

Senior Circuit Judge Job Description

1 PURPOSE OF OFFICE

- a) The purpose of judicial office is to administer justice in accordance with the laws of England and Wales;
- b) Circuit Judges swear the judicial oath (or affirm) that they "will well and truly serve our Sovereign Lady Queen Elizabeth the Second in the Office of a Circuit Judge and do right to all manner of people after the laws and usages of this Realm without fear or favour, affection or ill will";
- c) Senior Circuit Judges (Circuit Judges in Pay Band 5) are expected to carry out the full duties of a Circuit Judge together with additional leadership and administrative duties. They are also expected to hear particularly demanding or specialist cases.

2 MAIN ACTIVITIES OF A CIRCUIT JUDGE

The main activities of a Circuit Judge dealing with criminal cases in the Crown Court are as follows:

a) Preparing for trial and case management

- Reading and assimilating case papers before a hearing, or the trial, commences;
- Conducting preliminary hearings to identify and to determine procedural issues;
- Playing an active role in determining the way in which the case is to be handled and, as appropriate, managing its progress from committal to sentence;

b) Presiding over court proceedings

Controlling (in accordance with the relevant law and practice) the manner in which cases are conducted:

- Ensuring that parties are on an equal footing, and that, whether represented or not, they are enabled to have their cases presented, and have them considered, as fully and fairly as possible;
- Promoting in each case the most expeditious dispatch of business compatible with the interests of justice;
- Summing up to a jury;
- Maintaining the authority and dignity of the Court;
- Deciding issues of law and procedure which may arise during a case.

c) Sentencing

- Sentencing convicted defendants (including persons committed for sentence from the Magistrates' Courts) according to the law and the circumstances of the case.

Judgment

- Supervising the wording of the judgments and orders of the Court.

Appeals

- Hearing appeals from the Magistrates' Courts (with lay justices).

d) Other work

Other duties include, for example:

- Assessing costs and reviewing detailed assessments;
- Determining applications for permission to appeal;
- Dealing with bench warrants;
- Hearing bail applications.

3 OTHER RESPONSIBILITIES

Keeping abreast of legal developments

- Circuit Judges need to keep abreast of legal developments. This entails a substantial amount of reading not directly connected with the cases which they are trying;
- Circuit Judges attend Judicial Studies Board refresher seminars, and circuit-based events such as sentencing conferences.

Other judicial and public duties

- One Circuit Judge acts as Resident Judge at each Crown Court Centre, overseeing the disposal of judicial business and listing at that Centre, offering support and guidance to the full-time and part-time judiciary at that Centre and providing links between them and (a) the Presiding Judges and (b) the administration;
- Some Circuit Judges may act as the Senior Circuit Judge for the county courts in a certain area;
- Some Circuit Judges sit as judges of the High Court under s.9 of the Supreme Court Act 1981;
- Some Circuit Judges preside over Mental Health Review Tribunals, or act for a period as Presidents of other Tribunals;
- Some Circuit Judges may from time to time undertake a variety of other public duties, e.g:

- To serve on Probation Committees;
- To act as members or tutors of the Judicial Studies Board and to oversee Recorders in training;
- To liaise with and/or train magistrates.
- To chair Court User Committees;
- To chair Area Criminal Justice Liaison Committees;
- To sit as members of Rules Committees;
- To serve on various advisory committees and other bodies.

4 JURISDICTION

- The Crown Court has exclusive jurisdiction in trials on indictment - that is the trial, at first instance, of all criminal offences, which are not tried by Magistrates' Courts. The Crown Court also sentences persons convicted by Magistrates' Courts but who are committed to the Crown Court because the magistrates are of the opinion that a more severe sentence may be called for than they have power to pass;
- The Crown Court also has an appellate jurisdiction which comprises mainly appeals from magistrates' courts in criminal matters and Youth Court proceedings, but also includes some appeals in civil matters. The most important such appeals are those in relation to licensing and betting and gaming cases;
- In the Crown Court, cases are classified into 4 classes under directions made by the Lord Chief Justice. Those in classes 1 and 2 are nominally reserved for trial by High Court Judges. In class 1, however, many cases of murder, or of incitement, attempt or conspiracy to commit murder, are in practice tried by authorised Circuit Judges, whilst in class 2, the great majority of offences, other than piracy, mutiny, sedition and offences under the Geneva Convention, are tried by authorised Circuit Judges. Class 2 includes most serious sexual offences, along with manslaughter and child destruction;
- Cases in class 3 i.e. fraud cases, might be tried by a High Court Judge or, in accordance with general or particular directions given by a Presiding Judge, by a Circuit Judge or by a Recorder who had attended a Judicial Studies Board continuation seminar and had been duly authorised by a Presiding Judge;
- Cases in class 4 i.e. all other offences, might be tried by a High Court Judge, a Circuit Judge or a Recorder (including a Recorder who had not attended a continuation seminar as referred to above). A case in class 4 could not be listed for trial by a High Court Judge except with the consent of that Judge or of a Presiding Judge;
- In relation to indictable offences, the right of appeal lies against conviction or sentence from the Crown Court to the Court of Appeal, Criminal Division subject to leave, unless a Certificate of Appeal has been issued by the trial judge. The right of appeal in appellate matters lies by way of case stated to the Divisional Court of the Queen's Bench Division except in relation to certain matters such as licensing, where the decision of the Crown Court is final.