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**QUESTION 2**

Django, a British citizen, had been working as a barrister at the International Criminal Court in The Hague, the Netherlands. In 2016 he came to the UK to resume his practice in the UK courts. He came with his wife Juba, a national of South Africa, who lived with him in the Netherlands. On arrival at Heathrow Airport, Juba did not have her Dutch residence card which she lost on the journey. She was put on the plane back to South Africa. A few months later she returned to the UK to join Django. In the Netherlands she had studied law at the University of Leiden and qualified as an *avocate*, Dutch equivalent of a barrister or solicitor. In 2017, Juba applied to the Ministry of Justice for a certificate to practice under her home title of *avocate*. The Ministry of Justice issued a certificate which stated that she could practice in the UK, but not in the UK courts on the basis that while she spoke fluent Afrikaans, a South African Dutch dialect, her knowledge of English was wholly inadequate and English was the language of the courts.

Advise Juba.

Would your answer be any different if:

* Django had never lived or worked outside the UK;
* had met Juba on the internet; and
* married her in South Africa before she subsequently travelled to the UK from the Netherlands where she had been temporarily residing for work purposes?

**Instructions**

* Word limit: **1,500 words max.**

**Assessment criteria**

**Structure 10 marks**

* Clear introduction of issues
* Logical sequencing of points

**Content 70 marks**

* Accurate identification of issues
* Analysis
* Evidence of research
* Application of legal principles
* Identifying where law is unclear
* Use of authority
* Solutions/recommendations

**Presentation 20 marks**

* Clarity of language
* Spelling, grammar
* Presentation of references
* Adherence to word count