

Guidelines for working with external partners

Introduction

The Magistrates' Association (MA) works with a range of external partners to support our members to be the best magistrates they can be. We recognise that people and organisations external to the MA have expertise that can be helpful in informing and developing our members, and thus important for us fulfilling our mission of helping our members be the best magistrates they can be. For example, we might:

- commission external articles for our website, magazine or other communication channels
- host advertisements in our magazine aimed at our members
- invite people to give presentations to our members, either in person or via a webinar – both of which might be then hosted on MA learn for future viewing by members
- co-author a research project or policy document of interest to our members
- apply for funding, sponsorship or donations from individuals or organisations to help further our mission
- book a venue for an event, either at head office or by a branch.

The above list is not exhaustive. In the majority of situations, no problems will arise from such partnerships, but sometimes they might. The MA needs to balance the opportunities which partnerships provide with the risks, and these guidelines have been drawn up with cognisance to our risk appetite statement. They help the MA's decision-making process when considering working with external partners.

Our magistrate members are part of the independent judiciary and take an oath to apply the law without fear or favour. It is therefore vital that they avoid not only conflicts of interest, but also perceptions of a conflict of interest. Through applying this policy, the MA will ensure that it does not put jeopardy through its own activities. In addition, the policy will protect the reputation of the MA and by extension its members.

Examples of problems that could arise from working with external partners

- An event involving the police and magistrates could lead to the perception that those magistrates may have a bias towards the police in court cases
- A company that provides services to courts or defendants might try to access magistrates to influence their decisions, in order to profit financially
- A company or organisation involved in activities which are widely considered unethical may attempt to work alongside the MA in order to improve its reputation
- A company may wish to sell goods or services to members that are inappropriate
- An organisation that could be deemed as controversial and as such may cause reputational damage for the MA.

Guidelines

1. We will not partner with organisations involved in activities which are widely considered unethical, such as arms manufacturing, the tobacco, alcohol, pornography or gambling industries and those promoting unlawful activity.
2. We will only engage with police services in line with the Judicial College guidelines, ensuring that the content of any presentations, etc, are factual and for education purposes only. This includes the offices of Police and Crime Commissioners or the Commissioner of the Metropolitan Police.
3. We will engage with politicians and campaigners for the purposes of informing our members and educating them on issues that affect magistrates and magistrates' courts. We will not engage with party politics or endorse or promote party political viewpoints. We will consider each request to present evidence for its value to our members. The MA cannot become involved in party political events.
4. Where a for-profit organisation is involved, we will consider whether the motive of the organisation is to confer commercial advantage through their contact with our members, or whether that could be fairly construed by others from the contact.
5. Before entering into an agreement with a professional fundraiser or a commercial participator or partner, we will carry out appropriate checks on them so we can be confident that they are able to do what we expect them to do and that our relationship with them will not damage our reputation. We will follow the processes as set out by the [Fundraising Regulator](#).
6. Where for-profit organisations do take part in MA events or provide content for our magazine or other channels, we will ensure that they do not use such events as a means to advertise their services or products as preferable to other providers.
7. Those involved in developing partnerships with external partners will ensure that the provisions of the MA's financial standing orders are applied, in particular the sections relating to donations (8.8), fundraising (13), and contracts (17).
8. Where a new partner approaches the organisation for a relationship, we will review their past history (if any) of commenting on the work, professionalism or role of Magistrates. Those critical of the role of the magistracy may be unsuitable partners.
9. We aim to offer our members a broad range of information and views, although recognise that there will be occasions when a single organisation is represented, for example, as a conference or webinar speaker. In these instances, we will explicitly acknowledge this and ensure that our members have access to alternative information and views through the same or other platforms that we host.

Decision-making

The nature of relationships with external partners means that there will be grey areas where judgement will need to be exercised. Ordinarily, decisions will be made by the individual or MA team liaising with the external party. Where a proposed partnership could be seen to fall outside of these guidelines, additional support should be sought as follows:

- In the case of branches, from the Head of Membership, Branch Development and Events at head office
- In the case of head office, from the Chief Executive.

Where the CEO believes that there is any potential for significant reputational or partnership damage, they will refer the matter to the National Chair.