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What are the
different types of
criminal offences?

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There are three categories of criminal offences in the U.K.:

- (1) Summary Offences**
- (2) Either Way Offences**
- (3) Indictable Only Offences**

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SUMMARY OFFENCES

Summary offences can only be tried at the “**Magistrates Court**” (*except where the offence is linked to a more serious offence that has been sent to the Crown Court*).

Examples of summary offences include:

- most driving offences (except dangerous driving or where a fatality has occurred)
- common assault involving minor injury

The **maximum sentence** that can be imposed on an adult defendant for a single offence is **6 months**’ imprisonment and/or a fine (at the moment) - this will be changing to **12 months**.

Solicitors will generally represent their clients in the Magistrates Court (i.e. not a barrister)

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EITHER WAY OFFENCES

Either way means the offence can be dealt with in **EITHER** the Magistrates Court or the Crown Court.

The range of offences are wide and can include:

- Theft
- Burglary
- Possession of drugs
- Possession with intent to supply drugs
- Affray
- Actual Bodily Harm (ABH)

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The “Either Way” offences are first heard in the Magistrates Court.

The Magistrates Court will then decide if it has sufficient sentencing powers for the case.

If not, the case is sent to the Crown Court (where there are greater sentencing powers).

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INDICTABLE ONLY OFFENCES

Indictable only offences are the **most serious** offences and they are only dealt with in the **Crown Court**.

The accused will first appear in the Magistrates Court as a matter of procedure but the case is immediately sent to the Crown Court.

If the case goes to trial, a **Jury** will decide the defendant's **innocence or guilt** but the **Judge** always decides the **sentence**.

Examples of offences are murder, manslaughter, robbery, rape.

Any questions?!

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