

The Hewett Academy: Citizenship Knowledge

Organiser: British Value: Rule of Law

Laws are rules which are passed to ensure that the country can be run fairly and effectively.

Laws are passed in the UK by Parliament and are enforced by the Police, using the Courts system to judge if citizens break the law.

The “Rule of Law” is the principle that everybody within a society, including the government, the police and the courts, have to act within the law.

That stops people with power from making up laws, applying them unfairly or breaking the laws themselves.

The “Rule of Law” is one of the big differences between living in a democracy, as opposed to a dictatorship or autocracy.

The principle of the Rule of Law was first popularised by philosopher Aristotle, but it was in the 16th Century that the phrase was first used and it was applied properly in Britain for the first time in the 19th Century.

Laws are passed in the UK Parliament - made up of 3 parts, the House of Commons, the House of Lords and the Monarch (The Queen).

Before a Law is passed it is called a “Bill”. A Bill has several stages to pass in Parliament.

Government’s usual publish a Green Paper or a White Paper to gather the views of the public before starting to pass the law. This is known as “Pre-Legislative Scrutiny”.

The Bill then has...

1st Reading (title of the Bill)

2nd Reading (principle of the Bill)

Committee Stage (a small group of MPs to examine the law in detail)

Report Stage (when the committee report back to the House of Commons)

3rd Reading (a final debate and vote)

All of these happen in the House of Commons. After it is passed here, the Bill goes to the House of Lords to scrutinise (check) the Bill.

If the House of Lords rejects or changes the Bill, the House of Commons then has to review those changes.

If the House of Commons agrees to those changes then the Bill is passed to the Monarch for her to grant “Royal Assent”.

If the House of Commons doesn’t agree with the Lords changes, the Bill goes backward and forwards between the 2 chambers.

Ultimately that can only happen three times because the House of Commons can use the “Parliament Act” to get its own way. This is

because the House of Commons is elected and the House of Lords is not.

Our courts system is complicated and – in places – confusing, because it has developed over 1,000 years rather than being designed from scratch.

Different types of case are dealt with in specific courts: for example, all criminal cases will start in the magistrates’ court, but the more serious criminal matters are committed (or sent) to the Crown Court. Appeals from the Crown Court will go to the High Court, and potentially to the Court of Appeal or even the Supreme Court.

Civil cases will sometimes be dealt with by magistrates, but may well go to a county court. Again, appeals will go to the High Court and then to the Court of Appeal – although to different divisions of those courts.

The tribunals system has its own structure for dealing with cases and appeals, but decisions from different chambers of the Upper Tribunal, and the Employment Appeals Tribunal, may also go to the Court of Appeal.

A criminal case is where somebody is accused of breaking the law.

A civil case is where one person tries to accuse another of a breach of contract or law.