Task
Send your answer to this legal scenario below for the chance to win a University law competition and a £50 Amazon voucher. One winner from 4th year, 5th year and 6th year will be selected. Read the short guide on how the law of fraud works in Scotland and the scenario about Alan and try to apply the law. This will give you a taste of what a real law student does!

It is an important skill to be able to identify the law that can be found in judicial decisions. Of course, judges make decisions based on the specific facts of a case. So you need to consider: are the facts of the scenario question similar enough to any of the presented (real!) cases, allowing you to apply the law? Or maybe the scenario is a little different, and you could argue that the judge should make a different decision in this case? Be creative!

This is a task very similar to those that you will have to solve in law school exams. The goal is not necessarily to give a definite yes/no answer. We would like to see you explore the options of argument! Please send your max 700 words long answer to reach@abdn.ac.uk.

The law
Under Scots criminal law, committing fraud is a crime. Fraud is bringing about a definite practical result by false pretence. Here are a few cases to illustrate the law.

The case of HMA v McAllister, the accused deceived an 87 year old lady of £2,000 by pretending that he had carried out work of that value on her house, when in fact the work was worth £80 at most. This was held to be a fraud.

In the James Paton (1858) case, a man entered bulls into a livestock competition. He artificially lengthened their horns in order to make them more likely to win. Even though he did not win any prize, his actions were fraudulent.

In Mackenzie v Skeen, the employee had no intention to commit fraud when charging incorrectly for the goods sold, the mistake resulted from carelessness: he didn't weigh them, only estimated their weight. This was not a fraud.

The scenario
Alan is accused of committing fraud. He works in sales. In the store, there is a scheme: each sale that is closed by an employee is represented by a token. Every employee has a jar and monthly bonuses can be earned according to the number of tokens in their jar. The bonus money is distributed between the 3 employees with the most sales. Alan, two days before the end of the month sees that he is in fourth place, having only one sale less than Ben. He secretly switches the name tags on the jars. However, on the last day, Christine manages to close three sales while Alan and Tom only close one each. This means that Alan nor Tom is in the top 3 anymore, so they don't get a bonus.

Consider Alan's actions. Do they constitute fraud?

It later turns out that two of Christine's sales didn't actually go through. When the negotiations were done, she just put in a token for them, because she was sure that they will close within a day. This means that by actual number of sales, Ben would be in the top 3 – with Alan’s name on his jar. How does this information change the scenario? Did Christine commit fraud? Was Alan fraudulent in this case?
Meet our Judges!

Anna Andrasko

Hello! My name is Anna and I am going into third year of Law school. I study Law with English Law at the University of Aberdeen. I come from Hungary and I chose this program as I think it is ideal if you want to have more options once you graduate. So far my experience in Aberdeen has been great, I love how supportive the environment is in the Law school. I am not completely sure yet about my plans for the future, but so far my studies are exciting and challenging. I think studying law is a great choice if you want to have a very rewarding university experience.

Evie Dransfield

Hey everyone! I am Evie, and I have just finished up my final year of Law school at the University of Aberdeen. I studied Law with English Law. Aberdeen is great as you can study a dual qualifying Law degree, which has been the best choice for me! I am from Edinburgh originally but have really enjoyed living in Aberdeen for the past four years, as the University really feels like such a community as it is campus based. There are lots of opportunities to get involved in extra-curricular activities, and I have been lucky enough to be President of the University of Aberdeen Law Society for the past year. There are also a variety of sports clubs to join as well. I have preferred corporate and commercial courses during University, yet Aberdeen has a wide range of courses to suit individual interests.

Cisel Ozbay

Hi I'm Cisel, I am a final year law student at the University of Aberdeen and I have been studying Law with English Law. I am originally from London but I moved up to Aberdeen for the duration of my studies and I have enjoyed meeting new people and making life-long friends here. My favourite part of law was Company Law and Commercial Law, and I have I will be training in a Commercial Law firm after I complete my diploma next year.