



Matrimonial and Family Proceedings Act 1984

1984 CHAPTER 42

[^{F1}PART 4A

THE FAMILY COURT]

[^{F1}31C Judges

- (1) A person is a judge of the family court if the person—
- (a) is the Lord Chief Justice,
 - (b) is the Master of the Rolls,
 - (c) is the President of the Queen's Bench Division,
 - (d) is the President of the Family Division,
 - (e) is the Chancellor of the High Court,
 - (f) is an ordinary judge of the Court of Appeal (including the vice-president, if any, of either division of that court),
 - (g) is the Senior President of Tribunals,
 - (h) is a puisne judge of the High Court,
 - (i) is a deputy judge of the High Court,
 - (j) is a Circuit judge,
 - (k) is the Judge Advocate General,
 - (l) is a Recorder,
 - (m) holds an office listed—
 - (i) in the first column of the table in section 89(3C) of the Senior Courts Act 1981 (senior High Court Masters etc), or
 - (ii) in column 1 of Part 2 of Schedule 2 to that Act (High Court Masters etc),
 - (n) is a district judge (which, by virtue of section 8(1C) of the County Courts Act 1984, here includes a deputy district judge appointed under section 8 of that Act),

Changes to legislation: There are currently no known outstanding effects for the Matrimonial and Family Proceedings Act 1984, Section 31C. (See end of Document for details)

- (o) is a deputy district judge appointed under section 102 of the Senior Courts Act 1981,
- (p) is a Chamber President, or a Deputy Chamber President, of a chamber of the Upper Tribunal or of a chamber of the First-tier Tribunal,
- (q) is a judge of the Upper Tribunal by virtue of appointment under paragraph 1(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007,
- (r) is a transferred-in judge of the Upper Tribunal (see section 31(2) of that Act),
- (s) is a deputy judge of the Upper Tribunal (whether under paragraph 7 of Schedule 3 to, or section 31(2) of, that Act),
- (t) is a judge of the First-tier Tribunal by virtue of appointment under paragraph 1(1) of Schedule 2 to that Act,
- (u) is a transferred-in judge of the First-tier Tribunal (see section 31(2) of that Act),
- (v) is a member of a panel of Employment Judges established for England and Wales or for Scotland,
- (w) is a person appointed under section 30(1)(a) or (b) of the Courts-Martial (Appeals) Act 1951 (assistants to the Judge Advocate General),
- (x) is a District Judge (Magistrates' Courts), or
- (y) is a justice of the peace who is not a District Judge (Magistrates' Courts),

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...

(2) A decision of the family court, if made by or by persons who include—

- (a) a judge within subsection (1)(a) to (i),
- (b) a person who has been a judge of the Court of Appeal, or
- (c) a person who has been a puisne judge of the High Court,

is (so far as relevant) to be followed by a judge within subsection (1)(j) to (y), and by a [F3 person authorised under section 67B(2) of the Courts Act 2003,] when carrying out functions of the family court unless doing so with a person within paragraphs (a) to (c) of this subsection.

(3) A fee-paid, or unsalaried, part-time judge of the family court may not act as a judge of the court in relation to any proceedings in the court in which the judge, or a partner or employer of the judge, or a body of which the judge is a member or officer, or a body of whose governing body the judge is a member, is directly or indirectly engaged as legal representative or agent for any party.

(4) In this section “legal representative” means a person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which constitutes the exercise of a right of audience or the conduct of litigation (within the meaning of that Act).]

Textual Amendments

- F1** Ss. 31B-31P inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 1](#); [S.I. 2014/954](#), art. 2(d) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F2** Words in s. 31C(1) omitted (10.3.2022 for specified purposes, 1.10.2022 in so far as not already in force) by virtue of [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), s. 131(1)(4)(c), [Sch. 4 para. 7](#); [S.I. 2022/1014](#), reg. 2(d) (with [reg. 3](#))
- F3** Words in s. 31C(2) substituted (6.4.2020) by [Courts and Tribunals \(Judiciary and Functions of Staff\) Act 2018 \(c. 33\)](#), s. 4(3), [Sch. para. 13](#); [S.I. 2020/24](#), reg. 3(b)

Changes to legislation:

There are currently no known outstanding effects for the Matrimonial and Family Proceedings Act 1984, Section 31C.