There are two major divisions of law:

**CRIMINAL LAW** and **CIVIL LAW**.

**CRIMINAL LAW**

- deals with crimes considered offences against the community as a whole.

- Murder, kidnapping, assault, and thefts are acts committed against individuals, but in all cases, the perpetrator is arrested by the police and the case is prosecuted by the Crown.

Criminal law is divided into several categories:

1. **Summary offences**
2. **Indictable offences**
3. **Hybrid offences**.
Summary Offences

- Considered to be minor or less serious offences ie. Shoplifting, petty theft, vagrancy
- Individuals appear before a judge
- Most severe sentence that an individual found guilty under this offence can receive is a $2000 fine and/or six months in prison

Indictable Offences

- Much more serious crime i.e. Drug trafficking, murder, assault, extortion
- Often but not always, a preliminary hearing is held prior to the indictable case going to court
- Preliminary hearing determines if there is sufficient evidence to proceed with the actual trial
- The accused my be tried by a Superior Court judge or by such a judge with a jury

Hybrid Offences

- May be treated as either a summary or indictable offence, depending on the decision of the Crown attorney
CIVIL LAW

- deals with disputes between individuals or groups. Unlike a criminal case is prosecuted by the police and the Crown, a civil case is brought to trial by individual citizens or groups.

- Rarely involve a jury; almost always decided by a judge

- The court can award damages (usually monetary) to the plaintiff (the person making the complaint in a court of law)

- Person found guilty in a civil case cannot be sent to jail

Civil law includes three major subdivisions:

1. Contract law
2. Law of torts
3. Family law
Contract Law

- Attempts to resolve what are and are not legally binding and enforceable contracts ie. Purchases, services, accommodation, or employment

Law of Torts

- Concerned with alleged wrongs committed by one person against another

- When one persons suffers injury or loss because of someone else’s actions or because of someone else’s failure to act (negligence), the injured party brings a lawsuit to court

Family Law

- Deals with the relationship among family members and includes issues such as marriage, divorce, child custody, and child support
Canadian Court System

Outline of Canada's Court System

Supreme Court of Canada

- Court Martial Appeal Court
- Provincial Court of Appeal
- Federal Court of Appeal

  - Military Courts
  - Provincial / Territorial Superior Courts
  - Federal Court Trial Division
  - Tax Court of Canada

- Provincial Courts
- Provincial Administrative Tribunals
- Federal Administrative Tribunals