

THE MAGISTRATES' ASSOCIATION

**SENTENCING POLICY AND PRACTICE COMMITTEE,
JUDICIAL POLICY AND PRACTICE COMMITTEE**

Comments on Judges' Duty to Notify Defendants re Vetting and Barring Scheme

It will be for legal advisers to draw magistrates' attention to the need to give these warnings, and crucially, for the prosecution to inform the bench that such warnings must be made.

The form 5010 must be written in a way that makes it easily understandable to the defendant.

Some members expressed concern that the scheme implied a second 'hearing' and that it applied to so many offences. It could be confusing to both the defendant and the victim. Isn't this another example of a reduction in the power of the courts?

We anticipate that the National Legal Advisers' Manual could be updated to include some information on this but information might also be included in the Adult Court Bench Book – a suitable pronouncement together with more succinct guidance notes should meet the need.

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