



JUDICIARY OF
ENGLAND AND WALES

RESIDENT JUDGES: JOB DESCRIPTION

Purpose of Role

- The purpose of judicial office is to administer justice in accordance with the laws of England and Wales.
- 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 Justice of Her Majesty's High Court ... and do right to all manner of people after the laws and usages of this Realm without fear or favour, affection or ill will".
- Every Crown Court has a Resident Judge who is responsible for it, although in some cases at small courts that Judge may be based at a different court in the area. Resident Judges are Circuit Judges, or in some cases Senior Circuit Judges, who are responsible for leading the judiciary at the courts they are responsible for, and for ensuring the efficiency and effectiveness of the discharge of judicial business at those courts.
- The Lord Chief Justice has delegated powers of authority and through the delegation of these to Presiding Judges and others the Resident Judge has a pivotal role in ensuring that each court is run as efficiently and effectively as possible and that the other judges and the staff at the court play their part.
- Resident Judges assist the Presiding Judges of each Circuit. They in turn assist the Lord Chief Justice through the Senior Presiding Judge in discharging his overall responsibility for representing the views of the judiciary; for maintaining appropriate arrangements for the welfare, training and guidance of the judiciary; and for maintaining arrangements for the deployment of the judiciary and the allocation of work within the courts.
- The scale of a Resident Judges' administrative, leadership and other responsibilities varies widely. In some cases Resident Judges are also the Honorary Recorders of major cities, and have civic responsibilities, as well as responsibility for the judicial administration of criminal justice in a large area, with large numbers of court rooms and other salaried and fee-paid judges. Other Resident Judges may sit in a two-judge court.

- With the agreement of the designated Family or Civil Judge for the area, and where that judge is not at hand, the Resident Judge may provide some local judicial leadership support in relation to other members of the judiciary at his court.

Key Responsibilities

- 1. Leading the judiciary at the court centre:** Resident Judges are responsible for leading the judges in their court to ensure its efficient and effective operation. Knowing their strengths and weakness, they will encourage other judges to give of their best to ensure the highest possible performance for the court centre. They should:
 - a. hold regular structured meetings with all those sitting regularly at the court centre to discuss court performance and encourage consistent practices;
 - b. keep other judges based at the court centre informed about court performance, disseminate any guidance and good practice and ensure that it is put into practice consistently;
 - c. ensure monthly performance statistics are analysed and steps taken to address issues;
 - d. maintain regular contact with other judges including any of those who are off sick;
 - e. deal appropriately with any work or other problems which arise, and in cases where another judge's performance gives cause for concern, meet to discuss the issue and support the judge in identifying the difficulty and in finding ways to overcome it; and if necessary bring the issue to the attention of the Presiding Judge;
 - f. assist in the deployment of fee-paid judiciary in accordance with the needs of the court, and support effective arrangements for the mentoring and training of fee-paid judges, including "sitting-in" and "supervised sittings".
- 2. Case management:** Resident Judges are responsible for ensuring effective case management within the court centre as well as managing their own cases and caseload. This includes working with other judges at the court centre to ensure that work is done in accordance with current guidelines and good practice, and action is taken to improve performance to enable the court to discharge its business promptly and effectively.
- 3. Working with the court staff:** Resident Judges are responsible for maintaining close working relationships with the court manager and other staff to ensure that cases are listed effectively and the business of the court is done as efficiently as possible.

4. **Supporting the Magistracy:** Resident Judges are expected to provide leadership to the magistracy ensuring good communication between the Magistrates' Courts and the Crown Court. In partnership with the liaison judge(s) they should act as a source of advice when appropriate and maintain regular contact with the chairmen or chairwomen of the benches in the relevant area and, if necessary, the appropriate representatives of the Magistrates' Association.

5. **Act as the key liaison point with the Presiding Judges and other members of the judiciary:** Resident Judges are the key link between judges in their court centre and the Presiding Judges, and through them to the Senior Presiding Judge and Lord Chief Justice. They advise the Presiding Judges on matters such as ticketing, deployment and appointments. They are asked about the needs of the court in relation to any vacancies, and may be asked for views on candidates for judicial appointment. They advise the Presiding Judges about any problems at the court, resources, individual issues and, also, any problems arising in relation to new laws, practices or procedures.

6. **Maintain and build relationships with others involved in the justice system and more widely:** Resident Judges are the public face of the judiciary at the court centre. For example they are expected to build and maintain relationships with others involved in the criminal justice system. These activities should be shared with other judges as appropriate.

7. **Seek advice and help where appropriate from the Presiding Judges, the Regional Secretariats, the Judicial Office, etc:** Resident Judges will build a network of contacts so they know where to go for advice and support. If in doubt, they can turn to Presiding Judges for views. Depending on the types of matters raised, the local Regional Secretariat or the Judicial Office may well be able to provide advice or support.

Below is a job description detailing the main activities of a Crown Court Circuit Judge. The duties of a Resident Judge should be read as a supplement to these.

CIRCUIT JUDGE JOB DESCRIPTION

Crown Court Only

1. The purpose of judicial office is to administer justice in accordance with the laws of England and Wales.
2. Circuit Judges swear the judicial oath (or affirm) that they “will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second Her Heirs and Successors according to law” and “will well and truly serve our Sovereign Lady Queen Elizabeth the Second in the Office of a Circuit Judge and [I] will do right to all manner of people after the laws and usages of this Realm without fear or favour, affection or ill will”.
3. The main activities of a Crown Court Circuit Judge are as follows:

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.
- The Court is required to further the overriding objective of the new case management procedures by dealing with cases efficiently and expeditiously, including by active management. Active case management includes:
 - the early identification of the real issues;
 - the early identification of the needs of witnesses;
 - achieving certainty as to what must be done, by whom, and when, in particular by the early setting of a timetable for the progress of the case;
 - monitoring the progress of the case and compliance with directions;
 - ensuring that evidence, whether disputed or not, is presented in the shortest and clearest way;
 - discouraging delay, dealing with as many aspects of the case as possible on the same occasion, and avoiding unnecessary hearings;
 - encouraging the participants to co-operate in the progression of the case; and
 - making use of technology.
- Any necessary direction is to be given as early as possible.

(Further information about case management procedures can be found in the Criminal Procedure Rules 2010)

Presiding over Court proceedings:

- Controlling (in accordance with the relevant law and practice) the manner in which cases are conducted.
- Ensuring that the prosecution and defence 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.

Sentencing

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

Appeals

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

Other work

- Applications for bench warrants.
- Bail applications.
- Restraint and confiscation applications.
- Applications for witness summonses, evidence of bad character, special measures *etc.*
- Managing the list of floating cases and dealing with unexpected urgent court business.

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 College 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 sit as judges of the High Court under s.9 of the Senior Courts Act 1981.
- Some Circuit Judges preside in Restricted Patients cases in the mental health jurisdiction of the Health, Education and Social Care Chamber, or may be invited to act for a period as Acting Chamber Presidents of the First Tier Tribunal

- Circuit Judges will from time to time be required to undertake a variety of other public duties, such duties may include:
 - serve on Probation Committees.
 - act as members or tutors of the Judicial College and to oversee Recorders in training.
 - liaise with and/or train Magistrates.
 - chair Court User Committees.
 - chair Area Criminal Justice Liaison Committees.
 - sit as members of Rules Committees.
 - serve on various advisory committees and other bodies.