

## CRIMINAL JUSTICE Part 2

### High Court Judge – Criminal Jurisdiction

High Court judges can hear the most serious and sensitive cases in the Crown Court (for example murder) and some sit with Appeal Court judges in the Criminal Division of the Court of Appeal. Most High Court Judges sit in the Queen's Bench Division. They will also deal at first instance with the more serious criminal cases heard in the Crown Court, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court centres out of London (known as being "on circuit").

### Circuit Judges – criminal

Circuit judges may deal with civil, family or criminal work, or divide their time between the three. Most Crown Court cases are heard by circuit judges, though less complex or serious matters may be dealt with by fee-paid Recorders. Some cases from magistrates' courts will come to the Crown Court to be heard– e.g. if the defendant has opted for trial by jury, or the magistrates decide they do not have sufficient sentencing powers to deal with a guilty party (magistrates can impose a maximum six-month sentence for a single offence, with a total of 12 months for multiple offences).

### Recorders

Recorders are fee-paid, part-time judges. For many it is the first step on the judicial ladder to appointment to the circuit bench. Recorders' jurisdiction is broadly similar to that of a circuit judge, but they generally handle less complex or serious matters coming before the court.

It is a post open to any fully qualified solicitor or barrister with at least ten years' practice before the Crown or county courts. They are required to sit for between 15 and 30 days every year with at least one ten-day continuous period. The appointment is for an initial five-year period, extendible for further successive five year terms up to the retirement age of 65.

### District Judge (Magistrates' Courts)

The role of a district judge (magistrates' courts) is to complement the work of the magistracy. They are legally qualified, salaried judges and they usually deal with the longer and more complex matters that come before magistrates' courts. District judges (magistrates' courts) also have jurisdiction to hear cases under the Extradition Acts and the Fugitive Offender Acts.

## **Coroners**

Although the post they hold is judicial, and legal qualifications and experience are often required, coroners are not considered to be members of the courts judiciary. However, for especially high-profile inquests a judge may be appointed to oversee the proceedings as a deputy coroner. A coroner is an independent judicial officer, charged with the investigation of sudden, violent or unnatural death.

### The coroners' system

Unlike the unified courts system, administered by HM Courts and Tribunals Service, there are approximately 110 separate coroners' jurisdictions in England and Wales. Each jurisdiction is locally funded and resourced by local authorities. Coroners are barristers, solicitors or medical practitioners of not less than five years standing, who continue in their legal or medical practices when not sitting as coroners. Some 32 coroners are "whole time" coroners and are paid an annual salary regardless of their caseload. The remainder are paid according to the number of cases referred to them. The coroner's jurisdiction is territorial – it is the location of the dead body which dictates which coroner has jurisdiction in any particular case.

Courts and Tribunal Judiciary [online] [dostęp 19.03.2016], dostępne w Internecie:  
<http://www.judiciary.gov.uk/about-the-judiciary/the-justice-system/jurisdictions/criminal-jurisdiction>

I. Decide if the sentences are true or false:

1. High Court judges can hear serious criminal matters on circuit.
2. Some High Court judges sit with the Appeal Court judges.
3. The Queen's Bench Division deals at second instance with more serious cases.
4. Circuit judges hear less complex and serious matters.
5. If the defendant opted for trial by jury a circuit judge will hear the case.
6. District judges are salaried judges who deal with longer and more complex matters.
7. Crown Court judges have jurisdiction to hear cases under the Extradition Acts.
8. A Recorder's jurisdiction is similar to a district judge's.
9. Coroners are members of the courts judiciary.
10. Barristers, solicitors or medical practitioners with at least 5 years standing can become coroners.

II. Match the terms with the definitions:

- |                              |   |
|------------------------------|---|
| 1 Court of Appeal            | A fee-paid, part-time judges, handle less complex cases                         |
| 2 High Court judges          | B the location of the dead body   |
| 3 the Queen's Bench Division | C independent judicial officers investigating sudden, violent, unnatural deaths |
| 4 Circuit Judges             | D hears appeals in criminal matters from the Crown Court                        |
| 5 district judges            | E they deal with civil or criminal cases out of London                          |
| 6 coroners                   | F can hear the most serious cases in the Crown Court                            |
| 7 Recorders                  | G the highest English common law court  |
| 8 coroner's jurisdiction     | H legally qualified, salaried judges  |

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