

A-Z of the Criminal Justice System

The criminal justice system is made up of a number of agencies, each responsible to a government department. In Hampshire and the Isle of Wight these agencies come together as the Local Criminal Justice Board.

Please click on the letters below to take you to the relevant section

A

Alcohol Treatment Requirement (ATR)

The ATR focusses on offenders who are dependent on alcohol or whose alcohol use contributes to their offending. The aim is to reduce or eliminate the offender's dependency on alcohol.



Arrest

An arrest occurs when a person has been taken into police custody and is no longer free to leave. A police officer can tell a crime suspect they are 'under arrest' and the arrest is then complete.

B

Bail

A person can be released on bail at a police station after they have been charged with a crime. This means a person can go home until their court hearing. If a person is given bail they may have to agree to bail conditions, for example, reporting to a police stations at agreed times.

Barrister

A barrister is a legal professional that speaks in court and presents the case before a judge or jury. They are generally appointed by solicitors to represent a case in court. A barrister pleads a case on behalf of the client and their solicitor.

C

Community Rehabilitation Company

The private arm of probation services. The CRC supervise the low to mid risk offenders. In Hampshire this is run by Interserve.

Community Order

A Community Order is a community based sentence for adult offenders which can consist of one or more requirements for the individual to complete during the duration of the order which could be up to 3 years. If a Community Order is breached, the court can amend it by making it more onerous, or it can revoke and resentence, which may mean custody, even where the original offence was not punishable by imprisonment.

Crown Court

A crown court deals with serious criminal cases, for example murder, rape, robbery. A crown court usually has a jury which decides if a person is guilty or not guilty and has a judge who decides what sentence a person gets. It also deals with appeals against a magistrates' court conviction or sentence and cases passed from a magistrate's court for trial or sentencing.

Crown Prosecution Service

You will often hear this being referred to as the CPS. It prosecutes criminal cases that have been investigated by the police. (They are?) It is independent and makes its decisions independently of the police and government. It is the duty of the CPS to make sure the right person is prosecuted for the right offence and to bring offenders to justice wherever possible.

D

Defence

A defence case is presented by or on behalf of the party accused of a crime or being sued in a civil lawsuit.

Drug Rehabilitation Requirement

The DRR is a community order to provide treatment and support for your crime and drug use. It is a voluntary punishment option for those facing criminal charges.

E



Electronic Monitoring

Individuals can be sentenced at Court to an order with a requirement to wear a 'tag' and be electronically monitored on a curfew to their home address. This service is managed by EMS (Electronic Monitoring Service)

F

Fixed Penalty Notice

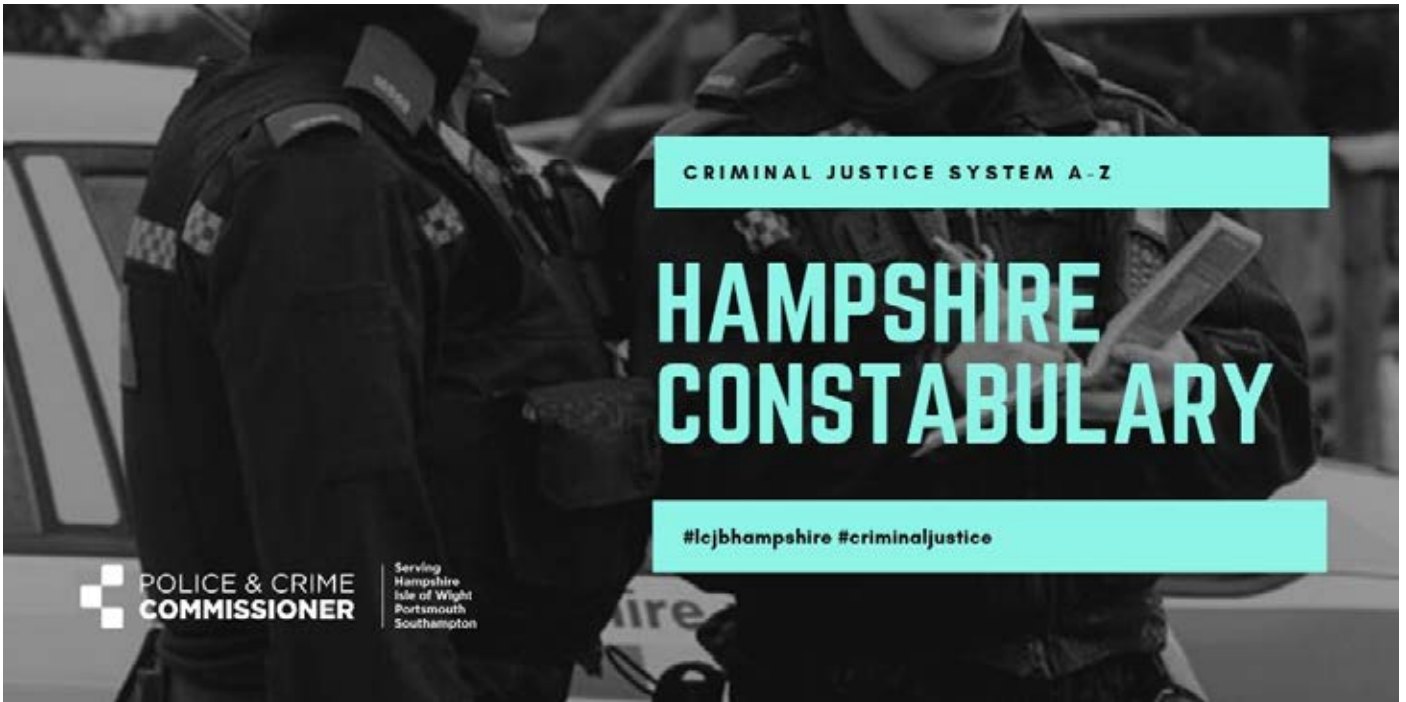
A Fixed Penalty Notice is an administrative alternative to prosecution before the Magistrates' Court which includes a fine and in most cases penalty points too. An individual is issued with a notice on the spot or through the post from the police.

G

Guilty

A person can be found guilty when they have committed an offence, crime or violation against the law. A jury in a crown court can find a person guilty. A defendant can also plead guilty in response to a criminal charge.

H



Hampshire Constabulary

Hampshire Constabulary is one of the biggest forces in the country, whose purpose is to deliver safer communities. It polices over 1,500 square miles and significant transport networks including the M27 and M3, key rail hubs and two international airports and critical national infrastructure. The Chief Constable is Olivia Pinkney. For more information go to www.hampshire.police.uk

HMPPS

HM Prison Service is a part of Her Majesty's Prison and Probation Service, which is the part of Her Majesty's Government, charged with managing most of the prisons within England and Wales.

Home Detention Curfew (HDC)

A Home Detention Curfew (HDC), is a scheme that allows certain offenders to be released from prison early subject to an electronically monitored curfew (tag).

I

Independent Custody Visitors (ICVs)

Independent Custody Visitors are members of the local community who visit police stations unannounced to check on the treatment of detainees, the conditions in which they are being held and that their rights and entitlements are being observed.

The actual timing of visits is entirely a matter for the pair of visitors, but should be random and unannounced (this includes evenings and weekends). ICVs visit custody suites in Basingstoke, Portsmouth, Southampton and Newport, Isle of Wight. ICVs present their reports Michael Lane, the Police and Crime Commissioner.



Integrated Offender Management (IOM)

IOM brings a cross-agency response to the crime and reoffending threats faced by local communities. The most persistent and problematic offenders are identified and managed jointly by partner agencies working together.

J

Judge

A judge is a public officer appointed to decide cases in a law court and oversees court proceedings. They are a magistrate charged with the administration of justice. The judge conducts a trial impartially.

Jury

A jury is a group of people, usually 12, who are sworn in to give a verdict in a legal case on the basis of the evidence submitted to them in court.

K

Knowing your rights and the law

Police and Crime Commissioners are responsible for scrutinising the performance of the police force by holding the Chief Constable to account on behalf of the community. Residents of Hampshire and the Isle of Wight can contact Michael Lane, the Police and Crime Commissioner for the Hampshire Constabulary Policing area to make a suggestion or a complaint about how the local area is policed.

If you're arrested, you'll usually be taken to a police station, held in custody in a cell and then questioned. After you've been taken to a police station you may be released or charged with a crime. When in custody the Custody Office at the police station must explain your rights. For full details on your rights and the law, go to www.gov.uk

L



Law

The law is a system of rules which a particular country recognises as regulating the actions of its members and which is enforced by penalties. Laws are to keep the peace and security of society.

Local Criminal Justice Board (LCJB)

The LCJB brings together the strategic leads from all the agencies who are responsible for delivering criminal justice services in the local area. It enables agencies to work together to support each other to achieve an effective and efficient service for victims, witnesses and offenders.

M

Magistrates' court

All criminal cases start in a magistrates' court. There is not a jury in a magistrates court. They normally handle cases known as 'summary offences', such as motoring offences, minor criminal damage or common assault. Magistrates' courts always pass the most serious crimes to crown court, for example murder, rape and robbery.



MAPPA

Multi-Agency Public Protection Arrangements allow for the assessment and management of the risks posed by sexual and violent offenders.

Ministry of Justice

The MOJ is a major government department at the heart of the criminal justice system. It works to protect and advance the principles of justice. It is responsible for courts, prisons, probation services and attendance centres.

N

Not guilty

Not guilty can be a plea by a criminal defendant who intends to contest the charges that have been made against them. A jury in a crown court can find an offender guilty or not guilty.

O

Offender

An offender is a person who commits an illegal act and has committed a crime.

Disposal	What does it mean for the detained person?	Cor / Ad
No further action (NFA):	The police don't intend	N/A
Community resolution	They agree to make amends to the victim	Yes
Warning (cannabis, khat)	Verbal warning. Future possession likely to result in a PND. 18+ only.	No /
Warning (harassment)	Given a letter advising them that if they do the same thing again	No /
Penalty Notice for Disorder	Sign penalty notice. Pay	No /
Youth Caution	Enough evidence to charge but not in public interest. 10-17 year olds	No /

Out of court disposal

An out of court disposal is a method for resolving an investigation for offenders of low level crime and anti-social behaviour, when the offender is known and admits the offence. This enables the police to spend more time on frontline duties tackling serious crime. This can include a conditional caution, which is issued if the offender admits an offence and accepts the conditions.

P

Police and Crime Commissioner

Michael Lane is the Police and Crime Commissioner serving Hampshire, the Isle of Wight, Portsmouth and Southampton. The Police and Crime Commissioner is responsible for holding the Chief Constable to account for the performance of Hampshire Constabulary. Beyond policing, the Commissioner funds projects and services that support victims and reduce offending to keep local residents and their families safer.

Under the Police Reform and Social Responsibility Act 2011 PCCs have dual local duties, to ensure an efficient and effective police service and to also work with criminal justice agencies to ensure an efficient and effective criminal justice system.

Police Led Prosecution

The police now have more discretion to prosecute some high volume offences, which cause serious harm to communities, quickly and efficiently through the criminal justice system. The Crown Prosecution Service is still responsible for prosecuting crimes, while the police have the power to prosecute some uncontested traffic offences (like speeding, driving without insurance or failing to produce a driving licence)



Pre-sentence report

This report is completed by the National Probation Service (for adults) and Youth Offending Team (young people) in order to assist Magistrates and Judges to sentence people at court effectively.

Prison

A prison is where people are legally held as a punishment for a crime they have committed or while awaiting trial. There is a prison in Winchester in Hampshire and in Newport on the Isle of Wight.

Probation

Probation means a person is serving a sentence, but they are not in prison. A person could be put on probation because they are serving a community sentence or have been released from prison on licence or on parole.

Probation services

The national probation service is a statutory criminal justice service that supervises high risk offenders released from prison in to the community. The NPS works with Her Majesty's Prison and Probation Service. Hampshire Probation Service is based in Southampton and can be contacted on 03000 472800. Lower risk offenders are supervised by the CRC (see CRC).

Q

Judge QC

Is an eminent lawyer (usually a barrister or advocate) who is appointed by the monarch to be one of "Her Majesty's Counsel learned in the law."

R

Restorative Justice (RJ)

RJ gives victims the chance to tell offenders the real impact of their crime, get answers to their questions and get an apology. RJ holds offenders to account for what they have done. It helps them understand the real impact, take responsibility, and make amends

S

Sentencing

A sentence is a decree of punishment of the court in criminal procedure. In law a sentence forms the final explicit act of a judge-rules process. Guidelines exist for consistency of sentencing.



Solicitor

A solicitor generally meets with clients, does preparatory and administrative work and provides legal advice

Statement – Victim Personal Statement (VPS)

The VPS gives victims a voice in the criminal justice process by helping others to understand how a crime has affected the victims. If a defendant is found guilty, the court will take the VPS into account, along with all the other evidence, when deciding upon an appropriate sentence.

Suspended Sentence Order

A suspended sentence order (SSO) is a custodial sentence and is only used when the court passes a custodial sentence of less than 12 months. It can be made up of the same requirements as the Community Order. The SSO consists of an 'operational period' (the time for which the custodial sentence is suspended) and a 'supervision period' (the time during which any requirements take effect). If the SSO is breached, the court must activate the suspended sentence unless there are strong reasons for not doing so. If such reasons are found, the court can impose more onerous requirements or lengthen the supervision period.

T



Trial

A trial is the formal examination of evidence by a judge, typically before a jury, in order to decide guilt in a case of criminal or civil proceedings.

U



Unpaid Work / Community Payback

Unpaid work can be added as a requirement of a community order or suspended sentence order and is a punishment which requires offenders to pay back the community for the crimes they have committed. The courts can request for an individual to complete between 40 to 300 hours. Members of the public can nominate community projects that can be completed by individuals or groups of offenders on community payback. You can nominate a project at: www.hiowcrc.co.uk

V

Victim Care Service

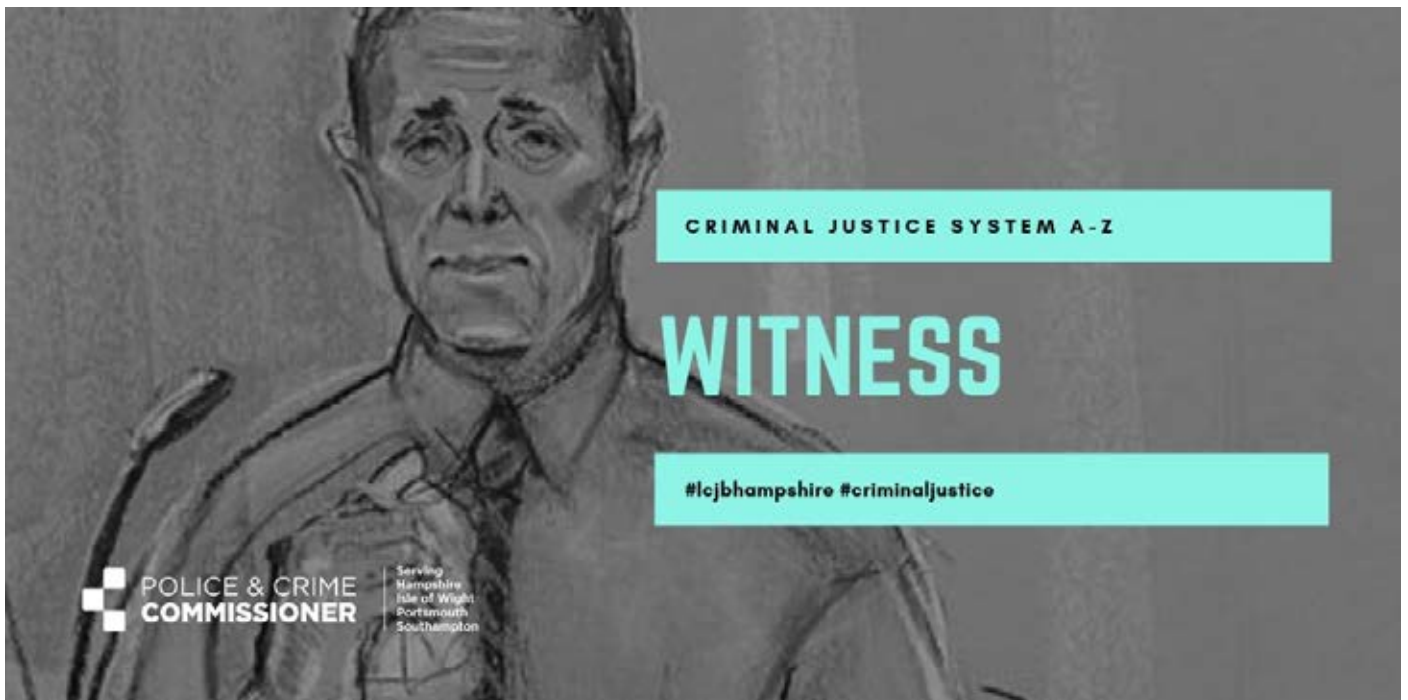
The Police and Crime Commissioner contracts Victim Support to provide the Victim Care Service to work with victims and those affected by crime in the Hampshire Constabulary policing area to help them cope and recover from the crime they have experienced. The Commissioner will be investing £850,000 in the service every year for up to five years to help further enhance the support provided to victims.

This investment will provide support to anyone impacted by crime, whether it was reported to the police or not and whether it is recent or non-recent. Increased investment provides a focus on delivering support via specialist case workers working with children aged four and over, young people, repeat victims, the vulnerable and intimidated, those persistently targeted and victims of the more serious crime such as domestic abuse and sexual violence.

Victim Code of Practice

The Code of Practice for Victims of Crime (the Victims Code) is the statutory code that sets out the minimum level of service that victims should receive from the criminal justice system, and the time-frame in which they must do it.

W



Witness

A witness is a person who appears in a court of law to say what they know about a crime or other event, this means they testify in court.

Witness Service

Witness Service provide free and independent support for both prosecution and defence witnesses in every criminal court in England and Wales. Trained volunteers provide practical information about the process, as well as emotional support to help witnesses feel more confident when giving evidence

X

EX- Offenders

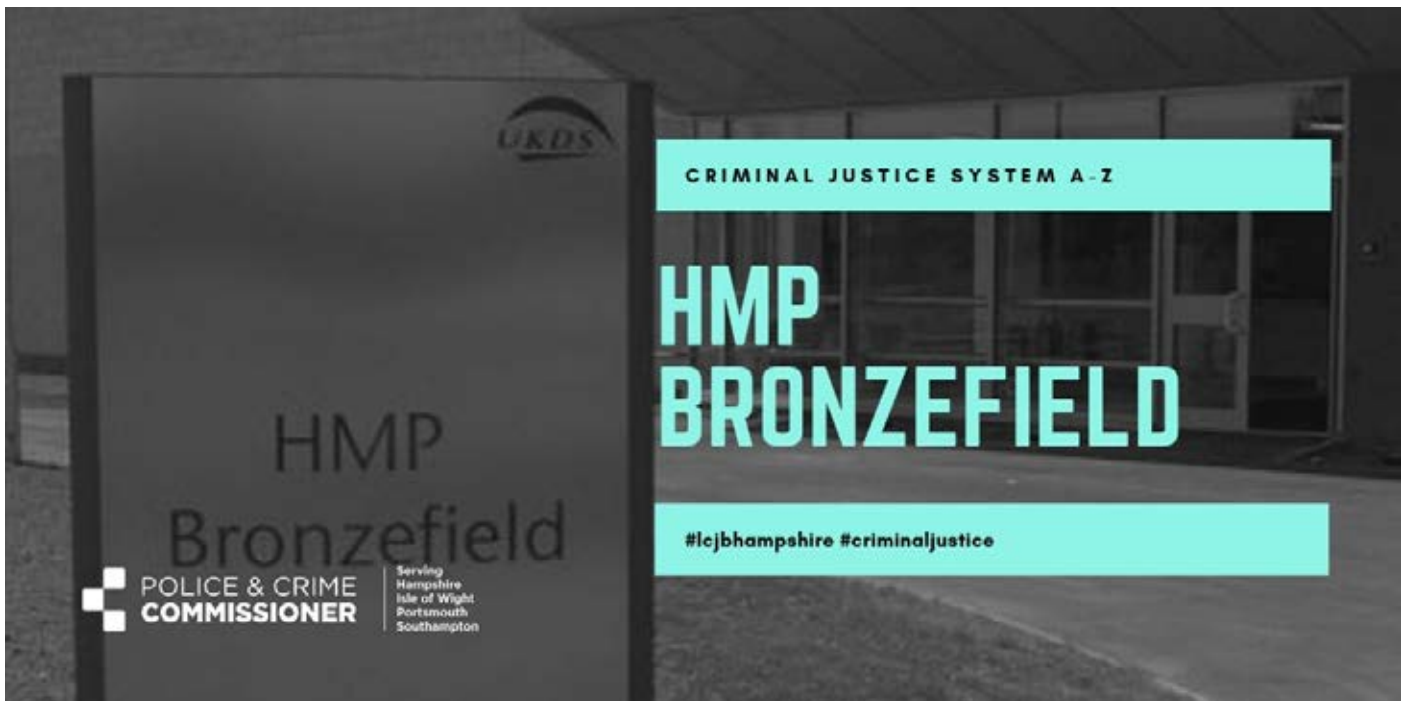
For a certain length of time following their sentence an ex-offender is legally required to tick a box on an application form which asks whether they have any 'unspent' criminal convictions.

Y

Youth Offending Teams (YOTs)

YOTs work with young people that get into trouble with the law, are arrested or taken to court and provide support and interventions to help young people not get back involved in crime.

Z



HMP BronZefield

The closest prison for female Hampshire prisoners which is located in Surrey.