12. Pre-Trial Matters

This chapter on the criminal justice system focuses on preliminary issues, i.e., some of the issues that take place before trial begins. A prosecution begins at the earliest stage through a defendant being charged by the police but under the authority of the Crown Prosecution Service (CPS). The CPS must then review the decision to prosecute, which requires the CPS to have reference to two prosecution tests (evidential and public interest tests). The CPS has the ability to issue out-of-court disposals in appropriate cases as alternatives to prosecution. If a prosecution does take place it is necessary to identify in which court the proceedings will be heard. Crimes are divided into three categories: summary, indictable-only, and either-way. Criminal matters are heard in the magistrates’ court and the Crown Court and the categorization of offences has an impact on where the matter should be heard.
12. Pre-Trial Matters

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