

Як показує практика, у місцях відбування покарання, у зв'язку з можливим неправомірним використанням службового становища керівництва установ відбування покарання, виникають певні ризики, як корупційні так і такі, що порушують права людини, визначені як національним законодавством так і ратифікованими державою конвенціями про права людини.

Окрім цього таке формулювання вище згаданої стані приводить до формування певної субкультури в кримінальному середовищі, де ув'язнені розділяються на своєрідні «касти» привілейованих та позбавлених певних прав ув'язнених. Це негативно впливає на саму суть відбування покарання, яке покликане виправити людину, яка здійснила злочин, та формує її як частину кримінального суспільства.

Описану проблему можна вирішити шляхом узагальненням практики забезпечення прав та свобод ув'язнених. Тобто створити умови, де ув'язнені будуть мати рівні права в різних установах відбування покарання.

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JUDICIARY OF THE UNITED KINGDOM

The judiciary (also known as the judicial system or court system) is the system of courts that interprets and applies the law in the name of the state. The aim of this paper is to describe the court system in the United Kingdom.

The United Kingdom is a representative of the so-called Anglo-Saxon legal system, where the judicial precedent plays a leading role. The judiciary of the United Kingdom are the separate judiciaries of the three legal systems in England and Wales, Northern Ireland and Scotland. However, the judges of the Supreme Court of the United Kingdom, the Special Immigration Appeals Commission, Employment Tribunals, Employment Appeal Tribunal and the UK tribunals system do have a United Kingdom-wide jurisdiction.

In England and Wales, there is a system of general and administrative courts. The hierarchy of general courts consists of Lower Courts that represented by magistrate courts and county courts; and Higher Courts that represented by Supreme Court and House of Lords. The courts of the counties are the main bodies of civil justice, in which almost 90% of civil cases are considered at the first instance. The boundaries of the region in which the respective county court operates is determined by the Lord Chancellor. His powers include the liquidation, association or creation of new county judges.

Master Courts deal with basic criminal cases. They can make a sentence only within a fine or imprisonment for up to 6 months. If the masters find that the accused deserves more severe punishment, they transfer the case to the Crown Court.

Some magistrates 'courts, upon the decision of the judges' meeting, have the right to examine cases concerning juvenile delinquency. A colony of three judges for juvenile delinquency comprised of one or two women.

The Supreme Court of England and Wales is set up to deal with all appeals against the decisions of the courts of England, Wales and Northern Ireland and appeals only in civil cases from the courts of Scotland. In addition, the Supreme Court of England and Wales has jurisdiction over the resolution of disputes involving the transfer of certain powers of the central bodies of the United Kingdom to local governments. and the legislatures of Wales, Northern Ireland and Scotland [6]. The Supreme Court received all the judicial functions of the House of Lords, which was carried out through its Appellate Committee, as well as some powers related to the consideration of the issues of delegation of power to parts of the United Kingdom, previously considered by the Judicial Committee of the Privy Council.

The Supreme Court consists of three courts: High Court, Crown Court and Court of Appeal. The High Court hears civil law cases, the Crown Court hears criminal law cases, and the Court of Appeals is considering complaints to resolve them. The High Court consists of three branches: Royal Lava, Stationery and Family. The royal court is considering complex civil cases, including those related to maritime traffic (they decide to be part of the division of the Admiralty Court) and trade (the Commercial Court in the division).

The Chancellor's Office resolves issues relating to intellectual property (patent and copyright), as well as trust management and bankruptcy. Also, the department decides cases not regulated by law (that is, they have no analogues), and thus fills the gaps in the right. The family office is considering complex family disputes [1].

The Northern Ireland court system is the same as in England and Wales.

A completely different judicial system is in Scotland which consists of:

- District courts that consider minor civil and criminal cases in which professional judges or two or more world judges are involved;
- Sheriff courts that consider the bulk of civil cases and criminal cases of moderate gravity;
 - The Judicial Court in Edinburgh is the highest court for civil cases;
 - The High Court of Justice is the highest court for the consideration of criminal cases.

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