

Explanation of the unit specifications – Level 6 Professional Qualification in Law and Practice

A unit specification is available for each of the units for the CILEx Level 6 Qualifications. The unit specifications are set out in the **Unit Specification Handbook - CILEx Level 6 Single Subject Certificate, CILEx Level 6 Professional Higher Diploma in Law and Practice, CILEx Graduate 'Fast Track' Diploma**. The unit specifications are reviewed annually. The most up to date versions will be available on the CILEx website.

Each unit specification is presented in the same way:

Title: each unit has its own title which seeks to succinctly convey the legal subject or skill area to be studied and assessed.

Level: each unit has a level which identifies its difficulty. All the units in this Qualification Handbook are set at Level 6. This means that they are each equivalent to Honours Degree level standard in terms of difficulty.

Credit Value: as stated in section 2.11 of the Qualifications Handbook, each unit has a credit value. Please see section 2.11 for a definition of this value and the purpose of credit. Units 1 – 21 are rated at 15 credits each, and units 22 and 23 are rated at 7 credits each.

Learning Outcomes: this column expresses the key aims of the unit. It is expressed in terms of a series of outcomes (i.e. "the learner will") that the student should know or understand by the end of their learning programme.

In all the qualification assessments, CILEx will always be attempting to understand whether the student has demonstrably achieved these outcomes.

Assessment Criteria: this column expresses the ways in which the student should be able to demonstrate their achievement/understanding of the learning outcome ("the learner can").

In all the qualification assessments, CILEx will use these assessment criteria to try and determine the extent to which the student has demonstrated achievement/understanding in respect of the learning outcomes.

The student and tutor will notice that the assessment criteria have been written in a certain style. For any given learning outcome, there are a number of assessment criteria for which the key ascending verbs are: to "Describe", "Explain", "Identify", "Analyse" etc. You will note that the final assessment criteria nearly always follow a similar convention depending on the type of unit.

Where the unit is a law unit, the final assessment criteria for each learning outcome is always a requirement both to "apply" and "critically evaluate". This marks a convention adopted in the writing of the units. At Level 6, the key legal skill for the student is not only to understand the specific topics of a subject, but to apply that understanding in realistic and complex contexts, and critically engage with each of these topics in an academic and theoretical way. The word "critical" here identifies the strength of the evaluation expected from students. To "critically" evaluate or engage with an issue or argument, you need to not only be capable of performing a relevant analysis, but, in addition, be able to form a considered and supported view on the basis of that analysis.

Where the unit is a practice unit, the final assessment criterion for each learning outcome is always a requirement to “analyse” a given situation “in order to offer practical advice and assistance”. This marks a similar convention in the writing of the units. At Level 6, the key legal practice skill for the student is not only to understand the topics of a subject, but to be able to analyse a given practical, realistic situation which is often quite complex and subtle in order to then offer realistic and appropriate advice and guidance.

CILEx has chosen to describe these skills of application, critical evaluation and practical analysis in each unit specification in this way (ie as a single operation within each learning outcome) so as to remind students and tutors of the possible cognitive level of engagement expected of students in relation to each subject or topic within a unit specification. This means, of course, that each of the prior assessment criteria, which will always deal with the more detailed explanation/interpretation of a topic or issue, must be thought of as being subject to these generic, cognitive requirements.

Knowledge, Understanding and Skills (KUS): this column attempts to describe the knowledge, understanding and skill that are relevant to the application of the assessment criteria.

CILEx anticipates that tutors delivering units towards the new qualifications will utilise this column in order to build their schemes of work towards the delivery of units.

It should be noted that the knowledge, understanding and skill identified in this column is indicative and not intended to be exhaustive. CILEx has attempted to be as full as is possible in its knowledge, understanding and skills columns. However, the need for brevity will always mean that the content is indicative and needs careful “unpacking” by tutors and students. CILEx often uses examples to try and aid understanding in this situation. Where you see an example (usually indicated as “eg”) this normally means that you should not only be aware of the example identified, but also look to identify some others. Alternatively, where CILEx often uses the abbreviation “ie”, this normally means that CILEx is content that this specific list is an exhaustive one and no more need to be identified.

Students and tutors will note that each knowledge, understanding and skill section ends with a specific sentence/phrase, depending on whether it is a law or practice unit. These relate to each of the generic assessment criteria explained above. They state what the student should be capable of doing in relation to the learning outcome under consideration.

So, for example, in the case of the law units, one finds the following Knowledge Understanding and Skills (KUS) for each learning outcome:

- 1) “Application of understanding to a complex scenario” and
- 2) “A reasoned opinion of likely legal implications, including remedies and defences, where appropriate”

Whilst 1) is self-evident, ie the student should be able to apply their understanding to a complex scenario, 2) is a statement that explains what the exercise of “critical evaluation” should produce. The likelihood of discussing possible “remedies and defences” particularly in respect of the scenario-based questions explains the inclusion of this clause, although, of course, in the evaluation of a purely academic topic or argument, one would not expect to see these features.

In the case of the practice units, one finds a single sentence at the foot of each knowledge, understanding and skill section:

“Analysis of a complex scenario to offer advice and assistance”

Again, this relates to the assessment criterion that immediately precedes it. It is a simple statement of what the student should be capable of performing in relation to the topic and issues evoked by a specific learning outcome. Of course, because this is a practice unit, the emphasis is on understanding complex, practical legal problems with a view to offering sensible and realistic advice and guidance.

One will also find that where a practice unit has a practical requirement (this may be a form of drafting, form filling etc), then these requirements will be addressed immediately after this particular part of the KUS. This is to ensure that the unit specification is absolutely clear on what practical documentation students are expected to know about and understand (spelt out in the main part of the KUS section) and what practical documents students can then be expected to draft and complete in the course of the examination.

Students and tutors will also note that there are requirements for students to have a good understanding of case law throughout each of the units. Case law is underlined in the units to make it more readily identifiable. CILEx has adopted the following view on the place of case law within its Level 6 units and assessments:

- Most case law listings in the unit specifications are not exhaustive and are purely indicative of key cases that represent a specific point or legal argument. These listings are usually prefixed with “eg” to denote this. Students and tutors should read beyond these examples in an attempt to understand the wider case history behind a specific point or legal argument. On some occasions, no case law examples may be listed but the phrase “any relevant case law” used. Again, this is an instruction to read examples from the underpinning case history. Whilst, generally, examiners will award marks in answers for a student’s understanding of any relevant case history, it is permissible, at this level, for examiners to expect understanding of an area or aspect of case law that is not explicitly listed in the unit specification. In this respect, care must be taken to ensure that case law teaching and study is relevant, broad and current.
- Some case law is simply listed. This will either appear without the prefix ‘eg’ as a part of the KUS being described, or will be introduced by the prefix ‘ie’. In these instances, CILEx is referring to the key case or cases which it is important to know and understand. CILEx will not then expect the student or tutor to have read beyond this case. That is, the student will only potentially be tested on the case law listed in the unit specification.
- Candidates will be expected to know case names and dates in Level 6 examinations. In quoting from decided cases, Candidates should be able to identify the appropriate ratio decidendi, using this and the facts from the case in support of the arguments they make.

CILEx believes that this system for the delivery and assessment of case law will help clarify the teaching of case law and its assessment.

When statutes are used as authorities, students will be expected to know the short title, or where appropriate, the title most commonly used to describe the statute, which will invariably include the date.

Additional information about the unit: this grid of boxes at the end of each unit summarises key background information about the unit, e.g., who owns the unit, its start and expiry date, the unit's links to National Occupational Standards.