



THE LAW SOCIETY OF SCOTLAND
QUALIFIED LAWYERS ASSESSMENT

LEGAL SYSTEM AND LEGAL METHOD

1 November 2021

0830 – 1000
(90 minutes)

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.

Question 1

Explain where the Sheriff Appeal Court fits in to the court hierarchy and comment on the extent to which its establishment has lessened the workload of the Court of Session and the High Court of Justiciary.

Question 2

Explain the roles played by the Lord Advocate and the Advocate General for Scotland in the Scottish legal system. Your answer should include discussion of the effect of section 33 of the Scotland Act 1998.

Question 3

Scotland has a mixed, or hybrid, legal system. Explain what this means and why the system developed in this way.

Question 4

The sources of Scots law include judicial precedent and institutional writings. Explain the relative importance of each.

END OF QUESTION PAPER