



Police and Magistrates' Courts Act 1994

1994 CHAPTER 29

PART IV

MAGISTRATES' COURTS

Justices' chief executives, justices' clerks and staff

78 Independence of justices' clerk and staff in relation to legal functions

After section 30 of the 1979 Act there shall be inserted—

“30A Independence of justices' clerk and staff in relation to legal functions

- (1) When exercising the functions specified in subsection (2) below or giving advice to justices of the peace in an individual case—
 - (a) a justices' clerk shall not be subject to the direction of the magistrates' courts committee, the justices' chief executive or any other person, and
 - (b) any member of the staff of a magistrates' courts committee shall not be subject to the direction of that committee or of the justices' chief executive (when acting as such).
- (2) The functions referred to in subsection (1) above are functions conferred by rules made in accordance with section 144 of the Magistrates' Courts Act 1980 by virtue of section 28(1) or (1A) of this Act.”