Level 1 Award / Certificate / Diploma in Legal Studies (5516)

July 2013 Version 2.1 (September 2015)





Qualification at a glance

Subject area	Legal Studies
City & Guilds number	5516
Age group approved	All
Assessment	Online test
	Assignment
Support materials	Centre handbook
	Assessment pack
Registration and certification	Consult the Walled Garden/Online Catalogue for last dates

Title and level	City & Guilds number	Accreditation number
Level 1 Award in Legal Studies	5516-11	601/0096/5
Level 1 Certificate in Legal Studies	5516-12	601/0097/7
Level 1 Diploma in Legal Studies (no longer available for registrations)	5516-13	601/0098/9
Level 1 Diploma in Legal Studies	5516-14	601/5676/4

Version and date	Change detail	Section
1.1 Aug 2013	Additional range – Unit 101	Units
1.2 Oct 2013	Typographical and formatting amendments	Various
2.0 February 2015	5516-13 replaced by 5516-14 Added units 507 and 508	Qualification at a glance Structure
2.1 September 2015	Wording added to the range for learning outcome 3 for unit 103	Units

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1 Introduction



This document tells you what you need to do to deliver the qualifications:

Area	Description
Who are the qualifications for?	The qualifications are aimed at learners wanting to develop an early knowledge of law. The Diploma will allow learners to also broaden their skills by taking optional units in IT and Employability and Personal Development.
What do the qualifications cover?	There is an Award, Certificate and Diploma. For the Award learners must complete the Legal Environment unit. There are 3 key units in the Certificate and Diploma. - The Legal Environment - Principles of Civil Liability - Principles of Criminal Law
Who did we develop the qualification with?	The qualifications were developed in partnership with CILEx (Chartered Institute of Legal Executives)
What opportunities for progression are there?	These qualifications will allow learners to progress onto the Level 2 and 3 Legal Studies and Legal Secretaries qualifications as well as roles in the legal environment. Learners can then progress all the way through to the CILEx Professional qualifications.

Structure

To achieve the **Level 1 Award in Legal Studies (5516-11)**, learners must achieve **5 credits** from the mandatory unit 101

To achieve the **Level 1 Certificate in Legal Studies (5516-12)**, learners must achieve **13** credits from the mandatory units 101, 102 & 103

To achieve the **Level 1 Diploma in Legal Studies (5516-13)***, learners must achieve **38** credits overall;

- 22 credits from the mandatory units 101, 102, 103, 104, 105, 106 & 107
- **Plus** a further **16 credits** from the optional units 108 126

To achieve the **Level 1 Diploma in Legal Studies (5516-14)**, learners must achieve **38** credits overall:

- **22 credits** from the mandatory units 101, 102, 103, 104, 105, 507 & 508
- **Plus** a further **16 credits** from the optional units 108 117, 119, 121-124

^{*} **5516-13** is no longer open for registrations

Unit accreditation number	City & Guilds unit number	Unit title	Credit value	GLH
H/505/1459	101	The legal environment	5	27
Y/505/1460	102	Principles of civil liability	4	28
H/505/1462	103	Principles of criminal law	4	25
K/502/0472	104	Individual rights and responsibilities	1	10
F/600/7804	105	Valuing equality and diversity	2	16
R/500/5481	106	Understanding young people, law and order	3	27
R/503/3037	107	Aspects of citizenship	3	27
T/502/4296	108	Using the Internet	3	20
K/502/4621	109	Presentation software	3	20
L/502/4627	110	Word processing software	3	20
H/502/9154	111	Internet safety for IT users	3	20
J/502/9311	112	Using a computer keyboard	1	10

Unit accreditation number	City & Guilds unit number	Unit title	Credit value	GLH
K/502/0469	113	Developing self	2	20
J/502/0477	114	Preparation for work	2	20
J/502/0463	115	Working towards goals	2	20
L/501/6883	116	Rights and responsibilities in the workplace	3	20
K/600/6193	117	Understanding the language and culture of a community	3	26
M/501/5807	119	Self-assessment	1	10
L/501/5958	121	Searching for a job	1	10
Y/501/5848	122	Applying for a job	1	10
M/501/5824	123	Preparing for an interview	1	10
R/501/5847	124	Interview skills	1	10
J/505/4662	507	Rights, responsibilities and citizenship	3	20
T/506/0649	508	Understanding young people, law and order	3	27



Centre requirements

Approval

If your Centre is approved to offer the 7657 L2 Legal Studies qualifications or 7462 L3 Paralegal Awards you will be automatically approved for the new 5516 Legal Studies qualifications.

To offer these qualifications, new centres will need to gain both centre and qualification approval. Please refer to the *Centre Manual - Supporting Customer Excellence* for further information.

Centre staff should familiarise themselves with the structure, content and assessment requirements of the qualifications before designing a course programme.

Resource requirements

Centre staffing

Staff delivering these qualifications must be able to demonstrate that they meet the following occupational expertise requirements. They should:

- have a recognised qualification in law at or above the level they are teaching AND
- be occupationally competent or technically knowledgeable in the areas for which they are delivering training. This knowledge must be to at least the same level as the training being delivered **and**
- have recent relevant experience in the specific area(s) they will be assessing and
- have credible experience of providing training.

Centre staff may undertake more than one role, eg tutor and assessor or internal quality assurer, but cannot internally verify their own assessments.

Assessors and Internal Quality Assurer

Assessor/Internal Quality Assurer qualifications are valued as qualifications for centre staff, but they are not currently a requirement for the qualifications.

Continuing Professional Development (CPD)

Centres must support their staff to ensure that they have current knowledge of the occupational area, that delivery, mentoring, training, assessment and verification is in line with best practice, and that it takes account of any national or legislative developments.

Learner entry requirements

City & Guilds does not set entry requirements for these qualifications. However, centres must ensure that learners have the potential and opportunity to gain the qualifications successfully.

Age restrictions

There is no age restriction for these qualifications unless this is a legal requirement of the process or the environment.

Unit routes

To provide flexibility, as well as a full qualification programme of study, a unit route is provided under the following number;

• 5516-91

Unit routes should be used where candidates will only achieve certain units within the suite and are not aiming to complete the full qualification.

NB-A full qualification ${f can}$ be achieved through a unit route, however as costs are charged per unit the pricing structure will make this a more expensive option than using the full route. For further details on unit routes speak to your regional office.



2 Delivering the qualification

Initial assessment and induction

An initial assessment of each learner should be made before the start of their programme to identify:

- if the learner has any specific training needs
- support and guidance they may need when working towards their qualifications
- any units they have already completed, or credit they have accumulated which is relevant to the qualifications
- the appropriate type and level of qualification.

We recommend that centres provide an induction programme so the learner fully understands the requirements of the qualifications, their responsibilities as a learner, and the responsibilities of the centre. This information can be recorded on a learning contract.

Support materials

The following resources are available for this these qualifications:

Description	How to access
Centre handbook	www.cityandguilds.com
Unit pack	www.cityandguilds.com
Assessment pack	www.cityandguilds.com
Sample papers	www.cityandguilds.com



3 Assessment

Candidates must:

- successfully complete one assignment, online test or portfolio of evidence for each chosen mandatory unit
- successfully complete one assignment, online test or portfolio of evidence for each chosen optional unit

City & Guilds has written the following assessments to use with this qualification:

- online multiple choice test, using e-volve
- assignments

Unit	Title	Assessment method	Where to obtain assessment materials
101	The legal environment	City & Guilds e-volve multiple choice test The test covers all of the knowledge in the unit.	N/A Examinations provided on e-volve.
102	Principles of civil liability	Assignment The assignment covers the skills and knowledge in the unit. It is set by City & Guilds, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com
103	Principles of criminal law	Assignment The assignment covers the skills and knowledge in the unit. It is set by City & Guilds, delivered and marked by the tutor/assessor, and will be externally verified by City & Guilds to make sure it is properly carried out.	www.cityandguilds.com

NB - All other units are assessed by portfolio of evidence.

Portfolio of Evidence

Candidates will need to demonstrate, through the presentation of evidence, that they can meet the requirements of the units within the qualification assessed by portfolio of evidence. To do this they will need to organise their evidence into what is known as a portfolio. It is expected that candidates will provide a diversity of evidence types to support their demonstration of competence.

Time constraints

The following must be applied to the assessment of this qualification:

- Candidates must finish their assessment within their period of registration
- Assignments should take no longer than 2 hours. If they do, centres should consider why this is, and make sure that they are not trying to gather too much evidence.

Test specification

The way the knowledge is covered in the online test is laid out in the table below:

Test 1: Unit 101 The legal environment

Duration: 45 minutes

Unit	Outcome	Number of questions	%
101	1 Understand the importance of law in our everyday lives	4	20
	2 Know the main sources of law	4	20
	3 Know the functions of the main courts and key personnel of the legal system	6	30
	4 Understand the role of lay people and volunteers in the English legal system	6	30
	Total	20	100

Recognition of prior learning (RPL)

Recognition of prior learning means using a person's previous experience or qualifications which have already been achieved to contribute to a new qualification. RPL is allowed and is also sector specific.



4 Units

Structure of units

These units each have the following:

- City & Guilds reference number
- Unit Accreditation Number (UAN)
- title
- level
- credit value
- Guided Learning Hours (GLH)
- unit aim
- endorsement by a sector or other appropriate body
- learning outcomes which are comprised of a number of assessment criteria
- notes for guidance.

Summary of units

Unit	Title	UAN	Credits
101	The legal environment	H/505/1459	5
102	Principles of civil liability	Y/505/1460	4
103	Principles of criminal law	H/505/1462	4

 $\mbox{NB}-\mbox{All}$ other units can be downloaded in the 5516 Unit Pack from ${\bf www.cityandguilds.com}$

Unit 101 The legal environment

UAN:	H/505/1459
Level:	1
Credit value:	5
GLH:	27
Assessment requirements specified by a sector or regulatory body:	This unit is endorsed by Skills for Justice. The unit is assessed by an online multiple choice test.
Aim:	This knowledge unit focuses on key concepts of the legal environment including the importance of law in our everyday lives. The unit goes on to cover the main sources of law, the functions of courts, roles of legal personnel and the role of lay people in the legal system.

Learning outcome

The learner will:

1. understand the importance of law in our everyday lives

Assessment criteria

The learner can:

- 1.1 state why we need **laws** to regulate society
- 1.2 identify **situations** in everyday life which are affected by the law
- 1.3 state main differences between civil and criminal law

Range

Laws

To maintain order, to set minimum standards, to resolve disputes, to prohibit unwanted behaviour, to help society run smoothly

Situations

Contracts of employment, marriage and divorce, relationships with neighbours, driving a car, shopping, housing

Differences

Courts process, personnel, criminal law enforced by the state; civil law concerned with individual disputes, criminal law concerned with punishment; civil law concerned with compensation

Learning outcome

The learner will:

2. know the main sources of law

Assessment criteria

The learner can:

- 2.1 describe the **role** of Members of Parliament in creating statute law
- 2.2 state how **common law** is created
- 2.3 describe in outline the effect of European Union law on the UK legal system

Range

Role

Members of Parliament elected democratically to the House of Commons, MP's vote on our behalf on proposed new laws, which if passed by Parliament become statute

Common law

Made by judges in superior courts in court cases which may be binding on lower courts, based on treating like cases alike, create certainty, important decisions are called precedents and are published in law reports

Effect of European Union law

As members we are bound by European Union law, English courts are obliged to interpret English law in accordance with European Union law

Learning outcome

The learner will:

3. know the functions of the main courts and key personnel of the legal system

Assessment criteria

The learner can:

- 3.1 list the hierarchical structure of the **main courts**
- 3.2 state the **jurisdiction** of the main courts
- 3.3 describe **key legal personnel** within the legal system

Range

Main courts

Magistrates Court, Crown Court, Court of Appeal Criminal Division (criminal courts), County Court, High Court, Court of Appeal Civil Division (civil courts), Supreme Court (criminal and civil), European Court of Justice (EU law)

Jurisdiction

Magistrates Court – minor criminal offences (summary and either way offences), Crown Court – serious offences (indictable and either way offences), Court of Appeal Criminal Division - criminal appeals, County Court – most civil claims, High Court – higher monetary value or complex claims, Court of Appeal Civil Division - civil appeals, Supreme Court – civil and criminal appeals, European Court of Justice – matters of EU law

Key legal personnel

Chartered legal executives, solicitors, barristers, judges, magistrates, magistrates' clerk

Learning outcome

The learner will:

4. understand the role of lay people and volunteers in the english legal system

Assessment criteria

The learner can:

- 4.1 state how **jurors** are selected and their role in a criminal trial
- 4.2 state how **magistrates** are selected and their role in a criminal trial
- 4.3 describe features of **voluntary services** that may be available to people involved in the legal process

Range

Jurors

Selection - Selected at random, eligible, ineligible

Role - Used for trials in the Crown Court, listen to evidence, reach a verdict

Requirement - for people to attend for jury service when summoned Penalties - for failing to attend without good reason

Magistrates

Selection - Volunteer approved by Lord Chancellor, eligible, ineligible Role - Sit in the Magistrates' Court, hear summary and triable either way offences, listen to evidence, reach a verdict and pass sentence

Voluntary services

Types - Victim Support, Law Centres, Citizens' Advice Bureau Features - Staffed by volunteers, free to use

Unit 101 The legal environment

Supporting information

Guidance

3.2 Jurisdictions have been simplified for Level 1. For example, candidates are not required to know the divisions of the High Court.

Suggested Activities

Visiting speakers
Listening to/watching Parliamentary debates
Visits to courts, Parliament
Research activities (voluntary organisations, juries, magistrates, jurisdiction of courts)

Website resources

Courts and Tribunals service http://www.justice.gov.uk/about/hmcts/ Jury Service https://www.gov.uk/jury-service Magistrates Association http://www.magistrates-association.org.uk/ Ministry of Justice http://www.justice.gov.uk/ You be the judge http://ybtj.justice.gov.uk/

Unit 102 Principles of civil liability

UAN:	Y/505/1460
Level:	1
Credit value:	4
GLH:	28
Assessment requirements specified by a sector or regulatory body:	This unit is endorsed by Skills for Justice. The unit is assessed by an externally set task based assignment.
Aim:	This knowledge unit covers key concepts of civil liability introducing learners to the elements of negligence. The unit also looks at the civil process for a negligence claim and the main remedy of damages.

Learning outcome

The learner will:

1. understand the elements of negligence

Assessment criteria

The learner can:

- 1.1 identify the **requirements** for a duty of care to exist
- 1.2 describe **how the court will decide** if there has been a breach of duty of care
- 1.3 describe the basic **requirement for factual causation**

Range

Requirements

Neighbour test (Donoghue v Stevenson (1932)); 3 part test (Caparo v Dickman (1990)) - foreseeability, proximity and fair, just and reasonable

How the court will decide

Reasonable man test, magnitude of risk, practicality and cost of taking precautions, risk of serious harm, importance of the objective being achieved

Requirement for factual causation

Direct link between action and damage, the 'but for' test

Learning outcome

The learner will:

2. know the civil process for a negligence claim

Assessment criteria

The learner can:

- 2.1 list the main **sources of funding** available for a negligence claim
- 2.2 list the key **stages, in a claim for negligence**, following a letter before action
- 2.3 identify the main roles of the **personnel** involved in a civil trial

Range

Sources of funding

Insurance, private finance, 'no win, no fee'

Stages

Claim form (N1), defence, allocation to small claims, fast –track or multi-track, trial, judgment

Personnel

Chartered legal executives - assists in preparation of cases

Solicitors – prepare case

Barristers – present case

Witnesses – give evidence

Judge – applies the law and gives judgment

Learning outcome

The learner will:

3. understand the main remedy of damages in civil disputes

Assessment criteria

The learner can:

- 3.1 state the purpose of damages
- 3.2 identify the **difference** between general damages and special damages
- 3.3 describe how an **award of damages may be reduced** if a person has contributed to his/her injuries

Range

Difference

Special damages – damages which can be specifically calculated eg property damage, medical costs, loss of wages.

General damages – damages that cannot be specifically calculated, eg injury, cost of care, pain and suffering.

Award of damages may be reduced

Law Reform (Contributory Negligence) Act 1945; claimant does not take reasonable care for own safety which worsens injuries, partial defence, effect of reducing damages awarded by Judge

Unit 102 Principles of civil liability

Supporting information

Guidance

3.1 Main purpose of damages is limited to compensating the claimant

Suggested Activities

Visiting speakers
Visit to County Court
Research activities (court forms, court process)

Cases

Outcome 1

Bolton v Stone (1951), Paris v Stepney Borough Council (1951), Latimer v AEC Limited (1953), Barnet v Chelsea and Kensington Hospital Management Committee (1968), Watt v Hertfordshire County Council (1954), Nettleship v Weston (1971)

Outcome 2

The Civil Procedure Rules

Outcome 3

The Law Reform (Contributory Negligence) Act 1945

Website resources

Courts and Tribunals service http://www.justice.gov.uk/about/hmcts/ Jury Service https://www.gov.uk/jury-service Magistrates Association http://www.magistrates-association.org.uk/ Ministry of Justice http://www.justice.gov.uk/ You be the judge http://ybtj.justice.gov.uk/

Unit 103 Principles of criminal law

UAN:	H/505/1462
Level:	1
Credit value:	4
GLH:	25
Assessment requirements specified by a sector or regulatory body:	This unit is endorsed by Skills for Justice. The unit is assessed by an externally set task based assignment.
Aim:	This knowledge unit covers key concepts of criminal law, focussing on the crime of murder. The unit looks at the key elements of a crime, the required elements for murder and the role of key legal personnel in criminal case.

Learning outcome

The learner will:

1. understand the key elements of a crime

Assessment criteria

The learner can:

- 1.1 describe actus reus
- 1.2 describe mens rea
- 1.3 identify the meaning of strict liability

Range

Actus reus

Guilty act, positive act, failure to act (omission)

Mens rea

Guilty mind, intention, recklessness

Learning outcome

The learner will:

2. understand the required elements for the crime of murder

Assessment criteria

The learner can:

- 2.1 state the actus reus for the crime of murder
- 2.2 state the **mens rea** for the crime of murder
- 2.3 identify the sentence following a conviction for murder

Range

Mens rea

The intention to kill, intention to cause serious harm

Learning outcome

The learner will:

3. know the role of the judge and barristers in a murder trial and the advantages of the jury system

Assessment criteria

The learner can:

- 3.1 list the **roles of the judge** in a murder trial
- 3.2 list the **roles of the barristers** in a murder trial
- 3.3 state the **advantages** of the jury system

Range

Roles of the judge

Manage the trial, decide on points of law, explain the law to the jury, sentence the defendant on a guilty verdict, summing up to the jury

Roles of the barristers

Prepare case, present evidence in court, cross-examine witnesses, present closing speeches

Advantages

Tried by your peers, cross section of society, less risk of bias, independent of judiciary, reflects public opinion, opportunity to perform civic duty, public confidence

Unit 103 Principles of criminal law

Supporting information

Guidance

- 2.1 Guilty act the unlawful killing of a human being
- 2.2. Guilty mind eg intention to cause grievous bodily harm (R v Vickers (1957))
- 2.3 Sentence for murder mandatory life sentence

Suggested activities

Research news/internet for examples of murder

Cases

Actus reus -

AC 1.1 s1(1) of the Criminal Damage Act 1971, Stone v Dobinson [1977], R v Gibbins and Proctor [1918]

Mens rea –

AC1.2 R v Cunningham [1957], s1(1) of the Criminal Damage Act 1971 AC1.3 Sweet v Parsley [1970], Harrow London Borough Council v Shah [1999]

AC2.2 R v Vickers [1957]

Website resources

Courts and Tribunals service http://www.justice.gov.uk/about/hmcts/ Jury Service https://www.gov.uk/jury-service Magistrates Association http://www.magistrates-association.org.uk/ Ministry of Justice http://www.justice.gov.uk/ You be the judge http://ybtj.justice.gov.uk/



Appendix 1 Legal qualifications progression map

5516

- Level 1 Award in Legal Studies
- Level 1 Certificate in Legal Studies
- Level 1 Diploma in Legal Studies



7473

Level 2 Certificate in Legal Administration



OR

7657

- Level 2 Award in Legal Studies
- Level 2 Certificate in Legal Studies
- Level 2 Diploma in Legal Studies



- Level 2 Awards for Legal Secretaries
- Level 2 Certificate for Legal Secretaries
- Level 2 Diploma for Legal Secretaries



OR

7462

Level 3 Paralegal Awards



Level 3 Awards for Legal Secretaries

7655

- Level 3 Certificate for Legal Secretaries
- Level 3 Diploma for Legal Secretaries



CILEx Level 3 Professional Qualifications

- Level 3 Certificate in Law and Practice
- Level 3 Professional Diploma in Law and Practice

OR CILEx Level 3 Apprenticeship

> Level 3 Advanced Apprenticeship in Legal Services



CILEx Level 4 Apprenticeship

Level 4 Legal Services Apprenticeship

CILEx Level 6 Professional Qualifications

- Level 6 Certificate in Law
- Level 6 Professional Higher Diploma in Law and Practice

Appendix 2 Relationships to other qualifications

Links to other qualifications

Mapping is provided as guidance and suggests areas of commonality between the qualifications. It does not imply that candidates completing units in one qualification have automatically covered all of the content of another.

Centres are responsible for checking the different requirements of all qualifications they are delivering and ensuring that candidates meet requirements of all units/qualifications.

Literacy, language, numeracy and ICT skills development

These qualifications can develop skills that can be used in the following qualifications:

- Functional Skills (England) see www.cityandguilds.com/functionalskills
- Essential Skills (Northern Ireland) see
 www.cityandguilds.com/essentialskillsni
- Essential Skills Wales see www.cityandguilds.com/esw



Appendix 3 Sources of general information

The following documents contain essential information for centres delivering City & Guilds qualifications. They should be referred to in conjunction with this handbook. To download the documents and to find other useful documents, go to the **Centres and Training Providers homepage** on **www.cityandguilds.com**.

Centre Manual - Supporting Customer Excellence contains detailed information about the processes which must be followed and requirements which must be met for a centre to achieve 'approved centre' status, or to offer a particular qualification, as well as updates and good practice exemplars for City & Guilds assessment and policy issues. Specifically, the document includes sections on:

- The centre and qualification approval process
- Assessment, internal quality assurance and examination roles at the centre
- Registration and certification of candidates
- Non-compliance
- Complaints and appeals
- Equal opportunities
- Data protection
- Management systems
- Maintaining records
- Assessment
- Internal quality assurance
- External quality assurance.

Our Quality Assurance Requirements encompasses all of the relevant requirements of key regulatory documents such as:

- Regulatory Arrangements for the Qualifications and Credit Framework (2008)
- SQA Awarding Body Criteria (2007)
- NVQ Code of Practice (2006)

and sets out the criteria that centres should adhere to pre and post centre and qualification approval.

Access to Assessment & Qualifications provides full details of the arrangements that may be made to facilitate access to assessments and qualifications for candidates who are eligible for adjustments in assessment.

The **centre homepage** section of the City & Guilds website also contains useful information on such things as:

- Walled Garden: how to register and certificate candidates on line
- Qualifications and Credit Framework (QCF): general guidance about the QCF and how qualifications will change, as well as information on the IT systems needed and FAQs
- **Events**: dates and information on the latest Centre events
- **Online assessment**: how to register for e-assessments.

City & Guilds **Believe you can**



www.cityandguilds.com

Useful contacts

Forms, Free literature

UK learners General qualification information	E: learnersupport@cityandguilds.com
International learners	F: +44 (0)20 7294 2413
General qualification information	E: intcg@cityandguilds.com
Centres	F: +44 (0)20 7294 2413
Exam entries, Certificates, Registrations/enrolment, Invoices, Missing or late exam materials, Nominal roll reports, Results	E: centresupport@cityandguilds.com
Single subject qualifications	F: +44 (0)20 7294 2413
Exam entries, Results, Certification,	F: +44 (0)20 7294 2404 (BB forms)
Missing or late exam materials, Incorrect exam papers, Forms request (BB, results entry), Exam date and time change	E: singlesubjects@cityandguilds.com
International awards	F: +44 (0)20 7294 2413
Results, Entries, Enrolments, Invoices, Missing or late exam materials, Nominal roll reports	E: intops@cityandguilds.com
Walled Garden	F: +44 (0)20 7294 2413
Re-issue of password or username, Technical problems, Entries, Results, e-assessment, Navigation, User/menu option, Problems	E: walledgarden@cityandguilds.com
Employer	T: +44 (0)121 503 8993
Employer solutions, Mapping, Accreditation, Development Skills, Consultancy	E: business@cityandguilds.com
Publications	F: +44 (0)20 7294 2413
Logbooks, Centre documents,	

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