



THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES
UNIT 1 – INTRODUCTION TO LAW AND PRACTICE*
QUESTION PAPER

Time allowed: 1 hour

* This unit is a component of the **CILEx LEVEL 3 PROFESSIONAL QUALIFICATIONS** and **LEVEL 3 LEGAL SERVICES KNOWLEDGE QUALIFICATIONS**



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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	

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- 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	

- **You must answer ALL the questions that are in the examination paper.**

Do not turn over this page until instructed by the Invigilator.

Question 1

Which one of the following is responsible for administering the tribunal system?

- A** Office of Tribunal Regulation
- B** Department for the Administration of Justice
- C** HM Courts and Tribunals Service
- D** Legal Services Board

Question 2

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

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

Question 3

Which of the following correctly describe the powers of the European Parliament?

- (i) It must approve the European Union's budget**
- (ii) It can propose changes to European Union Treaties**
- (iii) It can approve, amend or reject European Union secondary legislation**
- (iv) It must appoint the judges of the Court of Justice of the European Union**

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

Question 4

Hassan has been charged with murder and his case will be tried in the top tier of the Crown Court. Which one of the following types of judge will normally hear the case?

- A** Supreme Court judge
- B** High Court judge
- C** Circuit judge
- D** Recorder

Question 5

The Prime Minister is assisted in running the government by various ministers. Which one of the following is the most senior type of minister?

- A** Minister of State
- B** Parliamentary Secretary
- C** Government Minister
- D** Secretary of State

Question 6

Which of the following are features of civil law cases?

- (i)** The main parties are called 'the claimant' and 'the defendant'
- (ii)** The standard of proof is on the balance of probabilities
- (iii)** The cases are always heard in the High Court at first instance
- (iv)** The principal remedies are equitable remedies

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

Question 7

When making a decision, the Supreme Court can do which one of the following?

- A** Interpret a statute
- B** Overrule a statute
- C** Amend a statute
- D** Revoke a statute

Question 8

Which one of the following statements in relation to Magistrates is NOT correct?

- A** They are also known as 'Justices of the Peace'
- B** They are selected from applicants aged between 18 and 70
- C** They normally sit as a 'bench' in a group of three
- D** They are assisted by legally qualified advisers

Question 9

In which of the following courts can a Recorder sit?

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

Question 10

Which of the following statements correctly describe Bye-laws?

- (i) They are a form of delegated legislation
- (ii) They are usually created by local authorities
- (iii) They must be confirmed by the Monarch in Council
- (iv) They seek to regulate national activities

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

Question 11

Section 4 of the Human Rights Act 1998 provides that:

- A UK courts are bound to give effect to decisions of the European Court of Human Rights
- B If UK legislation is incompatible with the European Convention on Human Rights, a declaration of incompatibility may be made
- C Cases involving Human Rights in the UK must be heard in the Supreme Court
- D UK courts must take into account decisions of the European Court of Human Rights

Question 12

Which of the following types of business may be used by solicitors to operate their practice?

- (i) Unlimited companies
- (ii) Limited companies
- (iii) Limited liability partnerships
- (iv) Multi-disciplinary practices

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

Question 13

Which of the following would prevent a member of the public from serving on a jury in a criminal trial?

- A** Being 18 years of age
- B** Being on the electoral register
- C** Being a member of the armed forces
- D** Being resident in the UK for less than five years

Question 14

Which of the following statements about the Legislature are correct?

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

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

Question 15

In relation to case law, what are 'conjoined' cases?

- A** Cases which involve two or more different types of claim between the same parties
- B** Cases involving both civil and criminal law issues which need to be considered together
- C** Cases where there is an 'overlap' between two separate cases because the same parties are involved in both
- D** Cases where a court is hearing two separate appeals at the same time because they involve a similar point of law

Question 16

Which one of the following is a feature of a criminal law case?

- A** The standard of proof depends upon the type of crime
- B** The burden of proof is on the prosecution
- C** A criminal trial must always take place before a jury
- D** Only the Crown Prosecution Service can prosecute

Question 17

You are a trainee lawyer in a government department. You have been asked to research common types of cases which are heard by the Court of Justice of the European Union.

Which one of the following is NOT an example of such a type of case?

- A** Action for failure to fulfil an obligation
- B** Direct action
- C** Action for atonement
- D** Action for failure to act

Question 18

Which of the following are controls over delegated legislation?

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

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

Question 19

Which one of the following rights is NOT a form of protected right under Schedule 1 of the Human Rights Act 1998?

- A** Absolute
- B** Restricted
- C** Qualified
- D** Limited

Question 20

What is the main purpose of the Parliament Acts 1911 and 1949?

- A** To enable uncontroversial Bills to be considered by the House of Commons and the House of Lords concurrently
- B** To limit the powers of the House of Lords to block Bills approved by the House of Commons
- C** To confirm the principle of parliamentary sovereignty of the House of Commons and the House of Lords
- D** To enable certain Bills to be sent a number of times ('ping-pong') between the House of Commons and the House of Lords

Question 21

A Speaker's Certificate in respect of a Bill may contain which one of the following statements?

- A** That the Bill must start in the House of Lords
- B** That the Bill covers the whole of the UK
- C** That the Bill must be delegated to a Public Bill Committee
- D** That the Bill covers only England and Wales

Question 22

Which of the following describe the objectives of the Legal Services Board?

- (i) Providing Alternative Dispute Resolution (ADR) services to consumers**
- (ii) Improving access to justice**
- (iii) Resolving complaints about legal services**
- (iv) Protecting and promoting the interests of consumers**

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

Question 23

Which one of the following is NOT a part of the legal content of an Act of Parliament?

- A** Short title
- B** Date of Royal Assent
- C** Explanatory Notes
- D** Section number

Question 24

Which one of the following statements about the United Kingdom constitution is NOT correct?

- A** It maintains a strict separation of powers
- B** The doctrine of parliamentary sovereignty applies to it
- C** There is no single written constitution
- D** It consists of the Legislature, the Executive and the Judiciary

Question 25

Which one of the following is the overriding objective of the Civil Procedure Rules 1998?

- A** To provide for cases to be determined quickly, efficiently and effectively
- B** To ensure cases are dealt with in accordance with the Human Rights Act 1998
- C** To enable the court to deal with cases justly and at proportionate cost
- D** To set out clearly the rules and procedures to be applied by the courts

Question 26

How many mandatory principles are contained within the Solicitors Regulation Authority (SRA) Rules and Regulations?

- A** 10
- B** 6
- C** 12
- D** 7

Question 27

Janet was injured while doing her job and has been off work for three months. She has been advised that she has a claim for negligence against her employer for £12,000.

Which track is Janet's court claim likely to be assigned to?

- A** Fast track
- B** Small claims track
- C** Personal injury track
- D** Multi-track

Question 28

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

- (i) there is an element of objectivity to the process**
- (ii) parties can contribute to the content of an agreement**
- (iii) conciliators can propose compromises**
- (iv) the agreement entered into can be legally binding**

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

Question 29

A persuasive precedent is an earlier decision of a court which is:

- A** Binding only on the type of court which made the earlier decision
- B** Not binding but may be considered
- C** Only binding on a lower court
- D** No longer binding, because it has been disapproved in a subsequent decision

Question 30

What was the effect of the Judicature Acts 1873-75 on the application of common law and equity?

- A** Only the Supreme Court can apply equity
- B** Only the Chancery Division of the High Court can apply equity
- C** Equity may only be applied in appeal courts
- D** All courts may apply both common law and equity

End of Examination Paper

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