

COMMUNITY AND SAFER CITY SCRUTINY COMMITTEE

DEVELOPING CONFIDENCE IN THE CRIMINAL JUSTICE SYSTEM – MAGISTRATES COURT

REPORT OF THE CHIEF EXECUTIVE

20 APRIL 2010

1.0 Purpose of Report

- 1.1 To receive a report from Lisa Shotton, Legal Adviser with Sunderland Magistrates Court on the work of the Courts and measures being taken to develop confidence in the Criminal Justice system.

2.0 Background

- 2.1 At the beginning of the year, members requested that an item be included on the Committee's work programme on the work of the Magistrates Court and in particular the action being taken to develop confidence in the criminal justice system.
- 2.2 The UK's Magistrates' Courts are a key part of the criminal justice system, handling around 95% of overall cases. In addition magistrates' courts deal with many civil cases e.g. family matters, liquor licensing and betting and gaming.
- 2.3 Cases in the magistrates' courts are usually heard by a panel of three magistrates (Justices of the Peace) supported by a legally qualified Court Clerk.
- 2.4 Magistrates are appointed by the Crown (retiring at the age of 70). They are not paid but may claim expenses and an allowance for loss of earnings. They come from all walks of life and do not usually have any legal qualifications. Qualified clerks advise them on the law. They are unpaid but receive travel and subsistence allowance. There are around 30,000 in England and Wales. They undergo a substantial amount of training supervised by the Judicial Studies Board.
- 2.5 Magistrates cannot normally order sentences of imprisonment that exceed 6 months (or 12 months for consecutive sentences), or fines exceeding £5000. In cases triable either way (in either the magistrates' court or the Crown Court) the offender may be committed by the magistrates to the Crown Court for sentencing if a more severe sentence is thought necessary.

2.6 Lisa Shotton, Legal Advisor at Sunderland Magistrates Court will attend the meeting to outline the work the work of the Court.

3.0 Recommendation

3.1 Members are asked to note and comment upon this report.