

**EXPLANATORY MEMORANDUM TO**  
**THE LOCAL JUSTICE AREAS (No. 1) ORDER 2006**  
**2006 No. 1839**

1. This explanatory memorandum has been prepared by the Department for Constitutional Affairs and is laid before Parliament by Command of Her Majesty.

**2. Description**

2.1 This order combines the Shrewsbury, Oswestry and Drayton Local Justice Areas (LJAs) into a new area named Shrewsbury and North Shropshire LJA and the Telford and Bridgnorth LJA and South Shropshire LJA into a new area named the Telford and South Shropshire LJA. (LJAs were formerly known as Petty Sessions Areas.) This is the second merger of LJAs under these powers.

2.2 The Order also makes consequential and transitional provision for the appointment of justices to various posts in the context of the new LJAs that will apply from 1 January 2007.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

**4. Legislative Background**

4.1 The Local Justice Areas Order 2005 (SI 2005/554), made under Section 8 (1) of the Courts Act 2003, specifies the Local Justice Areas into which England and Wales is divided. Section 8(4) of the Courts Act 2003 confers powers on the Lord Chancellor to make orders altering Local Justice Areas. Under Section 8(5A) and (6) the Lord Chancellor must consult the Lord Chief Justice and the justices of the peace assigned to the Local Justice area, any courts board whose area includes the local justice area or part of the local justice area and any local authorities whose area includes the local justice area.

**5. Extent**

5.1 This instrument applies to England and Wales.

**6. European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and it does not amend primary legislation, no statement is required.

## **7. Policy Background**

7.1 A summary of the Business reasons behind this order is provided below:-

- The merger of 5 LJAs into 2 will reduce the risk of repeat or persistent offenders appearing before the same magistrates (The number of magistrates serving the each of the existing rural LJAs in Shropshire is very small which makes it inevitable that repeat offenders would be tried by the same magistrates);
- To allow greater flexibility in the deployment of Magistrates. The caseload in the current Shropshire LJAs limits the breadth of experience of the Magistrates of those benches particularly in the work of the specialist youth and family panels.
- The mergers created by this order will also allow Magistrates to sit at the main court centres as well as in rural courthouses (this will ensure that rural communities continue to be served whilst allowing magistrates from these communities to gain / exercise specialist skills
- To reduce the number of Bench and panel meetings that are expensive in terms of magisterial and senior staff time.

7.2 A consultation paper on the proposal to merger the LJAs was issued on 13 July 2005. The responses to the consultation indicated a general agreement to the changes proposed.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

## **9. Contact**

9.1 Paul Brunton at Her Majesty's Courts Service (Tel: 020 7210 0417 or e-mail [paul.brunton@hmcourts-service.gsi.gov.uk](mailto:paul.brunton@hmcourts-service.gsi.gov.uk))