



Administration of Justice Act 1964

1964 CHAPTER 42

PART I

GREATER LONDON

Miscellaneous and Supplementary

20 Extension of jurisdiction of magistrates' courts to try offences

A magistrates' court for a London commission area by which a person is tried for an offence shall have jurisdiction to try him for any summary offence for which he could be tried by a magistrates' court for any other London commission area.

21 Juries

- (1) Without prejudice to section 2(3) of this Act but subject to the following provisions of this section, each of the London commission areas shall be treated as a county for the purposes of the Juries Acts 1825 to 1954 and any other enactment relating to juries or jurors; and references in any such enactment to the body of a county shall be construed accordingly.
- (2) The foregoing subsection shall not apply to any reference to a county adapted by any provision of this Act other than that subsection or section 2(3) of this Act and, in particular, shall not apply to any reference to the sheriff or under-sheriff of a county.
- (3) Notwithstanding anything in section 1 of the Juries Act 1825, any person qualified and liable to serve as a juror for any of the London commission areas or the City shall be qualified and liable to serve as a juror for the trial in the High Court (within Greater London) or the Central Criminal Court of any issue other than one to be tried by a special jury; and references in the enactments mentioned in subsection (1) of this section to a county or body of a county shall, in relation to jurors for the trial of such issues, be construed as references to Greater London.

- (4) The judges of the Central Criminal Court may issue precepts to the sheriffs of the City and the sheriff of Greater London directing them to summon and return for the City or Greater London, as the case may be, a sufficient number of persons, qualified according to law, to serve as jurors at the Central Criminal Court.
- (5) The Juries Act 1825 shall have effect subject to the following additional modifications:
- (a) in section 1 for the reference to the county of Middlesex there shall be substituted a reference to Greater London other than the City;
 - (b) sections 37 and 52 shall apply to Greater London as if it were a county;
 - (c) a person who has served as a juror at the High Court or the Central Criminal Court shall be exempt under section 42 from jury service in the High Court and the Central Criminal Court for the same period as a person who has served as a juror at a court of assize in one of the counties not specified in that section is exempt from jury service in a court of assize in that county, and accordingly so much of that section as makes special provision for jurors at the High Court and the Central Criminal Court shall cease to have effect.
- (6) In the application to a London commission area of section 1 of the Juries Act 1922 (jurors books), the references in subsections (7) to (9) of that section to the clerk of the county council shall be construed as references to the clerk of the peace.
- (7) In section 4 of the Juries Act 1949 (which defines the appropriate local treasurer and the appropriate local fund for the purpose of making certain payments under that Act), for paragraph (c) there shall be substituted the following paragraph:—
- “(c) in relation to a payment in respect of jury service at the Central Criminal Court or the court of quarter sessions for a London commission area, the treasurer to the Greater London Council and the general fund of that Council; ” and in paragraph (d) after the words “ quarter sessions ” there shall be inserted the words “ other than the court for a London commission area ”.”
- (8) Any sum falling to be defrayed by virtue of subsection (7) of this section out of the general fund of the Greater London Council in respect of jury service at the court of quarter sessions for a London commission area shall be chargeable only on the London boroughs.
- (9) Sections 112 and 113 of the Common Law Procedure Act 1852 (special jurors) shall cease to have effect.

22 The probation service

- (1) Paragraph 7(1) of Schedule 5 to the Criminal Justice Act 1948 (special provisions as to the probation system in the metropolitan police court area) shall cease to have effect; and subject to the following provisions of this section that Schedule shall apply in the inner London area as it applies outside Greater London.
- (2) The Secretary of State shall make provision by order under paragraph 1 of the said Schedule 5 for combining in one probation area all of the petty sessional divisions of the inner London area; and the probation committee for that area shall consist of the following members:—
- (a) such number of the judges of the Central Criminal Court, appointed in such manner, as may be prescribed by the order;

- (b) such number as may be so prescribed of persons holding office as whole-time chairman or deputy chairman of the court of quarter sessions for the inner London area, nominated by the chairman of the court;
 - (c) such number as may be so prescribed of metropolitan stipendiary magistrates, nominated by the chief metropolitan stipendiary magistrate;
 - (d) such number as may be so prescribed of lay justices for the petty sessional divisions of the area, chosen, in such manner as may be so prescribed, by the lay justices for those divisions ;
 - (e) such number as may be so prescribed of the members of the juvenile courts panel for the inner London area and the City, chosen in such manner as may be so prescribed.
- (3) The provisions of the said Schedule with respect to the constitution, procedure and functions of case committees shall not apply to the inner London area except so far as applied by the following provisions of this subsection; but—
- (a) the probation committee may appoint such case committees, constituted in such manner and for such areas within the probation area, as the probation committee may determine, and shall pay the expenses of any case committee appointed under this subsection; and
 - (b) any case committee so appointed shall exercise functions conferred on case committees for areas elsewhere than the inner London area by paragraph 3(6) of the said Schedule to such extent and in such cases as may be determined by the probation committee.
- (4) In the case of any probation committee for the inner London area, there shall be paid out of the metropolitan police fund such sums as the Secretary of State may direct to meet the expenses and contributions which, in the case of a probation area outside Greater London, would be payable by the local authority; and paragraph 5 of the said Schedule shall not apply to such expenses and contributions.
- (5) Any expenditure incurred in relation to a probation area in any outer London area by the Greater London Council by virtue of the said paragraph 5 shall be chargeable only on the outer London boroughs.

23 Superannuation of chairmen of quarter sessions

- (1) Section 22 of, and Schedule 4 to, the Administration of Justice (Pensions) Act 1950 shall apply to the whole-time chairman and deputy chairmen of the court of quarter sessions for a London commission area as they apply to the chairman and deputy chairmen of the existing court of quarter sessions for the county of London, but shall have effect subject to the following provisions:—
- (a) service as a salaried chairman or deputy chairman of the court of quarter sessions for the county of London or of Middlesex shall be treated for the purpose of determining whether any pension or other benefits are payable under or by virtue of the said section 22 in respect of service as chairman or deputy chairman of the court of quarter sessions for a London commission area, and of computing the amount of those benefits, as service in the latter capacity ;
 - (b) a chairman or deputy chairman of the court of quarter sessions for a London commission area who vacates his office at the end of the year of service in the course of which he attains the age of seventy-two years shall be treated for the purpose of the said section 22 as retiring after the end of that year ;

Status: This is the original version (as it was originally enacted).

- (c) in section 22(7) for the references to the London County Council there shall be substituted references to the Greater London Council.
- (2) Schedule 2 to this Act shall apply to a whole-time chairman or deputy chairman of the court of quarter sessions for a London commission area who, immediately before his appointment to the office of chairman or deputy chairman of that court or the court of quarter sessions for another such area, was a stipendiary magistrate.
- (3) A pension shall not be paid to any person in respect of his service as a stipendiary magistrate while serving as chairman or deputy chairman of the court of quarter sessions for a London commission area; and not more than one pension shall be paid to the same person in respect of his service as chairman or deputy chairman of the court of quarter sessions for a London commission area and in respect of his service as a stipendiary magistrate.
- (4) Subsection (3) of this section applies to any derivative benefit within the meaning of the Administration of Justice (Pensions) Act 1950 which depends upon eligibility for a pension as it applies to the pension.
- (5) Any pension payable under section 395 of the Middlesex County Council Act 1944 to or in respect of a person who has been chairman or deputy chairman of Middlesex quarter sessions shall be paid by the Greater London Council.

24 Superannuation of justices' clerks

- (1) The Secretary of State shall by regulations provide that one or other of the following codes, that is to say—
 - (a) the Metropolitan Police Staff (Superannuation), Acts 1875 to 1931, any enactments applied thereby and any instruments made under those Acts or enactments; or
 - (b) Schedule 3 to the Local Government Superannuation Act 1953 (which relates to the superannuation of justices' clerks and their staffs) and any regulations made thereunder,
 shall apply, with any necessary modifications, in relation to justices' clerks for the inner London area and other officers employed by the committee of magistrates.
- (2) Any regulations under this section may contain transitional and other consequential provisions (including provisions amending or repealing or revoking any enactment or any instrument made under an enactment), and in particular may make such transitional or other special provision as the Secretary of State thinks proper for preserving the rights of persons who, before the coming into operation of the regulations, were subject to enactments other than those applied by the regulations.
- (3) Regulations under this section may be made with retrospective effect to any date not being earlier than 1st April 1965.
- (4) No regulations shall be made under this section unless a draft thereof has been laid before Parliament and been approved by resolution of each House of Parliament.

25 Counties adjoining Greater London

- (1) Without prejudice to the power conferred by section 75 of the Supreme Court of Judicature (Consolidation) Act 1925 to hold a court of assize outside the county for

which the court is held, a court of assize for any county adjoining Greater London may be held at any place in Greater London.

- (2) For the purposes of commissions of assize and commissions of the peace and of the law relating to justices of the peace, quarter sessions, magistrates' courts, the *custos rotulorum*, lieutenants, sheriffs, juries, clerks of the peace and matters connected with any of those matters, the urban district of Potters Bar shall form part of the county of Hertfordshire and of the St. Alban division of that county and the urban districts of Staines and Sunbury-on-Thames shall form part of the county of Surrey.
- (3) Subsection (2) of this section shall not be construed as derogating from any power of Her Majesty with respect to the issue of commissions of assize and the regulation of circuits.
- (4) In this section " commission of assize " has the same meaning as in the Supreme Court of Judicature (Consolidation) Act 1925.

26 The Inner and Middle Temples

It is hereby declared that the Inner Temple and the Middle Temple are included in the City of London, and in no other area, for the purposes of the law relating to county courts, commissions of the peace, justices of the peace, quarter sessions, magistrates' courts, lieutenants, sheriffs, juries and matters connected therewith.