
Level 2 Certificate in Legal Studies

The English Legal System

The English Legal System is a complex and intricate system that governs the laws and regulations in England and Wales. Understanding the key terms and vocabulary associated with the English Legal System is essential for anyone studying law or pursuing a career in the legal field. In this guide, we will explore some of the most important terms and concepts that you need to know for the Level 2 Certificate in Legal Studies.

1. **Common Law**: Common law is a system of law that is based on court decisions and precedents rather than statutes or codes. It is a key feature of the English Legal System and plays a significant role in shaping the law.
2. **Statute Law**: Statute law refers to laws that are passed by the UK Parliament. These laws are written down in statutes and are considered the primary source of law in the UK.
3. **Case Law**: Case law refers to the body of law that is created by court decisions. It plays a crucial role in interpreting statutes and establishing legal principles.
4. **Precedent**: Precedent is a principle or rule established in a previous legal case that is either binding on or persuasive for a court or other tribunal when deciding subsequent cases with similar issues or facts.
5. **Judiciary**: The judiciary is the branch of government responsible for interpreting and applying the law. It consists of judges and magistrates who preside over court cases.
6. **Legislation**: Legislation refers to laws that are passed by Parliament. These laws can be primary legislation (Acts of Parliament) or secondary legislation (Statutory Instruments).
7. **Civil Law**: Civil law deals with disputes between individuals or organizations. It covers a wide range of areas such as contract law, tort law, and family law.
8. **Criminal Law**: Criminal law deals with offenses against the state or society. It includes crimes such as murder, theft, and assault, and the penalties for committing these offenses.
9. **Legal System**: The legal system refers to the framework of laws, rules, and institutions that govern society. It includes the courts, legal professionals, and procedures for resolving disputes.
10. **Judicial Review**: Judicial review is the process by which the courts review the actions of public authorities to ensure they are lawful and comply with the rule of law.
11. **Habeas Corpus**: Habeas corpus is a legal principle that protects against unlawful detention. It allows individuals to challenge the legality of their imprisonment or detention.
12. **Injunction**: An injunction is a court order that requires a party to do or refrain from doing a specific

action. It is often used to prevent harm or enforce legal rights.

13. **Legal Aid**: Legal aid is financial assistance provided by the government to individuals who cannot afford legal representation. It ensures that everyone has access to justice.
14. **Barrister**: A barrister is a legal professional who specializes in courtroom advocacy and providing legal advice. They are often instructed by solicitors to represent clients in court.
15. **Solicitor**: A solicitor is a legal professional who provides legal advice and assistance to clients. They handle a wide range of legal matters, including drafting legal documents and representing clients in court.
16. **Magistrates**: Magistrates are volunteer judges who preside over lower-level criminal and civil cases in the Magistrates' Court. They do not have legal qualifications but receive training to carry out their duties.
17. **Crown Court**: The Crown Court is a higher-level court in England and Wales that deals with more serious criminal cases. It is presided over by a judge and often has a jury.
18. **Jury**: A jury is a group of ordinary citizens who are selected to hear evidence in a trial and decide on the guilt or innocence of the defendant. Juries are used in criminal trials in the Crown Court.
19. **Legal Executive**: A legal executive is a trained legal professional who is qualified to undertake legal work under the supervision of a solicitor or barrister. They often specialize in a particular area of law.
20. **Ombudsman**: An ombudsman is an independent official appointed to investigate complaints against public authorities or organizations. They provide a free and impartial service for resolving disputes.
21. **ADR (Alternative Dispute Resolution)**: ADR refers to methods of resolving disputes outside of the court system. It includes techniques such as mediation, arbitration, and negotiation.
22. **Tort**: A tort is a civil wrong that causes harm or loss to another person. Examples of torts include negligence, defamation, and trespass.
23. **Contract Law**: Contract law governs agreements between parties. It sets out the rights and obligations of the parties and provides remedies for breaches of contract.
24. **Equity**: Equity is a set of legal principles that supplement the common law. It aims to achieve fairness and justice in cases where the strict application of the law would lead to an unjust result.
25. **Human Rights**: Human rights are fundamental rights and freedoms that every individual is entitled to. They are protected by international conventions and domestic legislation.
26. **European Union Law**: European Union law is a body of law that applies in the member states of the European Union. It covers areas such as trade, competition, and human rights.
27. **Legal Aid, Sentencing and Punishment of Offenders Act 2012**: The Legal Aid, Sentencing and Punishment of Offenders Act 2012 made significant changes to the legal aid system in England and Wales. It introduced cuts to legal aid funding and changes to the way legal aid is granted.

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28. **The Rule of Law**: The rule of law is a principle that states that everyone is subject to the law, including government officials. It ensures that laws are applied fairly and consistently.
29. **Parliament**: Parliament is the supreme legislative body in the UK. It consists of the House of Commons, the House of Lords, and the monarch. Parliament is responsible for making and passing laws.
30. **The Judiciary**: The judiciary is the branch of government responsible for interpreting and applying the law. It is independent of the executive and legislative branches and plays a crucial role in upholding the rule of law.
31. **Legal Profession**: The legal profession includes solicitors, barristers, legal executives, and other legal professionals. They play a key role in advising clients, representing them in court, and upholding the law.
32. **Legal System**: The legal system is the framework of laws, rules, and institutions that govern society. It includes the courts, legal professionals, and procedures for resolving disputes.
33. **The Court System**: The court system in England and Wales is made up of different levels of courts, including the Magistrates' Court, the Crown Court, the Court of Appeal, and the Supreme Court. Each court has its jurisdiction and deals with different types of cases.
34. **The Legal Process**: The legal process refers to the procedures and steps involved in resolving legal disputes. It includes filing legal documents, gathering evidence, presenting arguments in court, and reaching a judgment or settlement.
35. **Legal Rights**: Legal rights are entitlements that are protected by law. They include rights to freedom of speech, privacy, property, and fair treatment under the law.
36. **Legal Responsibilities**: Legal responsibilities are obligations that individuals and organizations have to comply with the law. They include duties to act lawfully, respect the rights of others, and fulfill contractual obligations.
37. **Legal Remedies**: Legal remedies are the solutions or outcomes that are available to parties in a legal dispute. They include damages, injunctions, specific performance, and other forms of relief.
38. **Legal Aid**: Legal aid is financial assistance provided by the government to individuals who cannot afford legal representation. It ensures that everyone has access to justice, regardless of their financial circumstances.
39. **Legal Advice**: Legal advice is guidance provided by a qualified legal professional on legal matters. It helps individuals understand their rights and responsibilities and navigate the legal system.
40. **Legal Representation**: Legal representation is the act of being represented by a solicitor, barrister, or other legal professional in legal proceedings. It ensures that individuals have expert advice and advocacy in court.
41. **Legal Advice Clinic**: A legal advice clinic is a facility that provides free or low-cost legal advice to
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members of the public. It is often staffed by law students, paralegals, or volunteer lawyers.

42. **Legal Aid Agency**: The Legal Aid Agency is the government body responsible for administering legal aid in England and Wales. It assesses eligibility for legal aid and provides funding to legal professionals.

43. **Legal Services Commission**: The Legal Services Commission was the former body responsible for administering legal aid in England and Wales. It was replaced by the Legal Aid Agency in 2013.

44. **Legal Awareness**: Legal awareness is the knowledge and understanding of legal rights and responsibilities. It empowers individuals to assert their rights, seek legal advice, and navigate the legal system.

45. **Legal Education**: Legal education refers to the study of law and legal principles. It includes undergraduate and postgraduate courses, professional training, and continuing education for legal professionals.

46. **Legal Research**: Legal research is the process of investigating legal issues, statutes, case law, and legal commentary. It is essential for preparing legal documents, advising clients, and presenting arguments in court.

47. **Legal Writing**: Legal writing is the skill of drafting clear and precise legal documents, such as contracts, pleadings, opinions, and briefs. It requires a strong command of legal terminology and writing conventions.

48. **Legal Ethics**: Legal ethics are the moral principles and standards that govern the behavior of legal professionals. They include duties of confidentiality, loyalty, competence, and integrity.

49. **Legal Aid Lawyer**: A legal aid lawyer is a solicitor or barrister who provides legal services to clients funded by legal aid. They help individuals who cannot afford legal representation to access justice.

50. **Legal Practice**: Legal practice refers to the work of solicitors, barristers, legal executives, and other legal professionals. It involves advising clients, preparing legal documents, representing clients in court, and resolving legal disputes.

51. **Legal Profession Regulation**: Legal profession regulation refers to the rules and standards that govern the conduct of legal professionals. It includes codes of conduct, disciplinary procedures, and licensing requirements.

52. **Legal System Reform**: Legal system reform refers to changes or improvements made to the legal system. It aims to enhance access to justice, efficiency, fairness, and the rule of law.

53. **Legal System Challenges**: Legal system challenges are obstacles or issues that impact the functioning of the legal system. They include delays in court proceedings, access to justice, funding cuts to legal aid, and disparities in legal representation.

54. **Legal System Developments**: Legal system developments are changes or advancements in the legal

system. They may include new legislation, court decisions, technological innovations, and legal trends.

55. **Legal System Trends**: Legal system trends are patterns or shifts in the legal system. They may include changes in legal practice, court procedures, public attitudes towards the law, and the role of technology in the legal profession.

56. **Legal System Resources**: Legal system resources are tools, materials, and services that support the operation of the legal system. They include legal databases, libraries, court facilities, legal aid clinics, and online resources.

57. **Legal System Technology**: Legal system technology refers to the use of technology in the legal profession. It includes legal research software, case management systems, e-filing platforms, and online dispute resolution services.

58. **Legal System Innovation**: Legal system innovation refers to creative solutions or new approaches to legal issues. It may involve changes in legal practice, court procedures, legal education, or access to justice initiatives.

59. **Legal System Collaboration**: Legal system collaboration refers to partnerships or cooperation between different stakeholders in the legal system. It may involve legal professionals, government agencies, non-profit organizations, and community groups working together to improve access to justice.

60. **Legal System Evaluation**: Legal system evaluation is the process of assessing the effectiveness, efficiency, and fairness of the legal system. It helps identify areas for improvement, measure outcomes, and ensure accountability.

61. **Legal System Accountability**: Legal system accountability is the principle that legal institutions and professionals are responsible for their actions and decisions. It ensures transparency, integrity, and adherence to legal standards.

62. **Legal System Transparency**: Legal system transparency is the openness and accessibility of legal processes, decisions, and information. It promotes trust, fairness, and public confidence in the legal system.

63. **Legal System Integrity**: Legal system integrity is the honesty, impartiality, and ethical conduct of legal institutions and professionals. It ensures that the legal system operates with credibility, trustworthiness, and respect for the rule of law.

64. **Legal System Equality**: Legal system equality is the principle that all individuals are treated fairly and without discrimination under the law. It ensures that justice is accessible to everyone, regardless of their background, identity, or circumstances.

65. **Legal System Diversity**: Legal system diversity is the representation and inclusion of individuals from different backgrounds, cultures, and perspectives in the legal profession. It enriches the legal system, promotes equality, and enhances access to justice.

66. **Legal System Access**: Legal system access is the ability of individuals to obtain legal advice,

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