



University of the
West of England

PROGRAMME SPECIFICATION
BAR PROFESSIONAL TRAINING COURSE

Section 1: Basic Data

Awarding institution/body	UWE
Teaching institution	UWE
Delivery Location(s)	UWE
Faculty responsible for programme	SSH
Modular Scheme title	Non-Modular
Professional Statutory or Regulatory Body Links (type and dates)	Bar Standards Board – re-accredited May 2009 for three years from Sept 2010
Highest award title	Postgraduate Diploma in Bar Professional Training
Default award title	N/A
Interim award titles	N/A
UWE progression route	LLM
Mode(s) of delivery	Full time and Part-time by open-learning
Codes	
UCAS code	JACS code
ISIS code	HESA code
Relevant QAA subject benchmark statements	QAA Benchmark Statements for Law
Valid until* (*delete as appropriate/insert end date)	July 2013
Valid from (insert date if appropriate)	September 2010
Original Validation Date:	1996
Latest Committee Approval...QSC	Date: 28 th . April 2010

Version Code 2

For coding purposes, a numerical sequence (1, 2, 3 etc.) should be used for successive programme specifications where 2 replaces 1, and where there are no concurrent specifications. A sequential decimal numbering (1.1; 1.2, 2.1; 2.2 etc) should be used where there are different and concurrent programme specifications

Section 2: Educational aims of the programme

The overarching aims of the BPTC are:

- to prepare students of the Inns of Court for pupillage at the Bar of England and Wales
- to enable students of the Inns from overseas jurisdictions to acquire the skills required for pupillage at the Bar of England and Wales, thereby assisting them to undertake further training or practice in their home jurisdiction.

The Specific objectives of the course are:

- to bridge the gap between the academic study of law and the practice of law
- to provide the foundation for the development of excellence in advocacy
- to inculcate a professional and ethical approach to practice as a barrister
- to prepare students for practice in a culturally diverse society
- to prepare students for the further training to be given in pupillage
- to equip students to perform competently in matters in which they are likely to be briefed during pupillage
- to lay the foundation for future practice, whether in chambers or as an employed barrister, and
- to encourage students to take responsibility for their own professional development

Section 3: Learning outcomes of the programme

The award route provides opportunities for students to develop and demonstrate:

- (i) knowledge and understanding, qualities, skills and other attributes in the subject areas specified below and
- (ii) self-direction, initiative, personal responsibility and decision making in complex situations, and the necessary independent learning abilities required to undertake appropriate further professional training and development, and continue to advance their knowledge and develop new skills to a high level

Typically, students who have successfully completed the course will:

- (a) have the ability to be a fluent and articulate advocate, whether orally or in writing, and with the ability to adapt their submissions or questioning as may be required by circumstances
- (b) be able critically to evaluate arguments, assumptions, abstract concepts and data in order to deal with complex issues systematically, make sound judgments and demonstrate skill in identifying solutions and tackling and solving problems, clearly communicating their conclusions
- (c) have the ability to demonstrate the qualities and skills necessary for future employment at the Bar, with the ability to act autonomously in planning and implementing tasks at a professional level

Students successfully completing the BPTC must have demonstrated:

- a a high level ability to (i) persuade orally and in written argument using cogent legal and factual analysis (ii) develop reasoned argument and (iii) deploy forensic skills with evidence (both written and oral)
- b systematic understanding of relevant knowledge and ethical principles in law and practice; together with a comprehensive understanding of techniques applicable to practice at the Bar of England and Wales,
- c expertise in the application of legal knowledge in the interests of the client, together with a practical understanding of how established technical skills are used in relation to the interpretation of knowledge in the discipline
- d conceptual understanding that enables the student to collect and analyse relevant information; evaluate current developments and advanced theory in law and practice, and acquire in-depth knowledge of written material, law reports, journals and articles in applicable areas of study
- e knowledge and understanding of the ethical values (including equality and diversity issues, and duty to the client and to the court), and the skills and underpinning knowledge necessary to assess and manage cases without supervision
- f the ability to utilise and develop their knowledge and understanding of the principles underpinning their professional practice
- g the ability and competence to undertake case analysis, research, conferences, opinion writing, drafting, negotiation and advocacy with/without supervision

A. KNOWLEDGE AND UNDERSTANDING, INTELLECTUAL, PROFESSIONAL AND PRACTICAL SKILLS BY MODULE

Learning outcomes

Teaching, Learning and Assessment Strategies

A Knowledge and understanding of:

1. Advocacy (Civil and Criminal)

Teaching/learning methods and strategies:

The format and progression of sessions must be appropriate to the skill being taught, so that when taken as a whole and in conjunction with other course activity, a coherent framework is provided for the development of the skills of advocacy. The first skill taught should be the making of unopposed submissions, followed by opposed submissions. Legal submissions may be dealt with by means of mooting. Witness handling should be dealt with in the latter part of the course.

Most, if not all, sessions should be recorded on DVD for future discussion and feedback (where the assessment is formative) and for marking and moderation purposes (where the assessment is summative).

Assessment:

Each student must undertake at least 12 advocacy exercises under the supervision of a tutor; of which 75% may be formative whilst 25% must be summative. ATC methods of training (ie Hampel method) must be introduced as and when appropriate

The diet of advocacy assessments must contain the following elements:

- submission of written argument;
- advancing and responding to legal, factual and procedural submissions; knowledge and application of legal principle;
- witness handling, including examination in chief, cross examination and re-examination;
- dealing with interventions from the bench

Of the (minimum) 12 exercises, at least three must be formally assessed as follows: One formal assessment must have an oral plus

2. Civil Litigation and Evidence

skeleton argument. There must be two further oral assessments (of examination-in-chief; cross examination).

Teaching/learning methods and strategies:

Small group sessions should be centred upon the exploration of prepared problems or case studies. Large Group sessions may also be used.

Assessment:

The knowledge areas are assessed through discrete papers (but also pervasively through the skills assessments). Summative assessment must take the form of one examination, 3 hours long, comprised of Part A closed book MCT questions, set centrally and marked electronically, plus Part B closed book SAQs, set centrally but marked locally (with equal weighting). Students are required to pass in each part. Assessment will be such that a broad range of the syllabus is assessed and that any part of it may be assessed. No indication must be given to students as to which parts of the syllabus will or will not be assessed. Mock formative assessments should also be held by Providers. The Mock formative assessments will be set centrally.

3. Criminal Litigation and Evidence

Teaching/learning methods and strategies:

Small group sessions should be centred upon the exploration of a prepared problem or case. Large Group sessions may also be used.

Assessment:

The knowledge areas are assessed through discrete papers (but also pervasively through the skills assessments). Summative assessment must take the form of one examination, 3 hours long, comprised of Part A closed book MCT questions, set centrally and marked electronically, plus Part B closed book SAQs, set centrally but marked locally (with equal weighting). Students are required to pass in each part. Assessment will be such that a broad range of the syllabus is assessed and that any part of it may be assessed. No indication must be given to students as to which parts of the syllabus will or will not be assessed. Mock

4. Conferencing

formative assessments should also be held by Providers. The Mock formative assessments will be set centrally.

Teaching/learning methods and strategies:

Students must be given the opportunity to practise conducting a conference on at least four occasions across a broad range of scenarios involving lay and professional clients. Each of the four conferences must be observed by a tutor and the tutor must provide feedback to the student. Each conference should, wherever possible, be video/DVD recorded.

Following each conference exercise, students should be offered the opportunity to reflect on the conduct of the exercise and to review their own performance, including how, with hindsight, they might have done it differently.

Assessment:

There must be a minimum of one formal oral assessment, although additional formative assessment should be utilised, as indicated above (ie at least 3 additional 'formative-only' opportunities).

5. Drafting

Teaching/learning methods and strategies:

Teaching may make use of large and/or small group sessions. Following each practice exercise students must receive individual feedback from the tutor.

In addition, at least five practice drafting exercises covering a broad range of legal issues should be undertaken by students as formative exercises. Each exercise must require the application of legal research and legal knowledge. On each of the six occasions in each skill the student must receive individual feedback from the tutor. Poor English, grammar and syntax will be penalised.

Assessment:

Formal assessment must be by means of one formal unseen time constrained invigilated examination (where open book materials may be used as specified in advance).

6. Opinion Writing

Teaching/learning methods and strategies:

Knowledge and understanding gained in Civil and Criminal areas should be utilised for opinion writing as well as their being taught as a discrete subject.

In addition, at least five opinions covering a broad range of scenarios should be undertaken by students as formative exercises. Each exercise must require the application of legal research and legal knowledge, and on each of the six occasions, the student must receive individual feedback from the tutor. Poor English, grammar and syntax must be penalised.

Assessment:

Assessment must consist, as a minimum, of one formal unseen time-constrained invigilated examination (where 'open book' materials may be used as specified in advance).

7. Professional Ethics

Teaching/learning methods and strategies:

Professional ethics must be taught as a separate unit, seriously and in-depth. Case studies (highlighting practical dilemmas) and practical examples should be used. All teaching and learning must be designed to enable students to appreciate the core principles which underpin the Code of Conduct. Providers must ensure the participation of experienced practitioners in the design and delivery of professional ethics issues within the course. Professional ethics issues should be included in group discussions and other course activities, so that Providers can demonstrate that professional ethics pervade all aspects of their course.

Students may wish to maintain, during their year of study, a reflective journal on ethical issues which relates in particular to their courtroom observation. This is advisable, but not a requirement.

Assessment:

Students must be assessed and be judged competent in professional ethics and conduct, and they should, on a regular

8 Resolution of Disputes Out of Court (Redoc)

basis, be required to make explicit use of the Code in timetabled lessons. The tutor notes accompanying these lessons should clearly indicate the nature of the issue(s) and possible responses. Formative-only exercises may be used. Summative assessment must take the form of one examination, 3 hours long, comprised of Part A closed book MCT questions, set centrally and marked electronically, plus Part B open book SAQs, set centrally but marked locally. There must be a pass in each part. Assessment will be such that a broad range of the syllabus is assessed and that any part of it may be assessed. No indication must be given to students as to which parts of the syllabus will or will not be assessed. Mock formative assessments should also be held.

Note that a 'Red Light Fail' may also be applicable to an Ethics issue.

Teaching/learning methods and strategies:

Formal lectures/large group sessions should normally be used for knowledge delivery. Demonstrations by experienced practitioners should also be incorporated. Students may be given the opportunity to practise conducting a negotiation and mediation with fellow students across a broad range of scenarios. These should be observed by a tutor, should ideally be recorded on video/DVD and used for discussion/feedback provided to students involved or observing.

The mediation awareness and mediation advocacy training should be a minimum of eight to ten hours either over two days or in modular form over a longer period and include at least one mock mediation session.

The process should include opportunities for students to demonstrate the mediation advocacy skills they have learned by means of participation in 'mock' mediation. The mock mediation session should be interactive, with pauses to allow for moderated question and answer sessions.

Opportunities for role play may be included as a formative exercise, as part of the teaching methodology.

9. Options:

- i. Advanced Arbitration
- ii. Clinical Negligence
- iii. Competition Law
- iv. Criminal Law
- v. Family Law
- vi. Immigration Law
- vii. International Environmental Law
- viii. International Trade
- ix. Landlord and Tenant
- x. Pro-Bono/Law Clinic (experiential learning)

Assessment:

There must be a minimum of one formal examination totalling 100% of assessment for this topic, to include reference to and coverage of the necessary skills involved. Opportunities for role play may be included as a formative exercise, but these should not count towards summative assessment.

The written examinations should ideally involve providing students with a series of hypothetical cases and scenarios and asking them practical and ethical questions.

Teaching/learning methods and strategies:

The options are not intended to deliver substantive knowledge but rather to allow the opportunity to further develop the skills acquired in the foundation subjects.

1. Students must choose two single options or one double option only pro-bono (offered as a double option).
2. Taught single options are delivered over no less than sixteen hours contact time. All other options, such as clinical options and double options are equivalent in the nature of the contact time provided.
3. No less than 50% of the duration of the option must be directed to the practice of skill(s) learnt in the core of the course.
4. Options must build upon the development of the skills delivered in the core of the course.
5. Options are taught with a view to professional practice
6. Options are to be delivered during terms two and three only with the exception of a Pro Bono/Law Clinic option.

Assessment:

The assessment of the options must include a skills exercise, which may be formative. Summative assessment must be a minimum of one written or oral assessment

D TRANSFERABLE SKILLS AND OTHER ATTRIBUTES

D Transferable skills and other attributes 1. research 2. negotiate/mediate 3. advocate 4. Write opinions/advices 6 Conduct conferences/client interviews	Teaching/learning methods and strategies See above Assessment See above
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Section 4: Programme structure

Use next page to provide a structural chart of the programme showing:

- *Level and credit requirements*
- *Interim award requirements*
- *Module diet, including compulsory/core/optional modules*

Postgraduate Diploma in Bar Professional Training

ENTRY
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level M	<p>Compulsory modules</p> <ul style="list-style-type: none"> • Civil Advocacy UJXUS6-20-M • Civil Litigation, Remedies and Evidence UJXUS7-15-M • Conferencing Skills UJXUS8-5-M, • Criminal Litigation, Evidence and Sentencing UJXUS9-15-M • Opinion Writing UJXUSA-10-M • Drafting UJXU69-10-M • Professional Conduct UJXUSB-10-M, • Resolution of Disputes Out of Court UJX USC-5-M, • Criminal Advocacy UJXUSN -20-M 	<p>Optional Modules</p> <p>Any two from:</p> <ul style="list-style-type: none"> • Advanced Arbitration UJXUSD-10-M • Clinical Negligence UJXUSE-10-M • Criminal Law UJXUSF-10-M • International Environmental Law UJXUSG-10-M • Employment UJXUSH-10-M • Family Law UJXUSJ-10-M • Refugee and Asylum Law UJXUSK-10-M • International Trade UJXUSL-10-M • Landlord and Tenant UJXUSM-10-M • Competition Law UJXUSP-10-M • Community Legal Advice and Representation Service UJXUSQ-10-M • Community Legal Advice and Representation Service UJXUSR-20-M 	<p>Awards:</p> <ul style="list-style-type: none"> • Target/highest Postgraduate Diploma in Bar Professional Training • Default title None <p>Credit requirements 130 credits at Level M</p>
	<p>Core modules</p> <ul style="list-style-type: none"> • None 		

Section 5: Entry requirements

Minimum lower second law degree or in another discipline plus the Graduate Diploma in Law; passing the BSB aptitude test and IELTS i.e. attaining 7.5 in each component at one sitting

Section 6: Assessment Regulations

Approved variant to University Academic Regulations and Procedures (insert title of variant) Bar Professional Training Course Assessment Regulations

Section 7: Student learning: distinctive features and support**Section 8 Reference points/benchmarks**

- *Subject benchmarks (QAA Unit ...)*
- *University teaching and learning policies:*
- *staff research projects:*
- *employer interaction/feedback:*

This specification provides a concise summary of the main features of the programme and the learning outcomes that a typical student might reasonably be expected to achieve and demonstrate if he/she takes full advantage of the learning opportunities that are provided. More detailed information on the learning outcomes, content and teaching, learning and assessment methods of individual modules can be found in module specifications. These are available on the University Intranet.

Programme monitoring and review may lead to changes to approved programmes. There may be a time lag between approval of such changes/modifications and their incorporation into an authorised programme specification. Enquiries about any recent changes to the programme made since this specification was authorised should be made to the relevant Faculty Academic Registrar.