

# Legal System & Legal Method

Monday 12 May 2025

9.30am to 11.00am

All candidates must answer THREE questions.

**Common law** qualified candidates can answer ANY three questions out of four.

**Non-common** law qualified candidates can answer any TWO questions from question one to question three and **MUST** answer question FOUR which is compulsory.

All questions are marked out of 100 and are weighted equally.

Where a question is subdivided each subdivision is weighted equally.

### Question 1

- a. Outline the role that Sheriff Courts play in the Scottish legal system.
- b. Explain why the Sheriff Appeal Court was established and outline its jurisdiction and the scope for appealing its decisions.

### Question 2

Discuss three of the following:

- a. The so-called dual role of the Lord Advocate;
- b. The Scottish Legal Complaints Commission;
- c. Solicitors' rights of audience;
- d. The Advocate General for Scotland.

### Question 3

- a. Explain the meaning and significance of s 3 of the Human Rights Act 1998.
- b. Explain the circumstances in which Hansard may be used as an aid to statutory interpretation.

### Question 4

Explain when a judge sitting in the Inner House of the Court of Session would consider herself or himself bound to follow reasoning contained in a previous decision.

**END OF PAPER**