

## Magistrate

### Starting the day

As court starts at 10am, I like to get there about 9.30am – this gives me a chance to look through the lists to make sure none of the defendants' names are familiar as if any of the defendants are known to me, I would not be able to hear the case. There are three courts in action today: the main charges court, as it is commonly known, deals with a variety of cases, another court is dealing with breaches of community sentences, and the third has a trial listed.

### A mixed bench

I am allocated to chair the main charges court with two magistrates - a Sikh man, aged 32, who works in recruitment and was appointed about ten months ago, and a 54-year-old woman who works as cabin crew for a well-known airline. Great efforts are made to list magistrates from all walks of life to provide a 'mixed' bench in every sense to hear the cases. Before going into court we have a brief chat with our legal adviser who confirms the majority of the court business. He also identifies one potentially difficult case, where the defendant had to be taken down to the cells at the last court appearance because of his behaviour in court.

### Time for business

As always, we go into court promptly at 10am; on our appearance in court everyone stands. It is a clear sign that chatting is over and it is time for business.

### Case 1: Drink driving

The first case called on by the usher is a 45-year-old defendant who pleads guilty to driving with excess alcohol. The breath reading was at the lower end (47mg alcohol per 100ml of breath, where the legal limit is 35) and the defendant has no previous convictions or points on his driving licence. We disqualify the driver for 12 months and fine him £250 - double his weekly income, but with a one-third discount because he pleaded guilty at the first opportunity, wasting no court time.

### Case 2: Shoplifting

The second case is a woman charged with shoplifting. She too enters a plea of guilty. However, because of a very long list of previous convictions plus the fact that she already has been charged with another two shoplifting offences for which she is due to appear in court again in two weeks' time to be sentenced, we decide to adjourn the case so that all matters can be dealt with at the same time. The court on that day will be presented with a report prepared by the probation service. With this pattern of offending it is likely that there will be some sort of drug/alcohol abuse or mental health issues. People think magistrates only see bad people, but in reality many who appear before us are very sad people who have a great deal of difficulty living in our society for many reasons.

### Case 3: Assault

The third case involves two 19-year-old men, charged with assaulting the landlord of the pub where they had been drinking the previous night. We are told that they are not ready to enter a plea, as evidence has not been disclosed. The case will therefore be adjourned, but we have to consider whether or not we are prepared to grant bail. Everyone has a right to apply for bail, and we have to listen carefully to the arguments put by the prosecution and defence. After hearing evidence from the prosecution and defence, and consulting amongst ourselves, we grant conditional bail to reside at their given addresses and not to go within 100m of the pub. They are warned that if they failed to turn up at court next time, they may be committing a further offence for which they could be fined/and or imprisoned. With no more cases ready, we retire for ten minutes.

### **A search warrant**

Back in court, we are asked to hear an application for a search warrant by a police officer. The police officer relays the information, source and reasons why a warrant is needed. They wish to search a property where it is believed there were stolen goods. We ask a couple more questions and check that there are no vulnerable people likely to be there when they carry out the search. We grant the search warrant and I sign the relevant papers.

### **A court 'regular'**

The next three cases have all been in court before. After four appearances, the first defendant is ready at last to enter a plea to a charge of shop lifting - guilty. This is his 15th shoplifting offence and he has all the characteristics of a heroin addict. However, this offence took place two weeks before he was given a community sentence with a drug rehabilitation requirement. We learn that things are going well, and there are signs that this time he is determined to change his lifestyle. It's good news - but news that we have heard many times before, only to find a lapse at a later stage. However, we want to encourage him so we fine him, making sure that the goods were recovered so that there is no claim for compensation.

### **Three adjournments**

The next three cases are all adjourned for a week. One defendant's defence representative has not shown up as there was a mix up on dates. The next defendant has not shown up due to an accident, and we request medical evidence next time he appears in court. The third defendant has been arrested overnight and is appearing at another magistrates' court.

### **Last case: difficult prisoner**

The last case of the morning can now start as the prisoner has arrived. This was the potentially difficult defendant. The committal proceedings take place – he faces two charges of robbery, serious charges and if found guilty he is likely to be in prison for some time. This time he causes no trouble.

### **Reviewing the day**

Our legal adviser announces that the list had come to an end and we retire to have a post-court review. We talk about the work that we have done, whether we have come across anything new that would indicate an information need or some training, or whether there was anything that could have been handled differently. No court sitting is the same. There is always something new to learn, similar maybe but cases are different, defendants are different! So that's it for me. I am listed for just the morning session, and so go off to work.