



# Judicial Review and Courts Act 2022

## CHAPTER 35

### JUDICIAL REVIEW AND COURTS ACT 2022

#### PART 1

##### JUDICIAL REVIEW

- 1 Quashing orders
- 2 Exclusion of review of Upper Tribunal's permission-to-appeal decisions

#### PART 2

##### COURTS, TRIBUNALS AND CORONERS

#### CHAPTER 1

##### CRIMINAL PROCEDURE

###### *Written procedures for dealing with summary offences*

- 3 Automatic online conviction and penalty for certain summary offences
- 4 Guilty plea in writing: extension to proceedings following police charge
- 5 Extension of single justice procedure to corporations

###### *Offences triable either way: determining the mode of trial*

- 6 Written procedure for indicating plea and determining mode of trial: adults
- 7 Initial option for adult accused to reject summary trial at hearing
- 8 Written procedure for indicating plea and determining mode of trial: children
- 9 Powers to proceed if accused absent from allocation hearing

*Status: Point in time view as at 25/04/2024.*

*Changes to legislation: There are currently no known outstanding effects for the Judicial Review and Courts Act 2022. (See end of Document for details)*

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### *Transfer of cases between courts*

- 10 Sending cases to Crown Court for trial
- 11 Powers of Crown Court to remit cases to the magistrates' court
- 12 Powers of youth court to transfer cases if accused turns 18

### *Sentencing powers of magistrates' courts*

- 13 Maximum term of imprisonment on summary conviction for either-way offence

### *Miscellaneous and consequential provision*

- 14 Involvement of parent or guardian in proceedings conducted in writing
- 15 Removal of certain requirements for hearings about procedural matters
- 16 Documents to be served in accordance with Criminal Procedure Rules
- 17 Power to make consequential or supplementary provision
- 18 Consequential and related amendments

## **CHAPTER 2**

### ONLINE PROCEDURE

- 19 Rules for online procedure in courts and tribunals
- 20 "Specified kinds" of proceedings
- 21 Provision supplementing section 19
- 22 The Online Procedure Rule Committee
- 23 General powers of the Online Procedure Rule Committee
- 24 Power to make certain provision about dispute-resolution services
- 25 Power to change certain requirements relating to the Committee
- 26 Process for making Online Procedure Rules
- 27 Power to require Online Procedure Rules to be made
- 28 Power to make amendments in relation to Online Procedure Rules
- 29 Duty to make support available for those who require it
- 30 Power to make consequential or supplementary provision
- 31 Amendments of other legislation
- 32 Judicial agreement to certain regulations
- 33 Interpretation of this Chapter

## **CHAPTER 3**

### EMPLOYMENT TRIBUNALS AND THE EMPLOYMENT APPEAL TRIBUNAL

- 34 Employment Tribunal Procedure Rules
- 35 Composition of tribunals
- 36 Saving for existing procedural provisions
- 37 Exercise of tribunal functions by authorised persons
- 38 Responsibility for remunerating tribunal members

## **CHAPTER 4**

### CORONERS

- 39 Discontinuance of investigation where cause of death becomes clear

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- 40 Power to conduct non-contentious inquests in writing
- 41 Use of audio or video links at inquests
- 42 Suspension of requirement for jury at inquest where coronavirus suspected
- 43 Phased transition to new coroner areas
- 44 Provision of information to registrar when investigation discontinued

## CHAPTER 5

### OTHER PROVISIONS ABOUT COURTS AND TRIBUNALS

#### *Local justice areas*

- 45 Abolition of local justice areas

#### *Courthouses in the City of London*

- 46 The Mayor's and City of London Court: removal of duty to provide premises
- 47 The City of London Magistrates' Court: removal of duty to provide premises

#### *Pro bono representation in courts and tribunals*

- 48 Payments in respect of pro bono representation

## PART 3

### FINAL PROVISIONS

- 49 Regulations
- 50 Extent
- 51 Commencement and transitional provision
- 52 Short title

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### Schedules

#### Schedule 1 — Documents to be served in accordance with Criminal Procedure Rules

- 1 Road Traffic Act 1960
- 2 Misuse of Drugs Act 1971
- 3 Prices Act 1974
- 4 Salmon and Freshwater Fisheries Act 1975
- 5 Isle of Man Act 1979
- 6 Magistrates' Courts Act 1980
- 7 Public Passenger Vehicles Act 1981
- 8 Video Recordings Act 1984
- 9 Weights and Measures Act 1985
- 10 Road Traffic Act 1988
- 11 Road Traffic Offenders Act 1988
- 12 Transport and Works Act 1992
- 13 Powers of Criminal Courts (Sentencing) Act 2000
- 14 Criminal Justice and Police Act 2001

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Schedule 2 — Criminal procedure: consequential and related amendments

- 1 Amendments in connection with section 3
- 2 In section 8 of the Road Traffic Offenders Act 1988...
- 3 (1) Schedule 5 to the Courts Act 2003 (collection of...
- 4 (1) The Criminal Justice Act 2003 is amended as follows....
- 5 Amendment in connection with section 4
- 6 Amendments in connection with sections 6 to 8
- 7 In section 47 of the Police and Criminal Evidence Act...
- 8 (1) The Crime and Disorder Act 1998 is amended as...
- 9 Amendments in connection with section 9
- 10 Amendments in connection with section 10
- 11 (1) The Crime and Disorder Act 1998 is amended as...
- 12 Amendments in connection with section 11
- 13 In section 122(1) of the Coroners and Justice Act 2009...
- 14 In section 26 of the Sentencing Code (provision about remission...
- 15 Amendments in connection with section 12
- 16 Amendments in connection with section 13
- 17 In section 141(5A) of the Environmental Protection Act 1990  
(maximum...
- 18 In section 113(10A) of the Scotland Act 1998 (maximum terms...
- 19 (1) The Criminal Justice Act 2003 is amended as follows....
- 20 In section 42 of the Gambling Act 2005 (offence of...
- 21 In Part 5 of Schedule 22 to the Sentencing Act...

Schedule 3 — Practice directions for online proceedings

Part 1 — CIVIL PROCEEDINGS AND FAMILY PROCEEDINGS IN ENGLAND  
AND WALES

- 1 Power to give practice directions
- 2 Contents of practice directions
- 3 Giving practice directions
- 4 Particular provision in practice directions

Part 2 — PROCEEDINGS IN THE FIRST-TIER TRIBUNAL AND UPPER  
TRIBUNAL

- 5 Power to give practice directions
- 6 Contents of practice directions
- 7 Giving practice directions
- 8 Particular provision in practice directions

Part 3 — PROCEEDINGS IN EMPLOYMENT TRIBUNALS AND THE  
EMPLOYMENT APPEAL TRIBUNAL

- 9 Power to give practice directions
- 10 Contents of practice directions
- 11 Giving practice directions
- 12 Particular provision in practice directions
- 13 Practice directions relating to mediation

Schedule 4 — Online procedure: amendments

- 1 Employment Tribunals Act 1996
- 2 Civil Procedure Act 1997
- 3 Courts Act 2003
- 4 Tribunals, Courts and Enforcement Act 2007

Schedule 5 — Employment Tribunal Procedure Rules: further provision

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Part 1 — MAKING AND CONTENT OF EMPLOYMENT TRIBUNAL  
PROCEDURE RULES

1 In the Employment Tribunals Act 1996, before Schedule 1 insert—...

Part 2 — OTHER AMENDMENTS OF THE EMPLOYMENT TRIBUNALS ACT  
1996

2 Introduction

3 Employment tribunals

4 (1) Section 7B (mediation) is amended as follows.

5 (1) Section 9 (pre-hearing reviews) is amended as follows.

6 (1) Section 10 (national security) is amended as follows.

7 Omit section 10A (confidential information).

8 In section 11 (restriction of publicity in cases involving sexual...

9 In section 12 (restriction of publicity in disability cases)—

10 In section 12A(9) (subsequent award of compensation not to  
necessitate...

11 (1) Section 13 (costs and expenses) is amended as follows...

12 (1) Section 13A (payments in respect of preparation time) is...

13 In section 14 (interest), in subsections (1) and (3)(f), for...

14 In section 15 (enforcement)— (a) in subsection (1), for “employment...

15 (1) Section 18A (requirement to contact ACAS before instituting  
proceedings)...

16 In section 19(1) (conciliation procedure), for “Employment tribunal  
procedure regulations...

17 In section 19A(9) (power to provide time limits for certain...

18 Employment Appeal Tribunal

19 After section 30 insert— National security (1) The Lord Chancellor may  
by regulations make provision about...

20 In section 31 (restriction of publicity in cases involving sexual...

21 In section 32 (restriction of publicity in disability cases)—

22 (1) Section 34 (costs and expenses) is amended as follows....

23 General

24 After section 37QA (inserted by section 34(4) of this Act)...

25 (1) Section 41 (orders, regulations and rules) is amended as...

26 In section 42(1) (definition of terms)— (a) omit the definitions...

Part 3 — RELATED AMENDMENTS OF OTHER LEGISLATION

27 Employment Rights Act 1996

28 Tribunals, Courts and Enforcement Act 2007

29 (1) Schedule 5 to the Tribunals, Courts and Enforcement Act...

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