

'Assess the purpose of the criminal justice system and the role of the Ministry of Justice.'

Introduction –

The Criminal Justice System and the Ministry of Justice work together in order to uphold justice in the UK. The Criminal Justice System is there to support members of the public. Crime levels in this country are getting lower. But crime still affects us all. If you haven't been a victim, you might still have seen the effects on the community around you. The Ministry of Justice are there to strengthen democracy, rights and responsibilities; deliver fair and simple routes to civil and family justice; protect the public and reduce reoffending; and ensure a more effective, transparent and responsive criminal justice system for victims and the public.

The Criminal Justice System is an organisation made up of many different agencies and government departments with the aim of achieving justice in the UK.

The Ministry of Justice works with the victims of crime and supports the public in addressing grievances as well as creating laws in order to develop justice.

In general the Ministry of Justice is one of the three agencies which oversee the work of the Criminal Justice System.

The Criminal Justice System –

The purpose of the Criminal Justice System (CJS) is to deliver justice for all, by convicting and punishing the guilty and helping them to stop offending, while protecting the innocent. It is responsible for detecting crime and bringing it to justice; and carrying out the orders of court, such as collecting fines, and supervising community and custodial punishment.

The CJS also offers help and support for victims of crime, they educate people on what will happen if they come forward as a witness as well as teach people on what happens if they or someone they know is accused or convicted of crime and teach people about jury service.

A wide number of agencies work together to deliver what is known as criminal justice, including the police, the Crown Prosecution Service, the courts and the National Offender Management Service (covering the prison and probation service). These are run by the three government departments, Home Office, Ministry of Justice and Attorney General's Office.

The Crown Prosecution Service -

The Crown Prosecution Service is the Government Department responsible for prosecuting criminal cases investigated by the police in England and Wales.

The CPS's overall aim, which reflects the Government's priorities for the Criminal Justice System, is to: Deliver a high quality prosecution service that brings offenders to justice, helps reduce both crime and the fear of crime and thereby promote public confidence in the rule of law through consistent fair and independent review of cases and through their fair, thorough and firm presentation at court.

The Crown Prosecution Service (CPS) is committed to strengthening the prosecution process and bringing offenders to justice fairly, firmly and effectively. CPS is the Government Department responsible for determining the charge and

prosecuting criminal cases investigated by the police in England and Wales. It was created by the Prosecution of Offences Act 1985, and is an independent body that works closely with the police.

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The CPS is the largest law firm in the UK, dealing exclusively with criminal cases. At the end of March 2006, it employed a total of 8,775 people. About 30% are qualified prosecutors and more than 94% of all staff are engaged in, or support, frontline prosecutions.

The Police –

There are 43 police forces across England and Wales responsible for the investigation of crime, collection of evidence and the arrest or detention of suspected offenders. Once a suspect is held, in minor cases the police decide whether to charge them, take no further action, issue a fixed penalty notice or refer to the CPS for a conditional caution, or in the more serious cases, send the papers to the CPS to decide upon prosecution.

The Courts –

Advocates representing the CPS prosecute the majority of the criminal cases that are heard within the Magistrates' courts and the Crown Courts. Magistrates' courts deal with the less serious criminal offences. Youth courts are special magistrates' courts which deal with all but the most serious charges against people aged between 10 (the age of criminal responsibility) and under 18. Crown Courts deal with the most serious offences, which are triable by judge and jury.

National Offender Management Service –

The National Offender Management Service (NOMS) is the system through which we commission and provide the highest quality correctional services and interventions in order to protect the public and reduce re-offending. They aim to protect the public, transform the way we punish and manage offenders, reduce re-offending, and cut crime.

NOMS has a key role to play in ensuring that the public are protected from offenders, that those who offend are punished and that fewer offenders re-offend. This should lead to less crime in society and make our communities safer places to live in. Whether offenders are in prison or in the community, we need to manage them better to stop them re-offending. Many of the offenders in our system are from socially excluded groups and in reaching them, we need to offer them the chance to engage with society in meaningful ways. We need to offer them the chance to change and to address their offending behavior.

Youth Justice Board –

The Youth Justice Board for England and Wales (YJB) is an executive non-departmental public body. Our board members are appointed by the Secretary of State for Justice. The YJB oversees the youth justice system in England and Wales. We work to prevent offending and reoffending by children and young people under the

age of 18, and to ensure that custody for them is safe, secure, and addresses the causes of their offending behavior.

The YJB focus on accommodation and resettlement, alternatives to custody, custody, diversity, education, training and employment, health, monitoring and improving practice, prevention, research, an work with victims.

Ministry of Justice -

The Ministry of Justice is one of the largest government departments, with around 95,000 people (including probation services) and a budget of £9.2 billion. Every year around nine million people use the services in 900 locations across the United Kingdom, including 650 courts and tribunals and 139 prisons in England and Wales. Their work spans criminal, civil and family justice, democracy, rights and the constitution.

The Ministry of Justice works to protect the public and reduce reoffending, and to provide a more effective, transparent and responsive criminal justice system for victims and the public. We also provide fair and simple routes to civil and family justice.

The Ministry of Justice's creation on 9 May 2007 brought together, for the first time, responsibility for the justice system – the courts, prisons and probation services. They work in partnership with the other government departments and agencies to reform the criminal justice system, to serve the public and support the victims of crime. They are also responsible for making new laws, strengthening democracy, modernising the constitution and safeguarding human rights.

Protection of the Public –

They manage offenders from the point at which they are charged to the end of their sentence, providing supervision and support as they are reintegrated into society. The professional staff working in the prison and probation services delivers the court's punishment and help reform offenders.

The punishment and reform of offenders, and the reduction of reoffending, are fundamental to delivering justice and reducing crime – and this works for everyone.

It works for the law-abiding public because every criminal who becomes an ex-criminal means safer streets and fewer victims. It works for the taxpayer because turning people away from crime means that the money saved can be better spent on other public services. And it works for offenders because they get the chance to repay their debt to society and turn their lives around.

Prison is the right place to punish the most serious, persistent and violent offenders and ensure the public are protected from them. We will always provide enough places for such people.

Prison is a tough punishment which deprives offenders of their liberty and forces them to live within a strict regime. It also provides offenders with an opportunity to change their behaviour, develop the skills they need to get work when they are released and make a constructive contribution to society.

Pathways to Justice –

The justice system is an important public service. We are all likely to come into contact with it at some point in our lives, because we have been a witness or victim of crime, to protect and enforce our rights or to settle disputes.

The justice system deals with different types of legal problems in different ways, providing clear pathways to enable people to find the best solution for a particular legal problem.

The principles of justice apply across all courts, with independent judges ensuring fairness and equal opportunities for both sides to put their case. Sometimes it is not necessary to go to court to get justice – court should be the last resort in non-criminal cases. Out of court options such as arbitration or mediation can be better particularly where there is a dispute between family members or when someone is having trouble paying their bills. In these circumstances an agreement reached out of court can provide a better solution than a court order.

Problems with the Ministry of Justice and the Criminal Justice Service –

A Home Office consultation paper in 2006 outlined the issues and some potential reforms for the Criminal Justice system and in turn the Ministry of Justice. For example it stated the need for a more efficient system, in addition to a need for less bureaucracy in the different criminal justice departments, like in the Police service, where the powers given in the Police and Criminal Evidence Act (PACE) could be re-evaluated.

In February 2008, Justice Minister Bridget Prentice commissioned Dr Jonathan Spencer, an external consultant, to carry out an independent review of the Civil Justice Council. The report recommends retention of the Council as an advisory public body but with a series of changes, set out in 27 recommendations for action. The Ministry of Justice is working closely with the Council to develop an action plan for their implementation.

Conclusion –

The Criminal Justice Service are ruled over by the Ministry of Justice, they are both there essentially to protect the public, it is the overall aim of them both, within doing this they are dealing with the criminals too, helping to prevent re-offending and rehabilitating the offenders.

The Criminal Justice system is to deliver justice for all, quickly and fairly where as the Ministry of Justice is there to show the pathway to justice, and to help the public find justice.

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