8. The Civil Justice System

Each Concentrate revision guide is packed with essential information, key cases, revision tips, exam Q&As, and more. This chapter discusses the civil justice system. Civil justice is concerned with the private dispute between individuals in the absence of the state. It seeks to solve disputes before they have had a chance to enter the legal structure, through the use of alternative dispute resolution (ADR). Civil justice follows a similar pattern to its criminal counterpart; however, some of the procedural rules—specifically those relating to evidence—appear to be much more relaxed than in the criminal justice system. During the process of civil justice, a number of issues may arise which would bring the procedure to an end. These issues include ADR, through which parties may decide to settle the case at any point; default judgment, wherein judgment may be entered against a defendant at any point in the proceedings; and offers to settle, known as ‘Part 36 Offers’, in which an individual makes an offer to another without prejudice.