Higher National Unit specification: general information

Unit title: Journalism: Scots Law 2

Unit code: H1TJ 35

Superclass: EC

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Unit purpose

This Unit is aimed at those who wish to work in Journalism. The Unit is designed to equip the candidate with knowledge of the essential aspects of Scots Law relevant to a journalist working in Scotland. The candidate will apply the knowledge gained to reach conclusions on the consequences of the publication of material from given situations. The Unit sits at SCQF level 8. It provides progression into further study in higher education or into employment.

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

1 Describe and apply civil court and employment tribunal procedures and institutions in Scotland.
2 Describe and apply the laws regulating reporting of governmental activity in Scotland.
3 Describe and apply the law of Copyright in Scotland in respect of journalistic activity.
4 Describe and apply the regulation of the gathering and publication of confidential information.

Recommended prior knowledge and skills

Access to this Unit is at the discretion of the Centre. However, candidates would normally be expected to have competence in communication skills at SCQF level 6 or equivalent. This could be demonstrated by achievement of:

- Higher English (C270 12) or its component Units
- Communication (FA1W 12) and Literature 1 (FA58 12)
- Communication (F3GB 12)

Or, evidence from relevant work experience.

General information (cont)

Credit points and level

1 Higher National Unit credit at SCQF level 8: (8 SCQF credit points at SCQF level 8*)

**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.*

Core Skills

Opportunities to develop aspects of Core Skills are highlighted in the Support Notes of this Unit specification.

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. This Unit is a mandatory Unit within the HND Practical Journalism.

The assessment exemplar for this Unit provides assessment and marking guidelines that exemplify the national standard for achievement. It is a valid, reliable and practicable instrument of assessment. Centres wishing to develop their own assessments should refer to the assessment exemplar to ensure a comparable standard. Assessment exemplars are available on SQA's secure website.

Higher National Unit specification: statement of standards

Unit title: Journalism: Scots Law 2

Unit code: H1TJ 35

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 be 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

Describe and apply civil court and employment tribunal procedures and institutions in Scotland.

Knowledge and/or Skills

- Structure, jurisdiction, personnel and procedure of the civil courts in Scotland
- Rights of access to information in civil court proceedings
- Impact of Contempt of Court Act 1981 on reporting civil court proceedings
- Effect of privilege in respect of defamation in reporting civil court proceedings
- Legal restrictions on identification of children involved in civil court proceedings
- Legal restrictions on reporting of matrimonial proceedings
- Function, personnel and procedure of Employment Tribunals
- Legal restrictions on reporting Employment Tribunals

Evidence Requirements

This Outcome is assessed on a sample basis. The whole of the content listed in the Knowledge and/or Skills section must be taught and be 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.

The candidate will need to provide evidence to demonstrate his/her Knowledge and/or Skills by showing that he/she can:

1 describe all of the assessed items of Knowledge and Skills accurately.

2 apply the relevant law so as to reach correct conclusions on the consequences of publication of material arising from a situation.

The candidate should correctly and comprehensively identify legal implications arising out of one or more scenarios. Precedents and/or statutory provisions and/or provisions of the PCC Code of Practice should be referred to, where appropriate, to explain the legal and/or ethical implications, although accuracy of citation is not a prerequisite to satisfaction of the Evidence Requirements. The candidate must correctly identify the legal consequences of publication of material arising from the situation and, where appropriate, accurately identify what material must be included in or excluded from any publication in order to avoid legal pitfalls.

The candidate must not reach conclusions which would expose the hypothetical media outlet or journalist to criminal or civil liability.

Responses should be well-presented and well-structured and should be supported by evidence, for example, facts, quotes and specific legal detail. The responses should be concise and coherent.

The candidate will be assessed by timed, closed-book assessments in a supervised setting. The candidate will not be allowed access to notes, text books, VLE or any other materials during these assessments. Questions will be unseen. It is anticipated that if this were a written exam, the time allocated would be no more than one hour.

Assessment should take the form of a holistic assessment which allows the assessor to infer that a candidate who has demonstrated competence in the required sample of Knowledge and Skills would also be competent in all of the other items of Knowledge and Skills. On each assessment occasion, one broad theme covering at least two items of the Knowledge and Skills should be selected for assessment purposes.

A list of suggested broad topic areas for the Unit can be found in the Support Notes.

Outcome 2

Describe and apply the laws regulating reporting of governmental activity in Scotland.

Knowledge and/or Skills

- Reporting UK and Scottish Parliaments — privilege and restrictions
- Reporting elections
- Reporting central government (UK and Scottish Executive) — Official Secrets and the DA (Defence Advisory) notice system
- Reporting local government in Scotland — privileges and restrictions
- Freedom of Information

Evidence Requirements

This Outcome is assessed on a sample basis. The whole of the content listed in the Knowledge and/or Skills section must be taught and be 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.

The candidate will need to provide evidence to demonstrate his/her Knowledge and/or Skills by showing that he/she can:

1 describe all of the assessed items of Knowledge and Skills accurately.

2 apply the relevant law so as to reach correct conclusions on the consequences of publication of material arising from a situation.

The candidate should correctly and comprehensively identify legal implications arising out of one or more scenarios. Precedents and/or statutory provisions and/or provisions of the PCC Code of Practice should be referred to, where appropriate, to explain the legal and/or ethical implications, although accuracy of citation is not a prerequisite to satisfaction of the Evidence Requirements. The candidate must correctly identify the legal consequences of publication of material arising from the situation and, where appropriate, accurately identify what material must be included in or excluded from any publication in order to avoid legal pitfalls. The candidate must not reach conclusions which would expose the hypothetical media outlet or journalist to criminal or civil liability.

Responses should be well-presented and well-structured and should be supported by evidence, for example, facts, quotes and specific legal detail. The responses should be concise and coherent.

The candidate will be assessed by timed, closed-book assessments in a supervised setting. The candidate will not be allowed access to notes, text books, VLE or any other materials during these assessments. Questions will be unseen. It is anticipated that if this were a written exam, the time allocated would be no more than one hour.

Assessment should take the form of a holistic assessment which allows the assessor to infer that a candidate who has demonstrated competence in the required sample of Knowledge and Skills would also be competent in all of the other items of Knowledge and Skills. On each assessment occasion, one broad theme covering at least two items of the Knowledge and Skills should be selected for assessment purposes.

A list of suggested broad topic areas can be found in the Support Notes of this Unit.

Outcome 3

Describe and apply the law of Copyright in Scotland in respect of journalistic activity.

Knowledge and/or Skills

- Nature of copyright
- Works attracting copyright
- Ownership of copyright
- Infringement of copyright
- Defences relevant to journalistic activity
- Moral rights
- Rights of privacy in commissioned photographs

Evidence Requirements

This Outcome is assessed on a sample basis. The whole of the content listed in the Knowledge and/or Skills section must be taught and be 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.

Higher National Unit specification: statement of standards

Unit title: Journalism: Scots Law 2

The candidate will need to provide evidence to demonstrate his/her Knowledge and/or Skills by showing that he/she can:

1 describe all of the assessed items of Knowledge and Skills accurately.

2 apply the relevant law so as to reach correct conclusions on the consequences of publication of material arising from a situation.

The candidate should correctly and comprehensively identify legal implications arising out of one or more scenarios. Precedents and/or statutory provisions and/or provisions of the PCC Code of Practice should be referred to, where appropriate, to explain the legal and/or ethical implications, although accuracy of citation is not a prerequisite to satisfaction of the Evidence Requirements. The candidate must correctly identify the legal consequences of publication of material arising from the situation and, where appropriate, accurately identify what material must be included in or excluded from any publication in order to avoid legal pitfalls. The candidate must not reach conclusions which would expose the hypothetical media outlet or journalist to criminal or civil liability.

Responses should be well-presented and well-structured and should be supported by evidence, for example, facts, quotes and specific legal detail. The responses should be concise and coherent.

The candidate will be assessed by timed, closed-book assessments in a supervised setting. The candidate will not be allowed access to notes, text books, VLE or any other materials during these assessments. Questions will be unseen. It is anticipated that if this were a written exam, the time allocated would be no more than one hour.

Assessment should take the form of a holistic assessment which allows the assessor to infer that a candidate who has demonstrated competence in the required sample of Knowledge and Skills would also be competent in all of the other items of Knowledge and Skills. On each assessment occasion, one broad theme covering at least two items of the Knowledge and Skills should be selected for assessment purposes.

A list of suggested broad topic areas can be found in the Support Notes of this Unit.

Higher National Unit specification: statement of standards (cont)

Unit title: Journalism: Scots Law 2

Outcome 4

Describe and apply the regulation of the gathering and publication of confidential information.

Knowledge and/or Skills

- Common law liability for breach of confidence
- Relevant provisions of Media Regulation Codes of Practice
- Data Protection Act 1998

Evidence Requirements

This Outcome is assessed on a sample basis. The whole of the content listed in the Knowledge and/or Skills section must be taught and be 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.

The candidate will need to provide evidence to demonstrate his/her Knowledge and/or Skills by showing that he/she can:

1 describe all of the assessed items of Knowledge and Skills accurately.

2 apply the relevant law so as to reach correct conclusions on the consequences of publication of material arising from a situation.

The candidate should correctly and comprehensively identify legal implications arising out of one or more scenarios. Precedents and/or statutory provisions and/or provisions of the PCC Code of Practice should be referred to, where appropriate, to explain the legal and/or ethical implications, although accuracy of citation is not a prerequisite to satisfaction of the Evidence Requirements. The candidate must correctly identify the legal consequences of publication of material arising from the situation and, where appropriate, accurately identify what material must be included in or excluded from any publication in order to avoid legal pitfalls. The candidate must not reach conclusions which would expose the hypothetical media outlet or journalist to criminal or civil liability.

Responses should be well-presented and well-structured and should be supported by evidence, for example, facts, quotes and specific legal detail. The responses should be concise and coherent.

The candidate will be assessed by timed, closed-book assessments in a supervised setting. The candidate will not be allowed access to notes, text books, VLE or any other materials during these assessments. Questions will be unseen. It is anticipated that if this were a written exam, the time allocated would be no more than one hour.

Higher National Unit specification: statement of standards (cont)

Unit title: Journalism: Scots Law 2

Assessment should take the form of a holistic assessment which allows the assessor to infer that a candidate who has demonstrated competence in the required sample of Knowledge and Skills would also be competent in all of the other items of Knowledge and Skills. On each assessment occasion, one broad theme covering at least two items of the Knowledge and Skills should be selected for assessment purposes.

A list of suggested broad topic areas can be found in the Support Notes of this Unit.

Higher National Unit specification: support notes

Unit title: Journalism: Scots Law 2

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

The purpose of this Unit is to provide the candidate with sufficient knowledge of the Scottish legal system to enable the accurate and legally safe reporting of the resolution of civil disputes through the civil court and Employment Tribunal systems in Scotland. The purpose of this Unit is also to provide the candidate with sufficient knowledge of the legal rights and restrictions that operate in reporting governmental activity in respect of Scottish affairs, the law of copyright, and the legal and ethical restraints on the ingathering and publication of confidential information, therefore ensuring that journalistic material produced for all media by the candidate is safe for publication.

On completion of the Unit the candidate will be able to identify situations where specific principles apply, explain how they apply and suggest approaches to be taken to ensure legal compliance.

Outcome 1

This Outcome should be taught with a view to enabling the journalism candidate to appreciate the significance of the main stages in civil court procedure in Scotland, rather than to memorise the detailed rules. In particular, the journalism candidate should be aware at what stages documentation remains private and when journalists have a right of access. The point where civil cases become active under the Contempt of Court Act should be discussed, as should the circumstances where a report will be protected from liability in defamation by privilege. Powers to restrict identification of children and the extent to which matrimonial cases may be reported should also be covered.

It should be emphasised that the journalism candidate requires a practical understanding of how to report civil cases, rather than a detailed knowledge of the procedural rules. This should be reflected in both the teaching and assessment.

Outcome 2

It should be borne in mind that the finer points of some aspects of the law regulating the reporting of government activity are never likely to be encountered by many journalists in their working lives. However, the candidate should be made aware of the general principles. It is recommended that teaching should focus on the practical legal issues that are of importance to everyday reporting of government activity. Thus, as well as covering rights of access, reference should be made to the privilege afforded in respect of the law of defamation and the prerequisites that a report must satisfy to enjoy such privilege. The criminal defamation aspects of reporting elections under the Representation of the People Act 1983 should be at least explained briefly, as should the rules regulating advertising at election time. It is also suggested that an effective way to cover Freedom of Information would be in the form of a practical exercise where the candidate will prepare and submit a request following the Act's procedure. This may be of value in integrating this aspect of the Unit with Units covering public administration and news gathering.

Outcome 3

Again, the emphasis in teaching copyright should be on the practical implications for the journalist. Thus, the journalist should be able to recognise the type of works which require copyright clearance for publication. Of particular importance is the copyright in the spoken word (such as delivered in press conferences) and in photographs. Contextualisation is appropriate — so, for example, in distinguishing between the rules that continue to apply to works created before the Copyright Designs and Patents Act 1988 came into force and the newer rules under the 1988 Act reference might be made to creating 'looking back' type articles which are a common feature of local newspapers. Again, journalistic context is to be preferred to fine legal detail. For example, the defence of fair dealing is of particular practical relevance for journalists. Likewise, reference to moral rights should be made as far as possible in a journalistic context — eg inventing or distorting quotes may be relevant practical scenarios to consider in explaining respectively the right not to be attributed as author and the right of integrity enjoyed by the creator of a literary or artistic work. The candidate should be reminded that accessibility of information has no bearing on copyright (in particular the copyright implications of using material downloaded from the internet).

Outcome 4

This is a fast developing area of the law which lends itself to a variety of potentially conflicting interpretations on matters of detail. Thus, it is recommended that the law of confidence is covered in outline, making reference to recent major cases such as Von Hannover v Germany, Campbell v Mirror Group Newspapers and Douglas v Hello! The main thrust of those cases is the refocusing of the law of confidence. The emphasis is now on the activity rather than the environment — eg in the Von Hannover case the intrusion into a shopping expedition was regarded as an intrusion into Princess Caroline of Monaco's privacy, even although she was shopping in a place to which the public had a right of access.

It is suggested that emphasis on the practical implications can be made with reference to the relevant clauses within the relevant industry codes of practice and statutory guidelines.

It is also suggested that coverage of the Data Protection Act should focus on principle (eg the difference in treatment of 'sensitive' personal data from other personal data) rather than detail.

On completion of this Unit, students would be expected to continue to develop their knowledge of Scots law as it relates to Journalists. This could be through application of legal knowledge in all journalistic work or further study.

Guidance on the delivery of this Unit

This is a mandatory Unit within the HND Practical Journalism Group Award.

Teaching should be focused on helping the candidate to understand and apply the principles and main provisions of the relevant areas of law rather than to memorise details of case law.

Wherever possible, links should be drawn which will enable the candidate to understand the connection between knowledge and its application in the context of familiar situations relating to relevant areas of media law. Close liaison with other tutors teaching on the HNC/D Practical Journalism course is recommended in order to enhance subject integration and to emphasise the importance of a sound legal underpinning to all journalistic activity.

Regular visits to civil courts for the purposes of reporting are strongly advised for the successful completion of this Unit. The candidate should be encouraged to take effective and accurate shorthand notes during these visits to emphasise the cross-course importance of Shorthand and to provide additional real world practical Shorthand experience within a relevant legal context.

The Outcomes and Knowledge and Skills can be delivered in any order to suit the individual centre and the overall course design and integration of Units.

It would be expected that the Unit would run alongside and inform relevant journalistic Units including Shorthand, News Writing, Feature Writing and Public Affairs.

References

Scots Law for Journalists (8th ed): Rosalind McInnes, W. Green, Edinburgh
Scottish Legal System Law Basics (3rd Revised Edition) (25 August 2011): Robert S. Shiels, W.Green, Edinburgh
Press Complaints Commission Editor's Code of Practice (December 2011)
McNae's Essential Law for Journalists (21st ed); (April 2012) Mark Hanna and Mike Dodd, Oxford
Media Law (5th ed): Geoffrey Robertson & Andrew Nicol, Sweet & Maxwell, London.

Higher National Unit specification: support notes (cont)

Unit title: Journalism: Scots Law 2

Guidance on the assessment of this Unit

The candidate will be assessed by timed, closed-book assessments in a supervised setting. The candidate will not be allowed access to notes, text books, VLE or any other materials during these assessments.

Evidence can be generated using different types of instruments of assessment. Methods should be chosen that best meet the needs of individual candidates. The following instruments of assessment are suggestions only. There may be other methods that would be more suitable.

Outcomes 1, 2, 3 and 4

- Assertion/reason questions
- Structured unseen questions
- Extended response questions
- Restricted response questions
- Case studies seen in advance with unseen questions in the assessment
- Case studies seen in advance with unseen oral questions in the assessment
- Question papers

Responses can be written or oral depending on the needs of the candidate or choices made by the centre. A centre might want to choose a mixture of instruments of assessment across a cohort as it might be more suitable for some candidates to produce responses orally and some to produce responses in written form. Where candidates experience a range of assessment methods, this helps them to develop and strengthen different skills that should be transferable to work or further and higher education.

Where oral evidence is generated, the centre must record this, for example, on a DVD or digital recorder, and retain the recordings for External Verification purposes. In the case of oral presentations, these must be done individually as each candidate must meet all of the Evidence Requirements. A group presentation would not be acceptable. In addition, as assessment is closed-book, it would not be acceptable for a candidate to use visual aids, rather he/she would be expected to sustain the presentation without the use of, for example, a Power Point presentation or notes.

Assessment should take the form of a holistic assessment which allows the assessor to infer that a candidate who has demonstrated competence in the required sample of Knowledge and Skills would also be competent in all of the other items of Knowledge and Skills. The assessor should pick one broad topic that will cover all of the items to be assessed in the sample.

A list of suggested broad topic areas is as follows:

1 Civil institutions and procedures
2 Employment tribunals in Scotland
3 Reporting local government activity in Scotland
4 The law of copyright and journalistic activity
5 Gathering and publishing confidential information
6 Freedom of information

Unit title: Journalism: Scots Law 2

Centres are reminded that Prior Verification of centre devised assessment instruments would help to ensure that the national standard is being met. In addition, the language used in each assessment instrument should reflect SCQF level 8 and facilitate a response from the candidate at this level also.

Remediation could be done by oral clarification for minor omissions or to clarify minor detail. If additional information is required, this can be added as long as it amounts to 100 words or less. Otherwise, a completely new assessment would need to be undertaken. In oral presentations or explanations, candidates can be questioned by the assessor at the end of the presentation or oral explanation where minor omissions have occurred or some minor clarification is required. However, where more work is required to meet the Evidence Requirements, a completely new assessment would need to be undertaken.

An exemplar Instrument of Assessment and marking guidelines have been produced for this Unit to reflect the national standard of achievement at SCQF level 8.

Online and Distance Learning

This Unit could be delivered by open or distance learning. Suitable learning materials and formative and summative assessments would need to be developed for each Outcome.

Arrangements would have to be made to ensure that assessments were undertaken in timed, closed-book and supervised conditions. Where oral evidence was generated by the candidate, this would need to be recorded and retained for External Verification purposes.

Opportunities for developing Core Skills

Case Studies and real world legal examples from the media should be used wherever possible to allow candidates to contextualise and apply the law as it relates to media issues.

The delivery and assessment of this Unit may contribute towards the component 'Written Communication' of the Core Skill in *Communication* at SCQF level 6 if the evidence produced by the candidate takes the form of a piece of writing. The general skill for this component is 'Produce well-structured written communication on complex topics'.

In teaching and learning activities and both formative and summative assessment candidates should be encouraged to:

- present all essential ideas/information and supporting detail in a logical and effective order
- use a structure which takes account of purpose and audience and links major and minor points in ways which assist the clarity and impact of the writing
- use conventions which are effective in achieving the purpose of the piece and adapted as necessary for the target audience
- use spelling, punctuation and sentence structures which are consistently accurate
- vary sentence structure, paragraphing and vocabulary to suit the purpose and target audience

These skills can be developed through formative activities, such as short essays discussing each aspect of the law and how it applies in practice, without being formally assessed for certification of the Core Skill. You should encourage the candidate to use an appropriate referencing method, especially in respect of case law, for any formative essays.

The delivery and assessment of this Unit may contribute towards the component 'Oral Communication' of the Core Skill in *Communication* at SCQF level 6 if the evidence produced by the candidate takes the form of an oral presentation or oral explanation. The general skill for this component is 'Produce and respond to oral communication on a complex topic'.

In teaching and learning activities and both formative and summative assessment candidates should be encouraged to:

- use vocabulary and a range of spoken language structures consistently and effectively at an appropriate level of formality
- convey all essential information, opinions or ideas with supporting detail accurately and coherently and with varied emphasis as appropriate
- structure communication to take full account of purpose and audience
- take account of situation and audience during delivery
- respond to others, taking account of their contributions

These skills can be developed through formative activities, such as short oral presentations discussing each aspect of the law and how it applies in practice, without being formally assessed for certification of the Core Skill. You should encourage the candidate to use appropriate referencing methods, especially in respect of case law.

The delivery and assessment of this Unit may also contribute towards the component 'Critical Thinking' of the Core Skill in *Problem Solving* at SCQF level 6 because of the requirement for assessment to include identifying and unravelling legal issues arising in one or more scenarios. The general skill for this component is 'Analyse a complex situation or issue'.

In teaching and learning activities and both formative and summative assessment candidates should be encouraged to:

- identify the factors involved in the situation or issue
- assess the relevance of these factors to the situation or issue
- develop and justify an approach to deal with the situation or issue

These skills can be developed through formative activities, such as short essays discussing each aspect of the law and how it applies in practice or reports of court proceedings attended while undertaking the Unit, without being formally assessed for certification of the Core Skill.

The delivery and assessment of this Unit may contribute towards the component 'Accessing Information' of the Core Skill in *Information and Communication Technology (ICT)* at SCQF level 5. The general skill for this component is 'Use ICT independently, effectively and responsibly to access information within a range of tasks'.

Higher National Unit specification: support notes (cont)

Unit title: Journalism: Scots Law 2

In teaching and learning activities and both formative and summative assessment candidates should be encouraged to:

- make effective, independent and responsible use of IT
- carry out searches for information using a range of electronic sources
- evaluate results of the search strategy using given criteria

These skills can be developed through formative activities such as searching web sites for information whilst undertaking research. The Core Skill could be developed without formal certification.

There is ample opportunity to develop other essential skills as well as employability skills in this Unit given the requirement for sound legal knowledge and practice across different media outlets and within freelance journalism.

In general, employability skills can be seen as a set of achievements, understanding and personal attributes that make individuals more likely to gain employment and be successful in their chosen occupation. Employability includes areas such as effective time management, planning and organising, the ability to work with others and achieve a common goal and to manage and be managed by others.

Many of the skills being developed in this Unit and across the HNC/D in Practical Journalism will help to develop candidates as prospective employees.

Whilst studying for this Unit, and in general across the HNC/D in Practical Journalism, candidates should be assisted in developing the following skills and attributes:

1 Self-Management

- Management, goal setting, punctuality and meeting deadlines
- Personal effectiveness
- Ability to take responsibility for one's own learning

2 Team working

- Respecting others, co operating and contributing to discussions
- Negotiating/persuading to achieve common goals
- Awareness of interdependence with others
- Opportunity to manage or be managed

3 Problem Solving

- Analysis of facts and situations
- Apply creative and critical thinking to develop appropriate, imaginative and informed solutions

4 Communication and Literacy

- Ability to produce clear, structured written work
- Oral communication, including listening and questioning

Higher National Unit specification: support notes (cont)

Unit title: Journalism: Scots Law 2

5 Numeracy

- Manipulation of numbers
- General mathematical awareness and its application in practical contexts

6 Information and Communication Technology

- Basic IT skills

7 Research Skills

- Evaluating and interpreting information

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**.

History of changes to Unit

Version	Description of change	Date

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Additional copies of this Unit specification can be purchased from the Scottish Qualifications Authority. Please contact the Business Development and Customer Support team, telephone 0303 333 0330.

General information for candidates

Unit title: Journalism: Scots Law 2

This is a one credit Unit designed to give you a practical understanding of those aspects of Scots law which impinge on the reporting of civil court proceedings, as well as parliamentary proceedings and the proceedings of central and local government. It also covers aspects of the law of copyright and the law of confidence (which is the nearest aspect of UK law to the idea of a law of 'privacy'). It is also a mandatory Unit in the HND Practical Journalism award.

Outcome 1 provides an introduction to the institutions and procedures involved in the resolution of civil disputes in Scotland, including those that arise within the workplace. In particular, you will gain an understanding of basic terminology used in the civil law and the structure, jurisdiction, personnel and procedure of the Scottish civil courts. You will learn to what extent the law may prohibit you from identifying children who are involved in civil cases. You will also learn the restrictions that apply in respect of reporting matrimonial cases, as well as the orders that may be imposed in reporting Employment Tribunals where allegations of sexual misconduct have been made.

Outcome 2 explores the legal privileges and restrictions which apply in respect of reporting government activity. You will learn what the law allows and restricts in terms of reporting parliamentary proceedings, as well as what privileges and restrictions apply to the journalist reporting central and local government activity. You will also discover the benefits conferred by the Freedom of Information Acts upon the working journalist.

Outcome 3 explores the dangers that the law of copyright poses for the journalist in publishing any story in any context. You will find out what works require copyright clearance for publication. You will also discover when you can use works, or part of a work, in your stories without the need for copyright clearance. You will find out from whom you need to obtain permission to publish photographs (old or new) and you will be reminded that copyright rules also apply to works already published on the internet.

Outcome 4 deals with privacy. You will find out to what extent the law protects privacy — or confidentiality. You will also discover the relevance of the industry codes of practice in respect of privacy, and you will find out when ethically publication of 'private' material may be justified.

Each Outcome will be assessed by a timed, closed-book assessment under supervised conditions. The instruments of assessment will be varied and chosen to suit your needs and to develop and strengthen a variety of skills. You will not have access to notes, text books, VLE or any other materials during these assessments.

In addition to developing specific legal knowledge, you will have the opportunity within the Unit to develop a range of Core Skills, namely:

- Core Skill of *Communication*: Written Communication at SCQF level 6
- Core Skill of *Communication*: Oral Communication at SCQF level 6
- Core Skill of *Problem Solving*: Critical Thinking at SCQF level 6
- Core Skill of *Information and Communication Technology (ICT)*: Accessing Information at SCQF level 5

General information for candidates (cont)

Unit title: Journalism: Scots Law 2

You will also be encouraged to develop the following employability skills across the Unit and, in general, across the HNC/D Practical Journalism awards:

1 Self-Management

- Management, goal setting, punctuality and meeting deadlines
- Personal effectiveness
- Ability to take responsibility for one's own learning

2 Team working

- Respecting others, co operating and contributing to discussions
- Negotiating/persuading to achieve common goals
- Awareness of interdependence with others
- Opportunity to manage or be managed

3 Problem Solving

- Analysis of facts and situations
- Apply creative and critical thinking to develop appropriate, imaginative and informed solutions

4 Communication and Literacy

- Ability to produce clear, structured written work
- Oral communication, including listening and questioning

5 Numeracy

- Manipulation of numbers
- General mathematical awareness and its application in practical contexts

6 Information and Communication Technology

- Basic IT skills

7 Research Skills

- Evaluating and interpreting information