



2024

EMPLOYING A **MAGISTRATE**

The benefits of employing a
magistrate

General Registry



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INTRODUCTION

The Courts recognise the important role employers play in the Justice System, by allowing employees who are magistrates to undertake their public duties.

The purpose of this leaflet is to illustrate to employers the benefits of having an employee who is a magistrate and to demonstrate how, in many situations, the skills acquired through public service are directly transferable to the workplace.

WHAT IS A MAGISTRATE?

The office of magistrate has existed for well over a hundred years. People holding the office perform an essential public service by dispensing justice within their community; hearing a range of criminal and non-criminal cases in the Magistrates' Court.

The Magistrates' Court is part of the first tier within our justice system. It comprises:

- **The Adult Court**
- **The Juvenile Court**
- **The Licensing Court**

Your employee would be directly responsible for determining innocence or guilt, determining bail and deciding the most appropriate sentence for anyone convicted before them.

DO I HAVE TO LET MY EMPLOYEE ATTEND?

There is a statutory obligation under section 39 of the Employment Act 2006 to give your employee time off to undertake their duties as a magistrate. What this means in practical terms is that if your employee is appointed as a magistrate, you must allow them to undertake their duties when they are called upon to do so and that they must not be penalised for so doing.

The Courts recognise that this can be a challenge for an employer and therefore does all it can to cause as little inconvenience for employers and magistrates as possible.

Magistrates are on a rota system, allocating to them in advance days when they will be in court. This rota is based upon information given to the Court by magistrates as to when they are available.

Currently, each magistrate is allocated to court approximately twice per month. All magistrates have to take their turn to sit and this is the fairest way to ensure court sittings are being fulfilled as needed.

The rota also ensures that your employee will know well in advance when they need to be available for court duties. You can therefore make arrangements with them to plan your business around it.

BENEFITS TO THE EMPLOYER: TRANSFERABLE SKILLS

Magistrates receive both initial and ongoing training. Many of the skills developed through this training are directly transferable to the workplace.

All training is based on the “key competencies”, developing the employee’s abilities in the following areas:

- **Managing yourself** - preparing for hearings, conducting yourself effectively;
- **Working as a team member** - making an effective contribution and ensuring effective working of the team;
- **Making decisions** - using appropriate processes to deliver effective decision making.

In addition to this, magistrates must develop effective communication and leadership skills and must foster and retain respect within the local community.

The decisions that magistrates make require considerable skill and judgement. They often affect a person’s whole life and may also affect the lives of those around them. The responsibility and gravity of the work cannot be underestimated. As such, the skills and training provided are significant and, although aimed at their work as a magistrate, are all directly transferable skills that can be used in many work places.

WHAT DOES THIS MEAN FOR ME?

As an employer you are not only assisting in the Justice System, you are gaining a more skilled and useful employee.

The communication, organisational, leadership and management skills acquired through tried and tested training (given by a member of court staff with qualifications in writing and delivering training) offers your business a unique opportunity to receive a skilled staff member with only a commitment from you to allow that staff member to attend court when it is convenient for your work place and the individual.

The court recognises that allowing time off can present problems for employees and employers alike, but would hope that the benefits to the business in having an employee who is a magistrate can be seen to enhance your business considerably.

MORE INFORMATION OR QUESTIONS?

We hope this leaflet has answered any questions or concerns you may have.

If you would like to discuss any aspect of employing a magistrate please do not hesitate to contact the Court, in the first instance by speaking to Zoe Cannell on 685469 or by e-mail to Zoe.Cannell@courts.im



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Email: Zoe.Cannell@courts.im

