Ministry of Justice

Judicial Office

Reform of Local Justice Areas

Response to Consultation on the future administrative structures of the magistracy

CP 1548

Government of the United Kingdom

Ministry of Justice

Reform of Local Justice Areas

Response to Consultation on the future administrative structures of the magistracy

Presented to Parliament by
the Lord Chancellor and Secretary of State
for Justice by Command of His Majesty

March 2026

CP 1548

This publication is available at www.gov.uk/official-documents

Any enquiries regarding this publication should be sent to us at ljaconsultation@justice.gov.uk.

ISBN 978-1-5286-6358-8

E03572403 03/26

Printed on paper containing 40% recycled fibre content minimum

Printed in the UK by HH Associates Ltd. on behalf of the Controller of His Majesty’s Stationery Office

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Foreword

Foreword from the Minister of State for Courts and Legal Services

I am grateful to the many magistrates, justice partners and members of the public who responded to this consultation. The high level of engagement, and the thoughtful and constructive nature of the feedback, reflects the vital role that our volunteer magistrates play in delivering local justice across England and Wales. Your commitment, experience and insight continue to underpin the strength of our magistracy.

This consultation explored how best to structure the magistrates' system following the abolition of Local Justice Areas (LJAs). While many respondents supported the principle of simplifying boundaries, we heard clear concerns about the impact of creating larger bench areas, particularly the risks of longer journeys, reduced local identity, and challenges for recruitment and retention.

Your feedback has shaped the decisions in this response, and we have decided that we will not

proceed with the proposed 58 bench model. Instead, we will retain existing geographic boundaries and map the new administrative benches onto the current 75 LJAs. We've heard magistrates' concerns, and it is of utmost importance that the local structure that magistrates operate within, works for them. Thank you once again to everyone who contributed and who continue to contribute to the justice system every day as magistrates.

Sarah Sackman KC MP

Minister of State for Courts and Legal Services

Foreword from the Senior Presiding Judge

When we launched this consultation, I emphasised the importance of hearing from all those who contribute to the delivery of justice at the local level. I am very grateful to the many magistrates, legal advisers, court staff, professional court users and organisations who took the time to respond. Your views have been central to shaping the approach set out in this consultation response.

You have helped us to understand better not only the opportunities presented by the abolition of Local Justice Areas, but also the practical considerations that must accompany such a transition. The responses have informed our thinking on such vital issues as deployment, leadership and training, and they will help support the continued development of clear, consistent and effective arrangements across England and Wales. Together we can modernise the framework within which magistrates sit, strengthen the flexibility of our courts, and help ensure that cases can be managed and heard more efficiently.

As I also noted at the outset, this work sits alongside a separate review of magistrates' governance. The

insights gathered through this consultation are of direct relevance to that exercise, and they will assist me in ensuring that the governance reforms reflect the realities of how magistrates work and how local justice is administered.

I would like to express my sincere thanks to everyone who engaged with this process. Your contributions have been invaluable. I remain committed, on behalf of the Lady Chief Justice, to ensuring that the magistracy is supported, well-led and well-placed to meet the needs of the justice system in the years ahead.

The Right Honourable Lord Justice Nicholas Green

Senior Presiding Judge for England and Wales

Introduction and contact details

This document is the post-consultation report for the consultation document: '*Reform of Local Justice Areas – Consultation on the future administrative structures of the magistracy*.' It contains:

- The background to the consultation and this report, including a brief summary of responsibilities
- A summary of the responses received and major themes
- Analysis of responses to all questions, including brief summaries of the proposals, recurring themes and our detailed response
- Impact assessments including equalities and Welsh Language
- The next steps following the consultation.

Further copies of this report and the consultation document can be obtained by contacting:

Magistrates Policy Team
Post Point 9.20
Ministry of Justice
102 Petty France
London SW1H 9AJ

Email: ljaconsultation@justice.gov.uk using the subject line 'CONSULTATION RESPONSE ENQUIRY – LOCAL JUSTICE AREA REFORMS'

Alternative format versions of the report can be requested via the contact details above.

The report is also available at: https://www.gov.uk/government/consultations/reform-of-local-justice-areas

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Ministry of Justice at the above address.

Background

LJAs create geographical boundaries relating to four main components of magistrates' courts administration:

- Initiating and listing cases;
- The payment and enforcement of penalties (fines, suspended sentence orders, community orders and youth rehabilitation orders);
- Magistrates' recruitment; and
- Magistrates' deployment.

LJAs are also linked to magistrates' leadership and training arrangements. There are currently 75 LJAs, known as benches, each containing between one and five magistrates' courts. Every magistrate is assigned to an LJA upon their appointment.

LJAs will be abolished when section 45 of the Judicial Review and Courts Act 2022 is commenced. The abolition of LJAs will improve how magistrates' courts operate. The hard legal boundaries of LJAs have created unnecessary bureaucracy, including delays in administering penalties and orders (where offenders

have multiple penalties in different areas of the country, or where they move address) and administrative difficulties in the transfer of cases and magistrates between LJAs.

As Parliament has already legislated to abolish LJAs, the consultation did not revisit that decision. Instead, its purpose was to seek views on how new administrative groupings could operate in practice without the rigid legal boundaries currently associated with LJAs. The consultation therefore focused on how best to organise essential functions—such as recruitment, deployment, leadership and training—under a more flexible framework.

We consulted to ensure that any new administrative arrangements were proportionate, workable, and reflective of the realities faced by magistrates across England and Wales. Our intention was not to impose a single national model or to prescribe uniform arrangements. Rather, the aim was to test whether a more streamlined approach could reduce administrative burdens while continuing to support the delivery of local justice.

The purpose of the consultation was therefore to understand local impacts, avoid unintended consequences, and ensure that the design of future arrangements balances flexibility with the need to maintain strong local accountability and bench cohesion.

The formal consultation began on 31 March and ended on 23 June 2025.

The consultation was jointly developed with the Judicial Office and Judicial College, recognising the range of responsibilities of the Lord Chancellor and the Lady Chief Justice over recruitment, deployment, leadership and training.

Further detail on the proposals and on the areas of responsibility was included in the consultation, which can be found here: https://www.gov.uk/government/consultations/reform-of-local-justice-areas

How we consulted

The consultation was published on GOV.UK and Citizen Space. Responses were accepted via online

questionnaire and email. The consultation ran for 12 weeks and followed the government's Consultation Principles:

https://www.gov.uk/government/publications/consultation-principles-guidance

A total of 1,428 responses to the consultation were received. This included 138 email responses alongside 1,290 online responses. It should be noted that not all respondents answered every question of the consultation.

Respondents included magistrates (across adult criminal, youth and family jurisdictions), bench chairs, professional judiciary, legal stakeholders, the Magistrates' Association (MA), the Magistrates' Leadership Executive (MLE), as well as other interested members of the public.

All responses have been considered carefully to assess the potential impact of, and the level of support for, each of the proposals in the consultation document. Recurring themes emerged throughout the analysis process and where necessary, in this consultation response these themes have been grouped together.

Summary of Responses

1. The consultation on the *Reform of Local Justice Areas* sought views on the administrative structures in light of the powers to abolish LJAs, introduced by the Judicial Review and Courts Act 2022. For the purposes of clarity, the proposed administrative benches were intended solely as a practical structure for organising recruitment, deployment, allocation and training once statutory boundaries fall away. They were not intended to mandate uniform practice or a one size fits all approach; rather, they tested whether simplifying structures could reduce bureaucracy while maintaining local identity. Whilst we've concluded there isn't a single national model solution, so won't be implementing one, there is basis in some areas for local changes, and these will be worked through at that local level, as appropriate. Neither were the proposals intended to indicate an expectation of increased travel times, but rather to formalise what is already current practice in many areas.

2. The consultation received 1,428 responses from magistrates across jurisdictions, bench chairs, legal stakeholders, the MA as magistrates' representatives and the MLE as an advisory body, as well as members of the public. Responses showed broad engagement and expressed strong views across all chapters of the consultation.

General Themes

3. Respondents expressed consistent concerns that the proposals consulted upon would dilute local justice, increase travel times, or affect recruitment and retention. A strong theme across several chapters was that a "one size fits all" model would not be appropriate and that changes must reflect local circumstances.

Replacement Structure for Grouping Magistrates' Courts

4. The consultation proposed replacing 75 LJAs with 58 benches, broadly aligned to Criminal Justice Areas (CJAs). Twenty-four existing LJAs

already matched CJA boundaries. While many respondents supported the principle of aligning with CJAs, practical concerns dominated including that: bench areas could become too large to manage effectively, larger areas could significantly increase travel demands on volunteer magistrates. Respondents also feared loss of local knowledge, local identity and pastoral cohesion, and many worried about negative impacts on recruitment and retention.

5. Support was strongest where proposals preserved existing LJA boundaries; opposition was strongest in areas earmarked for mergers. Alternatives suggested included more granular local models, national boundary free approaches, localised mergers, or delaying changes until transport improvements materialise but no alternative model attracted strong consensus.

Our response

6. Given concerns about the practicality and acceptability of the CJA based model, we will not proceed with the proposed 58 bench structure. Instead, administrative bench structures will be

mapped directly onto LJAs, preserving 75 bench areas. This approach acknowledges a majority of support for the current geographical boundaries. The move to administrative rather than statutory boundaries will mean that, should there be support locally for a change in future – nineteen areas expressed some openness to future change – this will be possible to achieve and agree at a local level.

Recruitment and Advisory Committees

7. Respondents generally agreed that recruitment processes would experience only minimal change as a result of proposals in the consultation. However, strong indirect concerns emerged around larger geographic areas deterring potential magistrates from applying and travel expectations disproportionately impacting those with disabilities, caring responsibilities, low incomes, or limited access to transport.

8. In Wales, concerns were expressed that reforms could impact the opportunity of Welsh-speaking magistrates to use the Welsh Language in court.

9. Several respondents, including the MA argued for broader national reforms, including a national recruitment strategy or a volunteer charter.

Our response

10. As set out above, we are proposing to maintain the 75 existing boundaries for our administrative benches.

Deployment

11. Proposals on deployment—such as assigning magistrates to a home court and permitting some sittings elsewhere—were widely supported in principle but criticised in detail. Strong opposition focused on the proposed 90-minute journey time cap, which was seen as excessive, the suggested 60–80% homecourt sitting expectation, (seen by many as too low, and the impact on volunteer magistrates' autonomy and work–life balance.

Our response

12. Homecourt assignment will proceed, but with greater flexibility and clearer emphasis on reasonableness. The proposals from the outset

did not envision significant change to the existing practice: that magistrates sit outside their home courts only in limited circumstances, based on business need and the interests of justice, and in agreement with individual magistrates (in consultation with their bench leaders). We acknowledge the original proposals were open to misunderstanding. Magistrates, under existing practice, do in a minority of cases travel further than they would usually do to a court other than their main court and there is currently no cap on how far they might be required to travel to do so.

13. Nonetheless, we have taken on board the feedback received. Some sittings outside the home court may remain necessary to meet listing needs in courts, but requests subject to agreement from individual magistrates to sit outside their home court and / or bench will be limited and must be agreed with both the individual magistrate and with bench chairs. Magistrates will generally not be asked to travel more than 60 minutes in such circumstances.

14. Because bench boundaries will remain unchanged, most travel concerns should be mitigated.

Bench Leadership

15. Respondents agreed that Bench Chairs face a challenging workload, but most opposed formally dividing the Chair role into separate pastoral and business functions. A large majority preferred making better use of Deputy Bench Chairs, with flexibility at local level.

Our response

16. We will not split the leadership role, but will encourage better use of Deputies, provide clear role descriptions and a framework for delegating responsibilities, strengthen induction and support for leadership roles, and retain elections as the method of choosing local leaders.

Training, Approvals, Authorisations and Appraisals Committees (TAAACs)

17. The proposal to reduce 45 TAAACs to 14 drew significant opposition, primarily because of concerns about loss of local knowledge, unwieldy committee size, and reduced opportunities for meaningful engagement. Respondents doubted the manageability of large regional TAAACs and highlighted the need for local familiarity in mentoring and appraisal.

Our response

18. We will not mandate a reduction to 14 TAAACs. Instead, regions may voluntarily explore rationalisation where locally appropriate. The Judicial College's Learning Partners will become statutory members of TAAACs, reflecting their central role in training.

Equality and Welsh Language Impacts

19. Respondents raised concerns that enlarged areas and travel expectations could disproportionately affect protected groups.

With the decision to retain existing boundaries and the changes relating to travel time, these impacts should be minimised. An Equality Assessment and a separate full Welsh Language Impact Assessment has been published alongside this report, as we are not changing administrative boundaries, we don't anticipate there being negative impacts. We recognise that respondents expressed strong concerns about the potential impact of the proposals on the use of the Welsh language. To address these, we have undertaken and published a full Welsh Language Impact Assessment alongside this consultation report and remain committed to ensuring that final proposals fully reflect and respond to those concerns.

20. The consultation highlighted concerns that some proposals risked creating a one-size-fits-all model or increasing travel times, with potential impacts on protected groups and Welsh-speaking magistrates. These interpretations were not the intention of the proposals, but the feedback is acknowledged. By retaining existing boundaries and not taking forward the travel elements, many

of the potential equalities and Welsh language impacts identified by respondents are avoided. We remain committed to proportionate arrangements that preserve local accessibility, support diversity, and uphold statutory Welsh language obligations.

Analysis of Responses to individual questions

Chapter 1: What are local justice areas and why are they being abolished?

21. Chapter 1 of the consultation set out the rationale for the abolition of LJAs. It did not include any specific proposals but did ask whether the consultation had correctly identified the aspects of the magistrate's system likely to be impact by LJA abolition, and whether any other areas would be affected.

Q1: Do you agree that the wider aspects of the magistrates' system likely to be affected by LJA abolition are: recruitment; deployment; leadership; and training? If you think other areas are likely to be affected, please list these.

22. In terms of multiple-choice responses, 1,088 responded "Yes", 136 responded "No", and 62 responded "Don't know". As a percentage of all

1,428 responses received, this equates to 76% "Yes", 10% "No", and 4% "Don't know", with 142 answers either not answered (8%) or not specified (2%). Free-text comments were provided by 600 respondents.

23. The free-text comments highlighted a range of broader concerns on factors that could be affected by the proposals. Respondents raised potential impacts on recruitment and retention, magistrate morale and bench culture, and the principle of local justice. A small number of respondents also identified possible implications for the use of the Welsh language in certain courts in Wales.

Our response (Q1)

24. We acknowledge the additional consequences of the reforms raised by respondents to question 1 and have taken those into consideration in developing our response.

Chapter 2: Replacement administrative structure for grouping magistrates' courts

25. Chapter 2 of the consultation proposed replacing the current 75 LJAs with a new system of 58 'benches.' These benches would be defined for administrative purposes only, unlike LJAs which are defined by legislation. We proposed the term 'benches' to describe the new system as this term is familiar to magistrates.

26. The consultation proposed that these benches would broadly align with CJAs, excluding cases where the CJAs would be too large. In these cases, the boundaries of current LJAs will be used. As 24 LJAs are already the same as CJAs, in these cases the boundaries of current LJAs would be unchanged. In most other instances where CJAs were proposed, this would involve merging two or more LJA court groups together.

27. The role of the benches would be to create a geographical area for the purpose of administering leadership and deployment.

These functions do not introduce any new responsibilities.

Q2: Do you agree that magistrates' courts should be grouped into benches which would either: match Criminal Justice Areas (CJAs); or use the boundaries of current Local Justice Areas (LJAs), where the LJA is too large to function as a single bench?

28. In terms of the multiple-choice responses, 654 responded "Yes", 484 responded "No" and 145 "Don't know". As a percentage of all 1428 responses received this equates to 46% "Yes", 34% "No" and 10% "Don't know", with 145 responses either not answered (9%) or not specified (1%). Free-text comments were provided by 780 respondents.

29. We proposed using CJAs as the starting point because they already provide an established administrative footprint shared by several justice partners, offering a practical baseline for grouping courts where appropriate.

30. Whilst many respondents agreed with the principle of using CJAs to group magistrates'

courts into benches, a strong theme emerged in free-text comments (repeated through the consultation response) that the proposed benches would be too large. In particular, respondents were worried that the enlarged areas would lead to increased travel times, a loss of local justice through a dilution of local knowledge, and that the increase in bench size would not be administratively manageable.

> "Any amalgamation of LJAs to form new, larger CJAs will potentially impose greater travel requirements on sitting magistrates and could, therefore, reduce retention."
> – JP (LJA unspecified)

31. Whilst some responses supported the principle of broadly aligning magistrates' courts to CJAs, these responses caveated their agreement by saying that the approach to agreeing Bench boundaries should be tailored to individual LJA circumstances.

Q3: Do you agree with the 58 proposed benches set out in Annex B?

32. In terms of the multiple-choice responses, 377 responded “Yes”, 624 responded “No” and 278 “Don’t know”. As a percentage of all 1428 responses received this equates to 26% “Yes”, 44% “No” and 20% “Don’t know”, with 149 responses either not answered (10%) or not specified (1%). Free-text comments were provided by 924 respondents.

33. Support for proposed benches was strongest where boundaries aligned with existing LJAs (24 benches). Respondents in these areas often noted there would be “minimal or no change”, though many qualified their support by saying they could not comment on arrangements elsewhere.

34. Opposition was strongest where mergers were proposed, especially where the new bench would encompass geographically large or areas which were considered to be poorly connected. Key concerns included: Bench size making administration and rota planning unmanageable, longer travel times for magistrates, dilution of

local knowledge, undermining local justice, impact on community and pastoral identity.

35. A recurring theme was that a “one size fits all” model would not work; a proposal suitable for one area might be unsuitable for another. Many emphasised that local mergers should only proceed with local engagement and support—a view echoed by both the MLE and the MA.

36. Some respondents offered alternative models, including more granular structures, national boundary free systems, further local specific mergers (with mixed views in Derbyshire), delaying mergers until transport links improve, and using caseload or substructures to shape deployment. However, no clear alternative approach commanded strong consensus.

> “Cardiff should remain a standalone bench or form a smaller, more manageable bench with immediate neighbouring areas...This would reduce travel time, support local justice, and maintain continuity...”
> – JP (LJA Unspecified)

> "A West Mercia bench that comprised the current Worcestershire and Herefordshire benches would be manageable. But one that comprised Shropshire as well would be unworkable." – Worcestershire JP

> "I would propose that Cheshire and Merseyside could be combined, which reflects the reality of how a large number of these magistrates currently work interchangeably between the two areas, particularly in family." – JP (LJA unspecified)

Q4: Do you think that any of the proposals set out in this paper would affect the family or youth court systems in ways other than those identified?

37. In terms of the multiple-choice responses, 405 responded "Yes", 201 responded "No" and 635 "Don't know". As a percentage of all 1428 responses received this equates to 28% "Yes", 14% "No" and 45% "Don't know", with 186 responses either not answered (12%) or not specified (1%). Free-text comments were provided by 678 respondents.

38. Many respondents identified not having experience in youth or family courts and cited this as a reason for uncertainty or being unable to answer the questions.

39. Those with family or youth court experience broadly shared similar concerns to non-specialist magistrates. Again, doubts were expressed by respondents whose own LJA was affected or where mergers were proposed.

40. Recurring themes included larger bench areas impacting travel times, dilution of local knowledge leading to an impact on local justice – this was seen as even more pertinent to complex cases that are reviewed in family and youth courts, and disruption might be caused to established working relationships.

41. A number of issues specific to youth and family courts were also flagged: Some respondents with family and youth courts experience expressed concerns for how extended travel times and increased bench size may impact particularly vulnerable court users, including children who are likely to be dependent on adults for transport and

therefore have reduced transport mobility. Others raised the risk of reduced continuity in complex cases, local multiagency structures (e.g., CAFCASS, Youth Offending Teams) being misaligned with larger benches, and difficulty fitting Family/Youth sitting patterns into a "home and away" deployment model.

> "Family and youth cases depend on strong local knowledge and proximity to local services - increased bench size may undermine this."
> – JP (Family/Youth)

42. A minority noted that flexibility may help some heavily burdened courts, and reduce risks of youth court processes becoming siloed, but this was not the prevailing view.

Our response (Q2-4)

43. We recognise the broad support for the principle of aligning benches with CJAs, and we are grateful to respondents for the thoughtful feedback provided.

44. We acknowledge the significant concerns raised about the practical implications of merging boundaries or creating larger bench areas. While our original proposals sought to apply a proportionate and workable administrative model, we understand that the prospect of combining existing areas prompted concerns about travel, local identity and manageability

45. The consultation evidence indicates that most respondents are content with the current LJA boundaries. In the smaller number of areas where respondents were open to change, they emphasised that no single model is suitable for all parts of the country and that a ‘one size fits all’ approach should be avoided. Many also stressed the importance of engaging with local benches before making any changes. We value this feedback, and in response, we propose to retain the existing geographic boundaries and to map the new Bench structure directly onto the current LJAs, resulting in a total of 75 Benches.

46. We also note that in 19 areas there was some openness to reviewing boundaries in the future,

provided that any consideration of change is undertaken collaboratively and with clear local support. With administrative boundaries in place, any future adjustments can be explored and agreed locally through local governance structures where there is clear need and support, without requiring further national restructuring.

Chapter 3: Recruitment and Advisory Committees

47. Chapter 3 of the consultation suggested that there would be minimal changes for recruitment, as magistrates will continue to apply for a vacancy in their local area or bench, be appointed nationally but assigned to the bench they applied to, and within this to a ‘home court’.

48. No changes were proposed to the function of the 23 recruitment Advisory Committees (ACs) or the configuration of courts they currently oversee. Youth magistrates will continue to be appointed by the TAAACs following further training. Family magistrates will continue to apply for this role using a separate recruitment process or be

criminal magistrates who are appointed by the TAAACs following further training.

Q5:
i: Do you agree that only minimal changes to the magistrates' recruitment process would be needed as a result of LJA abolition, whereby vacancies and assignments would be organised by bench rather than LJA?

49. In terms of the multiple-choice responses, 594 responded "Yes", 402 responded "No" and 277 "Don't know". As a percentage of all 1428 responses received this equates to 42% "Yes", 28% "No" and 19% "Don't know", with 10% not answered and 1% (154 total) not specified. Free-text comments were provided by 954 respondents to at least one of Q5i or Q5ii.

ii: Do you think there are likely to be further effects on the recruitment system that we have not considered?

50. In terms of the multiple-choice responses, 675 responded "Yes", 192 responded "No" and 378

"Don't know". As a percentage of all 1428 responses received this equates to 47% "Yes", 14% "No" and 27% "Don't know", with 11% not answered and 1% (182 total) not specified. Free-text comments were provided by 954 respondents to at least one of Q5i or Q5ii.

51. Most respondents agreed that the recruitment processes themselves would not change directly as a result of the proposals. However, many felt the reforms could indirectly affect the ability to recruit new magistrates—particularly because larger Bench areas might make the role less attractive due to longer travel times, reduced localism (a key incentive for applicants), or they may be put off by the proposed codification of current deployment practices (proposed in Chapter 3 of the consultation).

> "We will have a recruitment crisis if magistrates suddenly find they have to move to far off courts. The magistracy is about local justice – let's keep it that way."
> – Oxfordshire JP

52. Respondents also raised concerns about negative impacts on equalities, noting that increased travel or changes to deployment could be prohibitive for magistrates or applicants with protected characteristics. Potential impacts were highlighted for those with physical disabilities or mobility issues, people with caring responsibilities, and different age groups—for example, older magistrates who may struggle with longer journeys, and younger magistrates balancing the role with employment or other commitments. In addition to protected characteristics, respondents felt the proposals could affect people from lower socioeconomic backgrounds (such as those without access to a car and reliant on public transport) and those living in rural areas.

53. In Wales, respondents expressed strong and deeply held concerns about the potential impact of the proposals on Welsh speaking magistrates, particularly in areas with higher concentrations of Welsh speakers. They emphasised that if Welsh speaking magistrates were required to travel further or sit in alternative locations, they could

face reduced opportunities to use Welsh in court. This would impact the ability of magistrates to sit in proceedings where Welsh is being used and the ability to provide Welsh speaking magistrates for court users who require the proceeding in Welsh—a statutory right for all court users in Wales.

54. A number of respondents also raised serious concerns that no assessment of the potential impact on the Welsh language had been published alongside the consultation. We take these concerns extremely seriously. The Ministry of Justice is fully committed to assessing the impact of any final proposals on the Welsh language in line with its obligations under the Welsh Language Act 1993 and 2018 MoJ Welsh Language Scheme https://www.gov.uk/government/publications/moj-welsh-language-scheme-2018. Accordingly, a full Welsh Language Impact Assessment has been completed and published alongside this response and can be accessed here: https://www.gov.uk/government/consultations/reform-of-local-justice-areas

55. An equality statement was published alongside the consultation, and we have published an equalities impact assessment alongside this response.

56. Some respondents also felt that larger benches could make recruitment more impersonal, affecting local onboarding and increasing pressure on magistrates and lay members involved in recruitment due to the potential volume of applicants.

57. A number of respondents recognised, however, that more flexible sitting arrangements might encourage applications or help fill vacancies, particularly for those living near existing LJA or circuit boundaries.

58. Many respondents also suggested that broader reforms to the recruitment process were needed. While not in scope for this consultation, they felt these issues should be considered as wider reforms to the magistracy.

> “This proposal does nothing to address broader considerations and is a missed

> opportunity to consider what should be done nationally to strengthen and develop recruitment." – Cardiff JP

59. One suggestion—raised by the MA and supported by some respondents—was to introduce a 'Magistrates' Volunteer Charter' to set out expectations of the role for applicants. The MA also called for a national recruitment and retention strategy, supported by robust, long-term modelling of magistrate numbers required at court level, while emphasising the principle of *"nationally design, locally apply"*. Although out of scope of the consultation, small number of respondents expressed support for this proposal.

Our Response (Q5)

60. There was consensus that the recruitment processes themselves would not be directly affected by the proposals. Whilst it was not the intention of the consultation to introduce increased travel time, we acknowledge the clear feedback that our ability to recruit successfully could be impacted if prospective candidates faced longer travel times to court.

61. We take seriously the concerns raised about the potential effects of larger bench areas on magistrates with protected characteristics, those from lower socio-economic backgrounds, and on the statutory rights of Welsh speakers.

62. As set out in chapter 2, we have decided not to pursue larger benches.

Chapter 4: Deployment

63. Chapter 4 of the consultation outlined current arrangements for the deployment of magistrates to LJAs and proposed some changes to the process. The proposals were intended to closely resemble current practice, whilst being flexible enough to support both the needs of the court and those of magistrates.

64. The proposals were based on the assumption that LJA boundaries would be changing, as had been outlined earlier in the consultation paper. As this is no longer the case, some of the proposals are now redundant. This is addressed in more detail below.

65. There were six broad topics addressed in relation to deployment:
    a. Assigning magistrates to a 'home court' (Questions 6, 12, 13, 14)
    b. Sitting outside of a home court or bench (Questions 7, 9)
    c. Travel expectations (Question 8)
    d. Deployment of Family magistrates (Questions 10, 11a, 11b, 12)
    e. Deployment of Youth magistrates (Question 13)
    f. Impact on protected characteristics (Question 15)

66. **Note**: Most questions in Chapter 4 asked about multiple aspects, so it is not necessarily clear which aspect respondents referred to when indicating "Yes" or "No" (for example, Question 6: "Do you agree that magistrates should be assigned to a 'home court', where they would be expected to spend between 60% and 80% of their sittings?", where respondents might agree in principle with a home court assignment but might reject the percentage). The Yes/No statistics reported below should therefore be read in

conjunction with the summary of free-text responses for each question.

Q6: Do you agree that magistrates should be assigned to a 'home court', where they would be expected to spend between 60% and 80% of their sittings?

67. In terms of multiple-choice responses, 476 responded "Yes", 774 "No", and 46 "Don't know". As a percentage of all 1,428 responses received to the Consultation overall, this equates to 33% "Yes", 54% "No", and 3% "Don't know", with 7% (100 total) not answered and 2% (32 total) not specified. Free-text comments were provided by 1,001 respondents.

68. The main themes emerging in free-text comments related to the proposed ratio (60-80% of sittings at their home court with 20-40% elsewhere) and the preference for having individual choice in when and where magistrates sit.

69. Many magistrates – including those responding both "yes" and "no" to the multiple-choice aspect

of the question – agreed with the idea of a home court in principle but disagreed with the proposed percentage split. Some suggested the percentage should be closer to 75-80%, others preferred 100% at their home court, and a small number felt there should be no fixed percentage.

Our response (Q6)

70. We will be taking forward the proposal to assign magistrates to a home court where they will spend the majority of their sittings. There are benefits in having predictability and consistency in sittings, in promoting team culture and peer interaction among magistrates, and in preserving local delivery of justice.

71. We acknowledge respondents' concerns that potentially sitting up to 40% of their time away from the home court seems too high. Cross-court sitting remains necessary to ensure efficient resource allocation to meet listing needs in courts and can provide a development opportunity for magistrates in being able to sit on different types of cases. Magistrates can therefore reasonably expect to be asked to spend a smaller proportion

of their time sitting away from their home court, largely in line with current practice. It is difficult to put a precise figure on what may be required going forward, since this will vary depending on local needs, but we aim to achieve consensus between bench chair and the individual magistrate when magistrates are asked if they would agree to spend some time other than in their home court. Magistrates can expect reasonable adjustment expectations to be taken into account.

Q7: Do you agree with the expectation that magistrates would spend the remaining sittings outside their home court elsewhere in their bench? If you disagree, please explain why.

72. In terms of multiple-choice responses, 403 responded “Yes”, 826 “No”, and 53 “Don’t know”. As a percentage of all 1,428 responses received to the Consultation overall, this equates to 28% “Yes”, 58% “No”, and 4% “Don’t know”, with 8% (120 total) not answered” and 2% (26 total) not

specified. Free-text comments were provided by 994 respondents.

73. As noted above, many magistrates perceived the proportion of sittings expected to be outside their home court to be too high. Concerns included the impact of longer travel times, the removal of choice from magistrates (who, many respondents emphasised, are volunteers), and the potential adverse impact on recruitment and retention of magistrates.

Our response (Q7)

74. The concerns about the proportion of sittings to be spent away from the home court are addressed in our response to Q6 above.

75. Since bench boundaries will not be changing, individual benches will not cover a larger geographical area than current LJAs do. On this basis, magistrates' travel distance will remain the same.

Q8: Do you agree that magistrates should only be expected to sit at courts that are a reasonable journey time from their home or work address, defined as no more than 90 minutes each way?

76. In terms of multiple-choice responses, 301 responded “Yes”, 973 “No”, and 32 “Don’t know”. As a percentage of all 1,428 responses received to the Consultation overall, this equates to 21% “Yes”, 68% “No”, and 2% “Don’t know”, with 7% (94 total) not answered and 2% (28 total) not specified. Free-text comments were provided by 1,177 respondents.

77. Most respondents, irrespective of whether they answered “yes” or “no” to the multiple-choice element of the question, voiced clear and strong opposition to the proposed 90-minute travel reasonable maximum travel time. Many argued that it was unreasonable to expect volunteer magistrates to travel for such a long time. Concerns related to the risks of travel fatigue on magistrates; potential adverse weather conditions or journey complications further prolonging travel

time; reimbursement of travel costs; and geographic variation in ease of travel.

78. Some respondents highlighted potential adverse impacts on diversity and inclusion, especially for older magistrates and those with childcare or other caring responsibilities. This could in turn impact on recruitment and retention of magistrates.

79. There were few positive free-text comments; these tended to highlight the benefits of sitting in other areas or courts as an opportunity to expand individual knowledge and experience. However, even such positive comments expressed opposition to the proposed 90-minute travel cap. A popular alternative suggestion was a 60-minute cap, with other suggestions of 30-45 minutes or 75 minutes.

Our response (Q8)

80. We take on board the strong opposition to the proposed 90-minute travel cap on journeys and appreciate that this has caused some degree of concern, with a perception that magistrates would routinely be expected to travel for such a long

time to get to court. We understand that this level of travel on a regular basis would not be considered reasonable and that it would have particular adverse impacts on those with disabilities, and those with childcare or other caring responsibilities.

81. It may be helpful to set out the background to this proposal. The proposed 90-minute cap was intended to introduce an upper boundary to magistrates' expected travel times on the basis that currently there is no cap in place and current guidelines specify that magistrates are expected to sit anywhere in their LJA, which could in theory include the furthest court in their area. If the bench boundaries were to change then more magistrates would live or work more than 90 minutes from the furthest court in their area, and we did not want magistrates to feel that they would be expected to travel that far to attend sittings.

82. However, we appreciate that the proposals inadvertently created a perception that 90 minutes was considered a reasonable travel time

for magistrates to undertake on a regular basis – we and want to provide assurance that there has never been any intention for this to be a routine expectation on magistrates.

83. Since bench boundaries will not be changing, the size of the geographical area will remain the same and magistrates won't have to travel further than they currently do to attend courts within their areas.

84. Where magistrates have agreed to sit away from their home court, they will in most cases not be expected to travel more than 60 minutes to do so, though we of course cannot account for the impact of adverse travel conditions or public transport delays. There may be occasions where magistrates might be asked to travel to further away courts if there is a particular or pressing need, but such instances must be agreed between the individual and their bench chair and there will be no obligation for an individual magistrate to undertake the travel.

Q9: Do you agree that magistrates should have the option of spending a minority of sittings outside their bench or their judicial circuit, where: a) there is a local need; b) the magistrate chooses this; and c) journeys are no more than 90 minutes each way?

85. In terms of multiple-choice responses, 975 responded “Yes”, 267 “No”, and 57 “Don’t know”. As a percentage of all 1,428 responses received to the Consultation overall, this equates to 68% “Yes”, 19% “No”, and 4% “Don’t know”, with 8% (114 total) not answered” and 1% (15 total) not specified. Free-text comments were provided by 991 respondents.

86. Many respondents indicated that they would be happy to sit outside of their bench provided the travel time or distance was not too far, and that they retained individual choice in doing so. The theme of individual choice also emerged among the “No” respondents. Many magistrates suggested that sittings outside the bench should be subject to a genuine business need.

Our response (Q9)

87. Enabling magistrates to sit outside of their bench or circuit can help with meeting the needs of the court, while providing the opportunity for magistrates to sit on different types of cases. Magistrates will therefore be given the option to sit outside their bench or circuit for a minority of their sittings, as proposed. This will almost always or primarily be driven by business need but will not be mandated and such sittings will be agreed between individual magistrates and their bench chair.

88. We note the concerns about the 90-minute upper travel limit, which reflect responses to Q8 above. We acknowledge that this is not considered reasonable and would therefore expect that journeys to sit in courts outside of the bench or circuit should not typically take longer than 60 minutes, and any exceptions would need to be agreed between an individual and their bench chair. A magistrate should not be opting to travel large distances for majority of sittings, they should be sitting in local area, in line with local justice.

Q10: Do you agree that family magistrates should be assigned to a bench on appointment, with case allocation organised by Family Panel Area (FPA)?

89. In terms of multiple-choice responses, 430 responded “Yes”, 68 “No”, and 707 “Don’t know”. As a percentage of all 1,428 responses received to the Consultation overall, this equates to 30% “Yes”, 5% “No”, and 50% “Don’t know”, with 14% (195 total) not answered and 2% (28 total) not specified. Among the 498 respondents who expressed a view, 86% were supportive of the proposal. Free-text comments were provided by 269 respondents.

90. It is likely that Questions 10 to 12 had a higher proportion of “Don’t know” and non-response compared to other questions due to their specific focus on the Family jurisdiction.

Our response (Q10)

91. We will proceed with the proposal to allocate family magistrates to a bench on appointment. This approach will have the benefits of helping to foster collegiality across jurisdictions, assisting

with training and development opportunities, and ensuring provision of pastoral care. Case allocation will continue to be organised by Family Panel Area.

Q11
i: Do you agree that, where we are proposing that LJA court groups should be merged to form a larger bench, the Family Panel Areas (FPAs) that currently mirror those LJA should also be merged, so they continue to mirror the new bench?

ii: Otherwise, do you agree that the other FPAs should generally stay the same? If you feel that any FPAs should be amended in any other ways, please provide details and reasons for your answer.

92. For Q11i, in terms of multiple-choice responses, 349 responded “Yes”, 203 “No”, and 638 “Don’t know”. As a percentage of all 1,428 responses received to the Consultation overall, this equates to 24% “Yes”, 14% “No”, and 45% “Don’t know”, with 15% (217 total) not answered and 1% (21 total) not specified.

93. Q11ii was asked of online respondents only and percentages are therefore based on 1290 online responses. Multiple-choice responses were 34% (445 total) “Yes”, 4% (47 total) “No”, 49% (630 total) “Don’t know”, 13% (168 total) not answered, and 0% (0 total) not specified

94. Across both questions, free-text comments were provided by around 400 respondents.

95. For those who responded “Yes” to either part (i) or (ii), there was overall agreement that the proposals seemed logical and made sense, especially for those already sitting in both Family and Crime. Respondents suggested mergers should happen on a case-by-case basis, with scope for local exceptions, to ensure local expertise is retained.

96. For those responding “No” there were concerns about losing local identity, relationships and expertise. There was some perception that the proposals would cause unnecessary disruption.

97. Respondents on both sides highlighted concerns about longer travel times within larger Family Panel Areas.

Our response (Q11)

98. We are grateful to those who responded to these questions and provided their views on the proposal. Since we will not be proceeding with the proposed bench reorganisation, there will be no impact on FPAs and therefore no change to their boundaries will be necessary.

Q12: Do you agree that family magistrates should be allocated to a 'home family court', which they would be expected to sit at for 60% to 80% of their sittings, and which would be no more than a 90-minute journey each way from their home of work address?

99. In terms of multiple-choice responses, 255 responded "Yes", 433 "No", and 485 "Don't know". As a percentage of all 1,428 responses received to the Consultation overall, this equates to 18% "Yes", 30% "No", and 34% "Don't know", with 16% (223 total) not answered and 2% (32

total) not specified. Free-text comments were provided by 440 respondents.

100. There were similar themes in free-text responses among those who agreed and those who disagreed with the proposal. Most stated that the proposed 90-minute travel time is too far and that the proportion of home court sittings should be on the higher end – either at the 80% upper limit of the proposal, or a full 100% of sittings.

101. Among those who disagreed entirely with the idea of having a 'Home Family Court', responses noted that family work can be spread unevenly across court centres so there was benefit in sitting flexibly to maintain competence.

Our response (Q12)

102. As far as possible, we want to have a consistent approach across jurisdictions to the deployment of magistrates. Family magistrates will therefore be deployed to a home court, but we recognise that there is a need for flexibility in being able to sit elsewhere given the nature of the allocation of family work.

103. We note the concerns about travel time and the opposition that has been expressed to the proposed 90-minute travel cap. As with Q8 above, we acknowledge that this is not considered reasonable and would therefore expect that journeys to sit in courts outside of the home court should not typically take longer than 60 minutes and that any exceptions would need to be agreed between an individual and their bench chair.

Q13: Do you agree that youth magistrates should be assigned to a 'home youth court', where they would be expected to sit for most of their youth work?

104. In terms of multiple-choice responses, 561 responded "Yes", 123 "No", and 500 "Don't know". As a percentage of all 1,428 responses received to the Consultation overall, this equates to 39% "Yes", 9% "No", and 35% "Don't know", with 16% (225 total) not answered and 1% (19 total) not specified. Free-text comments were provided by 341 respondents. It is likely that Question 13 had a higher proportion of "Don't

know" and non-response compared to other questions due to its specific focus on the Youth jurisdiction.

105. Many respondents – including those who responded both "Yes" and "No" to the multiple-choice element – agreed with the principle of a home youth court while highlighting the importance of individual choice in the allocation process. Those in favour noted benefits for stability, continuity and consistency. Many respondents expressed concerns about long travel times.

Our response (Q13)

106. As above, we want to have a consistent approach across jurisdictions – as far as possible – to the deployment of magistrates. Youth magistrates will therefore be deployed to a home court, but we note the importance of retaining flexibility to enable youth magistrates to sit elsewhere as needed. Home youth court assignments will consider the resourcing needs of local courts alongside magistrates' personal preferences.

107. We note concerns about long travel times, especially given the smaller number of youth courts. As with Q8 above, we would therefore expect that journeys to sit in courts other than the home court should not typically take longer than 60 minutes and that any exceptions would need to be agreed between an individual and their bench chair.

Q14: Do you agree that existing magistrates should be assigned a home court based on where they have sat most over the past 12 months? If you disagree, how do you think existing magistrates should be deployed?

108. In terms of multiple-choice responses, 694 responded “Yes”, 503 “No”, and 73 “Don’t know”. As a percentage of all 1,428 responses received to the Consultation overall, this equates to 49% “Yes”, 35% “No”, and 5% “Don’t know”, with 9% (130 total) not answered” and 2% (28 total) not specified. Free-text comments were provided by 715 respondents.

109. Those who responded “Yes” thought the proposed approach was sensible, as many magistrates would have been sitting in their nearest court for the majority of their sittings. It was noted that in some cases magistrates would have sat elsewhere under exceptional circumstances – for example temporary court closures or to help meet business need elsewhere – and this should be taken into account, with magistrates being consulted on their preferred home court.

110. Those who responded “No” suggested instead that magistrates should be assigned to a home court based on geographical proximity rather than recent sitting patterns. They also stressed the importance of magistrates being consulted about their preference before being allocated to a home court.

Our response (14)

111. We expect that in most cases sittings over the previous 12 months would be a good barometer for assigning a home court, and this would cause minimal disruption to most magistrates. We

acknowledge, however, that there may be reasons why a magistrate has sat most frequently in a court that would not be considered suitable as a 'permanent' home court and there would therefore be room for discretion based on individual circumstances. Where magistrates have been routinely travelling a long distance for court sittings, this approach may not be suitable as it is preferable for most cases sittings to be in a court that is local to their residential or work address, in line with local justice.

112. Before confirming home court allocations, we would also assess whether the court will have sufficient resource to meet business need and whether the home court is within a reasonable journey time (defined, as above, as being within a 60-minute journey time) for the individual magistrate. There may be exceptional cases where if a magistrate is content to travel for longer to a preferred home court and there is a genuine justice system business need, in such rare cases there could be room for discretion on a case-by-case basis.

Q15: In your opinion, would the proposed deployment structure have any impact on any protected characteristic in relation to s149 Equality Act 2010? If you answered 'yes', please state the protected characteristic(s), and provide reasons for your answer.

113. In terms of the following multiple-choice responses, 470 responded "Yes", 232 "No", and 526 "Don't know". As a percentage of all 1,428 responses received to the Consultation overall, this equates to 33% "Yes", 16% "No", and 37% "Don't know", with 13% (184 total) not answered and 1% (16 total) not specified. Free-text comments were provided by 516 respondents.

114. Those responding "Yes" highlighted the impact of longer travel time on older magistrates, those with disabilities, and those with childcare and caring responsibilities, and could limit their ability to continue in their role.

115. Those responding "No" noted existing processes for reasonable adjustments and stressed that these would need to continue. They suggested

that there would need to be adequate options for claiming expenses due to longer travel.

Our response (Q15)

116. Since we will not be proceeding with reorganisation of bench boundaries, the changes to the deployment approach will be more limited than initially proposed. This will minimise disruption and, we believe, alleviate some of the concerns raised about the impact on groups with protected characteristics.

117. However, we note the particular concerns about the impact of longer travel times and have addressed these in our response to Q8 above.

118. Reasonable adjustments will continue to apply to any sitting arrangements for magistrates with a disability or limited long-standing illness. Magistrates can continue to request flexible working arrangements where required by their personal circumstances, and there will be sufficient flexibility in the deployment approach to take into account individual circumstances.

119. Welsh-speaking magistrates will retain the right to sit in Welsh-speaking courts where preferred.

Chapter 5: Bench Leadership

120. Chapter 5 of the consultation outlined the current leadership structure, with each of the 75 LJAs having a Bench Chair who is responsible for court business and pastoral care of magistrates in their area. Some aspects of leadership of youth and family magistrates are delegated to Youth and Family Panel Chairs respectively. The consultation outlines a commitment to maintaining a robust local leadership structure and seeks views about what this could look like, with a few potential models put forward. There were four broad topics addressed:
    a. Bench Chair role and use of deputies (Questions 16, 17, 18, 19, 20, 21)
    b. Appointment of leaders (Questions 22, 23)
    c. Improvements to local leadership structure (Question 24)
    d. Family / Youth leadership (Question 25)

121. **Note**: Respondents might agree/disagree in principle with the proposals but outline conditions in their free-text responses. Therefore, Yes/No responses are ideally read in conjunction with the summary of free-text responses for each question.

Q16: Do you agree with the principle of dividing the workload of the Bench Chair role to make the role more manageable and to encourage more magistrates to apply for the position?

122. In terms of multiple-choice responses, 549 responded “Yes”, 569 “No”, and 166 “Don’t know”. As a percentage of all 1,428 responses received to the Consultation overall, this equates to 38% “Yes”, 40% “No”, and 12% “Don’t know”, with 9% (127 total) not answered and 1% (17 total) not specified. Free-text comments were provided by 184 respondents.

123. There was broad consensus among respondents that the current Bench Chair role is broad, complex and can be difficult at times to manage, and that this could act as a deterrent to people

applying. Some expressed concerns that increased bench sizes, under proposed boundary changes, would exacerbate the challenges. There were diverging opinions as to how to address this, whether through splitting the role or through delegation to deputies.

Our response (Q16)

124. The purpose of questions 16 to 21 was to consider whether – and if so, how – the Bench Chair role ought to be reformed to make it more manageable. The primary driver for this was that, under proposed changes to bench boundaries following the abolition of LJAs, individual Bench Chairs would become responsible for more magistrates across a larger geographical area, and their role would therefore expand.

125. Responses to Q16 suggest that even under current arrangements the role of Bench Chair is large, complex, and demanding, and carries with it an often-excessive workload and risk of burnout. Although we will not be proceeding with proposals to increase the bench size, it therefore remains important to consider what steps ought

to be taken to alleviate the burden on individual Bench Chairs.

126. **Note:** We have provided a combined response to Questions 17 to 19 below since the three are closely interrelated.

Q17: Should the leadership role be divided into two distinct positions – one focused on managing court business and the other on welfare and pastoral matters?

127. In terms of multiple-choice responses, 346 responded “Yes”, 778 “No”, and 183 “Don’t know”. As a percentage of all 1,428 responses received to the Consultation overall, this equates to 24% “Yes”, 54% “No”, and 13% “Don’t know”, with 8% (121 total) not answered and 0% (0 total) not specified. Free-text comments were provided by 266 respondents.

128. Those in favour of dividing the leadership role – including the MLE – suggested that different skills were needed for pastoral and business responsibilities and that most applicants for Bench Chair roles were better suited to either

one or the other, not both. The MLE proposed a split model in which pastoral leadership was retained locally and business and strategic leadership was handled regionally for each jurisdiction.

129. Those opposed to dividing the leadership role – including the MA – suggested that pastoral and business responsibilities are interconnected and that separating them could create confusion and weaken the effectiveness of bench leadership. There was some opposition to a nationally imposed standard with a preference instead for decisions to be taken locally, based on the local situation.

Q18: How do you think Deputy Bench Chairs could be better used to share out the responsibilities of the Chair? For instance, do you think there should be rules or guidelines for how many deputies should be appointed according to the number of magistrates or courts in a bench? And/or should there be guidelines or rules for which aspects of the Chair's responsibilities should fall to deputies?

130. Q18 had no multiple-choice element. Free-text comments were provided by 943 respondents.

131. Most respondents supported the idea of some best practice guidance but did not support the idea of imposed ‘rules’, emphasising the importance of local flexibility. Many stated a need for more clearly defined job descriptions for Deputy Bench Chairs.

132. Many respondents thought that current systems worked fine and the decision of when to make use of deputies – and in what way – should be left to the discretion of each Bench Chair.

Q19: Do you have a preferred option from options i and ii, above? I.e. do you think it would be better to split the Bench Chair role into court business and pastoral roles, or to make better use of deputies to share out the workload?

133. In terms of multiple-choice responses, 9% (131 total) voted for “Option i (splitting the role)”, 53% (763 total) voted for “Option ii (making better use of deputies)”, 19% (278 total) indicated “No Preference” and 18% (255 total) did not answer

the question, with 0% (1 total) “Don’t know” responses. Free-text comments were provided by 532 respondents.

134. Among those 894 respondents who expressed a preference, 85% preferred making better use of Deputies. They felt the approach would maintain a single point of leadership while reducing the workload of the Bench Chair. Many highlighted that giving Deputies greater responsibility would support their development and increase the likelihood of them becoming Bench Chairs in the future. Many respondents stressed that pastoral responsibilities should remain with the Bench Chair rather than being delegated to Deputies.

135. There was a recurring theme in responses on all sides that local flexibility was important, with a view that Bench Chairs should determine the approach that works best locally.

Our response (Q17-19)

136. There is a clear preference for encouraging better use of Deputy Bench Chairs and we note the strong opposition among the majority of respondents to formally splitting the Bench Chair

into two separate roles. We do not plan to mandate the use of Deputies, acknowledging that the situation varies in different areas and there is a need for local flexibility and discretion rather than imposing a one-size-fits-all approach. However, in light of concerns that the role can often be too large for one person, Bench Chairs are strongly encouraged to make better use of Deputies as a way of reducing the leadership demands on them as individuals and to help make the workload more manageable. To assist them in doing so, we will develop and publish a framework that sets out recommendations for when and how Bench Chairs should delegate some of their responsibilities to a Deputy or Deputies. We will continue to provide clear advice and direction on suitable delegation of responsibilities through Bench Chair induction training.

137. Oversight at a local level will be essential to ensure Bench Chairs are not overburdened with day-to-day responsibilities and to identify where intervention may be needed to encourage them to delegate some of their responsibilities.

138. Although we will not be separating the business and pastoral responsibilities of a Bench Chair into two separate roles, we agree that there is benefit in strengthening regional oversight of the local management of judicial business in the magistrates' courts and options are being considered within the scope of the Senior Presiding Judge's review of magistrates' governance structures.

Q20: Do you think there are any other changes we could make to the Bench Chair role to encourage more magistrates to apply for this position?

139. Q20 had no multiple-choice element. Free-text comments were provided by 776 respondents.

140. Ideas put forward included: developing a detailed role description to make clear what the role entails; improving administrative support for and communication with Bench Chairs; introducing induction, mentoring and peer support schemes for Bench Chairs; introducing options for job-share and co-chairing arrangements;

and ensuring Bench Chairs have the necessary equipment to carry out their responsibilities.

141. Respondents noted the considerable time commitment required to be a Bench Chair, and suggested many magistrates – especially younger, working magistrates or those with childcare or other caring responsibilities – would not have the capacity to take on the additional voluntary role. Some expressed concern that the larger geographical areas covered by each bench under the proposed boundaries would further increase the workload and demands on Bench Chairs.

Our response (Q20)

142. We appreciate the significant time commitment that being a Bench Chair requires and remain grateful to those who volunteer their time to take on these critical roles on top of their other commitments and responsibilities.

143. We agree that there is a benefit in having clear and detailed role descriptions which set out the expectations on Bench Chairs. While there may be local variation in some of the detail of

individual role requirements, the broad responsibilities will remain consistent, and we will therefore develop and publish a framework that serves this purpose. Individuals will be able to refer to this framework to consider whether they wish to put themselves forward for such roles.

144. We think that increased use of Deputy Bench Chairs, as set out above, will enable more magistrates to develop leadership experience and hope that it might encourage them to stand for Bench Chair roles in the future, having gained first-hand experience of what the role entails.

145. We take on board the other suggestions put forward in responses and will give further consideration to how these, or other measures might be taken forward.

Q21: How many magistrates do you consider one leader could reasonably oversee? Please provide a figure for the following: (a) leaders who would oversee judicial business only; (b) leaders who would oversee pastoral matters only; (c) leaders who would oversee both judicial business and pastoral matters.

146. Q21 had no multiple-choice element. Free-text comments were provided by 856 respondents.

147. Respondents were asked to provide figures for magistrates per leadership role; on average responses recommended between 100 and 200 magistrates per leadership role. Median responses for each element were:
    - Judicial Business only: 157.5
    - Pastoral Matters only: 125
    - Both: 150

148. Many said it was impossible to put forward concrete figures or based them on personal experience, highlighting that concrete numbers would depend on individual and local capacity, or that only Bench Chairs would be qualified to provide such figures. A number of respondents were not in favour of splitting the role and therefore declined to answer options a) or b). They emphasised similar points to previous answers about it not being feasible to split business and pastoral functions and about making more effective use of Deputies.

Our response (Q21)

149. We think that one leader could reasonably oversee around 150 magistrates. However, we acknowledge that the demands on Bench Chairs will vary and a one-size-fits-all approach will not be appropriate.

150. It is worth noting that we are hoping to recruit many more magistrates over the next few years in order to meet the growing demand in the magistrates' courts, and this increased recruitment will lead to more individuals coming under the overall remit of Bench Chairs. In order to mitigate some of the impacts this will have, we will continue to encourage the delegation of certain responsibilities to Deputies as mentioned above.

151. **Note:** We have provided a combined response to Questions 22 and 23 below since the two are closely interrelated.

Q22: Do you think that magistrates' local leaders (Bench Chair; Deputy Bench Chair; Family Panel Chair; Youth Panel Chair and Family/Youth Panel Deputies) should be elected or selected, or a combination of both?

152. In terms of multiple-choice responses, 66% (945 total) chose "Elected", 4% (53 total) chose "Selected", and 15% (218) chose the option "A combination of those". 6% (79 total) indicated "No Preference" and 9% (133 total) did not answer the question. Free-text comments were provided by 870 respondents.

153. Those who preferred **election,** including the MA, argued that magistrates should be able to choose their leaders and that this was important for supporting local connection, accountability, trust, and local independence. Some suggested election ensured diversity as it would attract more people to put themselves forward and would avoid risk of favouritism through selection processes. They also suggested that election is more transparent than selection. Some pointed to

the fact that Bench Chairs are currently elected and did not see a reason to change from the status quo.

154. Those who preferred **selection** emphasised the need for a clear role description and person specification to ensure people were appointed who met the needs of the role. Some suggested selection ensured diversity and avoided the risk of favouritism that election based on personal popularity would cause. They also suggested that selection would be fairer and more transparent.

155. Those who preferred a **combination,** including the MLE, thought a mixed model would bring the benefits of both election and selection. Many respondents who supported this approach preferred splitting the Bench Chair role, suggesting in turn that the pastoral role should be elected and the business role selected.

156. A common concern across all options was that there is a general shortage of volunteers putting themselves forward for leadership roles.

Q23: If you think that some leaders should be elected and others should be selected, please specify the types of roles that should be elected, and those that should be selected.

157. Q23 had no multiple-choice element. Free-text comments were provided by 648 respondents.

158. As with responses to Q22 above, many respondents who supported this approach preferred splitting the Bench Chair role, suggesting in turn that the pastoral role should be elected and the business role selected. For those who did not support splitting the bench role but favoured this combined approach, the most common suggestion was to elect Bench Chairs and select Deputies. Some supported the idea of Bench Chairs selecting their Deputies, suggesting this would help ensure positive working relationships.

Our response (Q22, 23)

159. Current practice is to elect local bench chairs and their Deputies. Respondents indicated an overwhelming preference for continued election,

rather than selection, and we do not therefore propose to change from the current approach. Bench Chairs, Family Panel Chairs, and Youth Panel Chairs, alongside their Deputies, will continue to be elected.

160. We are mindful, though, that many magistrates do not put themselves forward for election to leadership roles and hope that the measures outlined above: publishing role descriptions; making the role more manageable; encouraging more people to gain leadership experience as Deputies; will help make the role more attractive to magistrates.

161. It may be necessary, where a deputy bench chair would be useful and desired but no one has put themselves forward for election, to appoint a deputy via an expression of interest. This would be done in full consultation with the local bench and on the initiative of the bench chair.

Q24: Do you have any other ideas for how the current local leadership structure could be improved?

162. Q24 had no multiple-choice element. Free-text comments were provided by 385 respondents.

163. Suggestions for improvement included calls for streamlined local leadership; more clearly defined roles; transparency in recruitment processes; improved communication between leaders and magistrates; the maintenance of local approaches; increased diversity; and clear accountability.

Our response (Q24)

164. There were relatively few responses to this question, and we are grateful to those who put forward suggestions. There were a number of common themes between this and other questions, notably the need for streamlined leadership, greater clarity as to what leadership roles entail, and better support for leaders. These have been addressed in our response to previous questions in this chapter.

165. Some responses emphasised the need for local decision-making on local issues. This aligns with one of the key principles in the Senior Presiding Judge's review of governance; whilst it will be

important to ensure consistency and sharing of good practice, where possible that decisions should be made as close to the ground as possible and excessive centralisation should be avoided. The response to the Governance Review consultation will address questions of local governance and decision-making structures.

Q25: Do you have any further comments about the leadership proposals in this chapter in relation to the youth or family systems?

166. Q25 had no multiple-choice element. Free-text comments were provided by 160 respondents.

167. Many responses conveyed support for the current system. Some comments reiterated a preference for elected leaders; others called for more resource, support, and training; and others emphasised the importance of recognising unique jurisdictional and geographical needs.

Our response (Q25)

168. The consultation proposed no changes to the roles of Family and Youth Panel Chairs, beyond considering whether the roles should be elected

or selected (which has been addressed in our response to Q22 and 23 above). With the majority of responses to this question conveying support for the current system, we do not consider that any further changes are required.

Chapter 6: Training, and Training, Approvals, Authorisations and Appraisals Committees (TAAACS)

169. The consultation posited that 45 TAAACs across England and Wales is too many for effective operation. It asked whether we could reduce to one crime and one family TAAAC per region and Wales, which would replicate the current structure in London. It was suggested that reduction in the number of TAAACs would provide greater consistency across each region. Members would be drawn from the benches that sit within that circuit.

170. Aspects of the TAAACs already operate at circuit level, so forming the TAAACs by circuit should work well and encourage sharing of best practice and resource across geographical boundaries.

171. This would reduce the number of TAAAC members in a circuit, but we would ensure that each bench was represented appropriately.

172. Committees with many members can be unwieldy, so a sub-committee structure could allow specific matters that affect all the represented circuit to be considered by a smaller number of magistrates.

Q26: Do you agree that the 45 TAAACs should be reduced to 14, with one JTAAAC and one FTAAAC for each of the seven judicial circuits and London?

Q27: Do you have ideas about how larger TAAACs could be structured using sub-committees, working groups, or other mechanisms? What might those sub-structures typically cover? Please let us know your ideas.

173. In terms of the multiple-choice responses in question 26, 237 responded “Yes”, 652 responded “No” and 388 “Don’t know”. As a percentage of all 1428 responses received this equates to 17% “Yes”, 46% “No” and 27% “Don’t

know", with 151 responses either not answered (10%) or not specified (1%).

174. Free-text comments were provided by 881 respondents in question 26, and 673 in question 27.

175. Throughout Chapter 6, many of those who responded "don't know" said they didn't have an opinion as they were not familiar with TAAACs or were new to the magistracy.

176. Amongst those that did respond, in the free-text responses the majority of concerns identified were around the loss of local justice and administrative unmanageability of such large TAAACs. Common themes among these two points included: the loss of collegiality among magistrates locally and fewer opportunities for face-to-face operations; the dilution of local knowledge and connections; the large number of magistrates that would have to be managed by a TAAAC, relative to a small number of leadership staff; and the increased workload absorbed by TAAAC members (particularly regarding mentoring and appraisals).

"Merging into one large regional TAAAC would result in a loss of local knowledge of magistrates within the LJAs. It is already difficult to resource TAAACs and one that is four times bigger would have to deal with a lot of additional workloads…TAAACs work best when they are local and have local knowledge of the magistrates they serve. Appraising and mentoring depend on close relationships and familiarity with how each courthouse and bench operates. Removing these links turn these into remote, procedural processes and make it harder to attract and retain TAAAC members." – Nottingham JPs

"A TAAAC covering a large geographical area would be too unwieldy and would slow processes down. Giving feedback, support, advice etc to magistrates would become too impersonal. Meetings would have to be on-line and there are significant benefits from face-to-face meetings, at least on some occasions." – JP (LJA unspecified)

177. Some respondents felt that reducing the number of TAAACs would exacerbate existing issues. Some respondents also commented that they did not feel there was a convincing rationale for reducing the number of TAAACs.

178. 126 respondents felt that the perceived increase in workload would be a deterrent to magistrates applying to TAAAC roles, at a time when it is already difficult to find volunteers. A number of respondents also suggested that volunteers are motivated by serving their local community, so if this local connection was felt to be missing, magistrates would also be less likely to apply to TAAAC roles.

> "Very large TAAACs would be challenging to manage from the chair's perspective and discourage magistrates from putting themselves forward to take on the increased workload, either as committee members or chair. In the same way that the bench chair is an important figurehead to magistrates, it is important that the TAAAC chair is a known individual in the area." – Gloucestershire JPs

179. Some respondents were specifically against the reduction of the number of TAAACs to 14, saying that this was too few or would cover too large a geographical area, whilst several were concerned that the proposed larger TAAACs would be too remote and “faceless” to meaningfully interact with local areas. Others though that this was already an existing issue which would be further exacerbated.

180. A number of responses cited that there cannot be a ‘one size fits all’ approach to the TAAAC reorganisation, and that while the proposed system may work for London (where it already exists), it would not work for all, especially where magistrates are more spread out and cannot rely on an extensive public transport system.

181. The MA expressed such concerns about the size of the proposed TAAACS and loss of locality, suggesting that TAAACs required an independent review separate from this consultation. The MLE were in favour of reducing the number of TAAACs but on the basis of there being approximately 2,000 magistrates per

TAAAC as opposed to 2 TAAACs per region and Wales.

182. Of those in favour of the proposal, some cited increased consistency and efficiency across areas as a benefit, and a small number felt that recruitment to TAAAC roles would become easier as there would be a greater pool of candidates to recruit from.

183. Despite the considerable opposition to reducing the number of TAAACs to 14, many respondents could understand the benefits of reducing the number of TAAACs by some extent.

> "This seems sensible. Certainly, some rationalisation looks to be needed – there are too many TAAACs and too many issues with filling the same." – JP (LJA unspecified)

> "45 seems too many, but reducing to 14 risks losing local knowledge or spreading the net too wide." – JP (LJA unspecified)

> "Whilst agreeing that the number of TAAACs seems too high, dropping it so much in one hit

appears to be a huge change in how TAAACs operate at all levels." – Essex JPs

184. Many respondents who disagreed with the proposal did not provide alternative ideas under question 27. Quite a few suggested that larger TAAACs with subcommittees would in practice be a similar structure to the current smaller TAAACs, so they did not see the benefit of the proposed change.

185. A variety of suggestions were provided about how subcommittees could work although no strong consensus across these emerged. Many comments expressed that subcommittees already exist in their TAAAC and these work well. Suggestions included creating subcommittees by work type (e.g. mentoring, appraisals, training), or by bench.

Our response (Q26, 27)

186. While there is some support for reducing the number of TAAACs, feedback from respondents has been clear that a 'one-size-fits-all' approach mandated across all regions and Wales would not recognise the different geographies and

transport links. A reduction to 14 TAAACs in one step would also risk creating committees that become too unwieldy and have too many magistrates to represent. We recognise the pushback against using one model for all regions in this respect and understand the reasons for it. Therefore, we will not be pursuing the proposed change.

187. However, as indicated, there is some support for the principle of reducing the number of TAAACs, likely from those regions where there is a higher number currently. Any reduction though would need to be at a scale and pace that suits the particular region.

188. Our conclusion is that we do not propose mandating change to the number of TAAACs in any region. Instead, the Judicial College and HMCTS colleagues will aim to open discussions on a regional basis with stakeholders on the possibility of reducing the number of TAAACs, to a level that is agreed is efficient and sustainable locally.

189. We will not be undertaking a wholesale review of the operation of TAAACs as some respondents suggested, as we believe they generally fulfil the role that they were designed for, and it would not be proportionate at a time when there is already potentially much change on the horizon in the magistrate courts.

190. Each TAAAC is made up of between 6-24 magistrates, a representative from the MA and an HMCTS representative. For Justice TAAACs there must be sufficient youth members, and membership of the Family TAAAC requires being a family justice. The Learning Partners (LPs) are Judicial College members of staff that ensure core national training provision is delivered to regional magistrates in their circuit. If LPs became statutory members of their relevant TAAACs, they could ensure training delivery was more joined up across these bodies. LPs are almost without fail invited along to all TAAAC meetings, so there is merit in seeking to formalise this arrangement in legislation. The HMCTS representative is already a statutory member of

the TAAAC so this change would put the Judicial College on the same footing as HMCTS.

Q28: Do you agree that the Judicial College regional learning partner should be a statutory member of the TAAACs?

Q29: Do you have any other comments about the membership of the TAAACs? If so, please provide details.

191. In terms of the multiple-choice responses in question 28, 599 responded “Yes”, 110 responded “No” and 499 “Don’t know”. As a percentage of all 1428 responses received this equates to 42% “Yes”, 8% “No” and 35% “Don’t know”, with 220 responses either not answered (15%) or not specified (0.6%).

192. Free-text comments were provided by 542 respondents in question 28, and 485 in question 29.

193. Whilst some respondents specifically welcomed the proposal due to the Judicial College’s essential role in providing training, with

comments recognising the LPs' importance in connecting national training standards with local need. It was felt that statutory membership would ensure consistent training, stronger integration with magistrate development and upholding high-quality learning.

194. Some respondents added that if the LP were a statutory member, this would improve cooperation and communication between TAAACs and the College. There was praise for the improved quality of training since the Judicial College became fully responsible for this, although some thought that local training requirements still need to be better addressed.

195. Among the small number of opponents to this proposal, concerns were raised about judicial independence and LPs becoming involved in TAAAC matters beyond their remit. Respondents suggested that LPs could attend TAAAC meetings without becoming a statutory member, become a non-voting statutory member, or leave during confidential discussions.

196. The MA and MLE both agreed with the proposal that the LP become a statutory member.

197. Other comments about TAAAC membership included thoughts about the appropriate level of representation from each bench or jurisdiction, the level of experience needed to be a TAAAC member, the MA representative and the duration of members' terms.

Our response (Q28, 29)

198. There is clear support in the consultation response for the LP becoming a statutory member of the TAAAC; the suggestion was largely unopposed. We will therefore proceed with this proposal.

199. To provide assurance that the legislation supports the LP operating within their training remit, we will include clauses on the LP's role similar to those in place for the HMCTS representative.

200. We do not propose any other changes to TAAAC membership.

Q30: Do you think that magistrate members of the TAAAC should be directly elected or selected? Please give reasons for your answer.

201. Justice and family justice members of each TAAAC are appointed by a Selection Panel, which in turn comprises of magistrates elected directly by their constituent LJAs. This two-stage process can feel convoluted, and it can be difficult for areas to resource Selection Panels. The consultation asks whether respondents prefer an election or selection process for choosing magistrate TAAAC members.

202. In terms of the multiple-choice responses, 557 responded “Elected”, 236 responded “Selected” and 394 “No preference”. As a percentage of all 1428 responses received this equates to 39% “Elected”, 17% “Selected” and 28% “No preference”, with 241 responses either not answered (15%) or not specified (1%).

203. Free-text comments were provided by 660 respondents.

204. 144 responses highlighted the importance of magistrates having the right skills and experience to effectively perform the role; this was split across both those who favoured election and selection. Many of those who favoured election suggested it would be good if those standing for election were first assessed on their skills for the role.

205. In favour of election, 82 respondents commented on the importance of democracy, with TAAAC members receiving a mandate, and 73 respondents felt that trust and confidence in both the process and TAAAC members were important.

206. Some comments also highlighted that that the process is moot to some extent as there are frequently not enough candidates to either fill all the roles or stand opposed.

207. The MA were in favour of election to ensure legitimacy and trust. The MLE proposed a different system whereby those who wanted to be TAAAC members would be automatically appointed, with a process in place for instances

where there were more volunteers than TAAAC roles available.

208. However, it appeared from many responses that there was some misunderstanding about the current two-stage process and concerns were expressed that selection involves appointing magistrates into roles against their will. There were also views shared that the current process is cumbersome and potentially a deterrent to potential candidates.

> The current process of a selection panel being elected who then select TAAAC members is cumbersome and unnecessary…We believe the current process is off-putting for people considering this role. – Humber Bench Leadership / Humber JPs

> "Both discourage applications. TAAAC membership needs all the help it can get. The current process of selection via a specifically appointed committee is overly bureaucratic and unnecessary." – Buckinghamshire JP

209. Although we did not specifically ask for alternative suggestions for appointing TAAAC members, some respondents did share their ideas. These included applications to be reviewed by TAAAC chairs, election by the home bench, and some hybrid options, such as a mixture of elected and selected members. The overarching opinion was that the process should be simpler.

Our response (Q30)

210. We agree with those respondents who said the existing process is too convoluted and that this inefficiency is even greater if there is only one or few candidates for a vacancy.

211. We also agree with those who said that the TAAAC role requires specific skills that need to be tested via a selection process. We do not agree with the MLE that the process of selecting a magistrate, rigorous as that is, means that all appointed magistrates would automatically be a good fit with the TAAAC role. We consider that additional competencies, particularly those

relating to learning and development, are important to being successful in the role.

212. We do not agree with the MA that the key for a TAAAC member is to have a mandate, and therefore election is the best single method to choose. This is different to a leadership role, where there may be some rationale for using elections. Election may have a part to play, but it cannot be as cumbersome as it currently is and cannot be at the expense of selecting a candidate against required competencies.

213. We therefore propose to simplify the TAAAC appointment process. There are a number of different ways this could be achieved, so we propose to work with TAAACs and others to design an appointment process that remains fair and produces good outcomes but is much sleeker and fit for purpose.

Q31: Should the Justices' and Family TAAACs for each area be combined further into one TAAAC per circuit, which would cover both family and criminal matters?

214. Having separate TAAACs for the family and criminal systems can cause duplication, and combining committees could share opportunities and good practice across these two jurisdictions, especially on matters not directly relating to training.

215. Separate family and criminal training plans would still be created to ensure matters particular to each jurisdiction were considered.

216. Approvals, authorisations and appraisals work identically in Justices' (criminal) and Family committees.

217. On the other hand, due to the distinct training needs, it could be beneficial to keep the two committees separate, ensuring time and space is set aside for family-specific discussions.

218. In terms of the multiple-choice responses, 171 responded "Yes", 507 responded "No" and 502 "Don't know". As a percentage of all 1428 responses received this equates to 12% "Yes", 36% "No" and 35% "Don't know", with 248

responses either not answered (16%) or not specified (1%).

219. Free-text comments were provided by 656 respondents.

220. Objections to the proposal were primarily based on the view that the two jurisdictions are too different to combine, with different needs and requiring specialist knowledge (274 responses). Particular concerns were expressed that family matters would be overshadowed by crime in a combined TAAAC, and that direct family entrants would have no crime experience. The MA also strongly shared this view.

221. Those in favour of the proposal believe that as many TAAAC roles overlap, combining the two committees would reduce duplication and subcommittees could deal with any jurisdiction-specific issues.

222. Some respondents agreed that greater JTAAAC/FTAAAC cooperation would remove some duplication and allow them to resolve common issues, but suggested this could be

achieved without combing the two. Some regions already have good examples of this that could be learnt from.

223. Some respondents were open to combining JTAAACs and FTAAACs at the current LJA level, as an alternative to creating larger TAAACs at circuit level. The MLE supported combining the two TAAAC types. Whilst acknowledging the arguments against combined JTAAACs and FTAAACs, they proposed that this could be managed (as at Q26) by allocating approximately 2,000 magistrates per TAAAC, with one or two TAAACs per circuit, not split by jurisdiction.

224. A few respondents felt that to reduce to one TAAAC per region and Wales was too drastic a reduction at this stage but a possibility in the future.

Our response (Q31)

225. We are aware of the high potential level of change for magistrates currently on the horizon, following the Independent Review of the Criminal Courts and through the implementation of the Sentencing Act 2026.

226. Combining FTAAACs and JTAAACs would also require additional legislation.

227. However, it is something that we might revisit at the right time in the future.

Q32: Do you have any other reflections about the TAAACs? If so, please provide details.

228. A total of 202 respondents out of 1,428 provided further reflections about the TAAACs. Some of these reiterated or expanded on respondents' earlier comments, whereas others were more general or related to issues not in scope of the consultation, such as the procedures for appraisals.

229. The most frequent comments touched on the view that TAAACs should be reviewed separately to this consultation, the negative impact of the proposed changes on recruitment to TAAAC roles and the loss of local justice.

230. There was also frequent reference to the fact that magistrates are volunteers and should be treated as such, including an acknowledgment of the

time they give and maintaining realistic expectations of what they are able to offer around personal commitments. The impact of all the proposed changes on their motivation was also raised as a concern.

231. Other comments spanned a variety of issues such as training venues, TAAAC meetings, the need to better publicise the work and profile of TAAACs, and greater administrative support for TAAACs.

Our response (Q32)

232. We do not agree there is a need for a separate review of TAAACs. As said earlier the level of change potentially on the horizon would make any such review, without full justification, disproportionate and risky.

233. We absolutely understand the voluntary nature of the magistrate role and the call upon a magistrate's time. This is why we are seeking to move away from the time consuming TAAAC appointment process as highlighted earlier on to implement a more efficient scheme, and why we intend to open up discussions about reducing the

number of TAAACs on a regional basis, but strictly subject to local agreement.

234. Finally, we would also agree that the College needs to work with TAAACs to raise the profile of their work and the excellent opportunities afforded by the TAAAC member role.

Impacts Assessment, Equalities and Welsh Language

Impact Assessment

Summary

235. In the consultation document, we explained our assessment that:
    - An Impact Assessment was published as part of the passage of the Judicial Review and Courts Act 2022, which included details on anticipated cost benefits to abolition of LJAs.
    - No new Impact Assessment was produced to accompany the consultation held in March to June of 2025 as none of the proposals in this consultation will introduce new regulation on the private sector or cost the public purse £5 million or more.
    - An equality statement accompanied the consultation. No significant equalities impacts had been identified.

Q33: What do you consider to be the equalities impacts on individuals with protected characteristics of each of the proposed options for reform? Please give reasons.

236. Q33 had no multiple-choice element. Free-text comments were provided by 587 respondents.

Q34: Do you agree that we have correctly identified the range and extent of the equalities impacts under each of these proposals set out in this consultation? Please give reasons and supply evidence of further equalities impacts as appropriate.

237. In terms of the multiple-choice responses, 175 responded “Yes”, 238 responded “No” and 577 “Don’t know”. As a percentage of all 1290 online responses received this equates to 14% “Yes”, 19% “No” and 45% “Don’t know”, with 23% not answered (300 total). Free-text comments were provided by 278 respondents.

Q35: Are there forms of mitigation in relation to equality impacts that we have not considered?

238. Q35 had no multiple-choice element. Free-text comments were provided by 361 respondents.

Q36: Is there anything else you would like to tell us about our proposed changes to local justice areas regarding recruitment, deployment, leadership and training?

239. Q36 had no multiple-choice element. Free-text comments were provided by 697 respondents.

240. There was an overall decline in response rates approaching the end of the consultation, as flagged by respondents who identified limitations of time on being able to provide responses to every question of the consultation response. This is illustrated by nearly 80% of respondents leaving no further comment for Question 34. Additionally, a recurring theme within this section of the consultation was that many respondents identified it would be difficult to ascertain impacts to equalities until the changes were made.

241. However, amongst free-text responses received, the majority of respondents were uncertain if we had correctly identified the range and extent of

equalities impacts under our proposals. Some respondents identified how the proposed 90-minute travel time cap as well as deployment proposals could negatively impact those with caring responsibilities, disabilities and potentially create indirect discrimination on the basis of age by impacting older magistrates with mobility issues.

242. A few respondents identified that changes in deployment proposals may negatively impact disabled magistrates due to variations of accessibility of court estates and facilities, with some venues being unable to adequately support disabled magistrates.

243. Though not a protected characteristic, a very small number of respondents suggested how greater distances to travel may impact those who cannot reliably access a car, or need public transport for mobility, and therefore those from a low income may refrain from joining or continuing in the magistracy. A very small number of respondents also noted the potential for

environmental impacts should the increase in bench size and travel be implemented.

244. A small number of responses suggested there would be no impacts on individuals with protected characteristics, or that they had no further mitigations to add that had not already been considered.

Our Response (Q33 – 36)

245. Having considered the consultation responses MoJ, HMCTS and Judicial Office have published an updated Impact Assessment and Welsh Language Impact Assessment alongside this formal response to the consultation following analysis of responses.

Equality Statement

246. An Equality Statement was published alongside the consultation. Following consideration of consultation feedback and significant revisions to the original proposals, we have now produced a revised Equalities Impact Assessment reflecting the final policy decisions. This revised assessment accompanies the formal joint response of MoJ, HMCTS and the senior judiciary, and can be found on GOV.UK.

247. The revised Equalities Impact Assessment concludes that the final policy decisions are unlikely to give rise to significant equalities impacts. Most potential risks have been mitigated through the withdrawal of high-impact proposals and the continuation of established, locally understood sitting arrangements. Where low-level risks remain, these are capable of being managed through existing reasonable adjustment processes, flexible deployment, and ongoing engagement with magistrates and leadership.

Welsh Language

248. A revised Welsh Language Impact Assessment has been completed for the final proposals on Local Justice Areas in Wales. All Welsh LJA boundaries will maintain their current geographical location, transition from statutory to administrative boundaries and be referred to as ‘benches.’ No mergers will proceed – including the proposed North Wales merger – the statutory right to use Welsh in legal proceedings remains fully protected, and access to Welsh-speaking courts, staff and magistrates will be maintained. The assessment concludes that the revised approach is not expected to create adverse impacts on Welsh language provision. The Ministry of Justice and HMCTS will ensure future reforms remain compliant with Welsh language duties and uphold the principle that Welsh is treated no less favourably than English. The full Welsh Language Impact Assessment can be found here: https://www.gov.uk/government/consultations/reform-of-local-justice-areas

Conclusion and Next Steps

The consultation showed strong engagement and was clear that while respondents understood the reasons for abolishing Local Justice Areas, they overwhelmingly wanted to retain a stronger local identity, have reasonable travel expectations, and structures that support recruitment, diversity and morale. Concerns about larger or merged areas, including travel burdens, loss of local knowledge, and impacts on inclusion were consistent across responses.

In light of this feedback, we intend to **retain the current 75 geographic boundaries** and map the new bench structure directly onto them. Limited, targeted reforms may proceed where there is a need. Regions may explore rationalising TAAACs, but this will not be mandated.

Full Impact and Welsh Language Assessments have been published alongside this response. In due course, we will work together to implement changes arising from this consultation.

Consultation Principles

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the Cabinet Office Consultation Principles 2018 that can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles__1_.pdf

Annex A: List of Respondents

Included in the 1,428 responses, we received joint responses from the following groups:

Avon, Somerset and Gloucestershire FTAAAC

Berkshire Branch of Magistrates' Association

Birmingham and Solihull Bench

Buckinghamshire Bench

Cambridgeshire Bench

Cambridge and Essex JTAAACs

Ceredigion and Pembrokeshire Local Justice Area

Central Kent Bench

Central London Bench

Central North West Wales Bench

The Chartered Institute of Legal Executives (CILEX)

Cleveland, Darlington & County Durham, North Northumbria and South Northumbria (CDN) FTAAAC

Coventry and Warwickshire Leadership Team

Cumbria and Lancashire FTAAAC

Derbyshire and Nottinghamshire JTAAAC

Derbyshire Youth Panel, Southern Derbyshire Bench

District Judge (Magistrates' Court) Bench

Dorset, Devon and Cornwall Advisory Committee

East Kent Bench

Gloucestershire Local Justice Area

Greater London FTAAAC

Herefordshire Bench

Herefordshire Youth Panel

Humber Local Justice Area

HMCTS Family Senior Legal Manager Network

Lancashire Bench Leadership Team

London JTAAAC

The Magistrates' Association

The Magistrates' Leadership Executive

Mid Wales Bench

Mid Wales Family Bench

Norfolk Bench

North and East Hertfordshire Bench

North East RTAAAC

North East Region Focus Group

North Essex Local Justice Area

North West Wales Bench

Nottinghamshire Bench

Shropshire Bench

South East London Bench

South Essex Bench

Staffordshire Magistrates' Bench

Suffolk Bench

Surrey and Sussex JTAAAC

Sussex Eastern, Sussex Central, and West Sussex Benches

Wales Judicial Business Group

Welsh Youth Panels Chairs Forum

West and Central Hertfordshire Bench

West Glamorgan Bench

West Midlands and Warwickshire Joint J & FTAAAC

Worcestershire Bench

Wyre Forest District Council

Annex B: Tables

LJAs against mergers	Proposed Bench Area
Birmingham and Solihull, Black Country, Coventry and Warwickshire	West Midlands
Berkshire, Buckinghamshire, Oxfordshire	Thames Valley
Central Kent, East Kent, North Kent	Kent
North Essex, South Essex	Essex
Sussex (Central), Sussex (Eastern), West Sussex	Sussex
Herefordshire, Shropshire, Worcestershire	West Mercia
North Northumbria, South Northumbria	Northumbria
Cardiff, Mid Wales (South Wales Area), Swansea	South Wales
North Central Wales, North-East Wales, North-West Wales	North Wales

LJAs against mergers	Proposed Bench Area
North and West Cumbria, South Cumbria	Cumbria
North and East Devon, South and West Devon	Devon

LJAs supportive of some form of change	Suggested revisions from the consultation
North Hampshire	May benefit from merger with close by areas
Pembrokeshire & Ceredigion (incorrectly identified as two separate LJAs in consultation)	May benefit from splitting up
Montgomeryshire	Several suggestions of different ways this area may benefit from merger with close by areas
Avon & Somerset	May benefit from being split into smaller areas

LJAs supportive of some form of change	Suggested revisions from the consultation
North Northumbria, South Northumbria	May benefit from merger together
North Kent, Central Kent, East Kent	Suggested merger of all three too large but could be merged into 2 bench areas if necessary (different suggestions of North and Central Kent merger, creation of East and West Kent)
Herefordshire, Shropshire, Worcestershire	Several suggestions on different ways these areas could be merged if necessary, but opposition against a merger of all three areas together
South Cumbria	May benefit from North Cumbria or Lancashire merger
Durham, Cleveland	May benefit from merger together

LJAs supportive of some form of change	Suggested revisions from the consultation
Cheshire, Merseyside	May benefit from merger together
Northen Derbyshire, Southern Derbyshire	May benefit from further discussions as there was both support and opposition for a merger

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978-1-5286-6358-8