



Law Society
of Scotland

APPENDIX A

FOUNDATION PROGRAMME LEARNING OUTCOMES

FOUNDATION PROGRAMME		
KNOWLEDGE	Knowledge and Sources of law	Legal Systems and institutions affecting Scotland Persons Property Obligations Commerce Crime
SKILLS	Subject-specific Skills:	Sources and Research
	General Transferable Intellectual Skills:	Analysis, Synthesis, Critical Judgement and Evaluation Independence and Ability to Learn
	Key Personal Skills:	Communication and Literacy Personal Management Numeracy, Information, Technology and Teamwork
VALUES AND ATTITUDES	Subject-specific:	Values and context

FOUNDATION PROGRAMME

KNOWLEDGE

By the end of the Foundation Programme, a student should display a fundamental knowledge and understanding of the purpose and sources of law, and the main elements of public and private law in Scotland in the context of the UK, EU and wider international law setting through study of: the profession of law, legal systems and institutions affecting Scotland; Human Rights; freedoms and protections; persons; property; obligations; commerce; and crime, as detailed below.

The student should communicate the following core concepts through his/her knowledge and understanding in each of these knowledge areas:

- Protection of Human Rights and freedoms.
- Sources of law, including statutory interpretation and the doctrine of precedent; relevance of law to context.
- The structure of the court system; the role of the courts including judicial review, and (in outline) tribunals, inquiries and dispute resolution.
- The nature, structure, standards and regulation of the legal profession in Scotland.
- Differing roles within and outwith the legal profession; challenges to the legal profession.

Legal Systems and Institutions affecting Scotland

The rule of law in Scotland, its fundamental doctrines and principles

Principles and sources of constitutional law

The composition, powers and functions of parliaments and governments in the UK

Outline of the composition, powers and functions of local governments in Scotland

The constitutional structure and competence of the EU and allocation of competencies between the EU and Member States

The sources of EU law, EU institutions and the legislative process

The relationship of EU law and national law, including domestic and EU remedies

The principles of the EU single market

	<p>Access to justice, including the public funding of access</p> <p>The civil and criminal justice systems of Scotland</p> <p>Human Rights, freedoms and protections</p>
Commerce	<p>Commercial relationships of agency and partnership</p> <p>Commercial transactions of sale and supply of goods and insurance</p> <p>Nature, operation and regulation of companies</p> <p>Corporate and non-corporate insolvency</p> <p>The principles of the EU single market</p>
Property	<p>The classification of property – heritable and moveable; corporeal and incorporeal (including intellectual property)</p> <p>Real rights: ownership (including joint or common ownership), lease, liferent, servitudes and burdens, rights in security</p> <p>Original and derivative modes of acquisition of ownership of different types of property</p> <p>Ranking of real rights</p> <p>Extinction of real rights</p> <p>Human Rights, freedoms and protections</p>
Obligations	<p>Voluntary obligations: unilateral or promise</p> <p>Voluntary obligations: contract formation and formalities, contractual terms, and defective and illegal contracts</p>

	<p>Breach of voluntary obligations: remedies and title to sue</p> <p>Involuntary obligations: breach of statutory duty by reference to example (such as the Occupiers' Liability (Scotland) Act; Consumer Protection Act; Health and Safety Act; Employment Protection Acts)</p> <p>Involuntary obligations: rules of liability for fault or culpa at common law</p> <p>Involuntary obligations: delicts involving wrongful interference with property, wealth (pure economic loss), reputation and bodily integrity</p> <p>Involuntary obligations: Liability to relatives of a victim</p> <p>Obligations arising from unjustified enrichment</p> <p>Enforcement of obligations including recovery of debt and diligence</p> <p>Extinction of obligations</p> <p>An outline of the effect of the passage of time on obligations and rights: Prescription (positive and negative); limitation</p> <p>Law of evidence relating to civil matters</p>
<p>Crime</p>	<p>Nature and components of crime</p> <p>Concepts of criminal liability and proof of crime</p> <p>Defences to crime</p> <p>Common law crimes against the person and property</p> <p>Statutory crime by reference to example (such as misuse of drugs, road traffic or sexual offences)</p> <p>The law of evidence relating to criminal matters</p> <p>Human Rights, freedoms and protections</p>

Persons	<p>Legal capacity of persons</p> <p>Nature and classification of trusts</p> <p>Creation, operation and termination of trusts</p> <p>Intestate succession</p> <p>Testate succession</p> <p>Legal Rights</p> <p>Executors</p> <p>Parentage, parental responsibilities and rights and children's rights</p> <p>Creation, consequence and termination of marriage and civil partnerships</p> <p>Rights and obligations arising from cohabitation</p> <p>Human Rights, freedoms and protection</p>
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FOUNDATION PROGRAMME	SKILLS	
Subject specific:	Sources and Research	<p>On completion of the Foundation Programme, a student should have a basic competence in the following Subject-specific, General Transferable and Key Personal Skills, and should be able to use them effectively by being able to:</p> <p>Differentiate between and use appropriately primary and secondary sources, and identify and retrieve up-to-date legal information using paper and electronic sources by:</p> <ul style="list-style-type: none"> - using sources that are up-to-date from paper and electronic repositories. - using sources (primary and secondary) that are appropriate to the context. - using recognised methods of citation and reference. - using sources that are current at the point of assessment. - using sources to support arguments and conclusions. <p>Undertake independent research (both paper-based and electronic) in areas of law which he or she has not previously studied by:</p> <ul style="list-style-type: none"> - use paper and electronic repositories to research new topics without reference to a reading list. <p>Identify accurately the issue(s) which require researching and formulate them clearly.</p>
General Transferable Intellectual Skills:	I. Analysis, Synthesis, Critical Judgement and Evaluation	<p>Recognise, analyse and rank arguments and evidence in terms of relevance and importance by:</p> <ul style="list-style-type: none"> - managing volume of legal sources and select key material to construct written or oral answers to a problem.

		<ul style="list-style-type: none"> - identifying the legal problem from information provided. - addressing problems by reference to relevant material. - bringing together and integrating information and materials from a variety of different sources. - acknowledging ranking of sources and relative impact in context. - application of the law and problem-solving in a legal context. - presenting arguments for and against propositions. <p>Be aware that arguments require to be supported by evidence, in order to meet legal requirements of proof by:</p> <ul style="list-style-type: none"> - showing awareness of the need for evidence to support arguments <p>Apply knowledge and analysis</p> <ul style="list-style-type: none"> - in a legal context - creatively to complex situations in order to provide arguable solutions to concrete problems by presenting a range of viable options from a set of facts and law. <p>Think critically and make critical judgments on the relative and absolute merits of particular arguments and solutions.</p>
<p>General Transferable Intellectual Skills</p>	<p>II. Independence and Ability to Learn</p>	<p>Act independently in planning and undertaking tasks in areas of law which he or she has already studied</p> <p>To reflect on his or her own learning, and to seek and make use of feedback</p>

<p>Key Personal Skills:</p>	<p>I. Communication and Literacy</p>	<p>Communicate both orally and in writing (and, where appropriate, by the use of electronic means) using the English language accurately by:</p> <ul style="list-style-type: none">- creating work in a permanent format which is understandable by the intended audience- create documents which are analytical, descriptive and inquisitive. <p>Use language proficiently in relation to legal matters by:</p> <ul style="list-style-type: none">- using appropriate legal terminology in all work.- using recognised methods of citation and reference. <p>Communicate information (including discussing technical and complex legal materials), ideas, advice and choices in an effective manner appropriate to the context, individually or with others by:</p> <ul style="list-style-type: none">- giving face-to-face presentations which addresses the allocated question within the prescribed time frame.- listening and questioning effectively.- giving and receiving feedback and responding effectively to others.- ensuring that all communications (either face-to-face or in permanent form) are succinct without losing focus on key issues or information.- communicating in plain English, with legal terminology only as needed.- contributing effectively to group work. <p>In all formats demonstrate an ability to address the resolution of disputes by a variety of adversarial and non-adversarial skills.</p>
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Key Personal Skills	II. Personal Management	Demonstrate an ability to organise and prioritise effectively the expenditure of his or her time and effort in the performance of all aspects of student work.
Key Personal Skills	III. Numeracy, Information, Technology and Teamwork	<p>Where relevant and as the basis for an argument, present and evaluate information provided in numerical or statistical form</p> <p>Produce and present in an appropriate form a word-processed essay or other appropriate format.</p> <p>Conduct efficient searches of websites to locate relevant information; and exchange documents by E-mail</p>

FOUNDATION PROGRAMME	VALUES AND CONTEXT On completion of the Foundation Programme, a student should:
Subject-specific Legal and Ethical Values	Display informed knowledge and understanding of the social, economic, moral and ethical contexts in which law operates by: <ul style="list-style-type: none"> - demonstrating legal knowledge in association with related policy, underlying social conditions, professional ethical issues and moral issues. Display critical thinking about laws and their place in society by: <ul style="list-style-type: none"> - communicating legal knowledge which addresses the context of its formation or operations e.g. note of advice to public body or charity, debating the moral context of a place of law, law clinic. - engaging in collaborative work or study in the field or with non-lawyers or students of other disciplines. - showing awareness of the ethics and standards applying to the legal profession in Scotland.

