



Higher National Unit specification

General information for centres

Unit title: Legal Research Techniques

Unit code: F1B1 35

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, analyse the information retrieved and to explain the purpose of effective legal 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 and analyse resources available in a specialist law library.
- 3 Retrieve and analyse information from a main electronic legal database.

Credit points and level: 1 HN 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.*

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 may 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 sample the knowledge required from Outcome 1. In the second assessment the candidate will require to retrieve and analyse 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

Higher National Unit specification: statement of standards (cont)

Unit title: Legal Research Techniques

Outcome 2

Retrieve and analyse resources available in a specialist law library

Knowledge and/or Skills

- 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
- 3 Accurate analyses of resource material retrieved.

Outcome 3

Retrieve and analyse 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
- 3 Accurate analysis of content of information retrieved.

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 the ability to retrieve and analyse 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 retrieve and analyse 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 one of the bulleted topics from heading 2, together with point number 3 of Outcome 2
- ◆ any two of the bulleted topics, which can be from either the subscriptions or the non-subscription databases, together with point number 3, in Outcome 3

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 retrieving and analysing data in response to questions providing acronyms, citations etc, which covers Outcomes 2 and 3.

The first assessment should be carried out under supervision, with the candidate being allowed one A4 sheet of notes, and should be completed within a period of approximately 1 and a half hours. This assessment should be approximately 600 words in length, or equivalent.

The second assessment should be unsupervised open-book to allow the candidate to use the resource in the law library with the candidate being allowed two weeks for the completion of the assessment. This assessment should be approximately 600 words in length, or equivalent. One error should be allowed over the three Outcomes.

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:	F1B1 35
Unit title:	Legal Research Techniques
Superclass category:	CY
Original date of publication:	June 2007
Version:	02 (September 2009)

History of changes:

Version	Description of change	Date
02	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

This Unit follows on from Unit number F1GS 34, *Legal Research Techniques*, level 7. The criteria for assessment is exactly the same except this Unit requires not only retrieval of materials but also an analysis of the retrieved materials. This could mean that where the candidate has achieved all of the knowledge and skills from each Outcome but is unable to successfully analyse the retrieved materials, that candidate may have achieved the criteria for the level 7 Unit, F1GS 34 and could be presented as a pass for that Unit. This could make it possible for a candidate to achieve the level 7 Unit even if they do not have the competency for the level 8 Unit, however in order to achieve the HND candidates must pass the level 8 Unit.

At the end of this Unit the candidate will have the specialist research skills required to identify, use and understand the main sources of law and enable location, retrieval and analysis 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, how to use these to locate information from the various resources and retrieve and analyse 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 and 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 and analyse information from these resources.

Higher National Unit specification: support notes (cont)

Unit title: Legal Research Techniques

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 not all institutions will have these facilities and therefore candidates should make use of the available non-subscription databases.

Guidance on the delivery and assessment of this Unit

This is a mandatory Unit within the HND Legal Services Group Award and a mandatory optional Unit in the HNC. 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, retrieval and analysis of legal information from these sources through effective research. This would enable you 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 yourself 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.

You will be given explanations of publication of the monthly issues of current law and the subsequent issue of the annual bound volumes.

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 introduces the 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 goes on to consider in more detail primary and delegated legislation and case law. It will consider how to locate, retrieve and analyse 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, retrieve and analyse legislation and case reports.

Outcome 3

Gives you the 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. Candidates will then be shown how to use a database to access materials on given subjects, save materials located, analyse the results and then produce a printout of these materials.