

How to...

be a Magistrate



Sutton

take part

Introduction

This leaflet will tell you more about the role of a magistrate, the skills and qualities you need and how to go about becoming one.

What is a Lay Magistrate?

Magistrates are members of the community who volunteer to work in courts, mainly dealing with criminal cases. They are also known as Justices of the Peace or JPs. They do not need to have a legal background and they do not get paid for the work they do. They come from a wide range of backgrounds and bring a lot of different skills and experiences to the work.

As local people they know their community well, have a good understanding of what the living and working conditions are and are aware of the issues that concern local people.



What do I need to become a magistrate?

Lay magistrates do not need any formal or legal qualifications but they need six key qualities:

- Good character: to have personal integrity and enjoy the respect and trust of others.
- Understanding and communication: to be able to understand documents, identify relevant facts, follow evidence and communicate effectively.
- Social awareness: to appreciate and accept the rule of law.
- Maturity and sound temperament: to have an awareness and understanding of people and a sense of fairness.
- Sound judgment: to be able to think logically, weigh arguments and reach a sound decision.
- Commitment and reliability: to be committed to serving the community, willing to undergo training and to be in sufficiently good health to undertake duties on a regular basis.

Extensive training and mentor support is given to prepare and build the knowledge and skills needed for the role.

You can not be a magistrate if you:

- have a previous criminal convictions
- are aged under 18
- are a non UK resident
- are working in a job which is considered to be a conflict of interest e.g. police officer, and will reflect the individual's role within the council.

What does a magistrate do?

Magistrates' Courts are the first level court within the legal system and there is no jury. There are four different kinds of courts within this first level.

These are:

The Adult Court –

For criminal cases involving people over 18.

The Youth Court –

For cases involving young people between 10–17yrs.

Family Proceedings Court –

Where family issues are dealt with.

The Civil Court –

For civil cases and other matters such as enforcing Council Tax.





New lay magistrates are initially appointed to the adult court and may choose to specialise in any of the other areas depending on their interests after one year.

In the adult courts they sit on a Bench of usually three people with a Legal Advisor, to hear criminal cases. After listening to both sides of the argument they decide if the case against the accused is proved or not. If the accused person has pleaded guilty or is found guilty, a sentence has to be agreed which will take into account the defendant's personal circumstances as well as the law. If magistrates feel that their powers are not enough to punish a crime, they can send the case to a higher court.

What is the process for applying to be a magistrate?

Before applying

Visit and observe the proceedings of a magistrate court. There are open court sessions at many different boroughs including Sutton which you are free to visit. You will need to check the availability for when their open court is.

Applying

The first stage is to fill in an application form which can be downloaded from **www.direct.gov.uk/magistrates** or you can contact:

Miss Janet Rumble
Administrator to the South East London Advisory Committee
Croydon Magistrates' Court, Barclay Road
Croydon, CR9 3NG

Telephone: **020 8603 0424**

Email: **janet.rumble@hmcourts-service.gsi.gov.uk**

After your application form is submitted and if you are selected it can take 6 months to a year for your first interview. If you are successful there will be a second interview and you will need to provide 3 references.



Where can I find out more?

You can go to **www.direct.gov.uk/magistrates** for more information or you can write or email:

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Please mark all letters private & confidential

Sutton Take Part provides other information about being an active citizen and runs several training programmes to meet the needs of Sutton's residents and community groups.

For more information on this please go to **www.suttontakepart.org.uk** or contact the Active Citizenship coordinator at **info@suttontakepart.org.uk** or call **020 8644 2867**

