

The Judicature Acts of 1873 and 1875

The higher court system, which had existed since the Middle Ages, was completely reorganised by the Judicature Acts passed by Parliament in 1873 and 1875.

Industrial interests

The demand for such reform came from Britain's leading industrial, commercial and financial interests who found that complex commercial cases often required the attention of different branches of law in different courts.

Under the 1873 Act the old higher courts were abolished and a new Supreme Court of Judicature was created consisting of the **High Court of Justice** and the Court of Appeal.

Specialist divisions

The High Court was divided into five specialist divisional courts based on the old central courts (King's Bench, Common Pleas, Exchequer, and **Chancery**), with the addition of the new Probate, Divorce and Admiralty division.

Further trimming of the system took place in 1880 when the Common Pleas and Exchequer divisions were abolished. This radical restructuring did much to unify the system and allowed the ending of ancient and time-consuming practices.

Court of Appeal

The establishment of a single Court of Appeal above the High Court simplified the varied procedures of appeal in civil cases.

But it was not until 1907, with the Criminal Appeal Act, that Parliament created the right of appeal against criminal convictions and created the Court of Criminal Appeal. Previously, decisions in criminal cases could only be reversed by the Home Secretary.

Role of House of Lords

The role of the House of Lords as the highest court of appeal in the land was finally placed on a proper judicial footing by **the Appellate Jurisdiction Act of 1876**.

The Act made provision for appointing lords of appeal in ordinary, a small body of senior and experienced judges who would consider and pronounce on appeal cases.