



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 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.
- 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.

Answer ALL questions

Question 1

Reference: Question relates to **Case One – Sunita Kaur Gill and Documents 1 and 2** of the case study materials.

Mrs Gill asks for advice on how her claim could be funded if she decides to pursue it. Enquiries have confirmed that she has no relevant before the event insurance and is not a member of any organisation offering litigation funding.

(a) Advise Mrs Gill on the available funding options and their implications.

(6 marks)

Mrs Gill decides to proceed with the claim.

(b) Explain what valuation you have placed on the claim and what procedure should initially be adopted to pursue the claim.

(6 marks)

(c) Draft responses to Section G Item 6.5 and Section K Item 10.1 of the Claim Notification Form (RTA 1) found in **Document 2** of the case study materials.

(10 marks)

(d) Explain the consequences if the Claim Notification Form (RTA 1) is not fully and accurately completed.

(6 marks)

(Total: 28 marks)

Question 2

Reference: Question relates to **Case One – Sunita Kaur Gill and Documents 1 and 2** of the case study materials.

In the event, the Claim Notification Form (RTA 1) is fully and accurately completed, and lodged to the Portal. Following receipt of the Claim Notification Form, Ososafe Insurance responds by asserting that Mrs Gill was contributorily negligent by driving on the wrong side of the road, thus depriving the defendant of a proper opportunity to stop before colliding with her.

(a) Explain the consequences for the future conduct of the action of this assertion.

(5 marks)

Proceedings are commenced and the claim is allocated to the fast track. The solicitors acting for the defendant fail to serve the defendant's witness statement on the date specified in the directions. They attempt to serve it two days later.

(b) Explain the consequences of this failure for the further conduct of the action and indicate what advice you will give to your client in relation to this.

(7 marks)

Mrs Gill informs you that she and her husband have the opportunity of purchasing a property but need additional funds by way of a deposit. She asks whether there is any way of expediting the resolution of her claim.

(c) Advise Mrs Gill about Part 36 offers and how they could produce a speedy resolution of the claim.

(8 marks)

(Total: 20 marks)

Question 3

Reference: Question relates to **Case Two – Henderson Landscaping Services** of the case study materials.

- (a) Advise Calvin Henderson of any steps it would be necessary or prudent to take before commencing proceedings.

(6 marks)

Barford Construction Limited acknowledges receipt of correspondence relating to the proposed claim but does not provide a substantive reply or make any proposals for resolving the claim. Calvin Henderson instructs Kempstons to commence proceedings to recover the outstanding £30,000.

- (b) Explain the procedure for issuing proceedings and outline the contents of any necessary documents. **(Note to candidates: Do not draft the documents.)**

(11 marks)

Following service of proceedings on Barford Construction Limited, an acknowledgment of service and defence are filed. The defence, which appears to have been drafted by James Wilson, reads in full as follows:

“Barford Construction Limited is not liable to the claimant for the amount claimed or indeed any amount. The claimant is well aware that the director of Barford Construction Limited, James Wilson, has notified the claimant on several occasions that the work carried out is wholly unsatisfactory. The claimant was invited to rectify the work but has failed to do so. The amount required to have the work rectified by others is likely to exceed the contract sum and Barford Construction Limited reserves the right to pursue a claim for the balance.”

Calvin Henderson confirms to you that no such notification was ever given to him or to any of his employees. Calvin Henderson says that he has approached the property owners and all except one confirmed to him that they had no concerns whatsoever with the landscaping work and no rectification had been undertaken. The remaining property owner did report a minor problem with the decking in his garden, which was rectified by Barford Construction Limited. It took two workers a morning to carry out and involved the replacement of about 10 square metres of decking timber.

- (c) Advise Calvin Henderson what application should be made to the court, the procedure involved and the criteria the court will use to determine the application.

(10 marks)

(Total: 27 marks)

Question 4

Reference: Question relates to **Case Two – Henderson Landscaping Services** of the case study materials.

In the event, the defendant is given leave to serve an amended defence and subsequently the case is allocated to the intermediate track and assigned to complexity band 1. The court directs that expert evidence shall be given by a single joint expert.

(a) Explain:

- the procedure for appointing the single joint expert; and
- how the conduct and duties of such an expert are regulated.

(6 marks)

Standard disclosure has been ordered and the defendant produces a list that contains only details of the email exchanges between the parties. At the trial, the defendant seeks to rely on what James Wilson claims to be correspondence between Barford Construction Limited and the various property owners.

(b) Explain how the claimant should respond to this.

(6 marks)

At trial, judgment is given for the claimant in the sum of £30,000, together with interest and costs.

(c) Explain the basis and extent of the costs to which the claimant will be entitled.

(5 marks)

Barford Construction Limited makes no offer or proposals to settle the judgment debt and costs.

(d) Advise Calvin Henderson of the options available to enforce the judgment and costs order.

(8 marks)

(Total: 25 marks)

End of the examination

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