

The Criminal Justice System in the UK

Introduction

Criminology refers to the branches of Sociology and Law which are focused on the way a country comes together to institute their criminal justice system and deal with crime and criminals to ensure the harmony of the society. Every society has its own system of detecting, trying and convicting criminals. The purpose of this essay is to examine the main institutions of the criminal justice system of England and Wales. This will include the identification of the roles of the different institutions and how they work together to achieve control and reduce crime in the country.

Officially, the aim of the Criminal Justice System of England and Wales is to “deliver justice for all, by convicting and punishing the guilty and helping them to stop offending, while protecting the innocent.” This means that the criminal justice system is primarily concerned with the detection of crime, arrest of criminals, bringing them to justice and also implementing the orders of the court including incarceration, collection of fines and community sentences. Usually, detection and processing of crime is done by the police. This is processed to the courts where the Crown Prosecution Service present a case for the state. This is followed by the implementation of sentences or convictions and this is done by the correctional services and other related entities. These institutions work hand-in-hand to ensure that there is a stable and safe country for citizens to enjoy their lives.

The Police

The police service is the first point of call for all criminal cases in England and Wales. The duty of the police is to document complaints by the public, investigate incidents, officially detect these incidents and make arrests where reasonable suspicion exists. The police have a primary obligation of keeping order at the national and local level. They are trained to have a perception of criminal and anti-social behaviours. This leads to the detection of issues and crime that ought to be given prompt attention by the state.

Detection and arrests of criminal suspects lead to the documentation of the relevant details of the alleged crime. This includes the documentation of the basic details of the suspect and questionings relating to the actual crimes and acts in question. This is something that must be done through the proper procedures of the Police and Criminal Evidence Act (1984) which provides information about how the police must conduct their affairs and the rights of suspects upon arrest.

The police have to record details in a form that can be handled by the Crown Prosecution Service (CPS). They are in charge of the prosecution of the crime in court. Thus, they liaise with the police in gathering evidence for further processing in the criminal justice system. The police is under the office of the Home Secretary and hence, under the guidance of the Executive arm of government.

Crown Prosecution Service

The Crown Prosecution Service (CPS) is under the supervision of the Attorney General. The CPS is the main prosecution agency in Britain and their duty is to process and prosecute suspected criminals by preparing a docket and a set of arguments that are presented to the courts awaiting prosecution and conviction.

The CPS has the responsibility of providing legal advice to the police on how to carry out criminal investigations on specific cases. Thus, in cases where a suspect is in custody or a case is spending, the CPS officials have the obligation to ask for specific investigations by government investigative bodies and by the police to search and ask questions about important things and important matters. This ensures that evidence about a particular case can be summed up and utilised in ways that enable them to gather enough information against a suspect in court.

The role of prosecution involve the presentation of the facts of a given case and the presentation of this information in ways that ensure the relevant details are given and a reason for convicting a suspect is presented. The CPS staff present evidence and provide reason for conviction. They act as a conscience of the state and prove beyond reasonable doubts (or try to do so) in cases which are deemed fit. In some cases, the CPS also determine whether cases can be prosecuted or not. This is based on the circumstances of the case.

The CPS is viewed as independent. Due to this they operate under the Attorney General and are in some cases directly answerable to Parliament. In most situations, they operate autonomously to avoid manipulation and control from any arm of government.

The Courts

Criminal cases are presented to criminal courts which include the Magistrate Courts and the Crown Courts. These cases are processed from the police to the courts by the CPS prosecutors who present the case in a form that present the wrongs and negatives that were conducted by the suspect. The cases are stated in the form of the Republic Versus the Suspect. Thus, we have the cases like R V Smith which shows that there is a CPS prosecutor standing in lieu of the Republic to bring charges against the Suspect, Smith in the example above.

The court staff including the court clerk and bailiffs act as the administrators of the case and they present summons to the accused person or they are simply transferred to court by the police or

a correctional office if they are already in custody. The court has the duty to hear the facts of the case, and the prosecution of the CPS staff. This includes the presentation of the reason why the alleged person has to be convicted. The court also hears the submissions of the suspect or the accused person. This includes the presentation of evidence and a defence.

The court has to administer the case and listen to all the facts and in cases, allow for the cross examination of witnesses. This brings together the claims and the demands by the prosecution team and the defendant's team. This leads to major procedures and processes that might cause major processes that leads to a decision by the court.

The court system is also positioned to form and hear cases under a jury provided certain conditions are met. A jury includes 12 people taken randomly from the electoral roll who are directed by a judge based on the legal traditions and other legal technicalities. The jury decides on a case and a situation. Such a decision is seen to be representative of the community.

In cases where a person is pronounced guilty by a jury or a judge, there is a sentencing that is pronounced by a court. Sentences are moved to other branches of the criminal justice system because they provide a mandate which must be enforced or implemented.

Implementation of Sentences

Sentences passed in courts in England and Wales are enforced by different agencies. The magistrate courts are responsible for implementing and enforcing fines according to the Courts Act of 2003. This means that where there are fines, the courts will have to use their administrative staff to collect the fines and follow up with warnings and notifications and sometimes negotiations on how to pay these fines.

National Offender Management Service (NOMS) is an executive agency of the Ministry of Justice and it is fundamentally involved in the correctional services of England and Wales. It was formed by a merger of the National Probation Service and Her Majesty's Prison Service. They also have some functions related to the Home Office in relation to dealing with foreigners who are living in the country illegally or require some kind of treatment.

Her Majesty's Prison Service is involved in the incarceration and the safe custody of convicted people who are given custodial services. They are tasked with the obligation of ensuring that these convicted persons are kept within the confines of specific facilities, properly supervised at all times and also corrected so they reduce their reoffending probabilities. HM Prison Service is a major entity and controls and manages all prison facilities in the UK.

The Probation Service is made up of a staff of professionals who supervise non-custodial sentences or probations. This includes a situation where the custodial sentence is commuted to a probationary service. Such persons are seen to be high-risk individuals. As such, they are

required to live under supervision and this is done by the Probationary Service. Their job is to ensure the stay in constant touch with convicted persons who are doing community service and/or probation.

Another aspect of the National Offender Management Service is the Youth Justice Board. They are specialised in concentrating on the sentencing of juveniles under the age of 18. They are responsible for providing these children with the right treatment that enables them to become more responsible adults.

Conclusion

The Criminal Justice System of the England and Wales is made up of a series of interrelated facilities and institutions. That involve the police who are at the frontline of the arrest and documentation of criminal events as well as preliminary investigations. This is followed by the courts who prosecute under the direction of the Crown Prosecution Services. When there are custodial sentences this is handled by the National Offender Management Service which includes the Probationary Service, Her Majesty's Prison Service and the Probation Service.

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