

Level 1 Award/Certificate/Diploma in Legal Studies

Glossary of Terms

Term	Meaning
Action	A case which is started in court.
Actus reus	Part of the requirement for a criminal offence. It is the 'guilty act'.
Barrister	A person who has passed the examinations of the Bar Council who has been 'called to the bar' and whose main work is speaking on behalf of clients in the courts. A barrister has rights of audience in all of the courts in England and Wales.
Breach of duty of care	In law, people often owe a duty of care and if that duty of care is breached damages may be awarded.
Case law	Judges, when deciding cases in court, make judgments and, depending on the seniority of the judge and the court, they may create precedents. Precedents are case law.
Chartered Legal Executive	A person who has passed all of the examinations of the Chartered Institute of Legal Executives and has completed the required qualifying employment. They have rights of audience in some of the courts but also undertake different types of work, such as conveyancing and preparing cases for court.
Civil law	The area of law which covers non-criminal matters.
Claimant	A person who commences an action in the civil courts.
Common law	The law which has been built up (and continues to be developed) over the years by judges. It includes case law.
compensation	An award (usually of money) paid when someone is injured by the actions of someone else.

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Contract	A legally enforceable agreement.
Contributory negligence	If a person does not take reasonable care to look after themselves and they are subsequently injured they are said to have been contributorily negligence which means that they contributed to their own injuries.
Conveyancing	The legal process of buying and selling property
County Court	A civil court which can be found in most towns and which deals with low level disputes between individuals. This court does not deal with criminal cases.
Court process	The actions undertaken to prosecute or defend a case; sometimes called an 'action'.
Crime	A wrong against society.
Criminal law	The area of law which deals with crimes.
Crown Court	A criminal court in England and Wales which deals with the most serious crimes.
Damages	If someone does not carry out their obligations under a contract or duty of care and another person is injured, the court will usually award monetary compensation. This is called 'damages'.
Defendant	A person who is either charged with a criminal offence or someone who has had an action started against them by a claimant.
Divorce	The process by which a marriage is brought to an end.
Duty of care	A legal obligation to ensure that other people do not suffer injury or damage.
English courts	The courts which operate in England and Wales. Scotland and Northern Ireland have different types of courts and, sometimes, different laws.
European Union Law	The law made by the institutions of the European Union and which must be observed in the United Kingdom.

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Factual causation	The acts of a person must be directly linked to any loss, injury or damage that another person suffers.
General damages	An award of compensation for injuries or losses suffered by a person.
House of Commons	One part of the Houses of Parliament.
House of Lords	One part of the Houses of Parliament.
Indictable offence	A serious criminal offence which can only be heard by the Crown Court.
Judge	An official of the state which presides over trials in both criminal or civil matters.
Judgment	The decision reached by a judge.
Jurisdiction	The lawful extent of powers (such as court jurisdiction determining what and how the courts operate).
Juror	A member of the public who sits on a jury in a criminal court.
Jury	The body of people who listen to the evidence in a criminal trial and decide a verdict (which may be guilty or not guilty of the charge(s)).
Jury system	The system by which those charged with some crimes can have the evidence heard by other local residents who will then reach a verdict.
Justice of the Peace	Another name for a magistrate.
Law	A set of rules which sets the minimum standards expected of members of society.
Legal environment	The area of work of all those who work in the law (such as barristers, solicitors, chartered legal executives, judges, magistrates etc).
Legal personnel	The people who work within the legal environment.
Lord Chancellor	A senior member of the government who is also a senior judge. Some of the powers of the Lord

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	Chancellor have been taken over by the Secretary of State for Justice.
Magistrate	An unpaid member of society who acts as a Justice of Peace in the Magistrates' Courts.
Magistrates' Clerk	A paid official of the court who ensures that the court runs efficiently and who advises the magistrates on law and procedure
Magistrates' Court	A court which is found in most towns and which deals with low level crime.
Main courts	The court system is a hierarchy with different courts exercising different jurisdictions. The main courts are discussed in the course but other types of court may exist.
Member of Parliament	The elected person sent to Parliament to represent the wishes of local people.
Mens rea	Part of the requirement for a criminal offence. It is the 'guilty state of mind'.
Murder	The unlawful and intentional killing of another human.
Neighbour test	This was established by the case of Donoghue v Stevenson (1932). It says that you must not do anything which you may foresee could injure someone else.
Negligence	Failure to take reasonable care to ensure that other people are not injured or suffer damage.
Punishment	The requirements imposed by courts when someone is found guilty of a crime (e.g. fines, community orders, imprisonment etc).
Parliament	The body in the United Kingdom which makes statute law, which must be obeyed by everyone.
Rights of audience	These are rights of qualified legal personnel to appear and conduct cases in some of the courts.
Sentence	When someone is convicted of a criminal offence a penalty is incurred. This is called a sentence. It may be, for example, a fine or a period of imprisonment.

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Solicitor	A person who has passed the examinations of the Law Society and is admitted to the Roll of Solicitors. They conduct different types of work and have rights of audience in the lower courts.
Solicitor Advocate	A solicitor who has taken a further qualification to qualify them for rights of audience in the higher courts.
Special damages	Compensation for quantifiable monetary losses.
Statute	An Act of Parliament.
Statute law	Laws passed by Parliament.
Strict liability offence	A criminal offence which does not require the presence of mens rea.
Summary offence	A low level crime which can only be dealt with by the Magistrates' Courts.
Triable either way offence	An offence which is more serious than a summary offence and which may be tried either in the Magistrates' Court or the Crown Court.
Verdict	The decision of a jury (i.e. "guilty" or "not guilty").