



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

Time allowed: 1 hour

Turn over

* 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 separate 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.

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Question 1

What is the legal basis of the legal system in England and Wales?

- A** Equitable law
- B** Civil law
- C** Natural law
- D** Common law

Question 2

James is claiming damages of £55,000 from Anna for breach of contract. In which court can James issue his claim?

- A** In the County Court only
- B** In the High Court only
- C** In the County Court or the High Court
- D** In the Divisional Court of the High Court only

Question 3

The main purpose of a Green Paper is to:

- A** Set out draft proposals for new legislation
- B** Outline the public response to a government policy
- C** Propose an amendment to European Union law
- D** Allow Parliament to provide instructions to the Government

Turn over

Question 4

Which of the following statements regarding magistrates are correct?

- (i) They do not need to be legally qualified**
- (ii) They hear both criminal and some civil cases**
- (iii) They must be under the age of 70 when appointed**
- (iv) They are paid on a daily basis for each sitting**

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

Question 5

In a criminal trial, which one of the following will normally bring the case against the defendant?

- A** The Police
- B** The Monarch
- C** The Crown Prosecution Service
- D** The Secretary of State for Justice

Question 6

An Order in Council will be passed by which one of the following?

- A** Secretary of State
- B** Monarch and Privy Council
- C** Local Council
- D** Justice of the Supreme Court

Question 7

Which one of the following is an advantage of a tribunal?

- A** Tribunal judges are not bound to strictly follow the Civil Procedure Rules 1998
- B** Legal aid is always available for legal representation
- C** Successful claimants will always be awarded their legal costs
- D** It avoids a litigant in person being at a disadvantage to a represented party

Question 8

Which of the following procedures may be followed, when laying a Statutory Instrument before Parliament?

- (i) Affirmative procedure**
- (ii) Consensual procedure**
- (iii) Expedited procedure**
- (iv) Negative procedure**

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

Turn over

Question 9

The Practice Statement on Judicial Precedent [1966] means that the Supreme Court is:

- A** Bound to follow its own previous decisions in all cases
- B** Able to depart from its own previous decisions when it appears right to do so
- C** Bound to disregard decisions of the House of Lords, because that court no longer exists
- D** Able to consult the House of Lords in Parliament, before reaching a decision in a case involving the State

Question 10

Which one of the following is NOT a function of the Lord Chancellor and Secretary of State for Justice?

- A** Responsibility for protecting the rule of law
- B** Preserving the independence of the judiciary
- C** Responsibility for the Ministry of Justice
- D** Appointment of all judges

Question 11

Which one of the following is an equitable maxim?

- A** Equity does not act *in personam*
- B** He who seeks equity must do equity
- C** Equity is not discretionary
- D** Delay does not defeat equity

Question 12

Which one of the following is a right protected by the European Convention on Human Rights?

- A** Right to gay marriage
- B** Right to life
- C** Right to assisted suicide
- D** Right to medical treatment

Question 13

Which one of the following describes the rights of audience of Chartered Legal Executives?

- A** They have full rights of audience under the Tribunals, Courts and Enforcement Act 2007
- B** Only those authorised by CILEx Regulation have rights of audience
- C** They have limited rights of audience under the County Court (Right of Audience) Direction 1978
- D** They have no rights of audience

Question 14

Which of the following describe the aims of the Law Commission?

- (i) To remove anomalies in the law**
- (ii) To repeal obsolete laws**
- (iii) To simplify and modernise the law**
- (iv) To scrutinise the appointment of judges**

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

Turn over

Question 15

Which one of the following is a First-tier Tribunal?

- A** Lands Chamber
- B** Tax and Chancery Chamber
- C** Administrative Appeals Chamber
- D** General Regulatory Chamber

Question 16

What type of case name will be written as *R v Jones [2019]*?

- A** A civil law case
- B** A criminal law case
- C** A judicial review case
- D** A case involving the estate of a deceased person

Question 17

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

- A** Parliament has absolute power
- B** Only Parliament can limit the power of future Parliaments
- C** The Executive has more power than Parliament
- D** Parliament binds the judiciary

Question 18

Which of the following statements describe mediation?

- (i) It is very informal
- (ii) Parties are normally kept separate
- (iii) The mediator can propose agreements and compromises
- (iv) The outcome can be legally binding if agreed by the parties

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

Question 19

Which one of the following is NOT a type of Bill?

- A Private Bill
- B Opposition party Bill
- C Law reform Bill
- D Consolidation Bill

Question 20

In case law, what is the persuasive element of a judgment called?

- A *Stare decisis*
- B *Ratio decidendi*
- C *Obiter dicta*
- D *Quasi precedent*

Turn over

Question 21

Which one of the following describes a European Union regulation?

- A** It is a primary source of European Union law
- B** It sets out the law in general terms only
- C** It is directly applicable to all member states
- D** It is an enabling document

Question 22

Which one of the following statements is correct in relation to juries?

- A** Jury service is voluntary, not compulsory
- B** Jurors are selected from persons aged between 18 and 70
- C** A police officer cannot serve on a jury
- D** Jurors must be formally sworn in on the day of the trial

Question 23

Which one of the following is the role of the Executive?

- A** To make the law
- B** To uphold the constitution
- C** To apply the law
- D** To govern the country

Question 24

Over which of the following does the Court of Justice of the European Union have jurisdiction?

- (i) Direct actions by the European Union against member states
 - (ii) Preliminary rulings on a point of European Union law
 - (iii) Actions against European Union institutions for failure to act
 - (iv) Actions for annulment of an element of European Union law
- A** (ii), (iii) and (iv)
- B** (i), (ii) and (iii)
- C** (i) and (iii)
- D** (i), (ii), (iii) and (iv)

Question 25

Which one of the following is a characteristic of a Hybrid Bill?

- A** It applies generally across the country, but particularly affects certain individuals and locations
- B** It is a Private Members' Bill introduced by an MP, where that MP is also a government minister
- C** It mainly consolidates existing statutes, but also includes elements of law reform
- D** It is a Government Bill introduced jointly, by both a government minister and an MP who is not a government minister

Question 26

In which of the following courts can a circuit judge 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

Turn over

Question 27

Alan has been charged with common assault. In which court will his case be tried?

- A** Magistrates' Court
- B** County Court
- C** Crown Court
- D** Criminal Division of the Court of Appeal

Question 28

Which of the following are types of injunction?

- (i) Specific**
- (ii) Mandatory**
- (iii) Rescissionary**
- (iv) Prohibitory**

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

Question 29

Which one of the following is NOT a category of criminal offence that may be heard in the first instance by a criminal court?

- A** Summary
- B** Preliminary
- C** Either-way
- D** Indictable

Question 30

Section 3 of the Human Rights Act 1998 provides that:

- A** Non-compliance with European Union law by the UK can result in an action against it in the European Court of Justice
- B** Only public institutions are bound to comply with the European Convention on Human Rights detailed in Schedule 1 of the Act
- C** The UK courts must take into account decisions of the European Court of Justice
- D** The UK courts must, as far as possible, interpret legislation to make it compatible with the European Convention on Human Rights detailed in Schedule 1 of the Act

End of Examination Paper

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