14th February

Attending Magistrates’ Court for sentencing hearing.

Outline of the facts presented by the CPS. I submitted a lengthy plea in mitigation. For the offence of common assault, Mr Martin was given a community sentence with a requirement of unpaid work for 60 hours, plus an 18 month rehabilitation activity requirement (which includes supervision by the probation service) and the imposition of an anger management programme requirement. Compensation of £100 was ordered in relation to Mr Taylor. For the careless driving offence, Mr Martin was given 9 penalty points on his licence and fined £450. For the offence of failing to stop and report, Mr Martin’s licence was endorsed with no separate penalty. I called him to the witness box and made a submission of exceptional hardship. This was accepted by the magistrates. Mr Martin was also ordered to pay prosecution costs of £130. All sums to be paid off at the rate of £100 per month.

I spoke to Mr Martin after the hearing. He seemed relieved.

Time engaged:
Advocacy: 40 minutes
Attending client: 15 minutes
Preparation for hearing: 10 minutes
Waiting: 10 minutes
Travelling: 20 minutes

You can view the actual sentencing hearing of this scenario on the Online Resource Centre.

We would ask you to note that when this scenario was filmed, the 'new' sentencing options under the Criminal Justice Act 2003 were not in force. Consequently the sentence passed on the video is based on the law prior to April 2005. The pre-sentence report (document 13) and the note of the hearing (document 16) reflect the 'new' sentencing terminology. A transcript of the prosecutor's outline of the facts and the submissions made by Mr Martin’s solicitor are contained in document 17.