

*These notes refer to the Access to Justice Act 1999
(c.22) which received Royal Assent on 27th July 1999*

ACCESS TO JUSTICE ACT 1999

EXPLANATORY NOTES

D.

MAGISTRATES AND MAGISTRATES' COURTS (PART V - SECTIONS 74-97)

Background

Organisation and management of the magistrates' courts service

Unification of the stipendiary bench

257. Stipendiary magistrates are qualified lawyers who are appointed to sit as full-time professional judges in magistrates' courts. They support and complement the work of the lay magistracy, in particular helping to maintain consistency with respect to sentencing. Stipendiary magistrates usually sit alone, whereas lay magistrates sit in benches of at least two. There are currently 92 stipendiary magistrates in England and Wales, and some 30,000 lay magistrates.
258. Metropolitan stipendiary magistrates can sit in the London commission areas and the counties of Essex, Hertfordshire, Kent and Surrey. Provincial stipendiary magistrates are appointed to a particular commission area in the rest of England and Wales.
259. In April 1998, the Government published a Consultation Paper about creating a unified stipendiary bench with national jurisdiction (*Unification of the Stipendiary Bench: Consultation Paper*, Lord Chancellor's Department, April 1998) in order to increase the efficiency of the administration of justice at summary level.