



Courts Act 2003

2003 CHAPTER 39

PART 5

INSPECTORS OF COURT ADMINISTRATION

58 Inspectors of court administration etc.

- (1) The Lord Chancellor may appoint such number of inspectors of court administration as he considers appropriate.
- (2) They are to be known collectively as “Her Majesty’s Inspectorate of Court Administration”.
- (3) The Lord Chancellor must appoint one of the persons so appointed to be Her Majesty’s Chief Inspector of Court Administration.
- (4) In this Part that person is referred to as “the Chief Inspector”.
- (5) The Lord Chancellor may make to or in respect of inspectors of court administration such payments by way of remuneration, allowances or otherwise as he may determine.
- (6) ^{F1}

Textual Amendments

- F1** S. 58(6) repealed (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. 157, 184, 188, Sch. 14 para. 78, [Sch. 18 Pt. 5](#); S.I. 2007/935, [art. 5\(w\)\(z\)\(gg\)\(ii\)](#)

59 Functions of inspectors

- (1) It is the duty of inspectors of court administration to—
 - (a) inspect and report to the Lord Chancellor on the system that supports the carrying on of the business of the courts listed in subsection (2) and the services provided for those courts;

Status: Point in time view as at 19/07/2007.

Changes to legislation: Courts Act 2003, Part 5 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- [^{F2}(b) discharge any other particular functions which may be specified in connection with the courts listed in subsection (2) in a direction given by the Lord Chancellor.]
- (2) The courts are—
- (a) the Crown Court,
 - (b) county courts, and
 - (c) magistrates' courts.
- (3) The Lord Chancellor may by order—
- (a) add to the list in subsection (2) any court having jurisdiction in the United Kingdom, other than one having jurisdiction only in relation to Scotland or Northern Ireland, and
 - (b) remove any court from the list.
- (4) [^{F3}The Lord Chancellor, before giving any direction under [^{F4}subsection (1)(b),] must consult the Chief Inspector.]
- (5) Nothing in this section is to be read as enabling inspectors to inspect persons—
- (a) making judicial decisions, or
 - (b) exercising any judicial discretion.

Textual Amendments

- F2** S. 59(1)(b) substituted (1.4.2007) for s. 59(1)(b)(c) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 157, 188, **Sch. 14 para. 79(2)**; S.I. 2007/935 {art. 5(w)(gg)}
- F3** S. 59(4) substituted (1.4.2005) by [The Transfer of Functions \(Children, Young People and Families\) Order 2005 \(S.I. 2005/252\)](#), **art. 4(4)**
- F4** Words in s. 59(4) substituted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 157, 188, **Sch. 14 para. 79(3)**; S.I. 2007/935, **art. 5(w)(gg)**

Modifications etc. (not altering text)

- C1** S. 59(4): functions transferred (1.4.2005) by [The Transfer of Functions \(Children, Young People and Families\) Order \(S.I. 2005/252\)](#), {art. 2(b)}
- C2** S. 59(5) applied (1.9.2005) (E.) by [The Children Act 2004 \(Joint Area Reviews\) Regulations 2005 \(S.I. 2005/1973\)](#), reg. 2, **Sch. para. 9(2)**

60 Functions of Chief Inspector

- (1) The Chief Inspector must make an annual report to the Lord Chancellor as to the discharge of the functions of Her Majesty's Inspectorate of Court Administration.
- (2) The Lord Chancellor may give directions as to—
- (a) the information to be included in the report,
 - (b) the form of the report, and
 - (c) the time by which the report is to be made.
- (3) The Lord Chancellor must, within one month of receiving the annual report, lay a copy of it before both Houses of Parliament.

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- (4) [^{F5}The Chief Inspector must report to the Lord Chancellor on any matter which the Lord Chancellor refers to him and which is connected with the courts listed in section 59(2).]
- (5) The Chief Inspector may designate an inspector of court administration to discharge his functions during any period when he is absent or unable to act.

Textual Amendments

F5 S. 60(4) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 157, 188, **Sch. 14 para. 80**; S.I. 2007/935, **art. 5(w)(gg)**

Modifications etc. (not altering text)

C3 S. 60(4): functions transferred (1.4.2005) by The Transfer of Functions (Children, Young People and Families) Order 2005 (S.I. 2005/252), **art. 2(c)**

61 Rights of entry and inspection

- [^{F6}(1) An inspector exercising functions under section 59 may enter any place of work occupied by persons provided under a contract made by the Lord Chancellor by virtue of section 2(4).
- (2) An inspector exercising functions under section 59 may inspect and take copies of any records kept by persons provided under such a contract which he considers relevant to the discharge of his functions.]
- (3) Subsection (1) does not entitle an inspector—
- to be present when a court listed in section 59(2) is hearing proceedings in private, or
 - to attend any private deliberations of persons having jurisdiction to hear or determine any proceedings.
- (4) The records referred to in subsection (2) include records kept by means of a computer.
- (5) An inspector exercising the power under subsection (2) to inspect records—
- is entitled 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
 - may require—
 - the person by whom or on whose behalf the computer is or has been used, or
 - 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.
- (6) The powers conferred by subsections (1), (2) and (5) may be exercised at reasonable times only.

Textual Amendments

F6 S. 61(1)(2) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 157, 188, **Sch. 14 para. 81**; S.I. 2007/935, **art. 5(w)(gg)**

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Modifications etc. (not altering text)

- C4** S. 61 applied (1.9.2005) (E.) by [The Children Act 2004 \(Joint Area Reviews\) Regulations 2005 \(S.I. 2005/1973\)](#), [reg. 2](#), [Sch. para. 9\(2\)](#)
- C5** S. 61(4)(5) applied (prosp.) by [Coroners and Justice Act 2009 \(c. 25\)](#), [ss. 39\(6\)](#), 182 (with s. 180, [Sch. 22 para. 38](#))

[^{F7}**61A Further provision about the inspectorate**

Schedule 3A (further provision about the inspectorate) has effect.]

Textual Amendments

- F7** S. 61A inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), [ss. 32\(1\)](#), 53(1)(a) (with s. 33); [S.I. 2007/709](#), [art. 3\(m\)](#) (subject to [arts. 6, 7](#))

Status:

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