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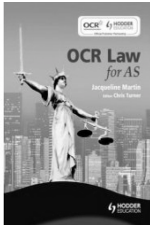
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**Magistrates**

Prior to these lessons you should have read and Précised Chapter 11 of '*OCR Law for AS*' by Jacqueline Martin.



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**Do not chat in this Lecture**

- Ensure your mobile is switched off.
- Take notes – you can annotate your PDF printout.
- Raise your hand if you wish to ask a question.
- **Do not eat any food in this classroom or leave any litter.**

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### Who are Lay People?

- ✓ People without legal training, e.g.
- ✓ Magistrates
- ✓ Jurors
- ✓ Lay members of Tribunals

**Why do lay people have such an important role in the English Legal System?**

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### Magistrates

**There are about 29,000 lay magistrates sitting as part-time judges in the Magistrates' Courts.**

**Hear cases as a bench of three magistrates.**

**There are also District Judges (Magistrates' Courts). These are qualified lawyers who hear cases on their own.**

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### Qualifications

**Age:** Lay magistrates must be 18-65 on appointment.

**Residence:** Expected to live or work within the local justice area to which they are allocated.

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### Key Qualities ...

- Good character
- Understanding and communication
- Social awareness
- Maturity and sound temperament
- Sound judgement
- Commitment and reliability

**Put this list into order, with the one that you think is most important first and the least important last.**

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### *Which of the below have restrictions on appointment as a magistrate?*

- "Known criminals need not apply" - True/False?
- "People who owe money" - True/False?
- "People declared bankrupt" - True/False?
- "Police Officers/Traffic Wardens" - True/False?
- "Deaf people" - True/False?
- "Teachers" - True/False?

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### Magistrates role ...

- They sit at least 26 half-days each year.**
- They deal with criminal trials**
- but do have a civil jurisdiction as well.**

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## Appointment ...

Appointments are made by the Lord Chancellor.

He relies on recommendations made by local advisory committees.

Names can be put forward by anyone (often local political parties, TUs etc.)

Advertisements on local radio and newspapers have been used to attract potential candidates.

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## Interview ...

- 2-stage interview process:
- 1st interview - Panel look for 6 key qualities, discuss criminal justice issues.
- 2nd interview - tests potential judicial aptitude using case studies.

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## Composition of Magistrates

***"Middle-class, middle-aged and middle-minded."***  
**Is this your perception of lay justices?**

To what extent is this image true?  
(Use statistics to back up your answer)

You can find out more about how to become a magistrate at [www.magistrates-association.org.uk](http://www.magistrates-association.org.uk).

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### The Magistrates' Clerk...

Every bench is assisted by a clerk (aka legal adviser), who must be a qualified barrister or solicitor.

What are the clerk's duties?

Can the clerk assist the magistrates in their decision-making?

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### Magistrates' Duties...

Magistrates have a very varied workload.

Working in pairs, provide a list of magistrates' duties for presentation to class.

Include both criminal and civil matters and explain each one fully.

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### Training of Magistrates ...

Write down a list of the various steps related to the training of Magistrates.

When do Magistrates retire?

Which act enables the Lord Chancellor to remove a Lay Magistrate and in what circumstances may this occur?

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## In Law firms ...

**Establish a list of the advantages *and* disadvantages of lay magistrates -  
*Discuss them in class.***

**Produce essay plans for the examination questions on page 143 of 'OCR Law for AS'.**

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