**CHAPTER 14**

1.  The bill of indictment is the document that contains the charges against the defendant on which he is arraigned at the commencement of a trial on indictment.

2.  More than one offence may be charged in the same indictment where the offences are either founded on the same facts or form or are part of a series of offences of the same or similar nature, . The decision will be taken by the court after having regard to submissions made by the prosecutor and the defence advocate as well as the requirements of the ‘overriding objective’ in Crim PR Part 1 and s5(3) Indictments Act 1915.

3.  For a submission of no case to answer to succeed before a Crown Court judge, the defence advocate must satisfy the test laid down in R v Galbraith [1981] 2 All ER 1060 (see para. 14.11).

4.  There is a strict separation of function between judge and jury in the Crown Court. The jury determines all issues of fact, while the judge determines all issues of law. Whenever a point of law arises it must be aired in the absence of the jury. This protects the jury from hearing what might be prejudicial information regarding the defendant. Generally speaking, most issues of law, particularly disputed evidence, are resolved before trial at a pre-trial hearing. Sometimes, a voir dire (or trial within a trial) is required to determine admissibility of evidence.

5.  The trial judge oversees the trial process. It is the duty of the trial judge to ensure the defendant enjoys a fair trial. At the conclusion of the trial the trial judge sums up the case for the jury. The summing-up is important because it represents the last words said in the trial. The judge will remind the jury of the evidence they have heard and, crucially, he will direct them on the law. Any errors or omissions during the summing-up may provide a convicted defendant with grounds for appeal.

6.  A litigation or attendance certificate is granted by a judge in the Crown Court and ensures payment by the LAA for the services of a solicitor or other legal representative at the Crown Court attending counsel.