

Types of Law/ courts



Civil Law- Legal arguments eg. divorce arguments over land, accidents at work

Criminal Law- when people have broken the state law- eg. committed a crime

England/ Wales

Scotland

CIVIL- county/ Court of Appeal

CRIMINAL- Magistrates

Crown

High Court

Court of Appeal

UK Supreme Court

International criminal= ICC

Justices of the Peace

Sheriff and Summary

Sheriff and Jury

High Court

UK Supreme Court

International civil= ICJ

Should we use juries? Yes- 12 opinions common sense

No- no legal training, bias



Judge selection

In the UK, we use the JAC- Judicial Appointment Committee

- Based on experience on merit
- NO POLITICAL BIAS- Cannot be part of a political party- why?

Legal Ages

- 10-** criminally responsible- too old? Young?
- 17-** drive
- 18-** buy alcohol/ vote- too old? Young?

Police

Roles- keep the peace, solve crimes, protect, help, prevent crime

Powers- stop and search, arrest, enter, search and seize
Should stop + search be extended?



Rights and Responsibilities



Key people

Magistrates- volunteers, NOT qualified- can give 12 months in prison, £5,000 fine

Police and Crime Commissioner- elected- monitors police budgets, looks at priorities for the area + appoints chief constable

Scottish jury- 15 people chosen, not 12 like England and Wales



Young people in custody-


1/ YOI- Young Offenders Institute= BAD- eg. Swinfren Hall

2/ STC- Secure Training Centres= MIDDLE- lots of vocational training

3/ SCH- Secure Children's Homes= NICE- small staff ratio.

Punishment

Aims- Protection, reparation, deterrence, retribution, reformation

Types- Fines, 
Ancillary Orders- repair harm done eg. disqualified from driving, restraining orders
Community Service- actively working in society eg. planting trees
Prison- most serious

+ives and -ives for each type.

Types of crime

Increase in knife crime- why? Eg. lack of police, austerity, youth services cut, weak sentences? How to stop it?

Cyber crime/ fraud

SEPARATION OF POWERS- Our Judiciary is totally separate from our executive and Legislature. Why is this important in a democracy?

Nature of criminals

- **Males 16-24= highest criminal and victim rates**
- **High school exclusion rates**
- **High social/ learning needs**
- **High reoffending= 59% if served less than 1 yr in prison**

Human Rights

1215= Magna Carta

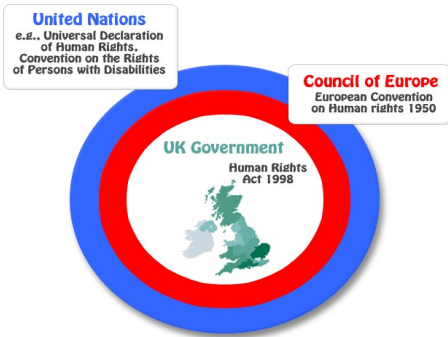
1948= UDHR- Universal Declaration of Human Rights 192 countries= 30 Human Rights eg. Right to Life

1950= ECHR- European Convention on Human Rights

1998- HRA- Human Rights Act (UK)- Citizens can defend their rights in courts

IHL- International Humanitarian Law-

rules for war time eg. not to harm civilians, not to harm prisoners of war, not to harm injured soldiers etc.



Layers of Human Rights Protection in the UK

Human Rights Issues- can all be met all of the time? Eg. deporting people seeking asylum, prisoners voting etc.

ABSOLUTE/ CONDITIONAL rights eg. Right to not be discriminated against= absolute- right to freedom of expressions= conditional (as can't discriminate).

Are human rights protected? Yes= laws/ UDHR etc. No= China/ Russia= not taken to ICC

Making Laws

laws are proposed to Parliament as an idea (Green Paper).

Researched and proposed- White Paper Debated between Hoc and HoL

Agree- sent to Queen for Royal Assent

= Act of Parliament (Law).

Democracy- HoC= elected BUT HOL and Monarch= NOT ELECTED

Bodies involved- HoC, HoL, Monarch



Delegated legislation or secondary legislation-

when Parliament gives some of its law making powers to another organisation eg. Scotland

Is it democratic?

Bye- laws= local councils= YES as voted in

Statutory Instruments= can change laws without Parliament= NO not democratic

Orders in Council= changes made by some ministers BUT not through Parliament= PARTLY democratic

Unions

Trade Unions (employee associations) protect the rights of employees (workers) and negotiate with employers (bosses) and the government over policies and legislation.

- Not linked to the company
- Funded by the workers

Examples= Unison, NFU, NEU etc.

EMPLOYER associations= bosses' associations



Unions can- send in a solicitor to act on your behalf

Collective action= Work to rule

Strike

Walkout

Gvnt. May object to strikes- disruption to public services/ cost etc.

British Values



Democracy= using a jury involves ordinary Citizens. Human Rights for all.

Rule of Law= the legal system- applies to all no difference for gender, ethnicity, religion, ability etc.

Mutual Tolerance and Respect- The law is fair and applied equally

Individual Liberty- Law is equal to all

Equality Act 2010- protects all from discrimination in the workplace and wider society.

Possible topics-

Are juries a good thing?

Should young people go to prison?

Does prison work?

Should stop and search increase?

Are Human Rights available to all?