

## **GENERAL RESPONSIBILITIES OF ALL RESIDENT AND DESIGNATED JUDGES**

### **Leadership**

1. The general responsibility of a Resident Judge, a Designated Civil Judge and Designated Family Judge is to provide, under the overall responsibility of the Presiding and Family Division Liaison Judges (as set out in paragraph 6) leadership to the judiciary, full- or part-time, within the court centre or group of courts, in particular in respect of the judicial work of that centre or group.

### **Allocation and despatch of the business of the court**

2. The Resident Judges and the Designated Civil and Designated Family Judges have the general responsibility, subject to the guidance of the Presiding Judges and Family Division Liaison Judges, within the court centre or group of courts for the allocation of criminal, civil and family judicial work (as the case may be), to ensure the just and efficient despatch of the business of the court or group of courts. This includes:
  - a. The overseeing of the deployment of allocated judges at the court or group, including the distribution of work between all the judges allocated to that court. He will be given by the Presiding Judge an input into the preparation and organisation of annual sitting plans of all the judges expected to be deployed to that court centre or group (see paragraph 4). He will also be expected to liaise on deployment regularly with the Designated Civil Judge or Designated Family Judge or Resident Judge (as the case may be) within the court centre or group throughout the year and on other matters of mutual interest, including:
    - i. Arrangements for the flexible transfer of judges between civil, family and criminal business where a list “goes short” on a particular day.
    - ii. Arrangements for the regular exchange of information about cases in one jurisdiction that may affect the work of another jurisdiction.
  - b. Determining the listing practice in accordance with the directions and guidance of the Lord Chief Justice, the Head of Civil Justice or the President (after ensuring that interested parties have an opportunity to make representations about listing practices and taking into account any representations which may from time to time be made), and directing the listing, in liaison with the listing officer, so as to ensure that, as far as possible, all cases are brought to a hearing or trial with the minimum of delay and in accordance with the interests of justice, that they are heard by an appropriate judge and that the available judiciary is fully and effectively deployed, consistent with the needs of the witnesses.
  - c. Reviewing on a regular basis the information in relation to the business of the court, including waiting times, indicators and targets, and taking, so far as resources permit, any remedial action necessary and appropriate.
  - d. Giving guidance where necessary for the efficient conduct of the business of the court. This will include encouraging all judges to adopt the same policy and consistency of approach to applications to adjourn, and to

practices that cause delay or inefficiency in the dispatch of business of the court.

- e. Ensuring that cases and applications of particular importance or sensitivity are heard by a judge specifically assigned to that case;
- f. Seeking from the Presiding Judges or Family Division Liaison Judges releases on High Court cases where necessary, or reviewing applications for release in accordance with arrangements made by the Presiding Judges or Family Division Liaison Judges.
- g. Seeing that there are arrangements for all cases to be made subject to effective and consistent case management.
- h. Supervising under the directions of the Lord Chief Justice, the Head of Civil Justice and the President and the guidance of the Presiding Judges and Family Division Liaison Judges transfers of cases to or from other courts, court centres or group of courts. Responsibility for transfer between Circuits is that of the Presiding Judges.
- i. Encouraging (where available and permitted) the use of Information technology, including video and telephone conferencing.
- j. Writing (for publication) the Annual Report for the court centre or group in accordance with guidance given by the Senior Presiding Judge.

### **The judicial team**

- 3. There is a general responsibility for the judicial team. This includes:
  - a. Maintaining regular contact with all the other judges and providing support for the permanent judges, including career advice, and offering help if difficulties become apparent relating to health or well-being.
  - b. Consulting the Circuit and District Judges in relation to matters for which he is responsible.
  - c. Providing references or information in respect of those applying for judicial appointment or promotion.
  - d. Making recommendations to the Presiding or Family Liaison Judges for authorisations to try specific types of case in the High Court, Crown Court and County Court.
  - e. Making arrangements for the dissemination of important matters of law and practice of which the judicial team might otherwise be unaware.
  - f. Determining, having regard to experience, the type of cases each part-time judge should try at Circuit Judge level and, in consultation with the full time District Judges, at District Judge level.
  - g. Making appropriate arrangements for bringing local issues to the attention of the judiciary at the court centre or group, particularly part-time judges.

- h. Facilitating overall arrangements for the mentoring and training of part-time judges, and ensuring that arrangements are in place for "sitting-in" and "supervised sittings". Detailed arrangements for mentoring, training, "sitting in" and "supervised sittings" will be handled by the Association of District Judges (for District Judges and Deputy District Judges), the JSB, or the administration, as the case may be for the judge concerned
- i. Making arrangements for advising part-time judges if mistakes are made on procedural or technical points.
- j. Liaising with the judges and court manager to ensure there is a system for the co-ordination, wherever possible, of absences, whether for holidays or professional and other commitments.
- k. Appointing one or more persons to exercise his responsibilities when he is away.
- l. Informing the Presiding or Family Liaison Judges of any concerns about any member of the judicial team or the unsuitability of part-time judges to try particular types of case. Procedures in respect of complaints are set out separately; these are currently to be found in the Complaints Protocol.
- m. Dealing with queries by judges and staff in relation to problems and matters of policy within the court centre or group.

#### **Deployment of judges to the Court**

- 4. The Resident and Designated Judges are responsible for:
  - a. Discussing, in accordance with arrangements made by the Presiding Judges, the sitting plans and deployment of judges and part-time judges<sup>1</sup> to the court centre or group so as to ensure, as far as resources permit, that there is an adequate complement of appropriate judges and part-time judges at the court centre or courts within the group.
  - b. Reviewing with the Circuit/Regional Director the plans and deployment arrangements produced, and discussing with the Presiding Judges any concerns on sitting patterns which might affect the efficient despatch of the business of the court.
  - c. Discussing with the Presiding Judges the judicial requirements for the court centre or courts within the group, including requirements when new appointments are contemplated and regular reviews of the distribution of the judiciary between courts within the group.

#### **The court administrative staff**

- 5. The Resident and Designated Judge:
  - a. Is expected to hold regular meetings with the Circuit/Regional Director and Area Director under arrangements agreed with the administration to discuss issues such as:

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<sup>1</sup> It is of particular importance that details of the experience of part-time judges who may sit in civil work in any group of courts is made known to the Designated Civil Judge for that group of courts on a regular basis. The deployment of part-time judges must be discussed with the Designated Civil Judge in advance of the sitting of each part-time judge being confirmed.

- i. The provision of proper court security
  - ii. Staff appointments and numbers
  - iii. Budgetary issues
  - iv. Accommodation issues
  - v. Deployment and sitting days
  - vi. The timeliness of and accuracy in the drawing up of Orders
  - vii. The appointment, transfer or removal of the court manager, listing officer, diary manager and case progression officer at the Court or Courts for which he is responsible
- b. Should be consulted about any plans for the acquisition, extension, maintenance, fitting out or re-arrangement of any accommodation at the court or courts for which he is responsible.

### **Presiding and Family Division Liaison Judges**

6. The Resident and Designated Judges have the responsibility for:
- a. Liaising with the Presiding or Family Division Liaison Judges regularly on the business of the court or group and informing them of any concerns or problems which cannot be dealt with locally.
  - b. Assisting the Presiding Judges and the Family Division Liaison Judge with their responsibilities for the administration of justice on the circuit.

### **Liaison work**

7. As noted at paragraph 6, the manner of coordination of representation, liaison and similar responsibilities as between the judges within each Area will be determined by the Presiding Judges.
8. In addition, there will usually be a need to provide for:
- a. Chairing (or making arrangements for chairing) relevant committees: in particular the Court Users' Committee, and maintaining liaison with the local Law Societies, the Bar, court users, and other courts within the group as appropriate, in order to exchange information and promote best practice.
  - b. Maintaining liaison with the JSB on training issues, and discussing through the Area Judicial Forum participation in Area Training Committees where appropriate.
  - c. Maintaining contact with other Resident and Designated Judges in relation to problems and matters of mutual interest or concern.
  - d. Performing such civic responsibilities as are required, and maintaining relations with the High Sheriff and Lord Lieutenant, and with appropriate members and officers of the local authorities; assisting with welcoming visitors to the Court.
  - e. Ensuring that there are in place proper arrangements with the local media, involving the Press Office where necessary. Advice on this should be sought from the Presiding Judges.

- f. Facilitating arrangements for open days, schools liaison and visits to courts.
- g. Making arrangements for responses to requests for interviews with judges in connection with research, provided that such requests have been specifically approved in writing by the Lord Chief Justice, the President, the Deputy Chief Justice, the Deputy Head of Civil Justice or Senior Presiding Judge, and the Presiding Judges are informed before the interview takes place.

### **SPECIFIC RESPONSIBILITIES OF THE RESIDENT JUDGE**

- 9. In addition to the general responsibilities set out above, a Resident Judge has the responsibility for the allocation of business:
  - a. Implementing and supervising of Directions for the allocation of business given by the Lord Chief Justice and the Presiding Judges.
  - b. Ensuring continuity where necessary in a specific case by allocating preliminary hearings to the same judge, and ensuring where possible that he should also hear the case.
  - c. Informing the Presiding Judges in accordance with directions given by them of (1) all cases where the estimated length of trial is longer than four weeks (or such other period as the Presiding Judges may specify); and (2) any cases likely to give rise special public or media interest.
  - d. Assisting the Presiding Judges in the management of major cases, including murders, major sexual offences and complex frauds, and ensuring that proper arrangements are in place for cases involving vulnerable witnesses.
  - e. Closely supervising the work of his court centre(s), (including PDHs, Narey hearings and mentions), and giving such directions as are necessary for the proper preparation and pre-trial management of cases.
  - f. Ensuring that any applications for armed police are passed as quickly as possible to the Presiding Judges.
- 10. In addition to the specific responsibilities set out above, he has an overall responsibility for dealing with matters relating to the despatch of all the business of the court:
  - a. For ensuring that arrangements are in place for bringing to trial all criminal cases with the minimum of delay, and that any not brought to trial within 16 weeks of committal or transfer are closely monitored and reports provided regularly to the Presiding Judge.
  - b. For the monitoring of cracked and ineffective trials, and for taking steps to explore ways of reducing the incidence of such cases.
  - c. For monitoring the figures for witness waiting times and discussing with those responsible the means for reducing these.

- d. For monitoring cases involving persistent young offenders and persistent offenders, custody time limits and long-outstanding cases.
  - e. For nominating judges to review DTTOs in any case where the sentencing judge has not reserved this to himself.
11. He has a specific responsibility for making arrangements for dealing with a wide range of applications including:
- a. Adjournments
  - b. Enhanced representation or changes to representation orders
  - c. Appeals out of time
  - d. Bail variations
  - e. Extensions of time for the service of papers
  - f. Deferment or excusal from jury service
  - g. Proceeds of Crime Act
  - h. Custody time limits in any case not allocated to a judge
  - i. Special Measures
  - j. Service of psychiatric reports
12. The liaison work is particularly important and specifically includes:
- a. Coordinating, in the way agreed with the Presiding Judges, the judicial representation on and liaison with the Local Criminal Justice Board, the Magistracy (through the Magistrates' Liaison Judge), the Advisory Committee, the Probation Board (and NOMS), the Youth Offending Team and other similar bodies. The Resident Judge (or one of them) will generally be the representative of the judiciary to the Local Criminal Justice Board.
  - b. Discussing with Chief Crown Prosecutors, Chief Constables, Chief Probation Officers, and representatives of the professions issues concerning the administration of criminal justice.
  - c. Encouraging and supporting the work of the Witness Service and providing appropriate assistance in relation to the maintenance of their independence and the confidentiality of their work.
  - d. Encouraging and supporting the work of the Probation Service and the court probation officer and any voluntary groups or agencies, and ensuring that what they can offer is made known to the judiciary.
  - e. In conjunction with the court manager, giving leadership, support and encouragement to all staff of HMCS, security, PECS staff, police liaison officers and others who work regularly at the court.
  - f. Encouraging and supporting the work of the Diversity and Community Relations Judges.
  - g. Encouraging visits to prisons.