

Structure of the courts system in UK

Our courts system is complicated and – in places – confusing, because it has developed over 1,000 years rather than being designed from scratch.

Different types of case are dealt with in specific courts: for example, all criminal cases will start in the magistrates' court, but the more serious criminal matters are committed (or sent) to the Crown Court. Appeals from the Crown Court will go to the High Court, and potentially to the Court of Appeal or even the Supreme Court.

Civil cases will sometimes be dealt with by magistrates, but may well go to a county court. Again, appeals will go to the High Court and then to the Court of Appeal – although to different divisions of those courts.

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.

The courts structure covers England and Wales; the tribunals system covers England, Wales, and in some cases Northern Ireland and Scotland.

The Supreme Court

The Constitutional Reform Act 2005 made provision for the creation of a new Supreme Court for the United Kingdom. There had, in recent years, been mounting calls for the creation of a new free-standing Supreme Court separating the highest appeal court from the second house of Parliament, and removing the Lords of Appeal in Ordinary from the legislature. On 12 June 2003 the Government announced its intention to do so.

Before the Supreme Court was created, the 12 most senior judges – the Lords of Appeal in Ordinary, or Law Lords as they were often called – sat in the House of Lords.

The House of Lords was the highest court in the land – the supreme court of appeal. It acted as the final court on points of law for the whole of the United Kingdom in civil cases and for England, Wales and Northern Ireland in criminal cases. Its decisions bound all courts below.

As members of the House of Lords, the judges not only heard cases, but were also able to become involved in debating and the subsequent enactment of Government legislation (although, in practice, they rarely did so).

The creation of a new Supreme Court means that the most senior judges are now entirely separate from the Parliamentary process.

It is important to be aware that the new Supreme Court is a United Kingdom body, legally separate from the England and Wales courts as it is also the Supreme Court of both Scotland and Northern Ireland. As such, it falls outside of the remit of the Lord Chief Justice of England and Wales in his role as head of the judiciary of England and Wales. The new Supreme Court opened for business in October 2009, at the start of the legal year.

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I. Mark True/False:

1. The courts system in UK is simple and clear.
2. The more serious criminal cases are sent to a county court.
3. All criminal cases will start at the Court of Appeal.

4. Civil cases are dealt in magistrates' court or in county court.
5. Appeals from the Crown Court are considered by the High Court or the Court of Appeals.
6. Appeals from magistrates' court and county courts go the same department of the High Court.
7. The Supreme Court removed the first chamber of Parliament.
8. The Lords of Appeal in Ordinary sat in the House of Commons.

II. Answer the questions:

1. How and when was the Supreme Court created?
2. What calls had been mounting for in recent years?
3. Who did the English want to remove from the legislature?
4. What was the House of Lords?
5. How did it act?
6. What were the Law Lords able to do?
7. What does the creation of the new Supreme Court mean?
8. What is very important about the new Supreme Court?

III. Match the English words with their meaning in Polish:

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| 1. magistrates' court | A zaprojektowany od początku |
| 2. Law Lords | B Sąd Najwyższy |
| 3. The High Court | C sprawa |
| 4. the Court of Appeal | D wydział sądu |
| 5. the Supreme Court | E sąd hrabstwa |
| 6. legislature | F ogłoszenie |
| 7. a provision | G prawnicy z Izby Lordów |
| 8. designed from scratch | H zaangażować się |
| 9. division of a court | I Przewodniczący Sądu Ławy Królewskiej |
| 10. free-standing | J sąd ostatniej instancji |
| 11. county court | K sąd pokoju (pojednawczy) |
| 12. the final court | L postanowienie |
| 13. to become involved | M Sąd Apelacyjny |
| 14. enactment | N niezależny |
| 15. the Lord Chief Justice | O Wysoki Trybunał |
| 16. case/matter | P władza ustawodawcza |

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