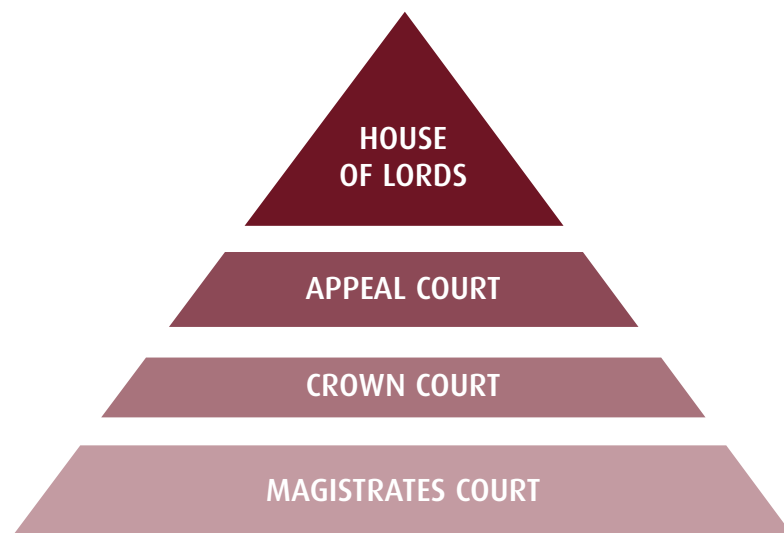


WHO ARE MAGISTRATES

- Ordinary people who do ordinary jobs
- Volunteers – don't get paid – can claim expenses
- Live locally – Sit once a week in Benches of 3
- Anyone can apply – age range 18 to 70 years
- People of all races and religions who reflect the local community
- Magistrates are not legally trained – Legal Adviser in Court

TRIANGLE STRUCTURE OF COURTS SYSTEM



1. Magistrates Court

- Deals with Petty [lesser] Crimes e.g. Speeding cars, Drunk and Disorderly, Threatening Behaviour, School non attendance, Obstructing a Police officer, Football related offences, Common Assault.
- Some cases can be heard either at the Magistrates' Court or the Crown Court. These are known as Either Way Crimes such as some Drug, Burglary, Shop lifting and Crimes of Violence.
- Magistrates also deal with non Crown Prosecution Service, prosecutions such as RSPCA, Health and Safety, Customs and Excise, Local Authority Issues.
- The 3 Magistrates decide on Verdict and Sentence
OR District Judge [qualified lawyer and paid] sits alone with same powers as 3 Magistrates.
- Another word for Verdict/sentence. Guilt or not guilty/Punishment.
- The local Magistrates Courts in the London Borough of Ealing are in West Ealing and Acton.
- Nobody in the court wears identifiable clothing other than the Usher.

2. Crown Courts

- More serious cases before a Judge and Jury;
- Types of cases would include Murder, Rape, GBH and other acts of violence, Kidnap, Arson, Gun Crimes
- Jury decides on Verdict; Judge on sentence;
- Judge wears a wig and gown and the Lawyers may do as well if they are barristers

2b County Court – Deals with Civil Work. One Judge only (no Jury)

- Matrimonial -divorce etc. and other Family Matters
- Private law matters
- Small claims and injunctions

3. Court of Appeal

- Sits in the High Court in London
- 3 Judges usually QCs (Queen's Counsel)
- Called Lord Justices of Appeal

4. House of Lords

- 9 appointed from Lord Justices of Appeal
- Sit in 5s to hear Appeals

5. European Courts

1. European Court of Human Rights at Strasbourg
2. European Court of European Law at Strasbourg
3. International Court at the Hague – deals with International Disputes

What sort of work do Magistrates do in the courts?

Adult Criminal Court

- Magistrates deal with Petty Crime eg Criminal damage, common assault, driving, drunk and disorderly
- Magistrates can send an Adult to prison for one offence for 6 months or fine them up to £5000.

Youth Court

- Deal with young people aged between 10 and 17.
- Petty crime including evading fares as well as some more serious crimes such as Going Equipped to Steal, Aggravated burglary, False fire Alarm, Harrassment, Interfering with a Motor vehicle
- Offenders can be placed in Custody eg Feltham Young Offenders Institution.
- Magistrates in the Youth Court can sentence a Young Person to a Detention and training Order for 2 Years.
- There are different degrees of seriousness in the Adult and Youth Courts
- A Youth Court at the Magistrates Court level can order that a case go to the CC if the offence carries 14 years imprisonment for an Adult and it considers that a two year sentence for a Youth is insufficient.
- A youth would also be sent to the CC if he/she were said to have committed an offence with an adult.

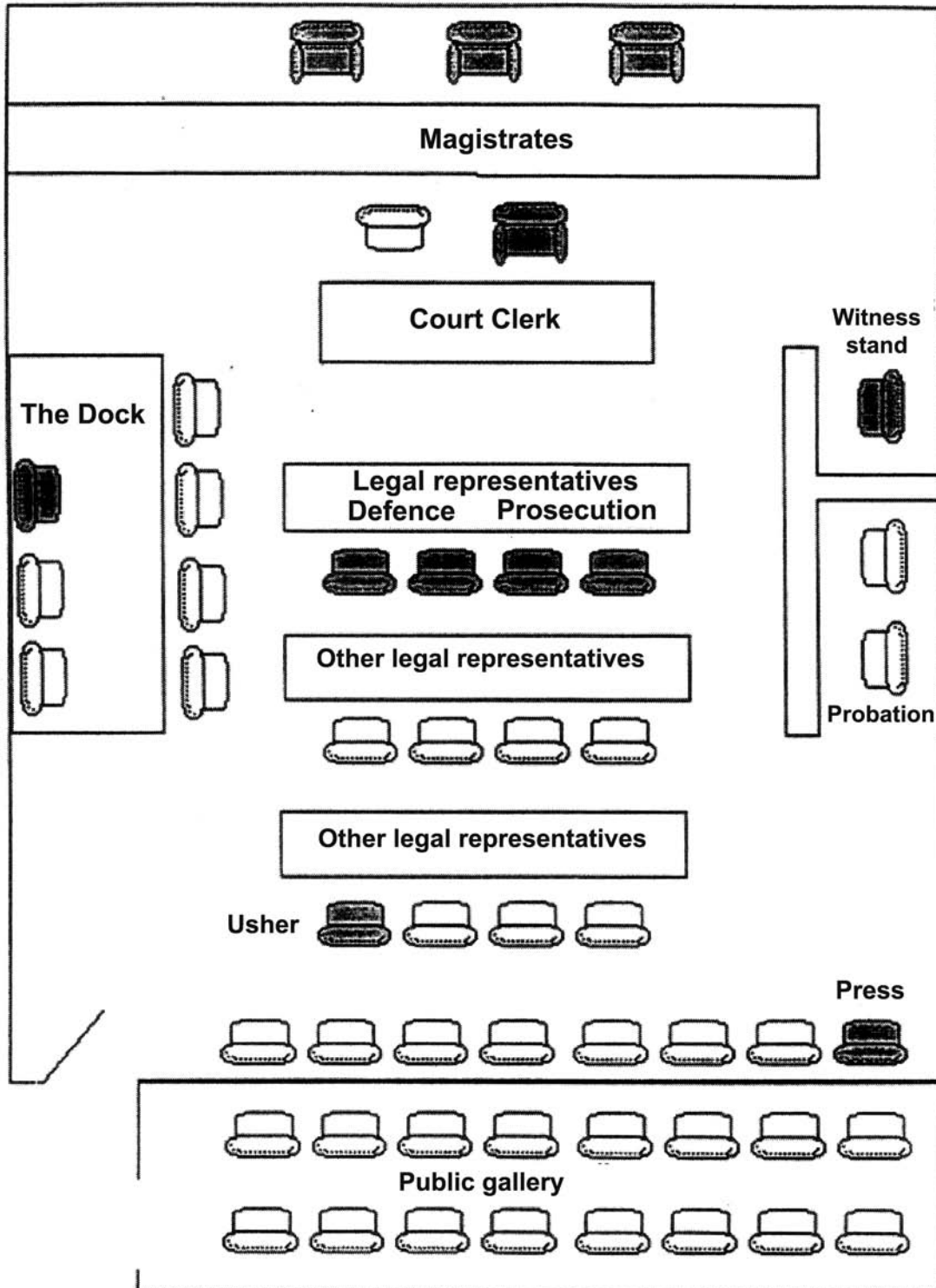
Family Court

- The Child is not on trial. It is a Civil court deciding what's in the best interests of the child. The Interests of the Child are Paramount. It deals with Contact and with whom the child will live when parents get divorced and can't agree on these issues.
- It deals with situations where children are placed into the care of the Local Authority because they are out of parental control or their parents are not able to look after them.

Fines Enforcement

- Court can deduct money from salary or benefits
- Can order Bailiffs to collect the Debt. Bailiffs will add their own charge on to of the existing fine to cover their expenses.
- Can imprison offender if there is no other way of getting the payment and all other options have failed

Ealing Magistrates' Court – Court No. 1



Sentencing Guidelines Council

**Street robbery or 'mugging'
Robberies of small businesses
Less sophisticated commercial robberies**

**Robbery is a serious offence for the purposes of sections 226 and 228
Criminal Justice Act 2003**

Maximum Penalty: **Life imprisonment**

YOUNG OFFENDERS*

Type/nature of activity	Starting point	Sentencing Range
The offence includes the threat or use of minimal force and removal of property.	Community Order	Community Order – 12 months detention and training order
A weapon is produced and used to threaten, and/or force is used which results in injury to the victim.	3 years detention	1-6 years detention
The victim is caused serious physical injury by the use of significant force and/or use of a weapon.	7 years detention	6-10 years detention

Additional aggravating factors	Additional mitigating factors
<ol style="list-style-type: none"> 1. More than one offender involved. 2. Being the ringleader of a group of offenders. 3. Restraint, detention or additional degradation, of the victim. 4. Offence was pre-planned. 5. Wearing a disguise. 6. Offence committed at night. 7. Vulnerable victim targeted. 8. Targeting of large sums of money or valuable goods. 9. Possession of a weapon that was not used. 	<ol style="list-style-type: none"> 1. Unplanned/opportunistic. 2. Peripheral involvement 3. Voluntary return of property taken. 4. Clear evidence of remorse. 5. Ready co-operation with the police. 6. Age of the offender. 7. Immaturity of the offender. 8. Peer group pressure.

* The 'starting points' are based upon a first-time offender aged 17 years old who pleaded not guilty. For younger offenders, sentencers should consider whether a lower starting point is justified in recognition of the offender's age or immaturity.

