

BQA NCQF Qualification Template

DNCQF.FDMD.GD04

Issue No.: 01

QUALIFICATION SPECIFICATION						
SECTION A						
QUALIFICATION DEVELOPER	BA ISAGO University					
TITLE	Certificate V in Law				NCQF LEVEL	5
FIELD	Law and Security	SUB-FIELD		Law		
New qualification	✓	Review of existing qualification				
SUB-FRAMEWORK	General Education		TVET	✓	Higher Education	
QUALIFICATION TYPE	Certificate	✓	Diploma		Bachelor	
	Bachelor Honours		Master		Doctor	
CREDIT VALUE	120					
RATIONALE AND PURPOSE OF THE QUALIFICATION						
<p>The United Nations Development Programme (UNDP, 2013) report calls for the reform of the legal sector programmes, legal protections for economic and social rights claims, crime prevention strategies including community policing, penal reforms and require an additional focus on human rights, all intended for improved justice and service delivery. The report continues to highlight that a weak institutional reform fails to address barriers in the justice system. Therefore, for an effective justice system, more skilled legal officers need to be trained (Section 16.2, HRDC).</p> <p>Furthermore, the National Development Plan (NDP) 11 highlights a need to empower administrators with necessary knowledge and skills to carry out their functions. NDP 11 provides that “Government will activate some modules in the Court Records Management System (CRMS) to improve on the Judiciary’s service delivery. Pillar 4 of Botswana’s Vision 2036 maintains that students should be empowered with legal background in order to be able operate in Government quasi-judicial supporting roles, or the legal practice as clerks or support staff. The qualification has been identified under the spotlight in the National Development Plan 11 (2016-2023) as a key developmental priority.</p> <p>The US Bureau of Labor Statistics (2018) declared an enduring demand for paralegal assistants and made a recommendation that an exponential growth in the area of the law should be expected faster than other areas. The Administration of Justice (AOJ, 2018) of Botswana proclaims that an effective and efficient judiciary will stop people from taking the law into their own hands and promote an amicable resolution of their disputes. All these can only be possible when there are relevant and competent experts in the judicial system. The development of this qualification would therefore contribute immensely to the demand of legal assistant.</p>						

The qualification comprises of modules that necessitate analysis of court documents. It would help enhance the students' analytical skills, knowledge of the Botswana legal system, while gaining a basic knowledge of law. The qualification also offers exposure to legal research skills, legal remedies, and the basic principles of legal reasoning.

This qualification would equip candidates with the requisite skills and competencies to:

- i. Provide administrative assistant to attorneys and other paralegals under the administration of justice such as drafting correspondence and legal documents including contracts, mortgages, registering title in the land registry
- ii. Conduct basic legal research on relevant laws, regulations, and legal articles to gather and arrange evidence and legal documents for review and case preparation.

ENTRY REQUIREMENTS (including access and inclusion)

- i. Certificate IV, NCQF level 4 (General Education or TVET).
- OR**
- ii. Applicants who do not meet the requirements above may be considered through RPL and CAT policies for access and inclusion as per BQA/ national policy.

QUALIFICATION SPECIFICATION		SECTION B
GRADUATE PROFILE (LEARNING OUTCOMES)	ASSESSMENT CRITERIA	
1. Apply knowledge of legal concepts, values, principles and procedures of law.	1.1 Classify various sources of the law and the institutions within which that law is administered. 1.2 Analyze case facts and patterns to identify relevant issues of law, fact and procedure. 1.3 Interpret the relevant rule of substantive law, procedure or evidence relevant to the issues identified 1.4 Prepare correspondences and legal documents following the relevant laws and principles.	
2. Execute effective communication and customer service skills in judicial settings and legal practice firms.	2.1 Provide face to face and telephonic services to customers in relation to inquiries. 2.2 Communicate with clients and witnesses to schedule meetings, interviews, depositions and hearings with legal professionals and attorneys. 2.3 Examine legal documents submitted for adherence to procedures.	

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	<p>2.4 Interpret legal materials such as statutes, court decisions and litigation documents to clients</p> <p>2.5 Inform the public on court etiquette and procedures before court resumes.</p> <p>2.6 Manage client billing by preparing, finalizing, and sending out bills, as well as resolving billing issues.</p>
3. Provide administrative services in adherence to appropriate and established legal procedures.	<p>3.1 Process incoming mail and correspondences by receiving, sorting, logging, and distributing.</p> <p>3.2 Maintain calendars for the attorney's and other paralegals in the administration of justice system.</p> <p>3.3 Capture docket cases, notices of hearings, postponements, reports, and other data into computer files.</p> <p>3.4 Transcribe legal dictation, minutes of meetings, conferences, interviews, etc.</p> <p>3.5 Draft court documents and correspondence for various trials</p> <p>3.6 Organize trial notebooks, exhibits, documents, and other materials for case presentation.</p> <p>3.7 Manage legal records and documentation in paper or through an electronic filing system.</p>
4. Apply basic research techniques to review legal journals and assist with legal research such as verifying quotes and citations in legal briefs.	<p>4.1 Collect evidence and other legal documents for attorney review and case preparation.</p> <p>4.2 Organize trial notebooks, exhibits, documents, and other materials for case presentation.</p> <p>4.3 Analyze the relevance of various legal sources and authorities to legal problems.</p> <p>4.4 Research on regulations, laws, and legal articles to assist with the preparation of reports, case files, and legal advice.</p> <p>4.5 Prepare legal documents such as summonses, complaints, requests for discovery and subpoenas for attorneys and their clients.</p> <p>4.6 Proofread correspondence and legal documents, such as pleadings and contracts</p>

QUALIFICATION STRUCTURE			
SECTION C			
FUNDAMENTAL COMPONENT Subjects / Units / Modules /Courses	Title	Level	Credits
	Communication Skills	4	10
	Computer Skills	4	10
	Customer Service	5	12
CORE COMPONENT Subjects / Units / Modules /Courses	Introduction to Law	5	12
	Introduction to Criminal law	5	12
	Introduction to the Law of Contract	5	12
	Introduction to Constitutional Law	5	12
	Introduction to Administrative Law	5	12
	Arbitration, Mediation and Reconciliation	6	14
	Foundation in Legal Research	5	14
ELECTIVE COMPONENT Subjects / Units / Modules /Courses	Not Applicable		
Rules of combinations, Credit distribution (where applicable):			
Level 4 = 20 credits Level 5 = 86 credits Level 6 = 14 credits Total Credits = 120 The credit combination for this qualification is made up of 32 credits from the fundamental component and 88 credits from the core component.			

ASSESSMENT AND MODERATION ARRANGEMENTS
<p>Assessment and Moderation will be conducted by Assessors and Moderators who have been registered and accredited with the Botswana Qualifications Authority (BQA).</p> <p>Assessment</p> <p>All assessments which are leading to the award of the qualification should be based on learning outcomes and associated assessment criteria as stipulated for the qualification.</p>

i. Formative assessment

The weighting of formative assessment is 60 % of the final assessment mark.

ii. Summative assessment

- Final examinations

The weighting of summative assessment is 40 % of the final assessment mark.

RECOGNITION OF PRIOR LEARNING (if applicable)

Recognition of Prior Learning (RPL) and Credit Accumulation Transfer (CAT) will be applicable for consideration for award in this qualification.

PROGRESSION PATHWAYS (LEARNING AND EMPLOYMENT)

Learning Pathways

Horizontal articulation

- Certificate V in Criminal Law (NCQF Level 5)
- Certificate V in Business Law (NCQF Level 5)

Vertical articulation

- Diploma in Law (NCQF Level 6)
- Diploma in Court Administration (NCQF Level 6)

Employment Pathways

- Customary Court Presidents
- Deputy Sheriffs
- Court Clerks
- Debt Collectors
- Executive Secretaries in Private Law firms
- Police Officers
- Correctional Services Officers
- Immigration Officers

QUALIFICATION AWARD AND CERTIFICATION

Candidates meeting the prescribed requirements will be awarded the qualification in accordance with the qualification composition rules and applicable policies. Candidates with a minimum of 120 credits will be awarded the qualification of Certificate V in Law. A certificate will be awarded to candidates upon successful completion.

REGIONAL AND INTERNATIONAL COMPARABILITY

The qualification compares well with the Certificate in Law offered by the University of South Africa (South Africa), Queens University (Canada) and Tumaini University Makumira (Tanzania)

1. University Of South Africa (South Africa) – Higher Certificate in Law

Benchmarked against the Higher Certificate in Law offered by the University of South Africa, the two qualifications are placed at NCQF level 5 and the total number of credits is 120. The duration of study for both qualifications is 1 year and also the mode of assessment is similar which is by way of continuous assessment and final examinations. The two institutions offer Computer skills, Introduction to law and Introduction to Criminal Law as common modules. However, a number of differences can also be noted. The University of South Africa exposes learners to modules such as English for Academic Purposes, Social Dimensions of Justice, African Languages, and Introduction to Paralegal Studies, Citizenship Law and Skills Course for Law Students. The learners under the proposed qualification are exposed to modules such as Communication skills, Introduction to Contract Law, Introduction to Constitutional Law, and Introduction to Administrative Law, Customer Service and foundation in legal research. The University of South Africa presents the qualification by online learning while the mode of delivery under this qualification is on full time and part-time basis.

2. Queen's University (Canada) – Certificate in Law

Compared to Certificate in Law offered by Queen's University, the two qualifications offer Introduction to Law and Constitutional Law as common modules. However, the following differences can be noted among the two qualifications, Queen's University offers modules which are not offered by the proposed qualification like Aboriginal Law, Workplace Law, Corporate Law, Intellectual Property and International Law. The learners under this qualification are exposed to modules such as, Computer Skills, Customer service, Communication Skills, Introduction to Contract Law, Introduction to Administrative Law to name but a few which is not the case with those at Queen's University. The mode of study under this qualification is on full time and part- time basis while that of Queen's is purely online. Moreover the credits for the proposed qualification are 120 while Queens University has 12 credits. The duration of study for the proposed qualification is 1 year while that of Queen's university is 12 weeks.

3. Tumaini University Makumira (Tanzania) – Certificate in Law

This qualification was also benchmarked with the Certificate In Law offered by Tumaini University Makumira. Similarities are that both institutions are at NCQF Level 5 and offer Criminal Law, Constitutional Law, and Administrative Law as common modules. The duration of study in both institutions is 1 year and the mode of delivery is on full-time and part time basis. However, a number of differences were also noted among the two qualifications. Tumaini University Makumira offers modules such as Communication Skills for Lawyers, Legal Writing and Drafting Skills, and Human Rights Law which are not offered under this qualification. Tumaini University Makumira also offers learners 8 elective modules from which they choose one module per semester whereas under the proposed qualification the learners are only exposed to core modules with no electives. Also learners under this qualification are exposed to modules such as Communication skills, Computer Skills, Customer Service, foundations of legal research just to name a few which is not the case with those of Tumaini University Makumira. The total number of credits under this qualification is 120 while that of Tumaini University Makumira is 180 credits.

In general, this qualification compares well with its regional and international counterparts. The only major differences are in mode of study and scope of coverage or focus offered by the universities. This qualification is presented in the form of both full time and part-time basis for learners and is therefore in line with the BQA requirements and objective of providing access, mobility and progression for learners.

REVIEW PERIOD

This qualification will be reviewed after 5 years upon registration.