



Level 2 Certificate in Vocational Paralegal Studies

Syllabus

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Level 2 Certificate in Vocational Paralegal Studies

Introduction

This award has been developed in association with the Institute of Legal Executives (ILEX). ILEX is a professional body which represents over 22 000 members and is a leading provider of legal education.

The rationale of the Level 2 Certificate in Vocational Paralegal Studies is to open access to the study of basic legal principles to those currently employed or seeking employment in an area where knowledge of those principles will feature or underpin their work. It further aims to enhance their underpinning knowledge with a practical understanding of how those principles can be applied. The course is intended to be attractive to those interested or already at work in the retail trade, leisure services and security or general businesses as well as those working in a “paralegal” administrative capacity in the legal environment such as court clerks (both criminal and civil), barristers’ clerks, cost draftsmen and advice centre personnel.

The qualification is designed to cover all those aspects of the skills and knowledge required at that level by the sector, in particular the substantive underpinning knowledge, the application of that knowledge and competence in the communication of that knowledge. In order to achieve the full qualification, students are required to successfully complete three units – two core units and one choice unit.

Certification is also available for each individual unit depending upon the student and employers particular requirements. Finally, there is the opportunity to further the students administrative and ICT skills by way of adding the Administration in the Legal Environment and Communication Skills in the Legal Environment and the Option Unit, Information Processing in the Legal Environment, from the Level 2 Legal Secretaries Programme.

Aims

- To develop students knowledge and understanding of administrative practices within the legal sector
- To develop the practical skills required within the sector
- To provide for progression within that sector

City & Guilds offers a range of Vocationally Related Qualifications and National Vocational Qualifications, please contact the Customer Relations Unit at City & Guilds for further information.

General information

General Structure

In order to achieve the Certificate, students have to successfully complete two mandatory units and one choice unit within the annual registration period:

Mandatory units:

Unit 201 The Legal Environment
Unit 202 General Legal Principles

Choice units

Unit 203 Retail and Consumer Matters
Unit 204 The Nature and Role of the Criminal Law and Practice
Unit 205 Employment Issues
Unit 206 The Work of the Magistrates' Court
Unit 207 Buying and Selling Property
Unit 208 The Civil Litigation Process

Each unit is made up of:

- Assignments identifying assessment objectives and the form of the assessment

All units are equally weighted and there is no requirement for students to work in any particular order whilst approved centres are allowed flexibility as to how they offer the programmes they are encouraged to offer them in a holistic manner.

Relationship with other Qualifications

The Level 2 Certificate in Vocational Paralegal Studies recognises the skills and experience acquired either through previous qualification or experience gained through employment. APL/APE/APA procedures will usually be undertaken by the approved centres on the authority of ILEX/City & Guilds.

Assessment and quality assurance

Standards and rigorous quality assurance are maintained by the use of

- City & Guilds set and marked test

Quality assurance includes initial centre approval, the centre's own procedures for monitoring quality and City & Guilds' ongoing monitoring. Details of City & Guilds criteria and procedure, including roles of centre staff can be found in *Providing City & Guilds Qualifications – a guide to centre and scheme approval*.

Assignments

Each unit is assessed by two task based assignments and is administered and assessed by approved City & Guilds centres. Within the registration period, students may re-present each of the tasks once and if the pass criteria are then met, will be awarded a Pass grade for that task.

Within a completed assignment, if the candidate does not meet the required standard within the classification for only **one** task but, has successfully completed the other tasks in the assignment, they may re-present that task one more time in order to achieve a merit or distinction. **However this does not apply to candidates who fail more than one task where an overall pass only, can be awarded on re-presentation of those tasks.**

Exhaustive performance criteria are given to both students and tutors alike within the assignments. Students and tutors are then given further guidance on the award of Merit and Distinction, see page 20.

External test

Candidates are also required to successfully complete an externally set and marked multiple choice test. This test samples the content of Unit 201 and Unit 202 and is graded pass/fail.

Students who fail will be allowed to re-take the examination within their registration period with City & Guilds.

Health and safety

The requirement to follow safe working practices is an integral part of all City & Guilds qualifications, and it is the responsibility of centres to ensure that all relevant health and safety requirements are in place.

Course design

Teacher/assessors should familiarise themselves with the structure and content of the award before designing an appropriate course.

City & Guilds does not itself provide courses of instruction or specify entry requirements. As long as the requirements for the award are met, teachers/assessors may design courses of study in any way that they feel best meets the needs and capabilities of the candidates. Units are broadly the same size and centres may deliver them in any order they wish. Centres may wish to introduce other topics as part of the programme which will not be assessed through the qualifications, eg to meet local needs.

It is recommended that centres cover the following in the delivery of the course, where appropriate

1. Health and safety considerations, in particular the need to impress to candidates that they must preserve the health and safety of others as well as themselves
2. Environmental education, related European issues
3. Spiritual, moral, ethical, social and cultural issues
4. Key Skills (such as Communication, Application of Number, Information Technology, Working with others, Improving own learning and performance, Problem solving)

It is recommended that a total of 120 guided learning hours should be allocated for delivery of the qualification. This may be on a full time or part time basis.

No specific prior qualifications, learning or experience are required for candidates undertaking the qualification. However, the nature of both the learning and assessment required for the qualification is such that candidates will need basic literacy and numeracy skills: ie the ability to read and interpret written tasks and to write answers in a legible and understandable form. Candidates will also need to be able to organise written information clearly and coherently with accurate spelling and grammar.

Centres will need to make an initial assessment of each candidate and decide on the most appropriate level of qualification.

Centre and scheme approval

Centres wishing to offer City & Guilds qualifications must gain approval.

New centres must apply for centre and scheme approval.

Existing City & Guilds centres will need to get specific scheme approval to run this award.

Full details of the process for both centre and scheme approval are given in *Providing City & Guilds Qualifications – a guide to centre and scheme approval*, which is available from City & Guilds' regional offices.

City & Guilds reserves the right to suspend an approved centre, or withdraw its approval from an approved centre, to conduct a particular City & Guilds scheme or particular City & Guilds schemes, for reasons of debt, malpractice or for any reason that may be detrimental to the maintenance of authentic, reliable and valid qualifications or that may prejudice the name of City & Guilds.

Registration and Certification

Units		Assessment components required
201	The legal environment	7461-201 2 Assignments
202	General legal principles	7461-202 2 Assignments
203	Retail and consumer matters	7461-203 2 Assignments
204	The nature and role of the criminal law and practice	7461-204 2 Assignments
205	Employment issues	7461-205 2 Assignments
206	The work of the magistrates' court	7461-206 2 Assignments
207	Buying and selling property	7461-207 2 Assignments
208	The civil litigation process	7461-208 2 Assignments

	The legal environment and general legal principles (multiple choice test)	7461-215 / 7461-515 (available online and as a paper-based test for a limited period)

- Candidates must be registered at the beginning of their course. Centres should submit registrations via the Walled Garden or on Form S (Registration), under scheme/complex no 7461-02
- The multiple choice test will be offered in paper format as a fixed date examination for a limited period and online.
- Full details on all the above procedures, together with dates and times of written tests will be found in the *Directory of Vocational Awards* published annually by City & Guilds. This information also appears on City & Guilds Web site <http://www.cityandguilds.com>
- Where there are inconsistencies between this scheme handbook and the *Directory of Vocational Awards*, the latter always prevails.

Test specification

Paper title: The Legal Environment and General Legal Principles Level 2

Paper number: 7461-215 / 515

Paper type: Multiple-choice

Test duration: 1 hour

Total number of items: 40

Units	Number of marks	Approx %
Unit 201 The Legal Environment The outcomes for this unit are: 1 The Nature of Law 2 Sources of Law 3 How the Legal System Operates 4 Resolving Disputes	 2 8 6 4	 50
Unit 202 General Legal Principles The outcomes for this unit are: 1 Contract Law 2 Employment Law 3 Land and Property Transactions (assessed by assignment only) 4 Rights and Duties of Citizens 5 Criminal Law 6 Citizens and the State	 4 5 - 3 6 2	 50
Total	40	100

Unit 201

The Legal Environment

Aim

This unit will provide candidates with an introduction to the range of laws, legal principles, practice and procedure relevant to the legal environment.

Candidates will gain an understanding of the

- institutions and personnel within the English legal system
- sources of law in the English legal system

Content

1. The Nature of Law
 - a) Why we have law
 - b) Defining the law
 - c) The aims of law
 - d) Classification of law
2. Sources of Law
 - a) Legal sources of law
 - b) Legislation and delegated legislation
 - c) Statutory interpretation
 - d) Case law
 - e) European union law
3. How the Legal System Operates
 - a) Personnel and the courts
 - b) The Civil Court system
 - c) The Criminal Court system
 - d) The legal profession
4. Resolving Disputes
 - a) Legal advice
 - b) Paying for legal advice and assistance
 - c) Alternative methods of dispute resolution
 - d) Civil Court procedure
 - e) Criminal Court procedure
 - f) Bail

Unit 202

General Legal Principles

Aim

This unit will provide candidates with an introduction to the range of laws, legal principles, practice and procedure relevant to general legal principles

Candidates will gain an understanding of the

- general legal principles associated with Contract, Employment, Land, Tort and Criminal Law.
- rights and freedoms of individuals who are members of the State.

Content

1. Contract Law
 - a) The nature of contract law
 - b) The elements of a contract
 - c) Terms
 - d) Discharge
 - e) Remedies
2. Employment Law
 - a) Staff selection
 - b) The contract of employment
 - c) Common law duties
 - d) Statutory duties
 - e) Termination
 - f) Employment tribunals
 - g) Safety in the workplace
3. Land and Property Transactions
 - a) Classification of property
 - b) Real and personal property
 - c) Sale and purchase of land
 - d) Leases
 - e) Estates in land
4. Rights and Duties of Citizens
 - a) Elements of negligence
 - b) Duty of care
 - c) Breach of duty
 - d) Damage and causation
5. Criminal Law
 - a) Principles affecting liability
 - Actus reus
 - Mens rea
 - Strict liability
 - b) The Theft Acts
 - c) Fatal Offences Against the Person
 - d) Non-fatal Offences Against the Person

6. Citizens and the State
 - a) Freedoms
 - b) Public Order Act 1986
 - c) Criminal Justice and Public Order Act 1994
 - d) Human Rights Act 1998

Unit 203

Retail and Consumer Matters

Aim

This unit will provide candidates with an introduction to the range of laws, legal principles, practice and procedure relevant to retail and consumer matters.

Candidates will be able to gain an understanding of the

- basic principles of the law of contract of Sale of Goods and Services agreements
- rules under the Consumer Protection Act 1987
- rights and remedies available to consumers

Content

1. Buying and Selling of Goods and Services
 - a) The common law
 - b) The Sale of Goods Act 1979
 - c) The Supply of Goods and Services Act 1982
2. Formation of a Contract – Sale of Goods or Services
 - a) Civil protection for the consumer
 - b) Criminal protection for the consumer
 - c) Agreement
 - d) Terms
 - e) Exclusion clauses
3. Validity of a Contract
 - a) Void contracts
 - b) Voidable contracts
 - c) Illegality
4. Breach of Contract
 - a) Remedies
 - Common law
 - Equitable
 - b) Remoteness of damage
 - c) Measure of damages
 - d) Remedies – Sale of Goods Act 1979
5. Consumer Credit
 - a) The Consumer Credit Act 1974
 - b) Cancellation and termination of agreement
 - c) Remedies of the creditor
6. Defective Goods
 - a) Liability under the Consumer Protection Act 1987
 - b) Negligence
7. Dispute Resolution
 - a) Agencies of consumer protection
 - b) The Civil Courts

Unit 204

The Nature and Role of the Criminal Law and Practice

Aim

This unit will provide candidates with an introduction to the range of laws, legal principles, practice and procedure relevant to the nature and role of the criminal law and practice.

Candidates will gain an understanding of the

- general legal principles of the criminal law areas of theft, non-fatal offences against the person, fatal offences against the person and criminal damage
- elements of criminal offences

Content

1. Introduction to Criminal Law
 - a) The nature of a crime
 - b) Classification
 - c) Sources
2. Principles of Liability
 - a) Elements of an offence
 - b) Actus reus
 - c) Causation
 - d) Mens rea
 - Intention
 - Recklessness
 - e) Strict liability
3. General Defences
 - a) Capacity
 - b) Insanity
 - c) Automatism
 - d) Duress
 - e) Self-defence
 - f) Mistake
4. Fatal Offences Against the Person
 - a) Murder
 - b) Manslaughter
 - Voluntary
 - Involuntary
5. Non-Fatal Offences Against the Person
 - a) Assault and battery
 - b) Statutory offences
 - c) Consent
 - d) Rape
6. Offences Against Property
 - a) Theft Acts 1968 and 1978
 - b) Robbery and Burglary
 - c) Criminal Damage Act 1971

7. The Role of the Police
 - a) Stop and search
 - b) Arrest
 - c) Detention
 - d) Police bail

8. PACE –
 - a) The Police and Criminal Evidence Act (1984)
 - b) The right to silence
 - c) Bail
 - d) Pre-trial procedures for an either-way offence

Unit 205

Employment Issues

Aim

This unit will provide you with an introduction to the range of law, legal principles, practice and procedure relevant to employment issues.

Candidates will gain an understanding of

- the common law and statutory provisions of employment law
- how to apply the appropriate rules to a given problem question

Content

1. Employees and the Self-employed
 - a) Distinction
 - b) Tests
 - Control test
 - Organisational test
 - Multiple test
 - c) Agency workers
2. The Contract of Employment
 - a) The written statement
 - b) Terms
 - c) Duties under the contract of employment
 - d) The Working Time Regulations 1998
 - e) The National Minimum Wage Act 1998
3. Discrimination
 - a) The Sex Discrimination Act 1975
 - b) The Equal Pay Act 1970
 - c) The Race Relations Act 1976
 - d) The Disability Discrimination Act 1995
4. Disciplinary Procedures and Dismissal
 - a) Disciplinary procedures
 - b) Wrongful dismissal
 - c) Unfair dismissal
5. Redundancy
 - a) Types of dismissal
 - b) Redundancy payment

Unit 206

The Work of the Magistrates' Court

Aim

This unit will provide you with an introduction to the range of laws, legal principles, practice and procedure relevant to the work of the magistrates' court.

Candidates will gain an understanding of the

- role and jurisdiction of the Magistrates' Court
- proceedings that take place within the Magistrates' Court

Content

1. Magistrates and the Judicial System
 - a) Appointment and removal
 - b) The role of the magistrate
2. Magistrates in the Adult Court
 - a) The Courtroom
 - Personnel
 - b) Mode of trial decisions
 - Adjournment
 - Conditional and unconditional bail
 - Triable only on indictment and remand in custody
 - c) Classification of criminal offences
3. Magistrates' Decisions
 - a) Triable either way offences
 - b) The mode of trial decision
 - c) The Bail Act 1976
 - d) Committal proceedings
4. Magistrates' and Sentencing
 - a) Magistrates' powers of sentence
 - b) Sentences available to Magistrates'
 - c) The Pre-sentence Report
5. The Youth Court
 - a) Role of the Youth Court
 - b) Sentencing in the Youth Court
6. Magistrates' Procedure
 - a) Guilt or innocence
 - b) Hierarchy of the criminal courts
 - c) Criminal appeals
7. Family Proceedings
 - a) Role of the family proceedings court
 - b) The work of the family proceedings court
 - c) The Childrens Act 1989

8. Duties of the Magistrates' Court
 - a) Licensing
 - b) Summons
 - c) Warrants
 - d) Personnel

Unit 207

Buying and Selling Property

Aim

This unit will provide you with an introduction to the range of laws, legal principles, practice and procedure relevant to buying and selling property.

Candidates will gain an understanding of the

- key steps to be taken in a conveyancing process
- law in relation to interests in estates in land

Content

1. Property Rights
 - a) Estates in hand
 - Freehold
 - Leasehold
 - b) Mortgages
 - c) Easements
 - d) Restrictive covenants
2. Land Registration and Unregistered Land
 - a) Distinction between registered and unregistered land
 - b) Registration of title
 - c) Categories of interest – registered land
 - d) Unregistered land
 - e) Interests in unregistered land
 - f) Searches
3. The Procedure of Buying and Selling Land
 - a) Buyers and sellers solicitor procedure
 - b) Exchange of contracts
 - c) Completion
 - d) Terms of the contract
 - e) Application and registration

Unit 208

The Civil Litigation Process

Aim

This unit will provide candidates with an introduction to the range of laws, legal principles, practice and procedure relevant to the civil litigation process.

Candidates will gain an understanding of

- Civil Court procedures
- the enforcement and appeals process in relation to judgments
- how civil litigation proceedings may be financed in the Civil Court.

Content

1. Civil Procedure Rules
 - a) Civil Procedure Rules Structure
 - b) The Overriding Objective
 - Application by the Court
 - Duties of the Court
 - The Courts management powers
 - c) Pre-action protocols
 - d) The courts and the judiciary
2. Financing Civil Litigation
 - a) Private payment
 - b) Public funds
 - c) Pro-Bono work
 - d) Community Legal Service Fund
 - e) Levels of service
 - f) Conditional fee arrangements
3. Pre-Action
 - a) Solicitors actions
 - Personal injury actions
 - Debt recovery actions
4. The County Court and High Court Proceedings
 - a) Commencing action
 - b) Issue of a claim
 - c) Civil Court structure
 - d) Preparation for trial
 - Evidence
 - Disclosure
 - Witnesses and witness evidence
 - Trial bundles
 - e) The trial
5. Judgments
 - a) Enforcement
 - b) Appeals

**Level 2 Certificate in Vocational Paralegal Studies
Grading Criteria**

FAIL	PASS	MERIT	DISTINCTION
<p>The student has failed to achieve the stated performance criteria.</p>	<p>The student has submitted an answer that shows that the student has undertaken the task and has achieved the stated performance criteria. There should be no more than six spelling or grammatical errors.</p>	<p>The student has submitted an answer that shows that the student has undertaken the task and has achieved the stated performance criteria, and</p> <ul style="list-style-type: none"> • The answer has a clearly defined and informed structure. • There will be evidence that the student has identified and reflected on the relevant issues and has summarised and presented the information in an acceptable format using original material where appropriate. • A good tone, style and format will have been adopted. • There will be no more than four spelling or grammatical errors. 	<p>The student has submitted an answer that shows that the student has undertaken the task and has achieved the stated performance criteria, and</p> <ul style="list-style-type: none"> • The answer will have a clearly defined and informed structure. • There will be evidence that the student has identified and reflected on all of the issues involved and that all relevant information has been supplied as well as an obvious understanding of how to present those issues. • There will also be evidence that the student has shown a range of research skills utilising relevant original material appropriately. • An excellent tone, style and format will have been adopted. • There will be no more than two spelling or grammatical errors.

Further information

Further information regarding centre/scheme approval or any aspect of assessment of our qualifications should be referred to the relevant City & Guilds regional/national office:

Region	Telephone	Facsimile
City & Guilds Scotland	0131 226 1556	0131 226 1558
City & Guilds North East	0191 402 5100	0191 402 5101
City & Guilds North West	01925 897900	01925 897925
City & Guilds Yorkshire	0113 380 8500	0113 380 8525
City & Guilds Wales	02920 748600	02920 748625
City & Guilds West Midlands	0121 359 6667	0121 359 7734
City & Guilds East Midlands	01773 842900	01773 833030
City & Guilds South West	01823 722200	01823 444231
City & Guilds London and South East	020 7294 2820	020 7294 2419
City & Guilds Southern	020 7294 2724	020 7294 2412
City & Guilds East	01480 308300	01480 308325
City & Guilds Northern Ireland/ Ireland	028 9032 5689	028 9031 2917
City & Guilds Customer Relations Unit	020 7294 2800	020 7294 2400

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