



JUDICIARY OF
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The last three years, or six, counting my term as deputy chairman, have genuinely been an experience of a lifetime. This is my last AGM speech, my last one as chairman of the Association, and rather than ending with the customary thanks I am going to begin with them. All the officers try and get across to the whole membership what we are doing on your behalf. One way is the column in the magazine setting out where we have been and who we have met – and many of you have said to me that you do not know sometimes how I have packed it all in. Well, I have had a great deal of help. I have a very long-suffering family! My husband who is here today (as, I would stress, a fully paid up member of the Association) has made things infinitely easier through constant support in a myriad of ways. Our two sons have been equally and magnificently supportive but I have to tell you that they are delighted that I have reached the end of my term – their boredom threshold is very high but at last they see some faint hope that one family conversation at least might NOT contain the words “Magistrates’ Association”.

I am the one leaving today, but the work I have done is not a solo performance but part of a team effort. There have been changes in the posts of deputy chairmen during the three years so I have been aided first by Simon Wolfenshohn, then John Howson and John Thornhill throughout. To all three of them my thanks. John Thornhill is of course taking over as chairman at the end of this AGM, but at the moment I am looking back so I will save good wishes and further mention for later in the day!

All of you benefit enormously from the work and commitment of the staff of the Association. 28,000 of you - eleven of them (not all working full time). What they do is amazing, I will miss them all. You are not all here today but it has been wonderful working with you all. And at their head is your chief executive, Sally Dickinson. She has seen, or perhaps “been through” is a better description, quite a few chairmen – and the continuity that comes from her knowledge and immense hard work is so valuable that it is almost impossible to describe. She is known and respected for her knowledge and abilities throughout the many strands of the justice system - I would like all of you here today to be aware that this Association owes

her an enormous debt of thanks – I will add my own personal thanks – and I will embarrass her furiously by asking her to stand up so that you can give her a rousing round of applause.

Finally, my thanks to all of you for giving me the chance to do what I have done over the past years.

Magistrates are important. Not personally and individually, of course, but as an important part of society, an essential part of the justice system. Isn't it a pity that we don't always feel like that!

We are all accustomed to criticism of our sentences – although it is sometimes hard to get to grips with the fact that we are criticised both for sentencing too harshly, and too leniently – and sometimes by the same people! We have an enormous range of powers. We use financial penalties more than any other sentence. We are enthusiastic supporters of community penalties, we only impose custody when there is no possible alternative. Against that background, it is highly annoying to be criticised for sending people to prison for short periods, when it is the law of the land that every sentence has to be for the shortest possible appropriate length. We make seriousness of the offence the basis for our decision - again that is applying the law. I do not believe there is a single person in this room who takes any satisfaction whatsoever in imposing a term of custody – we do it when we judge that it is the only appropriate sentence. It is the sentence that we use least, out of all our powers and it is never lightly imposed.

And what do we find? That our careful, **judicial** decision can be emasculated by executive action leading to such a degree of early release that everyone's confidence is shaken. It is not for us to comment on or criticise the existence of executive powers and I am not doing so – what I am commenting on is the effect on public confidence of changes to judicial decisions.

Much talk of “community justice” and community engagement. That is vitally important and we all support it – because that is our prime and essential role. We exist at the centre of the criminal and family justice system – we are there to join courts and communities – to demystify the legal and court process that deals with people. Others have a role as well, of course, but we are at the centre.

Yet at the moment there do seem to be threats on every side. On the one hand serious matters dealt with outside court. We have a strong, and strongly expressed, feeling that this is happening when it should not. It worries us all that this is being done for financial reasons – again, how can that inspire confidence in anyone? We are not protecting our job – we don't have one. We are members of the judiciary, unpaid members – so what we say is based wholly on principle. On the other hand there are experiments springing up of community justice panels of “ordinary people” dealing with crime. A conspiracy to make us invisible! Or a profound misunderstanding as to how crime should be dealt with? When you have a system of people who are appointed after rigorous selection, who take a judicial oath or affirmation, who are extensively trained and regularly appraised, who deal with literally millions of cases year in year out – what more is needed? We should be celebrated, not criticised or made to feel under threat.

Whatever the reason (and there are many) we have capacity in our courts while the higher courts are overloaded and the wait for trial or hearing dates is FAR longer than in ours. On

the family side we have been waiting far too long for the promised increase of work – and there is no excuse for family magistrates not to be used more efficiently. On the criminal side, it is on the statute book that we can sentence up to 51 weeks rather than 6 months, but this remains unimplemented. Why should this not be looked at again? It has been said that we would send people to prison who would not otherwise be there, yet we are talking about offences that merit a greater penalty than our maximum powers at present.

We are judges, part of one judicial family and HMCS is our support service. We should not be told what to do by anyone! We are not professional judges but we are highly professional in approach – we do not sit full time but that is one main point of our existence, that we bring the wealth of everyday experience to our judicial role. So - how dare people treat us as inconvenient part-timers!

We have a separate identity within the judiciary, members of the public who come into court to serve society, and that is extremely important.

My final point - to tie together what I have said about confidence, about our role and about money. WE know that money is appallingly tight – across a far wider spectrum than the courts. We support every effort to increase efficiency, provided that justice is not threatened. What we need is to get rid of all new initiatives and provide us with the basic service we need to run the courts. That goes beyond the court buildings and HMCS – it includes prosecution, defence, police, probation, youth offending teams, Cafcass. We don't need more consultants, pilots, project boards – we need the right number of ushers and legal advisers,

Society needs a fair and just court system – cutting corners to the extent that this is damaged will cause irreparable damage to public confidence in the system. It is wrong to avoid the courts because of money. It is wrong to have inadequate funding of the courts. It is wrong to place fresh burdens on everyone when the basic service needs stable support.

All those points matter greatly to me, and I believe to the whole of the magistracy. This Association is a most powerful independent voice because it knows, and can express, your views. I have tried to serve our membership and benefit the whole of the magistracy by taking forward what you think and feel. My successor will do the same. All best wishes to him, to you and to the Magistrates' Association for the future.

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