of materials and research approaches may be helpful as a guide to future activities and further development.

Open learning

This Unit could be suitable for open or distance learning methods however additional learning resources would be required and candidates would need to access the institutions resources on at least one occasion. Further additional resources would be required for assessment and quality assurance.

Disabled candidates and/or those with additional support needs

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments, or considering whether any reasonable adjustments may be required. Further advice can be found on our website www.sqa.org.uk/assessmentarrangements

General information for candidates

Unit title: Legal Research Techniques

This is a single credit Unit which is designed to provide you with the specialist research skills required to identify the main sources of law and enable location and retrieval of legal information from these sources through effective research. This would enable the candidate to identify where information can be found, if this information is correct and more importantly, if it is current and up to date. This will be beneficial across a whole range of other Units, where effective research techniques are highly desirable and effective.

While it is appreciated that institutions have varying resources, full use should be made of all available resources. Where institutions have access to legal computer databases, you should acquaint yourselves with these databases.

As wide a range of periodicals and journals as possible should be given, and a wide selection of texts, eg Stairs Memorial Encyclopaedia, Current Law Statutes or particular pieces of legislation, should be provided for research purposes.

As legal research techniques is relevant in nearly all legal subject areas, you may wish to choose specified subjects areas to practice retrieval of legal information. The contextualisation within the overall course being taken by you will produce obvious benefits and will encourage you in the completion of Legal Research Techniques.

Outcome 1

This Outcome explains the necessity and use of resources available in a specialist law library and the internet. The resources include legislation, case reports, the Works of Institutional Writers. Further resources include textbooks, law journals, periodicals, citators, databases.

Outcome 2

This Outcome then goes on to consider in more detail primary and delegated legislation and case law. It will consider how to locate primary and delegated legislation and case reports. The role of acronyms and citations used by the legal profession and candidates is explained together with the procedure to locate legislation and case reports.

Outcome 3

Gives you knowledge of the main specialist law subscription and non-subscription databases available to those researching the law. It will cover the content of the various databases indicating which of the sources are available on the various databases. You will then be shown how to use a database to access materials on given subjects, save materials located and then produce a printout of these materials.