



NATIONAL BENCH
CHAIRMEN'S FORUM

Dear Colleague,

We wrote to you earlier this year outlining a change to the eligibility criteria for authorisation to sit in Family. Magistrates appointed on or before 1 April 2017 no longer need to sit in crime for two years before they can apply for authorisation to sit as a Family Judge.

Whilst this change has successfully widened the pool from which existing magistrates can be recruited to Family, the fact that general recruitment has declined in recent years means the overall pool of existing magistrates has become much smaller. There remains a significant shortfall in the number of magistrates required to deal with an increasing Family workload.

To address this shortfall, we continue to work closely with HMCTS and key stakeholders to consider alternative options. We are pleased to announce that the Lord Chancellor and Lord Chief Justice have agreed to amend the Lord Chancellor's Directions for Advisory Committees on Justices of the Peace, to remove the requirement that magistrates first sit in both Crime and Family for two years before they can choose to sit solely in Family.

There are two significant consequences that result from this change, which have the potential to increase significantly the number of Family magistrates in England and Wales. Magistrates who sit in Family and Crime can now apply to their Bench and Panel Chairmen to sit solely in Family irrespective of their length of service in Family and, for the first time, those interested in becoming magistrates can apply to Advisory Committees to sit directly in the Family Court.

The latter change is long overdue. Individuals with relevant experience, skills and interests should be able to express a preference as to which jurisdiction they are most suited, and Advisory Committees should be able to appoint directly to the most appropriate jurisdiction where the relevant eligibility criteria are met. This could open the magistracy to a much broader range of applicants. These are positive steps towards creating a more diverse and fulfilled magistracy.

To address an immediate need, direct recruitment will commence initially in Birmingham, Greater Manchester and London. We will use this to learn more about the process for directly recruiting to family, and make further improvements before making it available more widely in 2018. A working group, made up of HMCTS, National Bench Chairmen's Forum, the Magistrates' Association, Family Procedure Rule Committee, Judicial Office, Judicial College and Justices Clerks Society, will be reviewing how it operates in the first three areas to ensure any new processes are robust and transparent, and recommend any necessary subsequent refinements.

The working group has developed a process for recruiting directly to family which is equally robust as the existing process. A new application form and updated application guidance (that reflects more accurately the role of a magistrate who sits in Family) is now available at <https://www.gov.uk/become-magistrate/apply-to-be-a-magistrate>, however applicants must still evidence the same key qualities of a magistrate. Successful applicants will be assigned to one or more Local Justice Areas as required by the Courts Act 2003 and be authorised immediately

by the Lord Chief Justice to sit in Family. They will be subject to the same judicial oath as any other magistrate, and must successfully complete induction training and comply with the appraisals scheme.

The eligibility criteria have been relaxed for the initial period, so that no role or occupation is explicitly prohibited, but Advisory Committees will be expected to actively consider whether an applicant's role would make them unsuitable for appointment. This will then inform a revised and updated set of eligibility criteria, because over time they have become unnecessarily restrictive and no longer reflect the way courts and magistrates are organised.

The working group are developing a tailored induction training pack, providing guidance documents for Advisory Committees and Training, Authorisations, Approvals and Appraisal Committees around recruitment and transfer between Crime and Family, and developing a clear communication strategy to increase awareness of the diverse and rewarding business of the Family Court.

Recruitment exercises are due to commence in Birmingham, Greater Manchester and London in Autumn 2017. If you know of any suitable candidates who may be interested in joining the Family jurisdiction and would like more information about this worthwhile and satisfying role, please refer them to <https://www.judiciary.gov.uk/you-and-the-judiciary/going-to-court/family-law-courts/> and <https://www.youtube.com/watch?v=FdjYtbOVS-Q>

We hope you will welcome and support any new magistrate appointed, irrespective of how they are recruited.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jo King'. The signature is stylized with a large loop at the beginning and a horizontal stroke extending to the right.

Jo King