

SECTION A								
<b>QUALIFICATION DEVELOPER</b>		Gaborone University College of Law and Professional Studies						
<b>TITLE</b>		Diploma In Law				<b>NCQF LEVEL</b>		6
<b>FIELD</b>		Law And Security		<b>SUB-FIELD</b>		Law		
New qualification		✓	Review of existing qualification					
<b>SUB-FRAMEWORK</b>		General Education			TVET		Higher Education	✓
<b>QUALIFICATION TYPE</b>		Certificate			Diploma	✓	Bachelor	
		Bachelor Honours			Master		Doctor	
<b>CREDIT VALUE</b>						375		
RATIONALE AND PURPOSE OF THE QUALIFICATION								
<p>Law has become a need in all socio-economic facets of life. Its importance to sustainable development and the economy of a country cannot be understated. As government move towards the realization of knowledge based economies, there is need to impart knowledge of the law on administrations responsible for the promulgation and implementation of economic policies. The above assertion find statement by His Excellency Dr MEK Masisi during the general debate of the 15<sup>th</sup> session of the United Nations General Assembly, 2020, <a href="http://www.un.org">www.un.org</a> .</p> <p>A study by Steven Shavell Titled, the Level of Litigation Privately versus Social optimally of suit and of settlement (International Review of law and Economics 19:99-115, 1999), indicated that business and governments continue to incur exorbitant legal costs that could easily be avoided by having a simple background on essential aspects of law such as the dictates of natural justice, being the right to be heard and the rule against bias all of which meet fundamental to contemporary strategic leadership and management.</p> <p>This qualification provides learners who do not meet the stipulated minimum entrance requirements, an opportunity to gain access to higher qualifications and ultimately become lawyers. Lawyers have been listed in HRDC Top Occupations Report of 2016 as one of occupations in demand. This qualification will also address the workplace need for basic knowledge of legal issues. Furthermore, majority of learners who aspire to this qualification are likely to be those already employed in a working environment in which certain legal skills are required. This qualification will therefore, give</p>								

them the opportunity to develop skills and acquire vital knowledge that is essential for successful execution of their duties.

## **PURPOSE**

The purpose of this training qualification flows from its rationale thereof and this includes facilitating the entry of graduates into the Para-Legal profession. Furthermore, it is intended to provide the learners with the knowledge and skills necessary: to compete with and compliment other members of the legal fraternity; to equip employees of government departments and agencies with foundational knowledge in basic principles of law; to enter the public judicial service; to provide legal support service in the public and private sectors.

Graduates of this qualification should be able to:

- Demonstrate knowledge of the nature of the legal institutions, rules, concepts and principles and to locate them within their historical, social economic and political context.
- Apply legal research tools to find and research the law and apply the law creatively to legal problems.
- Demonstrate knowledge of ethical responsibilities of Para-Legal to the courts and society in general.to law degree study.

## **ENTRY REQUIREMENTS**

### **Entry requirements:**

The candidate/applicant must have satisfied the minimum conditions for entry set out below:

- i. Certificate IV (NCQF Level 4) or equivalent.
- ii. Access through RPL and CAT (for Certificate V, Diploma in related field or equivalent) will be provided through ETP policies in line with National RPL and CAT

QUALIFICATION SPECIFICATION: SECTION B		
GRADUATE (LEARNING OUTCOMES)	PROFILE	ASSESSMENT CRITERIA
Upon completion of this qualification, candidate will:		
<ul style="list-style-type: none"> <li>Demonstrate knowledge of the nature of the legal institutions, rules, concepts and principles and to locate them within their historical, social economic and political context.</li> </ul>		<ul style="list-style-type: none"> <li>Identify legal institutions such as Legal Aid, Legal Insurance and explain their structure and functions.</li> <li>Outline the civil and criminal procedures in Botswana.</li> <li>Distinguish between public and private law.</li> <li>Demonstrate knowledge, the development and varying functions of the dual legal system in Botswana.</li> <li>Identify the state as a jurist person and divide the state into its three arms.</li> <li>Ability to advise the community of their legal rights, duties and obligations</li> </ul>
<ul style="list-style-type: none"> <li>Apply legal research tools to find and research the law and apply the law creatively to legal problems.</li> </ul>		<ul style="list-style-type: none"> <li>Apply advanced paralegal knowledge and understanding of law to a specific problem within the Botswana legal context.</li> <li>Display knowledge of research ethics.</li> <li>Use different methodologies to conduct legal research.</li> <li>Apply the substantive knowledge of law acquired.</li> <li>Contribute his quota to the legal development through recommendations/research out puts.</li> </ul>
<ul style="list-style-type: none"> <li>Evaluate the advantages and disadvantages of working as an individual versus working as a team in creatively addressing legal issues and simulated legal problems.</li> </ul>		<ul style="list-style-type: none"> <li>Analyse court process and address them.</li> <li>Solve problems in a paralegal context by working in a team and individually.</li> <li>Produce legal documents in a paralegal context and prepare draft legal documents in a legal context.</li> <li>Apply substantive and procedural law in simulated situations in preparation for court processes.</li> <li>Represent clients in the industrial court in labour related matters as non-attorneys are permitted to practice in the court in such matters.</li> </ul>

<ul style="list-style-type: none"> <li>• Carry out research in basic legal matters and demonstrate skills required for legal studies.</li> </ul>	<ul style="list-style-type: none"> <li>• Complement the Attorneys works through legal research.</li> <li>• Participate effectively in briefings and articulating legal issues.</li> <li>• Prepare, draft and present legal papers.</li> </ul>
<ul style="list-style-type: none"> <li>• Demonstrate knowledge of ethical responsibilities of Para-Legal to the courts and society in general.</li> </ul>	<ul style="list-style-type: none"> <li>• Apply ethical conduct, values and professionalism when dealing with internal and external clients.</li> <li>• Conduct themselves in a manner befitting a member of the legal fraternity.</li> <li>• Conduct themselves in a well-mannered, courteous and respectful to the court and the expectation of the legal profession.</li> </ul>
<ul style="list-style-type: none"> <li>• Develop commitment to justice and the promotion of human rights in Botswana.</li> </ul>	<ul style="list-style-type: none"> <li>• Apply and advocate the rule of law.</li> <li>• Defend and promote human rights in Botswana by enforcing compliance.</li> </ul>

QUALIFICATION STRUCTURE			
			SECTION C
FUNDAMENTAL COMPONENT Subjects / Units / Modules /Courses	Title	Level	Credits
	Introduction to Law	5	10
	Introduction to Information Technology	5	10
	English communication for law	5	15
CORE COMPONENT Subjects / Units / Modules /Courses	Interpretation of Statutes	5	10
	Alternative Dispute Resolution	5	10
	Customary Law	5	10
	Introduction to Social Security Law	5	10
	Introduction to Criminal Law	5	10
	Criminal Law: Specific offences	6	15
	Introduction to Business Law	5	10
	Contract law	5	15
	Civil Procedure	5	20
	Criminal Procedure	5	20
	Law of Evidence	5	20
	Family law	5	15
	Immigration Law	6	15
	Labour Law	6	15
	Property Law	6	15
	Constitutional and Administrative law	6	15
	Land Law	6	15
	Human Rights Law	6	15
	Company Law	6	15
	Legal research	6	25
	Insurance Law	6	15
	Law of Succession	6	15
	Legal Ethics	6	15
	<b>Total Credits</b>		<b>375</b>
ELECTIVE COMPONENT	NONE		

Subjects / Units / Modules /Courses			
<b>Rules of combinations, Credit distribution</b>			
Credit distribution for this qualification are as follows: Level 5. = 185 credits Level 6 = 190 credits <b>Total credits = 375</b> All courses are core and compulsory.			

## **ASSESSMENT AND MODERATION ARRANGEMENTS**

Both assessment and moderation arrangements will be done by BQA registered and accredited moderators and assessors.

### **Assessment**

The assessment for this qualification shall comprise of both formative and summative assessments weighted according to institutional guidelines and policies.

- The formative assessment shall consist of assignments and tests which together will make 50% of the final mark.
- Summative assessment shall make up the remaining 50%.

### **Internal Moderation**

All assessment tools undergo internal moderation. A minimum of two moderators is required to moderate all tests, examinations and samples of learners' work. The internal moderators also ensure that the suggested answers and marking schemes are appropriate. They check that the agreed version of the question paper, suggested answers and marking scheme have been set in accordance with the standards required for the level of the exams. They also ensure that there is no duplication of items in the assessment instruments or avoid unnecessary overlap with other papers and ensure progression. The exam papers are further moderated by external moderators before they are certified to be appropriate for the exam. After marking, exam papers are checked by internal moderators and submitted to the academic board or related body for approval before submission to external moderation.

### **External Moderation**

All assessments leading to the award of credit or qualification must be externally moderated. Where the qualification is offered or awarded in collaboration with other institutions, external moderation processes and standards followed should be consistent with the NCQF quality standards. Results are published after external moderation through the Academic Board or similar structure.

### **RECOGNITION OF PRIOR LEARNING**

Recognition of Prior Learning (RPL) will be applied to all applicants who fall under category iii of entry requirements and should be subjected to testing and other forms of evaluation in line with BQA RPL guidelines and specific RPL policy of the institution.

### **PROGRESSION PATHWAYS (LEARNING AND EMPLOYMENT)**

Learners who have achieved the diploma in law may articulate horizontally with:

- Diploma in Educational Law
- Diploma in Administration Law
- Diploma in Land Law
- Diploma in Business Law

Vertically to:

- Bachelor of Laws
- Bachelor of Arts and Public Administration
- Bachelor of Science Policing and Law.

This qualification should also enable graduates to more easily progress into qualifications in the Humanities and Social Science and Health programmes at equal levels.

### **EMPLOYMENT PATHWAYS**

Upon successful completion of this qualification learners have a great chance securing employment typically in positions such as:

- Legal Assistants
- Legal Secretaries

### **QUALIFICATION AWARD AND CERTIFICATION**

Upon successful attainment of 390 credits, the candidate will be awarded a qualification of Diploma in Law by the institution and issued certificate and transcript.

### **REGIONAL AND INTERNATIONAL COMPARABILITY**

On national level University of Johannesburg compare favourably as they offer a Diploma in Law programme with similar entry requirements and with the same duration. The objectives, duration, title are similar except that of a module on Business Law. At Regional Level Midland State University offers a Diploma in Para-Legal Studies. Its entry requirements and objectives compare favourably same applies to the modules offered. Also, the University has a research project. The duration of the programme is one and a half years (18months). On international level Charles Darwin University Australia, it compares favourably it has similar duration, entry requirements, the modules offered. Furthermore, the pathways are also similar.

<b>Title of Qualification (and country of origin)</b>	Diploma in Law (South Africa- University of Johannesburg)	Diploma in Paralegal Studies (Zimbabwe- Midlands State University)	Diploma in Laws (Charles Darwin University- Australia)
<b>Composition</b>	Course work and workshop	Course work and research	Course work
<b>Entry requirements</b>	National Senior Certificate or Matric Certificate (Grade 12) OR an equivalent qualification with endorsement or exemption to study towards a diploma.	O' Level certificate or equivalent OR Relevant professional qualification(s) and/or experience will also be considered	Northern Territory Certificate of Education and Training (or equivalent) and the awarding of an Australian Tertiary Admissions Rank (ATAR) of at least 60*. National qualification at Certificate IV level or higher.
<b>Modules</b>	Introduction to SA Law and Family Law1 Criminal Law and Law of Criminal Procedure and Evidence 1 Civil Law 1 Business Law 1 and Communication Skills Family Law 2 Criminal Law and Law of Criminal Procedure and Evidence 2 Civil Law 2 Business Law 2 and Labour Law	Communication and Computer Skills Introduction to Law Interpretation of Statutes Alternative Dispute Resolution Criminal Law Commercial Law Civil Procedure Criminal Procedure Law of Evidence Property Law Land Law Human Rights Law Company Law Research	Dispute Resolution, Legal Clinic, Intellectual Property Law, Research Paper, Private International Law, Public International Law, Moot Court, Succession, Competition and Consumer Law, Conveyancing Law, Finance and Securities Law, Science and the Law, Administrative Law, Corporations Law, Evidence, Civil Procedure, Professional Responsibility



<b>Credits</b>	<b>240 credits</b>	<b>Not indicated</b>	<b>Not indicated</b>
<b>NQF Level</b>	<b>NQF Level 6</b>	<b>No NQF</b>	<b>AQF Level 5</b>
<b>Difference</b>	240 credits	Title is Diploma in Paralegal Studies	Title is Diploma in Laws
<b>Similarity</b>	Similar modules  Minimum entry requirement (National Senior Certificate) is equivalent to NCQF Level 4 when mapped into the NCQF	Similar modules  Minimum entry requirement (O' Level certificate) is equivalent to NCQF Level 4 when mapped into the NCQF	Most of the modules are similar  Entry requirement is equivalent to NCQF Level 4 when mapped into the NCQF

#### References

University of Johannesburg :<https://www.uj.ac.za/>

Midland State University;<https://www5.msu.ac.zw/home/faculties/law/diploma-in-paralegal-studies/>

Charles- Darwin University;<https://www.educations.com/study-abroad/charles-darwin-university/diploma-of-laws-1036968>

#### REVIEW PERIOD

The qualification will be reviewed every 5 years.

#### Other information

**NONE**