

The work of magistrates in England and Wales

I'm Katharine Rainsford, I'm a magistrate working in North London.

What does a magistrate do?

Magistrates in England and Wales deal with 90% of all the crimes that are brought to court. We deal with sentencing, we also sit on trials, we deal with bail proceedings, so the whole range of work to do with crime.

What qualities are required as a magistrate?

I think the most important quality is probably the ability to make decisions alongside other people, to apply a fair degree of common sense but also I think you have to be very fair minded.

Do you think magistrates are out of touch?

Magistrates aren't out of touch at all as we come from the community. I might be sitting on any one day with a teacher, a civil servant, builder, hairdresser somebody who's recently retired, somebody who's got young children and is having some time away from the workplace, so a real mix of people.

Are there typical sorts of cases that you deal with on a regular basis?

I suppose in a magistrates court you are dealing on the whole with more minor offences but there is a huge variety so you might be looking at traffic cases, drink driving cases, assaults, you might be looking at dangerous dog cases, so there is a real variety.

Do you think sentencing is generally too lenient?

I don't think sentencing is too lenient. I think when you are in court you hear the full details of the case in a way that is really never reported in the press and you're weighing up all different kinds of elements of the case. I think as magistrates we're very in touch, we're volunteers but we do know what's going on in the community and we know the realities of the crimes we're dealing with. I think when you have sentencing exercises with the general public and you get people to sentence, for instance in schools or youth groups or groups that we talk to, they tend to be much more lenient than magistrates are so I think when you get the full details of the case you'll find we're not lenient at all.

How do you ensure sentencing is consistent?

We have to make sure we are sentencing in the same way as someone for example in the North of England is sentencing...and what we do is we follow guidelines that are produced by the Sentencing Council. Now those guidelines don't tell us exactly what to do but they give us a process we must follow and they make sure we are using the same process for sentencing as magistrates all the way across England and Wales.

How are victims considered in sentencing?

The two things you are looking at when sentencing, the two prime things are first of all the harm that's done to the victim and secondly the part that was played by the offender so the victim is the number one thing that you look at. And obviously what the victim has been through is very much in our minds when we are sentencing. Whether they have suffered a trauma, loss of property or they have been hurt in some way, so you look at that first of all when you are sentencing and its part in the sentencing process to see how much harm is done to the victim.

Would you recommend becoming a magistrate to other people?

It's a very human experience but it's also a great opportunity to really contribute to the society that you're a part of and to really perhaps make a difference in addressing the reasons why people offend and why crimes happen.