
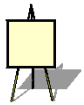





Revenue Control Inspector

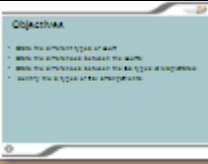
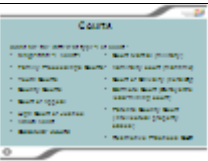
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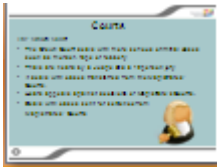

Course
notes
Day 12

Session Objectives: <ul style="list-style-type: none"> • State the different types of court • State the differences between the courts • State the differences between the two types of Magistrates • Identify the 3 types of trial arrangements 	
Materials needed: <ul style="list-style-type: none"> • RCI Law Books • Smith and Keenan's English Law • RRA 1889 and Bylaws • Case Studies folder byelaws/answers • Police and criminal Evidence Act 1984 	
	Group work
	Flip chart work
	Insert slide from presentation and place slide number underneath
	Insert this symbol when there is a link to the valuing time behaviours
	Information for the trainer (cell coloured in grey)


SESSION SUMMARY



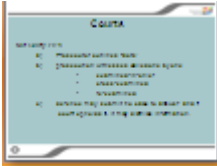
Time	Session Summary
09:00	
10:15	
10:30	
13:30	
14:45	
15:00	
16:00	

Time	Trainer Notes (Explanations, Questions, Answers, Tasks/ Aids)
09:00 Case Studies	Case studies Delegates to identify the RRA & Byelaws used. Discuss with delegates the outcomes of their task providing feedback from the trainer's case study book.
 <p>Slide 2</p>	Objectives <ul style="list-style-type: none"> • State the different types of court • State the differences between the courts • State the differences between the two types of Magistrates • Identify the 3 types of trial arrangements
 <p>Slide 4</p>	<p>What are the different types of court?</p> <ul style="list-style-type: none"> • Magistrates' Courts • Family Proceedings Courts • Youth Courts • County Courts • Court of Appeal • High Court of Justice • Crown Court • Coroners' courts • Court-martial (military)


Time	Trainer Notes (Explanations, Questions, Answers, Tasks/ Aids)
 <p>Slide 5</p>  <p>Slide 6</p>	<ul style="list-style-type: none"> • Admiralty court (maritime) • Court of Chivalry (heraldry) • Barmote Court (Derbyshire lead-mining court) • Patents County Court (Intellectual property cases) • Restrictive Practices Court <p>As an RCI, you will be required to appear as a witness for the prosecution in a Magistrate's or Crown Court. It may also be necessary for you to appear in a Coroner's Court.</p> <p>The Crown Court</p> <ul style="list-style-type: none"> • Serious criminal offences which will be tried by judge and jury • Appeals from the magistrates court - which are dealt with by a judge and at least two magistrates • Convictions in the magistrates' court that are referred to the Crown Court for sentencing. <p>Magistrates' Courts</p> <ul style="list-style-type: none"> • All criminal cases start in a magistrates' court or youth court. The vast majority will remain there, providing the offence is not considered so serious that only a crown court can deal with it.

Time	Trainer Notes (Explanations, Questions, Answers, Tasks/ Aids)
<div data-bbox="197 691 416 855" data-label="Image"> </div> <p data-bbox="255 858 358 890">Slide 7</p> <div data-bbox="197 1187 416 1351" data-label="Image"> </div> <p data-bbox="255 1355 358 1386">Slide 8</p>	<ul style="list-style-type: none"> Some cases begin in the magistrates' court and then automatically go to the Crown Court for trial by jury. Other cases are started and finished in the magistrates' court. These are where the defendant is not entitled to trial by jury. Magistrates also deal with offences where the defendant can choose trial by jury but decides to have their case heard in the magistrates' court. If the defendant chooses trial by jury, the case will be passed on to the Crown Court. <p data-bbox="450 691 866 722">Different types of Magistrate?</p> <p data-bbox="450 759 1043 791">Lay Magistrate or Justices of the Peace</p> <ul style="list-style-type: none"> Normally sit as a 'bench' of three magistrates, including one who has been trained to take the chair; the other two are referred to as 'wingers'. Although the chair speaks on behalf of the bench, all three magistrates have equal decision making responsibility. Magistrates will always have the benefit of advice on the law and legal procedures from a legally qualified legal adviser sitting in court. (Clerk to the Court) They are not paid but may claim expenses and an allowance for loss of earnings. They come from all walks of life and do not usually have any legal qualifications. <p data-bbox="450 1249 689 1281">District Judges.</p> <ul style="list-style-type: none"> District judges in magistrates' courts are required to have at least seven years experience as a Barrister or

Time	Trainer Notes (Explanations, Questions, Answers, Tasks/ Aids)
 <p>Slide 9</p>	<p>Solicitor and two years experience as a Deputy District Judge.</p> <ul style="list-style-type: none"> They sit alone and deal with more complex or sensitive cases e.g. cases arising from Extradition Act, Fugitive Offenders Act and Serious Fraud. Until August 2000 these District Judges were known as Stipendiary Magistrates, but were renamed in order to recognise them as members of the professional judiciary <p>Punishment if found guilty</p> <p>Magistrates cannot normally order sentences of imprisonment that exceed 6 months (or 12 months for consecutive sentences), or fines exceeding £5000. In cases triable either way (in either the magistrates' court or the Crown Court) the offender may be committed by the magistrates to the Crown Court for sentencing if a more severe sentence is thought necessary.</p> <p>Who decides on guilt or innocence in a Crown Court?</p> <p>Jury</p> <p>Unlike the Magistrate's Court where it is the Magistrate(s) who decide the guilt or innocence of the accused, this is the function of a Jury at a Crown Court. The role of the Judge is to guide the Jury on points of law, to pass sentence and rule on any objections/points raised during the proceedings.</p> <p>COURT PROCEDURES</p> <p>Persons may be brought before criminal courts by means of arrest (with or without warrant) or summons.</p>

Time	Trainer Notes (Explanations, Questions, Answers, Tasks/ Aids)
 <p>Slide 10</p>	<p>Offences fall into three categories, which dictate where they will be dealt with:</p> <ul style="list-style-type: none"> • Summary offences - where the defendant is not entitled to trial by jury and must be dealt with by magistrates. These include motoring charges and minor assaults; • Triable either way - such as theft, handling stolen goods and more serious assaults. Procedures take place to decide where the case will be held. The defendant can be tried by magistrates or can request a jury trial at the crown court; • Indictable-only offences - These include murder, manslaughter, rape and robbery, and must be dealt with by a judge at the crown court. <p>Magistrates Court</p> <p>When the defendant appears to answer to the charge the general procedure is :</p> <p>Statements</p> <p>AP will serve the evidence of the RCI and other witnesses on the defendant/court by way of section 9 Criminal Justice 1967, which enables the prosecution to prove the case by proof of written statement without calling the witness to attend court.</p> <p>However, if defendant writes to the court pleading not guilty and requires the witness to attend court in person</p>
 <p>Slide 11</p>	<p>Not Guilty Plea</p> <ol style="list-style-type: none"> Prosecutor outlines facts Prosecution witnesses called one by one
 <p>Slide 12</p>	

Time	Trainer Notes (Explanations, Questions, Answers, Tasks/ Aids)
	<p>a) examined-in-chief</p> <p>b) cross-examined</p> <p>c) re-examined</p> <p>c) Defence may submit 'no case to answer' and if court upholds it, it may dismiss information.</p> <p>RCI attending court</p> <p>On arrival at the court building, you must ascertain which court your case is listed for and locate the LU Prosecutor. Identify yourself, tell him/her the name of the defendant. If charges under the Bylaws have been brought, make sure that he/she has a certified copy of the Bylaws to produce for the magistrates.</p> <p>Whilst waiting to be called, there is nothing to stop you re-reading any statement etc. before going into court.</p> <p>Whilst in court the Prosecutor will lead you and they will ask if you had any reason on a particular day/date to make notes of an incident etc. You should at all times direct your answer to the Judge or magistrate. Before reading from your notebook you should ask for permission from the magistrate or judge, they may well ask you when you made the notes. This is not unusual as some companies and security firms do things differently but on LU we reply “at the time of the incident”.</p>
	Break
	Assurance Prosecutions presentation

Time	Trainer Notes (Explanations, Questions, Answers, Tasks/ Aids)
	<ul style="list-style-type: none"> Each delegate to hand to AP a full B type file for mock court next week
	Lunch
	Task <ul style="list-style-type: none"> Send half of delegates to 1st floor soft seating area <ul style="list-style-type: none"> Brief delegates that they are RCIs (confirm location etc..) Other delegates are customers give them a ticket/oyster <ul style="list-style-type: none"> Customers be co-operative but not too much ie: admit pass/ticket is not theirs Once completed check notebook entry swap over
	Break
	TASK Write a statement using the MG11 forms. Hand it to the trainer when you have finished. Trainer to check statement against notebook highlights any errors made.
16:00	End of Day 13