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**Subject- Legislative and Quasi Judicial Powers of Administration**

**Class- LL.M. II Semester**

**Topic- Definition of public law**

# DEFINITION OF PUBLIC LAW?

Public bodies, such as central and local government, have to obey the law. The type of law governing the conduct of public bodies is known as 'public law'. Public law principles mean that public bodies act Lawfully, rationally, fairly, and compatibly with the human rights of those affected by their actions.

Where a public body acts unlawfully, there are a number of ways that those affected can challenge that behaviour or decision. These include:

- Complaining using public bodies' complaints procedures or Ombudsmen
- Exercising rights of appeal to a tribunal (if such rights exist in relation to the particular decision to be challenged, such as in welfare benefits cases)
- Asking a public body to review its decision
- Through a process called judicial review

Judicial review is a particularly important aspect of the constitutional settlement in the UK. It is a process, a court case, where a judge or judges decide whether a public body has behaved lawfully. It performs an essential task in that it allows the courts and judiciary oversight of the government. The diagram below shows the 'separation of powers' model and the relationship between Parliament, the courts and judiciary, and the executive.

This constitutional model exists to prevent the abuse of power. For instance, if the executive implements a Government policy that turns out to be unlawful the courts can, if a case is brought to them showing that the policy is unlawful, give a judgment holding the policy unlawful. We explain more about what the courts can do in our [guides to public law and judicial review](#). The important thing is that government power cannot be exercised in the UK without the proper checks and balances in place.

Public Law Project's charitable aims are, broadly, to ensure that the courts, and therefore public law remedies, are accessible to people affected by public bodies' actions, and inaction.

The [guides to public law](#) page provide links to our more in depth guides to public law and processes such as judicial review, complaints and tribunals.

You can also read all our guides in the [resources section](#) of the website.