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SIMILARITIES AND DIFFERENCES BETWEEN THE JUDICIAL SYSTEMS OF RUSSIA AND ENGLAND

СХОДСТВА И РАЗЛИЧИЯ СУДЕБНЫХ СИСТЕМ РОССИИ И АНГЛИИ

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Abstract: This article examines the similarities and differences between the judicial systems of Russia and England. The article presents the structures of legal proceedings and an analysis of the courts of Russia and England. Also, the constituent elements and work of the courts in these countries, as well as their functions, are described.

Keywords: judicial system, courts, functions, law, hierarchy, production process.

Аннотация: Данная статья рассматривает сходства и различия судебных систем России и Англии. В статье приведены структуры судопроизводства и анализ судов России и Англии. Кроме того, описаны составляющие элементы и работа судов в этих странах, а также их функции.

Ключевые слова: судебная система, суды, функции, право, иерархия, производственный процесс.

The Russian judicial system is a complex multi-level mechanism that performs the functions of ensuring law and order and protecting the rights of citizens. Today, it includes *several levels and types of courts* with different jurisdictions and powers.

The first level of the judicial system is the justices of the peace. They consider cases that concern minor offenses and civil disputes with small amounts. The powers of justices of the peace are quite limited, which ensures fast and effective work at the local level. The main task of such courts is to resolve minor disputes, such as alimony issues, administrative offenses and civil claims with amounts not exceeding, as a rule, 50 thousand rubles. Justices of the peace, as a rule, have a small workload and can quickly respond to citizens' appeals.

The next level is the district courts, which play a more significant role in the judicial system. They consider criminal cases, administrative violations and larger civil claims. Unlike justices of the peace, district courts have greater jurisdiction and can rule on more serious and complex cases. They also have jurisdiction to hear appeals against decisions of justices of the peace, which adds an additional layer of judicial protection.

Higher courts, such as city and regional courts, supervise lower courts and have the power to review their decisions. They often handle cases that require a more in-depth analysis of legal norms and factual assessment.

The Cassation Court is the highest level in the system of supreme courts. Its main function is to review the decisions of lower courts on the merits, without

touching on the factual side of the cases. This court analyzes whether the legal norms were applied correctly and whether the procedural deadlines were met. Cassation complaints give the parties the opportunity to talk about possible errors that could have occurred during previous proceedings. This ensures additional protection of citizens' rights.

A feature of the Russian judicial system is **specialized courts**. These include *arbitration courts* dealing with disputes between entrepreneurs and legal entities, as well as *military courts* focused on cases related to military service.

The most important component of the Russian judicial system is **the Constitutional Court**. Its main task is to comply with constitutional norms and principles, which guarantees the protection of citizens' rights from possible violations by state bodies.

With regard to the structure of the judicial system, it should also be noted that it is constantly evolving. Today, electronic judicial processes are being actively implemented, which, on the one hand, facilitates citizens' access to justice, and on the other hand, requires special attention to ensuring legal security and preventing possible abuses.

Thus, the structure of the Russian judicial system is a multifaceted and dynamic system that combines many levels and specialized courts. It includes both general and specialized jurisdictions, providing a wide range of legal options for resolving disputes [2].

The judicial system of England, depicted as a dynamically developing structure, is based on the principles of common law and a tradition dating back to the Middle Ages. The elements of this system form a complex mechanism in which each link has its own unique functions and tasks.

At the top level of the judicial system of England is **the Supreme Court**. It is the final authority for civil, criminal and other cases, including appeals. Case law in England serves as the basis for the further development of legal norms, which creates a stable connecting thread between history and modernity [3].

The next level is **the Courts of Appeal**, which hear appeals against lower court decisions in both civil and criminal cases. Interestingly, there is a clear specialization here: in criminal cases, there is a Royal Criminal Appeal Court, while for civil cases, there is a Court of Appeal.

At a lower level is **the system of magistrates' courts and courts of first instance**. Magistrates' courts, unlike Russian justices of the peace, not only perform the functions of the first instance, but also have the right to hear a wider range of cases, including both criminal and civil.

There is also a system of **specialized courts** that deal with specific cases, such as family matters, bankruptcy cases, or labor disputes. This aspect can be compared with arbitration courts in Russia, where attention is also paid to issues of practical efficiency and expertise.

The English judicial system includes elements of judicial self-government. Judges in England, unlike their Russian colleagues, have significant independence and are not tied to political structures [1].

A comparison with the Russian system demonstrates differences in the perception and implementation of the professional status of judges. In Russia, there is a clear hierarchy, expressed in many bureaucratic procedures, which often affects the quality of legal proceedings. In the English system, there is less formal structure, which, however, does not reduce the level of responsibility of judges.

Court hearings in England are usually open, which corresponds to the principle of transparency, allowing the public to follow the proceedings. In Russian practice, access to court hearings is also formally established, but in practice there are often cases when hearings are closed, which gives rise to suspicions of non-transparency of the processes.

The justice systems of Russia and England have their own specifics, dictated by historical, cultural and legal traditions. When comparing the work of the courts, it is important to take into account aspects of legal proceedings, the organization of judicial bodies and the approach to protecting the rights of citizens [5].

In Russia, the judicial system is enshrined in the Constitution and includes many judicial instances, such as the Constitutional Court, the Supreme Court and arbitration courts. The Russian judicial system, as a rule, considers cases within the framework of civil, administrative and criminal proceedings. Citizens can apply to the court if they believe that their rights have been violated, and procedural rules provide a variety of mechanisms for resolving disputes. However, the resulting delays and excessive workload of the courts remain a pressing problem.

Within England, legal proceedings are based on case law and traditional principles. The English judicial system is divided into two main categories: criminal and civil courts. This makes the process quite flexible and adaptable to change. Court proceedings in England tend to be more open and public events, especially in criminal cases. This ensures transparency and the possibility of public scrutiny. In Russia, although there are provisions for public hearings, in practice this may not always be the case, which casts doubt on the objectivity of some proceedings. As for the fate of lawyers and legal advisers, in Russia the legal profession is formally separated from the judicial system, but there are many mechanisms that allow lawyers to participate in court proceedings and protect the interests of their clients. In England, lawyers play a central role in both criminal and civil proceedings. Having special legal capacity allows them to represent the interests of clients at all levels of the judicial system [4].

Thus, despite certain differences, both judicial systems have their advantages and disadvantages, which makes them a constant object of study. Both states are looking for ways to improve the quality of justice, which implies openness to international experience and the introduction of best practices. However, each of the approaches reflects the unique characteristics of the culture and historical context in which the respective judicial system developed.

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