

Core Skills in Consumer Affairs and Trading Standards

LEGAL SYSTEMS

NOVEMBER 2017

Candidates answering the questions from the Scottish, Welsh, Northern Ireland law viewpoint: Please ensure you write "Scottish", "Welsh", "Northern Ireland" on the front of your examination booklet.

The examiners may expect candidates to show knowledge of legislation which is in place but not in force (i.e. has been enacted) and regulations which have been made but are not yet in force, if they are directly relevant to the subject-matter of the examination.

There are three sections to the examination paper:

Section A Consists of five questions.
Candidates should attempt to answer all questions.
Total allocation of marks is 25 marks.
Suggested time allocation is 45 minutes.

Section B Consists of five questions.
Candidates should attempt to answer three questions.
Total allocation of marks is 75 marks.
Suggested time allocation is 2 hours 15 minutes.

Total time allowed – three hours (plus ten minutes reading time).

The LEGAL SYSTEMS paper is a closed book; no materials are permitted to be taken into the examination room.

*The examination paper has **three** pages, including this front sheet.*

Section A

Candidates should attempt to answer **all** questions -
total of 25 marks.

1. Briefly explain the composition and functions of the House of Lords. (5 marks)

2. Briefly explain the various ways in which Parliament can bring the Executive to account. (5 marks)

3. Briefly describe, with examples, the concept of strict liability in relation to trading standards offences. (5 marks)

4. Using the examples of the Cabinet and the Prime Minister, briefly explain the concept of 'constitutional conventions'. (5 marks)

5. Briefly describe the main types of business entity and explain why this is important to a trading standards officer from the point of view of liability. (5 marks)

Section A total 25 marks.

End of Section A.

Section B

Candidates should attempt to answer **three from five** questions - total of 75 marks.

6. Answer **both** parts

Define, with examples, the following:

(a) What is common law and the system of stare decisis?

(15 marks)

(b) Explain, with reasons, whether in your view it is a positive or negative feature of the United Kingdom's legal systems.

(10 marks)

(total 25 marks)

7. Membership of the European Union (EU) has had a significant impact on UK law.

Explain the extent of that impact on the work of trading standards and consider what effect leaving the EU could have on this work in the future.

(25 marks)

8. Explain, in detail, how a Bill becomes a statute.

(25 marks)

9. Using an example of the lowest criminal court in your jurisdiction, fully explain the personnel and process of a trial during a "not guilty" plea from a defendant [in Scotland, the accused] entering court to the point where a guilty verdict is given and sentence is passed.

(25 marks)

10. The British constitution is said to be flexible and differs from some other countries that have a written constitution.

Explain the make-up of our constitution and how you think it is better or worse than those which are written.

(25 marks)

Section B total 75 marks.

END OF EXAMINATION PAPER.