



Subject Benchmark Statement

Law

November 2019

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How can I use this document?

This is the Subject Benchmark Statement for Law. It defines the academic standards that can be expected of a graduate, in terms of what they might know, do and understand at the end of their studies, and describes the nature of the subject.

The [UK Quality Code for Higher Education](#) (Quality Code) sets out the Expectations and Core Practices that all providers of UK higher education are required to meet. Providers in Scotland, Wales and Northern Ireland must also meet the Common Practices in the Quality Code.

The Quality Assurance Agency for UK Higher Education (QAA) has also published a set of [Advice and Guidance](#), divided into 12 themes, and a number of other resources that support the mandatory part of the Quality Code. Subject Benchmark Statements sit alongside these resources to help providers develop courses and refine curricula but are not part of the regulated requirements for higher education providers in the UK.

This statement is intended to support you if you are:

- involved in the design, delivery and review of courses of study in law or related subjects
- a prospective student thinking about studying this subject, or a current student of the subject, to find out what may be involved
- an employer, to find out about the knowledge and skills generally expected of a graduate in this subject.

Subject Benchmark Statements provide general guidance for articulating the learning outcomes associated with the course but are not intended to represent a national curriculum in a subject or to prescribe set approaches to teaching, learning or assessment. Instead, they allow for flexibility and innovation in course design within a framework agreed by the subject community.

It may be helpful to refer to relevant Advice and Guidance when using this Statement.

Explanations of unfamiliar terms used in this Subject Benchmark Statement can be found in QAA's [Glossary](#).

About the Statement

This Subject Benchmark Statement refers to bachelor's degrees with honours in law.¹

It has been produced by a group of subject specialists drawn from, and acting on behalf of, the subject community. The process is facilitated by QAA, as is the full consultation with the wider academic community and stakeholder groups each Statement goes through.

In order to ensure the continuing currency of Subject Benchmark Statements, QAA initiates regular reviews of their content, five years after first publication, and every seven years subsequently, or in response to significant changes in the discipline.

Relationship to legislation

Higher education providers are responsible for meeting the requirements of legislation and any other regulatory requirements placed upon them, for example by funding bodies. This Statement does not interpret legislation nor does it incorporate statutory or regulatory requirements. The responsibility for academic standards remains with the higher education provider who awards the degree.

Higher education providers may need to consider other reference points in addition to this Statement in designing, delivering and reviewing courses. These may include requirements set out by Professional, Statutory and Regulatory Bodies (PSRBs) and industry or employer expectations.

Sources of information about other requirements and examples of guidance and good practice are signposted within the Subject Benchmark Statement where appropriate. Higher education providers are responsible for how they use these resources.

Summary of changes from the previous Subject Benchmark Statement (2015)

This version of the Statement forms its fourth edition, following initial publication in 2000 and subsequent reviews and revisions in 2007 and 2015.

This latest version of the Statement is the consequence of the revision to the [UK Quality Code for Higher Education](#) which was published in 2018. It has been revised to update references to the Quality Code and other minor changes within the sector. Changes have been made by QAA and confirmed by a member of the most recent review group.

We continue to encourage law schools² to help students to articulate to employers what they can do and what their qualities of mind are by using this Statement.

There have been no revisions to the subject-specific content of the statement.

¹ Bachelor's degrees are at level 6 in *The Framework for Higher Education Qualifications in England, Wales and Northern Ireland* and level 10 in *The Framework for Qualifications of Higher Education Institutions in Scotland*, as published in [The Frameworks for Higher Education Qualifications of UK Degree-Awarding Bodies](#)

² This Statement uses the term law school to include all providers of bachelor's degrees with honours in law.

UK-wide application of the statement (2015)

This Statement is designed for use by all UK higher education providers, providing non-prescriptive guidance and setting benchmark standards for law degrees which are relevant whichever legal system or systems studied and whatever the regulatory requirements for those students who wish to enter the legal profession. In revising the Statement, the review group was mindful that law degrees are foremost an academic qualification and provide a route to a range of careers, the legal profession being just one of them.

The application of the Statement to law degrees in Scotland was specifically addressed by the review group and account taken of consultation responses received from law schools in Scotland.

The Group reflected on the change of approach in the revised Statement in 2007 compared with the first iteration of the Statement in 2000. The latter had included specific sections addressing the standards applicable for ordinary degrees; the 2007 version did not. The Group is of the view that, consistent with other Subject Benchmark Statements, it is unnecessary to include benchmark standards for ordinary degrees as (in Scotland) these represent an exit award for candidates who do not wish or who are not permitted to progress to the bachelor with honours degree. This approach is comparable with that for other exit awards (such as the Diploma of Higher Education). It does, however, enable the Statement to be used as a starting point for the articulation of standards for any exit award in the same way as for any award below bachelor's level, such as foundation degrees.

1 Contextual statement

1.1 Studying law at undergraduate level is an academic matter. Law graduates do not, by virtue of their degree, have a right to practise law professionally. The study of law involves the acquisition of legal knowledge, general intellectual skills and certain skills that are specific to the study of law. The balance that there will be between the acquisition of legal knowledge, general intellectual skills and subject-specific skills in a curriculum will vary between law schools.

1.2 The study of law exposes students to a wide range of methods and techniques, some of which are specific to the discipline but others are drawn from the humanities and social sciences. The emphasis placed on the range and type of methods varies between law schools. Courses differ in some respects and their emphases reflect the interest and expertise of their staff as well as the resources at their disposal. The common denominator is the requirement on the student to apply their understanding of legal principles, rules, doctrine, skills and values. There are many ways of achieving this and different higher education providers will choose different approaches.

1.3 The study of law may focus on one or more jurisdictions. This Statement requires knowledge of the main features and principles of whichever legal system is (or systems are) being considered. Areas covered may include the relationships between individuals, between individuals and other entities, individuals and the state, as well as sources of law. Law is, however, shaped by and in turn impacts on, among other things, the ethical, social, political, environmental, and economic norms of that (or those) jurisdiction(s) and these may also be reflected in the curriculum.

1.4 At undergraduate level, students are aware of the consequences of law as a human creation and that it is subject to the ethics and values of those that make and apply it. The implications of this in the context of securing justice and the public interest are considered as part of legal study. Law schools will determine for themselves how ethics are addressed in the curriculum, but it is expected that students will have opportunities to discuss ethical questions and dilemmas that arise in law and to consider the features of ethical decision-making.

1.5 In addition to the general intellectual training that they provide, law degrees give a preparation for a range of careers. Law students are employable not only in the law but also in a variety of highly skilled and analytical roles in, for example, business, finance, education, public policy, public service and social services in the UK and internationally.

1.6 This Statement focuses on the minimum that a law student will know or be able to do in order to pass at undergraduate level with honours, in other words the threshold standard. All law schools will expect the vast majority of their graduates to be able to do much better than achieve this minimum standard.

2 Benchmark standards

2.1 This section describes the minimum or threshold level of achievement reached by all graduates with a bachelor's degree with honours in law.

2.2 Important abilities and qualities of mind are acquired through the study of law that are readily transferable to many occupations and careers. Some of these qualities and abilities are generic, in that they are imparted by most degree courses in the humanities and social sciences. But degree-level study in law also instils ways of thinking that are intrinsic to the subject, while being no less transferable. These include an appreciation of the complexity of legal concepts, ethics, rules and principles, a respect for context and evidence, and a greater awareness of the importance of the principles of justice and the rule of law to the foundations of society.

2.3 The following list of skills and qualities of mind is designed to be comprehensive but is not intended to be exhaustive or definitive. The order is not indicative of priority.

A law student's skills and qualities of mind

2.4 A graduate of law with honours has demonstrated:

- i intellectual independence, including the ability to ask and answer cogent questions about law and legal systems, identify gaps in their own knowledge and acquire new knowledge, and engage in critical analysis and evaluation
- ii self-management, including an ability to reflect on their own learning, make effective use of feedback, a willingness to acknowledge and correct errors and an ability to work collaboratively
- iii awareness of principles and values of law and justice, and of ethics
- iv knowledge and understanding of theories, concepts, values, principles and rules of public and private laws within an institutional, social, national and global context
- v study in depth and context of substantive areas of law
- vi ability to conduct self-directed research, including accurate identification of issue(s) which require researching, retrieval and evaluation of accurate, current and relevant information from a range of appropriate sources, including primary legal sources
- vii ability to work with a range of data, including textual, numerical and statistical
- viii ability to recognise ambiguity and deal with uncertainty in law
- ix ability to produce a synthesis of relevant doctrinal and policy issues, presentation of a reasoned choice between alternative solutions and critical judgement of the merits of particular arguments
- x ability to apply knowledge and understanding to offer evidenced conclusions, addressing complex actual or hypothetical problems
- xi ability to communicate both orally and in writing, in relation to legal matters, including an ability to listen and respond to written and oral stimuli, including questions and instructions
- xii engagement with their own personal and professional development, and academic integrity.

3 Learning, teaching and assessment

3.1 Students engage with legal education in a variety of ways which may include classroom or online learning, independent study, or a mixture of options, full or part-time. Law schools consider how standards, quality and the coherence of the learning experience may be maintained while taking steps to enable informed learning choices for students. The introduction of more flexible modes of study are accompanied by due consideration of the implications for learning design. Law schools ensure that the activities envisaged are consistent with the overall goals of the course, and that they are well supported and fully documented, including, where appropriate: information about module requirements and responsibilities; intended learning outcomes; supervision arrangements; and assessment strategies and standards.

3.2 A course of learning and teaching in law is designed to enable students to demonstrate the attainment of the relevant learning outcomes, and assessment strategies are capable of demonstrating how well students have achieved these outcomes. Law schools also ensure suitable safeguards to ensure the authenticity of learning and be clear with students about the benefits and limits of cooperative learning. Students are supported in a progressive acquisition of subject knowledge and skills, gradually advancing towards more independent learning. The acquisition of skills is planned in conjunction with the knowledge-based curriculum, so that the relationship between the two is given detailed consideration. Skills are taught, practised and assessed within a curriculum framework that is balanced, coherent and progressive, so that the level of challenge and achievement is gradually increased throughout. The development of the skills specified in this Statement requires that students are well supported to be able to use the range of tools and resources available to them. Students have the opportunity to receive critical and constructive feedback on their performance. Feedback may come from a range of sources (for example, tutors, peers and work-placement employers) but to be effective it assists students to develop further their understanding of the requirements of the discipline, and help them to demonstrate their knowledge and skills.

3.3 Whatever their study mode, it is recommended that students experience a range of teaching methods throughout their law course and this might typically, although not exclusively, include lectures, small group formats, online learning environments, self-directed or collaborative study, experiential learning and problem-based learning. Law schools are encouraged to ensure that students are able to actively engage in, and reflect on, their learning and thereby help them to progressively grow in confidence as independent learners.

3.4 Higher education providers with direct or indirect responsibility for law degrees ensure that teaching and learning resources, including staff, library provision, and information and communications technology, are adequate to enable students enrolled on a law course to gain the knowledge and acquire the skills set out in this Statement and in any regulatory competence or professional framework statements of the legal regulation bodies, as relevant to the course of study.

3.5 The range of assessment methods is appropriate to make valid judgements about a student's overall level of achievement in relation to the prescribed learning outcomes. Assessment may be timed or untimed, seen or unseen, continuous or examination based, and tasks that a student might be expected to encounter could include essays and reports of varying length; case notes; statutory interpretation; briefs; annotated bibliographies; critiques of articles; oral/video presentations; moots; skills-based assessments; reflective learning journals; research project/dissertation; work/clinic-based assessments; and the creation, use and management of online resources.

3.6 Learning, teaching and assessment procedures provide all students with the opportunity to demonstrate they have met the skills and qualities of mind set out in this Statement. Law schools recognise the importance of inclusive practice in this regard and are sensitive to equal opportunities requirements as indicated by good practice and relevant legislative obligations.

3.7 Learning, teaching and assessment strategies are regularly reviewed and updated as appropriate, reflecting advances in teaching practice and information technology. Law schools are also encouraged to seek out and to share examples of effective learning, teaching and assessment practice.

Appendix: Membership of the benchmarking and review groups for the Subject Benchmark Statement for Law

Membership of the review group for the Subject Benchmark Statement for Law (2019)

The fourth edition, published in 2019, was revised by QAA to align the content with the revised UK Quality Code for Higher Education, published in 2018. Proposed revisions were checked and verified by a member of the review group of the Subject Benchmark Statement for Law from 2015.

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| Professor Chris Ashford | Northumbria University Newcastle, Association of Law Teachers |
| Mr Simon Bullock | QAA |

Membership of the review group for the Subject Benchmark Statement for Law (2015)

Details provided below are as published in the third edition of the Subject Benchmark Statement.

| | |
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| Professor Rebecca Huxley-Binns (Chair) | University of Law |
| Professor Chris Ashford | Northumbria University Newcastle, Association of Law Teachers |
| Professor Anthony Bradney | Keele University, Society of Legal Scholars |
| Mr Graeme Broadbent | Kingston University |
| Dr Chantal Davies | University of Chester, Forum for Research into Equality and Diversity |
| Jane Chapman | Formerly University of Law |
| Mr Richard Grimes | University of York |
| Dr Jess Guth | University of Bradford, Socio-Legal Studies Association |
| Professor Jenny Hamilton | University of London |
| Dr Gráinne McKeever | University of Ulster |
| Sheree People | De Montfort University, Committee of Heads of UK Law Schools |
| Dr Maureen Spencer | Middlesex University |
| Caroline Strevens | University of Portsmouth |
| Zoe Swan | University of Greenwich |
| Donna Whitehead | University of South Wales |
| Tracey Varnava | University of London |
| Lucy Yeatman | University of Greenwich |

QAA officers

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|------------------|-----|
| Dr Tim Burton | QAA |
| Dr Cathy Kerfoot | QAA |
| Mr Dan Murch | QAA |

Employer representative

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| Mr Tony King | Clifford Chance LLP |
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Professional, statutory and regulatory body representatives

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| Carol Cook | Solicitors Regulation Authority |
| Mr Simon Thornton-Wood | Bar Standards Board |
| Alison Hollyer | The Chartered Institute of Legal Executives |

Student reader

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|---------------------|----------------------|
| Mr Charlie Eastaugh | University of Surrey |
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Scottish reader

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| Alison White | Shepherd and Wedderburn LLP |
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Membership of the review group for the Subject Benchmark Statement for Law (2007)

Details provided below are as published in the second edition of the Subject Benchmark Statement.

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|--------------------------|-----------------------------|
| Mr M Cuthbert | University of Northampton |
| A Dugdale | University of Keele |
| Professor M Gunn (Chair) | Nottingham Trent University |
| A Wilton | Newcastle University |

Membership of the original benchmarking group for law (2000)

Details provided below are as published in the original Subject Benchmark Statement.

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|----------------------------|--|
| Professor S Bailey | University of Nottingham |
| Professor J Bell | University of Leeds |
| Professor A Bensted | University of the West of England, Bristol |
| Mr J Campbell | The Law Society of Scotland |
| Mr M Cuthbert | University College Northampton |
| Professor C Gane | University of Aberdeen |
| Professor D Hayton | King's College London |
| Professor R Hepple (Chair) | Clare College, University of Cambridge |
| Mr J Hodgson | Nottingham Trent University |
| Professor B Lee | University of Wales, Cardiff |
| Mr A O'Donnell | Glasgow Caledonian University |
| Professor A Paterson | University of Strathclyde |
| Professor A Sherr | Institute of Advanced Legal Studies |

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Southgate House, Southgate Street, Gloucester GL1 1UB
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Tel: 01452 557 000
Website: www.qaa.ac.uk