11.1 Legal systems and jurisdiction

Name: _____ Class: _____ Date: _____ **Total: 14 marks**

KEY WORDS standard of proof • precedent

Objective

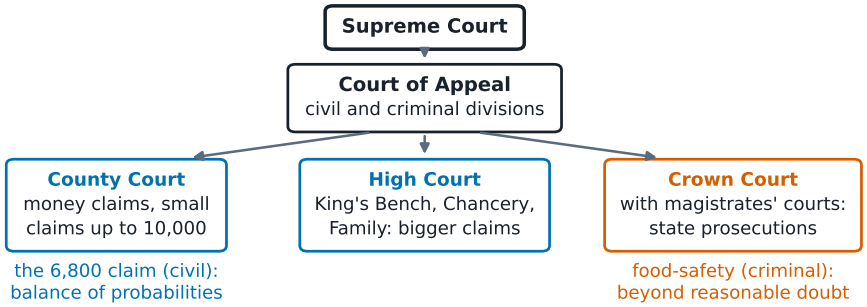
Tell civil from criminal, allocate a claim to the right court and track, read a citation, and apply limitation periods.

1 Key knowledge and worked examples

■ Two tracks, one apex

Civil: the claimant sues to be made whole, on the balance of probabilities; money claims of 10,000 pounds or less usually take the small claims track. Criminal: the state prosecutes, beyond reasonable doubt. Simple contracts: 6 years; deeds: 12.

Two tracks, one apex: the courts of England and Wales



Citations: [2015] UKSC 67 = year, court, judgment number; [1893] 1 QB 256 = volume, report series, page

Read the citation, check the court, label the jurisdiction

■ Worked example. The 6,800 claim

340 + 160 + 6,300 = 6,800 ✓ - under 10,000, so the small claims track; the parallel prosecution is a different question at a different standard ✓.

2 Practice

2.1 A schedule: lost earnings 1,200, medical 300, injury 5,500. The total, and the usual track? [3]

2.2 Read each citation: court, year, and what the number means: [1968] 2 QB 497 and [2011] UKSC 41. [4]

2.3 A simple contract is breached on 1 March 2020. By what date must a claim be issued? And if it were by deed? [3]

2.4 Which courts bind which: County Court, High Court, Court of Appeal, Supreme Court. [4]