



Minister in the Government Whips Office

**The Lord Mayhew of Twysden
House of Lords
London
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Demi Patrick

PROBATION TRUSTS – ROLE OF MAGISTRATES

During our debate on probation services on 21 January you asked whether the Government intended that magistrates should be excluded from probation Trusts, or whether the Government would be content if they were to be excluded.

It was not the intention of the Government to exclude magistrates from being members of probation Trusts and we recognise the mutual benefits of involving magistrates in the delivery of probation services. However, members of the judiciary have expressed concern about the representation of sentencers on probation Trust boards given the potential for the delivery of these services to be subject to competition.

The Government recognises the valuable contribution made by magistrates who serve on Probation Boards and Trusts. Meetings have taken place with the Senior Presiding Judge and the Magistrates Association to discuss this issue. Officials have suggested that in the event of a decision that magistrates cannot serve on probation Trust Boards, that they are retained in an advisory capacity. A letter has been sent to Lord Golding seeking final clarification on this matter and we await the outcome.

I will place a copy of this letter in the Library of the House.


LORD TUNNICLIFFE