

COURTS ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS: PART 2

Supplementary provisions about the bench

Section 19: Training, development and appraisal of lay justices

66. The purpose of this section is to give statutory backing to the role of Bench Training and Development Committees (BTDCs) in the training, appraisal and development of lay justices.
67. The section provides that rules made by the Lord Chancellor may make provision about the training, development and appraisal of lay justices, and related matters. However, the main use which is currently envisaged of this rule-making power is to formalise the position of BTDCs.
68. Subsection (3) sets out a new statutory obligation on the Lord Chancellor to provide training and training materials for lay magistrates, where he requires them to undergo training; lay magistrates will have a new statutory assurance in this regard.

Section 20: Rules

69. **Section 20** provides that the Lord Chancellor must consult with the appropriate rule committees before making the rules relating to lay magistrates contained in Part 2 (i.e. pursuant to the powers under sections 10, 17, 18 and 19).

Section 21: Duty to consult lay justices on matters affecting them etc.

70. This section requires the Lord Chancellor to take all reasonable and practicable steps to ensure that lay justices are kept informed on matters that affect them in the performance of their duties in a local justice area, and that their views will be taken on such matters.