

# “SECURITY FELT SO FAR AWAY”

**SAFETY AND SECURITY IN THE  
MAGISTRATES' COURTS**



**A QUARTER OF  
MAGISTRATES SAID  
THAT THEY HAVE  
FELT UNSAFE IN  
THE COURTS**

# RECOMMENDATIONS

## For all court buildings:

1. Safety procedures (such as fire, bomb, or courtroom evacuations, panic button use, etc.) should be clear and known to all professional court users, including magistrates. These should be confirmed by practices so that all magistrates and court staff are confident in their roles, responsibilities and knowledge of those around them.
2. Safety procedures must consider 'edge cases', such as magistrates sitting in Crown Court appeals, visiting magistrates or disabled magistrates with additional or different needs. All those who need them should have personal emergency evacuation plans (PEEPs).
3. Objects that can be thrown should be removed from the immediate vicinity of parties where practicable.
4. HMCTS should complete a transparent survey of the court estate to ensure it does not compromise the safety of those who use it. The intentions, scope and findings of this survey should be made publicly available. In particular, this should ensure that:
  - Secure docks should be secure and well maintained.
  - Court buildings are maintained so that they are not a danger to those within and the court is understood as a place that requires good conduct.
  - Public areas are properly separated from magistrates' areas. Magistrates should not be expected to use public entrances or move through public waiting areas whilst courts are sitting.
5. Car parks should be recognised as a point of vulnerability and appropriate security measures undertaken to ensure magistrates' parking areas are well lit, are monitored by court security staff and are not accessible to the public.
6. There should be a named person on site who is responsible for safety and security in the court building, and this should be known by everyone on site.
7. Reporting processes should be well known by all. This could be formalised in an online portal accessible to magistrates which records key information about the event and is reviewed by senior judiciary and civil servants, such as SLMs, HoLOs and Bench Chairs. Magistrates should be informed of actions taken following their report in a timely manner. Findings from reporting should be collated and used to improve safety and security in future by eliminating weaknesses and loopholes in procedures.
8. Magistrates should be informed if their names are disclosed by the Legal Advisor on the day or at any stage after a court hearing.
9. Improvements to the accuracy of data published on Courtserve and displayed in public areas of courts should be made.
10. Consideration should be given to whether any standard court procedures, for example putting the defendant in a secure dock, raises the tension level in the court.
11. Presiding Justices should receive formal training about how to spot the signs of danger in the courtroom and how to manage that should it occur.

### **For the family court:**

12. Safety in the family courts should be reviewed, with careful thought given to the appropriateness of their layouts. In particular, efforts should be made to separate the bench from parties and introduce physical barriers between them without compromising the efficacy of the court itself.
13. Family courts should be properly staffed, such that every court has an usher and there are sufficient security personnel to ensure a quick response as required.
14. When legal aid changes are considered, the impact of changes upon the courts including on safety and security should feature in the assessment, given this report has highlighted the connection between LiPs and security concerns for family magistrates.

### **For magistrates:**

15. Magistrates should report all incidents where magistrates have been made to feel unsafe or 'near misses', whether inside or beyond the court building.
16. Magistrates should be proactive in getting personal emergency evacuation plans (PEEPs) if they require them. Access to PEEPs alongside an expectation of proactivity should be included within the Volunteer's Charter which the MA has called for.<sup>1</sup>

### **Beyond the court building:**

17. Magistrates should have access to a dedicated judicial protection phone number as the paid judiciary do.
18. Information about options for reporting incidents that occur outside of the court building should be conveniently accessible to magistrates and their families
19. Magistrates should be able to remove personal information from well-known open sources without charge because of their role as judicial office holders. This would require a change to the current expenses' regime but no change to legislation.

### **Monitoring:**

20. As with the annual Judicial Attitudes Survey, magistrates should be surveyed annually to record their views towards safety and security within and beyond the court building, as this survey has done. The MA has also made this recommendation in its recent Recognition Report.<sup>1</sup>

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<sup>1</sup> <https://www.magistrates-association.org.uk/publication/magistrates-matter/>

# INTRODUCTION

In April 2025, the Magistrates' Association (MA) surveyed its members to understand their thoughts and experiences relating to safety and security within and beyond the magistrates' courts. **To our knowledge, this is the first survey of its kind put to the lay judiciary.** It was not produced in response to a single specific incident or concern, but instead because of a cumulative sense that there were issues to be explored, identified and quantified. This survey also conveniently follows the 2024 UK Judicial Attitudes Survey, published in February 2025, which took the views of the paid judiciary and included analysis of safety and security concerns.<sup>2</sup> It may therefore also offer a model for safety and security sections of future magistrate-focussed annual attitude surveys, which the MA has recommended be introduced.<sup>3</sup>

It is worth stating at the outset that we have adopted a deliberately broad interpretation of safety and security. Whilst many experiences reported through this survey relate to threats from aggrieved parties inside or beyond the court building, safety and security also encompasses risk that originates elsewhere, such as fire, maintenance failures and so on.

About half of the survey questions were open-ended so that we could hear directly from magistrates. Alongside the quantitative findings, this report aims to put the voice of magistrates at the forefront. Quotes from the open-ended questions are therefore distributed throughout; they may surprise and concern those who do not regularly spend time in the magistrates' courts. As you read them, consider if you would be content in a workplace where such reports could be made in such numbers.

## Who responded?

The survey was open from 14 to 28 April 2025 for MA members to complete. In this time, 1,212 magistrates provided responses.

As of 1 April 2024, there were 14,576 magistrates in post across England & Wales.<sup>4</sup> The responses to this survey represents over 8 per cent of all sitting magistrates. We suggest this, coupled with the broad geographic scope detailed above, represents a statistically meaningful sample of sitting magistrates. Taking a 95 per cent confidence level, we can interpret the quantitative responses as being representative of the sitting magistracy with a 3 per cent margin of error.

52 per cent of respondents were male and 46 per cent female, with 2 per cent either preferring not to say or preferring to self-describe.<sup>5</sup> Only sitting magistrates were surveyed and the

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<sup>2</sup> Cheryl Thomas, '2024 UK Judicial Attitudes Survey, *UCL Judicial Institute*, 24 February 2025, [https://www.judiciary.uk/wp-content/uploads/2025/02/Published\\_2024JAS\\_EnglandWales\\_UKTribunals.pdf](https://www.judiciary.uk/wp-content/uploads/2025/02/Published_2024JAS_EnglandWales_UKTribunals.pdf).

<sup>3</sup> <https://www.magistrates-association.org.uk/publication/magistrates-matter/> page 7

<sup>4</sup> Ministry of Justice, 'Diversity of the judiciary: Legal professions, new appointments and current post-holders – 2024 statistics, 17 December 2024, <https://www.gov.uk/government/statistics/diversity-of-the-judiciary-2024-statistics/diversity-of-the-judiciary-legal-professions-new-appointments-and-current-post-holders-2024-statistics#magistrates-in-post>.

<sup>5</sup> Figures are rounded to the nearest integer throughout this report.

majority, 84 per cent, were aged 55 to 74.<sup>6</sup> A majority have been sitting for more than 5 years, with 44 per cent sitting more than 10 years. Those under 45 years old represent 6 per cent of responses. 8 per cent told us they have a disability.

88 per cent of respondents told us they identify as White British. Only 4 per cent were Black, Asian or minority ethnic (BAME). This is substantially below the proportion of MA members who are BAME and represents a limitation of this survey. No significant divergence from the overall responses was observed in the responses from this group.

Responses were received from every MA branch area with an average of 16 responses per branch area.<sup>7</sup> West Yorkshire provided the most responses, with 52, representing only 4 per cent of the total. The survey therefore has a view from every area in England & Wales without any predominating.

Magistrates may sit across three jurisdictions: adult criminal, youth criminal, and family. A magistrate may sit in one, two or all three. Amongst the respondents, 90 per cent sit in adult, 25 per cent in family and 15 per cent in youth.

## SAFETY AND SECURITY IN THE COURTROOM

### One in four has felt unsafe

This survey shows that most magistrates will feel safe in the courtroom most of the time. 90 per cent of adult magistrates agreed or strongly agreed that they always feel safe in the courtroom or court building, compared to 84 per cent of youth magistrates and 80 per cent of family magistrates. That being said, a quarter of respondents who sit in either adult or family said that they have felt unsafe there at least once. Respondents had the chance to give details about these events, if they wished to. Perhaps unsurprisingly, 43 per cent of these responses referred to defendants and their conduct in the courtroom, particularly in the dock, but a defendant's supporters can also present a danger from the public gallery.

*“Defendant punched the dock Perspex – which collapsed out into the courtroom.”*

*“Defendant escaped during pronouncement and attacked several security staff.”*

*“A defendant went berserk and broke out of the dock which was alarming to say the least.”*

*“Attacked on the bench by the defendant’s family after pronouncement to custody.”*

*“Aggressive threats from the public gallery – more common than from defendants in my experience.”*

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<sup>6</sup> Magistrates must retire from the bench upon turning 75.

<sup>7</sup> The MA has 52 Branches across England & Wales.

Some of these events became more dangerous because of failures of process or equipment, with lasting impacts on the magistrates involved.

*“Defendant rushed the bench. ... Security were slow to respond as there was a problem with the alarm system buttons.”*

*“Defendant rushed at the bench from well of the court – panic button was pressed but security didn’t arrive for several minutes.”*

*“Sitting in Crown Court on appeals. Fire alarm rang and no one came to find me and my colleague. We did not know what was happening and no one seemed to know we were there. We left the building, but did not know where to assemble or who to report to. The judges were driven away in police cars – apparently there had been a bomb threat – ... we were left on the street. I no longer sit on the crown court panel.”*

Some magistrates told us they don’t have faith in the existing safety measures and process.

*“If we were to experience a threat, then the current protections are not strong enough. One is asked to press and hold a button. Can you imagine doing that in [a] risk situation. Where is the common sense?”*

*“I’m not convinced the security officers would be effective.”*

*“If someone wished to rush at the Bench, there is little to stop them reaching the magistrates.”*

*“Although there are alarms available, there is no training or update on using them.”*

And some dangers are the result of a crumbling court estate.

*“Ceiling tile fell onto legal adviser’s desk – acute lack of maintenance”*

*“Car park gates were broken and left open for extensive period of time.”*

*“Spent a whole summer with the magistrates’ security access door broken.”*

*“On one occasion the automated back door to [the court] remained stuck in open position allowing access from the general public.”<sup>8</sup>*

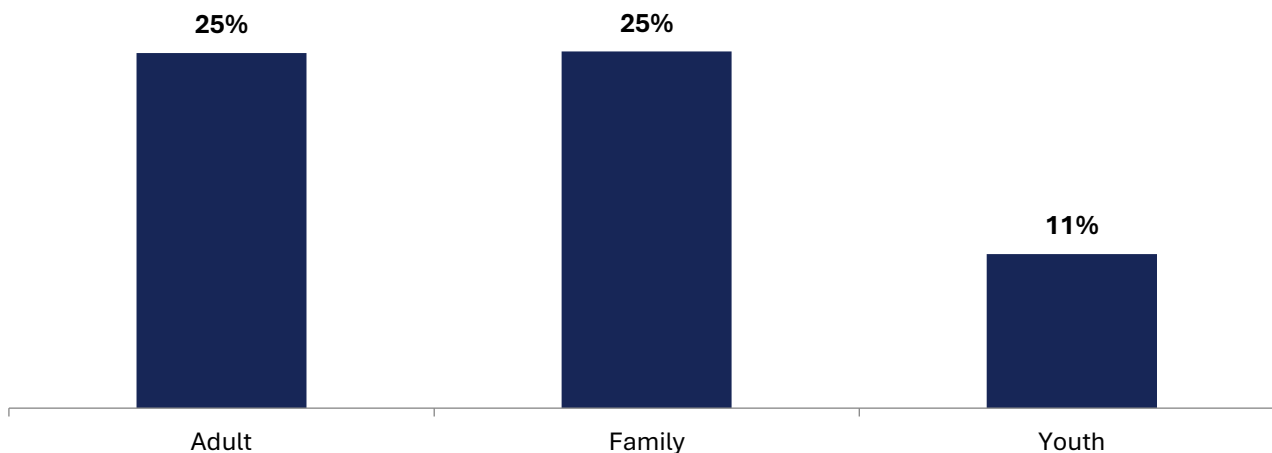
*“The security door ... has been broken for well over a year. There seems to be little appetite to repair it.”*

*“The decaying fabric of the court rooms themselves doesn’t lend the courtroom to [being] an area where people should behave in a more orderly or restrained manner.”*

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<sup>8</sup> We have anonymized court names throughout this report.

## Magistrates reporting having felt unsafe in the courtroom or court building at least once



Many magistrates particularly noted how spaces shared between magistrates, defendants and other court users can give rise to threatening situations. Several magistrates referenced the car park and shared entrances as areas of concern:

*“Releasing defendants through a door that leads directly on to the Magistrates’ car parking area feels like poor design and risky”*

*“Defendants are released from cells in the same area as the carpark entrance and judicial entrance and exit. It can be intimidating when a large group of family and relatives are waiting for someone to be released.”*

*“JPs’ cars are very easy to identify”*

*“My biggest concern is the car park, which is shared with defendants, witnesses and family members.”*

*“Irate father in Family Court ... loud verbal threats were made, particularly about knowing where we had parked our cars.”*

*“I was sitting at [a court] where there is a common entrance for magistrates and defendants. It being lunchtime and being unfamiliar with the area, I was standing in the entrance looking at my phone ... for somewhere to eat, when the defendant I had just sentenced pointed his phone at me and asked for my photo.”*

*“I have been a magistrate for nearly a year, and because my pass did not arrive in a timely manner, I had to go through the main entrance. There I have been stopped twice by people involved in cases I was sitting on.”*

*“In some court locations I have to enter by the public entrance because I don’t have a fob for the magistrates’ entrance.”*

## The Family Court – “a catastrophe waiting to happen?”

Those magistrates that sit in the family courts raised particular concerns about their safety. It is worth noting that only 80 per cent of family magistrates agreed or strongly agreed with the statement ‘I always feel safe in the courtroom/court building’, the lowest of the three jurisdictions. 6 per cent disagreed or strongly disagreed, the most of the three.

The family court does not deal with criminal matters. Instead, family magistrates hear two types of cases: private law – where parents are separating and cannot agree on child arrangements – or public law work – where magistrates determine what is in the best interests of a child where there is risk of harm and the local authority is involved with a family to protect the children. Family courtrooms do not have secure docks and are often laid out and staffed differently to their criminal counterparts. These differences are meant to convey a less adversarial atmosphere – these are not criminal courts – but they are an area of particular focus for respondents:

*“In family the parties are close to the bench and upset parents can be threatening at times.”*

*“The layout of the court ... needs some redefining to help ensure adequate space between people in court.”*

*“Family courts are by design quite open, most of the time this is a good thing, but there is very little physical barrier to stop anyone intent on causing physical harm.”*

*“Family courts do not have the same physical barriers between ourselves and the parties, and there are fewer court staff available, e.g., no list callers.”<sup>9</sup>*

*“I think that Family poses a much greater risk than Adult. We do not have the protection of the dock and we are dealing with a process that carries high emotions. Yet HMCTS does not provide us with suitable court room space ... we have one court that is a converted meeting room ... we effectively sit on the same level as the parties with only a small partition separating us.”*

*“One of the Family court rooms ... has no escape route. There is a small vestibule which allows a refuge, but no escape route and the legal adviser and usher can’t even reach the vestibule.”*

*“There is minimal protection ... the fact that there are no ushers or security in the court itself is a disgrace. ... On one occasion, security was called and took far too long to respond. Fortunately, both parties were represented and the man was held back by his own counsel. This could have been disastrous. I feel there is a catastrophe waiting to happen.”*

Whilst the aggressive party was fortunately represented in the example above, many parties in the family court are not represented. These people are called litigants in person (LiPs) and they have become much more commonplace in the family courts due to changes in the legal aid

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<sup>9</sup> In London, ushers are called list callers. The role is identical.

regime.<sup>10</sup> One respondent told us they felt unsafe “multiple times in family court particularly [because of] LiPs” whilst another noted LiPs in family court can be “concerning sometimes, tensions are high which can spill over.” Though a party’s counsel may be able to avoid or mitigate a threatening situation, a lack of court staff also prevents magistrates from knowing about potential risk ahead of time or responding effectively to them:

*“We generally do not have an usher in the family courts and hence issues are not flagged before people enter court.”*

*“In that moment security felt so far away. There was one usher between three courts and was busy with another court. We were aware there was no one on the concourse.”*

*“The workload of security staff, court ushers and legal advisers means that members of the public aren’t always aware of the behaviour expected by all court users.”*

As the number of LiPs increases, and the availability of courtroom staff decreases, it is apparent that the risk to magistrates and others in the courtroom increases.

## **The Youth Court – striking the balance**

Whilst the Youth court is perceived by as the safest of the three jurisdictions, 11 per cent of those who sit in it have still experienced an unsafe event whilst sitting as a magistrate. Like the family courts, the youth courts tend to have a different and more informal layout to the adult criminal courts. This is appropriate for young defendants, but can raise similar issues to those in the family court:

*“Youth Court is low level and if a youth was to be aggressive, they are very close to other court users.”*

*“[A] 16-year-old girl went berserk after being convicted of assault at trial, hurled a full sanitizer bottle at the prosecutor (it hit), hurled another at the magistrates (it just missed).”*

The example above is an important reminder that, when dealing with unpredictable and potentially volatile parties, any and all items in the courtroom can become a weapon to cause harm. This is a particularly important consideration in the youth court where, by its very nature, defendants are more immature than the adult court. Several responses noted that even chairs can be thrown. When courtrooms are small and without physical barriers – as is more often the case in the youth court and the family court – those to whom aggression is directed are made additionally vulnerable.

Yet respondents also acknowledged that the alternative layout of the youth court is well intentioned and marks it as different from the adult court. When asked what concerned them about safety, one magistrate told us it was the “court layout – which is essential for youth

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<sup>10</sup> Ministry of Justice, ‘Family Court Statistics Quarterly: October to December 2023’, 28 March 2024, <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-october-to-december-2023/family-court-statistics-quarterly-october-to-december-2023#legal-representation>

court". The response typifies the challenge of creating a space that is consistently safe for all those within it whilst simultaneously maintaining an environment that is suitable for a child and for supporting the youth court's objective to prevent offending. The Youth Court Protocol, produced by the MA and included within the Youth Court Bench Book, notes that the youth court will "make the court less formal than the adult court" and "create an atmosphere which encourages dialogue."<sup>11</sup>

## **Disabled magistrates – "there was no provision"**

98 survey respondents told us they have a disability, representing 8 per cent of the total. This is a significant group who may have needs or limitations that are greater than or different to the average magistrate. In some cases, it is evident that these needs or limitations are not acknowledged in existing security procedures, putting them at greater risk of harm:

*"It would be impossible to sit if I didn't enter via the public entrance as there is no lift facility in the Magistrates' entrance."*

*"The main issue I have is having to evacuate in the event of an emergency. I have a plan but my colleagues are not aware of what to do. They believe that my guide dog will get me out of the building. This is not true."*

*"I have [sat] with a PJ<sup>12</sup> in a wheelchair when ... a defendant became aggressive and approached the bench. We were asked to retire but there was no provision for helping the disabled magistrate to leave the bench."*

Magistrates with disabilities are around 75 per cent more likely to have requested adjustments to the courtroom or court building to make it safer. Yet this group regularly reported difficulties in the implementation of these adjustments:

*"No action taken to address issues outside the courtroom."*

*"It felt like hard work and as though we were being over-cautious."*

*"Still awaiting adjustments that have been requested several times."*

*"[The] lift ... was out of action for about 4 months (not the first time). Limited notification of options (a notice on the door is inadequate) and no real urgency to resolve the lack of comfortable accessibility. Having raised the issue, it was suggested there was no requirement for making adjustments as Crown Estate was exempt."*

It should be apparent that an inaccessible court estate is not acceptable, and the MA has already reported on the scale of this issue, with three quarters of surveyed courts being

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<sup>11</sup> Judicial College, *Youth Court Bench Book*, January 2024, <https://www.judiciary.uk/wp-content/uploads/2024/01/Youth-Court-Bench-Book-January-2024-1.pdf>, p.88.

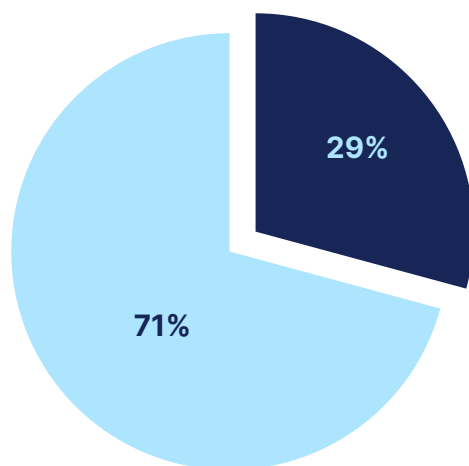
<sup>12</sup> Presiding Justice, also known as the chairperson. They speak in court on behalf of the bench and manage proceedings.

inadequately accessible.<sup>13</sup> As the examples above demonstrate, where spaces are inaccessible, magistrates may be forced to adopt alternatives that could place them at greater risk. Use of shared areas, difficulties using prescribed escape routes, and lack of faith in safety procedures and difficulty rectifying inaccessibility issues expose magistrates with disabilities to additional risk.

## Reporting

Despite the evidence of events where magistrates were made to feel unsafe within the court building, only 11 per cent reported an incident. Of those who said they have felt unsafe, that figure is only 29 per cent. This suggests broad underreporting of incidents that are endangering magistrates.

### Less than one in three who experienced an unsafe incident have ever reported it



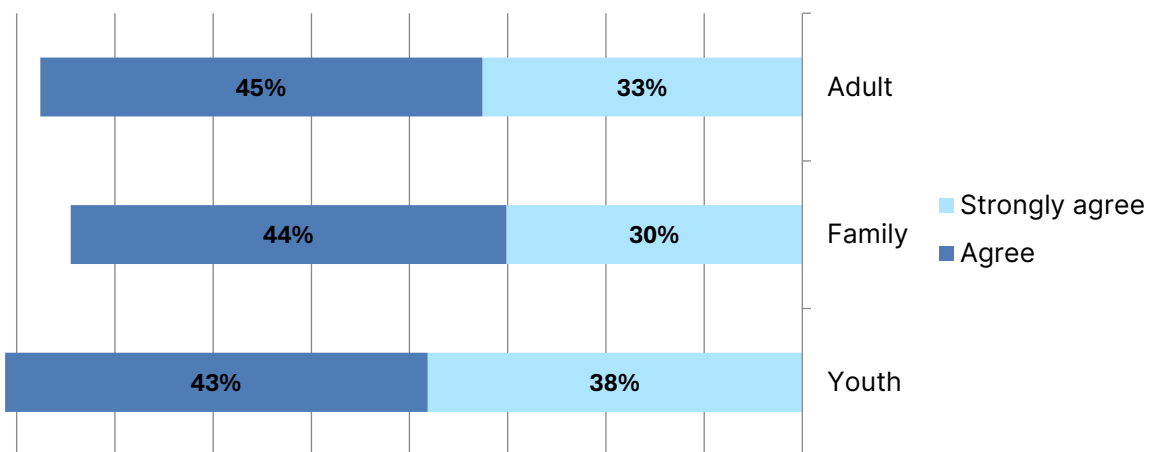
We suggest two potential reasons for this. Firstly, magistrates either do not know how to report incidents, or do not have faith that reporting incidents will result in positive action to avoid the same or a similar situation in future. Secondly, it is possible those magistrates encountering unsafe experiences feel as though this is an unavoidable element of the role and therefore not worthy of reporting. Both possibilities are worth exploring and, if found to be present, steps should be taken to militate against their persistence.

We asked magistrates how far they agreed with the question 'I know who to speak to and how to go about reporting unsafe incidents in the courtroom or court building'. Over 80 per cent of youth magistrates agreed or strongly agreed with the statement, followed by the adult jurisdiction and the family jurisdiction, where just under three quarters agreed in some form.

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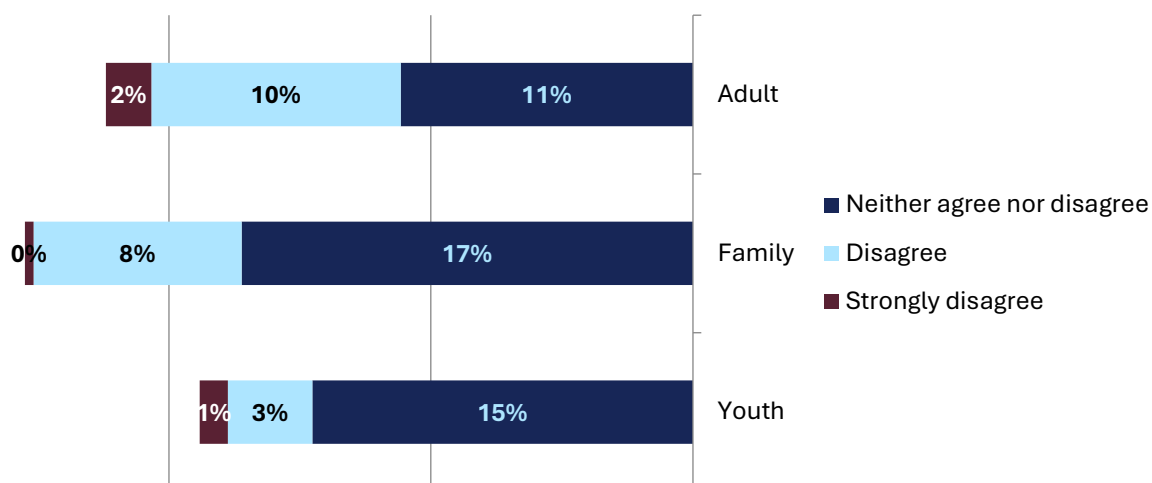
<sup>13</sup> The Magistrates' Association, *Inaccessible Courts: A Barrier to Justice*, June 2023, <https://www.magistrates-association.org.uk/publication/inaccessible-courts-a-barrier-to-justice/>

## Most magistrates know who to speak to and how to go about reporting unsafe incidents in the courtroom/court building, if they occur



It is concerning that these responses reveal 30 per cent of respondents across the jurisdictions are not confident they know who they should be speaking to should unsafe incidents occur. This does not necessarily mean that incidents will not be reported – magistrates may speak to the ‘wrong’ person who can pass the report along or direct them to the right person – but it highlights a failure for magistrates to be adequately informed about reporting procedures. This may impact the likelihood of a report being made as well as their accuracy and timelines. This would have obvious impacts on the efficacy of any response.

## But too many are uncertain about reporting procedures



Those who had reported an incident were asked what their experience of reporting was, what action was taken, and whether – in their view – this was appropriate. 92 responses were received, and they paint a mixed picture of the reporting process.

43 (47 per cent) had an overall negative view of the reporting process. A recurring comment was a lack of feedback or information about what action was taken. There was also an evident sense amongst these responses that reports were not taken seriously or addressed with appropriate urgency.

*“It didn’t seem like it was taken seriously really. There was no debrief or formal feedback.”*

*“Very little action. It was not taken seriously.”*

*“Largely ignored. HMCTS just passed this up the chain and nothing heard again. Lack of transparency [and] accountability.”*

*“No action taken. Can’t afford it.”*

Five respondents had a mixed experience, where a response was achieved, but felt it could have been better. 44 of the 92 (48 per cent) reported a positive experience where concerns were taken seriously and actions taken soon after. Several magistrates praised their bench chairs and senior legal managers (SLMs) for their efficacy.”

*“Incident reviewed and court layout changed.”*

*“Instantly dealt with and to my complete satisfaction.”*

*“Easy to report to the bench chair and legal manager. Incident was taken seriously and I felt listened to.”*

*“There was a great deal of work by the bench chair and others to remedy the situation.”*

*“I felt supported by the bench chair and the HoLO [Head of Legal Operations] and am very happy with their response.”*

These responses show that experiences of the reporting processes are variable, subject to the efficacy of individuals and areas in dealing with concerns. The need for good working relationships between bench chairs, Senior Legal Managers (SLMs) and the Heads of Legal Operations (HoLOs) to address magistrates’ concerns when they arise is also evident. These responses also tell us what elements of the reporting process magistrates value: ease of reporting, to be taken seriously, and for timely remedial action to be taken. Magistrates should reasonably expect this across the whole of England & Wales, and not just in specific areas.

Effective reporting processes have a role to play in delivering good safety and security to magistrates and other court users. Ideally, actions taken after a report will prevent the same issue presenting itself again. However, reporting is only ever reactive. We advocate for a proactive approach to magistrates’ safety and security. As one member reported:

*“Appropriate action was taken but the event could have been prevented.”*

Magistrates have a role to play here too in ensuring unsafe incidents are not a normalised feature of the magistrates' experience. When incidents occur, they should be reported so that there is a record of these events, so that senior figures in the court estate are aware of them, and so that timely action can be taken to avoid repetition of the incident where possible. Every bench should have a clear notice of who to report incidents to, which will be the senior HMCTS figures on site. That said, Bench Chairs also have a pastoral responsibility for magistrates, and many may find it easier to report incidents to them.

## SAFETY AND SECURITY BEYOND THE COURTROOM

Magistrates do not stop being magistrates once they leave the court building. Given that magistrates serve their local communities and the large volume of court work that is done by magistrates,<sup>14</sup> there are specific considerations to be made about their safety and security when not sitting.

### Again, one in four has felt unsafe

As with the experience within court, most magistrates will feel safe most of the time. 81 per cent of respondents agreed or strongly agreed with the statement 'Given my role as a magistrate, I always feel safe in everyday life when not sitting', but almost one in four magistrates has felt unsafe outside of the court building because of their role whilst not sitting at least once in their time on the bench. Amongst respondents who told us they had felt unsafe within the court building at least once, only 42 per cent told us they had felt unsafe outside it. It is therefore generally different magistrates who have felt unsafe within and outside the court building. It should also be noted how closely these figures correlate with the experience of magistrates within the court building. These observations in sum prove the necessity of taking a broad view of magistrates' safety and security which includes their experience beyond the court building.

263 magistrates provided details about times when they have felt unsafe outside of the court building. It is worth noting that in these answers several described feeling "wary" or "uneasy" rather than unsafe per se, whilst others told us they remain "vigilant" and "aware" when outside the court building. Encountering parties and/or their supporters immediately outside the court building or during the lunch break were recurrent themes of the responses: one third of responses related to these two occasions. 26 respondents (10 per cent) told us that they encountered parties or their supporters on public transport whilst travelling to or from the court, and 25 responses (10 per cent) referenced the court car parks as places where magistrates felt vulnerable.

*"We often see defendants/family members before, after or at lunchtime. I have been accosted by a family member and had to defuse a situation."*

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<sup>14</sup> Approximately 95 per cent of criminal cases are concluded in the magistrates' court (Courts and Tribunals Judiciary, 'About Magistrates' Courts', <https://www.judiciary.uk/courts-and-tribunals/magistrates-courts/magistrates-court>.)

*“Meeting relatives of those convicted – we need to go out to get a sandwich – as unlike the crown court, we have no canteen.”*

As volunteers who serve the communities in which they live, it is inevitable that some magistrates will encounter people who might know them through experience of the court system. The following examples show how magistrates have managed this experience and how it can impact their everyday life whilst not sitting:

*“In a pub with friends. I saw a man that I had dealt with a few days before. He did not notice me, but I left the pub to avoid any possible issue.”*

*“A party from a family case approached me at the gym. As it happened, he wanted to express gratitude, but I didn’t know that initially.”*

*“Occasionally I meet people who say they recognise me, but can’t place me. I reply that as I worked as a community midwife I could have come across them in that capacity. I never say it could be in my role as a magistrate.”*

*“When I came face to face on a train station with a violent offender whom I had sentenced to prison some 2 months previously. He stared at me and then started to walk towards me in an aggressive manor. I walked towards the exit, and our train came into the station. He got on that train, I waited and then I went back to the platform, checked he wasn't still there and got on the next train.”*

Magistrates work very hard on identifying any mounting frustrations or tension in a courtroom and then defuse them. They have the option to rise briefly, ask someone to intervene (such as a lawyer, probation, or the legal advisor) or to give clear but firm directions to the disruptive party. Despite this, there is no specific training for PJs as part of their preparation for the role on spotting the signs of danger in the courtroom or responding to it should it occur. The Adult Court Bench Book provides only very limited guidance within the contempt of court checklist about dealing with disruptive behaviour in the courtroom.<sup>15</sup>

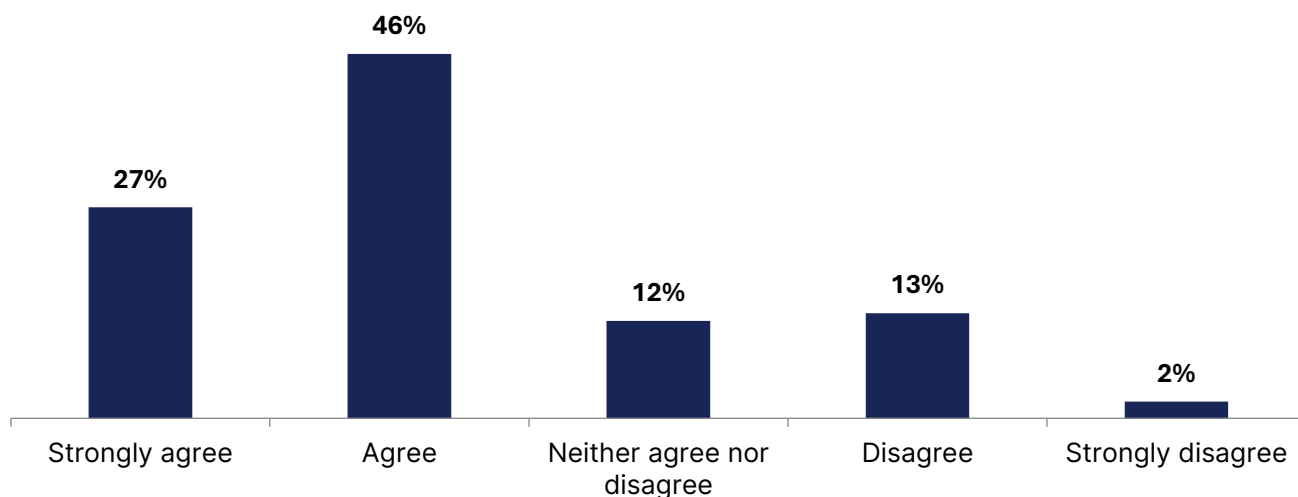
## Reporting

Most magistrates told us they feel confident they know to whom and how to report incidents which occurred outside the court building, but over a quarter could not agree that they knew who to speak to. As with reports made about events within the court building, this does not mean that reports would not be made or would not eventually find their way to the right person, but it does illustrate an issue in magistrates’ knowledge of security processes which could act as a barrier to effective reporting and response.

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<sup>15</sup> Judicial College, *Adult Court Bench Book*, April 2025, <https://www.judiciary.uk/wp-content/uploads/2025/05/ACBB-April-2025.pdf>, p.97

**Do you agree with the statement: “If an incident occurred in my everyday life where I felt unsafe because of my role as a magistrate, I would know who to speak to and how to go about reporting it?”**



## **SOCIAL MEDIA, IDENTIFICATION, AND OPEN COURTS**

Social media is a new challenge in the safety and security landscape, and an important feature to consider in this review. Recent experiences, such as the widespread rioting in July to August 2024 or the response to judges in the Sara Sharif case being named, have demonstrated the capacity for social media to target, fuel and direct aggression. But traditional media, and the way it interacts with social media, must also be considered. This section shows the complexity of negotiating the important principles of open justice – transparency and accountability – against the new challenges of a modern media landscape.

### **Social media**

45 per cent of respondents told us that they feel concerned about the influence of social media because of their role as a magistrate. Concerns centred around the potential for magistrates to be identified through social media and for its capacity to create and spread misinformation which could have an impact on the ‘real world’.

Several respondents expressed concern about the levels of public understanding about the magistracy and the justice system more broadly, and highlighted how poor understanding combined with unfiltered, widespread dissemination of viewpoints through social media can create risks. Many told us that they don’t use social media at all or only use it in a very limited way, are careful not to advertise their role as a magistrate and some use a different name online. This is driven by a combination of concerns about social media and the need to comply with their judicial responsibilities.

*“I am proud of being a magistrate and try to do my best – however I am careful about who I tell and where I record the information. I do not want to be subjected to speculation or opinion on social media as I want to live my life privately outside sittings.”*

*“I would only feel unsafe if identified.”*

*“I once had a negative experience on social media so now I don't mark my profile as being a magistrate – which in some ways is sad, as I like to promote what we do in the community, but it's for the best.”*

Other respondents noted how traditional media and social media can work in tandem to misinform and/or amplify extreme voices.

*“Because of the Sara Sharif case, I have seen how a nasty social media storm can quickly develop after a high-profile case.”*

*“The public have a very poor understanding of the court system, sentencing guidelines, offending etc. The quality and accountability of journalism is also very poor in recent years. Social media has amplified this.”*

*“I am highly concerned by the steady politicisation of judges and by extension, magistrates.”*

*“Magistrates are not portrayed favourably in the media and are often blamed for poor decisions that are perceived to have been made. In my opinion, there are quite a few people that are ignorant as to the role of a magistrate and what they are able to do.”*

But some respondents also see the opportunity of social media to inform and publicise the good work of magistrates and the wider judicial system. Some regret the fearful atmosphere that has developed around social media use and specific limitations that have been imposed.

*“Social Media is not used properly or appropriately and feared by HMCTS. Far better to learn how to use the social media appropriately and not fear it.”*

*“Used responsibly, social media can inform, and as Magistrates we should be encouraged to do so, within limits.”*

*“I actually think that the ban on JPs using social media is heavy-handed. Some of us are proud of being a JP and use social media to promote being a JP among our friends and family.”*

*“I am actually more concerned about the governmental/judicial guidance, rather than the general public when it comes to social media. Magistrates should be proud of their role, and should not have to hide or disguise it.”*

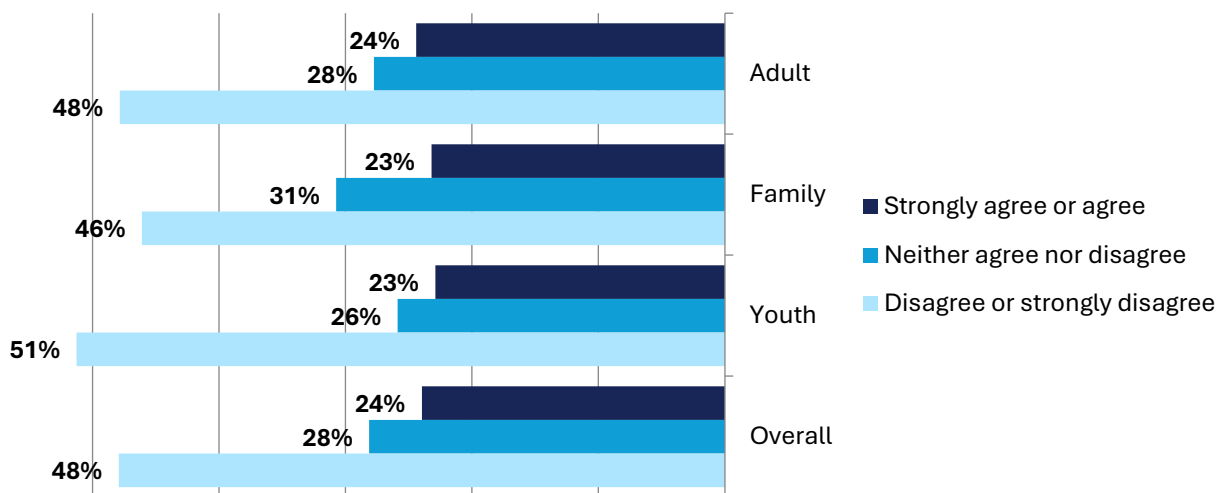
*Social Media Guidance for the Judiciary* was issued in October 2024 and is available on the judicial intranet.<sup>16</sup> This was further updated in January 2025, where the Lady Chief Justice noted her increasing concern about threats and abuse targeted at the judiciary.<sup>17</sup> The MA has provided clarification on this guidance for magistrates, available to members through the MA's website.<sup>18</sup>

## Openness and identification

A consistent theme in the responses given was around risks posed due to identification via information available online. When asked how concerned they were about being identified in this way, 36 per cent told us they were concerned or very concerned and less than 10 per cent were not at all concerned. 43 per cent have taken steps to remove anything that may identify them as being a magistrate from social media to improve their own security, whilst 22 per cent have opted out from open source personal information. Many told us that they would be removing open source personal information following this survey. Despite these measures, almost two thirds of respondents still think it would be easy or very easy for information about them to be found if a legal adviser gave out their name.

These are important views to consider in the context of ongoing drives to make the court system more open and transparent, particularly in the family courts. Magistrates generally look unfavourably upon being publicly named for decisions they make in their role, but this is not a majority overall and a sizable proportion of magistrates do not hold a clear view on the issue.

### Do you agree with the statement: "I look favourably upon magistrates being publicly named for decisions made in their role as magistrates?"



<sup>16</sup> <https://intranet.judiciary.uk/guidance-and-resources/message-from-the-lady-chief-justice-and-senior-president-of-tribunals-social-media-guidance-for-the-judiciary-october-2024/>

<sup>17</sup> <https://intranet.judiciary.uk/guidance-and-resources/update-from-the-lcj-on-security-issues-and-social-media-guidance/>

<sup>18</sup> The Magistrates' Association, *Social Media Guidance for Members*, February 2025, <https://www.magistrates-association.org.uk/publication/social-media-guidance-for-members/>

After answering the question in the chart above, respondents had the chance to explain their reasoning for the answer given. This attracted the most responses of any open-ended question in the survey, with 907 sharing their reasoning. This is testament to the complexity of feeling around the issue, and the seriousness with which respondents were engaging with it.

Those in favour of magistrates being publicly named stressed the interests of open justice and ensuring accountability for decisions made in court.

*“Magistrates reach their conclusions based on the evidence presented, with the verdict reflecting both the facts of the case and any aggravating or mitigating factors. Sentencing is always guided by the interests of justice. Every decision follows a structured and methodical approach, and a magistrate should not hesitate to put their name forward, as they must be able to explain the reasoning behind their conclusion. While I understand and respect that some individuals may prefer to remain unnamed, I strongly believe that the bench should be identified.”*

*“Open court is a public place and I feel that the naming of Magistrates is part of a transparent process.”*

*“As a magistrate I believe I should be accountable for the decisions I reach alongside my colleagues. I think it is important for the credibility of the justice system.”*

*“Although I want a right to privacy this is a public role and we have to own and be accountable for the decisions we make.”*

*“I feel it is very important that Society sees Justice transparently and openly. In a time where believers in 'conspiracy theories' seem to be growing, its vital there are few barriers to what is seen to be done.”*

*“Though there are some risks, both reputationally and potentially physically, in being named in the media – I do believe that transparency is a vital part of justice and that the public has a right to know who is making the decisions in cases.”*

*“Open justice is a cornerstone of our legal process. We should not cover from this unless there really are exceptional reasons”*

*“Our authority derives from being ordinary members of the public and not anonymous bureaucrats”*

Those undecided were open about the complexities of the issue.

*“This is very difficult. Transparency is essential, but this needs to be counterbalanced with measures to protect us.”*

*“I am very much in two minds about this issue. I agree with open justice but it could potentially put Magistrates at risk.”*

*“There are pros and cons. People have a right to know who is making decisions about them and I'm happy with that. The word public, however, is wide. Suppose I make a decision deemed controversial by some extreme group, who protects me and how?”*

*“This is a very interesting and complex issue, and I am very torn. Justice has to be done and be seen to be done. I am proud of my decisions: they are prudent, considered and I stand by them. However, the counterbalance is the safety and security of the individuals. I have a very unique name and am easily traceable to my home address. I live with my children. If a disgruntled defendant wanted to trace me to my home address, they could do so.”*

For those against public naming, the predominant fear is one of reprisals by aggrieved parties or being subject to abuse and threats online as a consequence of influence from social media. For some, these fears are not theoretical but reflect their experiences and the impact can extend beyond the magistrate and onto their families.

*“Whilst I understand and agree that we should be accountable for our decisions, I am particularly concerned about the recent naming of two family magistrates in a report covering a child's murder.”<sup>19</sup>*

*“One matter relating to sexual offences I sat on was reported in an inflammatory and misleading manner in [a national newspaper]. The article stated that the victim was underage which was not correct. The PJ was named.”*

*“It is easy to trace someone from [open source personal information]. Last year my car was damaged at home by someone who I had disqualified. He happened to see me leaving my home. Naming magistrates would make this too easy.”*

*“As a PJ in adult, I have been named in [a regional daily newspaper]. My name is unusual and so can be easily traced. This case involved a member of [a local football team] being banned from driving and was unpopular. Nothing happened, but my wife, in particular, was very concerned.”*

There was acknowledgement too that the modern media landscape is very different to the one in place when the practice of naming magistrates developed.

*“Given that transparency / naming of magistrates started in an age of the written word and certainly before the internet, is its true purpose still served?  
My sense, increasingly, is that it is not justifiable.”*

Those against public naming generally raised one of two issues beyond the fundamental risks from identification. As earlier examples have shown, several magistrates told us they, or colleagues they know, have distinctive names which make them especially identifiable within their local community and would therefore feel especially at risk should they be named. Consistently highlighted was the ease with which personal information – such as home

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<sup>19</sup> This is in reference to the murder of Finley Boden, where two magistrates who had been involved in earlier family court hearings with the family were named in the national press.

addresses – can be obtained from open sources once an individual's name is known. Others questioned the necessity and appropriateness of naming individual magistrates at all.

*“The "role" makes the decision, not the individual.”*

*“We act as a bench rather than as personal individuals. Given scope of social media there must be additional risks created from naming us. Why take that risk?”*

*“As a presiding justice I get asked for my name, but the decisions made are by all three of us, so it does not feel particularly fair for me to be put on the spot as it were.”*

*“Family court is private, the parties know our names, so there is no need for the public to.”*

A particularly interesting theme of the responses centred on magistrates' unique position in the judicial framework which places them somewhere between jurors and judges. It is evident from the responses that negotiating the implications of this unique position is a challenge from a safety and security standpoint which can leave magistrates in a no-man's-land between the two: subject to the transparency requirements of judges but without the comprehensiveness of their protections, representatives of a defendant's peers and community but without the potential safety of anonymity afforded to jurors.

*“There's a case for arguing that magistrates should be afforded protections of trained jurors rather than lesser-trained judges.”*

*“I think our role is to be slightly separate when sitting as a representative of the public. We are anybody.”*

*“Judges are identified – so should Magistrates.”*

*“Unlike judges we are volunteers. Having our names published is unnecessary except in very high profile cases where it "might" be in the public interest to do so.”*

*“It's a volunteer post and shouldn't come with the same obligations as placed on paid Judges who accept being in the public eye as part of their responsibilities.”*

*“Are there safeguards in place to protect the magistrate? That I doubt. As volunteers we are not afforded the same protections or indeed respect, as say district judges or police.”*

*“We are volunteers and the role of a magistrate is not well enough understood. I have no confidence that actions will be taken to protect my safety should it be required.”*

*“Naming magistrates could very well exacerbate [risks to them] and I do not feel that we have the same all-embracing wrap-around protections and support of the upper members of the judiciary.”*

As above, many also focussed on the unique voluntary nature of the magistrates' role and stressed the importance of keeping this in mind when thinking about identification, safety and

security. This is perhaps especially true when considering any impact on recruitment and composition of the magistracy.

*“I am a volunteer and my personal information should not be divulged for the general public and or the media to bully or harass me.”*

*“In principle I agree with open justice but it’s not straightforward. Magistrates are volunteers and if [a decision is] controversial they could be exposed to a real threat of harm. It could deter people from volunteering.”*

*“This is a volunteer job. I do not do this for recognition nor reward. We are advised on legal matters and the decisions are based on the sentencing guidelines. To be public named for making either good or bad decisions is likely to have an impact on the sitting justices and possibly on recruitment of new justices.”*

*“It is important to remember that we are all volunteers, abiding by the guidelines which are set for us and doing our best to bring a common sense and safe approach to all decisions we make. The huge risk these days is from social media posts which are biased, unregulated and often misguided.”*

This report does not make any specific recommendations about the public naming of magistrates. Instead, this section acts as an invaluable barometer of magistrates’ current thinking on the matter and reinforces the need to carefully consider the implications for magistrates – which are often unique to them – associated with drives for openness and transparency. Though many told us they are undecided, the strength of feeling on both sides of this matter should not be underestimated; several told us that this is a resignation issue for them.

However, absent a change in the current disclosure of names we believe that magistrates whose names are disclosed must be informed of this by the legal advisor on the day. In addition, work needs to be done – particularly with Courtserve data and publicly displayed lists – to ensure it is accurate and prevent misidentification of magistrates sitting in a particular courtroom.

# CHALLENGES AND RECOMMENDATIONS

## A balancing act

Safety and security are subject to a balancing act of competing interests: formality versus informality, cost versus likelihood, dialogue versus containment, distance versus discussion, transparency versus vulnerability.

This survey has recorded the views of over 8 per cent of all sitting magistrates, representing a significant sample and affording real credibility to the findings reached. It shows that, in most cases, most of the time, the balance struck is appropriate and magistrates will feel safe both within the court building and beyond.

## Our findings

However, this report has demonstrated that a sizable proportion of magistrates – one in four – will be made to feel unsafe at some point during their time on the bench. Dangers can come from defendants and parties in cases, from their supporters, from failures in operation or knowledge of security processes and even from the court buildings themselves. Those with additional or different needs can be made especially vulnerable. There is evidence of jurisdictional difference, with family magistrates feeling less safe than those who sit in the criminal courts, due to layout and staffing.

Alongside these experiences is evidence of serious underreporting. This report has revealed this problem and made initial headway into understanding the reasons for underreporting of unsafe incidents. We have suggested one of or a combination of lack of knowledge about process, lack of faith in response, or a normalisation of compromised safety is leading to the observed underreporting. More work is required to understand this better and make specific recommendations, but in the meantime magistrates should be encouraged to familiarise themselves with reporting processes and report incidents should they occur as a matter of course.

The influence and impact of both social media and traditional media, whether working in isolation or tandem, is evidently viewed by magistrates as a concern for its capacity to identify magistrates, misreport details, amplify animosity and mobilise abuse or threat directed to those in public roles. Magistrates are cautious about their use of social media, complying not just with judicial guidance but also good common sense, and many take steps to limit how much of their personal information is available to the wider public.

Nonetheless, most think information about them could be easily found if their name was given out and a plurality – but not a majority – look unfavourably upon magistrates being publicly named. This report demonstrated the depth of thought magistrates have given to this issue, with many conflicted or undecided. Whilst we make no specific recommendations on this issue, this report serves as a useful marker for magistrates' feeling and reasoning on the matter at this time.

Yet despite the complexities that have been drawn out through this survey and report, the message around magistrates' safety and security is a clear and simple one. Magistrates – and indeed all court users – should feel safe every time they enter the court building and their role should not impact upon their safety outside of the court building. This is a reasonable

expectation for any workplace, but especially one where the role is completed by volunteers who serve their communities. For too many though, this is not the case. Given the responses obtained through this survey, we therefore make the following recommendations. We should make it clear that these have been developed given the responses obtained through this survey and prior to detailed discussions with HMCTS, which will no doubt wish to conduct its own formal gap analysis and review of our recommendations.

## OUR RECOMMENDATIONS

All recommendations made in this report are done so under a single overarching premise: The court should be recognised by all as a workplace for magistrates, despite the role being voluntary, and that magistrates should expect to feel safe in and around the courts when undertaking their role.

### For all court buildings:

1. Safety procedures (such as fire, bomb, or courtroom evacuations, panic button use, etc.) should be clear and known to all professional court users, including magistrates. These should be confirmed by practices so that all magistrates and court staff are confident in their roles, responsibilities and knowledge of those around them.
2. Safety procedures must consider 'edge cases', such as magistrates sitting in Crown Court appeals, visiting magistrates or disabled magistrates with additional or different needs. All those who need them should have personal emergency evacuation plans (PEEPs).
3. Objects that can be thrown should be removed from the immediate vicinity of parties where practicable.
4. HMCTS should complete a transparent survey of the court estate to ensure it does not compromise the safety of those who use it. The intentions, scope and findings of this survey should be made publicly available. In particular, this should ensure that:
  - Secure docks should be secure and well maintained.
  - Court buildings are maintained so that they are not a danger to those within and the court is understood as a place that requires good conduct.
  - Public areas are properly separated from magistrates' areas. Magistrates should not be expected to use public entrances or move through public waiting areas whilst courts are sitting.
5. Car parks should be recognised as a point of vulnerability and appropriate security measures undertaken to ensure magistrates' parking areas are well lit, are monitored by court security staff and are not accessible to the public.
6. There should be a named person on site who is responsible for safety and security in the court building, and this should be known by everyone on site.
7. Reporting processes should be well known by all. This could be formalised in an online portal accessible to magistrates which records key information about the event and is reviewed by senior judiciary and civil servants, such as SLMs, HoLOs and Bench Chairs.

Magistrates should be informed of actions taken following their report in a timely manner. Findings from reporting should be collated and used to improve safety and security in future by eliminating weaknesses and loopholes in procedures.

8. Magistrates should be informed if their names are disclosed by the Legal Advisor on the day or at any stage after a court hearing.
9. Improvements to the accuracy of data published on Courtserve and displayed in public areas of courts should be made
10. Consideration should be given to whether any standard court procedures, for example putting the defendant in a secure dock, raises the tension level in the court.
11. Presiding Justices should receive formal training about how to spot the signs of danger in the courtroom and how to manage that should it occur.

### **For the family court:**

12. Safety in the family courts should be reviewed, with careful thought given to the appropriateness of their layouts. In particular, efforts should be made to separate the bench from parties and introduce physical barriers between them without compromising the efficacy of the court itself.
13. Family courts should be properly staffed, such that every court has an usher and there are sufficient security personnel to ensure a quick response as required.
14. When legal aid changes are considered, the impact of changes upon the courts including on safety and security should feature in the assessment, given this report has highlighted the connection between LiPs and security concerns for family magistrates.

### **For magistrates:**

15. Magistrates should report all incidents where magistrates have been made to feel unsafe or 'near misses', whether inside or beyond the court building.
16. Magistrates should be proactive in getting personal emergency evacuation plans (PEEPs) if they require them. Access to PEEPs alongside an expectation of proactivity should be included within the Volunteer's Charter which the MA has called for.<sup>20</sup>

### **Beyond the court building:**

17. Magistrates should have access to a dedicated judicial protection phone number as the paid judiciary do.
18. Information about options for reporting incidents that occur outside of the court building should be conveniently accessible to magistrates and their families
19. Magistrates should be able to remove personal information from well-known open sources without charge because of their role as judicial office holders. This would require a change to the current expenses' regime but no change to legislation.

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<sup>20</sup> <https://www.magistrates-association.org.uk/publication/magistrates-matter/>

## Monitoring:

20. As with the annual Judicial Attitudes Survey, magistrates should be surveyed annually to record their views towards safety and security within and beyond the court building, as this survey has done. The MA has also made this recommendation in its recent Recognition Report.<sup>21</sup>


These recommendations are not exhaustive, but reflect specific issues brought to light through this survey. It is important to recognise that ensuring safety and security is an iterative process and subject to specific local pressures, requirements or limitations. One of the most important elements of effective safety and security are therefore good lines of communication between magistrates and those with the powers to make adjustments to the physical space of the courtrooms as well as the people and practices within them. This, coupled with good common sense, vigilance, and the recommendations made in this report, would significantly improve the safety and security of magistrates.

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<sup>21</sup> <https://www.magistrates-association.org.uk/publication/magistrates-matter/>

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