



SEVERN
BUSINESS
COLLEGE

Qualifi Level 5 Diploma in Law

Course Handbook

Qualification

Qualifi Level 5 Diploma in Law

Ofqual Number

610/1092/3

Level

5

Total Qualification Time

1200

Credit Value

120

Aim of the Course

The aim of the Qualifi Level 5 Diploma in Law is to provide learners the opportunity to acquire a broad range of knowledge and understanding and develop a range of skills essential for a successful career in law. There is also the opportunity to progress to a higher-level qualification in law including a bachelor's degree final year. The suite of qualifications in this sector will aim to provide the underpinning knowledge of the law contributing to preparation for the Solicitor's Qualifying Examination.

Assessment

Assessment is through practical assignments, with no exams - to more accurately reflect the real working environment.

Course Structure

Qualifi Level 5 Diploma in Law			
Unit number	Units	Unit level	Unit credit
J/650/3141	Equity and Trusts	5	30
K/650/3142	EU Law	5	30
L/650/3143	Land Law	5	30
M/650/3144	Law of Tort	5	30

Assessment Grades

Marks Ranges %	Assessment Criteria
Fail (0-39)	Insufficient information about each assessment criteria
Pass (40-59)	Describe main ideas with evidence on each assessment criteria
Merit (60-69)	Evaluation of ideas with evidence on each assessment criteria
Distinction (70-100)	Critical evaluation of ideas with evidence on each assessment criteria
No Marks	Plagiarism

UNIT SPECIFICATIONS**Unit Title**

Equity and Trusts

Level

5

Learning Time Hours

300

Credit Value

30

Unit aim

This unit will equip learners with in-depth knowledge and understanding of the principles governing the law of Equity and Trusts. The unit aims to enable learners to understand and apply equitable rules to fact-based scenarios, to identify and resolve issues that potential clients may face in the context of different types of trusts and equitable remedies. Learners will explore how equity interrelates with other legal topics and how equitable principles apply in domestic and commercial context.

Learning outcomes and assessment criteria

In order to pass this unit, the evidence that the learner presents for assessment needs to demonstrate that they can meet all the learning outcomes for the unit. The assessment criteria determine the standard required to achieve the unit.

Learning Outcome	Assessment Criteria
1. Understand historical events leading to the development and nature of Equity.	1.1 Explain key historical events leading to the development of Equity. 1.2 Examine the relationship between law and equity. 1.3 Explain the meaning of equitable maxims.
2. Understand the requirements for the creation of valid trusts.	2.1 Analyse the features of different types of trusts. 2.2 Apply statutory rules and their case law interpretations in appropriate scenarios. 2.3 Analyse the impact of illegality on legal presumptions.
3. Understand the concept of the beneficiary principle and exceptions.	3.1 Examine the need for a human beneficiary in private express trusts. 3.2 Illustrate established exceptions to the beneficiary principle. 3.3 Describe the various methods by which gifts to unincorporated associations may be affected.
4. Understand equitable remedies	4.1 Evaluate conditions for tracing in law and in equity. 4.2 Appraise the application of the change of position defence. 4.3 Assess when specific performance or injunction can be granted.
5. Understand trustees' administrative powers and duties.	5.1 Explain when power of advancement and maintenance can be utilised by the trustees. 5.2 Differentiate correctly between administrative duties and fiduciary duties. 5.3 Evaluate trustees' defences for the breach of administrative duties.

Suggested Resources

- Duddington, J. (2019). Equity and trusts. Harlow, England: Pearson Education Limited.
- Evans, M., Jones, B.L. and Power, T.M. (2016). Equity and trusts. Chatswood Nsw, Australia: Lexisnexis Butterworths.
- JGG (2005). Opinion: REFLECTIONS ON EQUITY AND PURPOSE TRUSTS. Trusts & Trustees, 11(9), pp.4–5.
- Hayton, D. (2012). Trusts & Equity – STAR trusts. Amicus Curiae, 1998(4).

UNIT SPECIFICATIONS

Unit Title

EU Law

Level

5

Learning Time Hours

300

Credit Value

30

Unit aim

This unit will equip learners with knowledge of the European Union legal system and the main substantive aspects of the European Union laws. The unit aims to enable learners to understand the history that led to the creation of the union, the political institutions of the EU, the role and the jurisdiction of the Court of Justice. Learners will be introduced to the fundamental rights given to individuals guaranteed by the Union and to the relationship between European and national laws.

Learning outcomes and assessment criteria

In order to pass this unit, the evidence that the learner presents for assessment needs to demonstrate that they can meet all the learning outcomes for the unit. The assessment criteria determine the standard required to achieve the unit.

Learning Outcome	Assessment Criteria
1. Understand the rationale for the European union's creation.	1.1 Examine the historical events of the 20th century leading to the creation of the EU. 1.2 Evaluate the original objectives of the EU. 1.3 Compare and contrast the original objectives of the European Union with its current position.
2. Understand the institutions of the European Union.	2.1 Evaluate the functions and powers of the EU institutions. 2.2 Examine the extent of the jurisdiction of the European Court of Justice.

	2.3. Explain the voting system of the EU Council.
3. Understand how European Union laws are enforced.	3.1 Evaluate the doctrine of supremacy. 3.2 Compare and contrast Treaties, regulations and directives. 3.3 Assess direct and indirect effect.
4. Understand EU law on the free movement of goods.	4.1 Explain the meaning of freedom of 'goods' and 'services'. 4.2 Evaluate the prohibition of fiscal and regulatory barriers to free movement. 4.3 Analyse justifiable derogations from the principle of free movement of goods.
5. Understand EU law on the free movements of persons and the freedom of establishment.	5.1 Explain the terms 'worker' and 'establishment' in relation to EU law on free movement. 5.2 Examine the rights of workers under the EU law on free movement. 5.3 Analyse the exemptions to the EU law on free movement.

Suggested Resources

- Foster, N.G. (2018). EU Law Directions. Oxford: Oxford University Press. Copyright.
- Utrilla Fernández-Bermejo, D. (2019). Market freedoms and private interactions under EU law. China-EU Law Journal.
- Ruffert, M. (2013). Personality under EU Law: A Conceptual Answer towards the Pluralisation of the EU. European Law Journal, 20(3), pp.346–367.
- Kirk, E. (2019). EU law. Harlow, England: Pearson Education Limited.

UNIT SPECIFICATIONS

Unit Title

Land Law

Level

5

Learning Time Hours

300

Credit Value

30

Unit aim

This unit will equip learners with an in-depth knowledge and understanding of the principles governing land law. The unit aims to enable learners to appreciate the scope of estates and interests in land and their method of protection. Learners will explore the meaning of real property, the types of legal and equitable interests in land, the principles of registration and its purpose and the rules behind the operation of selected proprietary rights.

Learning outcomes and assessment criteria

In order to pass this unit, the evidence that the learner presents for assessment needs to demonstrate that they can meet all the learning outcomes for the unit. The assessment criteria determine the standard required to achieve the unit.

Learning Outcome	Assessment Criteria
1. Understand the nature of interests in real property.	1.1 Compare and contrast between legal and equitable interests inland. 1.2 Differentiate between personal and proprietary interests. 1.3 Explain different types of licences and ownership.
2. Understand the concept and application of proprietary estoppel.	2.1 Explain the meaning of proprietary estoppel. 2.2 Analyse the conditions for its creation 2.3 Examine available remedies.
3. Understand the nature and purpose of easements.	3.1 Explain the rules for creation and acquisition of legal and equitable easements. 3.2 Distinguish between negative and positive easements. 3.3 Explain how easements are extinguished.
4. Understand the nature and purpose of freehold covenants.	4.1 Distinguish between positive and restrictive covenants. 4.2 Explain how the benefit and burden run in law and in equity. 4.3 Explain how free hold covenants are discharged or modified.
5. Understand the application of adverse possession.	5.1 Explain how adverse possession is established. 5.2 Illustrate register downers' protection against adverse possession under the LRA 2002. 5.3 Illustrate the advantages of registered proprietor in the context of adverse possession.

Suggested Resources

- Clarke, S. and Greer, S. (2018). Land law. Oxford: Oxford University Press.
- Duddington, J. (2018). LAW EXPRESS: land law.
- Kim, N.-W. (2019). The footsteps of administrative law and public land law - Focusing on land planning law -. Korean Public Land Law Association, 87, pp.259–285. Land Use Law & Zoning Digest. (1983).
- Land Use Law & Zoning Digest, 35(12), pp.3–3.

UNIT SPECIFICATIONS

Unit Title

Law of Tort

Level

5

Learning Time Hours

300

Credit Value

30

Unit aim

This unit will equip learners with in-depth knowledge and understanding of the principles governing the law of tort. The unit aims to enable learners to understand the foundations of tortious liability, remedies and defences. It further aims to enable learners to apply rules governing a variety of specific torts to fact-based scenarios and to identify and resolve issues that claimants and defendants may face. Learners will explore how tort interrelates with criminal law and how social and political decisions impact on the understanding of negligence.

Learning outcomes and assessment criteria

In order to pass this unit, the evidence that the learner presents for assessment needs to demonstrate that they can meet all the learning outcomes for the unit. The assessment criteria determine the standard required to achieve the unit.

Learning Outcome	Assessment Criteria
1. Understand the nature and purpose of liability in tort.	1.1 Analyse the aims of tortious liability. 1.2 Analyse main examples of torts, their essential components, defences and remedies. 1.3 Appraise the rules for prevention of harassment and intentional harms
2. Understand the duty of care for the purpose of establishing liability in tort.	2.1. Assess when a duty of care will be imposed. 2.2 Assess the consequences of third parties' interventions. 2.3 Illustrate circumstances when psychiatric harm can be compensated.
3. Understand the nature of employers' and occupiers' liability.	3.1 Distinguish between primary and vicarious liability. 3.2 Explain employers' duties to provide safe system and place of work. 3.3 Examine occupiers' duties to visitors and non-visitors.
4. Understand the principles of nuisance claims	4.1 Distinguish between private and public nuisance claims. 4.2 Compare and contrast effective and ineffective defences. 4.3 Appraise the rule in Rylands v Fletcher.
5. Understand the principles of defamation.	5.1 Define libel and slander. 5.2 Assess the conditions for a claim in defamation. 5.3 Evaluate the utility of available remedies.

Suggested Resources

- Martín-Casals, M. (2010). The Impact of the Principles of European Tort Law (PETL) in Spanish Case Law. Journal of European Tort Law, 1(3), pp.306–327.
- Gandhi, B.M. (1990). Law of tort. Lucknow: Eastern Book Co. New York, N.Y.
- Grubb, A. (2002). The law of tort. London Butterworths Lexisnexis C.
- Harpwood, V. (1996). Law of tort. London: Cavendish.

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