



Moderator's Assignment Feedback – Transfer up to High Court

After each series, we ask our moderators to provide a report on each assignment-based unit to identify

- any questions which were usually answered particularly well, including main points and qualities that characterised good answers.
- any questions which were usually answered badly and main weaknesses in candidates' answers.
- common errors or misconceptions made by candidates.

We hope that this will be of assistance when completing your Transfer up to High Court Management assignment.

General feedback to candidates

This assignment is at Level 4 and the skill set required at this level, may require evaluation, analysis as well as knowledge recall.

Performance in this series was disappointing. Whilst a basic knowledge of the process was shown, candidates need to develop responses to show understanding of how this process applies in actual cases and provide more detailed explanation to achieve a higher grade.

Feedback for each assignment question

Q1. Explain how to transfer up in each of the following cases:

a) Transferring up a County Court judgment to the High Court in order to issue a Writ of Control

Q1a – Candidates need to give a detailed outline of the process to achieve a Level 4 Pass.

b) Transferring up in order to issue a Writ of Possession

Q1b - Candidates need to show awareness of the distinction between how trespasser and non trespasser cases affect the process for transfer and this was achieved.

c) Transferring up in order to issue a combined Writ of Possession and Writ of Control

*Q1c – Candidates should note that the question wording differs from 1b, referring to a **combined writ**.*

d) Transferring up an Employment Judgment/ACAS COT3¹ Agreement for a Writ of Control to be issued

Q1d - Candidates providing a more detailed explanation will earn more marks to achieve a L4 pass or higher grade.

¹ Council of Tribunals Number 3 Agreement

e) Transferring up a foreign judgment, in order to issue a Writ of Control

Q1e - Candidates need to provide a detailed explanation to gain a Level 4 pass.

Q2. Explain how to extend or re-issue a Writ of Control

Q2 - Candidates should ensure that they cover a 're-issue' of a Writ as well as renewal to gain more marks.

Q3. Explain how to extend or reissue other Writs of Execution

Q3 - Candidates should show their knowledge and understanding of the process of extending or re-issuing other Writs of Execution.