

English for Life in the UK: Episode 15, The Law in the UK

Hello and welcome to episode 15 of the podcast English for Life in the UK. This podcast is for intermediate level learners of English. It's produced by a group of volunteer teachers from the St Augustine's Centre in Halifax, Yorkshire, where we provide a range of support and advice to those in need and particularly to asylum seekers, refugees and migrants.

In normal times we run a course at our centre, which is supported by this podcast. But we are now recording these podcasts from our homes as a result of the virus lockdown. We hope it will be helpful to anyone wanting to improve their English and at the same time learn more about life in this country. We believe that one of the most effective ways to learn any language is to listen to a range of native speakers talking about different subjects. We choose subjects which we hope will be of interest and will help those who may want to become British citizens and will need to take a citizenship test.

I should say that it is quite normal not to understand everything in each episode, but over time you will gain a greater understanding and also become more confident at speaking the language.

You can find links to other episodes and transcripts - that is written versions of some of the episodes - at our website www.staugustinescentrehalifax.org.uk . Here you can also find more information about the centre, other support that is available, and for any of those that can afford it, how to make a donation to help keep our work going, particularly in these difficult times.

Today's episode is brought to you by Christine and Mark.

C: So Mark the topic today is law and the courts and law enforcement, or the police (yeah) and I think you would like to tell us something about how laws are made, a good way to start off.

M: Yes, we did touch on this in a previous episode when we were talking about parliament and politics. But all the laws of this country have to go through a process and what happens in almost all cases is that the government of the day propose a law – so they say they want to have a new law about a particular topic - and then they introduce that law into parliament. So somebody on behalf of the government talks about it, says this is why we're going to do this law, this is what it's like and it's written down of course. And then it has to be passed by both houses of parliament. So we ought to perhaps just remind people that there is a House of Commons, which is where the MPs (Members of Parliament) sit, those are the elected people. They have to pass the law. Then it goes to the House of Lords, which is made up of people who are largely these days appointed to be a member of the House of Lords, although some of them have their job, they inherit it, that is they get it by birth but there's not very many of those left now. So the House of Lords also has to pass it. Then the Queen has to sign it and as soon as the queen signs the law then it becomes the new law of the land. In simple terms that's basically the process Christine. (Very good) Now of course once the law has been made, then there has to be a process for making sure that people keep to that law and part of that is the court system. Christine do you want to tell us a little bit about that?

C: Yes, before I do though, I think we should spend a little bit of time explaining the difference between criminal law and civil law. In simple terms criminal law deals with crimes against society. For example, burglary, assault, murder, fraud. Civil law on the other hand is about disputes between two parties. So it might be two individuals or organisations or families - within families. For example, employment law is a branch of civil law, debt – if somebody

owes somebody money that would be civil law. Also housing, a dispute between a landlord and a tenant, is civil law. Now, civil law is tried in a system. The first court you would go to is called a county court. Now there used to be a county court in Halifax but that's no longer open for business but there are county courts in large towns and cities across the country. And that's where the two parties would bring their case to be considered by a judge. Criminal law is tried in - the first place is a magistrates court, so for most offences it's a magistrate in a magistrates court who will consider that. That's any offence that has up to 6 months imprisonment as the maximum punishment is seen - is tried in a magistrates court. And a magistrate is somebody, he or she, they're not paid and they're not professional lawyers, they're laypeople.

M: What does that mean? What's a layperson?

C: It means they're not members of the profession, they haven't studied for years and learnt how to become a lawyer, they're members of the public. They're given special training in order to become magistrates and in the court itself, in the magistrates court, as well as the magistrate, there is a legal expert who will advise them. But it's the magistrate who makes the decision. Now those are the entry level courts but if there's any serious crime, anything that you know, certainly for murder or robbery or any of the sexual crimes, they would be tried in the crown court. And the difference - the big difference - between the magistrates court and the crown court is that the crown court has a jury. And those - a jury is a set of 12 members of the public who are chosen - who are called - to come and sit as a jury and they listen to all the evidence and they decide whether a person is guilty or innocent. So that's at crown court.

M: So you said that the magistrates court they weren't professional lawyers. So what happens in the crown court?

C: Well the people who oversee the crown court are called judges and they are very experienced lawyers and they become judges.

M: And would somebody who's being tried in a crown court would they be represented by a lawyer?

C: Yes they would be. They would have their own lawyers. In fact in court the person who represents the defendant - a defendant is the person who's accused of something - they're called barristers. And so a barrister would represent the defendant in crown court.

M: And presumably you would have a barrister for the prosecution (yes) that is the side that's saying why they think this person should be found guilty.

C: Yes. Now you've got to be careful with that word 'barrister' because it's suddenly become very popular, because a barista is also somebody who makes coffee in one of these fancy cafes. It's spelt differently but don't confuse it. A barrister is a lawyer who's representing a party in court.

M: Yeah I think barista is an Italian word I think probably

C: I think you're right there Mark

M: But it's good to point that out

- C: There's one other point I think I could make about the civil law. Where there are disputes between people - and the amount of money is less than £5,000 currently - it's possible to use the Small Claims Procedure, so rather than going to a formal court there's a way of settling things more informally. It involves a judge and the 2 parties sitting round a table.
- M: But it's a quicker and easier process, is it?
- C: It is, it is. And less expensive.
- M: And less expensive that's important isn't it, otherwise you can end up spending more money on trying to win your case than actually the dispute was about.
- C: That's right, and some people are eligible for Legal Aid, in cases. So for some people when they're accused of crimes they don't have to pay for their representation and some do. I don't want to go into the details of that here.
- M: No I think that's probably enough on that.
- C: One last thing I'd like to say about courts is that there is a different system in the different countries of the United Kingdom and I've been describing the system in England. It is different in Scotland, in fact the whole legal system is different in Scotland. And there are some differences in Wales and some in Northern Ireland too. I'm not going to go into those here though.
- M: OK that's useful to know, thanks Christine. Well I think I was going to talk a little bit about the police because that's the other part - if you like - of this system that we have of the law. So we have parliament that makes the law, we have the courts that adjudicate - that is make decisions about whether somebody has followed the law properly or not. But then we also have the police, whose job it is to uphold the law is the phrase that's often used. So the role of the police in this country is - to protect life and property, to keep the peace and to prevent and detect crime. So those are the things that - the main role that the police have in England, in the United Kingdom actually. One of the things that's said about the policing system in our country is that it is policing by consent.
- C: I've heard that phrase
- M: Yeah - now what that means is that for an awful lot of what the police do, they rely on the public - the ordinary citizens - to support them in doing that. And because most citizens recognize that the police are people who are actually doing a good and fair job on behalf of everybody - therefore we go along with - accept - what the police tell us to do - ask us to do. And it's interesting that at the moment, because we're recording this in the middle of the corona virus crisis, and there have been lots of extra powers given to the police in the current circumstances. But actually in practice it seems to me it's still the case that most people will do what the police ask them to do because they think it's the right thing to do. And it's that idea of consent. And I suppose the contrast is that there are countries where the police are seen as quite a strong-armed force, a rather -potentially aggressive - police force, and the thing that I suppose underlies that particularly is that the police in this country the vast majority do not carry arms, they don't carry weapons. Ordinary police man or woman in this country will have what's called a baton, which is like a stick. And they do have a spray that they can use if they do end up in a situation which is violent and difficult. But what they don't have are guns or arms. Which of course in many countries virtually all the police would carry guns and arms.

C: It's quite a shock for people coming to this country and seeing that. And I certainly find it - used to find it - a shock going to other countries and the policemen on the corner of the street had a ruddy great big gun.

M: Yes, that's right. Sadly these days because of the rise of terrorism in particular, I think it's more common now to see some police with guns where they think there is a danger of something like that happening. But the police have very strict rules about which police and under what circumstances they're able to have a gun. And on the other side of things there are also a lot of police, people who are called police community support officers - often known as P.C.S.O.s - and they are very much people who are at the front line with citizens, they do not carry any weapons of any sort. They have a job that is much more about making sure that people just behave sensibly and that things are working appropriately and properly. And for those listeners who attend the St Augustine's Centre where we volunteer, you do occasionally see people coming in from the police and usually it's the P.C.S.O.s who are coming in those circumstances.

C: Yes they have a role of getting to know their community

M: Yes they do. So, Christine, we thought we'd finish didn't we with - I think you've got a little bit of a quiz for us?

C: I have. It's something that is of interest, particularly for younger listeners. I'm not talking about children - but younger listeners - because I'm going to do a quiz on law and the age in the UK. So how old do you have to be before you can - whatever. So how many questions are there. Well we can get - 1, 2, 3, 4, 5, 6, 7, 8 questions. So I'm just going to ask the questions first of all and Mark I invite you to - perhaps not to say your answers - but to see if you know them (yeah) and everybody else who's listening.

- So in this country, in the United Kingdom, at what age can you leave school? There is a law which says how old you have to be to leave school and how old is it?
- OK Question 2. At what age can you vote? So how old do you have to be before you can vote?
- Question 3. How old do you have to be before you can get married? At what age can you get married?
- At what age can you have sex? How old do you have to be to have sex lawfully?
- Next question. At what age can you drink alcohol? So how old do you have to be? This question - like several of them - they've not got very simple answers, there's some complexity to it.
- Next question is at what age can you drive a car?
- Next question. At what age can you get a job? When can you start to work? How old do you have to be?
- Finally, at what age can parents leave their children alone at home? How old do those children have to be before you can leave them alone at home?

So that's the end of the quiz

M: That's very good Christine, some tricky questions there (good) Are you going to go through and tell us the answers? (I will) Or shall I tell you what I've come up with?

C: Oh go on do you want to? Why don't you tell me what you've come up with and I'll tell you if that's right. At what age can you leave school?

M: OK well I think this is one of those slightly complicated ones. For a long time it was 16, you had to be - after the age of 16 you could leave school. I think now the law says that you have to be in some kind of education or training until 18. Am I right about that Christine?

C: You are exactly right, well done Mark. So a lot of people leave school - the actual school - at 16 but they must continue in education and training but that's only in England. In Scotland, Wales and Northern Ireland they can leave at 16.

So the next question was at what age can you vote?

M: Right well that one is 18 (that's right) I'm quite confident about that and we did a lesson on changes in voting, there have been some arguments recently about whether that should be brought down to 16, but currently the age is 18.

C: Yeah that's quite true. And of course you can only vote if your name is on the electoral register, so you need to vote - sorry you need to register in order to vote. So next question at what age can you get married?

M: Right I think this is again one where there may be two answers, I think with your parents consent - the parents of both parties' consent - I think it's 16. But if you want to get married and your parents don't agree or don't support - you have to be 18 before you can do that. Am I right, Christine?

C: That's right mark well done (thank you) but there is - that's right for England, Wales and Northern Ireland. But in Scotland you can get married at 16, whether your parents give consent or not. And that is why there has been a tradition of young couples running away across the border to Scotland to get married. And the first town across the border is Gretna Green and the old blacksmiths in Gretna Green has traditionally performed marriages of young English couples who've run away to be together, very romantic.

M: Question 4? (Pardon) Question 4

C: At what age can you have sex?

M: Now I think that that is 16, we should say - sex should always be with consent, the consent of both parties. And I think that is 16.

C: You are right, so that means that even with consent it is illegal to have sex with somebody who's 15 or 14 - even if they ask you. It would be illegal. And it is illegal for two 15 year olds to have sex as well. Although I'm not sure how strictly that's enforced. But there can be a lot of problems - and some people don't understand that law about the age for sexual consent. Any sex with somebody under the age of 16 is technically, or legally considered to be rape. Next question. At what age can you drink alcohol?

M: I think this is a complicated one and I'm not sure about this. I think there's a difference between drinking alcohol in your own home, drinking alcohol in a restaurant with food, and drinking alcohol in a pub, where there's no food involved. I think it's different and I'm not absolutely sure the ages of those so perhaps you'd better tell me that one Christine.

C: Generally speaking you need to be 18 to buy alcohol, certainly in a pub or in a shop. But in England, Scotland and Wales 16 and 17 year olds can drink wine, beer or cider with a meal in a restaurant or a hotel. (Right) They can only do this if there's someone age 18 or over who's actually buying the alcohol, but in Northern Ireland you can only drink alcohol in a pub or a

restaurant if you're over 18. Now actually I don't know what the law says about drinking alcohol at home. I'm not sure if there is a law on that.

M: No I'm not sure either. I suspect it may be one of those things that is simply advisory - that you wouldn't give adult to a very young child clearly and that you certainly as parents would always supervise any early stages in which children were drinking alcohol. But certainly those ages you've given are the important ones for when people are going out and drinking alcohol.

C: Yeah. So what age can you drive a car?

M: I think that's 16, am I right, Christine?

C: No you're not, Mark. It's 17, you have to be 17 (17!) to drive a car.

M: It's a long time ago for me.

C: I think it was 17 when we were young as well, Mark.

M: Yeah I'm sure it was, I'm sure I've forgotten.

C: You can get a provisional driving license when you're 17 and that license - that allows you to drive ?? whilst in the car, that person needs to be over the age of 21 and have had a full driving license for at least 3 years. So my next question was about work, at what age can you get a job?

M: Now I'm not sure about this. I think there's a difference between part-time and full-time work but I think I'd better leave this one with you Christine.

C: Well, actually Mark I have the answer written in front of me and I'm still not sure, because it is very complicated. Because basically children can work. They're allowed to work for up to two hours on Sundays and school days when you're 14. And up to 5 hours on Saturday or in the school holidays.

M: And that's from the age of 14?

C: That's from the age of 14, when you're 15, it's the same but you can work up to 8 hours on Saturdays and other days when you're not in school. And if you've left school when you're 16 you can work full-time up to 40 hours per week, but not in a bar. And if you're in England of course you must do some education or training and that can be part-time, but you must do that until you're 18. So you're right - a complicated question (yeah) and then the last question I asked was about what age can parents leave their children alone at home.

M: Again, I think that's probably quite a complicated one. I know that my eldest grandchildren - my oldest grandchildren - are now 12, I've got two 12 year olds, and their parents have just started to leave them for short periods at home on their own, but I don't really know exactly what the legal position is.

C: Well you probably don't know because there isn't a law about this. It doesn't say how old children must be before parents can leave them, all it says is they must not place them at risk. And the NSPCC which is a big national charity - National Society for the Prevention of Cruelty to Children - they have recommendations so it would be make sense to abide by them. And they recommend that babies and toddlers are never left alone and children under

16 never left alone overnight. And children under 12 not left alone for a long period of time you know for hours. So, not an exact.

M: That all sounds very sensible

C: Not exact. So that's the end of the quiz.

M: Well thank you very much Christine that was an interesting – different - way of doing this, and we hope our listeners found that useful.

Language Support

This is the part of the podcast where I provide a bit more explanation about some of the language points in this episode. This time, as we finished off with a quiz, I thought I'd do a little bit about asking questions in English. You may have noticed different ways in which Christine and also myself asked questions. So for example Christine's questions included

"At what age can you...?"

"How old do you have to be to...?"

"When can you...?"

And then I asked a question back to Christine and I said

"Am I right about that?"

So you've got different ways of asking questions there. I'm gonna break it down into two fairly simple examples, two simple cases of questioning:

There are those which use a **questioning word** as the first word. And that questioning word can be: **who, what, why, where, when, how**. If you hear those words at the beginning of a sentence it will almost always be in the form of a question. *"When can you get married?"* For example Christine said. Or *"How old do you have to be..."* *"At what age..."* that's a slightly different construction but **'what'** is the key question word in there. So lots of questions begin with those question words. They're usually followed by what we call an auxiliary verb. Don't worry about the terminology. But the word is nearly always **'be' 'do' or 'have'**. But it can also be **'can' 'will' or 'should'**.

So for example, *"How old do you have to be?"* *"When can you...?"* *At what age can you...?"*

And to give some other examples *"What do I need to do?"* *"Where is the shop?"* *"Why has she left?"*

So those are using the verbs **to be, to do, to have**. Or in our earlier examples **'can'**. And there can also be **'will' or 'should'** so that's one form of question.

The other doesn't use a questioning word, but does use the rest of the same construction. So it has an **auxiliary verb**, then the subject and then another verb.

So for example, *"Do I need to leave now?"* *"Can I eat the food?"* *"Has she got brown hair?"*

So all of these *"do I"* *"can I"* *"has she"* using those same verbs followed by the subject. The one I used with Christine has a slightly different construction but I said *"Am I right about that?"* So it's the **'am I'** that leads into the question.

So those are the two main types. Just to help you a little as well, those questions, those two types usually have two types of answer. Because the questions that begin without a questioning word, the **'am I' 'can I' 'has she'** the answer can usually be yes or no. It's what we call a **closed question**. So the

answers are simple and often just yes or no. whereas the questions that begin with the question word, the answer has to be more complex - has to be fuller.

"Why has she left?" well that needs some explanation.

"What do I need to do?" well you'll need to explain what needs to be done.

"Where is the shop?" you'll need to give some directions.

"Why has she left?" that will need explaining.

Now in our episode, although we did use a lot of questioning words, sometimes the answer was simple, in that it was an age. So when we said *"How old do you have to be to vote?"* the answer was 18. However some of the other questions that we asked it was a more complicated answer. And in none of those cases was it simply yes or no. It did need some information - in this case the age.

Well that's it for this week. I hope these have been useful. If you want more on asking questions in English there are some good YouTube videos, the one I found was called 'Asking Questions in English' and it came from a site called MMMEnglish.

That's it for this week. We are not yet in a position to be able to do a transcript of today's episode, we may be able to provide that at some stage in the future. But do please keep in touch with what we're doing via our website that is www.staugustinescentrehalifax.org.uk and we will be doing another episode next week. Until then, goodbye and stay safe.