

# CIVIL LAW



## CIVIL LAW

are non-criminal matters involving disputes between individuals or organisations. Also known as Private Law.

## SOURCES OF CIVIL LAW

**Common law:**  
Based on judges decisions

**Statute law:**  
Laws made by parliament

## AREAS OF CIVIL LAW

Defamation  
Consumer  
Trespass  
Immigration

Negligence  
Contracts  
Nuisance  
Torts

Bankruptcy  
Property  
Family  
Employment  
Tax

## RESOLVING A CIVIL DISPUTE

Civil disputes can be resolved through:

### Government agencies:

- Ombudsman
- Tribunals
- Courts

### Alternative Dispute Resolution:

- Assisted mediation
- Case Appraisal
- Arbitration
- Restorative Justice
- Mediation
- Conciliation

## PARTIES INVOLVED

### Plaintiff

Initiates the case, and claims to have been harmed or wronged by the actions or inactions of the defendant

### Respondent

is sued by the plaintiff with the aim of trying to restore their loss

## STANDARD AND BURDEN OF PROOF

Decisions are made on the 'balance of probabilities' (Standard of Proof). The Burden of proof is on the plaintiff.



## REMEDIES

If the respondent is found to have failed to fulfil their civil law responsibilities, the court can order the respondent to **pay damages** to the plaintiff.

The court can also order an **injunction**, which can be in the form of the respondent to fulfil their original contractual obligations, or take actions to remedy the harm caused to the plaintiff



# The Law

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