The Principle English Courts

INTRODUCTION
- A legal system has rules which need to be enforced
- A set of institutions is needed to enforce those rules
- Courts are needed to hear cases 'at first instance' as well as 'on appeal' - to reconsider the decisions of lower courts
- Decisions of higher courts 'bind' those of lower courts - therefore understanding of court hierarchy is essential

JURISDICTION
Jurisdiction: the power to hear a case. This may be limited by reference to type or value of case
Superior courts: have unlimited geographical and financial jurisdiction
Inferior courts: have limited geographical and financial jurisdiction

CLASSIFICATION OF JURISDICTION
- Criminal and civil jurisdiction
- Trial (first instance): at first instance the court identifies agreed facts, makes findings of facts which are not agreed, decides relevant law and applies that law to the facts to reach a decision
- Appeal jurisdiction: on appeal the court can usually substitute its own decision for the one reached at first instance
- Supervisory jurisdiction by way of judicial review (JR)
- The High Court supervises the way in which some lower courts and public decision-makers exercise their decision-making powers
- In JR, the court considers the legality of the process which reached the initial decision, not the correctness or merits of the decision. JR is not an appeal