

APPENDIX A: PROGRAMME SPECIFICATION

PROGRAMME SPECIFICATION

for the award of Post Graduate Diploma in Legal Practice (Cayman Islands) [also known as Professional Practice Course (PPC)]

Managed by the Faculty of Social Sciences and Humanities

delivered by the Truman Bodden Law School

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| Date approved: | Approved by validation panel on 5 June 2017 |
| Applies to students commencing study in: | September 2017 List for all cohorts to which the PS applies. |

RECORD OF UPDATES

| Date amended* | Nature of amendment** | Reason for amendment** |
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Extend list as necessary.

*Date of meeting of Faculty AESC, validation panel, or other authorised body at which changes were formally approved.

**Give brief outline of what has been updated and why (e.g. section 4.2 updated due to changes in PSRB requirements).

SECTION 1: GENERAL INFORMATION

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| Awarding body: | Oxford Brookes University |
| Teaching institution and location: | Truman Bodden Law School (TBLS) |
| Language of study: | English |
| Final award: | Postgraduate Diploma |
| Programme title: | Postgraduate Diploma in Legal Practice (Cayman Islands) [also known as Professional Practice Course (PPC)] |
| Interim exit awards and award titles available: | Certificate in Legal Practice |
| Brookes course code: | TB10 |
| UCAS code: | N/A |
| JACS code: | N/A |
| HECoS code: | N/A |
| Mode of delivery: | Full-time (face to face) |
| Mode/s and duration of study: | One year |
| QAA subject benchmark statement/s which apply to the programme: | |
| Professional accreditation attached to the programme: | The programme requires: the support of the Legal Advisory Council (LAC), and the approval of the Cayman Islands Government through Cabinet by the Attorney General within whose department TBLS is located. |
| University Regulations: | The Programme is subject to the policies and procedures set out in the Legal Practitioner (Students) Regulations 2015 available on the TBLS website www.lawschool.gov.ky The University's Assessment Regulations do not apply to the programme. |

SECTION 2: WHY STUDY THIS PROGRAMME?

This programme is designed for students who wish to be admitted as an attorney-at-Law of the Cayman Islands. Qualification as an attorney in the Cayman Islands is a process divided into two parts. The first part comprises an intensive full-time nine-month period of study in Cayman law and procedure – the Professional Practice Course (PPC). Successful completion of all modules on the PPC allows eligible candidates to move onto the second part of the qualification process and to apply to register Articles of Clerkship. This second phase of training is service under Articles of Clerkship with a practising Attorney-at-Law who will provide the student with practical experience in different aspects of legal work.

The PPC is operated under the supervision of the Legal Advisory Council of the Cayman Islands, comprising the Hon. Chief Justice, the Hon. Attorney General and the respective Heads of the Caymanian Bar Association and the Cayman Islands Law Society.

The aim of the Truman Bodden Law School (TBLS) is to equip students with the legal skills and knowledge that you will need when embarking upon a career as an Attorney-at-Law, and to provide you with a standard of legal education equivalent to that prevailing at good UK universities offering professional legal education programmes. Consistent with the legal education experience in these other law schools, you should anticipate an exciting and challenging experience; less commonly however, you will not encounter over-populated classes as TBLS has an enviable student : lecturer ratio in all classes.

The Programme is taught by experienced teaching professionals with many years of experience in teaching law, legal skills and procedure, including legal practitioners. Given the vocational nature of the Professional Practice Course, a number of modules are taught by local senior Cayman Island's attorneys (currently including the President of the Caymanian Bar Association, the Vice President of the Cayman Islands Law Society and Partners in leading Cayman Islands Law firms as well as the Head of International Compliance for an International Law firm with offices in Cayman and other Offshore Jurisdictions). Information about the qualifications and teaching experience of staff teaching on the programme can be found in the student Information Booklet.

TBLS works closely with members of the legal profession in the Cayman Islands to ensure that the PPC provides a solid preparation for your Articles of Clerkship. Members of staff at TBLS liaise with practitioners year on year to ensure that the PPC remains up to date and relevant. Representation by the Cayman Islands Law Society, the Caymanian Bar Association, the public Bar and the Judiciary, on the Legal Advisory Council also guarantees the full involvement of the various stakeholders in the delivery, development and enhancement of the programme to ensure it meets the needs of the Cayman Islands Legal Profession.

The demands of the PPC require a particular approach to teaching and learning.

Our teaching follows the “tell, show, do, review” sequence. In other words, you are told the relevant legal principles or procedure; shown how the principles apply to the particular transaction or shown a demonstration of a particular skill; you then try out the process of application yourselves, or attempt the particular skill; and finally you review your work with your tutor and peer group..

On the PPC we concentrate on **active learning**. The emphasis is thus on simulations by students of tasks undertaken by Attorneys-at-Law in practice which you will usually perform in groups, under the supervision of the tutor, followed by feedback (or “review”) in plenary session of the work performed in small groups.

Practical focus. On the PPC the focus is on

- Applying legal principles
- Addressing the client's needs and objectives

This means working systematically through the key points that must be addressed in order to give the client what they want. It follows from this that there is ample scope on the PPC to develop skills needed by a trainee about to enter practice.

The programme is supported by three key manuals written by current and former TBLS staff covering the following areas of local law: Cayman Conveyancing Law (the second edition of which was published in October 2006), Cayman Criminal Procedure (third edition of which was published in September 2015) and Cayman Civil Procedure (third edition to be published October 2016).

TBLS now boasts one of the Island's finest law libraries with significant lending and reference collections. Since September 2002, the library has fallen under the direct supervision of a qualified librarian, Mrs. Speirs, who also has responsibility for the Legal Department and Courts libraries. We also have a full time Library Assistant, Lourdes Pacheco. The Law School has a fully equipped computer room with all computers having internet access. The entire Law School also has a wireless internet capability.

Students enrolled on the PPC are given free, 24 hour access, via password protected subscription, to the electronic legal database of the Judicial Department which includes searchable access to all Cayman Islands Laws, Statutory Instruments, reported cases and unreported case transcripts. Students are also given free access, by password subscription, to Westlaw where they have 24 hour access to sources of law in the UK, Commonwealth and other Jurisdictions.

SECTION 3: PROGRAMME LEARNING OUTCOMES

At the end of the course, successful students should be able, under appropriate supervision, to:

- Research and apply knowledge of the law and legal practice accurately and effectively;
- Identify the client's objectives and different means of achieving those objectives and be aware of:
 - the financial, commercial and personal priorities and constraints to be taken into account;
 - the costs, benefits and risks involved in transactions or courses of action
- Perform the tasks required to advance transactions or matters
- Understand the key ethical requirements contained in the Cayman Code of Conduct for attorneys-at-law, understand where these may impact and be able to apply them in context
- Demonstrate their knowledge, understanding and skills in the areas of:
 - Professional Conduct and Ethics;

- Legal Accounts;
- the core practice areas of Corporate Practice, Conveyancing, Civil and Criminal Procedure and Evidence, Cayman Probate and Succession Law and Cayman Statute Law
- Practical Legal Research,
- Legal Skills such as Writing, Drafting, Negotiating, Interviewing and Advising, and Advocacy.
- Students should also be able to transfer skills learnt in one context to another and
- Reflect on their learning and identify their learning needs.

SECTION 4: CURRICULUM CONTENT & STRUCTURE

4.1 PROGRAMME STRUCTURE AND REQUIREMENTS:

| Module Title | Credits | Level | Status | Coursework: Exam ratio |
|-------------------------------------|----------------|--------------|---------------|-----------------------------------|
| Conveyancing | 10 | 7 | Compulsory | 0:100 |
| Civil Procedure and Evidence | 15 | 7 | Compulsory | 0:100 |
| Criminal Procedure and Evidence | 15 | 7 | Compulsory | 0:100 |
| Cayman Probate and Succession Law | 10 | 7 | Compulsory | 0:100 |
| Legal Accounts | 5 | 7 | Compulsory | 0:100 |
| Corporate Practice | 20 | 7 | Compulsory | 0:100 |
| Cayman Statute Law (Private Client) | 10 | 7 | Compulsory | 0:100 |
| Professional Conduct and Ethics | 10 | 7 | Compulsory | 0:100 |
| Practical Legal Research | 10 | 7 | Compulsory | 100:0 |
| Legal Skills | 15 | 7 | Compulsory | competent/not competent |

4.2 PROGRESSION AND AWARD REQUIREMENTS

This is a one year programme. All modules are compulsory and must be passed.

4.3 PROFESSIONAL REQUIREMENTS

For programmes with professional accreditation, provide a list of any modules which are required in order to achieve accreditation.

All modules on the PPC are compulsory.

SECTION 5: TEACHING AND ASSESSMENT

Teaching

Teaching is informed by the principle of active learning, so most of the teaching is in practical workshop sessions (Small group sessions/SGSs) where you will undertake, under the supervision of the tutor, the kind of tasks that you would be expected to perform as trainees in practice.

The emphasis in the sessions, is on problem solving and applying legal principles (taught by an introductory lecture, or by directed preparatory reading) to practical exercises such as interviewing and advising a client, negotiating a settlement, drafting a letter to client or an affidavit in support of proceedings or making an application to court. The activities incorporate relevant legal skills and you are expected to demonstrate a sound understanding of the legal principles and procedures studied whilst carrying out the activities. Tutors take an active role in the sessions, challenging and testing the students' understanding.

Some sessions, involve the tutor demonstrating legal principles and procedures by way of lecture, with students undertaking practical exercises as take home exercises to be submitted for individual feedback and generic feedback in a subsequent session.

As a guideline, you are expected to take approximately three hours to prepare take home exercises or to prepare for two hour small group sessions involving skills based activities which require preparation, such as drafting documents and affidavits, preparing legal submissions, negotiating settlements and advising clients.

Where SGS include activities involving oral skills, you will be provided with subsequent opportunities to demonstrate knowledge and application of these skills in the form of written assignments based on past assessment questions. This will enable you to understand the principles and procedures and apply them in both a practical setting and an assessment setting. The active learning technique used for preparation and performance of practical activities, thereby enhances your understanding of the matters upon which you will be assessed and better enables you to demonstrate the module and programme learning outcomes.

Assessment.

Knowledge, understanding and application in the core practice areas of civil procedure, criminal procedure, probate and succession law, conveyancing, corporate practice, Cayman statute law, and professional conduct and ethics are tested by written, unseen, supervised assessments where you can take in only Cayman statutes and regulations and Codes.

Knowledge, understanding and application in the area Accounts are tested by separate closed book supervised assessment where you perform accounting tasks and answer multiple choice questions.

Practical Legal Research is tested by an unsupervised assessed coursework where you have to produce an advice to client or a memorandum of research for a principal in circumstances which closely replicate that to be expected during articles.

The unseen assessments in all modules reflect the types of realistic activities that have been set in-course and replicate the kind of tasks a trainee may be required to carry out in practice. They require you to demonstrate understanding and application of the relevant principles and procedures and not the mere regurgitation of materials, You are also given an opportunity to perform a formative assessment and receive feedback on your performance in advance of summative assessments in each module.

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| Civil Procedure & Evidence | January assessment period | 2 questions from 4 <u>Three hours plus 10 minutes reading time</u> | Candidates may take into the examination room any unannotated order-in-council, statute, regulation, rule, practice directive or standing order found in Cayman Islands Law. |
| Legal Accounts | January assessment period | 2 questions from 2 <u>Two hours</u> | No materials allowed. (Calculator is allowed) Pencils will be supplied. |
| Cayman Probate and Succession Law | January assessment period | 2 questions from 2 in <u>one hour 30 minutes plus 10 minutes reading</u> | Candidates may take into the examination room any unannotated order-in-council, statute, regulation, rule, practice directive or standing order found in Cayman Islands Law. |
| Corporate Practice Part 1 | January assessment period | 2 questions from 3 <u>One hour and 30 minutes with 10 minutes reading time</u> | Candidates may take into the examination room any unannotated order-in-council, statute, regulation, rule, practice directive or standing order found in Cayman Islands Law. |
| Practical Legal Research | Release of question and submission April | Seen written assessment in the form of a research task and submission of either an advice to client or a research memorandum to principal | Not restricted. |

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| Criminal Procedure & Evidence | May assessment period | 2 questions from 4 <u>Three hours plus ten minutes reading</u> | examination room any unannotated order-in-council, statute, regulation, rule, practice direction or standing order found in Cayman Islands Law Candidates may also take into the exam Practice Note (Mode of Trial Guidelines) [1990] 1 WLR 1439 and the Judges Rules [1964] 1WLR 152 and Cayman Islands Sentencing Guidelines issued October 2015. |
| Professional Conduct and Ethics | May assessment period | 2 questions from 2 <u>Two hours plus ten minutes reading</u> | Candidates may take into the examination room any unannotated order-in-council, statute, regulation, rule, practice direction or standing order found in Cayman Islands Law. Candidates may also take into the exam an unannotated copy of the Code of Professional Conduct 2008. |
| Conveyancing | May assessment period | 2 questions from 3 in <u>one hour and thirty minutes plus ten minutes reading</u> | Candidates may take into the examination room all of the following materials: (1) any statute, regulation, rule, practice direction or standing order found in Cayman Islands law which must be unmarked, except for highlighting, underlining and tabbing; (2) copies of the 2016/17 Authorised Blank Document Templates for Internal Memo, Letter to the Client, Letter to the other side's Attorney, Attendance Note, and Completion Statement, all of which must be unmarked except for highlighting, underlining and tabbing; (3) a calculator |
| Cayman Statute Law (Private Client) | May assessment period | 2 questions from 3 in <u>two hours</u> | Candidates may take into the examination room any unannotated order-in-council, statute, regulation, rule, |

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| | | | practice directive or standing order found in Cayman Islands Law. |
| Corporate Practice Part II (Exempted Limited Partnerships) | May assessment period | 1 question from 2 in <u>one hour</u> | Candidates may take into the examination room any unannotated order-in-council, statute, regulation, rule, practice direction or standing order found in Cayman Islands Law. |

SECTION 6: ADMISSION TO THE PROGRAMME

6.1 ENTRY REQUIREMENTS

The entry requirements for the PPC are laid down in the Legal Practitioners (Students) Regulations (2015 Revision). Candidates must be Caymanian or have Caymanian status, or hold the consent in writing of the Governor in Cabinet. In addition, students must have successfully completed the Liverpool University LL.B. degree with at least a Lower Second Class classification or hold a qualification deemed to be equivalent to it by the Legal Advisory Council. The Degree, or equivalent, must have the status of a Cayman Qualifying Law Degree pursuant to Regulation 27 of the Legal Practitioners (Students) Regulations. Regulation 27A of the Regulations requires that the applicant's law degree or equivalent qualification must have been conferred no longer than 7 years before enrolment.

SECTION 7: PREPARATION FOR EMPLOYMENT

The programme has been designed to prepare you for employment in the legal profession. This is reflected in the continuous liaison between members the teaching team at TBLS and members of the legal profession in the Cayman Islands, including supervision by the Legal Advisory Council, to ensure that the programme is up-to-date and meets the current demands of the legal profession in the Cayman Islands.

You are given continuous exposure to the legal profession in a number of ways during the course of the PPC. A number of the teaching staff, and visiting speakers, on the PPC are current local legal practitioners and senior members of Cayman Islands Law Society and Caymanian Bar Association. Thus, whilst being trained in the core knowledge and skills relevant to legal practice, you are exposed to the commercial and practical realities of life as a legal professional in the islands. Frequent networking opportunities also arise with regular visits to the school, and invitations to law firm's offices, by local Law firms actively engaging with the PPC students to discuss scholarship and training opportunities. All students are invited to be student members of the Caymanian Bar Association ('CBA) with the opportunity to become actively engaged in educational and social activities of the association as well as exposure to current issues affecting the professions. You are strongly encouraged to help organise and take part in the CBA lecture series in which local legal professionals share their expertise in a wide variety of legal subject area relevant to the local profession.

There is also considerable emphasis placed on employer engagement and employability in the context of extra-curricular activity. You will have the opportunity to participate in the American Caribbean Law Initiative ('ACLI') Legal Clinics which are hosted bi-annually by member law schools of ACLI. These clinics involve the host law school (including the Truman Bodden law School, which most recently hosted the clinic in March 2016) working with its Attorney General's office to refer current legal problems to the Caribbean Law Clinic.

Students of the participating Law Schools travel to the host jurisdiction and, under faculty supervision, research and write reports and memoranda in mixed jurisdictional teams and present their findings to the Government who referred the problem to the clinic or members of the host country's judiciary.

Though the PPC programme has been designed for students wishing to become lawyers in mainstream private practice, the skills and knowledge acquired on the programme could be readily transferred to other types of career, such as:

- In-house lawyer
- Civil servant
- Compliance professional
- Financial Services professional
- Police
- Probation Service
- Government Legal Service
- Community worker