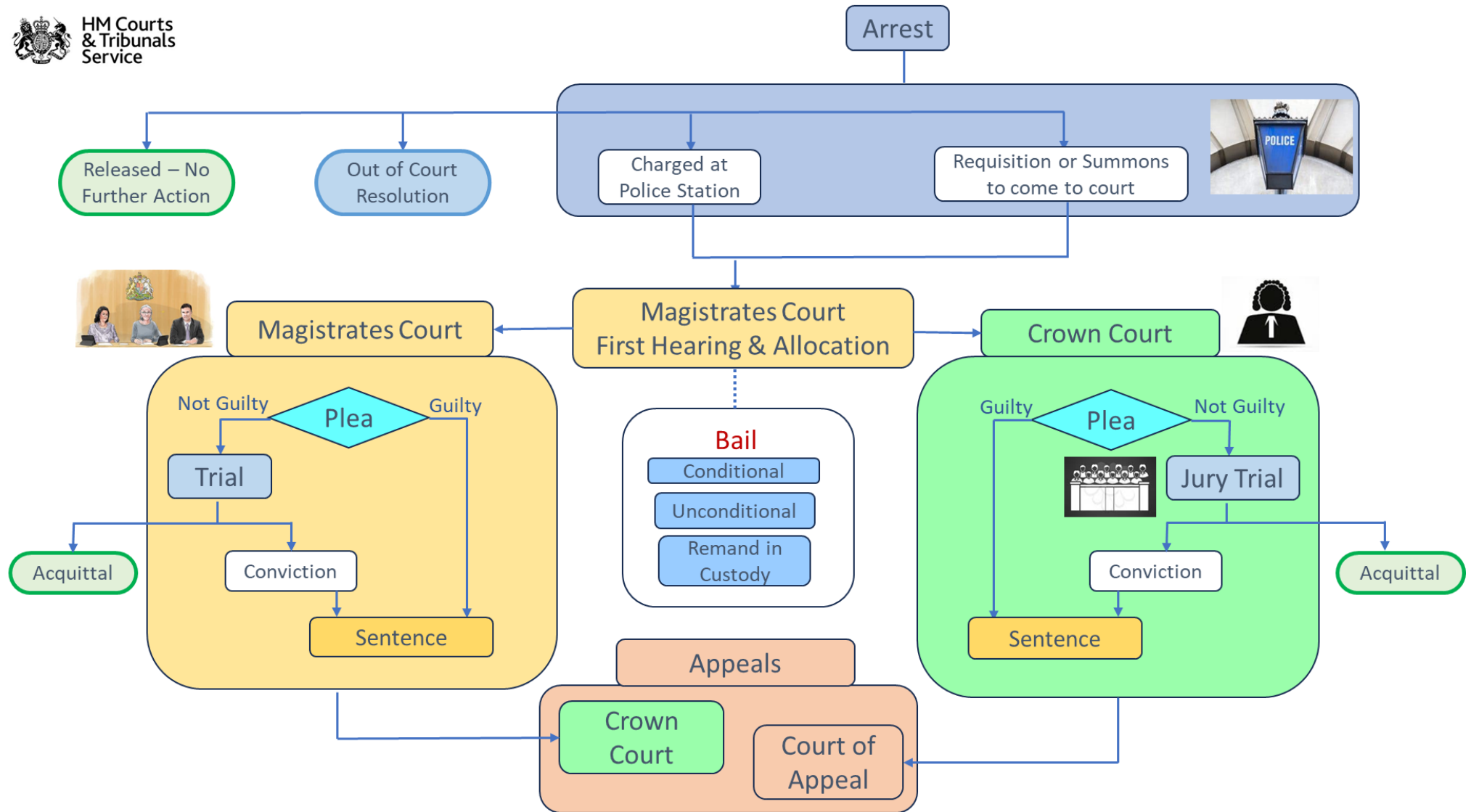




# **What happens when you are charged with a criminal offence?**

## **(This information is for an adult in England or Wales)**

### **Introduction**

You have been arrested because you are suspected of having committed an [offence](#), or you have been sent a summons or postal requisition after being ‘released under investigation’. For less serious offences, triable in the magistrates’ court, unless you are on benefits or on low income, you are unlikely to be able to get financial help ([Legal Aid](#)) to pay for a lawyer to lead you through the legal process from beginning to end.

For serious offences tried in the Crown Court, legal aid is likely to be available, but depending on your earnings and assets you may need to make a contribution towards the cost of a legal representative. This guide explains how the criminal courts work in England and Wales. It can help you understand what can happen when you go to court.

Defendants who come to court without a lawyer, are known as ‘unrepresented defendants’ or ‘litigants-in-person’. There are special rules called the [Criminal Procedure Rules](#), that control what happens in court. You can find them online, but they are long and very legal. So this guide explains the most common rules that may apply to you. It also explains what the effect may be of certain decisions that you will need to make.

Any legal words or phrases in the document that appear in the [glossary](#) are highlighted in [green](#).

### **Your case**

Some simple cases go to the [magistrates’ court](#) quickly and are dealt with that same day. These might include a low-value shop theft, a low-level public order offence (drunk and disorderly, for example) or a driving offence. More serious or complex cases will take longer, and the most serious cases will be passed to the [Crown Court](#) to be dealt with there.

### **Getting legal advice**

There is free legal help available from a ‘[duty solicitor](#)’ at the police station or in court for all offences that could result in you going to prison. If that applies to you, you should always think about getting that free help. It will give you professional legal advice and guidance on your case from someone who knows the criminal justice system and understands how the system works. A duty solicitor is paid for by the state but is completely independent, and what you say to them is totally confidential.

You can only use a duty solicitor at court once for the same case. After you have heard what the duty solicitor has to say about your case, you can then decide whether you need to be represented by a [solicitor](#), and whether it is worth the money that you will have to pay if you aren’t able to get a solicitor for free with legal aid. [This link](#) will help you to find a solicitor if you decide that you need one.

You can check online if you are eligible for [Legal Aid](#).

## Getting other support

You can seek advice if you have been charged with an offence and you haven't yet seen a solicitor. There may be a list of bodies that you can go to for advice included with the charge sheet. The Citizens Advice Bureau is often a good place to start, as they can offer [support and advice](#), as well as signposting early rehabilitative steps that you can take (for problems with alcohol or anger management, for example). This may help with mitigation when your case comes to court.

There is a large voluntary sector working with people in the criminal justice system and a directory of services provided by those organisations can be found at '[Clinks](#)'. The directory provides details of how to contact these organisations. This includes support on accommodation, substance misuse and employment needs.

## The Charge

- The police may release you while the incident is being investigated. If you are released there are 4 possible outcomes of the police investigation:
  1. the police could decide to take no further action (NFA) and no charges will be brought against you, or
  2. the police could deal with the offence using an 'out-of-court resolution' such as a [caution](#), or
  3. the police could [charge](#) you with an offence at the police station and tell you when to attend court, or
  4. the police could charge you after releasing you (this is called being 'released under investigation' or RUI) and send you a summons or postal requisition to come to court to answer the charge
- If you are charged (outcomes 3 or 4) there will be a Charge Sheet that shows what offence(s) you are charged with, along with some information about each offence (when and where it took place, the victim etc)
- If you do not come to court when you have been told to, then a warrant may be issued and you may then be arrested and held by the police until you can be brought to court by them.
- There are [guidelines](#) that courts use to help them decide on the [sentence](#) and these are published online. Accessing these guidelines will give you an indication of the sort of sentence you might receive if you plead guilty to the offence.
- If you are charged at the police station (outcome 3 above), then you will either be held in custody and taken to court within 24 hours (Sundays and national holidays don't count) or released on police bail to attend court on a given date/time.

## Types of Offences

- Offences in England and Wales are categorised into 3 groups based on how serious they are:
  1. [Summary Only](#) are the least serious offences and are dealt with in the magistrates' court
    - There is a time limit for most summary-only offences and those must be charged within 6 months of them happening.
    - The maximum sentence that you can receive for a summary-only offence is 6 months imprisonment.
  2. [Either Way](#) offences are more serious and can be dealt with in either the magistrates' court or the Crown Court

- If you are charged with an either way offence magistrates will decide whether your case is suitable for the Magistrates' Court.
  - Even if the magistrates decide that they can hear your case, you can still decide that you want it to go to trial in the Crown Court in front of a judge and [jury](#).
  - If you have pleaded guilty, no trial is necessary and you will be sentenced. This will happen in the magistrates' court unless the magistrates think that your sentence should be more than they have the power to give you (currently 12 months imprisonment). Your case will then be sent to the Crown Court where a judge will decide on your sentence.
3. [Indictable Only](#) offences are the most serious and can only be dealt with in the Crown Court
- If you are charged with an indictable only offence, your case will start in the magistrates' court, but then go straight to the Crown Court. If there is a trial in the Crown Court it will be with a jury.

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### **1<sup>st</sup> Hearing**

- Your first hearing will always be at a magistrates' court regardless of the type of offence.
- At this first hearing, you will be asked for your name, address and date of birth. It is a separate offence not to give the court this information.
- If you are charged with a [Summary](#) Offence or you are charged with an [Either Way](#) Offence and the magistrates' court is going to hear your case, you will then be asked to 'enter' a plea for each offence you are charged with. The [Legal Adviser](#) will read out each charge and you need to say 'Guilty' or 'Not Guilty' to each one.
- If you are charged with an [Indictable](#) offence or you are charged with an Either-way offence and the Crown Court is going to hear your case, then you do not need to enter a plea at this stage. Even if you don't enter a plea, you will get full credit (a discount on your eventual sentence) if you tell the magistrates that you intend to plead guilty in the Crown Court.
- A lot of offences are categorised as imprisonable and you can check the [sentencing guidelines](#) to see if you are being charged with an '[imprisonable](#)' offence. This doesn't necessarily mean that you will go to prison, but it *does* mean that you will be able to see a duty solicitor to get legal advice free of charge on the day of the hearing. The duty solicitor can also advise you whether you're likely to qualify for [legal aid](#).
- If you cannot attend court at the appointed time or date, then you need to let the court know why. The court will expect you to provide proof of the reason why you cannot attend. If you cannot attend because of illness, then you must provide the court with proof that you were ill. In this case, a generic doctor's certificate is not enough. It must state specifically that you were too ill to attend court.

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### **Deciding Which Court Will Hear Your Case**

At the first hearing the magistrates' court will decide which court will hear your case. This is a legal process called '[Allocation](#)'.

- If the offences are all [Summary only](#) then your case will stay in the magistrates' court.
- If the offences are all [Indictable only](#) then your case will be sent directly to the Crown Court.
- [Either way](#) offences will be described to the court by the prosecution. The magistrates will then decide whether to keep your case in the magistrates' court, or send your case to the Crown Court.
- If you have pleaded not guilty to either way offences and the magistrates decide to hold your trial in the magistrates' court, you can still say you want to have your trial in the Crown Court. The difference is that your case will be heard by a jury in the Crown Court. If it stays in the magistrates' court it will be heard either by a panel of 2 or 3 magistrates or a single professional [District Judge](#). Prosecution costs are higher in the Crown Court though, which will have an impact if you are found guilty at your trial.
- If your case is being sent to the Crown Court then you can apply to that court (the Crown Court) to dismiss the case if you don't think the prosecution case is strong enough. The application needs to be made within 20 working days from the prosecution 'serving' their evidence on you (in other words, sending you a copy of their evidence).

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## **Plea**

- If you plead guilty, then you are admitting that you committed the offence that the prosecutor describes in court at this hearing. You will now be [sentenced](#).
- If you plead not guilty then your case will go to a [trial](#).
- If you are charged with multiple offences, you can plead guilty to some offences and not guilty to others. If this happens, the court may decide to delay sentencing you for the offences you pleaded guilty to until after the result of your trial.
- If you plead guilty at this first hearing to all the offences and there is a mix of types of offences (Summary, Either-way and/or Indictable offences) then the magistrates' court will decide whether to sentence you for them separately or all together. This decision is based mainly on whether the offences are all connected.
- The magistrates can '[commit](#)' your case to the Crown Court for sentencing if they feel that you should receive a higher sentence than they have the power to give you.
- If you plead guilty at the earliest opportunity, then the court will give you a discount on your sentence (normally 1/3 off).

### Things to consider when entering a plea

- If you plead not guilty this means you are saying you did not commit the offence, or that you had a valid legal defence, for example that you were acting in self-defence.
- You may want to admit that you committed the offence, but you do not agree with the way the prosecutor describes what happened. If so, you may be able to plead guilty 'on a basis'. This means that you write down and sign your version of events. The court will then decide whether it accepts your guilty plea on that basis. The court's decision will be based on whether your version of the offence makes a difference to the sentence you will receive.
- You may be willing to plead guilty to a lesser charge. For example, you have been charged with Actual Bodily Harm (ABH) which you don't agree with, but you would admit to a lesser charge of Common Assault. In this case you should have a conversation with the [prosecutor](#).

- Sometimes people charged with an offence want to plead not guilty even though they admit they did commit the offence. This is because they want the court to hear about what happened and why. An example is that you are willing to admit you hit someone, but you want to explain to the court that you did this because the person provoked you. This is called 'mitigation' and this information may mean you receive a lower sentence, but it doesn't mean that you're not guilty. To put your 'mitigation' to the court, you should plead guilty and you will then have an opportunity tell the court what you want to say. Telling the court your mitigation may mean that you receive a lower sentence.
- If you are going to plead guilty, the earlier you plead guilty, the larger the reduction you will get to your sentence. If you plead guilty as soon as you can, you will get a 1/3 reduction in your sentence.
- The longer you wait to plead guilty the smaller the reduction you will get in your sentence. You will not get any reduction in your sentence if you are found guilty after a trial. In addition, the money you have to pay (see 'Prosecution Costs' within 'Sentencing' below) will also be a lot higher the longer you wait to plead guilty.

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## **Bail**

- If your case is not completed at the first hearing then it will be 'adjourned', either for sentencing or for a trial. In this case the court will decide whether to grant you 'bail'. This is when the court releases you until the next time you need to come to court.
- Usually (but not always) a court will grant bail. This bail might include conditions (see below).
- If the court does not grant you bail, then you will have to wait in prison for your next court appearance. This is called 'remanding in custody'. You can challenge (appeal) the court's decision at by making another application.
- Before the court makes a decision on bail, the prosecution will tell the court what risks they think you pose and they give the court reasons why you should be given bail conditions or why you should not given bail at all. These can include:
  - Fear that you won't return to court
  - The risk that you will commit further offences
  - Fear that you will interfere with witnesses for your trial
  - To encourage you to cooperate so that reports can be prepared
- You may also be kept in custody for your own protection.
- There are different types of bail the court can grant:
  - Unconditional bail means there are no restrictions on you while you are waiting for the next time you come to court.
  - Conditional bail may include a curfew with an electronic tag that you wear, reporting to a police station, no contact with certain individuals, and not to go to certain areas or addresses.

You can apply to challenge (appeal) the court's bail decision.
- If you are granted bail then you must come to court on the date of your next hearing. If you do not come to court then this is a separate offence, and you can be arrested and may be sent to prison for not coming to court. If you do not come to court on the day of your trial, then it is likely that the trial will go ahead without you.

- If you commit any other offence(s) while you are on bail, these new offences will be treated very seriously.

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## **The Trial**

- When you plead not guilty, your case starts its journey to a [trial](#).
- One of the first things that happens with any case going to trial is that a form will need to be prepared. For a magistrates' court trial this form is called a Preparation for Effective Trial (PET) form. If you aren't represented by a lawyer, then the legal adviser in court can help you to fill the form in. There is also guidance for [completing the PET form](#). This form contains important information that will help the court to set a date for your trial, including:
  - what offence(s) you are charged with
  - any [witnesses](#) that will come to court for the trial
  - why you are pleading not guilty (this will be the central issue at the trial)
- For a Crown Court trial the form is called a Better Case Management form, and contains similar information to the PET form.
- There may need to be other court hearings before your actual trial. These are called 'pre-trial hearings'. Some decisions that can be made at these hearings include:
  - how the trial will run
  - whether there are any special arrangements that need to be put in place for your trial (screens for witnesses, for example)
  - the timetable of when the prosecution needs to let you know what evidence they are going to present against you

## **Types of trials**

- The main difference between a trial in the magistrates' court and the Crown Court is that:
  - a trial in the Crown Court has a [jury](#) of usually 12 members of the public that decide a verdict
  - there is no jury in a magistrates' court; the verdict will be determined by a group of 2 or 3 magistrates or a single [District Judge](#)

## **What happens in a trial**

In both the magistrates' court and Crown Court the trial follows the same order.

### **Prosecution case**

- The [prosecutor](#) makes opening remarks that summarise the offences you are charged with and the main issue(s) in dispute between the prosecution and the defence
- The prosecution then calls its witnesses to give evidence against you. For each prosecution witness:
  - The prosecution will ask them questions (this is called Evidence-in-Chief)
  - They will be asked questions by you or a court-appointed solicitor (this is called Cross-examination)
  - The prosecutor may ask the witness further questions to clarify anything they said in cross examination (this is called Re-examination)

- Written statements (that you and the prosecutor have agreed before the trial) are read out by the prosecutor. For example, there may be statements from police officers who arrived at the scene after the alleged offence had taken place.
- At the end of the prosecution case, you (or your [court-appointed lawyer](#), if the court has appointed one) may decide that the prosecution case is weak, and may make what is called a 'submission of no case to answer'. If the court agrees, then the trial is over and you are not guilty of any offences. If the court does not agree with the argument that there is no case to answer, then the trial continues and it is the defence's (your) turn to present your case.

### Defence case

You can now call your witnesses to give evidence in support of your case. For each of your witnesses

- You will ask them questions about what happened (Evidence-in-chief)
- The prosecutor will ask them questions (Cross-examination)
- You may ask them further questions to clarify anything they said in cross examination (Re-examination)
- You can be a witness for yourself. You do not have to give evidence, but it can harm your case if you do not give evidence. The [legal adviser](#) can give you advice about this.
- If you have any written statements, you can read them out at this stage, although it is rare for the defence to have such statements

### Closing speeches

- The Prosecution would normally go first and summarise the prosecution case and what the witnesses said in their evidence. If you are unrepresented, then the prosecution is normally not allowed to summarise their case.
- You can then make a Defence closing speech and summarise your case and what your witnesses (including you) said in their evidence.

### Verdict

- In the magistrates' court the panel of magistrates or a District Judge will tell you what the [verdict](#) is and give you the reasons for their decision.
- In the Crown Court, the jury will deliberate in private and then give their verdict(s) in court by stating "Not Guilty" or "Guilty" for each charge.
- If you are found not guilty (acquitted) then the case against you is over. You will be released and the charge will be removed from your record. You can ask the court to make a Defendant's Cost Order (DCO) which enables you to claim for your out-of-pocket expenses related to the case. The claim could include travel, subsistence, court fees and printing costs. It must show a detailed breakdown of these expenses and must include receipts. More detail can be found [here](#).
- If you are found guilty then the court will decide if it will sentence you immediately or wait for a '[pre-sentence report](#)' (a PSR) and sentence you at a later date.
- If there is to be a delay in sentencing then you may be released on [bail](#) or sent into custody, usually depending on the seriousness of the offence. Any time that you spend in [custody](#) can count as part of any eventual prison sentence.



## **Sentencing**

- If you have pleaded guilty, or have been found guilty at a trial, then you will be sentenced. You will be asked to complete a 'Means Form', which enable the court to take into account your income and outgoings when setting any financial penalty.
- Your sentence will usually be within the [guidelines](#) laid out by the Sentencing Council, and if it isn't, the magistrate or judge must give the reasons why.
- All these guidelines are available for you to look at online, and they will give you some indication of the kind of sentence that you may face.
- The sentencing guidelines list factors that show either more or less fault or blame on your part (this is called 'culpability'), and how much harm was done.
- These factors will determine a 'starting point' for the judge when your sentence is being decided.
- The guidelines show what the maximum and minimum sentences are for your offence.
- The guidelines also show a list of aggravating factors (that may increase your sentence) and mitigating factors (that may decrease your sentence).
- If the court is considering a community order or prison for you, then they will usually order a [Pre-sentence Report](#) (PSR), which will be completed by the [Probation Service](#). They will assess you based on their criteria for your suitability for certain requirements such as behavioural programmes, curfew, unpaid work in the community and drug and alcohol programmes. The court might also ask mental health services for some information about you, with your consent.
- This will give the court more insight into you, your circumstances and the circumstance of the offence(s), and it will allow them to give you an appropriate sentence.
- If the court asks for a PSR, the case may be adjourned to another date and you will be told to cooperate with the Probation Service so that they can talk to you and write a report for the court.
- A community order is where you would cooperate with the Probation Service over a period decided by the court, and you would not have to go to prison. A community order may mean, for example, that you have to complete a number of hours of unpaid work or stay at home under a curfew.
- If your trial was for an [either-way](#) offence and was handled in the magistrates' court, the magistrates may decide that the sentence should be more than they have the power to give you (currently 12 months imprisonment). Your case will then be sent to the Crown Court where a judge will decide on your sentence.

## **Payments to the Court**

- If you have pleaded guilty or been found guilty after a trial, then there will always be money you need to pay to the court as part of your sentence. This may be made up of the following:
  1. The prosecutor may ask for you to pay '[costs](#)'. This is the cost of the prosecutor bringing the case to court. If the prosecutor is the Crown Prosecution Service (CPS) then they have set rates in the magistrates' court which vary from £85 for an early

guilty plea through to £620 if you are found guilty after a trial. Other bodies who can bring a prosecution (e.g. your local council) will have different rates.

2. You may be given a [fine](#) as part of your sentence. The court will decide the amount of this fine based on what the sentencing guidelines say is an appropriate fine for the offence you committed. The court will also take into account how much you earn when deciding how much your fine should be.
  3. An extra sum (called a surcharge) is also payable on your sentence. The amount of this surcharge will depend on what sentence you have been given. If you have been given a fine, there is a 40% surcharge put on top of the fine. For example, if you have been fined £100 and additional £40 will be added in a surcharge. Other types of sentence have a fixed surcharge, for example the surcharge for a community order is £114. A full explanation of the surcharge and the rates payable is available [here](#).
- If you don't pay what you owe the court, bailiffs can be ordered to take away goods in your possession that have the same value as the amount that you owe.

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## **Appealing your case**

### Appealing a Magistrates' Court decision

- You have the right to [appeal](#) against the verdict or the sentence you receive. You don't have to ask permission to appeal. But you do have to appeal within 21 days. If you intend to appeal, check the deadline for entering your appeal with the legal adviser in court because the clock starts ticking at different times depending on the type of offence.
- If you appeal your case, an appeal hearing will take place in the Crown Court in front of a judge and 2 magistrates. An appeal could result in a better outcome for you but it could also result in a worse outcome for you if the court thinks that the original sentence was too lenient.
- Lodging an appeal does not stop the original sentence. So if you have been ordered to complete unpaid work or anything else, then you must do that while you are waiting for your appeal to take place.

### Appealing a Crown Court decision

- You can appeal against your Crown Court conviction, sentence or both. But before you can appeal, you must apply for permission to appeal to the Court of Appeal Criminal Division.
- Unlike the appeal of a decision in the magistrates' court, the appeal of a Crown Court sentence cannot result in an increase in the original sentence.
- If you want to appeal your conviction, you must appeal within 28 days of the date you were convicted
- If you want to appeal your sentence you must appeal within 28 days of the date you were sentenced.

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## Glossary / Explanation of Terms

|                                 |                                                                                                                                                                                                                                                                                                         |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adjournment                     | This is what it is called when your case does not finish on one day and you have to come back to court on another day.                                                                                                                                                                                  |
| Allocation                      | This is the stage of the process where the magistrates' court decides whether your case will be heard in the magistrates' court or in the Crown Court                                                                                                                                                   |
| Appeal                          | This is what it is called when you ask another court to review the decision made by the trial court                                                                                                                                                                                                     |
| Bail                            | You are released back into the community, with or without conditions, on a promise that you will come back to court for the next hearing                                                                                                                                                                |
| Barrister                       | Barristers are lawyers who represent defendants in the Crown Court                                                                                                                                                                                                                                      |
| Behaviour order                 | A court order to stop someone acting in a certain. It also says what the penalties will be if that behaviour does not stop                                                                                                                                                                              |
| Breach                          | A failure to follow an order of the court. This can include a failure to stay in contact with someone managing the court order, for example, the Probation Service                                                                                                                                      |
| Caution                         | The police may decide that your offence is not serious enough to have to go to court. In that case, and providing that you admit that you are guilty of the offence, the police can issue you with a caution. That caution may have conditions attached (such as completing an online course)           |
| Charge                          | This is when someone is formally accused of doing something illegal.                                                                                                                                                                                                                                    |
| Committal                       | This is what happens when your case is sent to the Crown Court                                                                                                                                                                                                                                          |
| Community order                 | This is when someone is not sent to prison but is required to do something in the community instead, usually by working with the Probation Service                                                                                                                                                      |
| Costs                           | If you plead guilty or are found guilty of an offence then you will have to pay the costs of bringing your case to court. The amount of money it will cost for a trial is much more than an early guilty plea. This is because the prosecution has to do more work to prepare for a trial.              |
| Court-appointed lawyer          | Unrepresented defendants may not be able to cross-examine certain witnesses (e.g. in a domestic abuse offence) and in those cases the court will appoint a lawyer to conduct that cross-examination. That is the sole purpose of that lawyer, and they will not help with any other aspect of the case. |
| Crown Court                     | This is the court that deals with the most serious offences. Trials in the Crown Court are jury trials. The Crown Court also deals with appeals from trials in the magistrates' court                                                                                                                   |
| Crown Prosecution Service (CPS) | The CPS is the organisation that decides whether to bring a case against a defendant.                                                                                                                                                                                                                   |
| Custody                         | This means someone is held in a prison or a police cell.                                                                                                                                                                                                                                                |
| Defence                         | This is the argument made by a defendant against the case presented by the prosecution                                                                                                                                                                                                                  |
| Directions                      | Instructions or orders given by the court                                                                                                                                                                                                                                                               |
| Disclosure                      | Information that the prosecution must make available to a defendant before a court hearing in order to ensure that the hearing is fair                                                                                                                                                                  |
| Disqualification                | Disqualifying someone from driving is usually a main part of the sentence for a lot of driving offences. If you are convicted of drink driving or drug driving this will usually result in you being disqualified from driving for at least 12 months                                                   |

|                      |                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| District Judge       | A legally trained judge in the magistrates' court. District Judges often take on longer, more complex or more serious cases and can decide a case on their own.                                                                                                                                                                                                                                            |
| Duty Solicitor       | This is a lawyer who comes to court to give free legal assistance to defendants and can also represent them in court at their first hearing.                                                                                                                                                                                                                                                               |
| Either way offence   | This is a criminal charge that can be heard either in the magistrates' court or in the Crown Court. The decision about where the case is heard can be made by magistrates, or in some cases, the defendant has the right to choose.                                                                                                                                                                        |
| Evidence             | Evidence is information that is presented in court to help a judge or jury decide what happened in a case. It can be information from a person who appears in court or who makes a written statement. It can also include documents, CCTV footage and other physical objects that are shown to a judge or jury.                                                                                            |
| Exceptional hardship | When a court is deciding whether to disqualify someone from driving, it will look at whether disqualification would result in "exceptional hardship". This is the hardship that will be caused to others (i.e. not the offender) if the offender is disqualified from driving. If there is exceptional hardship the court may reduce the time someone is disqualified or not disqualify the driver at all. |
| Expert evidence      | This is information given in a trial by someone who is an expert in a certain technical area. There are special legal rules about using expert evidence in criminal trials.                                                                                                                                                                                                                                |
| Fines                | Most people found guilty of an offence will have to pay a fine. The Fines Enforcement Office will keep track of payments and can also agree how and when fines will be paid.                                                                                                                                                                                                                               |
| Hearsay              | Hearsay is when a person gives evidence about what someone else told them, not what they witnessed themselves. Hearsay evidence is only allowed in certain circumstances.                                                                                                                                                                                                                                  |
| Imprisonable offence | These are offences that can result in a person being sent to prison. If a person is charged with an imprisonable offence they can see a duty solicitor for free to get legal advice.                                                                                                                                                                                                                       |
| Indictable only      | These are the most serious offences, and they can only be dealt with in the Crown Court.                                                                                                                                                                                                                                                                                                                   |
| Interpreter          | This is an independent person appointed by the court for a person who may have difficulty following what is going on in court in English.                                                                                                                                                                                                                                                                  |
| Joint charge         | This is where 2 or more people are charged with the same offence                                                                                                                                                                                                                                                                                                                                           |
| Jury                 | This is a group of people randomly selected from members of the public to decide cases in the Crown Court.                                                                                                                                                                                                                                                                                                 |
| Legal adviser        | Because magistrates are not legally trained, they always have a legal adviser to give them advice about the law. In the courtroom, the legal adviser sits in front of the magistrates.                                                                                                                                                                                                                     |
| Legal Aid            | This is financial help from the government for people accused of a crime to help them pay for a lawyer to represent them in court. The award of legal aid is means-tested.                                                                                                                                                                                                                                 |
| Magistrates' court   | Almost all criminal cases (96%) start and finish in a magistrates' court. Only the most serious cases are transferred from the magistrates' court to the Crown Court.                                                                                                                                                                                                                                      |
| Means Form           | When someone is convicted of a crime, before they are sentenced, they have to fill in a Means Form. This form helps the court know what your financial situation is before deciding what costs you will have to pay.                                                                                                                                                                                       |

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| Offence                  | Something a person does that is against the law                                                                                                                                                                                                                                                                                   |
| PET form                 | This is a Preparation for Effective Trial (PET) form, and it lists what is needed for a trial. This includes such things as the contact details of the defendant, the names of witnesses, how much time they will take to give evidence, whether they have any special needs (interpreter, live-link) etc.                        |
| Pre-sentence report      | Before someone who is convicted can be sentenced, a pre-sentence report will be prepared for the court by the Probation Service. The Probation Service will interview the convicted person, and the report will provide background on them and the offence they committed to help the court decide the most appropriate sentence. |
| Postal Requisition       | This document is sent to you once the police have concluded their investigations and have decided to charge you with an offence. It will contain details of that charge as well as details of when and where you need to attend court.                                                                                            |
| Probation Service        | This government organisation is responsible for managing offenders in the community, either as part of their sentence or for a period after they have been released from prison                                                                                                                                                   |
| Prosecutor               | Person who presents the case against you in court                                                                                                                                                                                                                                                                                 |
| Remand                   | Someone can be sent to prison "on remand" before a trial or before sentencing if the court considers it is too dangerous to release that person on bail.                                                                                                                                                                          |
| Sentence                 | The punishment for committing an offence.                                                                                                                                                                                                                                                                                         |
| Single justice procedure | This can be used if someone has been charged with a minor criminal offence. Under the single justice procedure, the person does not need to go to court and the case can be decided by a single magistrate.                                                                                                                       |
| Solicitor                | This is a lawyer who usually represents defendants in the magistrates' court and ensures that all legal procedures are followed correctly.                                                                                                                                                                                        |
| Special measures         | These are arrangements to help some witnesses give their evidence at court. They usually apply to children or other vulnerable people. Special measures include things like giving evidence behind a screen, via a video link or pre-recording evidence.                                                                          |
| Special reasons          | This is an application to the court to not disqualify a person from driving or to not impose any penalty points on a driving license.                                                                                                                                                                                             |
| Strict liability         | A strict liability offence is one where the offender is found guilty even though what happened may be the fault of another person. For example, a person will be guilty of driving without insurance even though that happened because of an administrative error at the insurance company.                                       |
| Summary only             | This is a less serious offence that can be dealt with in the magistrates' court.                                                                                                                                                                                                                                                  |
| Trial                    | A formal legal process where evidence is presented in court to determine what happened in a case. In a criminal trial a judge, magistrates or jury listen to arguments, examine evidence and reach a verdict of guilty or not guilty.                                                                                             |
| Unpaid work              | This is one possible element of a community order. Unpaid work is managed by the Probation Service and those not completing the required number of hours may be brought back to court.                                                                                                                                            |
| Verdict                  | The verdict in a criminal trial is the decision whether a defendant is guilty or not guilty.                                                                                                                                                                                                                                      |
| Witness                  | A witness is a person who gives evidence in a trial, either for the prosecution or the defence.                                                                                                                                                                                                                                   |

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| Youth court | The youth court is a separate court that deals with offences committed by someone who is under the age of 18. |
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