

CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma

Unit 3 – Criminal Law

Question paper

January 2026

Time allowed: 3 hours and 15 minutes (includes 15 minutes reading time)

Instructions and information

- It is recommended that you take **fifteen** minutes to read through this question paper before you start answering the questions. However, if you wish to, you may start answering the questions immediately.
- There are **two** sections in this question paper — Section A and Section B. Each section has four questions.
- You must answer **four** of the eight questions — at least **one** question must be from **Section A** and at least **one** question must be from **Section B**.
- This question paper is out of 100 marks.
- The marks for each question are shown — use this as a guide as to how much time to spend on each question.
- Write in full sentences — a yes or no answer will earn no marks.
- Full reasoning must be shown in your answers.
- Statutory authorities, decided cases and examples should be used where appropriate.
- You are allowed to make notes on your scrap paper during the examination.
- A basic calculator is provided should you require the use of one.
- You can use your own unmarked copy of the following designated statute book — **Blackstone's Statutes on Criminal Law, 34th edition, Matthew Dyson, Oxford University Press, 2024.**
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

Turn over

SECTION A

Answer at least one question from this section.

1. Critically analyse the evolution of the concept of recklessness. **(25 marks)**
2. Critically evaluate the evolution of the law of joint enterprise in light of *R v Jogee* (2016) and subsequent case law developments. **(25 marks)**
3. Critically assess the importance of establishing a duty of care in criminal law. **(25 marks)**
4. (a) 'In order for a crime to be complete, the *actus reus* and *mens rea* of the offence must be in existence at the same time.'
Critically assess the above statement. **(14 marks)**
(b) 'The principle of transferred malice is a historical aberration and needs reform.'
Critically assess the above statement. **(11 marks)**

(Total: 25 marks)

SECTION B

Answer at least one question from this section.

Question 1

Leanne and Nina are both semi-professional footballers who play for their local team, Kempston United FC. Leanne is the team captain and a winger, and Nina plays in defence. One Saturday, they are both playing against their local rivals, Kempston Rangers. At half time, Kempston United FC are losing 1–0. In the dressing room, Leanne is clearly angry about her team losing and is shouting at her team mates to play better in the second half. She tells Nina that she has to ‘try harder’ and ‘keep her head on the pitch and out of the clouds’. Nina nods her head in agreement.

In the second half of the game, the score is still 1–0 and Leanne is going for goal when Nina runs up to her, pushes her to the ground and kicks her in the arm. The game is stopped and Leanne is taken off the pitch on a stretcher crying.

While this is happening, a spectator, Ian, is not happy with Nina about the tackle and decides to shout, ‘I know where you live!’ while making a throat-slitting gesture towards Nina. Nina sees this gesture and starts to cry.

Later, the team learned that Leanne has a fractured arm and will not be able to play for the next three games.

Advise Nina and Ian of their potential criminal liability, along with any defences that may be available to them.

(25 marks)

Turn over

Question 2

George is a member of a gang, known as 'the Blue Bottles', that regularly commits crimes across the Kempston area. George is instructed by the gang to make sure that their rival gang, 'the Red Bottles', knows that the Blue Bottles are angry about a recent incident involving the Red Bottles and that they will not forget what happened to one of the Blue Bottles gang members.

George works at a local store, stacking shelves and serving customers, along with two other members of staff, Annie and Leo. George does not want to get into trouble and decides to get someone else to do the gang's work.

One night, he is working alone with Annie, who is 17 and a store apprentice. George tells Annie about the incident that happened to his 'friend' in the gang. George pretends to have a gun in his pocket and tells Annie that if she does not go to an address and throw a brick through the kitchen window of a home belonging to a member of the Red Bottles, with a note attached to it, he will kill her brother.

The next night, Annie, frightened by George's threat, goes to the address with the brick. She is so scared that she tries to throw the brick at the kitchen window but misses, causing no damage to the window. She then runs away crying.

Advise Annie of her potential criminal liability, along with any defences that may be available to her.

[Do NOT discuss George's potential criminal liability.]

(25 marks)

Question 3

Dwayne and Rumana are in a relationship and live together in a one-bedroomed apartment. Recently, Rumana was sacked from her job as a customer service advisor and the couple has been struggling with the bills for their apartment. Rumana is angry with her employer for putting her in this situation and suggests to Dwayne that they do something that makes the employer 'pay for what they have done to us'.

One night, Rumana suggests to Dwayne that they break into the premises of the employer and steal some expensive equipment, with the intention of selling it to pay their bills. Dwayne is cautious but agrees to the idea. The next evening, both Dwayne and Rumana go to the premises and while Dwayne keeps a look out from the street, Rumana enters through a broken window.

Rumana is inside the premises for around 15 minutes before leaving. She and Dwayne then went home with around £300 worth of equipment.

Advise Rumana and Dwayne of their potential criminal liability.

[Do NOT discuss any potential defences.]

(25 marks)

Turn over

Question 4

Mo is aged 15 and attends a local school with his best friend, Ethan. Ethan is known as the 'joker' of the class and is regularly in trouble for bad behaviour in the classroom. One day, both Mo and Ethan are in their maths class when Ethan starts to annoy Mo by throwing pieces of paper at him, knocking Mo's things off his desk and kicking him under the table. Their teacher notices and asks them both to go and stand outside.

When asked about the incident, Ethan blames Mo and takes no responsibility for his actions. This angers Mo, who pushes Ethan to the floor and stabs him with a knife three times. Ethan dies from his injuries.

(a) Advise Mo of his potential criminal liability, along with any defences that may be available to him.

(13 marks)

Helen and Jean are neighbours in a small village. One day, Jean is speaking to another neighbour, Yara, about Helen. Yara tells Jean that Helen has been saying negative things about Jean and her family. This angers Jean and she decides to confront Helen about what she has been saying. Jean repeatedly knocks on Helen's door, shouting 'Come out and tell me what you have been saying about me!'. Helen answers the door and because Jean is shouting and scaring her, Helen panics and punches Jean in the face, leaving a bruise. Jean starts crying and runs away.

(b) Advise Helen of her potential criminal liability, along with any defences that may be available to her.

(12 marks)

(Total: 25 marks)

End of the examination