



# Constitutional Reform Act 2005

## 2005 CHAPTER 4

### PART 2 **U.K.**

#### ARRANGEMENTS TO MODIFY THE OFFICE OF LORD CHANCELLOR

##### *Judiciary and courts in England and Wales*

#### 7 **President of the Courts of England and Wales** **E+W**

- (1) The Lord Chief Justice holds the office of President of the Courts of England and Wales and is Head of the Judiciary of England and Wales.
- (2) As President of the Courts of England and Wales he is responsible—
  - (a) for representing the views of the judiciary of England and Wales to Parliament, to the Lord Chancellor and to Ministers of the Crown generally;
  - (b) for the maintenance of appropriate arrangements for the welfare, training and guidance of the judiciary of England and Wales within the resources made available by the Lord Chancellor;
  - (c) for the maintenance of appropriate arrangements for the deployment of the judiciary of England and Wales and the allocation of work within courts.
- (3) The President of the Courts of England and Wales is president of the courts listed in subsection (4) and is entitled to sit in any of those courts.
- (4) The courts are—
  - the Court of Appeal
  - the High Court
  - the Crown Court
  - [<sup>F1</sup>the family court]
  - the [<sup>F2</sup>county court]
  - the magistrates' courts.

*Status: Point in time view as at 22/04/2014.*

*Changes to legislation: Constitutional Reform Act 2005, Cross Heading: Judiciary and courts in England and Wales is up to date with all changes known to be in force on or before 29 July 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)*

- (5) In section 1 of the Supreme Court Act 1981 (c. 54), subsection (2)(Lord Chancellor to be president of the Supreme Court of England and Wales) ceases to have effect.

#### Textual Amendments

- F1** Words in s. 7(4) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 97](#); S.I. 2014/954, [art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F2** Words in s. 7(4) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 42](#); S.I. 2014/954, [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

## 8 Head and Deputy Head of Criminal Justice E+W

- (1) There is to be a Head of Criminal Justice.
- (2) The Head of Criminal Justice is—
  - (a) the Lord Chief Justice, or
  - (b) if the Lord Chief Justice appoints another person, that person.
- (3) The Lord Chief Justice may appoint a person to be Deputy Head of Criminal Justice.
- (4) The Lord Chief Justice must not appoint a person under subsection (2)(b) or (3) unless these conditions are met—
  - (a) the Lord Chief Justice has consulted the Lord Chancellor;
  - (b) the person to be appointed is [<sup>F3</sup>a judge] of the Court of Appeal.
- (5) A person appointed under subsection (2)(b) or (3) holds the office to which he is appointed in accordance with the terms of his appointment.

#### Textual Amendments

- F3** Words in s. 8(4)(b) substituted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 52, 53, [Sch. 14 para. 61](#); S.I. 2006/3364, [art. 2\(k\)](#)

## 9 Head and Deputy Head of Family Justice E+W

- (1) The President of the Family Division is Head of Family Justice.
- (2) The Lord Chief Justice may appoint a person to be Deputy Head of Family Justice.
- (3) The Lord Chief Justice must not appoint a person under subsection (2) unless these conditions are met—
  - (a) the Lord Chief Justice has consulted the Lord Chancellor;
  - (b) the person to be appointed is an ordinary judge of the Court of Appeal.
- (4) A person appointed as Deputy Head of Family Justice holds that office in accordance with the terms of his appointment.

**Status:**

Point in time view as at 22/04/2014.

**Changes to legislation:**

Constitutional Reform Act 2005, Cross Heading: Judiciary and courts in England and Wales is up to date with all changes known to be in force on or before 29 July 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.