



THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

UNIT 18 – THE PRACTICE OF CHILD CARE LAW*

Time allowed: 1 hour and 30 minutes plus 15 minutes' reading time

Instructions to Candidates

- You have been provided with a clean copy of the case study materials for you to use in this examination.
- You have **FIFTEEN** minutes to read through this question paper and the case study materials before the start of the examination.
- **It is strongly recommended that you use the reading time to read this question paper fully.** However, you may make notes on this question paper or in your answer booklet during this time, if you wish.
- **All questions are compulsory. You must answer ALL the questions.**
- Write in full sentences – a yes or no answer will earn no marks.
- Candidates must comply with the CILEx Examination Regulations.
- Full reasoning must be shown in answers. Statutory authorities, decided cases and examples should be used where appropriate.

Information for Candidates

- The mark allocation for each question and part-question is given and you are advised to take this into account in planning your work.
- Write in blue or black ink or ballpoint pen.
- Attention should be paid to clear, neat handwriting and tidy alterations.
- Complete all rough work in your answer booklet. Cross through any work you do not want marked.

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

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

Question 1

Reference: Question relates to **Documents 1 and 2** of the case study materials.

- (a) Advise which s.8 order under the Children Act 1989 Graham and Evelyn should apply for, to ensure that Bobby is not allowed to collect Zane from school.

(2 marks)

- (b) Explain **three** key principles under s.1 Children Act 1989 which a court must consider and apply, when deciding whether to make an order in Zane's case.

(9 marks)

(Total: 11 marks)

Question 2

Reference: Question relates to **Documents 1 and 2** of the case study materials.

- (a) Explain whether Graham and Evelyn meet the criteria to apply for a Special Guardianship Order.

(3 marks)

- (b) Explain why a Special Guardianship Order might be preferred to adoption in Zane's case.

(7 marks)

(Total: 10 marks)

Question 3

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

- (a) Explain why Kempston County Council should conduct an assessment under s.17 Children Act 1989, and identify who would be responsible for conducting the assessment.

(6 marks)

- (b) Outline the Assessment Framework used, when carrying out a s.17 assessment, giving examples.

(6 marks)

- (c) Explain whether Yamini and Manya fulfil the statutory definition of a child in need.

(5 marks)

- (d) Explain the purpose of a child protection plan, if Yamini and Manya are considered to be children in need.

(4 marks)

(Total: 21 marks)

Question 4

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

- (a) Identify the statutory criteria for an interim care order, and explain whether Kempston County Council can satisfy the criteria in the case of Reuben.

(6 marks)

- (b) Identify the documents that Kempston County Council must file with the court, when applying for an interim care order.

(7 marks)

- (c) Explain the effect of an interim care order on parental responsibility and whether Fiona and her parents will be able to see Reuben.

(4 marks)

(Total: 17 marks)

Question 5

Reference: Question relates to **Documents 5 and 6** of the case study materials.

It has been decided that Kempston County Council should apply for an emergency protection order for Stefan.

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

(4 marks)

- (b) Identify the documents required to issue an application for this order.

(3 marks)

- (c) Explain the effect of granting an emergency protection order in this case.

(4 marks)

(Total: 11 marks)

End of Examination Paper

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