



The Justice System in the UK

The United Kingdom does not have a single judicial system — England and Wales have one system, Scotland another, and Northern Ireland a third. The UK's courts system is complicated and can be confusing because it has developed over 1,000 years.

Structure of the courts system

Many people think that you only go to court if you're being charged with a crime, but that is not true. You can go to court with a variety of different problems and not all of them are about crime.

If you are involved in the court process, or if you are thinking of taking your case to court, it is important to understand whether **civil** or **criminal** law applies. There are different laws and court procedures for each.

Civil law

Civil law is used to resolve arguments and problems between people, or between people and organisations, such as companies and employers.

It affects almost every aspect of our daily lives. For example, it can be about our personal relationships within families and as neighbours and members of communities. It can be about our work (as employees or running a business). It can be about our home life or our leisure time (as shoppers and consumers).

In **England** civil cases will sometimes be dealt with by magistrates, but may well go to a county court. Appeals will go to the High Court and then to the Court of Appeal.

In **Scotland** civil cases will be dealt with by The Court of Session. It is divided into the Outer House and the Inner House. The Outer House hears cases that have not previously been to court. The Inner House is primarily the appeal court, hearing civil appeals from both the Outer House and Sheriff Courts. Appeals from the Inner House may go to the Supreme Court of the United Kingdom.

Criminal law

Criminal law punishes people for things they have done wrong.

Serious crimes like murder and rape are dealt with by the criminal law as are some minor crimes like driving too fast or causing a disruption in the street (this crime is sometimes called 'breach of the peace').

Criminal cases will start in the magistrates' court (England) or sheriff courts (Scotland), but the more serious criminal matters are committed (or sent) to the Crown Court (England) or The High



Court of Justiciary (Scotland). In England, appeals from the Crown Court will go to the High Court, and potentially to the Court of Appeal or even the Supreme Court.

Tribunals

There are two significant differences between tribunals and courts:

1. Tribunals are set up to be less formal, less expensive, and a faster way to resolve disputes than by using the traditional court system.
2. Tribunal members who make decisions (adjudicators) usually have special knowledge about the topic they are asked to consider. Judges, however, are expected to have general knowledge about many areas of law, not particular expertise about the law in the case they are hearing.

The tribunals system has its own structure for dealing with cases and appeals, but decisions from different chambers of the Upper Tribunal, and the Employment Appeals Tribunal, may also go to the Court of Appeal.

Accessing the justice system

There are many ways to access the UK justice system but you will usually need some help or guidance.

Finding a legal adviser or solicitor

You can pay for advice from a **local legal adviser or solicitor**:

- <https://www.gov.uk/find-a-legal-adviser>

If you think you may be eligible for **legal aid** you should find a legal aid adviser. Visit this website to search for a legal aid adviser:

- <http://find-legal-advice.justice.gov.uk/>

Finding free and independent advice

There are local organisations like **Law Centres** and **Citizens Advice Bureaux** which may be able to provide you with free and independent advice on what you can do if you want to take your case to court or someone has brought a case against you at court. To find your closest centre:

Law Centres

Check the map to find your nearest Law Centre:

- <http://www.lawcentres.org.uk/about-law-centres/law-centres-on-google-maps/geographically>

Citizens Advice Bureaux

To find your nearest centre:

- <https://www.citizensadvice.org.uk/about-us/how-we-provide-advice/advice/>

☐ 03444 111 444

AdviceNow

High quality online advice:

- <http://www.advicenow.org.uk/>



Representing yourself

You can choose to represent yourself at a court or a tribunal.

You could get free help and advice from various organisations if you are representing yourself or thinking of it. Help can be in the form of information, practical advice, legal advice, representation or emotional support.

Check the organisations which could help:

- <http://www.advicenow.org.uk/guides/how-get-help-if-you-are-representing-yourself-court-or-tribunal>

Legal aid

Going to court can be expensive. If you cannot afford it, the government may be able to help you access justice through **legal aid**.

Legal aid can help meet the costs of legal advice, family mediation and representation in a court or tribunal. It is only available for certain areas of law.

Whether you qualify to receive legal aid will depend on the level of your income/capital and the chances of your case being successful. You may have to pay some money to the **Legal Aid Agency** for the costs of your case depending on the level of your income.

It is getting more and more difficult to access legal aid because the government is cutting this and legal aid is only available for certain areas of law and types of cases.

If you think you may be eligible for **legal aid** you should find a legal aid adviser. Visit this website to search for a legal aid adviser:

- <http://find-legal-advice.justice.gov.uk/>

Help with paying court or tribunal fees

You could also get help with **paying court or tribunal fees**. This is called a 'fee remission'.

Complete the following form and return it to the court or tribunal handling your case or claim:

- <http://hmctsformfinder.justice.gov.uk/courtfinder/forms/ex160-eng-20160212.pdf>

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