

ADVICE TO SCHOOLS ON CONSIDERING APPLICATIONS FROM TEACHING STAFF WHO WISH TO APPLY FOR POSTS OF LAY MAGISTRATE

INTRODUCTION

1. Following a review of criminal justice in N. Ireland, the Government decided to create a new judicial post of Lay Magistrate to improve the responsiveness and accountability of, and lay participation in, the criminal justice system.
2. New posts of Lay Magistrate will be appointed by the Lord Chancellor, and will enable people, who are not legally qualified, to provide an input from a local perspective into decisions made in court. Lay Magistrates will replace the former functions of Lay Panellists in Youth Courts and Family Proceedings Courts and criminal justice functions formally held by Justices of the Peace.
3. The purpose of this guidance is to assist schools in considering applications from teaching staff who may wish to apply for posts of lay magistrate.

TIME COMMITMENT REQUIRED

Newly appointed Lay Magistrates will be required to attend six days training and four half day court visits, followed by two days refresher training annually. Thereafter, they must be available for ten court sitting days per year.

They will also be required to commit time outside normal working hours to, for example, sign summonses and other emergency orders.

APPOINTMENT

Appointment to a post of Lay Magistrate will normally be for a period of five years, renewable every five years thereafter, subject to certain conditions being met.

PAYMENT

Lay Magistrates will receive £160 for a full day and £80 for a half day court sitting. An allowance is payable for attendance at training as well as travel and subsistence allowances. There will be no compensatory loss of earnings.

APPLYING FOR LEAVE OF ABSENCE

Teachers who wish to apply for posts of Lay Magistrates must apply, through the school principal, to the Board of Governors, for the leave of absence required. They must not apply to the Court Service, or accept appointment, without the prior approval of the Board of Governors to the required absence.

CONDITIONS APPLYING TO ABSENCE

1. Where leave of absence is granted, the leave will be unpaid.
2. Unpaid leave of absence does not qualify for pensionable service. Where the teacher chooses to make pension contributions for the days of absence, s/he will be required to pay the employer and employee costs.
3. The school will be responsible for the costs of employing the substitute teacher/s.
4. Where applicable, there will be no compensatory loss of earnings paid by the school.

ACTION BY PRINCIPAL AND BOARD OF GOVERNORS

1. On receipt of an application the principal should prepare a report for the Board of Governors.
4. Governors should consider each case on its merits taking account of the specific needs of the school. At all times the educational needs of the children and the effective management of the school must take precedence.
5. The Governors should write to the teacher advising of their decision.

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