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Judicial Statistics, England and Wales, for the Year .., Great Britain. Lord Chancellor's Dept, H.M. Stationery Office, 1994, 010128912X, 9780101289122, . .

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Judicial statistics (England and Wales) / order made by the honourable the House of Commons, dated 13th June 1895 --that, pages 71 to 96 of the Introduction to the Judicial statistics for 1893 <C.7725> which were presented on 26th April 1895, be reprinted, together with the diagrams and maps appended to such introduction, (Sir Richard Paget) (London : Printed for H.M. Stationery Office, by Eyre and Spottiswoode, 1895), by Great Britain. Home Office (page images at HathiTrust)

Report from the Common law (judicial business) commissioners; together with the minutes of evidence and appendix. Presented to both houses of Parliament by command of Her Majesty (London, Printed by G.E. Eyre and W. Spottiswoode, for H.M. Stationery office, 1857), by Great Britain. Common law (judicial business) commission (page images at HathiTrust)

Report on judicial statistics of Scotland : statistics relating to police apprehensions, criminal proceedings, prisons, reformatory and industrial schools, criminal lunatics, etc. and also to business done in the courts of civil jurisdiction, and in judicial and other public offices (Edinburgh : H.M. Stationery Off. [etc.]), by Scotland. Prison Commissioners (page images at HathiTrust; US access only)

County courts (plaints and sittings) ... : "returns from every County Court in England and Wales of the total number of complaints, &c. entered in each Court : from ... and, of the Sittings of the County Courts in England and Wales holden ... in the year ..." (London : H.M. Stationery Off.), by Great Britain. Lord Chancellor's Dept. County Courts Branch (page images at HathiTrust; US access only)

Relatório apresentado ao Presidente da República dos Estados Unidos do Brasil / pelo ... Ministro da Justiça; e Negócios Interiores. (Rio de Janeiro : Impr. Nacional, 1895-[1913]), by Brazil. Ministério da Justiça; e Negócios Interiores (page images at HathiTrust; US access only)

Compte général de l'administration de la justice criminelle en France pendant l'année 1880 : et rapport relatif aux années 1826 à 1880 présentés au Président de la République / par le garde des Sceaux, ministre de la justice et des cultes. (Paris : Impr. nationale, 1882), by France. Ministère de la justice (page images at HathiTrust; US access only)

State court caseload statistics : the state of the art / National Center for State Courts, Conference of State Court Administrators. (Washington : U.S. Dept. of Justice, Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service : for sale by the Supt. of Docs., U.S. Govt. Print. Off., 1978), by National Court Statistics Project (U.S.) (page images at HathiTrust)

Workload statistics for the decade of the 1970's : United States courts of appeals / Administrative Office of the United States Courts. (Washington : The Office, 1980), by United States. Administrative Office of the United States Courts. Statistical Analysis and Reports Division (page images at HathiTrust)

Judicial productivity and court delay : an exploratory analysis of the Federal District Courts / Robert W. Gillespie. ([Washington] : National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, United States Dept. of Justice : for sale by Supt. of Docs., U.S. Govt. Print. Off., 1977), by Robert W. Gillespie (page images at HathiTrust)

State court model statistical dictionary / a joint effort of Conference of State Court Administrators and National Center for State Courts. (Washington : Dept. of Justice, Bureau of Justice Statistics : For sale by the Supt. of Docs., U.S. Govt. Print. Off., 1980), by Conference of State Court Administrators (page images at HathiTrust)

General oversight : hearings before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice of the Committee on the Judiciary, House of Representatives, Ninety-fifth Congress, second session. (Washington : U.S. Govt. Print. Off. : [For sale by the Supt. of Docs., U.S. G.P.O., Congressional Sales Office], 1979), by Civil Liberties United States. Congress. House. Committee on the Judiciary. Subcommittee on Courts (page images at HathiTrust)

Report of Joint Committee of the Legislature of Wisconsin on Investigation of the Organization and System of the Courts in Wisconsin. (Madison, Wis. : The Committee : Democrat Printing Company, State Printer, 1915), by Wisconsin. Legislature. Joint Committee on Investigation of the Courts (page images at HathiTrust)

Actions and Matters Actions and Suits Actions for Trial Admiralty Division Assize Town Assizes Bankruptcy Bills Taxed Chambers Chancery Division CIVIL JUDICIAL STATISTICS Common Jury Companies Act Companies Court County Courts County Courts Branch Court of Appeal Court of Justice Courts of Record Days of Sitting decrees nisi District Registries Divisional Court Divorce and Admiralty Durham Exceeding 20 GRAND TOTAL granted High Court House of Lords included in Sub-Tables Judgment Summonses Judicial Committee jurisdiction King's Bench Division Lancaster London Lord Chancellor's Department Matrimonial Causes menced ment Nature of Proceedings Northern Ireland Number of Bills Number of Days Order XIV Originating Summonses otherwise disposed Pending at commencement Pending at end Persons were parties Petitions filed Plaintiff or Petition Poor Persons Presteign Proceedings Commenced Proceedings Number Railway and Canal Registrar Summonses not Originating Supreme Court Taxation of Costs tion Total Actions total number Weekly Payments Withdrawn or otherwise Workmen's Compensation

These magistrates were termed "lay magistrates" to distinguish them from professional magistrates known as stipendiary magistrates (now district judges). District judges sit alone to hear cases and

are permanently employed by the Ministry of Justice (until May 2007, the Department for Constitutional Affairs). Magistrates are not paid, apart from an allowance for loss of earnings, mileage and subsistence (which are at a standardised rate agreed by the Ministry of Justice). A practising solicitor or barrister may sit part-time as a deputy district judge. Retired district judges may occasionally sit as deputies. District judges are formally addressed in court as "sir" or "madam". In law reports, they are referred to as "DJ Smith" (or "DDJ Smith" for deputies).

Magistrates generally sit in threes in order to give judgement on a variety of cases in magistrates' courts, youth courts and family proceedings courts. The lead magistrate, known as the chairman, is formally addressed in court as "sir" or "madam" or "your worship", and the magistrates collectively as 'your worships'. In law reports, they are referred to as "John Smith JP" (for justice of the peace).

Magistrates deal with less serious criminal cases, such as minor theft, criminal damage, assaults, public disorder and motoring offences. All magistrates sit in adult criminal courts as "benches" of three (occasionally two), mixed in gender, age and ethnicity whenever possible to bring a broad experience of life to the bench. All three members of the bench have equal decision-making powers but only the chairman speaks in court and presides over proceedings. A qualified legal adviser, also known as the court clerk, sits with the bench in the court room and is available to them at all times during the court sitting.[1]

Magistrate derives from the Middle English word magistrat, denoting a "civil officer in charge of administrating laws" (c.1374); from the Old French magistrat; from the Latin magistratus, which derives from magister (master), from the root of magnus (great).[2] Today, in England and Wales, the word is used to describe a justice of the peace.

The office of justice of the peace has its origins in the 12th century when Richard I appointed 'keepers of the peace' in 1195.[3] The title justice of the peace derives from 1361, in the reign of Edward III. An Act of 1327 had referred to "good and lawful men" to be appointed in every county in the land to "guard the Peace". Justices of the peace still retain (and occasionally use) the power confirmed to them by the Justices of the Peace Act 1361 to bind over unruly persons "to be of good behaviour". The bind over is not a punishment, but a preventive measure, intended to ensure that a people guilty of a minor disturbance does not re-offend.[4] The Act provided, among other things, "That in every county of England shall be assigned for the keeping of the peace, one lord and with him three or four of the most worthy of the county, with some learned in the law, and they shall have the power to restrain the Offenders, Rioters, and all other Barators, and to pursue, arrest, take and chastise them according to their Trespass or Offense".[5]

Over the following centuries, justices acquired many administrative duties, such as the administration of the Poor Laws, highways and bridges, and weights and measures. For example, before 1714, magistrates could be approached at any time and in any place by people legally recognised as paupers, appealing to them for aid if parish authorities had refused to provide any. It was relatively common for these magistrates to write out, on the spot, an Order requiring aid to be granted.[6] The 19th century saw elected local authorities taking over many of these duties. There is one remnant of these duties, the appellate jurisdiction over the licensing of pubs and clubs.

Towards the end of the 18th century, the absence of an adequate police force and the quality of local justices became matters of concern. Justices received no salary from the government, although they could charge fees for their services. They were appointed from prominent citizens of property, but a shortage of landed gentlemen willing to act in London led to problems. In Middlesex, for example, the commission was increasingly dominated by merchants, tradesmen and a small number of corrupt magistrates, known as "Trading Justices" because they exploited their office for financial purposes. A Police Bill in 1785 failed to bring adequate supervision of justices. However, the Middlesex Justices Act of 1792 set up seven public offices, in addition to Bow Street, London, with three justices in each, with salaries of £400 a year. The power to take fees was removed from all justices in the city. Six constables were appointed to each office, with powers of arrest. This was the origin of the modern stipendiary magistrate (district judge).[7][8]

One famous magistrate was Sir John Fielding (known as the "Blind Beak of Bow Street"), who succeeded his half-brother as magistrate in Bow Street Magistrates' Court in 1754 and refined his small band of officers (formerly known as the Bow Street Runners) into an effective police force for the capital.[9] Stipendiaries remained in charge of the police until 1839.

The first paid magistrate outside London was appointed in 1813 in Manchester. The 1835 Municipal Corporations Act gave boroughs the ability to request the appointment of a stipendiary magistrate in their locality. Originally stipendiaries were not required to have any qualifications, however they could only be appointed from the ranks of barristers (from 1839) and solicitors (from 1849).[10] Women in England and Wales were not allowed to become justices until 1919, the first woman being Ada Summers, the Mayor of Stalybridge, who was a JP by virtue of her office.[11] Today, the number of male and female magistrates is approximately equal.[12]

The titles "magistrate" and "justice of the peace" mean the same, although today the former is commonly used in the popular media, and the latter in more formal contexts. The term "lay" referred to the voluntary, unsalaried nature of the appointment and was used to distinguish them from professional magistrates, known as stipendiaries. However, since stipendiaries became district judges, the term has fallen into disuse. There are approximately 30,000 magistrates in England And Wales.[13]

Magistrates sit in tribunals or "benches" composed of no more than three members. Although three is the usual number, a bench is properly constituted with two members. However, if they sit as two on a trial and disagree about the verdict, a retrial will be necessary (see *Bagg v Colquhoun* (1904) 1KB 554).[14] Magistrates deal with around 97 per cent of criminal cases in England and Wales.[15] A single magistrate sitting on his or her own has very limited power. They can however, deal with remand applications, issue search warrants and warrants for arrest as well as conducting Early Administrative Hearings.

The presiding magistrate is known as the chairman. When sitting three magistrates on the bench, the chairman will sit in the middle. The magistrates sitting on either side of the chairman are known as "wingers". The chairman of the bench is formally addressed in the court room as "sir", "madam" or "your worship" and collectively the magistrates are addressed as "your worships". In law reports, they are referred to as "John Smith JP" (for justice of the peace). Magistrates deal with less serious criminal cases, such as common assault, minor theft, criminal damage, public disorder and motoring offences. They also send serious cases such as rape and murder to the Crown Court for trial, determine applications for bail, enforce the payment of fines, and grant search warrant and right of entry applications to utility companies (e.g. gas, electricity). Magistrates' powers are limited to imposing 6 months' imprisonment (or 12 months aggregate sentences for triable either-way offences), or fines not exceeding Â£5,000 per offence. They also have a civil jurisdiction, in relation to family work, and the enforcement of child support and council tax payments.[17] To complement magistrates, there are a small number of district judges who are either barristers or solicitors. Under s 16(3) of the Justices of the Peace Act 1979 they have the same powers as magistrates but sit alone. Unlike judges in many of the higher courts, magistrates and district judges do not wear robes or wigs in the court room.

Magistrates must be aged between 18 and 65 upon appointment,[20] with a statutory retirement age set at 70.[21] The minimum age of appointment was reduced from 27 to 18 in 2004.[22] However, appointments under the age of 30 are a rarity. In 2010 out of 30,000 magistrates in Wales and England only 145 were under the age of 30.[23]

Until the passage of the Courts Act in 2003 it was necessary for magistrates to live within 15 miles of the commission area for the court in which they sat.[24] As a commission area was usually co-terminous with a county or metropolitan area, they could live a considerable distance from the court in which they sat. However, the Act introduced a single commission area for the whole of England and Wales. The country is divided into local justice areas and magistrates are expected to either live or work within reasonable travelling distance of their court.[25]

Magistrates must commit themselves to sitting for a minimum of 26 half days each year.[26] A "half-day" sitting typically lasts from 10am to 1pm or 2pm to 5pm, with new magistrates taking over the afternoon session. On other benches, sittings are organized with magistrates attending to sit for the whole day. Magistrates are expected to attend half an hour before sitting for preparation and a briefing about the case list from their legal adviser.[27]

Subject to the Lord Chancellor's discretion, a number of activities and occupations, including the occupations of a spouse or partner or other close relative, may give cause for concern in relation to the perceived impartiality of the bench and corresponding risk to the right to a fair trial.[28][29] For example, a candidate will not normally be eligible if: