**The English Judicial System**

A feature common to all the systems of law in the UK is that there is no complete code. The sources of law include legislation (e.g. some 3,000 Acts of Parliament) and unwritten or 'common law'. Major distinctions are between the criminal law (wrongs against the community as a whole) and the civil law (rights, duties and obligations of individuals between themselves).

The criminal courts in England and Wales include:

1 .Magistrates' Courts . About 98 per cent of all criminal cases are disposed of by the magistrates (2 to 7) known as Justices of the Peace. These courts try the less serious offences (they hear and determine charges against people accused of summary offences, that is not serious enough to go before higher courts). The second function of the Magistrates' Courts is to conduct a preliminary hearing. Thirdly, they hear cases involving children (Juvenile Courts).

The magistrates act as licencing authorities for public houses, restaurants, betting shops and other public places. There are about 27,250 lay magistrates, sitting in nearly 700 different courts.

2. Crown Courts. The Crown Court deals with trials of the more serious cases, the sentencing of offenders committed for sentence by magistrates' courts, and appeals from magistrates' courts. It sits in about 90 centres and is presided over by High Court judges, full-time 'circuit judges' and part-time recorders. All contested trials take place before a jury. The jury consists of 12 persons and try indictable, that is more serious criminal offences (10 out of 12 must agree on their verdict).

NB: The Old Bailey - the central criminal court for Greater London.

The civil courts include:

1 .County Courts (300, presided over by a paid judge).Their jurisdiction covers adoption cases, bankruptcy, divorce cases, actions concerning land, trusts and mortgages (involving less than 750). Cases outside this limit are heard before High Court Judges, sitting either in the Crown Courts or in the High Court itself.

2. The High Court of Justice is divided into the Chancery Division (mortgages, bankruptcies, partnership, estates), the Family Division and the Queen's Bench Division (Common Law actions, commercial disputes). It covers virtually all civil cases. The Family Division of the High Court now deals with all jurisdiction affecting the family: divorce, wardship, guardianship and probate (the ratification of wills).

Maritime law is the responsibility of a specially constituted court of the queen's Bench Division.

The Judicial Personnel

Judges: appointed by the Queen, on the advice of the Lord Chancellor; hold office for life; are selected among senior barristers, especially Q.C.s (Queen's Counsels); 200 approximately.

Barristers: lawyers who have passed the examination of the Bar Council ("called to the bar"); there are 2,000 approximately organised as a very powerful and closed corporation (Inns of Court). These are the Inner Temple, the Middle Temple, Lincoln's Inn and Gray's Inn. The four societies together form what is known as

"The Bar". The Bar as a whole is responsible for the education of would-be barristers. The successful candidate is rewarded by being called to the Bar. The duty of barristers is to further their clients' cases in courts and speak in law courts. As 'counsel for the prosecution' a barrister will try to prove the accused person's guilt. As 'counsel for the defence' he will defend the accused.

Solicitors: members of the Law Society, prepare all the judicial work (briefs, enquiries, witnesses) : 25,000 approximately. Their main function is to keep a client out of the courts by advising him, drafting his contracts, wills, leases and many other documents.

Justices of the Peace (JPs): unpaid and non-professional magistrates for inferior courts; assisted by professionals (clerks).

Police. There are about 60 police forces in Britain, each employed and paid by the local authorities. They get half their money from the local rates and half from the Treasury. The forces are completely independent of one another. Each force has its C.I.D. - Criminal Investigation Department. The London Police Force, called the Metropolitan Police, is not controlled by the local authority. It is responsible to the Home Secretary, and its chief officers are appointed by the Government. 'Scotland Yard', the C.I.D. of the Metropolitan Police, is so called because the headquarters of the Metropolitan Police are in New Scotland Yard, near Whitehall.

NB: If in trouble, or if you've witnessed a crime, go to the nearest telephone and dial 999. You'll be put through immediately to the Post Office, who will ask which service you want - Police, Fire Brigade or Ambulance.

Traffic Wardens. Traffic wardens were first introduced in I960. Now there are about 20,000 traffic wardens in England and Wales. They deal with minor traffic offences), like parking in the wrong place, or without lights; they report car owners who do not have a licence; they supervise school children crossing roads.

NB: The death penalty for murder was abolished in 1965.