



## 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 **Document 1** of the case study materials.

- (a) Describe the s.8 Children Act 1989 order that Kevin could apply for to ensure that he sees Olivia regularly.

**(5 marks)**

- (b) Identify the key principle, under s.1 Children Act 1989, that the court must consider when exercising its powers and explain how it might apply in this case.

**(5 marks)**

**(Total: 10 marks)**

## Question 2

Reference: Question relates to **Document 2** of the case study materials.

- (a) Describe the initial procedure to be followed now that the school has made a referral to Kempston County Council.

**(4 marks)**

- (b) Explain whether, according to the statutory ground, Molly is a child in need.

**(6 marks)**

- (c) Explain the general duty owed by Kempston County Council to Molly.

**(6 marks)**

- (d) Identify **two** key personnel who will be involved in providing support and assistance to Molly.

**(2 marks)**

**(Total: 18 marks)**

### Question 3

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

- (a) Advise why Kempston County Council should urgently apply for an emergency protection order in this case.  
**(5 marks)**
- (b) Explain the statutory ground for applying for an emergency protection order in this case.  
**(4 marks)**
- (c) Explain how Charlie will be represented if an emergency protection order is applied for in this case and explain the roles of those representing him.  
**(5 marks)**
- (d) Explain the effect of an emergency protection order, if granted, in Charlie's case.  
**(4 marks)**

**(Total: 18 marks)**

### Question 4

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

- (a) Advise whether the grounds for an interim care order have been established in this case.  
**(7 marks)**
- (b) Describe each of the procedural stages involved if Kempston County Council applies for an interim care order.  
**(10 marks)**

**(Total: 17 marks)**

**Turn over**

## Question 5

Reference: Question relates to **Documents 4 and 5** of the case study materials.

Following a meeting with Ellie, Betty is planning to seek an order to allow Ellie to live with her.

(a) Explain why a special guardianship order might be considered if it is agreed that Ellie should live with Betty.

**(3 marks)**

(b) Advise whether Betty meets the statutory criteria to apply for such an order.

**(4 marks)**

**(Total: 7 marks)**

**End of Examination Paper**