

Criminal Courts

Presentation by Dr Peter Jepson - using 'The English Legal System' by Jacqueline Martin (4th edition).
ILEX 'The Legal Environment' Textbook.

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Before the Lecture

- You should read and précis chapter Part C of the ILEX Textbook.
- Raise your hand if you have a question.
- Turn off your mobile.

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PRECIS NOTES WILL BE CHECKED

Magistrates' Courts

- There are around 430 Magistrates' Courts in England & Wales.
- Cases heard by either Magistrates or District Judges.

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Jurisdiction of M's

(1) and (2) involve 97% of all criminal cases

- (1) Try all summary cases - minor offences
- (2) Try triable-either-way cases heard in M's Court
- Deal with the first hearing of all indictable offences
- Search warrants - bail etc.
- Youth Courts (10-17).

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M's Civil Jurisdiction

- Enforcing Council Tax demands.
- Family cases (violence and maintenance orders)
- Welfare of Children
- Hear appeals over licences.

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Summary Trials

- Five levels related to fines as per the Criminal Justice Act 1991 (What are these levels? - What is the maximum fine for a business?)
- Over 90% of D's in the Magistrates Court plead guilty.

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What happens?

- Break into Law Firms - research the topic and then explain to class what happens when ...
- D pleads - guilty
- D pleads - Not guilty
- D seeks a trial by a jury
- In Committal proceedings

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Youth Courts (age 10-17)

- Murder, manslaughter, rape and or causing death by dangerous driving can be tried at the Crown Court.
- Also possible for anyone over 14 to be tried at Crown Court if an adult could be given a 14 year sentence.
- M's trained and under 65 (one female).
- Press - no names - parents or guardians required to be present.

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Appeals from M's Court

- What is a case stated appeal?

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Crown Court

- What happens in the Crown Court?
- What is an indictable offence (give examples)?
- Who determines guilt if D claims that he is not guilty?
- Is there an appeal against sentence or the decision? Where to?

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Triable-either-way offence

- Offences such as theft can be tried in either the M's Court or Crown Court.
- Essentially the defendant can choose the court he prefers.
- Assume that you are a Bank Manager accused of stealing a chocolate bar and you insist you are innocent. Where should you choose to have the case tried?

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