Courts Act 2003

2003 CHAPTER 39

PART 6

JUDGES

Offices, titles, styles etc.

62 Head and Deputy Head of Civil Justice

(1) The Lord Chancellor must appoint a person to be Head of Civil Justice and may appoint a person to be Deputy Head of Civil Justice.

(2) No person may be appointed under subsection (1) unless he is—

(a) the Master of the Rolls,

(b) the Vice-Chancellor, or

(c) an ordinary judge of the Court of Appeal.

(3) A person appointed as Head of Civil Justice or Deputy Head of Civil Justice holds that office in accordance with the terms of his appointment.

63 Ordinary judges of the Court of Appeal

(1) In section 2 of the 1981 Act (the Court of Appeal), for subsection (3) substitute—

"(3) An ordinary judge of the Court of Appeal (including the vice-president, if any, of either division) shall be styled "Lord Justice of Appeal" or "Lady Justice of Appeal"."

(2) "The 1981 Act" means the Supreme Court Act 1981 (c. 54).

64 Power to alter judicial titles

(1) The Lord Chancellor may by order—

(a) alter the name of an office listed in subsection (2);

(b) provide for or alter the way in which the holders of any of those offices are to be styled.

(2) The offices are—

Admiralty Registrar
Assistant Recorder
Circuit judge
Deputy Circuit judge
Deputy district judge appointed under section 102 of the 1981 Act
Deputy district judge for a county court district
Deputy judge of the High Court
District judge for a county court district
District judge of the High Court
District judge of the principal registry of the Family Division
District probate registrar
Lord Chief Justice
Master of the Chancery Division
Master of the Court of Protection
Master of the Queen's Bench Division
Master of the Rolls
Ordinary judge of the Court of Appeal
President of the Family Division
Presiding Judge for a Circuit
Puisne judge of the High Court
Queen's Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals
Recorder
Registrar in Bankruptcy of the High Court
Senior Presiding Judge for England and Wales
Taxing Master of the Supreme Court
Vice-Chancellor
Vice-president of the Court of Appeal
Vice-president of the Queen's Bench Division.

(3) The Lord Chancellor may also by order provide for or alter the way in which deputies or temporary additional officers appointed under section 91(1)(a) of the 1981 Act are to be styled.

(4) Before making an order under this section the Lord Chancellor must consult—

(a) the Lord Chief Justice,
(b) the Master of the Rolls,
(c) the President of the Family Division, and
(d) the Vice-Chancellor.

(5) An order under this section may make such provision as the Lord Chancellor considers necessary in consequence of any provision made under subsection (1) or (3).

(6) The provision that may be made under subsection (5) includes provision amending, repealing or revoking any enactment.

Flexibility in deployment of judicial resources

65 District Judges (Magistrates' Courts) as Crown Court judges etc.

(1) In section 8(1) of the 1981 Act (persons who are judges of the Crown Court), in paragraph (b) for "or Recorder" substitute ", Recorder or District Judge (Magistrates' Courts)".

(2) Schedule 4 contains amendments conferring functions on District Judges (Magistrates' Courts).

(3) References in any enactment, instrument or other document to a district judge or deputy district judge do not include—
  (a) a District Judge (Magistrates' Courts), or
  (b) a Deputy District Judge (Magistrates' Courts).

66 Judges having powers of District Judges (Magistrates' Courts)

(1) Every holder of a judicial office specified in subsection (2) has the powers of a justice of the peace who is a District Judge (Magistrates' Courts) in relation to—
  (a) criminal causes and matters, and
  (b) family proceedings as defined by section 65 of the 1980 Act.

(2) The offices are—
  (a) judge of the High Court;
  (b) deputy judge of the High Court;
  (c) Circuit judge;
  (d) deputy Circuit judge;
  (e) recorder.

(3) For the purposes of section 45 of the 1933 Act, every holder of a judicial office specified in subsection (2) is qualified to sit as a member of a youth court.

(4) For the purposes of section 67 of the 1980 Act—
  (a) a judge of the High Court or a deputy judge of the High Court is qualified to sit as a member of a family proceedings court to hear family proceedings of any description, and
  (b) a Circuit judge, deputy Circuit judge or recorder is qualified to sit as a member of a family proceedings court to hear family proceedings of any description if he has been nominated to do so by the President of the Family Division.

67 Removal of restriction on Circuit judges sitting on certain appeals

Section 56A of the 1981 Act (Circuit judges not to sit on certain appeals) ceases to have effect.