

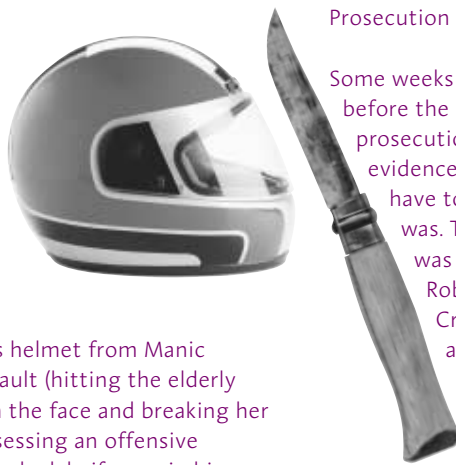
The Crown Court in Action

→ A QUICK GUIDE TO A CRIMINAL CASE

This section follows what happens in a criminal case.

Background:

Robin, 18, has been arrested and charged with three offences – theft (stealing a motor cyclist’s helmet from Manic Machines); assault (hitting the elderly shop keeper in the face and breaking her nose) and possessing an offensive weapon (a large lock knife was in his pocket when he was arrested).



Robin told his lawyers that he didn’t do it, and has been set up by the shopkeeper who doesn’t like him. He said he went to have a chat with a friend working in the shop as he’d often done before. He said the shopkeeper had falsely accused him of trying to steal. She attacked him and fell over and that is how she was injured. He said the knife was planted on him by the police.

Robin is represented by a solicitor who has ‘briefed’ or ‘instructed’ a barrister to act as Robin’s advocate – that is to present his case in court. Robin will have met the solicitor who is preparing his case on a number of occasions. He will probably meet his barrister for the first time shortly before the trial.

The prosecution are also represented by a barrister briefed by the Crown Prosecution Service.

Some weeks ago Robin appeared before the magistrates. Then the prosecution solicitor explained the evidence against him. Robin didn’t have to say what his explanation was. The magistrates said there was enough evidence for Robin to stand trial in the Crown Court before a judge and jury.

The judge runs the trial and must ensure it is conducted fairly at all times. The judge has to decide what evidence can be allowed and what can’t. He or she has to advise the jury what the law is and, if Robin is found guilty, the judge will decide what sentence to give. He or she wears judicial robes (a wig and gown) and remains apart from everyone else involved.

The jury has to listen to all the evidence about the facts. They will often have to decide which witness to believe or not to believe when different versions of what happened are given by different people. They must then decide, in private, whether the defendant is guilty or not guilty. **The Prosecution must prove the case against the defendant on each charge so that the jury are sure of guilt.**