



**CILEX Level 3 Certificate in Law and Practice/
CILEX Level 3 Professional Diploma in Law and Practice**

Unit 18 – The Practice of Childcare Law

Question paper

November 2023

Time allowed: 1 hour and 45 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 70 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.
- You are **not** allowed access to any statute books.
- A basic calculator is provided should you require the use of one.
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

Turn over

Question 1

Reference: Question relates to **Document 1** in the case study materials.

- (a) Using an example, describe the statutory concept of parental responsibility. **(4 marks)**

- (b) Explain whether Leroy has parental responsibility and, if relevant, how he could acquire it. **(6 marks)**

- (c) Explain which Section 8 Children Act 1989 order Leroy should apply for to ensure that he sees Benjie and Connie regularly. **(4 marks)**

(Total: 14 marks)

Question 2

Reference: Question relates to **Document 2** in the case study materials.

- (a) Explain why a child protection conference might be arranged in Noah's case. **(4 marks)**

- (b) Explain the purpose of a child protection plan in this case. **(5 marks)**

- (c) Outline further action that should be taken if the child protection plan does not result in an improvement in Noah's circumstances. **(7 marks)**

(Total: 16 marks)

Question 3

Reference: Question relates to **Document 3** in the case study materials.

- (a) Explain whether the grounds for an interim care order have been established in Mia's case. **(7 marks)**

- (b) Briefly identify and explain each of the procedural stages involved if Kempston County Council applies for an interim care order. **(10 marks)**

(Total: 17 marks)

Question 4

Reference: Question relates to **Document 4** in the case study materials.

(a) Describe an emergency protection order. Explain why Kempston County Council should apply urgently for an emergency protection order in Rory's case.

(4 marks)

(b) Explain the statutory ground for applying for an emergency protection order in this case.

(4 marks)

(c) Explain how Rory will be represented if an emergency protection order is applied for and the roles of those representing him.

(6 marks)

(Total: 14 marks)

Question 5

Reference: Question relates to **Document 5** in the case study materials.

Fred and Willa are seeking an order to formalise the living arrangements for Ollie and Georgie.

Explain the key orders available to the court and advise the order for Ollie and Georgie.

(9 marks)

End of the examination

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