



# Justices of the Peace Act 1997 (repealed)

## 1997 CHAPTER 25

### PART VII

#### INSPECTION OF MAGISTRATES' COURTS SERVICE

#### **62 Inspectors of the magistrates' courts service.**

- (1) The Lord Chancellor may appoint such number of inspectors of the magistrates' courts service (to be known collectively as "Her Majesty's Magistrates' Courts Service Inspectorate") as he may consider appropriate.
- (2) The Lord Chancellor shall appoint one of the persons so appointed to be Her Majesty's Chief Inspector of the Magistrates' Courts Service.
- (3) It shall be the duty of inspectors of the magistrates' courts service—
  - (a) to inspect and report to the Lord Chancellor on the organisation and administration of magistrates' courts for each magistrates' courts committee area; and
  - (b) to discharge such other functions in connection with the organisation and administration of magistrates' courts as the Lord Chancellor may from time to time direct.
- (4) Her Majesty's Chief Inspector of the Magistrates' Courts Service shall make an annual report to the Lord Chancellor as to the discharge of the functions of the Inspectorate; and the Lord Chancellor shall, within one month of receiving the report, lay a copy of it before each House of Parliament.
- [<sup>F1</sup>(4A) If pursuant to this section a recommendation is made for the taking of any action by a magistrates' courts committee, the Lord Chancellor may give a direction requiring the committee to take the recommended action within a period specified in the direction.]
- (5) The Lord Chancellor shall make to or in respect of inspectors of the magistrates' courts service such payments by way of remuneration, allowances or otherwise as he may with the approval of the Treasury determine.

*Status: Point in time view as at 01/01/2000.*

*Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Part VII. (See end of Document for details)*

#### Textual Amendments

- F1** S. 62(4A) inserted (1.1.2000) by 1999 c. 22, s. 85 (with Sch. 14 para. 7(2)); S.I. 1999/3344, art. 2(c) (with art. 4, Sch. 2)

### 63 Powers of inspectors.

- (1) Subject to subsection (2) below, an inspector of the magistrates’ courts service exercising his functions under section 62 above shall have at all reasonable times—
  - (a) a right of entry to any court-house or other premises occupied by a magistrates’ courts committee; and
  - (b) a right to inspect, and take copies of, any records kept by a magistrates’ courts committee, and any other documents containing information relating to the administration of the magistrates’ courts for their area, which he considers relevant to the discharge of his functions.
- (2) Subsection (1) above does not entitle an inspector—
  - (a) to be present when a magistrates’ court is hearing proceedings in private; or
  - (b) to attend any private deliberations of the justices of the peace.
- (3) The records referred to in paragraph (b) of subsection (1) above include records kept by means of a computer; and an inspector exercising the power to inspect records conferred by that subsection—
  - (a) shall be entitled at any reasonable time to have access to, and inspect and check the operation of, any computer and associated apparatus or material which is or has been in use in connection with the records in question; and
  - (b) may require—
    - (i) the person by whom or on whose behalf the computer is or has been so used; or
    - (ii) any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material,to afford him such reasonable assistance as he may require.

**Status:**

Point in time view as at 01/01/2000.

**Changes to legislation:**

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