



**CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma**

**Unit 20 – The Practice of Family Law**

**Question paper**

**January 2025**

**Time allowed: 3 hours and 15 minutes (includes 15 minutes reading time)**

**Instructions and information**

- It is recommended that you take **fifteen** minutes to read through this question paper before you start answering the questions. However, if you wish to, you may start answering the questions immediately.
- You must answer **all** questions.
- This question paper is out of 100 marks.
- The marks for each question are shown — use this as a guide as to how much time to spend on each question.
- Write in full sentences — a yes or no answer will earn no marks.
- Full reasoning must be shown in your answers.
- Statutory authorities, decided cases and examples should be used where appropriate.
- You are allowed to use your own printed copy of the pre-release case study materials, as long as the materials are not annotated in any way. Alternatively, you can access the electronic version of the pre-release case study materials available in the examination.
- You are allowed to make notes on your scrap paper during the examination.
- A basic calculator is provided should you require the use of one.
- You can use your own unmarked copy of the following designated statute book – **Blackstone’s Statutes on Family Law, 31<sup>st</sup> edition, Rob George, Oxford University Press, 2023.**
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

***Turn over***

**Answer ALL questions.**

**Question 1**

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

- (a) Advise your client, Mr Williams, as to how he can be involved with the decision making regarding his children.  
**(6 marks)**
- (b) Explain why Mr Williams should not take the children abroad without Ms Clarke's consent as he is proposing.  
**(5 marks)**
- (c) Explain the orders that Mr Williams should apply for in order to resolve the issue regarding:
- (i) the holiday arrangements;
  - (ii) regular contact with the children.

In each case, explain whether such an application is likely to succeed, with reference to the factors that the court would consider.

**(18 marks)**

**(Total: 29 marks)**

**Question 2**

Reference: Question relates to **Documents 1 and 3** of the case study materials.

- (a) Explain to Ms Ford:
- (i) which type of order she could be apply for to protect her from further domestic abuse and why she is eligible to apply for such an order;  
**(5 marks)**
  - (ii) why an application without notice should be considered and the likelihood of success;  
**(5 marks)**
  - (iii) the further action required to ensure that Ms Ford gets the protection that she and Flora require if a without notice order is made.  
**(5 marks)**
- (b) Explain to Ms Ford how an order referred to in (a) would affect any application by Mr Harris for a Child Arrangement order to spend time with Flora.  
**(8 marks)**

**(Total: 23 marks)**

### Question 3

Reference: Question relates to **Documents 1 and 4** of the case study materials.

- (a) Advise of the ground of divorce and how Philip Amos would be able to satisfy this.  
**(5 marks)**
- (b) Explain the requirement of service of the application for divorce on Benjamin Amos and how it could be satisfied in this case.  
**(8 marks)**
- (c) Explain your professional responsibility regarding the costs that Philip Amos may incur.  
**(7 marks)**

**(Total: 20 marks)**

### Question 4

Reference: Question relates to **Documents 1, 5 and 6** of the case study materials.

- (a) Explain to Mrs Main:
- (i) the options available to resolve financial matters without recourse to court and the benefits of choosing one of these methods over litigation.  
**(7 marks)**

Mr and Mrs Main have met with you to discuss financial matters. You have summarised the outcome in a letter that has been approved by Mrs Main and sent to her husband. However, it appears that Mr Main has changed his mind. He is now saying that he will not agree to the split of assets as proposed and agreed at your meeting. Mrs Main has tried to discuss this with him but he refuses to do so. Mrs Main now feels that that she has no option but to start court proceedings but wishes financial matters to be settled as soon as possible.

- (b) Explain to Mrs Main the information you will require to complete Form E and the relevant timescale.  
**(5 marks)**
- (c) Advise Mrs Main of all the factors the court will consider when dealing with an application for financial remedies and the likely outcome.  
**(16 marks)**

**(Total: 28 marks)**

**End of the examination**

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