

**EXPLANATORY MEMORANDUM TO THE
POLICE AUTHORITIES (LAY JUSTICES SELECTION PANEL)
REGULATIONS 2005**

2005 No.584

1. This explanatory memorandum has been prepared by the Home Department and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 These Regulations prescribe the procedure for the preparation of a short-list of persons who may be appointed as lay justice members of police authorities. Where a vacancy is to be filled, a selection panel constituted in accordance with paragraph 1(2) of Schedule 3A to the Police Act 1996 will issue a notice and invite applications. The panel may draw up its short-list from its record of past applicants without issuing a notice. Following consideration of those applications the panel will prepare the short-list, and the final appointments will be made by other members of the authority.

3. Matters of special interest to the Joint Committee on Statutory Instruments.

3.1 None.

4. Legislative Background

4.1 The instrument is made under paragraph 5 of Schedule 3A to the Police Act 1996 (which was inserted by Schedule 8 to the Courts Act 2003).

4.2 These are the first Regulations to be made under that power.

5. Extent

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

6.1 Not applicable.

7. Policy background

7.1 From 1st April 2005, the Courts Act 2003 abolishes Magistrate Courts Committees, the mechanism by which magistrates are currently appointed. Instead of magistrate members, police authorities will include lay justice members, appointed by the councillor members and independent members of the authority from a short-list prepared by a selection panel. These Regulations provide for the procedures to be followed in relation to the preparation of such a short-list, and provide for the conduct of the proceedings of the selection panel. The procedure will be similar to the appointment of independent members to police authorities under Schedule 3 to the Police Act 1996.

8. Impact

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies

9. Contact

Further information on this instrument can be obtained from Varsha Ratna at the Home Office, e-mail: Varsha.Ratna@homeoffice.gsi.gov.uk.