



4. A word about courts and judges

4. A word about courts and judges

There are two kinds of court

Magistrates courts: the first court one goes to is a magistrates court. They either have a tribunal of 3 magistrates, or a single person sitting on their own. When it's a tribunal these are lay people, i.e. not trained lawyers, and they are advised on matters of law by the clerk, who sits in front of them. A single magistrate is a professional lawyer, a judge of some description. The judge or magistrates take all the decisions, including the outcome (guilty or not guilty) of a trial.

Crown courts: here there is a judge presiding and a jury who make the not guilty/guilty decision.

It depends on the severity of the charges against the defendant as to which court the trial itself will be held in. Some offences must be heard in the magistrates and some in the crown court, but there are some offences which can be heard in either court, and it is the defendant's choice.

The crown court can give greater sentences, but on the other hand your case will be heard by a jury. For protest cases a jury might well be sympathetic to the cause, and for this reason we usually recommend that people choose the crown court, given a choice.