

# The English Legal System

# Branches of the legal system

- Criminal courts
- Civil courts



# Criminal courts

- Magistrates court
- Youth court
- Crown court



Cases in criminal courts are brought by the Crown Prosecution Service

# Civil courts

- County court
- High court



Cases in civil courts are brought by private citizens (or companies) referred to as claimants

# Appeal courts

Citizens may **appeal** against decisions of lower courts to higher courts in certain circumstances.



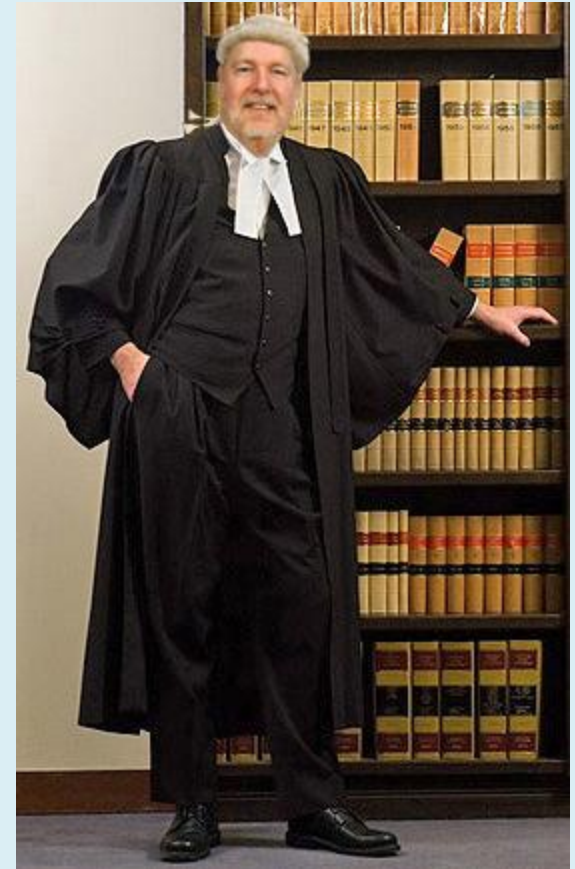
- From Crown or County Court to Court of Appeal (either criminal or civil)
- From Court of Appeal to UK Supreme Court
- In certain circumstances from Supreme Court to European Court of Justice

# Legal Personnel

Two types of lawyers

**Solicitors** – represent clients in lower courts and undertake general legal work eg drawing up contracts and wills. Solicitors also ‘instruct’ barristers.

**Barristers** – Represent clients in higher courts and are usually experts in a field of law



# Court personnel

## Magistrates courts

**Lay magistrates** – Judge cases in magistrates courts usually groups of three on the “bench”. Unpaid and members of local community rather than trained lawyers

**Stipendiary magistrates** – (District judges) Professional lawyers who are paid to sit as full-time magistrates

**Clerk to the court** – The clerk has legal training and can assist the magistrates with advice on points of law



# Court personnel

## Crown court

### Judge

- Presides over trial
- Ensures fair conduct and gives rulings on points of law
- Sums up evidence at end of trial and may direct the jury eg as to possible verdicts and points of law
- Passes sentence
- Most judges are former barristers





# Court personnel

## Crown court

### Juries

- Consist of 12 people aged 18-70
- Drawn from electoral registers in local community
- Certain occupations are exempt but the number of these have been reduced in recent years
- The jury decides on the guilt of the accused based on evidence presented and following guidance from the judge about the law



# Court personnel

## Civil courts

- Civil courts are always presided over by a judge
- In a few civil cases juries are used eg defamation cases but judges usually sit alone (or in threes in higher courts).