



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

Unit 1 – Introduction to Law and Practice

Question paper

June 2023

Time allowed: 1 hour

Instructions and information

- There are 30 multiple choice questions, each worth 1 mark. You must answer **all** questions.
- This question paper is out of 30 marks.
- You are allowed to make notes on your scrap paper during the examination.
- 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

Unit 1 – Introduction to Law and Practice

Question paper

Time allowed: 1 hour

Instructions to Candidates

- Answers to all questions must be recorded on the Answer Sheet
- Use blue or black ink or ballpoint pen.
- Candidates must comply with the CILEX Examination Regulations.
- All the questions are multiple choice questions.
- Insert an **X** in the box corresponding to the answer on the answer sheet that you consider to be correct.

Example

Question 1

The colour of grass is:

- A** Red
- B** Blue
- C** Green
- D** Yellow

| Question Number | A | B | C | D |
|-----------------|---|---|---|---|
| 1 | | | X | |

You must ensure that the **X** is contained within the lines of the box.

Example

Correct:

| Question Number | A | B | C | D |
|-----------------|---|---|---|---|
| 1 | | | X | |

Incorrect:

| Question Number | A | B | C | D |
|-----------------|---|---|---|---|
| 1 | | X | | |

Incorrect:

| Question Number | A | B | C | D |
|-----------------|---|---|---|---|
| 1 | | | X | |

- If two or more X appear against one answer, then no credit will be given.

Example

| Question Number | A | B | C | D |
|-----------------|---|---|---|---|
| 1 | X | | X | |

- If you wish to change your answer, please make it clear that you have crossed out the incorrect answer.

Example

| Question Number | A | B | C | D |
|-----------------|---|---|---|---|
| 1 | X | | X | |

Turn over

Answer ALL questions

Question 1

Which **one** of the following statements about a Private Member's Bill is correct?

- A** The Bill always becomes an Act of Parliament
- B** Any member of the public may introduce it into Parliament
- C** The chances of the Bill becoming law are very low
- D** It has to have the support of the Government

Question 2

Which of the following are controls over delegated legislation?

- (i) Judicial review
- (ii) Laying before Parliament
- (iii) Parliamentary Committees
- (iv) Preventing publication

- A** (i), (ii) and (iii)
- B** All of the above
- C** (i) and (iv)
- D** (ii), (iii) and (iv)

Question 3

In a criminal trial in the Crown Court, which **one** of the following will be decided by the jury?

- A** The burden of proof
- B** The law
- C** The sentence
- D** The facts

Question 4

Which **one** of the following is Equity based on?

- A** Fairness
- B** Rules
- C** Certainty
- D** Duties

Question 5

Which **one** of the following statements about the Criminal Cases Review Commission (CCRC) is wrong?

- A It was established by the Criminal Appeal Act 1995
- B It can overturn convictions or sentences
- C The Court of Appeal (Criminal Division) can refer cases to the CCRC to investigate
- D New evidence or a new legal argument is needed to review a case

Question 6

Which **one** of the following is **not** an Inn of Court?

- A Inner Temple
- B Outer Temple
- C Middle Temple
- D Gray's Inn

Question 7

In Alternative Dispute Resolution (ADR) which of the following are aspects of arbitration?

- (i) The parties make the decision
- (ii) The decision is legally binding
- (iii) It is the most formal type of ADR
- (iv) The decision is called the 'award'

- A (i) and (iii)
- B (i), (ii) and (iii)
- C All of the above
- D (ii), (iii) and (iv)

Question 8

At which stage will the purpose and detailed content of a Public Bill be explained to Parliament for the first time?

- A Second Reading
- B Report Stage
- C First Reading
- D Committee Stage

Turn over

Question 9

Angela has failed to pay her mortgage for over a year and the bank wants to repossess her house. Which court will hear the case?

- A Magistrates' Court
- B Crown Court
- C County Court
- D High Court

Question 10

Which **one** of the following summarises the doctrine of *stare decisis*?

- A It is something said 'by the way' in a judgment
- B Similar decisions should be made in cases where there are similar facts
- C A judicial decision that is not binding may be persuasive
- D It is the proposition of law that decides the case in the light or context of the material facts

Question 11

Which of the following statements about the Legislature are correct?

- (i) Its role is to make law
- (ii) It is the only body that has the power to pass laws that apply in all four countries of the United Kingdom
- (iii) Its role is to govern the country
- (iv) It can only make laws that bind England and Wales

- A (i) and (iv)
- B (i) and (ii)
- C (ii) and (iii)
- D (ii) and (iv)

Question 12

Section 4 of the Human Rights Act 1998 provides that:

- A English courts must take account of the decisions of the European Court of Human Rights
- B Only public authorities are bound to give effect to the European Convention on Human Rights
- C If legislation does not comply with the European Convention on Human Rights, it allows a declaration of incompatibility to be made
- D Legislation should be interpreted in compliance with the European Convention on Human Rights

Question 13

Which **one** of the following is **not** a key objective of the Solicitors Regulation Authority?

- A To set the criteria for entry to the profession
- B To provide information about the work of solicitors
- C To follow up on complaints about solicitors
- D To represent solicitors

Question 14

Which **one** of the following would permit a lower court to ignore the previous decision of a higher court?

- A The use of the Golden Rule
- B The use of the Literal Rule
- C The decision has been overruled
- D The decision has been overreached

Question 15

Which of the following is **not** an exception to the general rule that the Court of Appeal is bound by its own previous decisions in civil cases?

- A Where there is conflict between previous decisions of the Court of Appeal, they must choose which decision to follow
- B Where a previous decision of the Court of Appeal has been overruled either expressly or impliedly by the Supreme Court
- C Where the previous decision was given *per incuriam*
- D Where there are conflicting High Court and Court of Appeal decisions, the Court of Appeal must choose which previous decision to follow

Question 16

Which **one** of the following is a disadvantage of a tribunal hearing?

- A Costs cannot be awarded in most circumstances
- B A final hearing may take place sooner than a court final hearing
- C Proceedings are more informal than litigation in court
- D The panel includes experts

Turn over

Question 17

Which **one** of the following is responsible for setting the professional standards of Chartered Legal Executives?

- A The Law Society
- B CILEx Regulation
- C Legal Services Board
- D Legal Ombudsman

Question 18

The Court of Justice of the European Union has primary jurisdiction over:

- (i) Preliminary rulings on a point of European Law
- (ii) Approving the budget of the European Union
- (iii) Direct actions by the European Union against Member States
- (iv) Actions for annulment of an element of European Law

- A (i) and (ii)
- B All of the above
- C (i), (iii) and (iv)
- D (ii) and (iv)

Question 19

Which **one** of the following is **not** a type of delegated legislation?

- A Bye-Laws
- B Orders in Council
- C Statutory Instruments
- D Directives

Question 20

An individual issuing a civil claim is referred to as the:

- A Proposer
- B Pursuer
- C Litigator
- D Claimant

Question 21

Which of the following statements correctly describe Regulations of the European Union?

- (i) They are constitutional documents
- (ii) They are a secondary source of law
- (iii) They are directly applicable
- (iv) They are a primary source of law

- A** (i), (ii) and (iii)
- B** (ii) and (iii)
- C** (i), (iii) and (iv)
- D** (iii) and (iv)

Question 22

Which **one** of the following is considered to be an advantage of magistrates?

- A** They live and work in the communities they serve
- B** They are generally older
- C** They must be legally qualified
- D** They are predominantly middle class

Question 23

What is the standard of proof in a civil case?

- A** The claimant must prove the case
- B** The defendant must prove the case
- C** The case must be proved on the balance of probabilities
- D** The case must be proved beyond reasonable doubt

Question 24

The doctrine of parliamentary sovereignty in the United Kingdom means that:

- A** Parliament can create or end any law
- B** Only Parliament can limit the power of future Parliaments
- C** The Executive has more power than Parliament
- D** The Judiciary can bind Parliament

Turn over

Question 25

Which **two** of the following are rights protected by the European Convention on Human Rights?

- (i) Freedom of expression
- (ii) Right to free healthcare
- (iii) Right to assisted suicide
- (iv) Right to life

- A** (i) and (iv)
- B** (i) and (ii)
- C** (i) and (iii)
- D** (ii) and (iv)

Question 26

Alison has been convicted of murder. She believes that at her trial the Crown Court made an error on a point of law. Which **one** of the following would hear Alison's appeal?

- A** Court of Appeal (Criminal Division)
- B** Divisional Court of the King's Bench Division of the High Court
- C** Supreme Court
- D** Attorney General

Question 27

Which **one** of the following is the correct number of hours required for qualifying employment to become a Fellow of CILEx?

- A** 2,300
- B** 1,300
- C** 3,300
- D** 4,300

Question 28

Which of the following describes the seniority of judges in England and Wales, from the most senior to the least senior?

- (i) Circuit Judge
- (ii) Lord Justice of Appeal
- (iii) High Court Judge
- (iv) Lord Chief Justice

- A** (ii), (iii), (iv), (i)
- B** (iv), (iii), (ii), (i)
- C** (ii), (iv), (i), (iii)
- D** (iv), (ii), (iii), (i)

Question 29

When a Bill affecting the United Kingdom is introduced in the House of Commons, how many distinct procedures must it undergo before its transfer to the House of Lords?

- A** 5
- B** 6
- C** 10
- D** 4

Question 30

Jennifer has been supplying Carl with clothes for his boutique shop for the past eight years. Jennifer's last two deliveries of clothes have been faulty, causing Carl to lose business.

Jennifer and Carl are now in dispute.

Which of the following are forms of Alternative Dispute Resolution that Jennifer and Carl could use to resolve their dispute?

- (i) Negotiation
- (ii) Conciliation
- (iii) Determination
- (iv) Arbitration

- A** (i) and (iv)
- B** (ii) and (iii)
- C** (ii), (iii) and (iv)
- D** (i), (ii) and (iv)

End of the examination

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