

## **General information about law**

Each area of the United Kingdom of Great Britain and Northern Ireland ('UK' for short) has its own legal system. The legal word for 'area' in this context is 'jurisdiction'. So we have England and Wales as one jurisdiction, Scotland as another and Northern Ireland as another. Although many laws will apply to all the UK jurisdictions, there are some which don't. Human rights law, for example, applies to the whole of the UK, while, for example, the Employment Rights Act applies to England and Wales and Scotland but does not apply to Northern Ireland. On the other hand, the Human Rights Act applies to all three UK jurisdictions.

When people speak about 'English law' they really mean 'English and Welsh law', while people in Wales will sometimes talk about 'Welsh and English law'. However, this is a bit confusing because since 1998 Wales has had its own lawmaking powers and these are exercised by the Welsh Parliament, which sits in Cardiff.

### **Different areas of law**

The law is organised into many different areas, including criminal, civil, land law, family law, employment law and so on. In any sitting of the UK Parliament or the Welsh Parliament, a number of new laws will be made. Sometimes old laws are 'repealed' or removed from the statute books, and sometimes they are 'amended', *i.e.* changed in some way.

### **Different types of court**

A court can only hear certain types of cases. For example, the Court of Appeal cannot hear a trial, a magistrates' court cannot try a person suspected of robbery, a county court can hear a 'civil' trial but not a criminal one. An employment tribunal may not hear cases which are not related to employment issues. Here is a summary of what different courts can do:

Magistrates' court: Summary criminal trials – *i.e.* criminal trials without a jury. These are divided into 'summary' offences and 'either-way' offences. An 'either-way' offence can be tried either in a magistrates' court or the Crown Court. Specially trained magistrates will also preside over youth trials and family cases.

Crown Court: More serious criminal trials, *e.g.* robbery, murder, serious sexual offences. Most offences are tried by a jury.

County Court: Civil matters up to £100,000. A huge range of matters is heard in County Court, from property repossessions to less serious personal injury claims, from relatively low value contract disputes.

High Court: High value civil matters – e.g. contract disputes, intellectual property cases, defamation, and so on. A High Court awards damages, it does not impose criminal sentences.

Tribunals: In the UK we have several types of tribunal, including Employment, Information, Immigration, Land, Mental Health and so on. Tribunals deal only with their subject matter. They are divided into two types, First tribunals and Upper tribunals. A first tribunal is the equivalent of the County Court and an upper tribunal is the equivalent of the High Court.

Earlier we talked about ‘jurisdiction’ as applied to different parts of the UK. This word is also used when talking about a court’s powers: thus an employment tribunal has no jurisdiction to hear a contract dispute, a magistrates’ court has no jurisdiction to hear a defamation case, and so on.

**Next**: where laws come from