

**Court Report: Magistrates Court**

**Name:** Jamie Cropley

**P Number:** P15188432

**Module:** CTEC1412 - Law Component

**For attention of:** Moira Carroll or Ivan Stafford

**Date:** 14/03/2016

**Summary:**

This report entails a description of the process used throughout criminal proceedings in a magistrates court whilst not specifically referring to cases throughout such proceedings it entails a critical description of the behaviour, dress, speech and language of participants in the judicial process including court ushers, lawyers, presiding magistrate/s, defendants, plaintiffs and expert witnesses where they were applicable during the duration of my visit, it also briefly and critically discusses any use of information technology or means throughout the process of the court.

**Contents:**

<b>Heading number</b>	<b>Heading title</b>	<b>Page number</b>
1	Introduction	3
2	Explanation of proceedings	3
2.1	Beginning of trial('s)	3
2.2	The Plea	4
2.3	Careful consideration	4
3	Conclusion	4

**Total word count excluding headings:**

929 words.

## **1. Introduction**

In a magistrates court I am aware that they deal with the majority of criminal cases and some civil matters as well as family work. The cases I sat in on were only criminal cases. It was initially apparent to me that the nature of each case entailed strong amounts of privacy, asking at the reception desk upon entering the court's waiting room they would not tell us what cases were being held in each courtroom. We (Myself and two other people on my course) proceeded to one of the active courts informed to us by the reception where we met an usher, who was the only apparent person in the courtroom upon entry to it that was dressed substantially differently to everyone else, they were wearing a black gown with business dress, the solicitors, magistrates and some but not all defendants and were dressed in business dress. Three criminal cases were observed with differences in severity and the types of crime permitted.

## **2. Explanation of proceedings**

### **2.1 Beginning of trial('s)**

At the beginning of each trial using information technology which seemed to be a laptop linked to a database consisting of various digital documents (I believe this was the Police National Database or at least an extract of it), which contained the initial police statements of the crime committed, this was fully read out to the court by what I believe was an usher word for word. In my opinion I believe this method is quite flawed, computers are always open to attacks, power problems, sabotage and such and I believe in a court it seems more amicable and fairer if paper is utilised and trusted to only a serious of professionals.

It was apparent to me by this point despite the reliance on technology, that the court case was carried out in the upmost professional manner, I found the language to be very precise and difficult to understand of the magistrates, solicitors and statement reader / usher. I believe this can somewhat be a flawed way of conducting a court case as I found some cases where the defendant did not have a solicitor, in my opinion it is almost like talking another language which I believe some people refer to as legalese, you could tell from comparing cases with and without a solicitor in this respect that the ones where they were not represented by a solicitor they would receive harsher sentences where you could see flaws in the police statement sometimes quite easily and the fact that sometimes the defendant was not able to verbalise well enough to constitute a fair trial.

## **2.2 The Plea**

There are three magistrates on the panel, the one in the middle, the chairperson during the plea stage of the trial then continues to ask if the defendant pleads guilty or not guilty, of the cases I observed the indication of guilty or not guilty did not seem to affect the following proceedings because either the defendant or the solicitor would then go on to defend such accused crime at the stipulation of the magistrate chair, at this point I recall thinking to myself that the court system uses the up most careful consideration even down to the defendant's own personal state of affairs even if it is nothing at all to do with the crime committed, for example if they asked to pay a fine but they earn no income then they're asked to pay a more minimal amount if they are only fined for a crime.

I found this whole process very fair and straightforward however at times it was sometimes difficult to distinguish what was going on around the courtroom, there were a few other types of people in business attire where I could not distinguish their role in the court process, if I was the defendant in this instance and I were not told or informed of how the court was setup especially where such people were going round talking to solicitors I would of found that a bit unfair in terms of a trial, again this would go back to my point in technology, I just kept getting an impression that court was heavily open to manipulation in terms of how the entirety of the courtroom was being run.

## **2.3 Careful consideration**

I kept thinking to myself throughout each trial that the court was done in the utmost and most carefully considered way, occasionally you would have the note taker who sat in front of the three magistrates who clarified the meaning of some aspects of each case, she was also typing these onto a computer meaning that interpretation on case notes may be subject to human error unlike the person reading the police statements off the computer, the note taker was actually adding to information on a system, human error could mean the difference between a sentence being interpreted completely wrong, for example english has a lot of double meaning words. The computer can also be open to aforementioned attacks, power problems, sabotage and such making this in my opinion not a very amicable way to record the proceedings of a court case. I also noticed in one trial that it was possible a more serious crime during bail was going to be decided by various means whether or not the case was going to be submitted to the crown court through committal proceedings.

## **3 Conclusion**

In conclusion I left knowing a lot more about the how a magistrate court works, the proceedings that took place were varied enough to give me a wide enough scope on each of the main roles that were played out during the proceedings of each case.