



Ministry
of Justice



At court: Being a Defendant in the Crown Court

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This leaflet is to help you understand what will happen if you are charged with a crime and told to go to a Crown Court

Legal Advice

Court staff can help you with questions about the court. But they cannot give you legal advice or talk about your case.

It is a good idea to have a lawyer (a solicitor or a barrister) helping you. You can ask your lawyer questions about your case, the court and what happens if you are found guilty.

You do not have to have a lawyer. You do have the right to represent yourself in court. But a lawyer can help you. You could be facing time in prison.

Your defence team (a solicitor and/ or a barrister) work for you. They will argue your case for you in court.

If you want a lawyer you should get one before you come to the Crown Court.

If you do not have a lawyer the judge might ask you if you would like one. Tell the judge if you would like a lawyer. They might give you time to get one.

Find a solicitor at: solicitors.lawsociety.org.uk/

Find a barrister at: www.directaccessportal.co.uk

What happens at a trial?

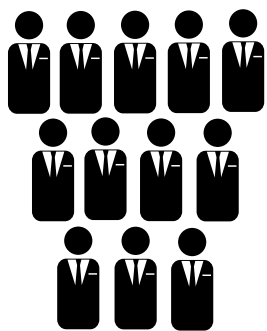
The prosecutor says you have committed the offence. The prosecutor will tell the jury why you have been charged with the offence.

If you have a lawyer they will speak for you in court unless you are asked a question.

If you do not have a lawyer the judge will give you some information about how to represent yourself.

Witnesses might be asked questions about the offence. You will also have a chance to give evidence and to have your say about what happened.





The Jury

The jury is made up of 12 people. They are chosen at random.

Make sure you are respectful and show that you are taking your case seriously.

The jury will weigh up the evidence and decide if you are guilty or not. This is called the verdict.

If you are found not guilty you can go home.

How should I behave in the courtroom?



Going to court is serious. Show respect to everyone.

Ask questions if you do not understand what is happening. Raise your hand quietly to tell people you would like to speak.

Sometimes it is hard to hear in the dock. Tell someone if you cannot hear.

Stand up when you speak.

Ask the court staff or your lawyer what you should call the judge. This might be 'Your Honour' or 'My Lord' or 'My Lady'.



The press and public are usually allowed in the courtroom. Do not speak to family and friends when you are in the courtroom.

Turn your phone off or put it on silent mode. Do not use it.

Your Plea

If you are going to say you are guilty, you should do this as soon as possible.

If you plead guilty your sentence might be reduced. The earlier you tell the court you are going to plead guilty, the more the punishment can be reduced.



This is for your information. It is not meant to tell you to plead guilty if you are not guilty of the charge. Get legal advice.

What is a sentence?

A sentence is the punishment you will get if you are found guilty or you plead guilty. Your sentence could be prison time, a community sentence, a fine, or something else.



You might have to come back another day for a sentencing hearing.

You could get a suspended sentence. This means you will not have to go to prison unless you commit another crime. You might have to do something like unpaid work, or go to meetings with a probation officer. These are called 'requirements'. If you do not do what you are told you could be punished, and you could be sent to prison.

A judge decides your sentence. A judge will consider many things when deciding what sentence to give you. For example, if you have other convictions you might get a bigger punishment.

Find out more here:

www.gov.uk/how-sentences-are-worked-out



You can find out about the sentences for different offences here:

www.sentencingcouncil.org.uk

What happens if I get sent to prison?

If you are sentenced to prison time you will have to go straight to prison from court.



You might not be able to speak to family or friends. Friends or family can arrange to visit you when you get to prison.

The judge will tell you how long you will spend in prison. If you did not hear or did not understand you should ask your lawyer to explain it to you. If you are representing yourself you should ask the judge to explain it again.

Your criminal record



If you are found guilty you are very likely to get a criminal record.

This can have a big impact on your life.

You might have to tell your employer that you have a criminal record, or declare it when you apply for jobs.

It might stop you travelling to some countries for work or holiday.

Get legal advice about what you must declare.

Appeals

People who have been convicted of an offence in the Crown Court might be able to appeal.

You can appeal against a sentence or a verdict.

You should speak to your lawyer about how to appeal.

If you are sent to prison you can ask for help with the process.



You can find information about appeals, and how to apply, at JUSTICE:

<https://justice.org.uk/our-work/publications/how-to-appeal/>

Or at:

<https://www.gov.uk/appeal-against-sentence-conviction/crown-court-verdict>

Or you can call the Criminal Appeal Office on 02079 476011.

You should do this as soon as possible. There is a 28 day time limit on when you can apply for an appeal.



If you have more questions speak to your lawyer or court staff.
