

Contents

Table of Statutes

Table of Secondary Legislation

Table of Cases

Chapter 1: How We Are Governed: The State and the Law

- 1.1 Introduction
- 1.2 The pervasive nature of law
- 1.3 The organs of government
 - 1.3.1 The legislature
 - 1.3.2 The executive
 - 1.3.3 The judiciary
- 1.4 Civil and criminal law
 - 1.4.1 Civil law
 - 1.4.2 Criminal law
 - 1.4.3 A comparison between criminal law and civil law
- 1.5 Common law and equity
 - 1.5.1 The development of equity
 - 1.5.2 The nature of equity
 - 1.5.3 The scope of equity
 - 1.5.4 Equitable remedies
- 1.6 Important influential laws
 - 1.6.1 European Union law
 - 1.6.2 The Human Rights Act 1998
- 1.7 Summary

Chapter 2: The Creation of Law

- 2.1 Introduction
- 2.2 Acts of Parliament
 - 2.2.1 Preliminary consultations
 - 2.2.2 Types of Bill
 - 2.2.3 The creation of a Public Act of Parliament
- 2.3 Delegated legislation
 - 2.3.1 Control over delegated legislation
 - 2.3.2 The advantages and disadvantages of delegated legislation
- 2.4 Case law
 - 2.4.1 Judicial precedent
 - 2.4.2 *Ratio decidendi* and *obiter dicta*
 - 2.4.3 Exceptions to the doctrine of precedent
- 2.5 A comparison of common law, equity and legislation
- 2.6 Summary

Chapter 3: The European Union

- 3.1 Introduction
- 3.2 Historical development
- 3.3 The institutions of the European Union
 - 3.3.1 The European Council
 - 3.3.2 The European Parliament
 - 3.3.3 The Council of the European Union
 - 3.3.4 The Commission
 - 3.3.5 The Court of Justice of the European Union
- 3.4 Sources of EU law
 - 3.4.1 Treaties

- 3.4.2 EU secondary legislation
- 3.5 The impact of EU law
- 3.6 Summary

Chapter 4: The Courts and Personnel of the English Legal System

- 4.1 Introduction
- 4.2 The criminal courts
 - 4.2.1 Magistrates' Courts
 - 4.2.2 The Crown Court
 - 4.2.3 Appeals in criminal cases
- 4.3 The civil courts
 - 4.3.1 Magistrates' Courts
 - 4.3.2 The County Court
 - 4.3.3 The High Court
 - 4.3.4 Appeals in civil cases
- 4.4 The Criminal Cases Review Commission
- 4.5 Judges
- 4.6 Lawyers
 - 4.6.1 The Legal Services Act 2007
 - 4.6.1.1 The Legal Services Board
 - 4.6.1.2 The Office for Legal Complaints
 - 4.6.2 Legal executives
 - 4.6.2.1 The work of legal executives
 - 4.6.2.2 Qualifying as a legal executive
 - 4.6.2.3 ILEX membership categories
 - 4.6.2.4 Regulation of legal executives
 - 4.6.3 Solicitors
 - 4.6.3.1 The work of solicitors
 - 4.6.3.2 Qualifying as a solicitor
 - 4.6.3.3 Regulation of solicitors
 - 4.6.4 Barristers
 - 4.6.4.1 The work of barristers
 - 4.6.4.2 Qualifying as a barrister
 - 4.6.4.3 Regulation of barristers
- 4.7 Magistrates
- 4.8 Juries
- 4.9 Summary

Chapter 5: Alternative Dispute Resolution

- 5.1 Introduction
- 5.2 Negotiation
- 5.3 Mediation
- 5.4 Conciliation
- 5.5 Arbitration
- 5.6 Tribunals
- 5.7 Summary

Answers to Self-assessment Questions

Appendix

Index

© 2011 Copyright ILEX Tutorial College Limited

All materials included in this ITC publication are copyright protected.

All rights reserved.

Any unauthorised reproduction or transmission of any part of this publication, whether electronically or otherwise, will constitute an infringement of copyright. No part of this publication may be lent, resold or hired out for any purpose without the prior written permission of ILEX Tutorial College Ltd.

WARNING: Any person carrying out an unauthorised act in relation to this copyright work may be liable to both criminal prosecution and a civil claim for damages.

This publication is intended only for the purpose of private study. Its contents were believed to be correct at the time of publication or any date stated in any preface, whichever is the earlier.

This publication does not constitute any form of legal advice to any person or organisation.

ILEX Tutorial College Ltd will not be liable for any loss or damage of any description caused by the reliance of any person on any part of the contents of this publication.

Published in 2011 by:
ILEX Tutorial College Ltd
College House
Manor Drive
Kempston
Bedford
United Kingdom
MK42 7AB

British Library Cataloguing in Publication Data

A catalogue record for this manual is available from the British Library.
ISBN 978-1-84256-536-0