

Magistrates Court Factsheet

Most criminal cases – even the most serious, such as murder – are first heard in the magistrates’ court.

The Resident Magistrate in dealing with less serious offences will decide whether the person accused of the offence (the defendant) is guilty and if so, determine an appropriate sentence.

Although many cases are entirely dealt with by a magistrates’ court, the more serious ones are sent to Crown Court. In those cases, the Resident Magistrate will decide if there is enough evidence for the accused to stand trial in a Crown Court.

You can take a guided tour of the magistrates’ court and see who everyone is in the courtroom and what they do there [click here](#).

The Magistrate: the Resident Magistrate hears the evidence of the cases before them and makes a judgment. They are addressed as ‘your worship’. Occasionally he or she wears a blue robe.

Witnesses: Witnesses are called in turn to the witness box. Before giving evidence a witness must take an oath holding a religious text, or affirm that they will tell the truth. The Holy Books of all those who are likely to come to court to give evidence are available. Witnesses will be examined and cross-examined by counsel for both parties

The Prosecution: Normally either the Police Service of Northern Ireland (PSNI) or the Department of Public Prosecutions (DPP) puts the case against the defendant. There are other organisations that can bring people to court such as; Inland Revenue, Customs and Excise and Harbour Police.

The prosecution must prove the case beyond all reasonable doubt. The prosecution will sit on the bench immediately in front of the Court Clerk. An officer of at least the rank of Inspector will represent the PSNI and a solicitor or barrister will represent the DPP.

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The Defence: If the defendant is pleading guilty or has been found guilty of the charge, their defence counsel will enter a plea of mitigation to the court (to try to reduce the sentence by explaining to the court the circumstances surrounding the offence). If the case is contested they have an opportunity, together with the prosecution, to examine and cross-examine witnesses.

Defendant: This is the person who has been charged with committing a crime. They are in court to hear everything that happens with their case. Depending on the charge before the court the defendant may remain in the main body of the courtroom or he may be brought into the dock. If the judge or magistrate decides to grant bail, the defendant is allowed to go free while their case is being prepared. If they don't get bail, the defendant is taken into custody and held in prison until the case is finished.

Court Clerk: The Court Clerk sits in the centre seat in front of the Resident Magistrate. The Court Clerk calls over the list of cases before the court and records the results. The Court Clerk administers the oath or affirmation to any person giving evidence in court. The Court Clerk is also responsible for signing remand warrants and warrants of commitment to prison.

Court security: This is the responsibility of a private security firm.

Court Reporters: Reporters often go to court to report on interesting cases. They can be television, radio or newspaper journalists. Court reporters have to follow rules when reporting cases from court. They can report names of people involved in cases, defendant's name, address, age and charges. They cannot report names and details of children who are involved in court cases nor of people involved in cases about sexual offences. Reporters are not allowed to take photographs, or record the case either with sound recording equipment or television cameras. They can however do this outside the courthouse grounds.