



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

Unit 15 – Civil Litigation

Question paper

June 2025

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.
- You must answer **all** questions.
- 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 use your own printed copy of the pre-release case study materials, as long as the materials are not annotated in any way. Alternatively, you can access the electronic version of the pre-release case study materials available in the examination.
- 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 are **not** allowed access to any statute books.
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

Turn over

Answer ALL questions

Question 1

Reference: Question relates to **Case 1: Shaheed Mahmoud and Document 1** of the case study materials.

- (a) Explain which resources you used to undertake the research into the quantum of the claim as required by your supervising partner in the case study materials.

(5 marks)

- (b) Explain to Shaheed Mahmoud what the available options are for financing a claim and what the implications of each are for him.

(8 marks)

- (c) Explain how you would proceed in order to ensure that a witness statement from Marius Olenski will be available if required. You should cover the process to be undertaken, the content of the statement and formal procedural requirements.

(10 marks)

Shirley Parreira has reviewed your assessment of the quantum of the claim and agrees with your assessment that the general damages are approximately £10,000, and the special damages for loss of earnings and damage to the mobility scooter are £1,500.

- (d) Explain, with reasons, which track this claim should be allocated to and which Protocol will be applicable.

(5 marks)

(Total: 28 marks)

Question 2

Reference: Question relates to **Case 1: Shaheed Mahmoud and Document 1** of the case study materials.

Shirley Parreira instructs you to produce a preliminary draft of the Claim Notification Form pursuant to the Protocol.

- (a) Describe the matters which need to be included in the Claim Notification Form, indicating in particular what information needs to be included in this case in sections F (Accident details), G (Accident time, location and description) and K (Liability).

(12 marks)

The insurers respond admitting liability. Kempstons serves a Settlement Pack.

- (b) Explain the purpose of the Settlement Pack, what it must contain, and what service of the Settlement Pack triggers in relation to costs.

(8 marks)

Following the Stage 2 negotiation period, the parties cannot reach agreement on the amount of damages.

- (c) Explain what payments the defendant should now make, the documentation which must be prepared and served by the claimant, and the procedure for resolving this claim.

(10 marks)

(Total: 30 marks)

Turn over

Question 3

Reference: Question relates to **Case 2 – Grade One Motors Ltd and Documents 2 and 3** of the case study materials.

The engineer instructed to examine the vehicle on behalf of Grade One Motors Ltd has reported that there is no misalignment of the engine block and drivetrain, and that while there is currently a distortion of the steering rack, this is more consistent with the vehicle having been driven over a pothole at high speed than a defect resulting from the original accident damage, which was repaired by Clock Tower Autos Ltd, although this is a possible explanation of the distortion.

Mary Weston asks whether there are any ways in which this matter can be disposed of without the cost and inconvenience of proceedings.

- (a) Advise her as to the possibility of engaging in ADR or making a Part 36 offer and the consequences of doing so, including consequences in relation to possible costs if proceedings do prove necessary.

(9 marks)

In the event, proceedings are commenced and the claim form, particulars of claim and supporting documents are served. In addition to drafting a defence, you advise your client that Clock Tower Autos Ltd should be brought into the proceedings.

- (b) Explain the rationale for this and the procedure to be adopted.

[DO NOT DRAFT ANY RELEVANT DOCUMENTS.]

(6 marks)

Clock Tower Autos Ltd, acting in person, acknowledges service of proceedings but does not then serve a defence. You obtain judgment in default of defence. Some days later, you are contacted by solicitors who are now instructed by Clock Tower Autos Ltd. They inform you that the reason for the failure to serve a defence was that the managing director suffered a serious accident and was unable to attend to business. The solicitor advises you that they are instructed to apply to set judgment aside and invite you to consent to this. You seek instructions from Mary Weston.

- (c) Explain to Mary Weston the procedure for setting judgment aside, the criteria which the court will apply and whether she should instruct you to consent as requested.

(7 marks)

(Total: 22 marks)

Question 4

Reference: Question relates to **Case 2: Grade One Motors Ltd and Documents 2 and 3** of the case study materials.

Judgment against Clock Tower Autos Ltd has been set aside but the claim against them has been stayed pending the outcome of the claim by Avalon Consultants Ltd against your client.

- (a) Explain which track this case is likely to have been allocated to and the consequences of this for the conduct of the case up to and including the trial.

(6 marks)

The claimant and the defendant have each instructed an expert motor engineer and it is clear that they have completely different views as to the causation and extent of the damage to the steering rack and therefore both liability and quantum.

- (b) Explain the powers of the court in relation to management and reception of the conflicting expert evidence in this case.

(6 marks)

After a trial, the claim is dismissed and judgment is entered for your client, the defendant, with costs.

- (c) Explain in outline how the amount of these costs will be determined and how payment can be secured in the event that Avalon Consultants Ltd do not pay them once they have been ascertained.

(8 marks)

(Total: 20 marks)

End of the examination

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