



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

**Unit 18 – Criminal 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 can use your own unmarked copy of the following designated statute book- ***Blackstone's Statutes on Criminal Justice and Sentencing, 6th edition, Nicola Padfield, Oxford University Press, 2016.***
- 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 – Matt Brown** of the case study materials.

Having regard to the information in the case study materials, advise Matt Brown in relation to the:

(a) lawfulness of his arrest and any matters arising from this; **(7 marks)**

(b) lawfulness of the search of the flat and any matters arising from this; **(5 marks)**

(c) proposed bail conditions and any steps that can be taken in relation to them; **(7 marks)**

(d) procedure and criteria for obtaining a representation order for Matt Brown. **(5 marks)**

**(Total: 24 marks)**

## Question 2

Reference: Question relates to **Case One – Matt Brown** of the case study materials.

When Matt Brown answers his bail, the police confirm that the wraps of powder found in his possession are indeed amphetamine. The materials seized from the flat have been confirmed as 500 grams of cocaine, with a street value of approximately £5,000. Matt Brown is interviewed but gives no comment. Lorraine Evans has made a statement to the effect that Matt Brown threatened her with violence unless she allowed him to use her flat for storage of the cocaine. Matt Brown instructs you that Lorraine Evans must be lying in order to protect Jermaine Kennedy.

Matt Brown is charged with one count of possession of Class A drugs with intent to supply and one count of possession of Class B drugs with intent to supply. The prosecution case continues to be that Matt Brown is involved in distribution of drugs and supplying them to street-level dealers. Matt Brown denies any involvement in such dealing but informs you that he would plead guilty to possession of Class B drugs.

- (a) Explain what procedures will take place at the first hearing in court and the criteria on which the court will base its decisions.

**(8 marks)**

The case has been allocated to the Crown Court. Matt Brown maintains his denials in relation to the possession of Class A drugs. He continues to assert that Lorraine Evans is deliberately lying to protect Jermaine Kennedy. He asserts that the various observations made by the police partly relate to his food delivery work, and, insofar as they relate to drugs, involve the sale of small quantities of amphetamine to end-users.

- (b) Explain the nature and purpose of the first appearance before the Crown Court.

**(5 marks)**

- (c) Explain the legal and evidential issues between prosecution and defence in this case, and how you would expect defence counsel to deal with these.

**(12 marks)**

Matt Brown is convicted of possession of Class A drugs with intent to supply. Counsel advises that the judge's summing up to the jury contained a significant misdirection. Matt Brown wishes to appeal against conviction.

- (d) Explain the procedure for appeal and the criteria the court will apply.

**(5 marks)**

**(Total: 30 marks)**

### Question 3

Reference: Question relates to **Case Two – Rajiv Kumar** of the case study materials.

In discussion with Rajiv Kumar, you explain to him that while there is a reasonable basis for saying that his driving did not reach the dangerous driving threshold, making a prohibited right turn will almost certainly be seen as amounting to careless driving. Rajiv Kumar says that he understands this and asks what his options are, and what the implications of these would be.

- (e) Advise Rajiv Kumar accordingly.

**Note to candidates:** Do not address endorsement or disqualification here.

**(9 marks)**

You attend court to represent Rajiv Kumar. The case is listed at 10 a.m. He does not attend. Initially he is not answering his mobile phone but after some time he does respond to a text message you have sent. He informs you that his mother-in-law was taken to hospital overnight following a heart attack and is currently in intensive care. The prognosis is not good and he has taken his wife, who does not drive, to the hospital to be with her father. The hospital is in a different city about three hours' drive away. A nurse at the hospital sends a text confirming the position.

- (b) Explain the legal and procedural consequences which will or may follow and the implications of these for Rajiv Kumar.

**(7 marks)**

In the event, Rajiv Kumar is to be sentenced in the Crown Court for causing serious injury by careless driving.

- (c) Explain what decisions the court must or may make in relation to endorsement and/or disqualification.

**(5 marks)**

**(Total: 21 marks)**

#### Question 4

Reference: Question relates to **Case Three – Ivan Roberts** of the case study materials.

- (a) Explain what use the police could have made of the photograph of Ivan Roberts that was taken six months previously, the procedures to be followed and the consequences if they are not followed.

**(6 marks)**

Ivan Roberts states to you that he was not involved in this incident. He does have a sister but asserts there was no incident involving her at any party and therefore he had no reason to make or attempt to carry out any threats. He does accept that he owns an orange electric scooter. He also states that on the day of the alleged offence he had lent this scooter to one of his friends, who he does not wish to name. He further states that on the day in question he was doing some casual labouring work for his uncle, who is a landscape gardener.

You arrange to take a statement from the uncle. He does initially confirm that Ivan Roberts was working for him from nine in the morning until five in the evening on the relevant day. However, he does seem somewhat vague about the details and you form the view that he may not be a witness of truth.

- (b) Explain what, if any, implications your assessment of the uncle as a witness has for your continued representation of Ivan Roberts.

**(5 marks)**

- (c) Explain what application you would expect the prosecution to make if Ivan Roberts gives evidence and/or leads evidence in relation to the alibi and the lending out of the scooter and what decision the court will make in relation to it.

**(6 marks)**

Ivan Roberts maintains his plea of not guilty.

- (d) Explain in which court Ivan Roberts will be tried and, in the event of conviction, sentenced, and also what sentence the court may impose.

**(8 marks)**

**(Total: 25 marks)**

**End of the examination**

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