



A Client Guide on
Magistrates Court Proceedings
at Trial

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MAGISTRATES' COURT PROCEEDINGS AT TRIAL

This Client Guide is designed to explain what will happen on the day of your trial.

1. When you are called into Court you will be shown where to stand / sit and the Court Clerk will read over the charge to you and then the trial will begin.
2. **The Prosecution Case.**
 - (a) The Prosecutor will outline the prosecution case against you to the Magistrates.
 - (b) The first witness will then be called. The witness will stand in the witness box and take the oath. The Prosecutor will then ask questions of the witness.
 - (c) Your solicitor will then question the witness on your behalf.
 - (d) The Prosecutor may then ask some more questions of the witness as a result of anything that arises from the defence questioning.
 - (e) The Magistrates may then ask the witness questions if they wish to do so.
 - (f) Each prosecution witness will then be called in turn and the same procedure will be followed.
 - (g) Some of the prosecution statements may be read to the Magistrates because they are not in dispute.
 - (h) The Prosecutor or the police officer that interviewed you will read a summary of the police interview to the Court. Sometimes the interview tape itself is played instead.
3. We will then advise you whether there is a case against you to answer. If there is not we will make the necessary submission to the court on your behalf. You may not then have to give evidence. If there is a case to answer or the application does not succeed then the case will proceed as set out below.
4. **The Defence Case.**
 - (a) If you chose to give evidence you will stand in the witness box and take the oath. Your solicitor will then ask you questions giving you the opportunity to tell the Court your version of events. You will also be asked questions about what the Prosecution witnesses have said against you.
 - (b) You will then be questioned by the Prosecutor.
 - (c) Once the prosecution questions have finished, your solicitor may ask you more questions.
 - (d) The Magistrates may then ask you questions if they wish to do so.
 - (e) Defence witnesses (if any) will then be called in turn and the same procedure will be followed.
5. Once the last witness has finished giving evidence your solicitor will address the Magistrates on your behalf.
6. The Magistrates will then leave the courtroom to reach their decision and in due course will return to tell you whether they find you Guilty or Not guilty.
7. If you are found Guilty, the Magistrates may then pass sentence or adjourn the case for the preparation of a pre-sentence report by the Probation Service.

If you have any queries about your proceedings please contact Thursfields us at

27 Church Street
Kidderminster
DY10 2AJ
Tel No : 01562 820575
Fax No : 01562 512497

42 Foregate Street
Worcester
WR1 1EF
Tel No: 01905 730450
Fax No: 01905 730499