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THE MAGISTRATES' ASSOCIATION

Response to *Engaging Communities in Criminal Justice*

Thank you for giving us the opportunity to respond to this green paper. The Magistrates' Association is a membership organisation for magistrates — the single largest group of volunteer office holders within the criminal justice system. The Association welcomes the idea of 'opening up the justice system' and the aim of preventing crime, reducing the level of re-offending and encouraging more young people and those from ethnic minority backgrounds to volunteer to represent their communities. The provision of additional resources to magistrates' courts would help to ensure that many of the proposals could be implemented.

Introduction

Magistrates' courts should form a key focus for community justice. They deal with all summary crime cases brought to court, a significant percentage of either-way criminal offences as well as family matters and certain other civil cases. Outside of parts of inner London, the magistrates' courts have always had a strong link to their local areas. However, in recent years that link has been weakened as control has moved from Magistrates' Courts' Committees (MCCs) which were closely linked to local authorities, to HMCS, an agency within the Ministry of Justice.

As in so many other areas of public life, the arrival of greater mobility in society has changed the nature of communities. Consequently, magistrates deal with matters ranging from those where local knowledge is a vital part of the understanding of the case being dealt with to those where such knowledge is unnecessary.

Nevertheless, as the move by some local authorities to develop Community Justice Panels (often linked to the notion of restorative justice) and the government's own initiative relating to community courts (where North Liverpool and Salford remain the best known examples) exemplify, there is an important role for criminal justice to be seen to be closely involved in and with local communities.

Much of the crime dealt with in magistrates' courts has resulted from offenders who live in communities committing offences on others who live in the same community. Frequently, the level of offences is highest in our most socially deprived communities, as the advent of crime maps is making very clear. Other communities may be specifically targeted, eg. shopping centres which are targeted by shop-lifting gangs from outside the area.

For these reasons, the green paper is right to emphasise that the criminal justice system belongs to the people it serves. Magistrates drawn from local communities are such people. Magistrates' courts also operate in an open and transparent manner that is, as the green paper also recognises, another important feature of criminal justice system in a democracy.

Our responses to the consultation questions are recorded below.

Community prosecutors

Q1 We believe the CPS should work more closely with local people and CJS partners. In what other ways could Community Prosecutors work with local partners and communities to provide a more locally responsive prosecution service?

The decision to prosecute is currently based on the likelihood of success, although there is a public interest test which must also be satisfied. Prosecutors also have the discretion whether to use an out of court disposal or to refer the matter to a court. The Magistrates' Association believes that prosecutors too often sanction simple cautions for serious offences that if sentenced at court would lead to severe penalties. There are no doubt financial advantages to such a decision but it does not lead to a transparent justice system and operates against the first two principles of community justice as outlined on page 14 of the green paper. The Magistrates' Association believes that communities want to see cases being proceeded with on a basis of seriousness and, if this were done, it would help to restore community confidence that crime was being justly dealt with by the State.

The Magistrates' Association believes that the budget driven approach to prosecution has led to the CPS being unable to staff local courts and led to the concentration of prosecutions in central locations some distance from many communities. The Association is also concerned to ensure prosecutors are trained to a minimum acceptable standard.

Criminal cases are prosecuted by the state and an awareness of the impact of crime on local communities should from part of the training for all prosecutors.

The Magistrates' Association believes that those who prosecute should not determine individual sentences (as is the case when a conditional caution is used) and to do so infringes their ability to be impartial. Prosecuting offenders and sentencing convicted criminals are two different roles and it does not serve communities well to have them conflated.

The Magistrates' Association does not believe there is any rationale for community members to select prosecutors.

Community impact statements

Q2 We think Community Impact Statements are a good way of allowing people to have a say. Are there other ways in which community views could be fed directly into the court?

No and nor should there be. This raises the expectation that the community's view overrides the concept of structured sentencing. Community Impact Statements (CIS) serve a purpose in informing courts but even these risk raising expectations to unacceptable levels. There is also the cost associated with the production of CIS.

At present, the development of crime mapping as an alternative technology to CIS allows the prosecution to draw the attention of a sentencing bench to the offence pattern in a specific location. This is a cheap and effective tool that is less likely to be challenged in court by defence solicitors than a subjective CIS and could become easily accepted as a national standard.

Magistrates who are members of their local communities should also have other means of determining the impact of low level crime on a community. For that reason, courts should be responsible for the punishment of all offenders. CIS has no impact on a determination to use an out of court disposal that totally ignores the impact on the community.

Q3 Which organisations or individuals, in addition to the police, might compile the Community Impact Statements?

From local (ward) PACT meetings. Local councils have useful data on certain activities, such as the cost of clearing up illegal fly-tipping or removing graffiti. However, what must be kept out of CIS is anecdote and hearsay. These statements may be challengeable in court and as such must have a structure to their completion and a basis in fact. For these reasons the Magistrates' Association would question the cost effectiveness of preparing CIS where alternatives such as crime mapping may produce a more reliable and cheaper alternative in staffing costs.

Q4 For what other purposes might Community Impact Statements be used?

The Magistrates' Association believes that those who decide spending priorities need to take into account evidence on crime patterns and the impact of crime when deciding on prevention and detection measures. From the use of alley gates to the introduction of CCTV crime prevention based upon evidence from communities can help reduce both offending and re-offending. The recent Home Office work on burglary patterns on adjacent houses in the same street is a good example of matching CIS evidence to other data to help reduce crime and make communities safer.

Q5 How else could we give feedback to the public on how their views have been used in the justice process?

Reporting back results of local court decisions through PACTs and recognised Community groups.

The Magistrates' Association has pioneered work on involving communities in understanding the criminal justice system. Magistrates in the Community and LCCS are well structured, well regarded and well used methods of communication.

Historically, the media also have a significant part to play as it is often media output on which the public opinion is based. Despite the demise of the local press, the development of new technologies makes it easier than ever to communicate accurate outcomes from the decisions of courts. The planned pilot of an internet scheme is welcomed. More use might be made of Neighbourhood Watch as a two way communication channel to allow outcomes to be reported to local neighbourhoods as well as collecting evidence of crime and anti-social behaviour.

Increased problem solving in the courtroom

Q6 Problem-solving can help address local problems. What are the issues that might benefit from a problem solving approach?

Issues which would benefit from a problem solving approach could include:

- investigating the root cause of the offending;
- identifying the personal circumstances of the defendant,;
- having knowledge of the services available through multi agencies;
- alcohol and drug related crime may benefit significantly.

However, practical implementation would need to involve effective co-operation between relevant organisations, exchange of information, and effective resourcing of available interventions.

Although we have attempted to answer the question, it should be said that the Association believes that this section of the green paper identifies the lack of clarity behind some present government thinking. Courts are not an extension of social services. Many who come before magistrates have deep seated and complex problems, not least in the area of mental health, as the recent Bradley Report made very clear. But, they are not the only victims a court has to consider when imposing a sentence after conviction. The more sentencing guidelines are tightened, the harder a problem solving approach becomes for a court. For these reasons, courts rely on the use of PSRs to provide advice on appropriate strategies. The interview associated with such a report preparation and consultation with other agencies might enable a better use of court time to impose a sentence.

The real problem is that currently there are inadequate resources and arrangements to tackle those problems effectively. The Probation Service itself cannot offer all of its programmes in sufficient number and nationally. Reviewing progress has already proved of some value for offenders subject to a DRR as part of a community order by firstly stabilising and then reducing their level of drug use but to be of real benefit the use of Section 178 of the CJA 2003 must reduce the level of re-offending. Much good work is currently performed in the breach courts where although magistrates are either re-sentencing or imposing additional requirements an amount of problem solving is used.

Q7 All magistrates should be able to use problem-solving techniques. What further tools and support do magistrates need to carry out problem-solving in court and which individual or agency is best placed to support them in this role?

Magistrates already need to know when to engage with offenders, to know how to engage and to have the confidence to engage — and chairmanship training can be used to provide a basis for discussion on the appropriate way forward in adult courts. This is already part of training for youth court magistrates.

However, it should be said that the fact that in many areas several of the programmes supposedly available as part of a community order are not available — or not immediately available — is of far more concern to magistrates. There is no point in problem solving if the

solution is not available. The constant re-appearance of elderly drunks who can be offered no help is an obvious example all too familiar to magistrates across the country.

Judicial continuity and case review

Q8 Continuity of the judiciary has proved effective in problem-solving cases. How can we achieve greater continuity of magistrates' panels between hearings for problem solving cases? Are there any particular disadvantages to this approach?

All magistrates can develop skills for these cases so specialist panels are not necessary. All that is required is a more flexible approach to listing of cases.

The disadvantages of panels are that we would very quickly arrive at a two tier magistracy — those who could and those who couldn't be involved in problem solving. Paradoxically, it could be those who cannot give as much time to the magistracy, ie. working magistrates, who might have the necessary skills to sit on these panels. There is also the issue of travel to court time for those required to attend. Especially in rural areas, regular attendance can create equality issues over child-care and travelling time. An alternative would be for regular written reports to be sent to the court who can decide when to recall someone for an actual hearing.

Q9 Using the power to review a Community Order has proved effective in helping offenders complete their sentence. If we extend the use of the powers to review Community Orders, what kinds of cases would benefit most from its use?

Cases where the bench has considered imprisonment. Cases where there is an underlying reason for criminal behaviour and one which can be addressed eg. drug and drink influenced domestic violence cases. But there is the issue of proportionality and the need to assess the role of the court against that of other agencies in the criminal justice system. There remains the issue of how to deal with those who regularly breach their orders. Eventually, some of these offenders receive custodial sentences.

Q10 Should these powers be extended to cover offenders under the age of 18 serving sentences in the community?

Yes. In fact this would be invaluable and would enhance the approach to youth justice already used by youth magistrates across the country. They could be especially valuable when dealing with persistent offenders who are serving community sentences that are alternatives to custody eg. intensive Support, Supervision and Surveillance programme. A first step might be to ensure nationwide availability of sentences such as the use of attendance centres.

Intensive solutions to persistent problems

Q11 The intensive Community Justice approach works best in areas suffering the worst problems. What are the most important considerations in choosing potential new sites for intensive Community Justice initiatives?

All courts should be able to refer offenders for help by the appropriate agency as a means of reducing re-offending, but should be required to punish offenders according to guidelines. These two approaches are in extreme cases mutually exclusive. Rather than selecting a small number of sites in areas with the 'worst' problems — however defined — the application of new technology or even dedicated phone lines to the other agencies under the supervision of the court might help to ensure all agencies can be swiftly involved in providing appropriate information to the court to enable it to make its decision. Many of these services, especially in the field of mental health are provided by bodies outside the criminal justice system and the Magistrates' Association is aware that this creates resource issues across departments.

If it is necessary to target locations, the new sites should cover a relatively small area (several wards) where there is evidence of continual high levels of crime committed by residents of that area, and certainly not a whole local authority area — and the initiative should have a limited life.

Q12 If full co-location of all staff and services is not possible, which group of agencies and services should always be co-located to ensure the approach is delivered effectively?

It is clear that in the pilot areas there has been some reduction in the level of offending but more work is needed to reduce even further. Co-location of all agencies is essential if any scheme is to be successful. Even outside of the CJS some local authorities have set up ***One for All*** centres where information on all council services is available. These have proved to be extremely useful and successful.

However, we believe that the issue is about accessibility rather than location. A conference phone call can be as effective as a meeting and considerably cheaper. The courts need to be sure all agencies can be involved as required; otherwise the system will not work. Present issues over access to mental health reports suggest that the involvement of community mental health teams is a high priority. Currently reports are difficult to obtain and the length of time taken is often detrimental to case progression.

Q13 How could the concept of virtual problem-solving teams be made a reality and are there virtual teams or similar initiatives operating in other public services we might look at to explore further the feasibility of this proposal?

This is an issue for local delivery teams and the availability of appropriate resources. The present virtual court pilot programme will provide evidence of how such schemes might operate in practice.

Q14 What other options are there for delivering the intensive Community Justice approaches in the areas of greatest need?

The Magistrates' Association would like to propose that all offenders with underlying problems that drive their offending are brought before a court and are not dealt with by out of court disposals that in no manner meet the needs outlined in this section. There is a key issue between early intervention and identification of those most likely to re-offend.

Selection and deployment

The Association is encouraged by some of the proposals in this section. The Association already acknowledges that magistrates from all walks of life bring with them a wealth of life experience and diversity which should be nurtured in the judiciary.

- Paragraph 95: The Association notes that despite the review of regulatory reform, we continue to receive evidence from magistrates who say that the legislation is not working well, in that the lack of a set number of days allowed for public duties means that there is more room for a negative interpretation so that few or any paid days are given even where this is the organisation's policy. This is exacerbated when magistrates move jobs from a supportive employer to one who proves reluctant.

- Paragraph 101: The idea of accreditation is a good one in theory but it depends what is meant by the term. Some external validation to enable magistrates to give their employers positive proof of the value of the skills and capabilities acquired would be useful. Similarly, if public confidence in magistrates is increased, the Association supports the fulfilment of such an aim. However, there are practical and logistical difficulties in an accreditation system. There are inevitable sensitivities if the act of judicial decision making is to be externally assessed, while an individual system of accreditation similar to NVQs would present many resource and logistical implications which may not be feasible.

- Following on from this, whilst the entitlement to use the suffix JP can be an advantage — where negative preconceptions are common, it is not helpful to use the suffix. The Association acknowledges there needs to be a *continued* and united campaign to convey to the public what being a JP really means, what magistrates have to do to be a JP and what they must do to continue to be one (training, appraisal, competences etc.).

Q15 Community engagement and problem-solving should be integral to the role of district judges and magistrates. We will provide training and support but how else can we encourage judicial engagement with communities?

Magistrates are drawn from communities in a way that district judges (magistrates' courts) (DJ(MC)s) are not. The Magistrates' Association believes that the magistracy should be representative of society in the same manner as juries now are. However, this raises issues of selection. Ensuring magistrates are drawn from all areas and especially those with high rates of crime would bring greater understanding of the effect of crime on communities. However, no magistrate or DJ (MC) can be insensitive to the effects of crime on communities. Court closures have separated courts from communities. The time has come to take courts *back into* communities which might also be an effective way of understanding the effects of crime on localities. Community involvement with the courts could be addressed by returning courts to a more local setting.

The Magistrates' In the Community (MiC) project already provides opportunities for judicial engagement with communities, whether it be schools, neighbourhood schemes, local councils, employers etc. Suggestions for making community engagement part of standard training may be effective as long as it does not demand more time from those who may be

already stretched with existing commitments. Also suggestions for encouraging judicial engagement included ideas for local benches identifying local communities which would benefit and, if possible, persuading two or three magistrates to work with the community to identify areas of concern and work together to find solutions.

There should be a budgeted marketing programme for community engagement to ensure a consistent national and local awareness and to encourage communities to become involved.

Q16 More information should be made available about the appointment and deployment processes for district judges in the magistrates' courts and the public should be able to get involved in the process. What information should be provided and how could community representatives usefully be involved?

It is not clear why district judges (Magistrates Court) are singled out in this question. Unless community members are to be mere token participants in the selection process it is unclear how they would be selected. As DJ (MC)s can be assigned to new areas, would a community need to approve any re-assignment. There is also the issue of deputy DJ (MC)s and whether they should be community vetted before being accepted to sit in line with the proposal for DJ (MC)s. Would community representatives have a veto in any circumstances?

Since locally appointed magistrates are the norm, there should also be an open and transparent procedure for the process by which a DJ (MC) is brought in to the area.

Q17 How might Key Individual Networks be used to encourage more people from communities most directly affected by crime and social deprivation to volunteer to become magistrates? Are there other ways of attracting more volunteer magistrates from a wider range of communities?

This is a key area for the representative nature of the office of justice of the peace. Linking the office to the function of sitting in judgement in court over one's peers is a demanding role. Local authorities and other bodies should be sensible to the need to promote the magistracy, and all its functions, to the whole community they serve. As noted above, the Magistrates' Association through its Magistrates in the Community (MiC) project and through association with Local Crime, Community Sentence (LCCS) and the Mock Trial Competition has helped to introduce the role of the court in society and the involvement of citizens in administering justice to a wide audience within its limited funding.

The key to widening the composition of the magistracy will always depend on resolving the barriers to recruitment some of which have already been mentioned above.

- The awareness amongst the public, which includes colleagues, managers, occasional court users and social networks of potential recruits, is still minimal and stereotypes are common. In addition, a more realistic image of the magistracy is needed. Despite recent efforts, it is still seen by many as the preserve of white middle class professionals, which deters others from joining.

- Practical support: those employed in non managerial posts will need specific support from legislation (set days for sittings), a means of validating skills, and if appropriate allowances to make it easier for them to sit.

- If MIC liaison officers are appointed, support in making links with the community would also assist.

Magistrates' courts; justice for the community, by the community

Q18 All communities have the right to be confident that their local court services are delivered to a nationally consistent and high standard. Is there merit in inviting or requiring magistrates' courts in England and Wales to work towards a set of hallmarks of justice in the community and on what should any system of hallmarks be based?

Magistrates are already appraised to a national standard against a national framework. Indeed, with a requirement of an appraisal every 78 sittings or 39 days in court, magistrates may be more appraised by their peers than any other group in society. In addition, all courts are public and magistrates and judges may be criticised in the court of public opinion. In light of the satisfaction levels recorded in the Court User Surveys it is unclear what extra is required. There are awards for court staff and it would be insidious to rank the judiciary in any way on their performance other than the present peer-review appraisal conducted by trained magistrates. For these reasons, the Magistrates' Association sees no merit in spending resources on a hallmark scheme. It is unclear who this will be aimed at, or how this will increase public confidence in any way, as how would the public be aware of it, or how it works?

Q19 How might local people be involved in the design, implementation, award, monitoring and review of any hallmarking system?

Please see the answer to the previous question

Q20 Would it be appropriate for local authorities (councils), as service providers themselves, to support or get involved in the proposed hallmarking scheme and, if so, how?

All local authorities (councils) will most certainly be service providers — education, housing, social services including child care etc, and should be involved possibly through their community safety or human resources sections.

Community payback

Q21 The public should have a say about what Community Payback projects are done in their area. In addition to nominating projects directly, and Citizens' Panels, what other means would you suggest for giving local people more say in the type of work that should be undertaken as Community Payback?

The Magistrates' Association believes that the selection of schemes for unpaid work orders should not be a matter for the judiciary. There are complex issues, including health and safety that need to be balanced by those administering the unpaid work on behalf of the court. Moreover, in the current recession/depression and with more people unemployed and looking for work it is and will become increasingly more difficult to find suitable projects without taking work away from companies with paid employees.

If there is an underlying assumption behind this question that some unpaid work schemes would be harder than others that is an issue that is not considered in the green paper. Otherwise, the court is concerned only to decide upon sentence. Courts do not decide the type of prison an offender is sent to when imposing a custodial sentence.

Q22 How could local communities be more involved in what recovered assets are spent on?

Victims who are unable to receive compensation at present because an offender has been sentenced to an out of court disposal should be entitled to appeal to the court for a compensation order at no cost to the victim. This would increase confidence in the system. The present system of victim surcharge is not locally monitored.

The Magistrates' Association would ideally like a system where victims are compensated from a national fund in order that all victims can receive compensation in full as soon as it has been awarded by the court. This would prevent the constant reminder of the crime they suffered when compensation is paid in small amounts on a weekly basis by less well off defendants.

Q23 Intensive Community Payback is far from a soft option and can be very effective in dealing with some types of offending. In addition to offences of knife possession, offences against the person and property, what other offences should be dealt with through intensive Community Payback?

The Magistrates' Association believes that sentencing issues should be a matter for the appropriate sentencing advisory body. However, the Magistrates' Association also notes that short-term prison sentences for women have fallen significantly for traditional offences and that courts already follow the advice of probation officers when sentencing in the majority of cases where a report has been requested by the court. In some of the other cases, the sentence is lower than recommended in the report.

Q24 In what other ways might we enhance the effectiveness of Community Payback in the eyes of the community?

The Magistrates' Association is keen that authorities ensure that offenders start promptly on work programmes and actually do the work that they are supposed to. In community presentations by Association representatives this is the main argument: not whether community payback is effective or not, but that offenders stop whenever they are not being supervised. The faster intervention on breach of orders by the Probation Service will also improve effectiveness of the orders for the community.

Restorative justice and compensation

Q25 Restorative Justice has proved a positive experience for victims and can be effective in reducing reoffending. How could we publicise this and encourage community involvement in Restorative Justice projects, in particular as a service to victims?

The green paper makes this assertion, but provides no actual evidence. Restorative Justice is one tool in the toolbox of sentences. However, even in the Thames Valley it is rarely

recommended to courts by probation as it is a one to one programme with a relatively high cost per disposal. More evaluation on where it is likely to be successful is required and such evaluation, as with other disposals, should be regularly communicated to sentencers by those administering community orders and other sentences of the court.

Compensating victims of crime is a separate issue and has not been properly addressed in the past and not in this green paper. In our view victims of crime should be paid compensation immediately following the court case from a National Compensation Fund. They should not have to wait months or even years to receive monies. The sentenced offender will be ordered to pay the amount into the National Compensation Fund at a rate agreed by the court. The current Victims Surcharge would not be used or indeed needed.

Better information

Q26 The public should have more information about justice outcomes. What kind of information should be made available?

The main information required will be who is sentenced and how and for what offence. The present internet pilot programme may be useful in making details of court decisions known to the wider community, particularly as local media outlets are undergoing a period of change and reduction in coverage in many areas. As noted above, the use of neighbourhood watch to communicate outcomes to neighbourhoods can increase awareness of outcomes. The use of local media headlines such as 'walks free' when a suspended prison sentence with 200 hours of unpaid work have been imposed, does little to increase community confidence in the criminal justice system.

Q27 How could this information be made available and accessible most effectively and at what local level would this be most useful?

Use the media — all forms including the use of on–line websites. It should be noted, however, that there is some evidence that 'naming and shaming' is taken (especially by youths) as a sort of accolade. For other offenders punished in the community brief details and data should be made available. Those who are fined may be named locally but national data statistics should be available on-line for all offences and in a format with suitable commentary for everyone to understand.

Publicising outcomes of court cases

Q28 The public have a right to know about specific court case outcomes of local interest. What case-specific information should the public have access to about convictions for crimes committed in their area?

See the answer to question 26. Victims must always be made aware of how offenders are dealt with by the courts. They also need to be aware if a decision is taken to impose a caution or other out of court disposal and should have the right to appeal to a court for compensation when a out of court disposal has been imposed.

Q29 How much personal information (such as name, age and address or partial address) should be included in the final version of the court results website?
How important to confidence in the justice system is such personal information?

The Magistrates' Association believes that the community wants to know that cases are being dealt with properly so individual information is only of relevance to the victim.

There is a balance between what is available to the media in court to report and whether that is the standard to apply to wider reporting in the interest of fairness. A court should always have a right to decide on what is revealed beyond the courtroom but must use this right judiciously and in the interests of justice.

Q30 Do you think that case-specific information in relation to out-of-court disposals should be available online or be proactively communicated?

Justice must be seen to be done and there must not be double standards for some criminals or offences. At present, the publicity of out of court disposals depends upon leaks to the media in specific cases. An awareness of reported outcomes might encourage other victims of crime to come forward to report offences. It would also ensure debate about how such disposals were used in the criminal justice system. Justice should be transparent and not hidden and is not an administrative process. The public has a right to know about who has been punished for crimes committed. So, case-specific information in relation to out-of-court disposals should be available but perhaps without the personal details of the offenders.

Local criminal justice boards

Q31 Community engagement activity at Local Criminal Justice Board area level should be more joined up so that people know how and when they can engage. Do you think a dedicated resource within each LCJB area, supporting all criminal justice agencies, is the best way to ensure this happens?

The use of Local Criminal Justice Boards to join up communications and engagement activity is to be welcomed but we would also suggest that communications and engagement should commence at the ground level of the 'local' community. LCJBs should be made up and run by members of the community with the power to call for evidence from the CJS agencies.

Q32 Are there other and/or better ways to join up engagement activities across criminal justice agencies?

At present the judiciary is not involved directly with many other agencies, and nor should it be to preserve the degree of its independence. However, the judiciary does benefit from knowing the effectiveness of its decision making — and arrangements for liaison between LCJBs and the judiciary do need to be improved by the LCJBs themselves. Ensuring magistrates are kept up to date is part of the role of the Magistrates' Association and we welcome our involvement on behalf our magistrates with other criminal justice agencies to discuss important issues and policies.

Promoting volunteering

Q33 What more could the Government or local criminal justice agencies do to promote volunteering opportunities with criminal justice agencies and related services and make it easier for local people to volunteer?

The increase in volunteering in services to witnesses and victims has been welcomed by the Magistrates' Association. We hope that some volunteers may want to apply to become magistrates. The green paper does not comment on the many magistrates who also volunteer elsewhere in their community and act as unpaid ambassadors for the criminal justice system. This service to a community is at the heart of the office of justice of the peace.

Volunteers will need to have a clear role, and one which they benefit from, as well as being useful to the community. In regard to magistrates one of the main barriers for younger working magistrates is getting time off work, and if they have to take unpaid leave this can affect other issues such as pensions. Financial aid to small businesses which have difficulty in releasing potential magistrates, and pressure on government and local employers to release people for these duties may be useful.

Many people now search for information using the internet and obviously this is the most important way that will continue for the foreseeable future. Young people especially can be attracted using this method but care must be taken when designing any application forms. A simple request form should be the first line of response with perhaps an email in return followed by a telephone (probably via cell phone) call to the enquirer. Asking for and giving too much information at the first stage is a sure way to lose potential volunteers. The idea of using existing volunteers of the same age as potential volunteers as 'ambassadors' may also be useful. A try before you fully commit should also be considered.

Q34 If there was a local 'Volunteer Corps' and a service that enabled you to match your preferences and circumstances to the most suitable volunteering opportunity, would you consider volunteering?

While a general recruitment of volunteers for multiple agencies, listing the various areas of work, could be very useful, there are already a large number of organisations which enable people to find volunteering opportunities. Many can be accessed through the internet and most areas have a Council for Voluntary Services, so why spend more money on this when there are already organisations set up for this purpose? The Duke of Edinburgh's Award Scheme and the Prince's Trust could also be considered here. It would be more cost effective for funds to be given to existing organisations for this specific purpose and extra resources to publicise existing opportunities would be welcome. The Magistrates' Association already contributes through its own MiC scheme, through the Mock Trial Competition and through other programmes.

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See consultation