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**MAGISTARTES COURTS AND PROVINCIAL COURTS CIRCUITS**

**Information about the Magistrates courts and Provincial Circuits.**

DESIGN

**PAGE 2 The Magistrates Courts.**

The Magistrates court is one of the courts in Solomon Islands. It hears criminal and civil cases that are simple and straight forward.

There are 3 types of Magistrates who hear cases in the Magistrates courts. They are second class, first class and Principal Magistrates. They can all hear criminal cases.

Principal Magistrates can hear more serious cases that second and first class Magistrates cannot hear. They can pass sentence of up to 10 years imprisonment

If someone is charged with doing something wrong against the law, e.g, stealing, damaging property, criminal trespass, common assault, throwing objects etc, that person will be charged by the Police and their case will go before a Magistrates court where a Magistrate will hear the stories of the witnesses and the story of the accused.

The Magistrate will decide if the person is guilty. If he is guilty he will be punished. If he is not

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**ABOUT THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS**



The Office of the Director of Public Prosecutions was established to start, undertake criminal proceedings against any accused person before any court. The office acts as lawyer for victims and complainants in criminal cases.

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### PAGE 3 About the Magistrate

The DPP's office has a Magistrate Court Unit

The unit looks after all matters in the Magistrates' Court and is serviced by all Senior Legal Officers and occasionally by Principal Legal Officers.

The ODPP Prosecutors prosecute all serious matters in the Magistrate Court where Principal Magistrates preside.

Police Prosecutors prosecute minor cases in the Magistrates courts where First and Second class Magistrates preside.

Minor cases which are of national interest are prosecuted by ODPP Prosecutors.

This unit also looks after all Provincial Court circuits which are held around the provinces.

The Lawyers in the unit prepare cases and present cases in the Magistrates court.

They keep records of all the cases in the Magistrates courts.

They meet with witnesses before the case starts in court.

They also meet with lawyers of accused persons

### PAGE 4 Type of Cases heard in the Magistrates Courts.

Cases that can be tried in the Magistrates Courts are;

1. Common Assault;
2. Assault causing grievous harm or Bodily Harm;
3. Indecent Assault;
4. Defilement (victim under the age of 15 and above the age of 13);
5. Arson;
6. Grievous harm;
7. Armed Robbery etc.
8. Corruption, fraud, stealing, abuse of office, etc
9. The Magistrates courts conduct preliminary inquiry in serious matters like Murder, Attempted Murder, Rape, Attempted Rape, Money Laundering etc. After preliminary inquiries those matters are committed to the high court for trial.

### PAGE 5 Magistrates Courts Circuits

The Office of the Director of Public Prosecutions (ODPP) not only prosecutes in the Central Magistrate Court but we also attend Magistrates Courts Circuits in the provinces as scheduled in the Magistrate Court's Calendar.

At least one Prosecutor attends Provincial circuits unless the ODPP does not have any matters in that Provincial circuit.

Magistrate Court circuits are held in all Provinces, Lata-Temotu, Kira kira—Makira Renell and Bellona, Marau—Guadalcanal , Yandina/Tulagi-Central Province, Buala-Isabel Province, and Western Province .

Offences that are committed in the provinces are tried in the provinces.

Accused persons and witnesses will go to where the circuit is held for their cases.

All cases that start during a circuit will be completed in that circuit. Accused persons and witnesses must attend court everyday