



**THE CHARTERED INSTITUTE  
 OF LEGAL EXECUTIVES**

**UNIT 1 - INTRODUCTION TO LAW  
 AND PRACTICE\***

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**QUESTION PAPER AND ANSWER BOOKLET**

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<b>Membership Number:</b>	

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

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

**Time allowed: 1 hour**

**Instructions to Candidates**

- Use blue or black ink or ballpoint pen.
- Candidates must comply with the CILEx Examination Regulations.
- **You must answer ALL the questions on the examination paper.**
- All the questions are multiple choice questions.
- Insert an **X** in the box corresponding to the answer you consider to be correct.

Example

**The colour of grass is:**

- A** Red
- B** Blue
- C** Green
- D** Yellow

<b>X</b>

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

**Question 1**

**Which one of the following is Equity based on:**

- A** Fairness
- B** Rules
- C** Certainty
- D** Duties


**Question 2**

**Which of the following statements about the Legislature are correct?**

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

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


**Question 3**

**When a Bill affecting the United Kingdom is introduced in the House of Commons, how many distinct procedures must it undergo before its transfer to the House of Lords?**

- A** 5
- B** 6
- C** 10
- D** 4


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**Question 4**

**Which one of the following is a means by which government ministers introduce regulations under powers delegated to them by Parliament in enabling legislation?**

- A** Orders in Council
- B** Bye-laws
- C** Court Rule Committees
- D** Statutory instruments


**Question 5**

**Which of the following is NOT an exception to the general rule that the Court of Appeal is bound by its own previous decisions in civil cases.**

- A** Where there is conflict between previous decisions of the Court of Appeal they must choose which decision to follow
- B** Where a previous decision of the Court of Appeal has been overruled either expressly or impliedly by the House of Lords (now the Supreme Court)
- C** Where the previous decision was given *per incuriam*
- D** Where there is a conflicting High Court and Court of Appeal decision the Court of Appeal must choose which decision to follow


**Turn over**

**Question 6**

**Which one of the following institutions does NOT have any legislative functions?**

- A** European Commission
- B** Council of the European Union
- C** European Council
- D** European Parliament


**Question 7**

**The purpose of the overriding objective in the Criminal Procedure Rules 2010 is:**

- A** Criminal cases are dealt with justly
- B** Criminal cases must be actively managed
- C** To allow the defendant to choose trial by judge or jury
- D** To allow the defendant an automatic right to appeal a decision


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**Question 8**

**Which one of the following is set out in Section 3 of the Human Rights Act (1998)?**

- A** If legislation does not comply with the European Convention on Human Rights it allows a declaration of incompatibility to be made
- B** The UK courts are required to interpret all legislation to make it compatible with the European Convention on Human Rights as far as is possible to do so
- C** The UK courts are required to ensure that everyone has a fair trial in accordance with the European Convention on Human Rights
- D** Only public authorities are bound to give effect to the European Convention on Human Rights


**Question 9**

**Which one of the following statements about mediation is incorrect?**

- A** The parties are normally kept separate
- B** The parties can remain on friendly terms
- C** A resolution is guaranteed
- D** It is relatively quick and cheap


**Turn over**

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**Question 10**

**Emma wants to qualify as a barrister. She has gained her LLB degree. What further steps must she take to qualify?**

- (i) Complete the BPTC**
- (ii) Complete the LPC**
- (iii) Undertake a pupillage**
- (iv) Join an Inn of Court**

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


**Question 11**

**Which one of the following is NOT a track that civil cases can be allocated to?**

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


**Question 12**

**Which one of the following is NOT a key objective of the Solicitors Regulation Authority?**

- A** To set the criteria for entry to the profession
- B** To provide information about the work of solicitors
- C** To follow up on complaints about solicitors
- D** To represent solicitors


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**Question 13**

**Which of the following statements about Magistrates are correct?**

- (i) They are normally full-time and unpaid**
- (ii) Qualified lawyers can act as Magistrates**
- (iii) Magistrates receive no formal training**
- (iv) Magistrates are appointed by the Lord Chief Justice**

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


**Question 14**

**Which one of the following statements about a Private Members' Bill is correct?**

- A** The chances of the Bill becoming law are very low
- B** The Opposition must support the Bill
- C** Any member of the public may introduce it into Parliament
- D** A Minister must support the Bill


**Question 15**

**The separation of powers means that:**

- A** The Legislature and the Executive should be fused but the Judiciary should be separate
- B** The Executive, Legislature and Judiciary should be separate
- C** The Executive should appoint the Judiciary
- D** The Legislature should appoint the Judiciary


**Turn over**

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**Question 16**

**Which one of the following is NOT an advantage of delegated legislation?**

**A** It is flexible

**B** It is always subject to the full democratic parliamentary process

**C** It saves parliamentary time

**D** It allows rapid change


**Question 17**

**Which one of the following would permit a lower court to ignore the previous decision of a higher court?**

**A** The use of the Golden Rule

**B** The use of the Literal Rule

**C** The decision has been overreached

**D** The decision has been overruled


**Question 18**

**Which one of the following describes a European Union Regulation?**

**A** It is a primary source of EU 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


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**Question 19**

**Which one of the following is NOT a right protected by Section 1 of the European Convention on Human Rights?**

- A** Right to gay marriage
- B** Right to life
- C** Freedom of assembly
- D** Right to liberty and security of the person


**Question 20**

**Which one of the following is NOT a feature of conciliation?**

- A** The conciliator can propose compromises
- B** The parties are normally kept separate
- C** Parties may wish to remain on friendly terms in the future
- D** The outcome is binding


**Question 21**

**Which one of the following is a disadvantage of trial by jury?**

- A** It involves ordinary people in the criminal justice system
- B** It provides constitutional protection against the state
- C** Juries have to understand legal facts
- D** Jury decisions can lead to later reform of the law


**Turn over**

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**Question 22**

**Which one of the following is a disadvantage of arbitration?**

- A** It is quicker and cheaper than court
- B** There are very limited grounds for appeal
- C** It is less adversarial than court
- D** The arbitrator is an expert


**Question 23**

**Which of the following correctly describes the seniority of judges in England and Wales, from the most senior to the least senior?**

- (i) Circuit Judge**
- (ii) Lord Justice of Appeal**
- (iii) High Court Judge**
- (iv) Lord Chief Justice**

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


**Question 24**

**Which body is responsible for the professional standards of Chartered Legal Executives?**

- A** The Law Society
- B** CILEx Regulation
- C** Legal Services Board
- D** Ofqual


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**Question 25**

**Which of the following describes the Commission?**

- (i) It is regarded as the civil service of the European Union**
- (ii) It proposes new legislation**
- (iii) Its members are directly elected by citizens of member states**
- (iv) It passes secondary legislation**

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


**Question 26**

**Which Act lays out the eligibility criteria for jury service?**

- A Criminal Justice Act 2003**
- B Juries Act 1974**
- C Crime and Disorder Act 1998**
- D Juries Act 2010**


**Question 27**

**Which one of the following is responsible for bringing a criminal prosecution?**

- A The Criminal Prosecution Service**
- B The State**
- C The Police**
- D The Crown Prosecution Service**


**Turn over**

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**Question 28**

**Donald has been convicted of murder and wants to appeal his conviction. Which court will hear his appeal?**

- A** High Court
- B** Supreme Court
- C** Court of Appeal Criminal Division
- D** Crown Court


**Question 29**

**Which one of the following type of Bill particularly affects the general public but has significant impact on one or more individuals?**

- A** Public Bill
- B** Hybrid Bill
- C** Private Bill
- D** Law Reform Bill


**Question 30**

**Which one of the following is NOT an equitable maxim?**

- A** Delay defeats equity
- B** He who seeks equity must do equity
- C** Equity follows the law
- D** Equity acts in rem


**End of Examination Paper**

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