

Unit 17



Title:	Legal Research
Level:	3
Credit Value:	7

Learning outcomes	Assessment criteria	Knowledge, understanding and skills
The learner will:	The learner can:	
1 Know how to find statutes	<p>1.1 Find a statute using online resources</p> <p>1.2 Describe the relevance of the name and date of a statute</p> <p>1.3 Describe the relevance of the chapter number</p>	<p>1.1 Understanding of available websites, eg OPSI, Lexis Nexis, Westlaw; knowing how to use a relevant website to identify statutes by name, subject, chapter number</p> <p>1.2 Knowing that statutes are given names according to subject matter and that they are dated the year they are granted royal assent; understanding that the date of the statute is not always the date it comes into effect</p> <p>1.3 Knowing that this is the number of the statute as it is given royal assent in a particular year</p>
2 Know how to read a statute	2.1 Describe what the statute contains	2.1 Knowing that there are contents pages which are arranged often according to subject headings, sections and schedules; understanding the relationship between different categorisations of information, eg the function of sub-headings
3 Understand the purpose of the statute	<p>3.1 Identify the reasons why the statute was created</p> <p>3.2 Describe what function the statute is now</p>	<p>3.1 Identifying where in the statute the initial purpose of the statute is located, eg a purpose section at the beginning of the statute; understanding the background to the creation of the statute; the issues and problems that the statute was designed to address</p> <p>3.2 Using any explanatory notes, sub-headings to</p>

	designed to perform	understand what the statute covers; any specific issues it is meant to address
4 Know how to find whether a statute is in force	<p>4.1 Identify whether a statute has come into force</p> <p>4.2 Identify the date when a statute came into force</p> <p>4.3 Identify whether the statute came into force upon royal assent being given</p> <p>4.4 Identify whether a section is set to come into force upon the creation of a relevant statutory instrument</p>	4.1, 4.2, 4.3, 4.4 Using the commencement section of the statute; finding the date of royal assent; checking whether all sections of the statute have the same commencement date; checking sections will come into force; where no commencement date is given, checking for a relevant section in the statute which gives the Secretary of State the power to set a commencement date
5 Understand where guidance can be found on finding the meanings of terms in statutes	<p>5.1 Identify those terms and/or phrases whose meaning requires interpretation</p> <p>5.2 Locate and use the interpretation section of the statute to check for assistance with specific words and/or phrases</p> <p>5.3 Describe the importance of other sources of information for assistance with the interpretation of words and/or phrases</p>	5.1, 5.2, 5.3 Knowing how to use the interpretation section of the statute to check for the meaning of words/phrases; understanding that words and/or phrases might have their definitions elsewhere, eg in other/related statutes, in statutory instruments, in case law
6 Know how to identify repealed statutes or statutes amended by the new Act	<p>6.1 Identify whether a statute or statutory instrument has been amended or revoked</p> <p>6.2 Locate and use the revocation section of the statute to identify revocations</p>	6.1, 6.2 Knowing how to use the revocation section to check which statutes and statutory instruments have been revoked and are intended to be revoked in the future
7 Understand how to locate and use supporting information from Government and Government-related websites	7.1 Find relevant information on appropriate Government and Government-related websites	7.1 Identifying the relevant Government department from the statute; understanding that sometimes there is a shared responsibility for Government departments, that the function and title of Government departments sometimes changes; understanding the kind of information to be found on the departmental website, eg Government reports, surveys, reviews, quarterly publications; understanding how best to locate relevant information, eg giving oneself sufficient time to do research (relevant

	<p>7.2 Use that information appropriately to report on a given topic</p>	<p>information is not always directly to hand), how a website is organised, how to browse different categories of information, the importance of “skimming” text for what is important, the importance of selectivity and currency, the importance of only printing that which is of use to one’s purpose, following leads through to related websites</p> <p>7.2 The purpose of report writing; understanding the requirements of report writing, ie the structure of an informal report, eg introduction, findings, conclusion; the importance of summarising information, remaining consistent to the purpose of each section of the report and organising one’s material logically and clearly; the importance of quotation and reference, the selective use of materials, the idea of an appendices of additional relevant information; understanding that a report must stick to its purpose and fulfil its intentions</p>
<p>8 Know how to find a statutory instrument (SI)</p>	<p>8.1 Find a statutory instrument (SI) using on-line resources</p>	<p>8.1 Understanding of available websites, eg OPSI, Lexis Nexis, Westlaw; knowing how to use a relevant website to identify statutory instruments (SI) by name, subject, chapter number</p>
<p>9 Understand the purpose of a statutory instrument (SI)</p>	<p>9.1 Describe how the statutory instrument relates to the statute</p> <p>9.2 Explain how delegated legislation works</p>	<p>9.1 Understanding that each statutory instrument (SI) has its origins in a statute; that a statute has a section allowing the Secretary of State to create legislative detail by way of a statutory instrument (SI)</p> <p>9.2 Identifying the minister and the Government department responsible for the statutory instrument (SI), and the powers conferred by the statutory instrument (SI) to that minister</p>
<p>10 Know how to find an example of case law</p>	<p>10.1 Find an example of case law using on-line resources</p>	<p>10.1 Understanding of available websites, eg OPSI, Lexis Nexis, Westlaw and BAILII; knowing how to use a website to identify case law, eg use of key words and phrases to</p>

		conduct searches, using the statutory reference to find a case
11 Understand how to read a case report	11.1 Describe the significance of the headnote 11.2 Explain how a case report is structured	11.1 Knowing the headnote is a summary of the key points in the case 11.2 Knowing that the headnote is followed by the text of the judge's reasoning, consisting of the facts, the ratio decidendi and obiter dicta
12 Understand the way in which case law works and progresses	12.1 Read and interpret a case report, using the basic concept of legal precedence where required	12.1 Understanding the idea of law being "overruled" through successive judgments; the role and hierarchy of the courts in making and applying case law

Additional information about the unit	
Unit aim(s)	The learner will develop key research skills and understanding across a range of sources of law
Unit expiry date	31 December 2010
Details of the relationship between the unit and relevant national occupational standards (if appropriate)	This unit may provide relevant underpinning knowledge and understanding towards units of the Legal Advice standards
Details of the relationship between the unit and other standards or curricula (if appropriate)	Courses of study leading towards the achievement of the unit may offer the learner the opportunity to satisfy requirements across a number of Level 3 Key Skill areas; most specifically, Communication, Improving own learning and performance, Problem solving and Working with others
Assessment requirements specified by a sector or regulatory body (if appropriate)	na
Endorsement of the unit by a sector or other appropriate body (if required)	na
Location of the unit within the subject/sector classification	15.5 Law and Legal Services
Name of the organisation submitting the unit	ILEX (Institute of Legal Executives)
Availability for use	Only available to owning awarding body
Availability for delivery	1 September 2008