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STATUTORY INSTRUMENTS

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**2016 No. 709**

**The Justices of the Peace Rules 2016**

**PART 4**

**Approvals, Authorisations, Training and Appraisals**

**CHAPTER 4**

**Provisions relevant to both JTAAACs and FTAAACs**

**Review of competence**

**31.**—(1) This Rule applies to justices in respect of their competence to sit in the adult court (other than their competence to preside in court).

(2) Each JTAAAC must review the competence of a justice—

- (a) if the justice has not completed, within a reasonable time, any training requirement specified in Rule 19(a);
- (b) if the justice has not completed, within a reasonable time, one or more training requirements designated as essential pursuant to Rule 21(2)(c);
- (c) following any appraisal or series of appraisals carried out in accordance with this Rule or with the appraisals scheme;
- (d) where, following a complaint about a justices' performance, the JTAAAC is satisfied that the justice has failed to demonstrate the necessary competence, or
- (e) where, following a referral in relation to a complaint considered under the Judicial Conduct (Magistrates) Rules 2014<sup>(1)</sup>, the JTAAAC is satisfied that the justice has failed to demonstrate the necessary competence.

(3) A JTAAAC may review the competence of any justice returning from absence of six months or more.

(4) Following a review under this Rule, the JTAAAC may take any action it considers appropriate, including one or more of the following—

- (a) confirming that it is satisfied as to the competence of the justice;
- (b) requiring the justice to undertake training or further training;
- (c) requiring the justice to undertake one or more appraisal or further appraisals;
- (d) where satisfied that a justice has failed over a period of time to reach the required standard, instructing the justices' clerk to report the matter to the appropriate advisory committee.

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<sup>(1)</sup> The Judicial Conduct (Magistrates) Rules 2014 were made under [S.I. 2014/1919](#), regulation 7.