
Overview

This standard is about providing specialist legal advice about a broad range of consumer and contract issues. This includes your ability to advise clients on more complex areas of consumer law. You will also need to know how to prepare and present cases in formal or informal hearings.

**Performance
criteria**

You must be able to:

- P1 explain to clients the services that you can offer in line with their requirements
- P2 check that clients' understanding of legal advice services is consistent with information you have provided
- P3 agree with clients where situations require immediate action in line with their requirements, and;
 - P3.1 take steps to implement this
- P4 agree next steps with clients in line with their requirements
- P5 agree further actions with clients in line with their requirements, including;
 - P5.1 procedures
 - P5.2 responsibilities
 - P5.3 time limits
- P6 analyse available client information to assign relevance to their case in line with your professional judgement
- P7 review sources of information to assess applicability to clients situations
- P8 check that information obtained enables you to advise clients
- P9 analyse information received from clients and the research process to formulate options in line with clients' needs
- P10 present clients with information and possible options for action in line with organisational requirements
- P11 advise clients on the implications of possible options in line with organisational requirements
- P12 check clients' understanding of the advice offered in line with organisational requirements
- P13 open client case files in line with organisational procedures
- P14 design an action plan with clients in line with organisational processes, and;
 - P14.1 agree roles and responsibilities for progressing actions
- P15 progress actions on behalf of clients in line with agreed timescales
- P16 evaluate case progress against milestones and outcomes in line with organisational procedures

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P17 progress case outcomes to conclusion in line with organisational requirements

P18 record client details and agreed actions in line with organisational requirements

Knowledge and understanding

You need to know and understand:

- K1 relevant legislation, case law and guidance in your jurisdiction relating to consumer law
- K2 how discrimination law applies to consumer advice
- K3 different types of credit agreements available
- K4 the nature of hire purchase agreements
- K5 key implications of credit and hire purchase including:
 - K5.1 liability
 - K5.2 title
 - K5.3 cancellation rights
 - K5.4 pre-disclosure
 - K5.5 early settlement
 - K5.6 breach
 - K5.7 right to terminate regulated credit agreements
- K6 how to execute credit agreements, including:
 - K6.1 licensing
 - K6.2 consequences for enforceability
 - K6.3 associated statutory rights
- K7 relevant rules in your jurisdiction relating to civil procedures
- K8 how to access relevant information sources
- K9 how to use available information to identify unfair contract terms, precedents and tactics
- K10 different tactics and arguments that can be used to challenge:
 - K10.1 unfair contract terms
 - K10.2 unfair trading practices
- K11 common problems and trade practices affecting consumer goods and services
- K12 commonly occurring fraudulent practices and the appropriate regulator for referral
- K13 strategies for negotiating on behalf of clients
- K14 actions available when it is not possible to reach a negotiated settlement, including:
 - K14.1 alternative dispute resolution

- K14.2 court procedures and processes
- K14.3 referral to relevant agencies
- K15 how to judge the appropriateness of alternative dispute resolution
- K16 criteria for evaluating the strength of cases to be brought via court or arbitration
- K17 circumstances when cases may not be suitable for allocation to a small claims process
- K18 procedures for court proceedings relating to consumer issues in your jurisdiction
- K19 how to complete forms for court proceedings relating to consumer issues
- K20 how judgements are enforced in your jurisdiction
- K21 the rules for appealing a judgement in your jurisdiction

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