Diploma in Professional Legal Practice – Course descriptions

Core courses

Civil litigation *(incorporating rules of procedure, evidence, advocacy, negotiation and pre action protocols)*
This course explores the progress of a civil action from ‘precognition to proof’ in a stimulating and supportive environment. This highly practical course, which is taught by experienced practitioners, takes students swiftly from the first meeting with the client, through basics of the ordinary cause rules to preparing for proof. In addition, other procedures are taught e.g. simple procedure, summary application procedure and basic Court of Session procedure. The course also gives each student the opportunity to conduct a personal injury case with an ‘opponent’ and ends in a ‘pre-proof negotiation.’ Students are guided through the rules governing civil procedure using on-line modules, lectures, tutorials, simulated scenarios and practical assessments by highly experienced civil practitioners. All steps are taken to ensure that students learn the basics of preparing and conducting civil litigation in readiness for practice.

Commercial awareness
Whether working on the high street, in the public sector or as part of a national or even global firm, every lawyer needs to understand business, commerce and ethics. Commercial awareness is a wide-ranging course that prepares students for the commercial challenges of working as a solicitor in the 21st century. It will develop students’ business and commercial knowledge and skills in areas including financial services, marketing, operations, law firm strategy and tax alongside the ethical requirements solicitors owe to clients, courts and others. The course consists of lectures from law firm business leaders and leading in-house solicitors, interactive tutorials, role-play assessments and e-learning modules which can be accessed wherever, whenever and as often as you wish.

Conveyancing
This very practical course deals largely with the purchase and sale of heritable property both residential and commercial. It also deals with residential and commercial leasing. It is taught by means of a combination of lectures and tutorials. The students’ learning is enhanced by practical experience of drafting deeds, including commercial leases. Members of the profession, tutors and academic staff have collaborated to produce a booklet, *An Introduction to Basic Scottish Conveyancing* which is provided to assist students.

Criminal litigation *(incorporating evidence and procedure, advocacy and negotiation)*
This course aims to equip students with a sound practical knowledge and understanding of the structure, personnel and procedures of the criminal courts in Scotland; the sequence of procedural events in both solemn and summary procedure; the obligations and duties of an advocate/solicitor in criminal cases, both in relation to his client and to the court; advocacy skills; and the operation of the criminal legal aid scheme. This is a very practical course and involves a lot of role play and practical assessments.

Private client *(incorporating wills, trusts, deeds of variation, powers of attorney and guardianship)*
This is one of the most fundamental areas of practice in terms of the wide range of people and scope of their instructions and interests, which may be both private and/or integral to their business or public persona. You will learn much through class work and practical drafting as regards the art of accurate and discrete communication and engagement at many differing levels. Strategic thinking to plan for succession and asset protection during lifetime or post death are important strands of work in this area. In dealing with case work involving individuals and families you will learn to synergise the applicable law and life events positively to create
opportunities for such clients and those for whom they are responsible well into the future. Asset protection and dealing with vulnerable adults will also be covered by introducing trusts, attorney and guardianships.

Optional courses

**Advanced civil litigation** *(incorporating advocacy, remedies, debates, proofs and appeals)*
This course builds upon the core foundation skills students will have learned in the civil litigation course. It looks in detail at the subject of civil remedies and the importance of selecting the correct remedy at the outset of litigation. The course explores the role and purpose of written pleadings and involves students in practical oral and drafting exercises. The course looks in detail and from a practical perspective at critical steps in the life of a civil litigation such as debates on relevancy, proofs and appeals. Each student will receive a one to one video review and feedback from a tutor. The course is designed to enable students to develop the practical advocacy skills required to practice successfully in the civil courts in Scotland.

**Advanced criminal litigation** *(incorporating advocacy)*
This course is designed to complement the core Criminal course. The teaching consists of lectures and tutorials. The lectures introduce students to key areas in the practice of criminal law which a trainee is likely to encounter at an early stage in her/his career including general advocacy skills, taking an objection to evidence, making submissions, leading and challenging identification evidence, how to appeal against conviction and/or sentence and the solicitor’s role at an identification parade. The tutorials teach various advocacy skills through role play exercises, including the examination and cross-examination of witnesses, taking objections, making submissions and making a plea that there are special reasons for not disqualifying a driver. Each student will receive a one to one video review and feedback from a tutor.

**Commercial contracts**
The aim of this course is to develop a set of skills which will provide a solid basis for a trainee intending to engage in commercial practice. This course provides a highly interactive introduction to commercial contracts. It is designed to build upon the core knowledge from the degree course and to supplement this with the practical skills that will be required in practice on a day-to-day basis. The course is based around a number of real life type scenarios that provide students with a context for learning, with a particular emphasis on tasks with which a commercial trainee may be expected to deal. There will also be opportunities to gain an insight to the drafting and revising of contractual provisions (including an introduction to using commercial precedents); and reviewing and reporting on contracts, their execution as well as the enforcement of their terms. Students will be tasked with running a file in connection with certain scenarios which will enable them to engage, communicate and provide sound advice to commercial clients.

**Commercial conveyancing**
This course builds on the work that is covered in the core Conveyancing course. The course is based on a fictitious transaction in which two sisters, who have been left a family farm, sell it for development as a shopping centre. The centre has six units and a restaurant. Throughout the course, various issues are considered from a practical standpoint and from both the seller's and the developer's points of view. After the development has been completed three of the units are sold to a single purchaser so that the developer retains what is left as an investment. The course deals with a whole range of commercial property issues including auction sale and purchase, sale of land for development, option agreements, conditional contracts for sale, the practicalities of doing a property development transaction, agreements for lease and detailed provisions in commercial property leases, deeds of conditions for a shopping centre and sale of a newly built commercial property with the benefit of leases.
Contemporary Scottish public law (incorporating policy-making, legislative drafting, licensing and judicial review)
Public law is a dynamic, ever changing area where current significant public issues which ultimately evoke a change in the law are considered. This practical course is delivered by experts in public law drawn from Scottish Government, Scottish Parliament and Scottish local government. It charts the progress of a topical alcohol licensing issue from the stage of a proposal by a Scottish Minister for legislation through the initial policy stages in National and Central Government to the complex drafting of primary and secondary legislation. It then follows the issue through various Local Government processes, including dealing with an application to a licensing board, before turning to a challenge of that decision through the courts by judicial review. Codes of Conduct & Ethics for Public Life and Freedom of Information are also covered. The course covers the functions and powers of both Central and Local Government and is recommended for those students who wish to pursue a career in Local Authorities or Central Government. It is also recommended for those who will be in private practice, where exposure to public law and delivery of legal services via public sector outsourcing contracts is inevitable. Understanding how law is made and challenged in Scotland is a key skill to take into the profession.

Corporate
This course covers the life of a company from incorporation, through debt and equity funding to its sale or insolvency. It also covers the issues of director's duties and shareholder disputes. The course is designed around a lecture on each topic, followed by a tutorial which looks at the subject of the lecture in greater detail. The focus is on what a corporate lawyer is faced with on a daily basis to prepare students for entering their life as a practising lawyer.

Family law (incorporating negotiation, mediation, collaboration and litigation)
This course aims to provide a practical experience of the application of family law in Scotland. The course comprises lectures which deal with the applicable law and form a basis for tutorials, which are delivered by tutors all of whom are experienced family law solicitors or advocates. There will be opportunities to interview ‘clients’, draft statements, draft pleadings and conduct hearings. Issues relating to children, finance, divorce, cohabitation and adoption will all be covered. This is an essential stepping stone to anyone interested in the application and practice of family law in Scotland.

Human rights (incorporating asylum and immigration, employment, children’s hearings, criminal law)
Human Rights have become increasingly relevant for legal practitioners in Scotland. While the study of human rights at a theoretical level focuses on an understanding of the Convention and its interpretation by the European Court of Human Rights, this course focuses on the practical aspects of practising human rights law in Scotland, as opposed to taking a purely academic or theoretical approach. The aim is to ensure that students will be well equipped to recognise situations where there may be a human rights related argument and provide practical advice and analysis. This course provides an in-depth study of key areas of practice where human rights issues often arise, including public law, criminal justice, employment and immigration and asylum. By the end of this course, students will have a good grounding in the practical application of Human Rights law and be well equipped to identify potential human rights issues, and to advise clients appropriately.