



ELLIOTT & QUINN'S
ENGLISH LEGAL
SYSTEM

EMILY ALLBON & SANMEET KAUR DUA

 **Pearson**

Twentieth Edition
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ELLIOTT AND QUINN'S ENGLISH LEGAL SYSTEM



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Emily Allbon and Sanmeet Kaur Dua

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In loving memory of Catherine Elliott, creator and author of numerous best-selling law titles, whose writing has inspired generations of law students across the world.

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To access additional resources to support your study, including multiple choice questions and answers to the end of chapter questions and web updates, please visit www.pearsoned.co.uk/elliottquinn

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Preface

As with the previous edition, we hope that this edition does justice to the work done by both Catherine and Francis over many years. We have continued to employ our signature style of writing by engaging students via topical and current examples in order to help them understand how the law, processes and procedures that are discussed in this book relate to their everyday lives.

The key updates to this edition can be found in Parts 1, 2 and 4, although other necessary updates appear throughout. Some updates were more challenging than others. For example, with Brexit on the horizon and negotiations ongoing, the updates only reflect the state of affairs up to the point of writing. Anything could happen on this front by the time of publication! Some significant updates have been made to Chapter 9 on law reform. In particular, there is discussion of the Upskirting Bill and how that was brought about through a Private Members' Bill and the #MeToo movement. This movement has courted much publicity in recent times but actually the action does not require there to be reform of the law but rather reliance on existing law to deal with such issues. A further important update to Chapter 9 relates to the series of cases that have been heard on the so called 'gig' economy involving the likes of Uber and Deliveroo and the status of those who work for them. Are they employees or workers with better rights than are afforded to those who are self-employed? Chapter 10 has seen some interesting updates around the changing judicial role; in particular the increased incidences of judges speaking out on legal issues, and adapting their judgments to ensure they are understood. There have been updates across various chapters in relation to access to justice and the role technology is to play moving forward. This edition includes updates on the reforms brought in to improve the situation concerning young offenders, as well as the proposals for those in the slightly older age bracket (18–25). Diversity remains a strong thread throughout the book and there have been updates to a number of chapters in relation to this. Finally, we have been thrilled to have our academic colleague (and criminal law practitioner) Ffyon Reilly involved in this edition, and her thorough reworking of chapters 19, 20 and 22 has been invaluable.

The ethos of the book remains the same in that this text is designed to provide a clear explanation of the English legal system and how it works in practice today. As ever, the legal system and its operation are currently the subject of heated public debate, and we hope that the material here will allow you to enter into some of that debate and develop your own views as to how the system should develop.

One of our priorities in writing this text has been to explain the material clearly, so that it is easy to understand, without lowering the quality of the content. Too often, law is avoided as a difficult subject, when the real difficulty is the vocabulary and style of legal textbooks. For that reason, we have aimed to use 'plain English' as far as possible and explain the more complex legal terminology where it arises. There is also a glossary of difficult words at the back of the text. In addition, chapters are structured so that material is in a systematic order for the purposes of both learning and revision, and clear subheadings make specific points easy to locate.

Although we hope that many readers will use this text to satisfy a general interest in law and the legal system, we recognise that the majority will be those who have to sit an examination on the subject. Therefore, each chapter features typical examination questions (with detailed guidance on answering them, using the material in the text, available on the companion website at www.pearsoned.co.uk/elliottquinn). This is obviously useful at revision time, but we recommend that when first reading the text, you take the opportunity offered by the question sections to think through the material that you have just read and look at it from different angles. This will help you both to understand and to remember it. You will also find a section at the end of the text which gives useful general advice on answering examination questions on the English legal system.

We would like to thank our families for their encouragement, support and, most of all, patience when writing this edition.

We have endeavoured to state the law as at 31 October 2018.

Emily Allbon and Sanmeet Kaur Dua

City, University of London

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