**Department of Justice logo with Irish and Ulster Scots translation.**

**Reappointing lay magistrates -** **Public Service Pensions and Judicial Offices Act 2022**

**CONSULTATION PAPER ISSUED TO TARGETED CONSULTEES**

**6 June 2022**

This consultation begins on 6 June 2022

This consultation closes on 1 August 2022

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## PURPOSE OF THIS CONSULTATION

1.1 The Department of Justice (“DoJ”) is consulting from 6 June 2022 to 1 August 2022 on proposals to reappoint Lay Magistrates who were required to retire at the age of 70, following the increase in retirement age to 75 for members of the judiciary which was recently introduced by the Public Service Pensions and Judicial Offices Act 2022.

1.2 Secondary legislation is required to set eligibility criteria for the reappointment of these retired lay magistrates and this consultation paper seeks the views of consultees on these eligibility criteria.

## HOW TO RESPOND

1.3 The consultation will run from 6 June 2022 for 8 weeks and all responses should be submitted by Monday 1 August 2022. Chapter 4 provides a template for completion by respondents which is also available on the Department’s website. Responses can be sent by e-mail or post (see below).

For queries and responses to the consultation please contact:

*Judicial Policy and Tribunals*

*Civil Justice and Judicial Policy Division*

*Massey House*

*Stormont Estate*

*Belfast*

*BT4 3SX*

*Email: AtoJ.Consultation@justice-ni.gov.uk*

1.4 When responding, please state whether you are making a submission as an individual or representing the views of an organisation. If responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

**Additional copies and alternative formats**

1.5 An electronic copy of this document is available to view and download from the consultation section of the Department of Justice website (www.[justice-ni.gov.uk](http://www.justice-ni.gov.uk/)).

1.6 You may make copies of this document without seeking permission and if you require further printed copies, we would invite you to access the document through our website. If you do not have access to the internet and require us to provide you with further copies, please contact us with your specific request.

1.7 Copies in other formats, including Braille, large print or audio cassette may be made available on request. If it would assist you to access the document in an alternative format, or a language other than English, please let us know and we will do our best to help you.

**Freedom of information and General Data Protection Regulations**

1.8 The Department intends to publish a summary of responses on its website on completion of the consultation process. Any contact details that will identify a respondent as a private individual will be removed prior to publication.

1.9 All information will be handled in accordance with the General Data Protection Regulations (GDPR). Respondents should be aware that the Department’s obligations under the Freedom of Information Act 2000 may require that any responses, not subject to specific exemptions under the Act, be disclosed to other parties on request.

1.10 For further information about Freedom of Information and GDPR please contact the Information Commissioner’s Office at [ico.org.uk](https://ico.org.uk/).

**Complaints**

1.11 Any comments, queries or concerns about the way this exercise has been conducted should be sent to the following address:

Standards Unit

Department of Justice

Knockview Buildings

Stormont Estate

Belfast

BT4 3SL

or by e-mail to [standardsunit@justice-ni.gov.uk](mailto:Standardsunit@dojni.x.gsi.gov.uk)

**2.** Reappointment of retired Lay Magistrates

2.1 Lay Magistrates carry out important functions within the criminal and civil court system in Northern Ireland. The role of a Lay Magistrate is not to be a legal expert but rather to consider the evidence in each case in a reasonable and common sense manner and to reach a decision which best serves the interests of justice in accordance with the law. Lay Magistrates normally come to the post without any formal legal education, but bring an invaluable fund of life experience to the courts from a diverse range of backgrounds.

2.2 A brief overview of the responsibilities carried out daily by Lay Magistrates is detailed below.

**Youth Court**

2.3 The Youth Court is a criminal court chaired by a District Judge (Magistrates' Court) sitting with two Lay Magistrates.  The Court sits to hear nearly all criminal charges brought against a child (up to and including 17 years olds).  All three members of the court have an equal say in the decision making process.

**Family Proceedings**

2.4 The Family Proceedings Court is chaired by a District Judge (Magistrates' Court) sitting with two Lay Magistrates.  The Court sits to hear Children Order matters in relation to children's contact and residence as well as considering applications from public authorities in relation to care related proceedings.

**Signatory Duties**

2.5 Lay Magistrates are empowered to sign, among other things, summonses and warrants.

**Retirement**

2.6 Under section 4(11) of the Justice Act (Northern Ireland) 2015 (“the 2015 Act”), Lay Magistrates were obliged to retire at the age of 70. Unlike other tiers of the judiciary, there was no facility to extend their appointment beyond this age under section 26(5) of the Judicial Pensions and Retirement Act 1993 (“JUPRA”).

2.7 The retirement age for judges was recently raised to 75 by the Public Service Pensions and Judicial Offices Act 2022 (“the Act”). The Act contains provision to reappoint Lay Magistrates who had been obliged to retire at the age of 70, as it was recognised that it was unfair that some Lay Magistrates had not been afforded the opportunity to have their appointments extended to 75 under JUPRA and had been required to leave their offices before the retirement age was raised to 75.

2.8 Lay Magistrates are appointed by the Northern Ireland Judicial Appointments Commission (“NIJAC”) and there are currently around 108 appointed to the office in Northern Ireland at present. Appointments are made solely on merit as a result of an open and transparent selection process. Similarly, NIJAC is responsible for the reappointment of Lay Magistrates who retired at the age of 70 under the Act.

2.9 Section 121 of and paragraph 45 of Schedule 1 to the Act makes provision for the Department of Justice to make secondary legislation to set the eligibility criteria for the reappointment of retired Lay Magistrates.[[1]](#footnote-1) This consultation seeks views the eligibility criteria for the reappointments.

2.10 It should be noted that the criteria for eligibility for appointment as a Lay Magistrate are contained in the Lay Magistrates (Eligibility) (Northern Ireland) Order 2004 (see Annex A). We consider that it is necessary for any retired Lay Magistrate who is seeking reappointment to still meet those criteria as well as the additional criteria under consideration in this consultation.

**3.** Eligibility to apply for reappointment

3.1 The Department is seeking views on the eligibility criteria for the reappointment of Lay Magistrates to their previous roles. This consultation paper explores a number of possible eligibility criteria, however, it is intended to encourage debate and therefore alternative suggestions from consultees are welcomed. It is expected that the number of Lay Magistrates that will be reappointed will be small. It is not considered that recruitment of new Lay Magistrates will be reduced or constrained as a result, so it is not anticipated that there will be any negative impact on the diversity within the Lay Magistracy by taking forward these measures.

**Previous appointment as a Lay Magistrate**

3.2 It is suggested that any application to be reappointed as a Lay Magistrate must be made by an individual who had previously been appointed as a Lay Magistrate in Northern Ireland and retired before 10th March 2022. We consider that it is necessary for any applicant to still meet the eligibility criteria for appointment to the Lay Magistracy which are contained in the Lay Magistrates (Eligibility) (Northern Ireland) Order 2004.

**Conduct**

3.3 Individuals who apply for reappointment must not have been removed from the post as a result of disciplinary proceedings or have had any disciplinary proceedings pending at the date of their retirement.

**Age**

3.4 Individuals must be aged between 70 and 75 on the date of Royal Assent of the Act (10 March 2022) in order to be eligible to apply for reappointment. However, reappointment to any or all specific roles previously held cannot be guaranteed as part of this process.

**Reasonable length of service**

3.5 It is suggested that applicants should be prepared to offer a reasonable length of service of six months before they reach the age of 75 and are required to retire under the provisions of the Act.

3.6 However, it is suggested that individuals who cannot commit to the expected reasonable period of service should provide reasons with their application why they should be considered for reappointment and any reasonable explanation should be given due consideration.

**Training and continual professional development**

3.7 It is suggested that any individual seeking reappointment should be prepared to undertake any training or continuing professional development that may be identified as being necessary or desirable for their continued role as a Lay Magistrate.

**Disclosure and barring checks**

3.8 It is suggested that any individual who is applying for reappointment should be subject to appropriate disclosure and barring checks, if those are not already in place.

**Business need**

3.9 There is a maximum complement of Lay Magistrates set under Schedule 3 to the Justice (Northern Ireland) Act 2002, which takes into account the numbers of office holders required to meet the business needs of the courts in Northern Ireland. It is suggested that consideration should be given to this maximum number during the application process. It should be noted, however, that the numbers of Lay Magistrates currently holding office is below the maximum complement at present.

**4. Questionnaire**

We welcome responses to the following questions:

1. Do you support the proposed approach taken to the eligibility criteria that is outlined above?

|  |
| --- |

2. Do you have any comments on the proposed approach or do you wish to suggest any alternative eligibility criteria for reappointing Lay Magistrates under the provisions of the Act?

|  |
| --- |

3. Do you have any comments on the Equality Screening or Rural Proofing Assessment included with this consultation paper?

|  |
| --- |

**About You**

|  |  |
| --- | --- |
| Please use this section to tell us about yourself.  **Full name** | |
| **Job title** or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.) | |
| **Date** | |
| **Organisation name** (if applicable): | |
| **Address** | |
| **Postcode** | |
| If you would like us to acknowledge receipt of your response, please tick this box | (please tick box) ☐ |
| Address to which the acknowledgement should be sent, if different from above | |

## 5. NEXT STEPS

5.1 The Department will consider the responses to this consultation and will publish its response on its website ([www.justice-ni.gov.uk](http://www.justice-ni.gov.uk)) in due course. Subject to the outcome of the consultation, the Department will then take forward the secondary legislation required to set the eligibility criteria for the reappointment of Lay Magistrates who were required to retire at the age of 70. The process for reappointments of eligible Lay Magistrates will then commence.

## 6. IMPACTS

6.1 Section 75 of the Northern Ireland Act 1998 requires that all public authorities in Northern Ireland comply with a statutory duty to:

* have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status, or sexual orientation, gender, and those with or without a disability and those with or without dependents; and
* have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group. The Department is committed to fulfilling those obligations and proposals arising from this paper have been subjected to screening to determine impact on equality of opportunity, good relations and other statutory duties (see screening form at Appendix 2).

6.2 In addition, public authorities are also required to meet legislative obligations under the Disability Discrimination (Northern Ireland) Order 2006, particularly in the formation of public policy making.

6.3 The proposals have also been screened for rural needs impact (see Appendix 3).

6.4 The Department welcomes views on these screening documents.

6.5 The Department has carried out a regulatory impact screening exercise and considers that a regulatory impact assessment is unnecessary as the policy will not have a direct or indirect impact on businesses. The Department does however, welcome views on this approach.

**Annex A**

**Current Eligibility of persons for appointment as Lay Magistrates - contained in the Lay Magistrates (Eligibility) (Northern Ireland) Order 2004**

Unless the Lord Chancellor otherwise determines in the case of a particular person, no person shall be appointed to be a Lay Magistrate –

(a) if he does not reside or work in, or within 15 miles of, the [administrative][[2]](#footnote-2) county court division to which the appointment relates;

(b) if he is a member of–

(i) the House of Commons or the House of Lords,

(ii) the European Parliament,

(iii) the Scottish Parliament,

(iv) the National Assembly for Wales,

(v) the Northern Ireland Assembly, or

(vi) either House of the Irish Parliament;

(c) if he has been selected (whether formally or informally) as a prospective candidate for election to any such House, Parliament or Assembly;

(d) if he is employed as a paid agent of a political party seeking representation in any such House, Parliament or Assembly;

(e) if he is –

(i) a member of the Police Service of Northern Ireland[[3]](#footnote-3),

(ii) a member of the Police Service of Northern Ireland Reserve[[4]](#footnote-4),

(iii) a member of the Northern Ireland Policing Board[[5]](#footnote-5),

(iv) an employee of the Northern Ireland Policing Board,

(v) the Police Ombudsman for Northern Ireland[[6]](#footnote-6),

(vi) an employee of the Police Ombudsman for Northern Ireland,

(vii) –(viii) […][[7]](#footnote-7),

(ix) the Director, or deputy Director of Public Prosecutions for Northern Ireland[[8]](#footnote-8),

(x) a member of staff of the Director of Public Prosecutions for Northern Ireland,

(xi) a member of Her Majesty’s Regular Armed Forces,

(xii) a member of staff of the Northern Ireland Prison Service,

(xiii) a member of staff of the Youth Justice Agency,

(xiv) a member of the Probation Board for Northern Ireland[[9]](#footnote-9),

(xv) a member of staff of the Probation Board for Northern Ireland,

(xvi) a practising barrister or solicitor,

(xvii) a member of the panel of guardians ad litem appointed under the Guardians Ad Litem (Panel) Regulations (Northern Ireland) 1996[[10]](#footnote-10)[,][[11]](#footnote-11)

(xviii) […][[12]](#footnote-12),

[(xix) the Director General of the National Crime Agency,][[13]](#footnote-13)

[(xx) a National Crime Agency officer;][[14]](#footnote-14)

(f) if he is the spouse or partner of –

(i) a member of the Police Service of Northern Ireland,

(ii) a member of the Police Service of Northern Ireland Reserve,

(iii) a member of the Northern Ireland Policing Board,

(iv) an employee of the Northern Ireland Policing Board,

(v) the Police Ombudsman for Northern Ireland,

(vi) an employee of the Police Ombudsman for Northern Ireland,

(vii)-(viii) […][[15]](#footnote-15),

(ix) the Director, or deputy Director of Public Prosecutions for Northern Ireland,

(x) a member of staff of the Director of Public Prosecutions for Northern Ireland,

(xi) a member of Her Majesty’s Regular Armed Forces,

(xii) a member of staff of the Northern Ireland Prison Service,

(xiii) a member of staff of the Youth Justice Agency,

(xiv) a member of the Probation Board for Northern Ireland,

(xv) a member of the panel of guardians ad litem appointed under the Guardians Ad Litem (Panel) Regulations (Northern Ireland) 1996[,][[16]](#footnote-16)

(xvi) […][[17]](#footnote-17)

[(xvii) the Director General of the National Crime Agency,][[18]](#footnote-18)

[(xx) a National Crime Agency officer;][[19]](#footnote-19)

(g) if he is a close relative of –

(i) the Police Ombudsman for Northern Ireland,

(ii) […[[20]](#footnote-20),

(iii) the Director, or deputy Director of Public Prosecutions for Northern Ireland[,][[21]](#footnote-21)

(iv) […][[22]](#footnote-22),

[(v) the Director General of the National Crime Agency;][[23]](#footnote-23)

(vi) […]21;

(h) if he, his spouse or partner is a former –

(i) member of the Police Service of Northern Ireland,

(ii) member of the Police Service of Northern Ireland Reserve,

(iii) member of the Northern Ireland Policing Board,

(iv) Police Ombudsman for Northern Ireland,

(v) Director of the Assets Recovery Agency,

(vi) member of staff of the Assets Recovery Agency (including its deputy Director and assistant Director),

(vii) Director, or deputy Director of Public Prosecutions for Northern Ireland,

(viii) member of staff of the Director of Public Prosecutions for Northern Ireland,

(ix) member of staff of the Northern Ireland Prison Service,

(x) member of staff of the Youth Justice Agency,

[(xi) a member of the Board of [the National Crime Agency]24,

(xii) [the Director General of the National Crime Agency]24,

(xiii) [a National Crime Agency officer][[24]](#footnote-24),][[25]](#footnote-25)

[(xiv) the Director General of the National Crime Agency;

(xv) ) a National Crime Agency officer;][[26]](#footnote-26)

unless a period of more than two years has elapsed since that person ceased to hold such an office or have such an occupation;

(i) if he is an undischarged bankrupt or his estate has been sequestrated and he has not been discharged [or he is a person in relation to whom a moratorium period under a debt relief order applies][[27]](#footnote-27) or he has made a composition or arrangement with, or granted a trust deed for, his creditors;][[28]](#footnote-28)

[(ia) if he is the subject of a bankruptcy restrictions order under Schedule 2A to the Insolvency (Northern Ireland) Order 1989 or Schedule 4A to the Insolvency Act 1986 [or he is the subject of a debt relief restrictions order under Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989 or Schedule 4ZB to the Insolvency Act 1986][[29]](#footnote-29); or][[30]](#footnote-30)

(j) if he has been convicted of an offence punishable by a term of imprisonment.

# **Appendix 1 – List of Consultees**

This consultation document has been sent to the following persons and organisations:

|  |
| --- |
| Advice NI |
| Attorney General for Northern Ireland |
| Children's Law Centre |
| Citizens Advice Bureau |
| Committee for Justice |
| Committee on the Administration of Justice |
| Conservative Party |
| Democratic Unionist Party Headquarters |
| Department for Communities |
| Department for Infrastructure |
| Department for the Economy |
| Department of Agriculture, Environment and Rural Affairs |
| Department of Education |
| Department of Finance |
| Department of Health |
| Department of Justice |
| Departmental Solicitors Office |
| Equality Commission for Northern Ireland |
| Family Mediation |
| Green Party |
| Institute of Professional Legal Studies |
| Labour Relations Agency |
| Law Centre (NI) |
| Law Society of Northern Ireland |
| Legal Services Agency |
| Mediation NI |
| NI Executive office |
| NI Judicial Appointments Ombudsman |
| NI Law commission |
| Northern Ireland Human Rights Commission |
| Northern Ireland Judicial Appointments Commission |
| Northern Ireland Local Government Association (NILGA) |
| Office of the Lord Chief Justice |
| SDLP Headquarters |
| Sinn Féin |
| The General Council of the Bar of Northern Ireland |
| Traditional Unionist Voice |
| Ulster Unionist Party |
| Workers Party |

# **Appendix 2 – Equality Screening**



**DOJ Section 75**

**EQUALITY SCREENING FORM**

**Title of Policy: Reappointing lay magistrates -** **Public Service Pensions and Judicial Offices Act 2022**

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### **The Legal Background**

Under section 75 of the Northern Ireland Act 1998, the Department is required **to have due regard to the need to promote equality of opportunity:**

● between person of different religious belief, political opinion, racial group,

age, marital status or sexual orientation;

● between men and women generally;

● between persons with a disability and persons without; and,

● between persons with dependants and persons without1.

Without prejudice to the obligations set out above, the Department is also required to:

● **have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group; and**

● **meet legislative obligations under the Disability Discrimination Order.**

**Introduction**

1. This form should be read in conjunction with the Equality Commission’s revised Section 75 guidance, “Effective Section 75 Equality Assessments: Screening and Equality Assessments” which is available on the Equality Commission’s website or contained in the link below:

[www.equalityni.org/ECNI/media/ECNI/Publications/EmployersandServiceProviders/PublicAuthorities/S75Advice-ScreeningEQIA.pdf](http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Public%20Authorities/S75Advice-ScreeningEQIA.pdf)

**Section 75** statutory duties apply to **internal policies** (relating to people who work for department), as well as **external policies** (relating to those who are, or could be, served by the department).

1. The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations and so determine whether an Equality Impact Assessment (EQIA) is necessary. Screening should be introduced at an early stage when developing or reviewing a policy.

1A list of the main groups identified as being relevant to each of the section 75 categories is at Annex B of the document.

1. The lead role in the screening of a policy should be taken by the policy decision-maker who has the authority to make changes to that policy and should involve, in the screening process:

other relevant team members;

those who implement the policy;

staff members from other relevant work areas; and

key stakeholders.

A flowchart which outlines the screening process is provided at Annex A.

1. The first step in the screening exercise is to gather evidence to inform the screening decisions. Relevant data may be either quantitative or qualitative or both (this helps to indicate whether or not there are likely equality of opportunity and/or good relations impacts associated with a policy). Relevant information will help to clearly demonstrate the reasons for a policy being either ‘screened in’ for an equality impact assessment or ‘screened out’ from an equality impact assessment.
2. The absence of evidence does not indicate that there is no likely impact but if none is available, it may be appropriate to consider subjecting the policy to an EQIA.
3. Where data/evidence gaps exist consider engaging with the main representative groups directly, for example Disability Action, Rainbow, and NICCY to find out what you need to know. Bring stakeholders together to discuss policy or link up with other UK bodies who may have similar policies.
4. Screening provides an assessment of the likely impact, whether ‘minor’ or ‘major’, of its policy on equality of opportunity and/or good relations for the relevant categories. In some instances, screening may identify the likely impact is none.
5. Contact [EqualityandStaffSupportServices@justice-ni.gov.uk](mailto:EqualityandStaffSupportServices@justice-ni.gov.uk) at any stage of the process for support or guidance.

### **Screening decisions**

1. Completion of screening should lead to one of the following three outcomes. The policy has been:
   1. ‘screened in’ for equality impact assessment;
   2. ‘screened out’ *with* mitigation or an alternative policy proposed to be adopted; or
   3. ‘screened out’ *without* mitigation or an alternative policy proposed to be adopted.

### **Screening and good relations duty**

1. The Commission recommends that a policy is ‘screened in’ for equality impact assessment if the likely impact on **good relations** is ‘major’. While there is no legislative requirement to engage in an equality impact assessment in respect of good relations, this does not necessarily mean that equality impact assessments are inappropriate in this context.

## Part 1

### **Definition of Policy**

1. There have been some difficulties in defining what constitutes a policy in the context of section 75. To be on the safe side it is recommended that you consider any new initiatives, proposals, schemes or programmes as policies or changes to those already in existence. It is important to remember that even if a full EQIA has been carried out in an “overarching” policy or strategy, it will still be necessary for the policy maker to consider if further screening or an EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

### **Overview of Policy Proposals**

1. The aims and objectives of the policy must be clear and terms of reference well defined. You must take into account any available data that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the s75 categories.

### **Policy Scoping**

1. The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

## Part 1: Policy Scoping

1. **Information about the policy**

| **Name of the Policy/ decision to be screened**  **Reappointing Lay Magistrates -** **Public Service Pensions and Judicial Offices Act 2022** |
| --- |
|  |
| **Is this an existing, revised or a new policy / decision?** |
| This is a new policy. |
| **What is it trying to achieve? (intended aims/outcomes)** |
| The policy is to achieve the reappointment of Lay Magistrates who were obliged to retire at 70 now that the Mandatory Retirement Age has been raised to 75 |
| **Are there any Section 75 categories which might be expected to benefit from the intended policy? If so, explain how.** |
| Former Lay Magistrates aged up to age 75 can apply to be reappointed. |
| **Who initiated or wrote the policy?** |
| The Department of Justice. |
| **Who owns and who implements the policy?**  The secondary legislation required for setting eligibility criteria for reappointing retired Lay Magistrates will be made by the Department of Justice after consultation. |
|  |

1. **Implementation factors**

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

If yes, are they

*Tick Box*

☐ financial

☒ legislative There would need to be a functioning Assembly to make any necessary Regulations

☐ other, please specify \_\_\_\_\_\_\_\_\_N/A \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Main stakeholders affected**

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

*Tick Box*

☐ staff

☒ service users

☒ other public sector organisations

☐ voluntary/community/trade unions

☒ other, please specify: retired Lay Magistrates

1. **Other policies with a bearing on this policy**

*what are they?*

| N/A |
| --- |

*who owns them?*

| N/A |
| --- |

1. **Available Evidence**

Evidence to help inform the screening process may take many forms. Set out all evidence /data (both \*qualitative and quantitative) below along with details of the different groups you have met and / or consulted with to help inform your screening assessment. Specify details for each of the Section 75 categories.

| **Section 75 Category** | **Details of evidence/information** |
| --- | --- |
| Religious belief | No relevant data or research identified |
| Political opinion | No relevant data or research identified |
| Racial group | No relevant data or research identified |
| Age | Number of individuals impacted by the change. |
| Marital status | No relevant data or research identified |
| Sexual orientation | No relevant data or research identified |
| Men and Women generally | No relevant data or research identified |
| Disability | No relevant data or research identified |
| Dependants | No relevant data or research identified |

\***Qualitative data** – refers to the experience of individuals related in their own terms, and based on their own experience and attitudes. Qualitative data is often used to complement quantitative data to determine why policies are successful or unsuccessful and the reasons for this.

**Quantitative data** – refers to numbers (that is quantities), typically derived from either a population in general or samples of that population. This information is often analysed either using descriptive statistics (which summarise patterns), or inferential statistics (which are used to infer from a sample about a wider population).

1. **Needs, experiences and priorities**

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories.

| **Section 75 Category** | **Details of evidence/information** |
| --- | --- |
| Religious belief | Not applicable |
| Political opinion | Not applicable |
| Racial group | Not applicable |
| Age | Impacts positively on retired Lay Magistrates under the age of 75. |
| Marital status | Not applicable |
| Sexual orientation | Not applicable |
| Men and Women generally | Not applicable |
| Disability | Not applicable |
| Dependants | Not applicable |

## Part 2

### **SCREENING DECISIONS**

1. **Decision** - **In favour of none**

If the conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the decision may be to screen the policy out. If a policy is **‘screened out’** as having no relevance to equality of opportunity or good relations, give details of the reasons for the decision taken.

* **Considerations** –
* The policy has no relevance to equality of opportunity or good relations.
* The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

1. **Decision** - **In favour of a ‘major’ impact**

If the conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure (EQIA).

* **Considerations-**
* Is the policy significant in terms of its strategic importance?
* The potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex and it would be appropriate to conduct an equality impact assessment in order to better assess them;
* The potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
* Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
* The policy is likely to be challenged by way of judicial review;
* The policy is significant in terms of expenditure.

1. **Decision - In favour of ‘minor’ impact**

If the conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

• measures to mitigate the adverse impact; or

• the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

* **Considerations –**
* The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
* The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
* Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
* By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

### Part 2 Screening questions

| **2.1** What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? | | |
| --- | --- | --- |
| **Section 75 category** | **Details of policy impact** | **Level of impact? Minor/Major/None** |
| Religious belief | **No adverse impact identified** | **None** |
| Political opinion | **No adverse impact identified** | **None** |
| Racial group | **No adverse impact identified** | **None** |
| Age | **Will have a positive impact.** | **Minor** |
| Marital status | **No adverse impact identified** | **None** |
| Sexual orientation | **No adverse impact identified** | **None** |
| Men and Women generally | **No adverse impact identified** | **None** |
| Disability | **No adverse impact identified** | **None** |
| Dependants | **No adverse impact identified** | **None** |

| **2.2** Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories? | | |
| --- | --- | --- |
| **Section 75 category** | **If Yes, provide details** | **If No, provide reasons** |
| Religious belief |  | **None – the policy aims to reappoint Lay Magistrates who were required to retire at the age of 70.** |
| Political opinion |  | **See above** |
| Racial group |  | **See above** |
| Age | **Yes, this policy offers opportunities for retired Lay Magistrates to be reappointed to their previous role which promotes equality of opportunity for older people.** |  |
| Marital status |  | **Not applicable** |
| Sexual orientation |  | **Not applicable** |
| Men and Women generally |  | **See above** |
| Disability |  | **See above** |
| Dependants |  | **See above** |

| **2.3.** To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? | | |
| --- | --- | --- |
| **Good relations category** | **Details of policy impact** | **Level of impact Minor/Major/None** |
| Religious belief | **Not applicable** | **None** |
| Political opinion | **Not applicable** | **None** |
| Racial group | **Not applicable** | **None** |

| **2.4.** Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group? | | |
| --- | --- | --- |
| **Good relations category** | **If Yes, provide details** | **If No, provide reasons** |
| Religious belief |  | **No opportunities to promote good relations within any of the good relations categories are expected.** |
| Political opinion |  | **As above.** |
| Racial group |  | **As above.** |

## Additional Considerations

### **Multiple Identity**

1. Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(*For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).*

**None apparent.**

1. Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

| **None apparent.** |
| --- |

## Part 3 Screening Decision

**3.1**. **Screened In** - If the decision is to conduct an equality impact assessment, please provide details of the rationale and relevant evidence to support this decision.

| Not applicable. |
| --- |

**3.2**. **Screened Out** – No EQIA necessary (no impact)

If the decision is not to conduct an equality impact assessment, please provide details of the rationale and relevant evidence to support this decision.

| The policy impacts on a small number of individuals. No adverse impacts have been identified across the Section 75 categories. |
| --- |

**3.3.** **Screened Out – Mitigating Actions** (minor impacts)

When the decision is that the likely impact is ‘minor’ and an equality impact assessment is not to be conducted, you may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy. Explain how these actions will address the inequalities.

| Not applicable. |
| --- |

### **Timetabling and Prioritising**

1. Factors to be considered in timetabling and prioritising policies for equality impact assessment.
2. If the policy has been **‘screened in’** for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.
3. On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

| **Priority criterion** | **Rating (1-3)** |
| --- | --- |
| Effect on equality of opportunity and good relations | **N/A** |
| Social need | **N/A** |
| Effect on people’s daily lives | **N/A** |
| Relevance to a public authority’s functions | **N/A** |

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist in timetabling. Details of the Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

1. Is the policy affected by timetables established by other relevant public authorities?

* If yes, please provide details.

| **N/A** |
| --- |

## Part 4 Monitoring

1. Section 75 places a requirement on the Department to have equality monitoring arrangements in place in order to assess the impact of policies and services etc. and to help identify barriers to fair participation and to better promote equal opportunity.
2. Effective monitoring will help identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.
3. Outline what data you will collect in the future in order to monitor the impact of this policy/ decision on equality, good relation and disability duties.

| **Equality** | N/A |
| --- | --- |
| **Good relations** | N/A |
| **Disability Duties** | N/A |

## Part 5 Formal Record of Screening Decision

| **Title of Proposed Policy / Decision being screened**  **Reappointing lay magistrates -** **Public Service Pensions and Judicial Offices Act 2022** |
| --- |

**I can confirm that the proposed policy/decision has been screened for –**

| **☒** | **Equality of opportunity** |
| --- | --- |
| **☒** | **Good Relations** |
| **☒** | **Disability duties** |

**On the basis of the answer to the screening questions, I recommend that this policy /decision is –**

|  | **Screened in – necessary to conduct a full EQIA** |
| --- | --- |

| **x** | **Screened Out – no EQIA necessary (no impacts)** |
| --- | --- |

|  | **Screened Out – mitigating actions (minor impacts)** |
| --- | --- |

## Part 6 Approval and Authorisation

***(Have you sent this document to the Equality Unit prior to obtaining signature?)***

| **Screened/completed by:** | **Grade** | **Date** |
| --- | --- | --- |
| **Claire Beattie** | **DP** | **09/05/22** |
| **Approved by (Grade 7 or above):** | | |
| **Laurene McAlpine** | **Grade 5** | **24/05/22** |

**Quality Assurance**

**Prior to final approval** the Screening Form should be forwarded [EqualityandStaffSupportServices@justice-ni.gov.uk](mailto:EqualityandStaffSupportServices@justice-ni.gov.uk) for comment/quality assurance. Contact the branch should you require advice or have any queries prior to this stage.

Any NIPS forms should be forwarded to [Peter.Grant@justice-ni.gov.uk](mailto:Peter.Grant@justice-ni.gov.uk)

When you receive a response and there are no further considerations required, the form should be ‘signed off’ and approved by a senior manager responsible for the policy, this would normally be at least grade 7.

The completed Screening Form should be placed on the DOJ Website where it will be made easily accessible to the public and be available on request. In addition, it will be included in a quarterly listing of all screenings completed during each 3 month period and issued to consultees.

**The Screening exercise is now complete**.

Please retain a record in your branch and send a copy for information to:-

Equality and Staff Support Services (ESSS)

Room 3.4, Castle Buildings

Stormont Estate

BELFAST

BT4 3SG

Tel: 02890 522611

or e-mail to [EqualityandStaffSupportServices@justice-ni.gov.uk](mailto:EqualityandStaffSupportServices@justice-ni.gov.uk)

**ANNEX A - SCREENING FLOWCHART**

**Policy Scoping**

Consider Available Data and Evidence

**Screening Questions**

Apply screening questions

Consider multiple identities

**Screening Decision**

None/Minor/Major

**‘None’**

Screened out

**‘Minor’**

Screened

out with

mitigation

**‘Major’**

Screened in

for EQIA

**Send the form to**

[**EqualityandStaffSupportServices@justice-ni.gov.uk**](mailto:EqualityandStaffSupportServices@justice-ni.gov.uk)

**When returned arrange to be signed off by Grade 7 or above**

Concerns /queries raised i.e. evidence re: screening decision

Publish completed Screening Form on **DOJ Internet**

**EQIA**

Re-consider Screening

Future Monitoring

**ANNEX B**

**MAIN GROUPS IDENTIFIED AS RELEVANT TO THE SECTION 75 CATEGORIES**

| **Category** | **Main Groups** |
| --- | --- |
| Religious Belief | Protestants; Catholics; people of other religious belief; people of no religious belief |
| Political Opinion | Unionists generally; Nationalists generally; members/supporters of any political party |
| Racial Group | White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Afro Caribbean people; people of mixed ethnic group, other groups |
| Age | For most purposes, the main categories are: children under 18; people aged between 18 and 65. However the definition of age groups will need to be sensitive to the policy under consideration. For example, for some employment policies, children under 16 could be distinguished from people of working age |
| Marital/Civil Partnership Status | Married people; unmarried people; divorced or separated people; widowed people; civil partnerships |
| Sexual Orientation | Heterosexuals; bisexual people; gay men; lesbians |
| Men and Women generally | Men (including boys); women (including girls); trans-gender and trans-sexual people |
| Persons with a disability and persons without | Persons with a physical, sensory or learning disability as defined in Schedules 1 and 2 of the Disability Discrimination Act 1995. |
| Persons with dependants and persons without | Persons with primary responsibility for the care of a child; persons with personal responsibility for the care of a person with a disability; persons with primary responsibility for a dependent elderly person. |

# **Appendix 3**

## Rural Needs Impact Assessment (RNIA) Template

# **SECTION 1 - Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016**

| 1A. Name of Public Authority. |
| --- |
| Department of Justice (DoJ) |

| 1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016. |
| --- |
| The DoJ is considering reappointing lay magistrates who were obliged to retire at 70 and review the eligibility criteria for lay magistrates in Northern Ireland. |

| 1C. Please indicate which category the activity specified in Section 1B above relates to. |
| --- |
| Developing a Policy Strategy Plan  **X**  Adopting a Policy Strategy Plan  Implementing a Policy Strategy Plan  Revising a Policy Strategy Plan  Designing a Public Service  Delivering a Public Service |

| 1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above. |
| --- |
| A consultation on lay magistrates’ eligibility criteria. |

| 1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service. |
| --- |
| Following recent reforms to mandatory retirement age of the devolved judiciary contained in the Public Service Pensions and Judicial Offices Act 2022, recently retired lay magistrates will be afforded an opportunity to return to their former roles. |

| 1F. What definition of ‘rural’ is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service? |
| --- |
| Population Settlements of less than 5,000 (Default definition).  **X**  Other Definition (Provide details and the rationale below).  A definition of ‘rural’ is not applicable. |

| *Details of alternative definition of ‘rural’ used.* |
| --- |
| N/A |

| *Rationale for using alternative definition of ‘rural’.* |
| --- |
| N/A |

| *Reasons why a definition of ‘rural’ is not applicable.* |
| --- |
| N/A |

**SECTION 2 - Understanding the impact of the Policy, Strategy, Plan or Public Service**

| 2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas? |
| --- |
| **X**  Yes No If the response is **NO** GO TO Section **2E**. |

| 2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas. |
| --- |
| Not applicable |

| 2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas *differently* from people in urban areas, please explain how it is likely to impact on people in rural areas differently. |
| --- |
| Not applicable |

| 2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is likely to primarily impact on |
| --- |
| Rural Businesses Rural Tourism Rural Housing  Jobs or Employment in Rural Areas Education or Training in Rural Areas  Broadband or Mobile Communications in Rural Areas Transport Services or Infrastructure in Rural Areas Health or Social Care Services in Rural Areas  Poverty in Rural Areas Deprivation in Rural Areas  Rural Crime or Community Safety Rural Development  Agri-Environment  Other (Please state) |

If the response to Section 2A was YES GO TO Section 3A.

| 2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas. |
| --- |
| The policy seeks to set eligibility for reappointment as a Lay Magistrate and does not impact on people in rural areas. |

**SECTION 3 - Identifying the Social and Economic Needs of Persons in Rural Areas**

| **3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?** |
| --- |
| Yes No If the response is **NO** GO TO Section **3E**.  **X** |

| 3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas. |
| --- |
| Consultation with Rural Stakeholders Published Statistics Consultation with Other Organisations Research Papers Surveys or Questionnaires Other Publications  Other Methods or Information Sources (include details in Question 3C below). |

| 3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc. |
| --- |
| Not applicable |

| 3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority? |
| --- |
| Not applicable. |

If the response to Section 3A was YES GO TO Section 4A.

| 3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas? |
| --- |
| The Department has not identified any differential impact on the social or economic needs of people in rural areas. |

**SECTION 4 - Considering the Social and Economic Needs of Persons in Rural Areas**

| 4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas. |
| --- |
| As the options would not impact in a differential way in relation to rural areas no social or economic needs were identified specific to people in rural areas. |

**SECTION 5 - Influencing the Policy, Strategy, Plan or Public Service**

| 5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified? |
| --- |
| Yes No If the response is **NO** GO TO Section **5C**.  **X** |

| 5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified. |
| --- |
| Not applicable |

If the response to Section 5A was YES GO TO Section 6A.

| 5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified. |
| --- |
| No specific rural needs were identified as the options will not impact on rural areas in a differential way. |

**SECTION 6 - Documenting and Recording**

| 6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance. |
| --- |
| I confirm that the RNIA Template will be retained and relevant information compiled.  **X** |

| Rural Needs Impact Assessment undertaken by: | C Beattie |
| --- | --- |
| Position/Grade: | DP |
| Division/Branch | Judicial Policy and Tribunals |
| Signature: |  |
| Date: | 9/05/22 |
| Rural Needs Impact Assessment approved by: | Laurene McAlpine |
| Position/Grade: | Grade 5 |
| Division/Branch | Civil Justice and Judicial Policy Division |
| Signature: |  |
| Date: | 24/05/22 |

1. https://www.legislation.gov.uk/ukpga/2022/7/schedule/1/enacted [↑](#footnote-ref-1)
2. Word substituted by Justice Act (Northern Ireland) 2015 c. 9 Sch 1 para. 128 (October 31, 2016: substitution has effect subject to transitional provisions and savings specified in 2015 c.9 (N.I.) s.104 and Sch 8 para.1 and SR 2016/397 art.3) [↑](#footnote-ref-2)
3. Section 1(1) of the Police (Northern Ireland) Act 2000 (c. 32) [↑](#footnote-ref-3)
4. Section 1(3) of the Police (Northern Ireland) Act 2000 (c. 32) [↑](#footnote-ref-4)
5. Section 2 of the Police (Northern Ireland) Act 2000 (c. 32) [↑](#footnote-ref-5)
6. Section 51 of the Police (Northern Ireland) Act 1998 (c. 32) [↑](#footnote-ref-6)
7. Repealed by Serious Organised Crime and Police Act 2005 and Serious Crime Act 2007 (Consequential and Supplementary Amendments to Secondary Legislation) Order 2008/574 Sch.1 para.8(2)(a) (April 1, 2008) [↑](#footnote-ref-7)
8. Article 4 of the Prosecution of Offences (Northern Ireland) Order 1972 (S.I. 1972/538 (N.I. 1)) [↑](#footnote-ref-8)
9. Article 3 of the Probation Board (Northern Ireland) Order 1982 (S.I. 1982/713 (N.I. 10)) [↑](#footnote-ref-9)
10. Regulation 4 of the Guardians Ad Litem (Panel) Regulation (Northern Ireland) 1996 (S.R. 1996 No. 128) [↑](#footnote-ref-10)
11. Added by Serious Organised Crime and Police Act 2005 and Serious Crime Act 2007 (Consequential and Supplementary Amendments to Secondary Legislation) Order 2008/574 Sch.1 para.8(2)(b) (April 1, 2008) [↑](#footnote-ref-11)
12. Repealed by Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013/2318 Sch.1 para.47(2)(a) (October 7, 2013) [↑](#footnote-ref-12)
13. Substituted by Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013/2318 Sch.1 para.47(2)(b) (October 7, 2013) [↑](#footnote-ref-13)
14. Substituted by Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013/2318 Sch.1 para.47(2)(c) (October 7, 2013) [↑](#footnote-ref-14)
15. Repealed by Serious Organised Crime and Police Act 2005 and Serious Crime Act 2007 (Consequential and Supplementary Amendments to Secondary Legislation) Order 2008/574 Sch.1 para.8(3)(a) (April 1, 2008) [↑](#footnote-ref-15)
16. Added by Serious Organised Crime and Police Act 2005 and Serious Crime Act 2007 (Consequential and Supplementary Amendments to Secondary Legislation) Order 2008/574 Sch.1 para.8(3)(b) (April 1, 2008) [↑](#footnote-ref-16)
17. Repealed by Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013/2318 Sch.1 para.47(3)(a) (October 7, 2013) [↑](#footnote-ref-17)
18. Substituted by Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013/2318 Sch.1 para.47(3)(b) (October 7, 2013) [↑](#footnote-ref-18)
19. Possible drafting error - art.2(f)(xx) is purportedly substituted but that provision does not exist and therefore the amendment is applied to art.2(f)(xviii) by Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013/2318 Sch.1 para.47(3)(c) (October 7, 2013) [↑](#footnote-ref-19)
20. Repealed by Serious Organised Crime and Police Act 2005 and Serious Crime Act 2007 (Consequential and Supplementary Amendments to Secondary Legislation) Order 2008/574 Sch.1 para.8(4)(a) (April 1, 2008) [↑](#footnote-ref-20)
21. Added by Serious Organised Crime and Police Act 2005 and Serious Crime Act 2007 (Consequential and Supplementary Amendments to Secondary Legislation) Order 2008/574 Sch.1 para.8(4)(b) (April 1, 2008) [↑](#footnote-ref-21)
22. Repealed by Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013/2318 Sch.1 para.47(4)(a) (October 7, 2013) [↑](#footnote-ref-22)
23. Substituted by Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013/2318 Sch.1 para.47(4)(b) (October 7, 2013) [↑](#footnote-ref-23)
24. Added by Serious Organised Crime and Police Act 2005 and Serious Crime Act 2007 (Consequential and

    Supplementary Amendments to Secondary Legislation) Order 2008/574 Sch.1 para.8(5) (April 1, 2008) [↑](#footnote-ref-24)
25. Words substituted by Crime and Courts Act 2013 c. 22 Sch.8(4) para.190 (October 7, 2013) [↑](#footnote-ref-25)
26. Added by Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013/2318 Sch.1 para.47(5) (October 7, 2013) [↑](#footnote-ref-26)
27. Words inserted by Debt Relief Act (Northern Ireland) 2010 (Consequential Amendments) Order (Northern Ireland) 2016/108 Sch.1(2) para.39(a) (March 7, 2016) [↑](#footnote-ref-27)
28. Substituted by Insolvency (Northern Ireland) Order 2005 (Consequential Amendments) Order (Northern Ireland) 2015/159 Sch.1(2) para.32(2)(a) (April 21, 2015) [↑](#footnote-ref-28)
29. Words inserted by Debt Relief Act (Northern Ireland) 2010 (Consequential Amendments) Order (Northern Ireland)2016/108 Sch.1(2) para.39(b) (March 7, 2016) [↑](#footnote-ref-29)
30. Added by Insolvency (Northern Ireland) Order 2005 (Consequential Amendments) Order (Northern Ireland)

    2015/159 Sch.1(2) para.32(2)(b) (April 21, 2015) [↑](#footnote-ref-30)