



Ministry
of Justice



Judicial
Office

Reform of Local Justice Areas

**Consultation on the future administrative
structures of the magistracy**

March 2025

CP 1286



Reform of Local Justice Areas

Consultation on the future administrative structures of the magistracy

Presented to Parliament by the Lord Chancellor and Secretary of State for
Justice by Command of His Majesty

March 2025



© **Crown copyright 2025**

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/official-documents

Any enquiries regarding this publication should be sent to us at ljaconsultation@justice.gov.uk

ISBN 978-1-5286-5500-2

E03309636 03/25

Printed on paper containing 40% recycled fibre content minimum

Printed in the UK by HH Associates Ltd. on behalf of
the Controller of His Majesty's Stationery Office

About this consultation

To:	This consultation seeks views from magistrates in England and Wales who may be impacted by the proposed replacement structure consequential to the abolition of local justice areas; from other individuals or groups with a particular interest in the magistracy as well as members of the public more broadly.
Duration:	From 31/03/25 to 23/06/25
Enquiries (including requests for the paper in an alternative format) to:	Magistrates Policy Team Post Point 9.20 Ministry of Justice 102 Petty France London SW1H 9AJ Email: ljaconsultation@justice.gov.uk using the subject line 'CONSULTATION ENQUIRY – LOCAL JUSTICE AREA REFORMS'
How to respond:	Please respond online at https://consult.justice.gov.uk/digital-communications/reform-of-local-justice-areas-consultation by 23/06/25
Additional ways to feed in your views:	Magistrates Policy Team Post Point 9.20 Ministry of Justice 102 Petty France London SW1H 9AJ Email: ljaconsultation@justice.gov.uk
Response paper:	A response to this consultation exercise is due to be published in Autumn 2025.

Contents

Foreword from the Minister for Courts and Legal Services	3
Foreword from the Senior Presiding Judge	4
Executive summary	5
Introduction	8
Areas of responsibility	9
Chapter 1: What are local justice areas and why are they being abolished?	10
What are local justice areas (LJAs)?	10
What will the wider consequences be of abolishing LJAs for magistrates' recruitment, deployment, leadership and training?	12
Chapter 2 – Replacement structure for grouping magistrates' courts	13
Current system	13
Grouping after LJA abolition	13
Chapter 3 – Recruitment and advisory committees	19
Current recruitment system	19
Recruitment after LJA abolition	19
Recruitment Advisory Committees after LJA abolition	20
Family and youth courts	20
Chapter 4 – Deployment	21
Current deployment process	21
Proposed deployment process	22
Transitional arrangements	28
Chapter 5 – Bench Leadership	31
Current leadership structure	31
Leadership after LJA abolition	33
Election or selection	36

Chapter 6 – Training, and Training, Approvals, Authorisations and Appraisals Committees (TAAACs)	38
Current roles and structure of the TAAACs	38
TAAAC membership and the abolition of LJAs	39
Proposed changes to TAAAC structure and membership	39
Potential longer-term changes to the TAAACs	41
Impact Assessment and Equality Statement	42
Welsh translation	43
Questionnaire	44
Annex A: Maps illustrating the difference between current LJAs and proposed benches	48
Annex B: Table outlining the current LJAs and proposed bench composition (Textual description of the LJA Map[s])	56
Annex C: Summary of bench proposals	62
Annex D: Summary of recruitment proposals	65
Annex E: Summary of deployment proposals	66
Annex F: Summary of leadership proposals	70
Annex G: Summary of Training and TAAACs Proposals	72
Annex H: Recruitment Advisory Committees, broken down by region, area	74
Annex I: Glossary of Terms	77
About you	81
Contact details/How to respond	82
How to respond	82
Complaints or comments	82
Extra copies	82
Publication of response	82
Representative groups	83
Confidentiality	83
Consultation principles	84

Foreword from the Minister for Courts and Legal Services

The magistracy of England and Wales is a critical and valued part of our judiciary and justice system that is renowned for its excellence, objectivity and impartiality. From Bedlington to Bodmin, Caernarfon to Canterbury, thousands of magistrates volunteer their time to play a critical role in dispensing justice in their local areas and serving their communities.

The Judicial Review and Courts Act 2022 legislated to abolish the system of local justice areas to facilitate greater efficiency in the enforcement of fines and community orders. This will mean that court and staff time is used more effectively, reducing the delays for court users to the progression of their cases. While we will be removing the legal structures of Local Justice Areas, I remain committed to the principle of local justice. I know that magistrates feel an important sense of connection to the administration of justice within their communities and find important sources of social and pastoral support in working alongside each other in their local courts and areas.

To preserve local justice, the Senior Presiding Judge and I are consulting on a range of proposals on how the magistracy is administrated and supported in the future. Your responses to this consultation will play an important role in shaping our vision for an improved structure that provides greater flexibility in how our courts operate, whilst ensuring that the important principle of local justice is retained. I encourage all those with an interest in these matters to respond.

Sarah Sackman KC MP

Minister of State

Foreword from the Senior Presiding Judge

The Judicial Review and Courts Act 2022 abolition of LJAs (as from a date still to be appointed), will also affect the deployment, leadership and training of the magistracy.

As the Senior Presiding Judge of England and Wales it is my responsibility (by delegation from the Lady Chief Justice) to oversee the deployment and leadership of magistrates and appoint all magistrates.

The Ministry of Justice has worked with the Judicial Office, the Judicial College and HMCTS to develop this consultation. This has been done because we wish for you all to have your say about the future organisation of the magistracy. Your views matter, and I encourage you all to respond. The outcome of the consultation will also support effective decision making. The abolition of local justice areas will bring benefits to the way in which justice is done in the magistrates' courts. This will include the removal of the current requirements for the local registration of fines and community sentences for the purposes of enforcement. It will also offer the opportunity to align the current structure of local justice areas more closely with the Circuits.

Simultaneously with this consultation on LJAs, but as a separate exercise, I am consulting upon reform of the governance structure of the magistracy. The conclusions arrived at in relation to the LJA consultation will be relevant to the governance review. So, I invite you to consider the two together.

Your views on both consultations are extremely important. Please do take the time to respond.

The Right Honourable Lord Justice Nicholas Green

Senior Presiding Judge for England and Wales

Executive summary

1. Local justice areas (LJAs) create geographical boundaries relating to four main components of magistrates' courts administration: initiating and listing cases; the payment and enforcement of fines, suspended sentence orders, community orders and youth rehabilitation orders; magistrates' recruitment; and magistrates' deployment. They are also linked to magistrates' leadership and training arrangements. There are 75 LJAs, known as benches, each containing between one and five magistrates' courts. Every magistrate is assigned to an LJA upon their appointment.
2. LJAs will be abolished when section 45 of the Judicial Review and Courts Act 2022 is commenced following this consultation. The abolition of LJAs will improve how magistrates' courts operate. The hard legal boundaries of LJAs have created unnecessary bureaucracy and delays in administering community orders, suspended sentence orders and fines, as it is difficult for these to be processed in different areas (for instance, where offenders have multiple penalties in different areas of the country, or where they move address). Similarly, when a case needs to be moved to a different LJA so that a defendant can attend court closer to their address, there is a very complex protocol to work around the restrictions of LJAs to move the case and magistrates. Removing the legal structure of LJAs will remove these hard boundaries and restrictions. This will mean magistrates' courts will operate more efficiently, and make better use of staff time, with benefits for witnesses, defendants, and other court users.
3. As Parliament has enacted legislation to abolish LJAs, this consultation does not ask about whether these should be abolished or the rationale for doing so. It seeks views about the wider components of the magistracy that are likely to be affected by the abolition of LJAs, and our proposals for how some of these components can be improved following LJA abolition.
4. As we are abolishing LJAs as a legal structure, we will need to establish an administrative structure for grouping magistrates' courts. We are asking for views on our proposal to create '**benches**', which would structure magistrates' recruitment and deployment. These have been designed to meet the following objectives:
 - a) **To maintain local justice.** Though we are abolishing local justice areas as a legal structure, we remain committed to upholding local justice as a principle. Serving their community is a central pillar of the magistrate's role. We also know that local justice is highly important to magistrates themselves. We are seeking your views on how we can best replace LJAs while keeping local justice at the heart of any changes;

- b) **To minimise disruption to the deployment of magistrates.** We appreciate the connections which can be formed in a ‘bench’ of magistrates are important socially and pastorally, and welcome views about whether our proposals would support magistrates to maintain these connections;
 - c) **To avoid a significant increase in journey times.** We also welcome views on our proposed arrangements to assign magistrates to a ‘home court’, which they would be allocated to for most of their sittings, which should avoid a significant increase in journey times;
 - d) **To align the new structures for magistrates’ groupings with the wider structures of the judiciary;**
 - e) **To maintain, and where possible, improve flexibility in case listing and deployment.** Despite the inefficiencies outlined in paragraph 2, there is already some flexibility in how cases are listed, and magistrates are deployed, which we are aiming to maintain in the proposed new system. For instance, it is already possible to allocate magistrates to courts outside their LJA where needed and desired by the magistrate, and it is also possible to move case listings between LJAs where it is easier to deal with cases of a similar type in one place, for example to draw on relevant expertise. The proposed benches would also increase flexibility for magistrates to sit in neighbouring judicial circuits when they live near a circuit boundary, and this would be reasonably convenient for them.¹
5. This consultation is seeking your views on whether the objectives listed above are the right objectives, and whether our proposed structure for grouping magistrates’ courts meets these.
6. Given the extent to which LJAs underpin the operation of the magistrates’ courts, the abolition of LJAs has the potential to touch many aspects of how the magistracy is led and organised. This consultation is seeking your views on whether we have correctly assessed the wider components of magistrates’ administration likely to be affected by LJA abolition.
7. We are only proposing to make minor, technical changes to magistrates’ recruitment. Rather than applying to and being assigned to an LJA, magistrates would apply to and be assigned to a bench. The Recruitment Advisory Committees which process applications to join the magistracy oversee one or more LJA, so these committees would need to oversee the relevant benches which would be replacing LJAs in each committee’s area of oversight.

¹ The judicial circuits are Northern, North East, Wales, Midland, Western and South Eastern. The South Eastern Circuit is operationally divided for magistrates’ courts purposes into two areas, London and the South East (replicating the HMCTS regions and Wales). We will use the term ‘circuits’ to refer to the circuits, including London and the South East as separate circuits. See glossary for further details.

8. Magistrates' training is delivered by the Judicial College, working with Training, Approvals, Authorisations and Appraisals Committees (TAAACs). TAAAC areas are made up of one or more LJAs. Therefore, abolishing LJAs will influence how the TAAACs are structured. We therefore ask respondents to consider how the new TAAAC structure could work, as well as considering some broader questions about the function of these committees.
9. The leadership of magistrates is also connected to LJAs, as each LJA has an elected Bench Chair and at least one Deputy Bench Chair. Abolition of LJAs means we will need to remove references to LJAs in leadership legislation, which could involve renaming or removing any leadership offices tied to LJAs. We are also taking an opportunity to review and, where necessary, improve these systems of judicial leadership. This consultation seeks views on whether, and if so how, leadership arrangements for magistrates should change to better support magistrates to effectively serve their communities. Broader changes to leadership and training will not fall in scope of the changes to legislation resulting from this consultation and would be implemented in the medium to long term.
10. Existing criminal magistrates can sit in the family or youth courts with authorisation from the TAAACs and additional training, or magistrates can apply directly to become a family magistrate through a parallel process to the criminal system. We do not propose changing these systems, so recruitment to the family and youth courts should remain the same. We suggest that youth and family magistrates would also be assigned to a bench, and within this, a 'home court', where they would be expected to spend most of their sittings. Family cases would continue to be allocated through the family panel area (FPA) that the home court falls inside. FPAs would remain the same, except in the few cases where these areas mirror LJA groups which would be merging to form a larger bench, in which case the corresponding family panels would also merge. Most leadership of family and youth magistrates would continue to fall to the Bench Chair, though the Family and Youth Panel Chairs also hold some responsibility for these groups. However, other than asking whether the Panel Chairs should be elected or selected as we do with Bench Chairs, we do not propose changing these roles.
11. Though magistrates do hear some civil cases, there is no separate recruitment, deployment, or leadership arrangement for civil work. All civil work is organised through the existing criminal system, so this work would be organised through the bench system.
12. A Welsh language translation of this document is available at <https://www.gov.uk/government/consultations/reform-of-local-justice-areas>

Introduction

13. This consultation welcomes views about the components of the magistracy that are likely to be affected by abolition of LJAs, including recruitment, deployment, training and leadership, and our proposals for how some of these aspects of magistrates' governance could be improved following LJA abolition.
14. The changes we make to the governance of the magistracy will be heavily informed by the responses to this consultation. The proposals in this document may well change in light of the responses we receive.
15. We welcome views from all members of the public in England and Wales but note that the proposals will be of particular interest to magistrates themselves, together with those with a close interest in the magistracy. We expect this to be of particular interest to:
 - All magistrates across England and Wales;
 - Lord Chancellor's Advisory Committees on Justices of the Peace (ACs);
 - Magistrates' Leadership Executive (MLE);
 - Magistrates' Association;
 - Training, Approvals, Authorisations and Appraisals Committees (TAAACs);
 - Court users, including victims and witnesses.
16. In addition to publication on consult.justice.gov.uk, copies of the consultation papers are being sent to:
 - Magistrates' Association;
 - Magistrates' Leadership Executive;
 - Justices' Legal Advisers and Court Officers' Service (JCS);
 - Lord Chancellor's Advisory Committees on Justices of the Peace (Recruitment and Conduct);
 - Association of Lord-Lieutenants;
 - The Office of High Sheriff;
 - The Chief Magistrate;
 - Justices' and Family Training, Approvals, Authorisations and Appraisals Committees;
 - House of Commons Justice Committee;
 - House of Lords Constitution Committee;
 - House of Lords Justice and Home Affairs Committee;
 - The National Police Chiefs' Council;
 - The Association of Police and Crime Commissioners;
 - Welsh Government.

17. In addition to the views of the magistracy, we invite views from other court users, those working in the magistrates' courts and those considering joining the magistracy.
18. The scope of this consultation does not include magistracy arrangements within the devolved competence of the Northern Ireland Assembly or arrangements for Justices of the Peace within the devolved competence of the Scottish Parliament.

Areas of responsibility

19. The Lord Chancellor oversees magistrates' recruitment through Recruitment Advisory Committees (AC) on Justices of the Peace, which are responsible for the recruitment and induction of magistrates under the directions of the Lord Chancellor.² ACs, which include both recruitment ACs and conduct ACs, are advisory non-departmental public bodies. Recruitment ACs recruit and recommend candidates for appointment to the magistracy to the Senior Presiding Judge (SPJ).³ Any changes we make to recruitment would be informed by this consultation. This consultation seeks views on minor changes to Recruitment Advisory Committees, as well as the overarching bench proposals which relate to both recruitment and deployment.
20. The SPJ, as delegated by the Lady Chief Justice (LCJ), oversees the deployment and leadership of magistrates and appoints all magistrates. This consultation seeks to understand the views of magistrates and those with an interest in the magistracy to support the SPJ to make these decisions effectively. The LCJ, upon the advice of the SPJ, will ultimately decide the deployment and leadership systems after the abolition of LJAs and will continue to keep them under review.
21. The LCJ has statutory responsibility for the training of magistrates.⁴ The Judicial College undertakes the provision of this training on her behalf. TAAACs are set up across England and Wales under powers provided in the Justices of the Peace Rules (2016) to, amongst other things, identify the local training needs of magistrates. Judicial College and TAAACs work closely together to produce annual training plans for magistrates that address both national and local needs. The outcomes of this consultation will help define the basic building blocks for TAAAC membership and geographic coverage and provide input into longer term questions on how TAAACs operate with regards to training.

² <https://www.legislation.gov.uk/ukpga/2003/39/section/10#commentary-key-3ce7a2c9d04dc3de1f8499d3e89ef247>

³ A full list of functions and the role of Advisory Committees can be found in Part one of the Lord Chancellor's Directions. <https://www.judiciary.uk/guidance-and-resources/advisory-committees-justices-peace/>

⁴ Under the Constitutional Reform Act 2005, Section 7 2(C) (<https://www.legislation.gov.uk/ukpga/2005/4/part/2/crossheading/judiciary-and-courts-in-england-and-wales>), The Lady Chief Justice (LCJ) has statutory responsibility for the training of the judiciary of England and Wales. This includes magistrates and their legal advisors.

Chapter 1: What are local justice areas and why are they being abolished?

What are local justice areas (LJAs)?

22. The 75 LJAs create geographic boundaries relating to four main aspects of magistrates' courts administration: (i) initiating and listing cases; (ii) the payment and enforcement of fines, suspended sentence orders, community orders and youth rehabilitation orders; (iii) magistrates' recruitment; and (iv) magistrates' deployment. They are also involved in magistrates' leadership and training and are an important social and pastoral base for magistrates.

Case for change: why are LJAs being abolished?

23. Legislation has already been passed to abolish LJAs, and therefore this consultation only seeks views on how the magistracy should be organised as a consequence of abolition. However, it is helpful to set out the benefits of LJA abolition for context:

24. As LJAs are defined in legislation, they are very inflexible. Complex processes are often required to work around their hard legal boundaries when there is a need to transfer cases, magistrates, fines and penalties between them. This causes significant inefficiencies in the court system, which ultimately delays cases.

25. Once LJAs are abolished, it will be much easier to process fines, community orders and other penalties in a manner suitable to the individual case. This will also enable us to build a new IT system without the need to accommodate LJAs. This system should simplify court procedures, free up resources and create a national view of offenders.

Cases and magistrates

26. All magistrates apply to and are assigned to an LJA, although they can be allocated to courts outside their LJA for some sittings.⁵ Case listings can already be moved between LJAs where there is a need to group similar cases together in one court, for instance where there is relevant expertise there.⁶ However, when a defendant lives in

⁵ According to Section 10(2) of the Courts Act 2003, magistrates are assigned to one or more LJA. However, the Lady Chief Justice has powers to move magistrates to act in another LJA from the one they are assigned to, under Section 10 (3) of the Courts Act 2003.

⁶ According to Section 30(4)-(5) of the Courts Act 2003, cases can be listed within the LJA in which a) the offence is alleged to have been committed; b) the person charged with the offence resides; c) the witnesses, or majority of the witnesses, reside; or d) other cases raising similar issues are being dealt with. In effect this means that, cases can and are moved between LJAs where needed.

another LJA to the one where a crime was committed, there is a complex and time-consuming protocol to transfer their case (and the sitting magistrate) between LJAs so that the defendant can attend court closer to their address.

27. Abolishing LJAs would mean that court staff could transfer cases more flexibly and easily between magistrates' courts in response to demand and other factors, including convenience for victims and witnesses, and for defendants who have relocated.
28. Defendants could also be dealt with more easily for multiple offences or breaches of court orders (or both) from several LJAs at a single hearing, with no need for a complex protocol. Abolishing LJAs would also reduce the need for police, custody escort services and enforcement agents to transport defendants long distances from other LJAs for warrant issues.

Fines

29. Collection and enforcement of financial penalties imposed by magistrates' courts must currently be dealt with in the LJA where a penalty is imposed. If an offender moves, has multiple offences in different areas or wishes to pay their penalty in a different location, it is highly difficult to move such penalties across LJAs. For example, where a defendant is arrested for an offence in Manchester, if that defendant also has outstanding warrants or an outstanding payment of fines in Somerset, the Manchester court must process a 'transfer of fine' order (TFO) to deal with the Somerset penalties.
30. Processing such orders is complex and inefficient. It takes approximately 30 minutes to process a TFO. As approximately 70,000 TFOs are processed per year, cumulatively these take approximately 35,000 hours of staff time to process. This involves high costs and causes delays to the administration of the case involved. Removing LJAs will enable HMCTS to build a new IT system which would remove the need for these orders, so that fines can automatically be processed anywhere.
31. Removing the LJA boundaries will also mean that fines can be paid more conveniently.

Community orders, including youth rehabilitation orders, and suspended sentence orders

32. Similarly, when a defendant is given a community order (including a youth rehabilitation order) or suspended sentence order, and then moves to an address within a different LJA, there is currently an unnecessarily complex procedure to 'transfer' the management of the order to their nearest court, in addition to the process of handing over the case between probation teams. This procedure involves an application or notification to the court in the original LJA to change the LJA specified in the order. Processing these transfers involves a similar, significant cost to that of processing TFOs.

33. Removing LJAs will enable HMCTS to build an improved IT system which could transfer such orders between areas using a simplified procedure. This would therefore save costs and delays.

A single national view of offenders

34. Removing LJAs will enable HMCTS to build a new IT system showing information about offenders' fines and payment history across the country. This will help the judiciary to understand a defendant's history so that justice can be delivered more fairly and sentencing decisions can be made more quickly.
35. This would also enable fines to be processed more quickly. Court staff could deal more efficiently with offenders who have defaulted on a fine or community order in a different region to the one it was imposed in. These efficiency gains would provide a better public service and help ensure that staff resources could be used more effectively.

What will the wider consequences be of abolishing LJAs for magistrates' recruitment, deployment, leadership and training?

36. The remainder of this document explores how aspects of the magistracy will be affected by the abolition of LJAs, and seeks views on how these could be amended following abolition:
37. **Chapter 2** seeks views on what structure should be used to group magistrates' courts once LJAs are abolished, and **Chapters 3 and 4** explore how these changes would affect the recruitment and deployment of magistrates, respectively.
38. As abolishing LJAs will inevitably result in some changes to leadership, training and TAAACs, **Chapters 5 and 6** explore how leadership and TAAACs are currently working. They ask whether changes are needed more broadly to ensure that they can best support magistrates to serve their communities.
39. The tables in annexes D to G summarise the proposals included in the chapters listed above. They also outline the differences between the current LJA system and proposed bench system.

Q1: Do you agree that the wider aspects of the magistrates' system likely to be affected by LJA abolition are: recruitment; deployment; leadership; and training? If you think other areas are likely to be affected, please list these.

Chapter 2 – Replacement structure for grouping magistrates' courts

Current system

40. The 75 LJAs currently consist of between one and five magistrates' courts within a geographical area. Mostly, each county of England either forms one LJA, or is divided into several LJAs. In Wales the composition of LJAs is more varied, with 13 LJAs forming across a mixture of boroughs, counties and regions. All magistrates are assigned to an LJA, although every magistrate can act in any LJA, with permission from the Lady Chief Justice.
41. The map at Annex A provides a current map of LJAs.

Grouping after LJA abolition

42. We are proposing to group magistrates' courts into 58 'benches'. These benches would be for administrative purposes and, unlike LJAs, they would not be defined in legislation.
43. We are proposing to use the term 'benches' to describe this grouping as it is already familiar to magistrates because the group of magistrates within an LJA is commonly referred to as a 'bench' now.
44. We are proposing to use the boundaries of Criminal Justice Areas (CJAs) to create the boundaries of most benches after LJA abolition, excluding cases where the CJAs would be too large. In these cases, the boundaries of current LJAs will be used instead. 24 LJAs are already the same as CJAs, so in these cases the boundaries of current LJAs would also be used to form benches. In most other instances where CJAs are used, this would mainly involve merging two or more LJA court groups together.
45. CJAs are based on the geographical areas used to structure the police forces of England and Wales, and they mostly share their borders with counties. For the majority of England and Wales, the core business of the criminal magistrates' courts involves prosecutions initiated by the police forces and there is, therefore, a natural fit with the work of the magistrates' courts. CJAs also fit within the judicial circuits, and

therefore using them would enable governance consistency across the criminal courts system.⁷

46. We are seeking views on the proposed composition of benches set out in the table below, including the rationale for basing each bench on either CJAs, or LJAs where we feel a CJA would be too large an area to function as a single bench. Information on the proposed benches, how these would compare to current LJAs, and the courts they would consist of can be found in the maps in Annex A and the tables in Annexes B and C.
47. The implications for family and youth courts are set out in paragraphs 49–50.

⁷ The judicial circuits are Northern, North East, Wales, Midland, Western and South Eastern. The South Eastern Circuit is operationally divided for magistrates' courts purposes into two areas, London and the South East (replicating the HMCTS regions and Wales). We will use the term 'circuits' to refer to the circuits, including London and the South East as separate circuits. See glossary for further details.

Summary of which LJA court groups will change and which will stay the same under bench proposals

Current LJAs	Criminal Justice Area/s (CJA)	Any proposed changes to LJA groups to form benches	Reasons to form proposed benches in this way
Avon & Somerset, Bedfordshire, Cambridgeshire, Cheshire, Cleveland, Dorset, Durham, Gloucestershire, Gwent, Humberside, Lancashire, Lincolnshire, Merseyside, Norfolk, Northamptonshire, North Yorkshire, Nottinghamshire, South Yorkshire, Staffordshire, Suffolk, Surrey, Wiltshire	CJAs are the same as the LJA groups.	The 24 bench groups would look the same as those used in LJAs and CJAs.	LJAs match CJAs so there is no reason to change the groups.
London LJAs (Central London, East London, North East London, North London, North West London, South East London, South London, South West London, West London)	London Metropolitan area	The nine London benches would use the same boundaries as the current London LJAs.	The complexity and high population density of the Metropolitan Police area would make it impractical to form one large London Bench.
<p>The LJAs forming Dyfed-Powys CJA (Ceredigion, Llanelli, Mid Wales (Dyfed Powys Area), Montgomeryshire, and Pembrokeshire).</p> <p>The LJAs forming Hampshire CJA (West Hampshire, East Hampshire, North Hampshire, Isle of Wight).</p>	Dyfed-Powys Hampshire	The nine Hampshire and Dyfed-Powys benches would use the same boundaries as the current LJAs.	Creating benches based on the very large geographical areas of the CJAs of Dyfed-Powys and Hampshire would be impractical. The long journeys between courts would mean that very few magistrates would likely sit at courts in the CJA beyond those that form their current LJA. Therefore, it would be more practical to maintain the current court groups used in LJAs.

Current LJAs	Criminal Justice Area/s (CJA)	Any proposed changes to LJA groups to form benches	Reasons to form proposed benches in this way
Cornwall, North & East Devon, South & West Devon.	Devon & Cornwall	<p>Devon Bench and Cornwall Bench.</p> <p>The LJA court groups of Devon would merge to form the Devon Bench. The boundaries of Cornwall LJA would be the same as the boundaries of the Cornwall Bench.</p>	As with Hampshire and Dyfed-Powys, the CJA of Devon & Cornwall would be too geographically large to combine Devon and Cornwall.
Coventry & Warwickshire	West Midlands and Warwickshire	Coventry would form part of the West Midlands Bench, and the courts of Warwickshire would form the Warwickshire Bench.	This LJA is split across two CJAs. Coventry sits in West Midlands, and the other courts sit in Warwickshire. We would suggest splitting up Coventry from the other courts to fit with CJAs as a starting point for discussion. We welcome views from those with an understanding of the area about what would work best.
Mid Wales	Dyfed-Powys and South Wales	Llandrindod Wells would form its own bench of Mid Wales. Merthyr Tydfil would sit in the South Wales Bench.	The courts of the Mid Wales Bench sit across two CJAs: Llandrindod Wells is in the Dyfed-Powys area and Merthyr Tydfil is in the South Wales Area. As Dyfed-Powys is too large to form a CJA (see above), Llandrindod Wells

Current LJAs	Criminal Justice Area/s (CJA)	Any proposed changes to LJA groups to form benches	Reasons to form proposed benches in this way
			<p>would form its own bench of Mid Wales. Merthyr Tydfil would sit in the South Wales Bench to match the CJA it is a part of. As with Coventry, this is only a starting point for discussion, and we welcome views from those with an understanding of the areas about what would work best.</p>
<p>All other LJAs (Berkshire, Buckinghamshire and Oxfordshire; Central & West Hertfordshire and North & East Hertfordshire; Central Kent, East Kent, and North Kent; North Essex and South Essex; Sussex (Central) and Sussex (Eastern); Herefordshire, Shropshire and Worcestershire; Leicestershire and Rutland; Northern Derbyshire and Southern Derbyshire; Birmingham & Solihull and Black Country; North Northumbria, and South Northumbria; Bolton, Manchester & Salford, Stockport, Tameside and Wigan & Leigh; North & West Cumbria and South Cumbria; North Central Wales, North East Wales, and North West Wales; Cardiff, and Swansea)</p>	<p>All other CJAs</p>	<p>LJA groups would merge to form a bench that matches a CJA. (Forming 14 benches: Thames Valley, Hertfordshire, Kent, Essex, Sussex, West Mercia, Leicester, Derbyshire, West Midlands; Northumbria, Greater Manchester, Cumbria, North Wales, and South Wales)</p>	<p>In most cases, a CJA is split into two or three LJAs, though the external boundaries align and mostly follow county borders. These groups would merge to match the relevant CJA. For example, the courts in North Kent, East Kent and Central Kent LJAs would merge to form the Kent Bench; and the courts in North Northumbria and South Northumbria would form the Northumbria Bench.</p>

48. As some of these proposed benches would be larger than current LJAs, we want to make sure these changes would not significantly alter the day-to-day experience of sitting as a magistrate. We want to ensure magistrates would continue to have a recognisable home location which they are not routinely sitting far away from. This would ensure we maintain the very important principle of serving local justice and communities, and that we maintain collegiality and connections with other magistrates locally. Chapter 4 outlines proposals for the deployment of magistrates within this bench structure in more detail.

Q2: Do you agree that magistrates' courts should be grouped into benches which would either: match Criminal Justice Areas (CJAs); or, use the boundaries of current LJAs, where the LJA is too large to function as a single bench? If not, how do you think we should form benches? Please give reasons for your answer.

Q3: Do you agree with the 58 proposed benches set out in Annex B? Please give reasons for your answer. If you disagree, please detail any issues relevant to a particular bench, and suggest any alternatives you may have.

Family and youth courts

49. Youth courts are attached to some, but not all, magistrates' courts, and therefore are organised by LJA. The above bench proposals would apply to youth magistrates as well as adult criminal magistrates. The effect on deployment of youth magistrates is detailed further in paragraphs 72–77 in Chapter 4.
50. LJAs are also used in the family system, as family magistrates are currently assigned to an LJA on appointment. We propose that family magistrates would be assigned to a bench on appointment instead. However, their ongoing case allocation is currently overseen by Family Panel Areas (FPAs). We have considered the effects on family case allocation and the resulting changes to FPAs in paragraphs 78–80 in Chapter 4.

Q4: Do you think that any of the proposals set out in this paper would affect the family or youth court systems in ways other than those identified? Please give reasons for your answer.

Chapter 3 – Recruitment and advisory committees

Current recruitment system

51. Vacancies for magistrates are currently advertised by LJAs and successful candidates will be assigned to that LJA.⁸ However, reviewing and interviewing magistrates is carried out by one of the 23 Lord Chancellor’s Recruitment Advisory Committees on Justices of the Peace (ACs). Each RAC has responsibility for one or more of the 75 local justice areas across England and Wales.⁹
52. Recommendations for appointment are submitted for approval by the AC to the SPJ. Successful applicants are then appointed as a national magistrate, otherwise known as a member of the commission of the peace for England and Wales. On appointment, the magistrate is then assigned back to the LJA they applied to.

Recruitment after LJA abolition

53. We only expect to make a technical change to the recruitment process: magistrates would apply to a vacancy in a bench rather than an LJA, and they would then be assigned to that bench, rather than an LJA, after appointment. Whilst interviews are conducted by recruitment AC, as set out below, the administration of the application process is conducted using a national system, which would stay the same. As we have very recently reformed the recruitment process and digital system, we are not looking to make further significant changes to the recruitment process through this consultation.

⁸ Section 10(2), Courts Act 2003, <https://www.legislation.gov.uk/ukpga/2003/39/section/10>

⁹ ACs vary in terms of the number of the 75 LJAs they recruit to, as well as the geographic area covered. For example, the London AC covers nine LJAs, while the Cumbria and Lancashire AC covers three LJAs (North and West Cumbria, South Cumbria and Lancashire) across a much larger physical area.

Recruitment Advisory Committees after LJA abolition

54. We would expect recruitment ACs to oversee the same courts as they currently do, so the number of magistrate vacancies arising in each AC should not change as a result of LJA abolition. These courts would be grouped into benches, or whatever replacement structure we implement after LJA abolition. Therefore, there would need to be a technical change to remove references in legislation linking the makeup of ACs to LJAs. Other than this technical change, we do not expect any significant changes to the operation of recruitment ACs.
55. We are not seeking views about the wider function of ACs through this consultation, as the structure of ACs is not directly related to LJAs, and ACs are advisory non-departmental public bodies, meaning their remit and structure sit outside the scope of this consultation.

Q5: Do you agree that only minimal changes to the magistrates' recruitment process would be needed as a result of LJA abolition, whereby vacancies and assignments would be organised by bench rather than LJA? Do you think there are likely to be further effects on the recruitment system that we have not considered? Please give reasons for your answer.

Family and youth courts

56. Recruitment to the family court is carried out separately from recruitment to the criminal court, although some criminal magistrates are appointed through the TAAACs to sit in family courts after completing additional training.
57. Sittings in the youth court are undertaken by existing criminal magistrates with specific training, and appointed through the TAAACs, which are considered in Chapter 5.
58. We do not expect there to be any changes to the way family or youth magistrates are appointed.

Chapter 4 – Deployment

Current deployment process

59. Currently, applicants to the magistracy apply to a specific LJA. After national appointment, magistrates are assigned to one, or occasionally more than one, LJA. Criminal magistrates are then allocated to cases in any court in their LJA and, with their agreement, they can also be allocated to courts outside their LJA. We use the term ‘deployment’ throughout this document to refer to both assignment and ongoing court allocation.
60. In practice, magistrates are predominantly allocated to one ‘base location’ court, although this is not an official rule. There are many examples of magistrates routinely sitting in other LJAs, either because certain case types are listed in specific court areas for efficiency; because of vacancies in the justices’ rota; or to support their learning and development, for example through mentoring or appraisal programmes.

Youth system

61. Youth magistrates’ deployment looks very similar to the adult criminal system, as youth courts are connected to criminal magistrates’ courts. Following approval to sit as a youth magistrate, magistrates are assigned to an LJA, and they are allocated to a ‘base location’ where they usually spend most of their sittings. This base location may be different from their adult criminal base location, as not every magistrates’ court has a youth court attached. Their LJA is usually the same as the LJA they are assigned to for adult criminal work, but occasionally it is in a neighbouring LJA if their nearest youth court is over an LJA border. As with adult criminal work, they are allocated to cases across their LJA, and sometimes outside their LJA where they agree.

Family system

62. Family magistrates are also assigned to an LJA. If they are already a criminal magistrate, this is the same LJA they are assigned to for their criminal work. However, their case allocation is organised through FPAs. FPAs are in some cases the same as LJAs, in some cases they consist of two or more LJAs, and in other cases they match the Designated Family Judge (DFJ) areas, which use different boundaries. Where the FPA is larger than the magistrate’s LJA, they are asked whether they are happy to sit at all courts across the FPA, or whether they only wish to sit at the courts within their LJA.

Proposed deployment process

63. Using benches to group magistrates' courts together in a way which matches or is close to those used in LJAs would ensure that the day-to-day experience of magistrates should not change considerably. Magistrates would continue to be grouped with colleagues with whom they are familiar in order to help promote wellbeing and peer-support.
64. Under this structure, we have sought to develop deployment proposals which closely resemble current practice, whilst being flexible enough to support both the needs of the court and those of magistrates. We propose that, following successful appointment, magistrates would be assigned to a 'home court', which they would be allocated to for between 60% and 80% of their sittings. We expect this would be the court where magistrates currently undertake most of their sittings (their 'base location') which, in keeping with the principle of local justice and magistrates serving their own communities, would be the court closest to where they live or work. The magistrates' home court would be part of the wider bench described in Chapter 2. They would associate with other magistrates deployed to their own home court most regularly but would have the benefit of engaging with magistrates across the bench to share experiences and collegiality.
65. Magistrates would then be expected to spend the remaining 20% to 40% of sittings at other courts in their bench area which are within a reasonable journey time from their address.
66. We propose that a reasonable journey time would be no more than 90 minutes each way, by car or public transport. Exceptions to this rule would be considered locally, for example to accommodate a need for reasonable adjustments or for areas with renowned difficult journeys, such as those involving regular heavy traffic. As now, we would not expect magistrates to routinely travel for longer than 90 minutes because longer commutes could affect their home lives, which could lower wellbeing. A longer journey could be considered appropriate on rare occasions; for instance, where there was a shortfall of magistrates in a more distant court and magistrates volunteer to travel beyond 90 minutes to fill the gap. However, we would always prioritise asking magistrates who live within 90 minutes of the court in question before asking those further afield to fill shortfalls. In doing so, we would be protecting both the wellbeing of magistrates and upholding the principle of local justice.
67. This system would look very similar to the current system. Magistrates generally sit at one location for most of their sittings, so the percentage guidelines would mostly codify current practice. The addition of the 90-minute cap on journeys goes a step further than current guidelines which only specify that magistrates are expected to sit

anywhere in their LJA. Again, this is mostly a codification as bench leaders usually discuss sitting arrangements with magistrates to ensure they are not expected to make unreasonable journeys.

Q6: Do you agree that magistrates should be assigned to a ‘home court’, where they would be expected to spend between 60% and 80% of their sittings? If not, what do you think the percentage range should be? Please give reasons for your answer.

Q7: Do you agree with the expectation that magistrates would spend the remaining sittings outside their home court elsewhere in their bench? If you disagree, please explain why.

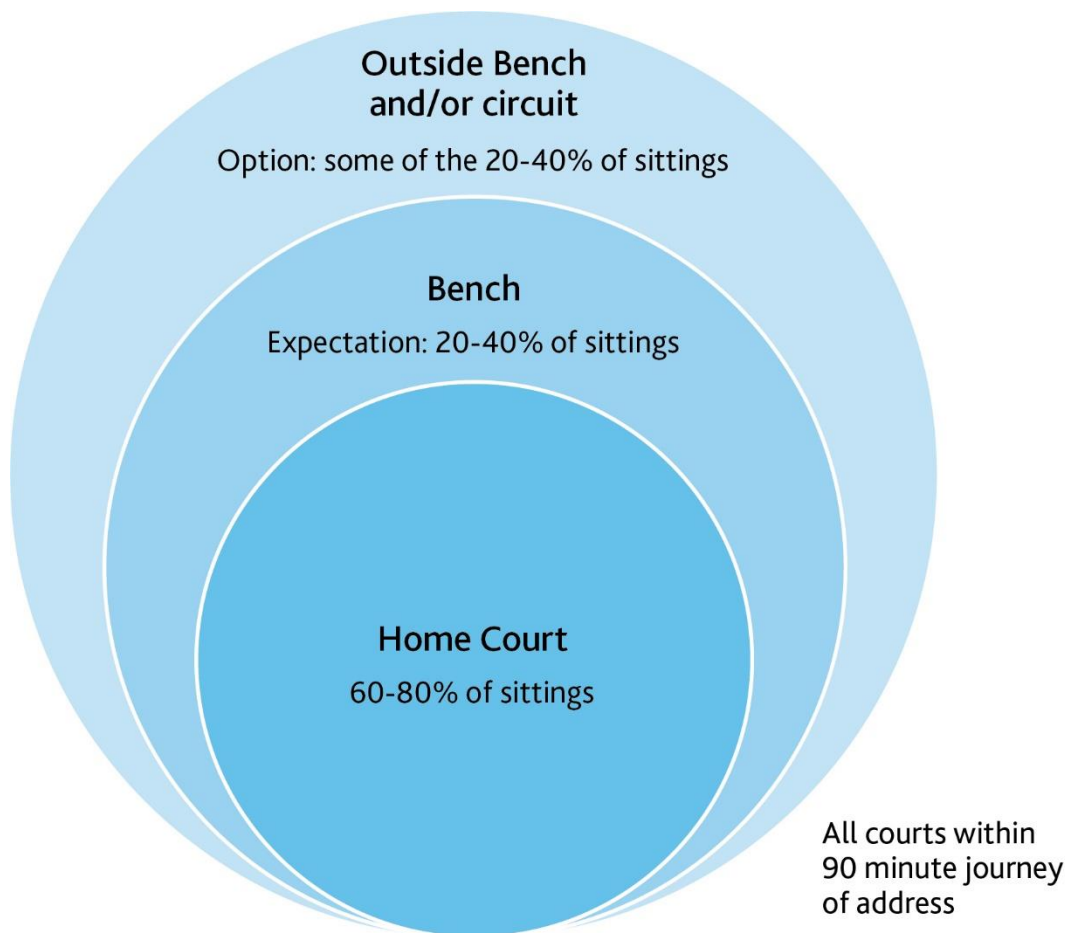
Q8: Do you agree that magistrates should only be expected to sit at courts that are a reasonable journey time from their home or work address, defined as no more than 90 minutes each way? If you disagree, what alternative would you suggest? Please give reasons for your answer.

68. Under these proposals, magistrates would also have the option of being allocated to cases outside their bench area, or even their wider judicial circuit,¹⁰ when there is a case allocation need, and the magistrate freely wishes to do so. For example, where there is shortfall of magistrates in a court in a different bench or circuit which handles types of cases that a magistrate would like to gain experience of, but is still broadly within a 90-minute journey of their address. For example, a magistrate assigned to the North Wales Bench area with Wrexham as a home court could, if judicial business needs existed, sit in a neighbouring area such as Chester or Crewe for some sittings.
69. Being able to sit beyond a bench boundary would present little change from the current system. However, there would be more flexibility for a magistrate to sit beyond their circuit for those who live near a circuit boundary. Sitting beyond a circuit boundary is currently possible but rarely happens in practice. This may have significant advantages to magistrates who could sit at courts in areas closer to where they live which offer a different variety of work, and for the efficiency of deploying magistrates generally.

¹⁰ The judicial circuits are Northern, North East, Wales, Midland, Western and South Eastern. The South Eastern Circuit is operationally divided for magistrates’ courts purposes into two areas, London and the South East (replicating the HMCTS regions and Wales). We will use the term ‘circuits’ to refer to the circuits, including London and the South East as separate circuits. See glossary for further details.

70. We remain committed to the concept of local justice in offering this increased flexibility, and the need to maintain cohesion in the bench. Expecting magistrates to sit most of their cases in their home court and the rest within a reasonable journey time of their address should ensure that magistrates' journey times do not significantly increase where benches are larger than current LJAs. Keeping the boundaries of benches and circuits flexible should help magistrates who live near these boundaries to access a wider range of work while still being able to travel reasonable distances to deliver justice locally. Sittings across a bench or circuit boundary should generally form no more than 20%–40% of sittings and typically at the lower end of that range.

71. This structure is illustrated below:



Q9: Do you agree that magistrates should have the option of spending a minority of sittings outside their bench or their judicial circuit, where: a) there is a local need; b) the magistrate chooses this; and c) journeys are no more than 90 minutes each way? Please give reasons for your answer.

Case study 1

Krishna is appointed as a magistrate after LJAs have been abolished. Krishna has a car and intends to drive to court. He is assigned to Beverley Magistrates' Court as his home court. He can expect to spend between 60% and 80% of his sittings there.

Beverley Magistrates' Court sits within the Humberside bench. Also in Humberside are Bridlington, Grimsby and Hull & Holderness Magistrates' Courts. Krishna can expect to spend the remaining 20 to 40% of his sittings in either Bridlington, Grimsby or Hull and Holderness Magistrates' Courts, which are all under an hour's car drive from his home in Beverley. Unless otherwise agreed, Krishna would not be expected to sit outside the Humberside bench, or the wider North East Circuit within which Humberside bench sits.

Case study 2

Sam is appointed as a magistrate after LJAs have been abolished and is assigned to Huntingdon Magistrates' Court as her home court. Sam needs to travel to court by public transport because she does not have a car.

Huntingdon is in the Cambridgeshire bench. Cambridgeshire consists of Cambridge, Huntingdon, and Peterborough Magistrates' courts. However, Sam is only expected to sit in Huntingdon, where she lives. This is because she is pregnant, and it is more challenging to travel beyond Huntingdon. Pregnancy is a protected characteristic, so she discusses this with her local leader, who grants her a workplace adjustment saying that she is only expected to sit in Huntingdon, where the court is easily accessible by public transport, during her pregnancy and maternity.

Family System

72. We propose that family magistrates would be assigned to a bench on appointment, rather than to an LJA. Assigning to a bench would ensure that these magistrates still fall within the bench leadership structure, as outlined in Chapter 5. However, their case allocation would continue to be organised by FPA.

Q10: Do you agree that family magistrates should be assigned to a bench on appointment, with case allocation organised by Family Panel Area (FPA)? Please give reasons for your answer.

73. We suggest that, where we are proposing that LJA court groups should merge to form a larger bench, the FPAs that currently mirror the current LJA would also be merged so they would continue to mirror the new bench. This would be the case for North Wales, South Wales, Northumbria, Derbyshire, and Cumbria.
74. We propose that the Black Country and Shropshire FPAs would be exceptions. Though Black Country and Shropshire FPAs mirror the LJAs which would merge into the wider benches of West Mercia and West Midlands, the other FPAs within these new benches currently mirror DFJ areas. Therefore, we propose that these FPAs would stay as they are.
75. Other than these mergers, we do not propose changing the FPAs. The FPAs that mirror the DFJ areas, and those that mirror LJAs whose boundaries would be the same as the new benches, would remain the same. It will continue to be possible to amend these areas in the future, if needed, with agreement from the SPJ and the President of the Family Division, as set out in the Family Panel Protocol made under the Justice of the Peace Rules 2016.¹¹
76. These proposed changes to the FPAs, like the bench proposals, are not expected to be a perfect fit. We welcome your views about whether the FPAs should be changed in ways other than those suggested.

Q11: Do you agree that, where we are proposing that LJA court groups should be merged to form a larger bench, the Family Panel Areas (FPAs) that currently mirror those LJAs should also be merged, so they continue to mirror the new bench? Otherwise, do you agree that the other FPAs should generally stay the same? If you feel that any FPAs should be amended in any other ways, please provide details and reasons for your answer.

77. As with magistrates in the criminal court, in cases where the bench is larger than the current LJA, we would not want family magistrates to travel significantly further to attend court than they do now. To prevent them from having to make longer journeys, the above proposals would apply to family magistrates as well as criminal magistrates: namely that they would be allocated to a 'home family court', which they would be expected to sit at for 60% to 80% of their sittings, and which would be no more than a 90-minute journey each way from their home or work address.

¹¹ <https://www.legislation.gov.uk/ukxi/2016/709/article/8/made>

Q12: Do you agree that family magistrates should be allocated to a ‘home family court’, which they would be expected to sit at for 60% to 80% of their sittings, and which would be no more than a 90-minute journey each way from their home of work address? Please give reasons for your answer.

Youth System

78. We propose that youth magistrates would be assigned to a ‘home youth court’ which may be different from a magistrate’s ‘home court’ for adult criminal hearings.¹² Both courts would be in the same bench area where possible. Home youth court assignments would consider the staffing needs of local courts and personal preferences.
79. The majority of a magistrate’s youth cases would be allocated to their home youth court, with a lesser percentage expected to take place at other youth courts in their bench. However, since not all magistrates’ courts have a youth court attached, youth magistrates could be allocated to cases beyond their bench more often than with adult criminal and family magistrates.
80. Youth magistrates would not be expected to sit beyond their circuit, unless there is a judicial business need, and the magistrate wishes to do so. This is likely where a youth court beyond a circuit boundary is closer to a magistrate’s home or work address than a youth court in their own circuit. As with the adult criminal system, youth magistrates would only be asked to sit outside their bench or circuit when there is a need to do so, and their journey time is within 90 minutes each way.

Q13: Do you agree that youth magistrates should be assigned to a ‘home youth court’, where they would be expected to sit for most of their youth work? Please give reasons for your answer. If you disagree, what alternative would you suggest?

¹² Youth courts are magistrates’ courts which have the jurisdiction to hear youth cases, under Section 45(1), Children and Young Persons Act 1993. Not all magistrates’ courts include a youth court.

Transitional arrangements

81. We propose that existing criminal, youth and family magistrates would be assigned to the court in which they have sat most frequently over the past 12 months as their 'home court'. This should cause minimal disruption as the magistrate would continue spending most of their sittings in the same court as before.
82. Before confirmation, we would assess whether: (i) the home court is within a reasonable journey time of the magistrate's home or work address; and (ii) whether that court will be appropriately resourced. If these criteria are not met, the assignment would be reviewed alongside sitting data and in discussion with the magistrate. There would be room for case-by-case discretion; for instance, where a magistrate currently commutes into a city with a journey that is slightly longer than 90 minutes and is happy to continue doing so. In exceptional cases where existing magistrates are currently assigned to a base location which is significantly further than 90 minutes from their home address, and they would strongly prefer to continue sitting there than a closer location, it could be possible for them to continue with this court as their home court. We would not expect any new magistrates to be deployed to a home court that is further than 90 minutes away.

Case study 3

Emily is appointed as a magistrate after LJAs have been abolished and is assigned to Blackburn Magistrates' Court as her home court.

Blackburn is in the Lancashire Bench. Lancashire Bench consists of Preston, Lancaster, Burnley, Blackpool, and Blackburn Magistrates' courts. Emily can expect to sit 20% to 40% of her sittings in one of these courts. All journeys within the bench are no more than 90mins from her home. For example, she will have a 35–55 min journey by car to Blackpool Magistrates' Court, or up to a 90-minute car journey to Lancaster' Magistrates Court.

Emily wants to gain experience of sitting in a different bench and has discussed this with her local leader. Where there is a judicial business need, Emily will be able to sit in the neighbouring bench area of Greater Manchester at either Wigan or Bolton as these benches are also within 90mins of her journey.

Case study 4

Jo is appointed as a magistrate after LJAs have been abolished and is assigned to Chesterfield Magistrates' court as their home court.

Chesterfield is in the Derbyshire bench, in the Midlands circuit. Derbyshire also includes Derby, Ashbourne, Matlock and Buxton Magistrates' Courts. Jo is expected to sit at Chesterfield for 60% to 80% of their sittings. The remaining 20% to 40% of sittings are expected to be at Derby, Ashbourne, Matlock or Buxton courts, which are all a reasonable journey from Jo's home in Chesterfield.

Jo undertakes additional training to sit as a youth magistrate. Chesterfield does not have a youth court, so Jo is asked to undertake youth sittings at Sheffield Youth Court, which will function as their home youth court. Sheffield is in a different bench and circuit to Chesterfield: the North Yorkshire Bench in the North East Circuit. However, as Jo lives near the border between the Midlands and North East Circuits, it only takes 15 minutes to get there by train, so Jo agrees that this will be the best location to sit in for their youth work.

Case study 5

Greg is currently a magistrate assigned to the Buckinghamshire LJA. He prefers to use public transport to get to court.

In the 12 months before abolition of LJAs, Greg sat most of his sittings at High Wycombe Magistrates' court. Having assessed court needs Greg is assigned to High Wycombe Magistrates' court as his home court. This is where he can expect to sit between 60% and 80% of his sittings. This will therefore not feel any different to the previous system.

High Wycombe Magistrates' court sits within the Thames Valley Bench, in the South East Circuit. Also in the Thames Valley Bench are Oxford, Reading, Milton Keynes and Slough Magistrates' Courts. All of these courts are within a 1 hour 15-minute journey of Greg's work address via train, so they are considered a reasonable journey for him. Greg can expect to sit the remainder of his sittings (between 20% and 40%) at any of these courts. Unless otherwise agreed, Greg will not be expected to sit outside the Thames Valley Bench, or the South East Circuit.

Q14: Do you agree that existing magistrates should be assigned a home court based on where they have sat most over the past 12 months? If you disagree, how do you think existing magistrates should be deployed?

83. Reasonable adjustments would continue to apply to any sitting arrangements for both existing and future magistrates with a disability or limiting long-standing illness.¹³ Magistrates can also request flexible working arrangements where their personal circumstances require different working practices.

Q15: In your opinion, would the proposed deployment structure have any impact on any protected characteristic in relation to s149 Equality Act 2010?¹⁴ If you answered 'yes', please state the protected characteristic(s), and provide reasons for your answer.

84. The above proposals would not affect the rights of Welsh-speaking magistrates to sit in Welsh speaking courts where preferred.¹⁵

¹³ <https://www.gov.uk/government/publications/reasonable-adjustments-policy-for-disabled-judicial-office-holders>

¹⁴ <https://www.legislation.gov.uk/ukpga/2010/15/section/149>

¹⁵ <https://www.legislation.gov.uk/ukpga/1993/38/section/22>

Chapter 5 – Bench Leadership

85. As legislation states that one Bench Chair¹⁶ and one or more deputies are elected for each LJA,¹⁷ abolishing LJAs means we will need to amend this legislation. We therefore need to decide what leadership structure should replace this.

Current leadership structure

86. Currently each of the 75 LJAs has a Bench Chair, who is responsible for the leadership of the magistracy in their LJA. Bench Chairs are responsible for court business, including managing sittings; keeping the magistrates of their bench informed of changes to the justice system and changes to the way that the court operates; and maintaining standards. They also grant leaves of absence and are consulted on the potential transfer of magistrates to another LJA, amongst other duties.
87. The Bench Chair undertakes pastoral responsibility for the magistrates in the LJA. This might include making sure the various members feel that they are contributing to the work of the LJA, welcoming new magistrates, recognising long service and contributions of volunteers, checking on the wellbeing of magistrates who are ill, and thanking magistrates who are retiring, alongside other duties.¹⁸
88. A Bench Chair agrees to take on these leadership duties in addition to their responsibilities as a magistrate. In most cases, a Bench Chair is an experienced and dedicated magistrate who has the flexibility to take on the additional role.
89. Bench Chairs are currently appointed through an annual election process.¹⁹ Every active magistrate in their LJA is entitled to take part in the election. The Bench Chair can serve in their role for up to three consecutive years and can serve for up to another three years following a six-year break.
90. The Bench Chair role can be time-consuming, particularly in larger LJAs where there is a high number of magistrates. Bench Chairs may choose as many Deputy Bench

¹⁶ Referred to as ‘Chairmen’ in legislation.

¹⁷ Bench Chairs, their role, and their election to office, are legislated for under s17 of the Courts Act 2003.

¹⁸ <https://intranet.judiciary.uk/wp-content/uploads/2023/09/LCJs-Guidance-to-Bench-Chairs-on-Dealing-With-Pastoral-Matters-31st-August-2023-Final-Draft.pdf>

¹⁹ As set out under s10(4) and (5) of the Courts Act 2003.

Chairs as they wish to assist them in their duties, with each deputy post filled by election.

91. Bench Chairs are important to the running and cohesion of the magistracy. As we work to increase diversity of the magistracy, we want to ensure that Bench Chairs continue to reflect the breadth of membership, and that all individuals feel equally able to take on this role. We, therefore, wish to take the opportunity of LJA abolition to review leadership arrangements for the magistracy to ensure they support these aims.

Youth and family leadership

92. Leadership of youth and family magistrates is provided by the Bench Chairs, with some aspects falling to Family and Youth Panel Chairs by delegation from the Bench Chair under guidance from the Lady Chief Justice. All youth and family magistrates belong to their local panel which are overseen by a Youth Panel Chair or Family Panel Chair respectively, and at least one deputy per panel.
93. The purpose of the panels and roles of the Panel Chairs involve sharing information and best practice, liaison, promoting recruitment, and sharing the views of youth or family magistrates with relevant governance groups. In certain cases, aspects of pastoral responsibility are delegated from the Bench Chair to the Family Panel Chair.
94. Youth and Family Panel Chairs and Deputies are elected by the magistrates in the Youth and Family Panel areas respectively. These elections follow the same process as that used in the Bench Chair elections.²⁰
95. Youth Panel Areas mostly mirror LJAs, but there have been mergers in some locations, meaning that some panel areas are larger than current LJAs. Family Panel areas are organised either around Designated Family Judge (DFJ) areas, or around one or more LJAs. The youth and family panel areas can be changed by the (SPJ) and the President of the Family Division respectively, as set out in the Youth and Family Panel Protocols made under the Justice of the Peace Rules 2016.²¹

²⁰ <https://www.legislation.gov.uk/uksi/2016/709/article/8/made>

²¹ <https://www.legislation.gov.uk/uksi/2016/709/article/8/made>

Leadership after LJA abolition

96. We are strongly committed to maintaining a robust local leadership structure following LJA abolition, which ensures magistrates feel a local connection to the administration of justice as they serve their local communities.
97. We welcome views about what this leadership structure could look like. A few possible models for altering the Bench Chair role are outlined below, but we are open to considering other options.
98. We suggest that the role of Bench Chair would continue after LJA abolition. A Bench Chair would carry the same responsibilities as they do currently. Rather than overseeing an LJA, Bench Chairs would oversee one of the proposed benches. Therefore, if we were to create the 58 benches described at Annex B, this would mean that 58 Bench Chairs would be required, rather than the current 75.
99. This would give some Bench Chairs a wider remit than they have currently. To avoid the risk of the role becoming too broad, we explore options below that could help divide the workload for a Bench Chair. We also hope that dividing the workload will make the role more appealing to applicants. This should help encourage a more diverse range of applicants to apply and thereby strengthen democratic representation for the bench by increasing competition for the role.
100. We think that by reducing the workload of the Bench Chair role we would help to ensure that leaders are drawn from and represent a more diverse magistracy. However, we invite your views as to whether this would encourage more applications, or whether other changes could make the role more attractive.

Q16: Do you agree with the principle of dividing the workload of the Bench Chair role to make the role more manageable and to encourage more magistrates to apply for the position? If you think there are other changes that could encourage more people to apply for this role, please list these. Please give reasons for your answer.

Changing the scope of the Bench Chair role

101. We are open to how the remit of the role could be split out to make it more manageable for post holders, which could include one or more of the following:
- i. Splitting the role into two: one leader would have responsibility for the management of court business, and another leader or leaders (subject to the size of the bench) would have leadership responsibility for welfare and pastoral matters.
 - ii. Making better use of deputies to share out the responsibilities of the Bench Chair.

Option i: Split the role into two: the management of court business; and welfare and pastoral leadership

102. In this option, the roles and responsibilities of the Bench Chair, as briefly summarised above, would be split between two leaders, to make the workload of each more manageable than the current Bench Chair position. One leader would oversee the management of court business, such as explaining changes to the justice system and changes to the way that the court operates, and maintaining standards. The second leader would oversee the welfare and pastoral concerns of the magistrates. In this scenario, there would be 116 Bench Chairs: two for each of the 58 proposed benches.

Q17: Do you think that the leadership role should be split into two roles: one managing court business and the other overseeing welfare and pastoral matters? Please give reasons for your answer.

Option ii: Make better use of deputies

103. Although all Bench Chairs can have one or more deputy per Bench Chair, we understand that some areas do not currently appoint any or enough deputies, and that others could potentially be making better use of this role by delegating more of the workload from the Chair to the deputy/deputies.
104. We ask respondents to consider how the deputy role could be better used so that the Chair responsibilities are shared out to make their workload more manageable. For instance, we could consider introducing rules or guidelines that stipulate how many deputies there should be per court, or per given number of magistrates. One example could be that there should be one deputy per fifty or one-hundred magistrates in the bench or that there should be one deputy per court in the bench. We could also consider introducing rules or guidelines for particular aspects of the Bench Chair's role to be delegated to the deputy/deputies.

Q18: How do you think Deputy Bench Chairs could be better used to share out the responsibilities of the Chair? For instance, do you think there should be rules or guidelines for how many deputies should be appointed according to the number of magistrates or courts in a bench? And/or, should there be guidelines or rules for which aspects of the Chair's responsibilities should fall to deputies? Please give reasons for your answer.

Q19: Do you have a preferred option from options i and ii, above? I.e. do you think it would be better to split the Bench Chair role into court business and pastoral roles, or to make better use of deputies to share out the workload? Please give reasons for your answer.

Q20: Do you think there are any other changes we could make to the Bench Chair role to encourage more magistrates to apply for this position? Please give reasons for your answer.

Number of magistrates one Bench Chair could oversee

105. As many factors will affect the scope of these leadership roles, including how many magistrates each bench consists of, it would be helpful to establish a guiding principle for what the reasonable expectations for a leadership role should involve. Therefore, we invite respondents to consider how many magistrates one leader could reasonably oversee.

Q21: How many magistrates do you consider one leader could reasonably oversee? Please provide a figure for the following: (a) leaders who would oversee judicial business only; (b) leaders who would oversee pastoral matters only; (c) leaders who would oversee both judicial business and pastoral matters. Please give reasons for your answer.

Transitional arrangements

106. The above options offer a variety of different scenarios for what bench leadership could look like. In some scenarios, there would likely be more Bench Chairs than there are now, while in others there would be fewer. We would need to provide careful thought about how to manage the transition for current Bench Chairs into the new structure. We will be able to consider this when we have an idea of which, if any, combination of the above options is used. We would aim to reduce disruption to current Bench Chairs as much as possible in any situation.

Election or selection

107. Under all options above, we ask respondents to consider whether the Bench Chair; Deputy Bench Chair; Family Panel Chair; Youth Panel Chair and Family/Youth Panel Deputy roles should:
- a) continue to be elected by fellow magistrates;
 - b) be selected, where eligible magistrates submit an expression of interest, and are selected by an evaluation body; or
 - c) be a hybrid, where some roles are elected, and others are selected.
108. Using selection would bring the role in line with the wider judiciary and is potentially fairer and more transparent. The argument is that the evaluation body – a panel of judges – would consider each candidate according to a transparent set of criteria that is relevant for the role. This could ensure that leaders have the appropriate skills for the role and can therefore perform all the duties expected of them. In this scenario, the evaluation body would be under the oversight of the SPJ and the LCJ.
109. Keeping elections would feel more familiar to magistrates as this is what currently happens. There is a counterargument that an election process would, in fact, be fairer and more transparent than a selection exercise, and that magistrates may feel better represented.
110. It could be possible to use a hybrid of election and selection for different roles. For example, if the leadership role is split into two, the court business leader could be selected and the pastoral leader could be elected.

Q22: Do you think that magistrates' local leaders (Bench Chair; Deputy Bench Chair; Family Panel Chair; Youth Panel Chair and Family/Youth Panel Deputies) should be elected or selected, or a combination of both? Please give reasons for your answer.

Q23: If you think that some leaders should be elected and others should be selected, please specify the types of roles that should be elected, and those that should be selected.

Q24: Do you have any other ideas for how the current local leadership structure could be improved? Please give reasons for your answer.

Youth and family leadership

111. Other than considering whether the Youth and Family Panel Chairs should be elected or selected, we do not propose changing leadership of the youth panels and family panels. As the remits of the Youth Panel Chair and Family Panel Chair are generally smaller than those of the Bench Chair, we understand that there are usually sufficient applicants to take up these roles. Therefore, we are not considering whether to split out the remit as we are with the Bench Chair role. As some of the Youth and Family Panel Areas are structured by LJAs, we expect that these panel areas may need to change to reflect the benches (as set out in more detail in Chapter 4 regarding the Family Panel Areas). As the youth and family panel areas are more flexible than LJAs and can be changed by the SPJ or the President of the Family Division, respectively, we also expect that changes to these areas will continue to be made as and when needed.

Q25: Do you have any further comments about the leadership proposals in this chapter in relation to the youth or family systems?

Chapter 6 – Training, and Training, Approvals, Authorisations and Appraisals Committees (TAAACs)

Current roles and structure of the TAAACs

Training

112. Delivery of magistrates' training is overseen locally by the Training, Approvals, Authorisations and Appraisals Committees (TAAACs) working with the Learning Partner (LP).²² The learning partner is a member of the Judicial College staff who oversees delivery of magistrates training. There are two types of committees: Justices' (JTAAAC) for criminal matters including youth court matters, and Family (FTAAAC).²³ Each TAAAC approves a training plan for their jurisdiction, in accordance with the national training programme (issued by the Judicial College on behalf of the LCJ).

Approvals, Authorisations and Appraisals

113. The TAAACs also oversee approvals to preside in court; authorisations to sit as youth or family justices; and manage the appraisal and mentoring scheme in their area.²⁴

TAAAC structure and membership

114. Each TAAAC is made up of between 6–24 magistrates;²⁵ a representative from the Magistrates' Association (MA);²⁶ and an HMCTS representative.²⁷

115. There are currently 23 JTAAACs and 22 FTAAACs. TAAACs oversee training, approvals, authorisations and appraisals for magistrates in the LJAs that make up

²² The learning partner is a member of the Judicial College staff who oversees delivery of magistrates training. There are 7 LPs, one for each of the judicial circuits and London.

²³ <https://www.legislation.gov.uk/ukxi/2016/709/part/4/made>

²⁴ Responsibility for approvals, authorisations and appraisals is more straightforward than training, as these areas are all delegated only to the TAAACs.

²⁵ Magistrate members of JTAAACs and FTAAACs are officially referred to as 'justice members' in the Justices of the Peace Rules 2016 (the 'Rules'). However, we will refer to them here as magistrate members to avoid the misunderstanding that they are only members of the Justices' TAAAC.

²⁶ The Magistrates' Association is the membership body for magistrates (www.magistrates-association.org.uk).

²⁷ The functions and membership of the committees are set out in the Justices of the Peace Rules 2016 (the 'Rules') and derive their authority from the Courts Act 2003.

that TAAAC area. This means that once LJAs are abolished, the rules about committee membership for justice members will need to be amended and this is discussed further below. We have also taken this opportunity to consider wider aspects of TAAAC functions and membership. As these matters are not directly affected by LJA abolition, any changes would be considered in the longer-term. The procedures for appraisals, approvals and authorisations are out of scope for this consultation.

116. All changes to the TAAACs considered below are independent of each other, and any changes will be informed by the responses to this consultation. We welcome views about which, if any, would be most helpful for magistrates.

TAAAC membership and the abolition of LJAs

117. As a direct effect of the abolition of LJAs, justice members of TAAACs would need to be drawn from an amended geographical area. We propose to draw members from the relevant proposed bench in the TAAAC's geographical area rather than from LJAs. Bench design is set out in Chapter 2 and in annexes A, B and C.

Proposed changes to TAAAC structure and membership

Geographical representation

118. We propose that 45 TAAACs is too many and reducing the number would enable more effective operation. We welcome responses on reducing the number to 14, with two TAAACs, one crime and one family, for each of the seven judicial circuits.²⁸ This would replicate the current structure in London. Members would be drawn from the benches that sit within that circuit. This would provide greater consistency across each region than the current TAAAC structure, which vary hugely in size and spread. Aspects of the TAAACs already operate at the level of the circuits, so forming the TAAACs by circuit should work well.²⁹ A circuit-based approach encourages the sharing of best practice and resource across geographical boundaries and promotes consistency.

²⁸ The TAAACs technically follow the HMCTS regions and Wales structure rather than the circuit structure. However, for consistency of terminology across this paper, we will refer to 'circuits' to mean the judicial circuits and London, which mirror the HMCTS regions and Wales. See footnote **Error! Bookmark not defined.** and the glossary for further information.

²⁹ For example, TAAACs are usually supported by HMCTS Legal Team Managers (Training) or Senior Legal Managers, who both work for a circuit. The Judicial College has also implemented a circuit-based training model. Circuits such as London have already created a single TAAAC area, while others run circuit-level strategic TAAAC forums.

119. This would reduce the number of TAAAC members in a circuit, but we would ensure that each new bench was represented appropriately.
120. We are aware that committees with many members can be unwieldy, so we could put in a sub-committee structure to allow specific matters that affect all the represented circuit, to be considered by a smaller number of magistrates.

Q26: Do you agree that the 45 TAAACs should be reduced to 14, with one JTAAAC and one FTAAAC for each of the seven judicial circuits and London? Please give reasons for your answer. If you disagree, how do you think TAAACs should be organised geographically?

Q27: Do you have ideas about how larger TAAACs could be structured using sub-committees, working groups, or other mechanisms? What might those sub-structures typically cover? Please let us know your ideas.

Members of the TAAACs

121. As part of the delivery model for regional magistrate training, the Judicial College has introduced the role of learning partners (LPs). The LP ensures that core national training provision is delivered in their circuit.³⁰ To ensure training delivery is joined up across these bodies, we propose that the LP should be made a statutory member of the relevant TAAAC or TAAACs.³¹

Q28: Do you agree that the Judicial College regional learning partner should be a statutory member of the TAAACs? Please give reasons for your answer.

Q29: Do you have any other comments about the membership of the TAAACs? If so, please provide details.

Election or selection

122. Justice members and family justice members of each TAAAC are appointed by a Selection Panel. The Selection Panel comprises magistrates elected directly by their constituent LJAs. Members of Selection Panels can serve up to six years. Justice members of each TAAAC can serve for up to 9 years. Whilst this procedure ensures

³⁰ Each LP is responsible for a region that aligns to HMCTS circuits of regions and Wales, but we are using the term 'circuit' for consistency. See footnote 1 and glossary for more information.

³¹ The Rules set out that each TAAAC should consist of between 6 and 24 justices from the relevant LJAs, including one nominated by the Magistrates' Association (MA), and the Justices' Clerk (now the Head of Legal Operations) or their nominated assistant. For JTAAACs there must be sufficient youth members, and membership of the FTAAAC requires being a family justice.

that there is a clear link between the committees and LJAs, we understand that this two-stage process can feel convoluted, and it can be difficult for areas to resource Selection Panels.

123. Therefore, we invite respondents to consider whether magistrate members of the TAAAC should be directly elected or selected, removing the need for Selection Panels. As with election or selection of the leadership positions, there are advantages to both approaches, outlined in paragraphs 106–107 in Chapter 5.

Q30: Do you think that magistrate members of the TAAAC should be directly elected or selected? Please give reasons for your answer.

Potential longer-term changes to the TAAACs

Combining JTAAACS and FTAAACs

124. We suggested above that significantly reducing the number of TAAACs could improve their effectiveness. However, having separate TAAACs for the family and criminal systems can also cause duplication. Approvals, authorisations and appraisals work identically in Justices' (criminal) and Family committees. Therefore, combining committees could share opportunities and good practice across these two jurisdictions, especially on matters not directly relating to training on legal matters. If this were to happen, we would still create separate family and crime training plans to ensure matters particular to each jurisdiction were considered.
125. On the other hand, as there are some separate training needs for criminal and family magistrates, it could be beneficial to keep the two committees separate. This would ensure that time and space is set aside to discuss family-specific issues.

Q31: Should the Justices' and Family TAAACs for each area be combined further into one TAAAC per circuit, which would cover both family and criminal matters? Please give reasons for your answer.

Q32: Do you have any other reflections about the TAAACs? If so, please provide details.

Impact Assessment and Equality Statement

126. An Impact Assessment was published as part of the passage of the Judicial Review and Courts Act 2022, which included details on anticipated cost benefits to abolition of LJAs. This Impact Assessment can be found at this link: <https://bills.parliament.uk/publications/42317/documents/1348> (see paragraphs 170–176 regarding local justice areas).
127. None of the proposals in this consultation will introduce new regulation on the private sector or cost the public purse £5 million or more. Consequently, no new Impact Assessment has been produced to accompany this consultation.
128. MoJ, HMCTS and Judicial Office will continue to review the position that the costs will not exceed £5 million. We will publish an Impact Assessment alongside the formal response to this consultation if it becomes apparent during the consultation period or analysis of responses that this is needed.
129. We have completed an Equality Statement to accompany this consultation, and this can be found at: <https://www.gov.uk/government/consultations/reform-of-local-justice-areas>
130. No significant equalities impacts have been identified, as the experience of sitting as a magistrate will feel very similar to the current situation. Listings – and therefore arrangements for court users – will not change as a result of our proposals. There is a small chance that a minority of magistrates will be asked to sit further away (dependent on judicial business need and journey time from the magistrates' home address), which could potentially cause indirect discrimination, but adjustments to sitting expectations will be available to prevent this.
131. Having considered the impact of the proposed changes to bench leadership, we do not foresee any likely discriminatory impacts as the options consider how the Bench Chair role could be changed to reduce its remit. The general assumption is that it will be less demanding in terms of time and scope and therefore could make the role more accessible and attractive for individuals with protected characteristics.

Welsh translation

132. A Welsh language translation of this consultation can be found at
<https://www.gov.uk/government/consultations/reform-of-local-justice-areas>

Q33: What do you consider to be the equalities impacts on individuals with protected characteristics of each of the proposed options for reform? Please give reasons.

Q34: Do you agree that we have correctly identified the range and extent of the equalities impacts under each of these proposals set out in this consultation? Please give reasons and supply evidence of further equalities impacts as appropriate.

Q35: Are there forms of mitigation in relation to equality impacts that we have not considered?

Q36: Is there anything else you would like to tell us about our proposed changes to local justice areas regarding recruitment, deployment, leadership and training?

Questionnaire

We would welcome responses to the following questions set out in this consultation paper. Please do not feel you need to answer all questions. You are welcome to answer only those which you have knowledge of or an opinion about.

Q1: Do you agree that the wider aspects of the magistrates' system likely to be affected by LJA abolition are: recruitment; deployment; leadership; and training? If you think other areas are likely to be affected, please list these.

Q2: Do you agree that magistrates' courts should be grouped into benches which would either: match Criminal Justice Areas (CJAs); or, use the boundaries of current LJAs, where the LJA is too large to function as a single bench? If not, how do you think we should form benches? Please give reasons for your answer.

Q3: Do you agree with the 58 proposed benches set out in Annex B? Please give reasons for your answer. If you disagree, please detail any issues relevant to a particular bench, and suggest any alternatives you may have.

Q4: Do you think that any of the proposals set out in this paper would affect the family or youth court systems in ways other than those identified? Please give reasons for your answer.

Q5: Do you agree that only minimal changes to the magistrates' recruitment process would be needed as a result of LJA abolition, whereby vacancies and assignments would be organised by bench rather than LJA? Do you think there are likely to be further effects on the recruitment system that we have not considered? Please give reasons for your answer.

Q6: Do you agree that magistrates should be assigned to a 'home court', where they would be expected to spend between 60% and 80% of their sittings? If not, what do you think the percentage range should be? Please give reasons for your answer.

Q7: Do you agree with the expectation that magistrates would spend the remaining sittings outside their home court elsewhere in their bench? If you disagree, please explain why.

Q8: Do you agree that magistrates should only be expected to sit at courts that are a reasonable journey time from their home or work address, defined as no more than 90 minutes each way? If you disagree, what alternative would you suggest? Please give reasons for your answer.

Q9: Do you agree that magistrates should have the option of spending a minority of sittings outside their bench or their judicial circuit, where: a) there is a local need; b) the magistrate chooses this; and c) journeys are no more than 90 minutes each way? Please give reasons for your answer.

Q10: Do you agree that family magistrates should be assigned to a bench on appointment, with case allocation organised by Family Panel Area (FPA)? Please give reasons for your answer.

Q11: Do you agree that, where we are proposing that LJA court groups should be merged to form a larger bench, the Family Panel Areas (FPAs) that currently mirror those LJAs should also be merged, so they continue to mirror the new bench? Otherwise, do you agree that the other FPAs should generally stay the same? If you feel that any FPAs should be amended in any other ways, please provide details and reasons for your answer.

Q12: Do you agree that family magistrates should be allocated to a 'home family court', which they would be expected to sit at for 60% to 80% of their sittings, and which would be no more than a 90-minute journey each way from their home or work address? Please give reasons for your answer.

Q13: Do you agree that youth magistrates should be assigned to a 'home youth court', where they would be expected to sit for most of their youth work? Please give reasons for your answer. If you disagree, what alternative would you suggest?

Q14: Do you agree that existing magistrates should be assigned a home court based on where they have sat most over the past 12 months? If you disagree, how do you think existing magistrates should be deployed?

Q15: In your opinion, would the proposed deployment structure have any impact on any protected characteristic in relation to s149 Equality Act 2010?³² If you answered 'yes', please state the protected characteristic(s), and provide reasons for your answer.

³² <https://www.legislation.gov.uk/ukpga/2010/15/section/149>

Q16: Do you agree with the principle of dividing the workload of the Bench Chair role to make the role more manageable and to encourage more magistrates to apply for the position? If you think there are other changes that could encourage more people to apply for this role, please list these. Please give reasons for your answer.

Q17: Do you think that the leadership role should be split into two roles: one managing court business and the other overseeing welfare and pastoral matters? Please give reasons for your answer.

Q18: How do you think Deputy Bench Chairs could be better used to share out the responsibilities of the Chair? For instance, do you think there should be rules or guidelines for how many deputies should be appointed according to the number of magistrates or courts in a bench? And/or, should there be guidelines or rules for which aspects of the Chair's responsibilities should fall to deputies? Please give reasons for your answer.

Q19: Do you have a preferred option from options i and ii, above? I.e. do you think it would be better to split the Bench Chair role into court business and pastoral roles, or to make better use of deputies to share out the workload? Please give reasons for your answer.

Q20: Do you think there are any other changes we could make to the Bench Chair role to encourage more magistrates to apply for this position? Please give reasons for your answer.

Q21: How many magistrates do you consider one leader could reasonably oversee? Please provide a figure for the following: (a) leaders who would oversee judicial business only; (b) leaders who would oversee pastoral matters only; (c) leaders who would oversee both judicial business and pastoral matters. Please give reasons for your answer.

Q22: Do you think that magistrates' local leaders (Bench Chair; Deputy Bench Chair; Family Panel Chair; Youth Panel Chair and Family/Youth Panel Deputies) should be elected or selected, or a combination of both? Please give reasons for your answer.

Q23: If you think that some leaders should be elected and others should be selected, please specify the types of roles that should be elected, and those that should be selected.

Q24: Do you have any other ideas for how the current local leadership structure could be improved? Please give reasons for your answer.

Q25: Do you have any further comments about the leadership proposals in this chapter in relation to the youth or family systems?

Q26: Do you agree that the 45 TAAACs should be reduced to 14, with one Crime TAAAC and one Family TAAAC for each of the seven judicial circuits and London? Please give reasons for your answer. If you disagree, how do you think TAAACs should be organised geographically?

Q27: Do you have ideas about how larger TAAACs could be structured using sub-committees, working groups, or other mechanisms? What might those sub-structures typically cover? Please let us know your ideas.

Q28: Do you agree that the Judicial College regional learning partner should be a statutory member of the TAAACs? Please give reasons for your answer.

Q29: Do you have any other comments about the membership of the TAAACs? If so, please provide details.

Q30: Do you think that magistrate members of the TAAAC should be directly elected or selected? Please give reasons for your answer.

Q31: Should the Justices' and Family TAAACs for each area be combined further into one TAAAC per circuit, which would cover both family and criminal matters? Please give reasons for your answer.

Q32: Do you have any other reflections about the TAAACs? If so, please provide details.

Thank you for participating in this consultation exercise.

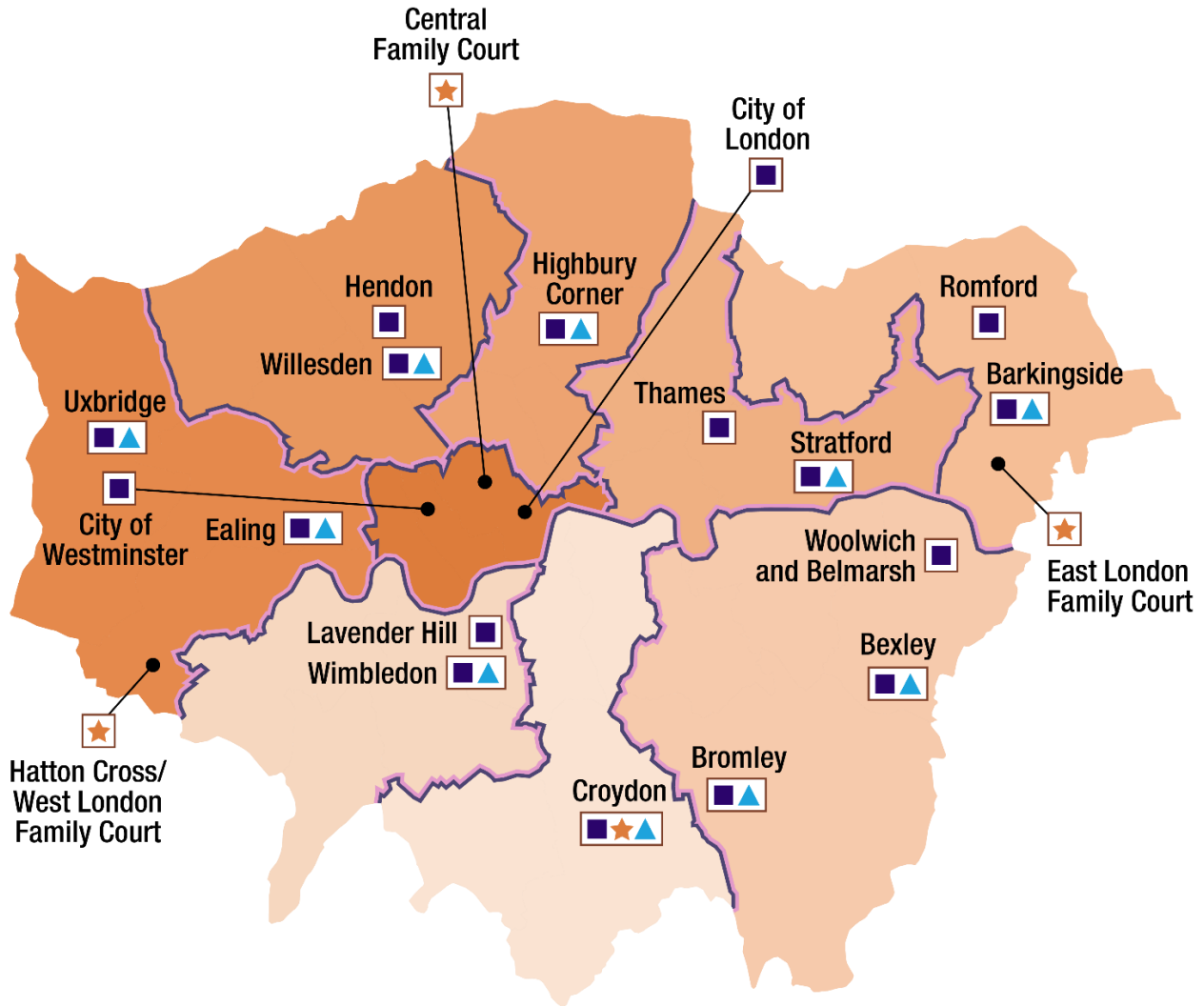
Annex A: Maps illustrating the difference between current LJAs and proposed benches

Circuits of England and Wales (and London)³³



³³ These maps reflect the distribution of courts and cases at the time of drafting. Though family courts are not organised by LJA/bench (and therefore do not appear in the bench/LJA composition tables), locations where family magistrates may be assigned cases are included on the maps.

London Region³⁴



Key

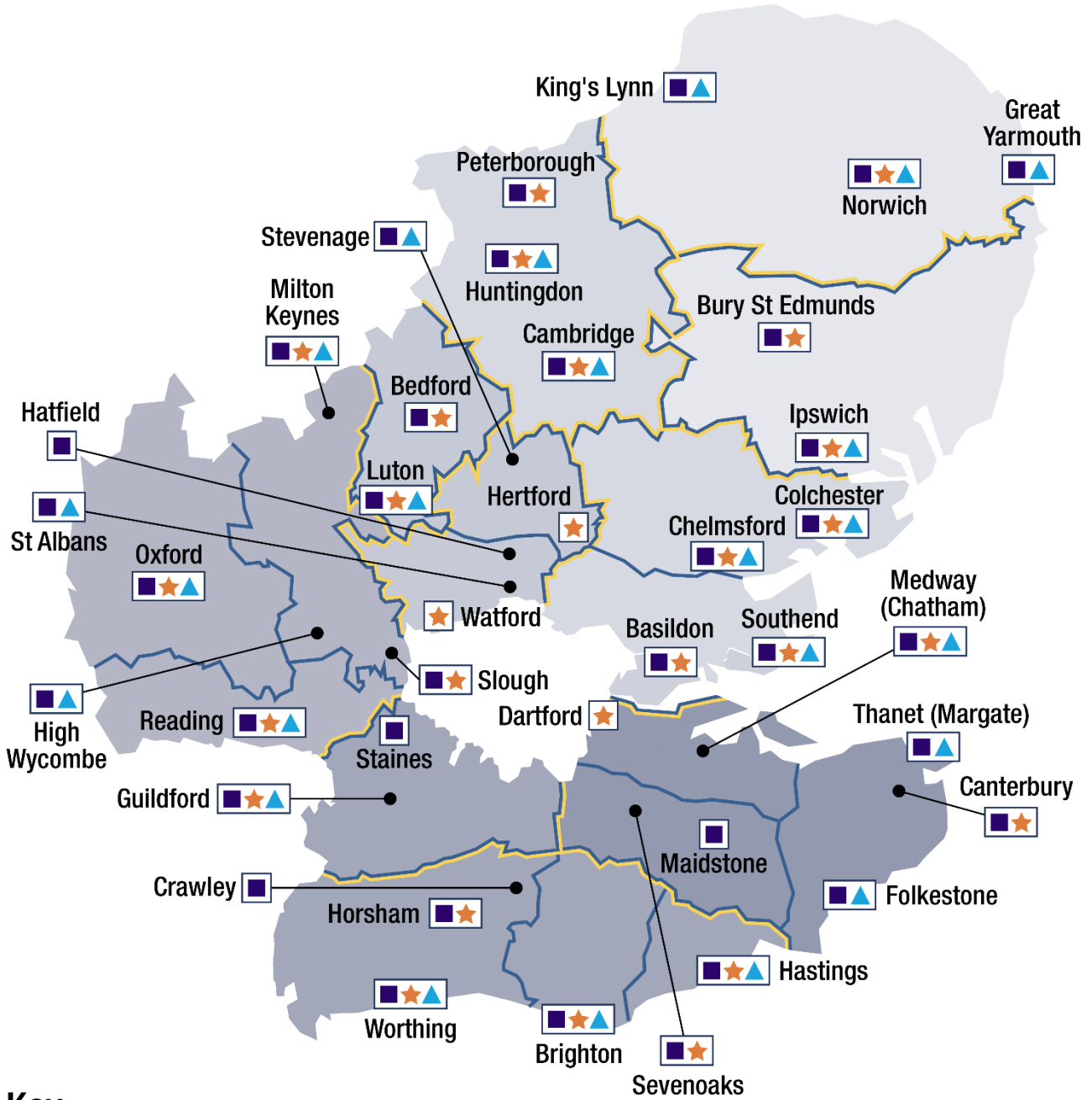
- Magistrates'
- Family
- Youth
- Bench boundary
- LJA boundary

³⁴ Please note that Barnet Civil and Family Courts Centre is not shown on the London map as it is currently closed due to building works; the court will reopen once these are complete.

Belmarsh Magistrates' Court is not listed in the LJA/Bench composition table as magistrates are not normally deployed here.

Though Hendon Magistrates' Court appears to be part of the North West London LJA/Bench, it technically forms part of the Central London LJA/Bench.

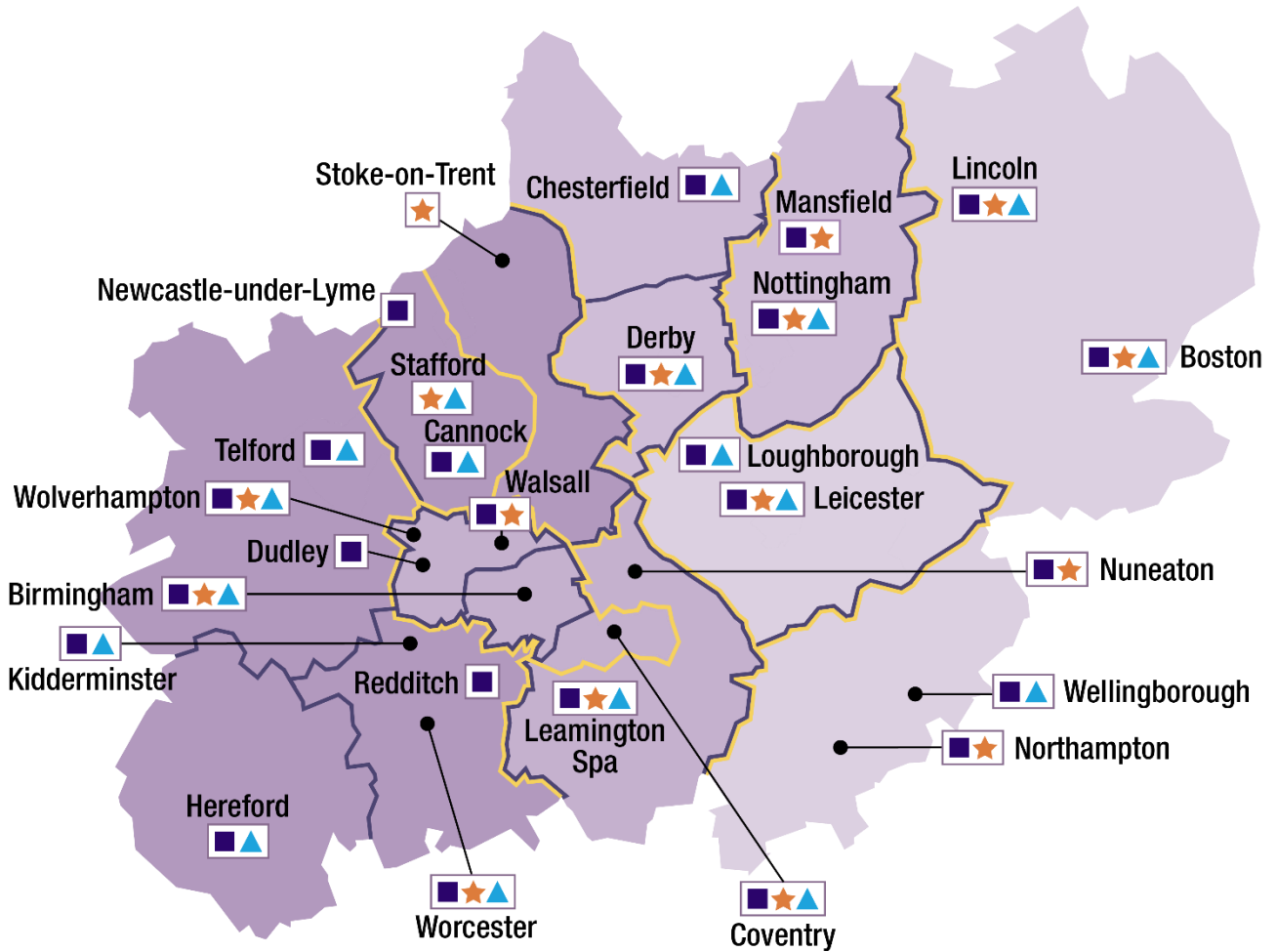
South East



Key

- Magistrates'
- Family
- Youth
- Bench boundary
- LJA boundary

Midlands



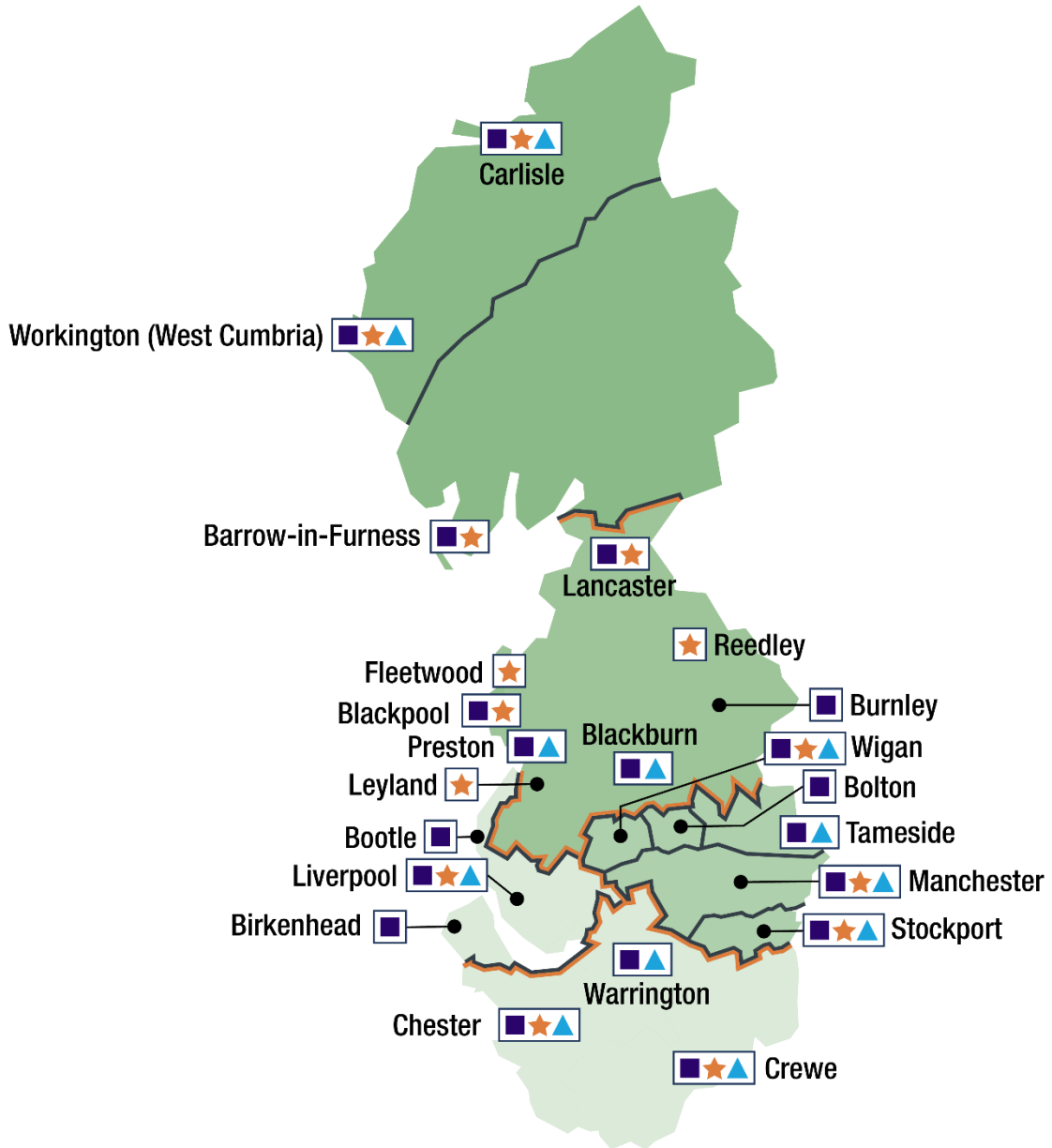
Key

- Magistrates'
- Family
- Youth
- Bench boundary
- LJA boundary

North East



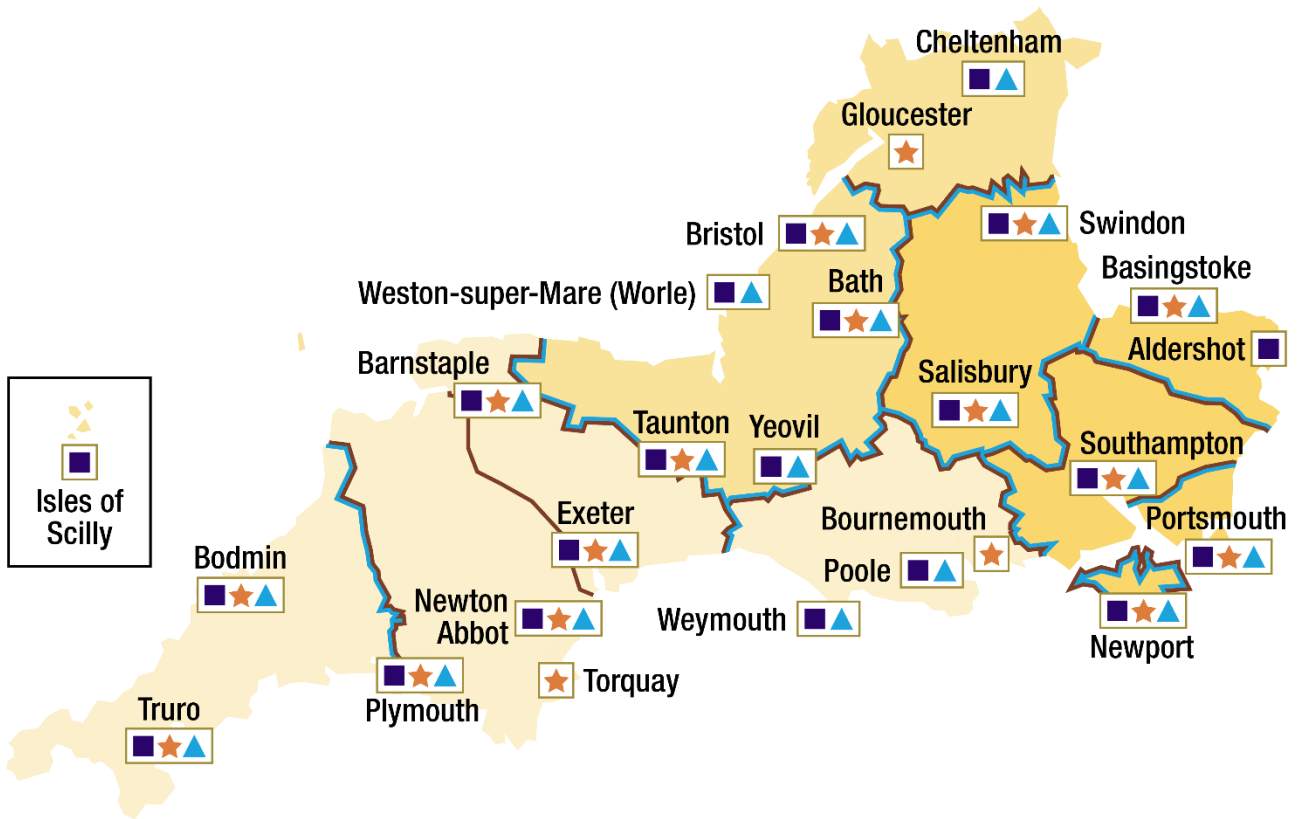
North West



Key

- Magistrates'
- Family
- Youth
- Bench boundary
- LJA boundary

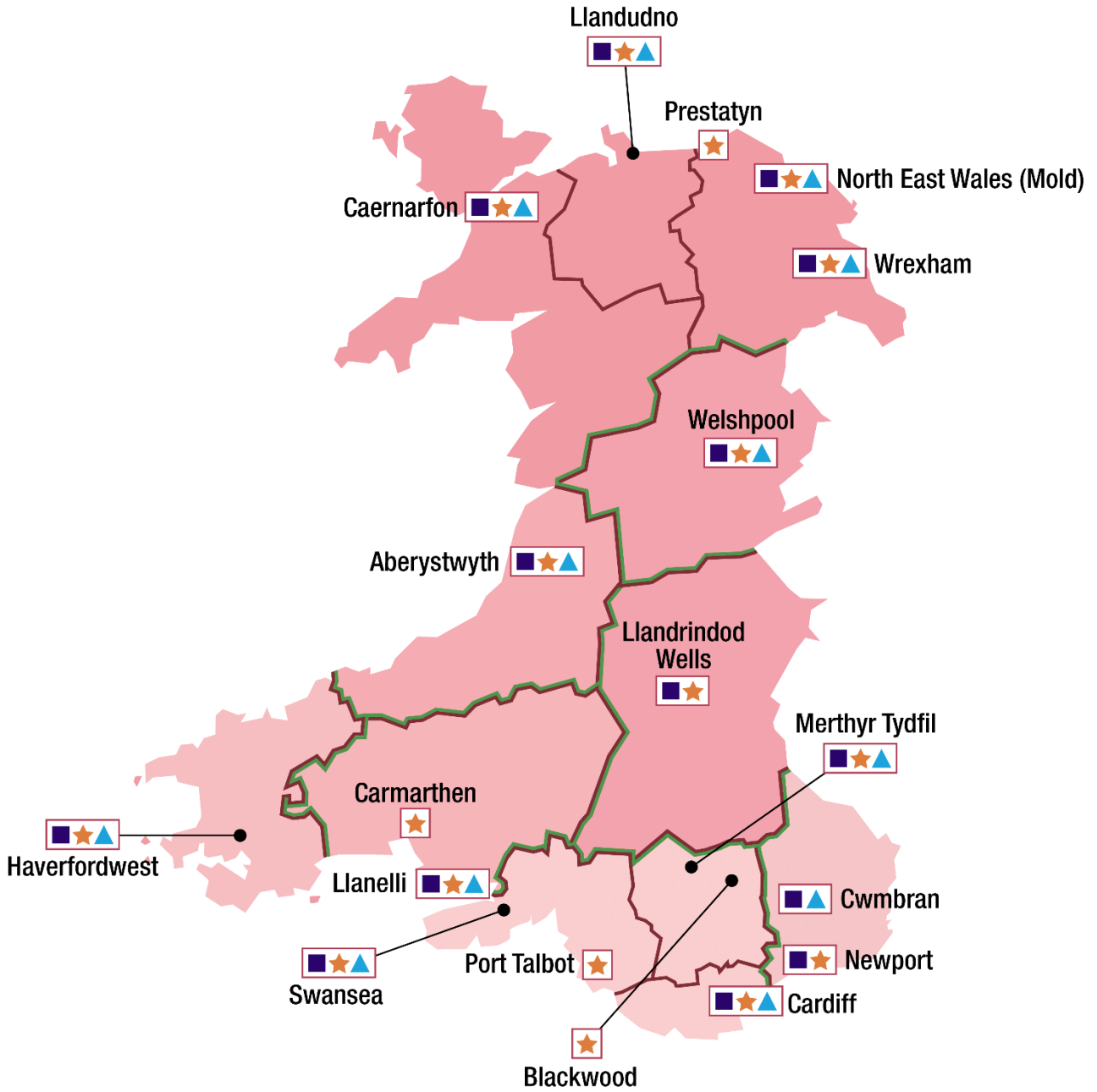
South West



Key

- Magistrates'
- Family
- Youth
- Bench boundary
- LJA boundary

Wales



Key

- Magistrates'
- ★ Family
- ▲ Youth
- Bench boundary
- LJA boundary

Annex B: Table outlining the current LJAs and proposed bench composition (Textual description of the LJA Map[s])

Circuit	Current LJA	Courts	Proposed Bench	Courts
London	Central London	Westminster, Hendon, City of London	Central London	Westminster, Hendon, City of London
	East London	Stratford, Thames	East London	Stratford, Thames
	North East London	Barkingside, Romford	North East London	Barkingside, Romford
	North London	Highbury Corner	North London	Highbury Corner
	North West London	Willesden (Brent)	North West London	Willesden (Brent)
	South East London	Bexley, Bromley	South East London	Bexley, Bromley
	South London	Croydon	South London	Croydon
	South West London	Lavender Hill (South Western), Wimbledon	South West London	Lavender Hill (South Western), Wimbledon
	West London	Ealing, Uxbridge	West London	Ealing, Uxbridge
South East	Bedfordshire	Bedford, Luton	Bedfordshire	Bedford, Luton
	Berkshire	Reading, Slough,	Thames Valley	Reading, Slough, Milton Keynes, Wycombe, Oxford
	Buckinghamshire	Milton Keynes, Wycombe		
	Oxfordshire	Oxford		
	Cambridgeshire	Cambridge, Huntingdon, Peterborough	Cambridgeshire	Cambridge, Huntingdon, Peterborough

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Circuit	Current LJA	Courts	Proposed Bench	Courts
	Central and West Hertfordshire	Hatfield, St Albans	Hertfordshire	Hatfield, St Albans, Stevenage,
	North and East Hertfordshire	Stevenage		
	Central Kent	Maidstone, Sevenoaks	Kent	Maidstone, Sevenoaks, Canterbury, Folkestone, Margate (Thanet), Medway (Chatham),
	East Kent	Canterbury, Folkestone, Margate (Thanet)		
	North Kent	Medway (Chatham)		
	Norfolk	Great Yarmouth, King's Lynn, Norwich	Norfolk	Great Yarmouth, King's Lynn, Norwich
	North Essex	Chelmsford, Colchester,	Essex	Chelmsford, Colchester, Basildon, Southend on Sea
	South Essex	Basildon, Southend on Sea		
	Suffolk	Ipswich, Bury St. Edmunds	Suffolk	Ipswich, Bury St. Edmunds
	Surrey	Guildford, Staines	Surrey	Guildford, Staines
	Sussex (Central)	Brighton	Sussex	Brighton, Hastings, Crawley, Horsham, Worthing
	Sussex (Eastern)	Hastings		
	West Sussex	Crawley, Horsham, Worthing		
Midlands	Birmingham and Solihull	Birmingham	West Midlands	Birmingham, Dudley, Walsall, Wolverhampton, Coventry
	Black Country	Dudley, Walsall, Wolverhampton,		
	Coventry and Warwickshire (Coventry)	Coventry		

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Circuit	Current LJA	Courts	Proposed Bench	Courts
	Coventry and Warwickshire (Warwickshire)	Leamington Spa, Nuneaton	Warwickshire	Leamington Spa, Nuneaton
	Northern Derbyshire	Chesterfield	Derbyshire	Chesterfield, Derby
	Southern Derbyshire	Derby		
	Nottinghamshire	Mansfield (Rosemary St), Nottingham	Nottinghamshire	Mansfield (Rosemary St), Nottingham
	Northamptonshire	Northampton, Wellingborough	Northamptonshire	Northampton, Wellingborough
	Herefordshire	Hereford	West Mercia	Hereford, Telford, Kidderminster, Redditch, Worcester
	Shropshire	Telford		
	Worcestershire	Kidderminster, Redditch, Worcester		
	Leicestershire and Rutland	Leicester, Loughborough	Leicester	Leicester, Loughborough
	Lincolnshire	Boston, Lincoln	Lincolnshire	Boston, Lincoln
	Staffordshire	Cannock, Newcastle under Lyme	Staffordshire	Cannock, Newcastle under Lyme
North East	Cleveland	Teesside	Cleveland	Teesside
	County Durham and Darlington	Newton Aycliffe, Peterlee	Durham	Newton Aycliffe, Peterlee
	Humber	Beverley, Bridlington, Grimsby, Hull and Holderness	Humberside	Beverley, Bridlington, Grimsby, Hull and Holderness

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Circuit	Current LJA	Courts	Proposed Bench	Courts
	North Northumbria	Berwick upon Tweed, Mid and South East Northumberland, Newcastle Upon Tyne, North Tyneside	Northumbria	Berwick upon Tweed, Mid and South East Northumberland, Newcastle Upon Tyne, North Tyneside, Gateshead, South Tyneside Law Courts, Sunderland and Houghton-le-Spring
	South Northumbria	Gateshead, South Tyneside Law Courts, Sunderland and Houghton-le-Spring		
	North Yorkshire	Harrogate and Skipton, Scarborough, York	North Yorkshire	Harrogate and Skipton, Scarborough, York
	South Yorkshire	Barnsley, Doncaster, Sheffield	South Yorkshire	Barnsley, Doncaster, Sheffield
	West Yorkshire	Bradford, Kirklees, Leeds	West Yorkshire	Bradford, Kirklees, Leeds
North West	Bolton	Bolton	Greater Manchester	Bolton, Manchester City, Stockport, Tameside, Wigan
	Manchester & Salford	Manchester City		
	Stockport	Stockport		
	Tameside	Tameside		
	Wigan and Leigh	Wigan		
	Cheshire	Chester, Crewe, North Cheshire (Warrington)	Cheshire	Chester, Crewe, North Cheshire (Warrington)

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Circuit	Current LJA	Courts	Proposed Bench	Courts
	Lancashire	Blackburn, Blackpool, Burnley, Lancaster, Preston	Lancashire	Blackburn, Blackpool, Burnley, Lancaster, Preston
	Merseyside	Birkenhead, Bootle, Liverpool	Merseyside	Birkenhead, Bootle, Liverpool
	North and West Cumbria	Carlisle, Workington	Cumbria	Carlisle, Workington, Barrow in Furness
	South Cumbria	Barrow in Furness		
South West	Avon & Somerset	Bath, Bristol, Taunton, Weston Super Mare, Yeovil	Avon & Somerset	Bath, Bristol, Taunton, Weston Super Mare, Yeovil
	Cornwall	Bodmin, Isles of Scilly, Truro	Cornwall	Bodmin, Isles of Scilly, Truro
	Dorset	Poole, Weymouth	Dorset	Poole, Weymouth
	East Hampshire	Portsmouth	East Hampshire	Portsmouth
	Gloucestershire	Cheltenham (St George's Road)	Gloucestershire	Cheltenham (St George's Road)
	Isle of Wight	Newport (Isle of Wight)	Isle of Wight	Newport (Isle of Wight)
	North and East Devon	Barnstaple, Exeter	Devon	Barnstaple, Exeter, Newton Abbot, Plymouth
	South and West Devon	Newton Abbot, Plymouth		
	North Hampshire	Aldershot, Basingstoke	North Hampshire	Aldershot, Basingstoke
	West Hampshire	Southampton (The Avenue)	West Hampshire	Southampton (The Avenue)
	Wiltshire	Salisbury (Guildhall), Swindon	Wiltshire	Salisbury (Guildhall), Swindon

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Circuit	Current LJA	Courts	Proposed Bench	Courts
Wales	Cardiff	Cardiff	South Wales	Cardiff, Merthyr Tydfil, Swansea
	Mid Wales (South Wales area)	Merthyr Tydfil		
	Swansea	Swansea		
	Ceredigion	Aberystwyth	Ceredigion	Aberystwyth
	Gwent	Cwmbran, Newport (Usk Way)	Gwent	Cwmbran, Newport (Usk Way)
	Llanelli	Llanelli	Llanelli	Llanelli
	Mid Wales (Dyfed Powys Area)	Llandrindod Wells	Mid Wales	Llandrindod Wells
	Montgomeryshire	Welshpool	Montgomeryshire	Welshpool
	North Central Wales	Llandudno	North Wales	Llandudno, North East Wales, Wrexham, Caernarfon
	North East Wales	North East Wales, Wrexham		
	North West Wales	Caernarfon		
	Pembrokeshire	Haverfordwest	Pembrokeshire	Haverfordwest

Annex C: Summary of bench proposals

Current LJA system	Proposed bench system	Degree of change expected
LJAs are a legal structure. There are multiple mentions of them in legislation.	Benches will be administrative structures only. They will not have a role set out in legislation.	Technical and legal change. Little to no change to the experience of a magistrate.
LJAs' roles are: recruitment, deployment, case allocation and administration of fines, suspended sentence orders and community orders.	The roles of benches will also be: recruitment, deployment, case allocation and administration of fines, suspended sentence orders and community orders.	No change. All magistrates will continue to be assigned to a bench.
The hard legal boundary of LJAs makes it very difficult to move cases, magistrates and penalties between LJAs. For instance, moving fines requires a 'transfer of fines' order, of which 70k are processed per year. This presents challenges where offenders have penalties in multiple areas or wish to pay a penalty in a different area from where it was received. Similar issues exist for suspended sentence orders and community orders, including youth rehabilitation orders.	As benches will not be a legal structure, these hard boundaries will disappear. This will cause significant efficiency savings for HMCTS, and build a more resilient and flexible system. Any court in the country will be able to administer a penalty automatically. This will free up staff time and reduce delays, which should contribute to reducing backlogs in the court system. HMCTS will be able to develop a national view of offenders.	Significant change for courts administration. Little to no change to the experience of a magistrate.
Magistrates can easily sit in another LJA in their circuit when they wish to. Case listings can easily be moved between LJAs to group similar types of cases together where there is expertise.	Case listings and magistrates will be moved between benches when needed and, in the case of magistrates, when desired. (See Chapter 2 for more detail.)	No practical change.

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Current LJA system	Proposed bench system	Degree of change expected
<p>It is possible, though more challenging, to move magistrates between circuits than between LJAs.</p>	<p>It will be simple to move magistrates between circuits when needed and desired (e.g., when a magistrate lives near a circuit boundary).</p>	<p>Moderate change to courts administration.</p> <p>Moderate change for some magistrates who live near circuit boundary.</p> <p>Little to no change for other magistrates.</p>

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Current LJA system	Proposed bench system	Degree of change expected
<p>There are 75 LJAs, made up of between one and five courts.</p>	<p>There will be 58 benches, made up of between one and seven courts.</p> <p>Most benches will share boundaries with criminal justice areas (CJAs). CJAs match police force areas and, in most cases, counties. In some areas, CJAs share boundaries with current LJAs, which will be the same as those used in benches. In most other areas, current LJA court groups will merge to form larger benches which share boundaries with CJAs. There will be notable exceptions where the CJAs would be too large to form benches, where benches will share boundaries with current LJAs.</p> <p>See annexes B and C for full detail of proposed benches.</p> <p>(Deployment proposals in Chapter 2 will ensure that even if benches are larger than LJAs, magistrates will not be expected to travel for significantly longer than they do currently.)</p>	<p>Significant change in legislation.</p> <p>Minor change to the experience of a magistrate (see Chapter 2 for more detail).</p>

Annex D: Summary of recruitment proposals

Current LJA system	Proposed bench system	Degree of change expected
Magistrates apply to a vacancy in their LJA. They are appointed nationally and assigned to the LJA they applied to.	Magistrates will apply to a vacancy in their bench. They will be appointed nationally and assigned the bench they applied to, and within this to a 'home court'.	Little to no change to the experience of a magistrate.
Reviewing and interviewing magistrates is carried out by one of the 23 Lord Chancellor's Recruitment Advisory Committees on Justices of the Peace (ACs). The ACs recruit to one or more LJAs.	Rather than recruit to an LJA the AC will recruit to a bench. Therefore, some technical change will be required to alter the geographical areas that ACs are responsible for.	Moderate technical change. No change to the experience of a magistrate.
Youth magistrates are appointed by the TAAACs following further training.	This would continue.	No change.
Family magistrates either apply for this role using a separate recruitment process, or are criminal magistrates who are appointed by the TAAACs following further training.	This would continue.	No change.

Annex E: Summary of deployment proposals

Current LJA system	Proposed bench system	Degree of change expected
All magistrates are assigned to an LJA.	All magistrates will be assigned to a bench, and within this, to a 'home court'.	Technical change. Little to no change to the experience of a magistrate.
Magistrates are allocated to cases anywhere in their LJA. There are no official rules about home courts or percentage guidelines currently. In practice, however, most magistrates spend the majority of their sittings in one court, or 'base location'.	Magistrates will be allocated for 60–80% of their cases to their home court.	Insignificant in practice. This is mostly a codification of what already happens.
Magistrates are expected to sit anywhere in their LJA. In practice leaders will consider magistrates' journey times when making listing arrangements, but there are no official rules about how far from home they should sit.	Magistrates will be expected to spend the remaining 20–40% of their sittings in their bench. This will only be in courts that are a reasonable journey time away from the magistrate's home or work address. A reasonable journey time will be up to 90 minutes each way, by car or public transport.	Minor

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Current LJA system	Proposed bench system	Degree of change expected
<p>Reasonable adjustments apply to any sitting arrangements. Flexible sitting arrangements are organised to support those with protected characteristics and other needs.</p> <p>If a magistrate has a protected characteristic which means it is difficult to meet these sitting expectations, then a different arrangement can be agreed to meet their needs.</p>	<p>This would continue.</p>	<p>None</p>
<p>Magistrates can be moved between LJAs where there is a need and the magistrate is happy to sit beyond their LJA. However, it is more challenging to move magistrates beyond their circuit, even when they live very close to a circuit boundary.</p>	<p>Magistrates would have the option of spending some of their 20–40% of sittings outside their bench and outside their circuit.</p> <p>This will only happen when there is a local need and a wish of the magistrate. E.g., when they live near a boundary and their nearest youth court is on the other side.</p>	<p>Minor change to those magistrates who live near a circuit boundary.</p> <p>Little to no change for other magistrates.</p>

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Current LJA system	Proposed bench system	Degree of change expected
<p>Family magistrates are assigned to an LJA on appointment.</p> <p>Their court/case allocation is overseen by Family Panel Area (FPA).</p> <p>FPAs are organised either around Designated Family Judge (DFJ) areas, or around one or more LJAs.</p> <p>Where an FPA is larger than a magistrate's LJA, they are asked whether they are happy to sit across the FPA, or only in their LJA.</p>	<p>Family magistrates will be assigned to a bench on appointment.</p> <p>Their court/case allocation will then be overseen by Family Panel Area (FPA).</p> <p>Where LJA court groups are merging to form a larger bench, FPAs that currently mirror the LJA should also be merged so they continue to mirror the new bench. Otherwise, FPAs will not change.</p> <p>The rules above will apply to family magistrates, where they would be assigned to a home court. They will be expected to sit there for 60%–80% of their cases, with the remainder of sittings in the rest of their bench or, if they agree, their FPA. They will not be expected to travel more than 90 minutes each way to sit.</p>	<p>Minor change to family magistrates whose FPA would grow larger. However, the home court proposals should ensure that family magistrates will not be asked to travel significantly further to sit than they do now.</p>

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Current LJA system	Proposed bench system	Degree of change expected
<p>Youth magistrates usually have a base location where they spend most of their sittings.</p>	<p>Youth magistrates will be assigned to a 'home youth court' which may be different from a magistrate's 'home court' for adult criminal hearings. Both courts will be in the same bench area where possible.</p> <p>Unless there is a judicial business need, and the magistrate wishes to do so, youth magistrates will not be deployed beyond their bench. Their journey time each way will remain within 90 minutes.</p>	<p>Little change to the experience of a youth magistrate. Mostly a codification of what happens in practice.</p>

Annex F: Summary of leadership proposals

Current system	Proposed changes	Degree of change expected
Each of the 75 LJAs has a Bench Chair, who is responsible for the leadership of the magistracy in their LJA.	The role of Bench Chair would continue and there would be a small technical change as Bench Chairs would oversee a bench, rather than an LJA.	Little change.
Bench Chairs are responsible for court business and have delegated pastoral responsibility by the LCJ for magistrates in their LJA.	The remit of the role could be split to make it more manageable for post holders. This would involve splitting the role into two: the management of court business; and welfare and pastoral leadership.	Significant change. The roles and responsibilities of the Bench Chair would be split between two leaders.
Bench Chairs may choose as many Deputy Bench Chairs as they wish to assist them in their duties.	To make better use of deputies and encourage Bench Chairs to delegate more of the workload, we have asked respondents whether there should be rules or guidelines for how many deputies should be appointed and/or to define what will fall into the deputies' remit.	Moderate change. Some areas do not appoint any or enough deputies. These changes could mean that deputies are better utilised.

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Current system	Proposed changes	Degree of change expected
<p>Bench Chair; Deputy Bench Chair; Family Panel Chair; Youth Panel Chair and Family/Youth Panel Deputy are appointed through an annual election process. The Bench Chair can serve in their role for up to three consecutive years, and can serve for up to another three years following a six year break.</p>	<p>We will ask respondents to consider whether these roles should be elected or selected or be a hybrid.</p>	<p>Moderate change if selection or a hybrid is used.</p>
<p>Youth and Family Panel Chairs and Deputies oversee some elements of magistrates' leadership.</p>	<p>We do not propose changing the structures or leadership of the youth panels and family panels.</p>	<p>No Change.</p>

Annex G: Summary of Training and TAAACs Proposals

Current system	Proposed changes	Degree of change expected
TAAACs oversee the local delivery of training, approvals, authorisations and appraisals for magistrates in the LJAs that make up that TAAAC area.	This will continue in the proposed bench system, but TAAACs will oversee the benches that fall into their area rather than LJAs.	Minor technical change.
Each TAAAC is made up of between 6–24 magistrates; a representative from the Magistrates’ Association (MA); and an HMCTS representative.	Justice members of TAAACs will need to be drawn from an amended geographical area. We propose making the Judicial College Learning Partner a statutory member.	Minor change.
There are currently 23 JTAAACs and 22 FTAAACs.	We propose to reduce the number of TAAACs to 14: with one for crime/youth and one for family in each judicial circuit and London.	Moderate change. This would reduce the number of TAAAC members in a circuit, but we would ensure that each new bench was represented appropriately.
There is a two-stage process for appointing justice members and family justice members of each TAAAC using a Selection Panel. Magistrates of the Selection Panel are elected by their constituent benches.	We invite respondents to consider whether magistrate members of the TAAAC should be directly elected or selected, removing the need for Selection Panels.	Moderate change.

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Current system	Proposed changes	Degree of change expected
<p>There are two types of committees; JTAAAC for criminal matters including youth court matters, and Family (FTAAAC).</p>	<p>We propose combining the criminal/youth and family committees to share opportunities and good practice across these two jurisdictions, and remove duplication.</p> <p>We will still create separate family and crime training plans to ensure matters particular to each jurisdiction were considered.</p>	<p>Moderate change.</p>

Annex H: Recruitment Advisory Committees, broken down by region, area

Region	Recruitment Advisory Committee Area	Local Justice Area (LJA)	Proposed Bench
London	London	London LJAs (Central London, East London, North East London, North London, North West London, South East London, South London, South West London, West London)	London LJAs (Central London, East London, North East London, North London, North West London, South East London, South London, South West London, West London)
Midlands	Birmingham and Solihull, Black Country, Coventry and Warwickshire	Birmingham and Solihull, Black Country, Coventry & Warwickshire	West Midlands, Warwickshire
	Derbyshire and Nottinghamshire	Northern Derbyshire, Southern Derbyshire, Nottinghamshire	Derbyshire, Nottinghamshire
	Northamptonshire, Leicestershire & Rutland and Lincolnshire	Northamptonshire, Leicestershire and Rutland, Lincolnshire	Northamptonshire, Leicester, Lincolnshire
	West Mercia and Staffordshire	Herefordshire, Shropshire, Worcestershire, Staffordshire	West Mercia, Staffordshire
North East	Cleveland, County Durham and Darlington	Cleveland, County Durham and Darlington	Cleveland, Durham
	Humber and South Yorkshire	Humber, South Yorkshire	Humberside, South Yorkshire
	North and West Yorkshire	North Yorkshire, West Yorkshire	North Yorkshire, West Yorkshire

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Region	Recruitment Advisory Committee Area	Local Justice Area (LJA)	Proposed Bench
	Northumbria	North Northumbria, South Northumbria	Northumbria
North West	Cheshire and Merseyside	Cheshire, Merseyside	Cheshire, Merseyside
	Greater Manchester	Bolton, Manchester & Salford, Stockport, Tameside, Wigan and Leigh	Greater Manchester
	Cumbria and Lancashire	Lancashire, North and West Cumbria, South Cumbria	Cumbria, Lancashire
South East	Bedfordshire and Hertfordshire	Bedfordshire, Central and West Hertfordshire, North and East Hertfordshire	Bedfordshire, Hertfordshire
	Cambridgeshire and Essex	Cambridgeshire, North Essex, South Essex	Cambridgeshire, Essex
	Kent	Central Kent, East Kent, North Kent	Kent
	Norfolk and Suffolk	Norfolk, Suffolk	Norfolk, Suffolk
	Surrey and Sussex	Surrey, Sussex (Central), Sussex (Eastern), West Sussex	Surrey, Sussex
	Thames Valley	Buckinghamshire, Berkshire, Oxfordshire	Thames Valley
South West	Avon & Somerset and Gloucestershire	Avon & Somerset, Gloucestershire	Avon & Somerset, Gloucestershire
	Devon, Cornwall and Dorset	North & East Devon, South & West Devon, Cornwall, Dorset	Devon, Cornwall, Dorset
	Hampshire, Isle of Wight and Wiltshire	West Hampshire, East Hampshire, North Hampshire, Isle of Wight, Wiltshire	West Hampshire, East Hampshire, North Hampshire, Isle of Wight, Wiltshire

Reform of Local Justice Areas
 Consultation on the future administrative structures of the magistracy

Region	Recruitment Advisory Committee Area	Local Justice Area (LJA)	Proposed Bench
Wales	North Wales	North Central Wales, North East Wales, North West Wales, Ceredigion & Pembrokeshire, Llanelli (Carmarthenshire), Montgomeryshire	North Wales, Ceredigion & Pembrokeshire, Llanelli (Carmarthenshire), Montgomeryshire
	South Wales	Cardiff, Mid Wales, Swansea, Gwent	South Wales, Mid Wales, Gwent

Annex I: Glossary of Terms

Advisory Committee (AC) – The Lord Chancellor’s Advisory Committees (AC) on Justices of the Peace are advisory non-departmental public bodies which carry out functions on behalf of the Lord Chancellor. The Recruitment Advisory Committees, along with other key functions are to recruit and recommend to the Senior Presiding Judge (exercising functions on behalf of the Lady Chief Justice) candidates for appointment to the magistracy. A full list of functions and the role of Advisory Committees can be found in part one of the Lord Chancellor’s Directions.

Base court – See ‘base location’

Base location – In the current system, magistrates are expected to sit at any court within their LJA. In practice, they each have a ‘base location’, or ‘base court’, where they spend most of their sittings. However, this is not outlined in official guidance or legislation.

Bench – Our proposal for a system which would structure magistrates’ recruitment and deployment following LJA abolition, which is set out in detail in this paper, particularly in Chapter 1.

N.B. the word ‘bench’ can also refer to:

- The group of magistrates within an LJA
- The groupings of two or three in which magistrates sit in court

Bench Chair – Each LJA is currently led by a Bench Chair. Bench Chairs (referred to as Chairmen in legislation), their role, and their election to office, are legislated for under s17 of the Courts Act 2003.

Circuits – see ‘Judicial circuits’.

Community order – A non-custodial sentence imposing requirements such as community work on the offender.

Criminal Justice Areas (CJAs) – These are based on the areas that are attached to each territorial police force. Most CJAs in England match the English counties. Wales has five areas, so these are generally larger than the 22 Welsh counties. Also known as police areas, or police force areas.

Family court – Magistrates can hear cases at a family court if they have been appointed as a family magistrate or undertaken additional training. These magistrates deal with cases about children.

Families' Training, Approvals, Authorisations and Appraisal Committees (FTAAACs)
– see 'Training, Approvals, Authorisations and Appraisal Committees (TAAACs)'.

Fine – A financial penalty imposed by a magistrates' court.

His Majesty's Courts and Tribunals Service (HMCTS) – HM Courts and Tribunals Service is responsible for the administration of criminal, civil and family courts and tribunals in England and Wales. HMCTS is an executive agency, sponsored by the Ministry of Justice.

HMCTS regions – See 'Judicial circuits'.

Home court – Under our proposals, each magistrate would be assigned to a home court, where they would be expected to spend the majority of their sittings. This is very similar to the 'base location' to which magistrates are currently assigned.

Home youth court – As with a home court, youth justices would be assigned to a home youth court, where they would be expected to spend the majority of their sittings. This may be a different location to their home court, as not all magistrates' courts have a youth court.

Justice of the Peace (JP) – see 'magistrate'.

Judicial circuits – Judicial circuits, also known as circuits, are the six distinct geographical regions into which England and Wales are split for the practice of law. The six circuits are North East, North West, Midlands, Wales, South East & London, and South West. The HMCTS regions are the same as the circuits, except that South East & London is split into South East, and London. A map of the circuits and London is included in Annex B. For consistency, we have used the term circuits in this consultation rather than regions, though magistrates' training technically uses regions. Unless otherwise stated, we use the term 'circuits' to refer to both the circuits and London.

Judicial College – The Lady Chief Justice is responsible for arrangements for training the courts' judiciary in England and Wales under the Constitutional Reform Act 2005. The Senior President of Tribunals has an equivalent responsibility in relation to judges and members of the tribunals within the scope of the Tribunals, Courts and Enforcement Act 2007. The Chief Coroner has similar responsibilities, outlined in the Coroners and Justice Act 2009. These responsibilities are exercised through the Judicial College.

Justices' Training, Approvals, Authorisations and Appraisal Committees (JTAAACs)
– see 'Training, Approvals, Authorisations and Appraisal Committees (TAAACs)'.

Local justice area (LJA) – LJAs structure the administration of the magistracy across England and Wales. They were first established by the Courts Act 2003 as a replacement

for the previous structure of Petty Sessional Divisions. The first LJAs came into effect in 2005 and used the same boundaries as the petty sessional boundaries existing at the time. Since then, several amendments have been made to LJAs, most recently in 2016. There are currently 75 LJAs, consisting of between one and five magistrates' courts within a geographical area.

Lord Chancellor (LC) – The Lord Chancellor is appointed by the Monarch on the advice of the Prime Minister and is a senior member of the Cabinet. They head the Ministry of Justice as the Secretary of State for Justice.

Lady Chief Justice (LCJ) – The Lady Chief Justice is the Head of the Judiciary of England and Wales. They are also the President of the Courts of England and Wales and responsible for representing the views of the judiciary to Parliament and the Government.

Magistrate – Also known as Justice of the Peace (JP), or member of the commission of the peace for England and Wales. Magistrates are volunteers who hear cases in courts in their community. They can hear cases in the criminal court, the family court, or both. Each case is usually heard by three magistrates, including a magistrate who is trained to act as a chairperson, otherwise known as a presiding justice.

Magistrates' Association (MA) – The membership body for magistrates in England and Wales.

Magistrates' court – The lowest tier of the criminal court system. All criminal cases start in a magistrates' court. Cases are heard by either two or three magistrates, or by a district judge. There is not a jury in a magistrates' court.

Member of the commission of the peace for England and Wales – see 'Magistrate'.

Presiding justice – Presiding justices are the magistrates who speak and preside over the proceedings in court; the other two magistrates on a case are known as wingers. Also known as a chairperson.

Probation area – Geographical units which structure the supervision of offenders who are serving community sentences or have been released from prison into the community.

Regions – see 'HMCTS regions', above.

Selection Panels – The panels of magistrates which appoint justice members and family justice members of TAAACs. Members of each panel are currently elected by their constituent LJAs.

Senior Presiding Judge (SPJ) – The SPJ is a member of the Court of Appeal and an important senior leadership judge with wide-ranging responsibility in relation to the

Reform of Local Justice Areas

Consultation on the future administrative structures of the magistracy

appointments, deployment, and welfare of courts judges and is the judicial lead for operational issues affecting the running of the courts. The SPJ also appoints magistrates on behalf of the Lady Chief Justice.

Training, Approvals, Authorisations and Appraisal Committees (TAAACs) – The TAAACS oversee the local delivery of magistrates’ training. There are two types of TAAAC: Judicial (criminal) and Family. Aside from training delivery, the TAAACs make approvals for justices to preside in court; they grant and revoke authorisations for magistrates to sit as youth or family justices; and they appraise magistrates’ performance and competence.

Transfer of Fine Order (TFO) – This procedure makes the payment of a fine enforceable in a particular local justice area, in cases where an offender has an outstanding warrant or an outstanding payment of fines in another local justice area.

Youth court – Youth courts are magistrates’ courts which have the jurisdiction to hear youth cases. Not all magistrates’ courts include a youth court.

Youth rehabilitation order – A community sentence given to an offender under the age of 18 at the time of the conviction.

About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
Date	
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Contact details/How to respond

How to respond

Please respond online at <https://consult.justice.gov.uk/digital-communications/reform-of-local-justice-areas-consultation> by 23/06/25.

Alternatively, written responses can also be posted to:

Magistrates Policy Team

Post Point 9.20
Ministry of Justice
102 Petty France
London SW1H 9AJ

Or emailed to ljaconsultation@justice.gov.uk

Complaints or comments

If you have any complaints or comments about the consultation process, you should contact the Ministry of Justice at the above address.

Extra copies

Further paper copies of this consultation can be obtained from the above postal address and it is also available on-line at <https://www.gov.uk/government/consultations/reform-of-local-justice-areas>

Alternative format versions of this publication can be requested from ljaconsultation@justice.gov.uk

Publication of response

A paper summarising the responses to this consultation will be published in Autumn 2025. The response paper will be available online at <https://consult.justice.gov.uk/>.

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

By responding to this consultation, you acknowledge that your response, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the UK General Data Protection Regulation (UK GDPR) and the Environmental Information Regulations 2004). The Ministry of Justice will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Ministry of Justice.

The government considers it important in the interests of transparency that the public can see who has responded to government consultations and what their views are. Accordingly, the Ministry of Justice may choose not to remove your name and/or details from your response later, for example, if you change your mind or seek to be 'forgotten' under data protection legislation, if the Ministry of Justice considers that it remains in the public interest for those details to be publicly available.

If you do not wish your name/corporate identity to be made public in this way then you are advised to provide a response in an anonymous fashion (for example, 'local business owner', 'member of public', etc.). Alternatively, you may choose not to respond.

For more information see the Ministry of Justice Personal Information Charter.³⁵

³⁵ <https://www.gov.uk/government/organisations/ministry-of-justice/about/personal-information-charter>

Consultation principles

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the Cabinet Office Consultation Principles 2018 that can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles__1__.pdf

E03309636

978-1-5286-5500-2