Brief overview of UK law for non-law students

Sources of Law – Legislation

A change in the law or introduction of new laws needs to go through a certain process before they can be enforced. Laws start within Green Papers which are produced by the government. It lists any proposed legislation and invites interested parties to comment. After views are taken into consideration they may then produce a White Paper which sets out the firm ideas for legislation. This is then scrutinised before a final Bill is introduced to the legislative process. A Bill needs to be approved by the House of Commons and the House of Lords (or by a joint committee of the Houses of Parliament) before it can receive Royal Assent (the Queen has to sign to make the legislation official).

Sources of Law - Case law

Legal proceedings use legislation to inform their actions (to back up their arguments). Court cases can also lead to changes or alterations in interpretations of the legislation which may trigger the parliamentary process to alter a piece of legislation.

UK case law is largely based on precedents informed by rulings of previous cases therefore it is important to look at the hierarchy of courts. This does vary between the countries within the UK; the diagram below is a brief overview of the hierarchy within England and Wales. Full version available from: https://www.supremecourt.uk/docs/supreme-court-and-the-uks-legal-system.pdf

Cases get referred to higher courts when the rulings are disputed.
The legal databases only include case information from the High Court, Court of Appeal and Supreme Court; if cases in the lower courts are appealed then you may find the results of the appeal case in the legal databases but not the original case.

Not all cases in the lower courts are reported, if they are it may only be the judgement or a brief overview. You can find some lower court cases at http://www.judiciary.gov.uk/ there is also a lot of information about the justice system in the UK.
Introduction to the legal databases: JustCite, LexisLibrary and Westlaw UK

All the databases contain the most up-to-date information that they can, for example the reports of cases (law reports) are updated within 24-48 hours of the judgement being received.

JustCite – is an index to some of the content of LexisLibrary and Westlaw UK (it points to the database which has the information), it is very good for finding specific cases or legislation but it is not very good at searching for topics. It includes Precedent Maps which shows the relationship between cases (i.e. if you have found a useful case it will show you the cases it used and subsequent cases that have referred to it).

There is a lot of overlap between LexisLibrary and Westlaw UK - both contain cases, legislation and articles and books discussing the law (amongst others) but there are some differences:

LexisLibrary – is our largest legal database and it includes more crucial law reports than Westlaw UK.

Westlaw UK – contains a feature called ‘Insight’ which allows you to search or browse for a topic of law to get an overview of the field and it links to key related content, which is very useful for non-law students.

At the end of this guide there will be instructions for using Community Care Inform (available on the Social Work Subject Guide).

Getting to the legal databases

As with the resources useful for your subject area you can get to the legal databases via Summon:

1. Open Summon (there is a link on the Student Portal)
2. Go to the ‘Links’ box on the left hand side & click on ‘Subject Guides by your Librarians’
3. Click on ‘Business’ & then click on ‘Law’
4. The Law Subject Guide contains the links to all the legal resources including JustCite, LexisLibrary & Westlaw UK. Also there are help guides and video tutorials on the ‘Help with searching’ tab which you may find useful.
5. Click on the link you require, you may be prompted for your username and password – these are your normal university log in details.
Using JustCite

1. To search for a piece of legislation or case just type keywords from the title, or party into the search box:

   ![JustCite search interface]

   JustCite suggests items as you type; you can select from that list or click the magnifying glass.

2. The results will be displayed in a list, for legislation the whole act will be the top result and for cases it will be the one that matches the names you typed in.

3. Click on the title of the item you want to view, the record for that item will then be displayed. There will be a menu on the right hand side that looks like this:

   ![Full Text Sources]

   Remember JustCite is just an index – if you want to view an item you have to select a database from the list.

   We subscribe to LexisLibrary and Westlaw UK.

   It doesn’t matter which you select – the content will be the same in both.

4. When you select a database the item you have searched for will be opened within that resource.

5. JustCite also links to other resources that are relevant to the item you have searched for, you’ll find the links to these on the left hand side.
6. For more tips or tutorials on using JustCite visit the ‘Help with Searching’ section of the Law Subject Guide.

When you are looking at legislation, it gives you links to cases that have used that legislation and other legal documents.

When you are looking at a case it gives you links to cases and legislation they have used to back up their argument; and to subsequent cases where this case has been used.

It also gives you links to articles that have been written about the case (if any).

It also gives you a link to a Precedent Map which visually displays the relationship between the cases.
Using LexisLibrary

1. The easiest way to find legislation or cases in LexisLibrary you should use the Quick Find box

   ![Quick Find box](image)

   Type the keywords or party names into the relevant box.

   [You can ignore the central boxes]

   Use Find a Legal Term to help you understand legal jargon.

2. The results are displayed in a list in the same way as JustCite, for legislation the whole act is the top result, and for cases it is the one that matches the party names you used. Click on the title to view the document.

3. As LexisLibrary is a database when you select an item it will appear and you can usually download it as a PDF if you do not want to read it on screen.

4. Again LexisLibrary links to other legal resources relevant to the one you have been looking at:

   ![Find out more]

   This is an example from legislation:

   3 most important sections are:

   **Status Snapshot** – tells you whether the law is in force today

   **Commentary & Journals** – are journal articles & book chapters/entries about the legislation

   **Cases** – cases that have used the legislation

   ![Case History]

   At the bottom of a case you’ll find links to other related cases

5. To search for topic areas in LexisLibrary you should use the ‘Explore’ box at the top right hand side of the LexisLibrary home screen.

6. When search for multiple terms you need to use connectors to combine them:

   a. Use AND to combine different terms

   ![Explore]

   unfair dismissal AND maternity leave
b. Use OR to combine different terms with the same (or very similar meaning):

![Search example with OR]

You can use the connector **w/p** to make the search look for the terms **within the same paragraph**:

![Search example with w/p]

This will help to focus your search.

c. These searches look for the terms **anywhere** in the document, so some results that may be returned may not be relevant.

7. The results are displayed in a list but you have many types of information to choose from:

![Result display]

You can narrow down the type of information by clicking on the tabs at the top of the results.

8. For more tips or tutorials on using LexisLibrary visit the ‘Help with Searching’ section of the **Law Subject Guide**.
Using Westlaw UK

1. Westlaw UK works in a similar way to LexisLibrary, you can use the search box on the home screen to search for any type information:

2. On the Westlaw UK home screen there are also two very useful tools, which are excellent places to start any legal research:

Westlaw UK Insight is a great place to start for non-law students as it explains various topics in non-legal language

3. Results are displayed in the same way as LexisLibrary; with the whole act at the top of the list for legislation and the closest matching case at the top of the list for cases.

4. Westlaw UK also gives you handy links to other relevant items, these are found on the left of the screen:
5. You can also search for topics in Westlaw UK, you can use the main search bar on the home page; again it is advisable to use connector e.g. AND and OR but note that the more specific connectors are different to those in LexisLibrary. In Westlaw UK use /p to search for terms to appear within the same paragraph.

6. For more tips or tutorials on using Westlaw UK visit the ‘Help with Searching’ section of the Law Subject Guide.
Using Community Care Inform

Community Care Inform is a valuable resource which also contains some legal information.

Accessing Community Care Inform is done in the same way as the legal databases but you just go to the Social Work Subject Guide:

Summon > Subject Guides by your Librarians > Human & Health Sciences > Social Work

1. You can type in your keywords on the search bar on the home page:

![InformChildren search bar](image)

You can also click into a specific area to browse for information.

2. The results appear as follows:

![Search results for "maternity leave"](image)

As you can see it categorises the results by resource types - simply click on the type of information you require or browse the full results; you can tell what type of information it is by the icon on the left.

3. The case law and legislation within Community Care Inform are shortened overviews and aren’t as extensive as the legal databases but it will still provide some excellent information on a wide number of topics.

And finally...

If you get stuck or confused when searching for legal information please do get in touch you can contact the Law Librarian – Penelope Dunn – via email: library@ hud.ac.uk