



# Courts Act 2003

## 2003 CHAPTER 39

### PART 6

#### JUDGES

##### *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.