

THE NATURE OF THE ROLE OF THE DISTRICT JUDGE (MAGISTRATES' COURT)

1. There are currently seventeen District Judges (MC) ("judge"), sixteen of whom are assigned to geographic divisions. When not sitting in their assigned division, judges will, on occasion, sit on a peripatetic basis. One judge sits on a part-time basis.
2. Each newly-appointed judge is peripatetic, but may be assigned to a geographic division as required. This practice enables the peripatetic judge to meet the challenges of the full range of work and to develop a broad understanding of the work in multiple divisions.
3. The jurisdiction of the judge covers a broad spectrum of criminal and family work. There is also a requirement to hear some civil cases. The public face of the judge is sitting in court and hearing evidence and legal submissions. However, the role is much more extensive. The determination of many criminal and family cases demands preparation. The judge is required to read relevant materials in advance of sitting.
4. In short, the role of the judge is to manage the business of the court and to adjudicate on the cases heard before the court. The judge decides issues of fact, law and procedure. Most cases are heard in open court and the judge decides them by reaching findings of fact and applying the law to those facts. The judge ensures that all parties involved are given the opportunity to have their cases presented and considered as fully as possible. The overriding objective is to ensure that cases are disposed of fairly and justly within a reasonable time.
5. Working alone under pressure and prioritising work in order to meet deadlines is a routine task. The pace of work is often brisk. The variety of the work means that no two days are the same and that frequently the judge is likely to come across something completely new. It is not always possible to predict the challenges that might arise when hearing a list.
6. The judge hears and determines criminal cases against adults in the Magistrates' Court and children in the Youth Court. Working in the criminal courts includes the determination of pre-trial issues such as bail, disclosure, bad character, hearsay and special measures applications and applications to exclude evidence. When hearing criminal trials, the judge considers the facts, decides whether or not the defendant is guilty and provides a detailed, reasoned judgment. The judge considers reports and sentences convicted defendants in accordance with the law, sentencing guidelines and the circumstances of the case. When trying youths, the judge may hear criminal cases of considerable gravity, such as rape.

7. The judge determines the sufficiency of evidence at committal proceedings, where the evidence may be adduced over multiple days.
8. In the Family Proceedings Court, the judge hears both private and public law applications. The judge also hears cases in the Domestic Proceedings Court. Often there will be emergency applications to be dealt with. These are generally ex parte applications in respect of children or in respect of domestic violence. The judge is required to sit out-of-hours on occasion.
9. In the Family Proceedings Court and the Youth Court the judge sits with two lay magistrates. The judge promotes a good working relationship with the lay magistrates.
10. The judge must keep abreast of the frequent developments and reforms in domestic and international law.
11. A programme of training is provided by the Judicial Studies Board to new judges. This will include induction training and mentoring. A programme of ongoing training is organised by the Judicial Studies Board.

Other responsibilities

12. A judge is a member of the Council of District Judges (MC) which meets frequently to discuss matters of interest. The Council represents the interests of the judges, makes representations to the Lady Chief Justice, the Department of Justice and to outside bodies and represents the Bench at functions organised by colleagues in other jurisdictions.
13. Most judges serve on a range of statutory committees, including the Joint District Judges Family and Criminal Committee. The Presiding District Judge (MC) may establish additional ad hoc committees to deal with specific issues and the judge may be asked to become a member of other committees or groups which are formed during the period of his or her appointment.
14. Other out-of-court activities include lecturing in, and examining for, the Institute of Professional Legal Studies and engaging in outreach activities.

Date: 18-10-21