

# Level 4 Diploma for Associate Paralegals

## Sample MCQs

### Unit 1: English Legal System for Associate Paralegals

#### 1. What is jurisprudence?

- a) The study of the nature of law
- b) The study of the jury system
- c) The study of legal history
- d) The study of legal personality

**Correct answer: A**

#### 2. Which of the following is not a category of municipal law?

- a) Criminal law
- b) Civil law
- c) Procedural law
- d) Public International law

**Correct answer: D**

#### 3. Samira takes out a mortgage with Large Bank Plc. Which of the following statements is correct?

- a) Samira is the mortgagor, Large Bank Plc is the mortgagee
- b) Samira is the mortgagee, Large Bank Plc is the mortgagor
- c) Samira is the beneficiary, Large Bank Plc is the mortgagee
- d) Samira is the mortgagor; Large Bank Plc is the trustee

**Correct answer: A**

#### 4. How many principles are there in the SRA Standards and Regulations 2019?

- a) 3
- b) 9
- c) 7
- d) 12

**Correct answer: C**

## Unit 2: Law of Tort for Associate Paralegals

### 1. What is the overall objective of the law of tort?

- a) To compensate the claimant
- b) To punish the defendant
- c) To punish the claimant
- d) To compensate the defendant

**Correct answer: A**

### 2. The rule in *Rylands v Fletcher* [1868] has a number of defences – which of the following is *not* one of them?

- a) Consent to the dangerous thing
- b) An act of God
- c) Statutory authority
- d) Loss of control

**Correct answer: D**

### 3. When should the Caparo test be used?

- a) When there is a pre-established duty of care
- b) When there is no pre-established duty of care
- c) To decide if there is a pre-established breach
- d) To decide if there is a pre-established causation

**Correct answer: B**

### 4. Why was there liability to Mr Chadwick in *Chadwick v British Railways Board* [1967]?

- a) He was a rescuer
- b) He died
- c) He was a secondary victim
- d) Although he was a rescuer, he was also a primary victim

**Correct answer: D**

### Unit 3: Criminal Law for Associate Paralegals

**1. Faye has been arrested for criminal damage and her case is going to be heard in her local magistrates' court. Which of the following statements is correct?**

- a) The prosecution has the burden of proving Fay's guilt on the balance of probabilities
- b) The defence has the burden of proving Fay's guilt on the balance of probabilities
- c) The defence has the burden of proving Fay's guilt beyond reasonable doubt
- d) The prosecution has the burden of proving Fay's guilt beyond reasonable doubt

**Correct answer: D**

**2. Amaan hands Bob some heroin. Bob takes it and immediately feels unwell. Amaan does nothing. Bob dies as a reaction to the heroin Amaan gave him. Which of the following statements is correct?**

- a) Amaan is not responsible for Bob's death as there is no guilt from failing to act
- b) Amaan is responsible for Bob's death as Amaan had created a dangerous situation and should have acted to help Bob.
- c) Amaan is responsible for Bob's death as supplying heroin is a criminal offence
- d) Amaan is not responsible for Bob's death as it was not foreseeable.

**Correct answer: B**

**3. Which of the following is the test for oblique intention?**

- a) When the result was likely to happen, and the defendant knew this
- b) When the result was certain to happen, and the defendant knew this
- c) When the result was virtually certain to happen, and the defendant knew this
- d) When the result was unlikely to happen, and the defendant knew this

**Correct answer: C**

**4. Gammon v The Attorney-General for Hong Kong [1985] states that the presumption in favour of mens rea may be overturned in a number of situations. Which of following is not one of them?**

- a) Where the offence deals with social concerns
- b) Where the penalty for the offence is low
- c) Where the offence may be committed by omission
- d) Where the offence applies to those who undertake specific activities

**Correct answer: C**

## Unit 4: Employment Law and Practice

**1. Which key characteristic distinguishes an "employee" from a "worker" under UK employment law?**

- a) Obligation to perform work personally.
- b) Right to the National Minimum Wage.
- c) Mutuality of obligation and control by the employer.
- d) Engagement in the gig economy.

**Correct answer: C**

**2. An agency worker has been placed in the same role at a company for 14 weeks. According to the Agency Workers Regulations 2010, what right do they now have?**

- a) Right to bring unfair dismissal claims against the agency
- b) Statutory sick pay from the end-user
- c) Equal pay and working conditions as permanent staff
- d) Full employee status and pension contributions

**Correct answer: C**

**3. Which of the following scenarios best illustrates the "Mutuality of Obligation" test in determining employment status?**

- a) An individual owns their equipment and invoices the company for services.
- b) A company offers work regularly, and the individual is expected to accept it.
- c) A person works on a freelance basis and can reject assignments.
- d) An individual completes a single one-time project with a flat fee.

**Correct answer: B**

**4. In the case of Autoclenz Ltd v Belcher [2011], why did the court determine that the valeters were workers despite their contract labelling them as independent contractors?**

- a) They had full control over their hours and work methods.
- b) They paid their own tax and had insurance.
- c) The contract explicitly forbade substitution.
- d) The reality of their working relationship showed personal service and control.

**Correct answer: D**