



ROYAL COURTS OF JUSTICE

AN INTRODUCTION FOR VISITORS

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This pamphlet is intended to give visitors to the Royal Courts of Justice some background information about the history and work of the courts, and about the geography of the building.

Historical Background

The history of the administration of justice in England and Wales spans many centuries. By the mid-19th century, a number of separate courts had come into existence at different times and to meet different needs. Their jurisdictions overlapped and many anomalies and archaisms had arisen. This state of affairs became recognised as unacceptable; and, in consequence, the Judicature Acts of 1873-75, one of the major reforms of the Victorian age, reconstituted all the higher courts. The Acts abolished the former courts and established in their place a Supreme Court of Judicature. The Supreme Court in turn consisted of two courts: the High Court of Justice and the Court of Appeal. The new High Court consisted of three Divisions, all dealing mainly with civil disputes: the *Chancery Division* which took over the work of the old High Court of Chancery; the *Queen's Bench Division*, which incorporated the jurisdiction of the three former common law courts (the Court of King's Bench, the Court of Common Pleas and the Court of Exchequer) and the *Probate, Divorce and Admiralty Division*, which took over the work of the former Court of Admiralty, Court of Probate and Court for Divorce.

When the proposals to establish the Supreme Court were being debated in Parliament, it was thought by many

that the jurisdiction of the House of Lords as the Supreme Court of Appeal would be curtailed or abolished altogether. In the event, however, this did not happen; and the House of Lords still retains its power of hearing appeals from the criminal and civil courts in England, including the Supreme Court (as well as certain appeals from Scotland and Northern Ireland, which have separate legal systems).

This building, the Royal Courts of Justice, was opened by Queen Victoria in 1882 and became the permanent home of the Supreme Court. Both the High Court and the Court of Appeal sit here, though there are also out-stations of the High Court in many provincial towns, where High Court actions can be heard if that seems the most convenient course.

In 1972, a third branch of the Supreme Court, called the Crown Court, was created by Parliament and added to the High Court and the Court of Appeal. The Crown Court, which replaced the old courts of Assize and Quarter Sessions, deals mainly with the more serious criminal cases. The Crown Court does not, however, sit within the Royal Courts of Justice but at a number of other permanent centres throughout England and Wales. Probably the best known of these is the Central Criminal Court, widely known as the Old Bailey.

The President of the Supreme Court is the Lord Chancellor.

The High Court of Justice

As already mentioned, the High Court may and does sit at various provincial centres, but the majority of cases are heard within the Royal Courts of Justice.

The Chancery Division has as its President the Lord Chancellor, though his deputy the Vice-Chancellor is the head of the Division. There are 12 other judges of the Division who, like all other High Court judges, are described as 'Mr. Justice ...'. The Chancery Division exercises the jurisdiction of the High Court which is particularly concerned with property matters. These include the administration of estates of deceased persons, the redemption and foreclosure of mortgages, the interpretation of wills, and also disputes relating to companies and partnerships.

The Queen's Bench Division is presided over by the Lord Chief Justice of England, and comprises nearly 50 other High Court judges. This Division deals with a wide range of civil matters, including (in separate courts) complex commercial disputes and Admiralty (i.e. maritime) cases. Queen's Bench judges also assist in dealing with criminal matters in the Court of Appeal, and they also sit as judges of the Crown Court, travelling to more important centres to deal with particularly serious cases.

The Family Division was created in 1970 to replace the old Probate, Divorce and Admiralty Division. This part of the High Court is mainly concerned with divorce and matrimonial matters, and also with cases concerning children.

Divisional Courts. As well as having original jurisdiction of their own, all three Divisions of the High Court have appellate jurisdiction to hear appeals from lower courts and tribunals. This appellate jurisdiction is exercised by a court representing a particular Division known as the Divisional Court. The Divisional Court

of the Chancery Division deals with appeals in bankruptcy matters from the County Courts (civil courts with a limited jurisdiction). The Divisional Court of the Queen's Bench Division deals with certain appeals on points of law from Magistrates' Courts (lower courts of mixed, but mainly criminal, jurisdiction whose judges are usually laymen, advised on the law by a qualified clerk) and with applications for prerogative writs and orders (such as Habeas Corpus), by which means the Divisional Court exercises a wide supervisory jurisdiction over other courts, tribunals and authorities of lesser standing. In this capacity, it plays an important role in the field of administrative and constitutional law. The Divisional Court of the Family Division deals largely with appeals from Magistrates' Courts in matrimonial matters.

The Court of Appeal

The Court of Appeal is divided into two Divisions, Criminal and Civil, and has its courtrooms and offices permanently based in the Royal Courts of Justice. The Criminal Division, presided over by the Lord Chief Justice hears appeals from persons convicted and/or sentenced in the Crown Court. The Civil Division, presided over by the Master of the Rolls, hears appeals mainly against decisions of the High Court and the County Courts. In doing so, its judges may make any order which they decide ought to have been made in the court below. In some cases a re-trial is ordered. In addition to the Lord Chancellor, the Lord Chief Justice and the Master of the Rolls, the President of the Family Division and the Vice-Chancellor of the Chancery Division are also *ex officio* judges of the Court of Appeal. There are

also over 20 judges of the Court of Appeal, who are described as 'Lord Justice ...'. (The judicial members of the House of Lords are known as Lords of Appeal in ordinary and are described as 'Lord ...').

The Royal Courts of Justice

Most visitors to the Law Courts (as the Royal Courts of Justice are widely known) will commence their visit in the Great Hall, off which, in galleries, are situated many of the Chancery and Queen's Bench courtrooms. The steps which are on the left of the hall, as one enters from the Strand entrance, lead up to the Lord Chancellor's Court; and those leading up to the gallery on the right to the courtrooms of the Lord Chief Justice and the Master of the Rolls. At the far end of both galleries and along the eastern gallery will be found the courtrooms of the Court of Appeal.

The east wing of the Royal Courts of Justice is the main administrative block. It is here that actions in the Chancery and Queen's Bench Divisions are commenced. This part of the building houses a group of judicial officers known as Masters of the Supreme Court who are attached to the Chancery and Queen's Bench Divisions. (The Family Division has equivalent officers known as Registrars). These Masters, assisted by their administrative staffs, deal mainly with matters arising between the start of the proceedings in an action up until the trial; and certain matters which arise after trial if the judgment has not been satisfied. In certain circumstances, they can also dispose of the case altogether.

The visitor who wishes to walk through one of the corridors of this adjacent building should do so by turning right at the far end (furthest from the Strand entrance) of the Great Hall and following the corridor round, pass the office of the Clerk of the Lists, into the East block. The stairs here lead to the first floor corridor of the Central Office. This is the centre of judicial administration in the High Court, where proceedings are commenced (that is, actions are begun) by the issue of writs, etc. In this corridor are situated the offices of the Queen's Bench Masters (the Chancery floor is the one directly above) and it is one of the busiest parts of the whole building.

If the visitor turns right at the far end of this corridor, he will find himself in an area traditionally known as the 'Bear Garden'. Here the Queen's Bench Masters deal with a constant stream of short applications.

Turning right out of the Bear Garden will lead through and out of a large ante-room. Outside the doors of this room will be seen a portrait of Lord Stowell, a famous Admiralty Judge of the early 19th century, in which appears the silver Admiralty Ceremonial Mace of Office in the shape of an oar. During the hearing of Admiralty actions in the Queen's Bench Division, this silver oar is placed before the judge, but at other times can be seen on display in the small museum of judicial dress situated to the right of the Strand entrance to the Great Hall.

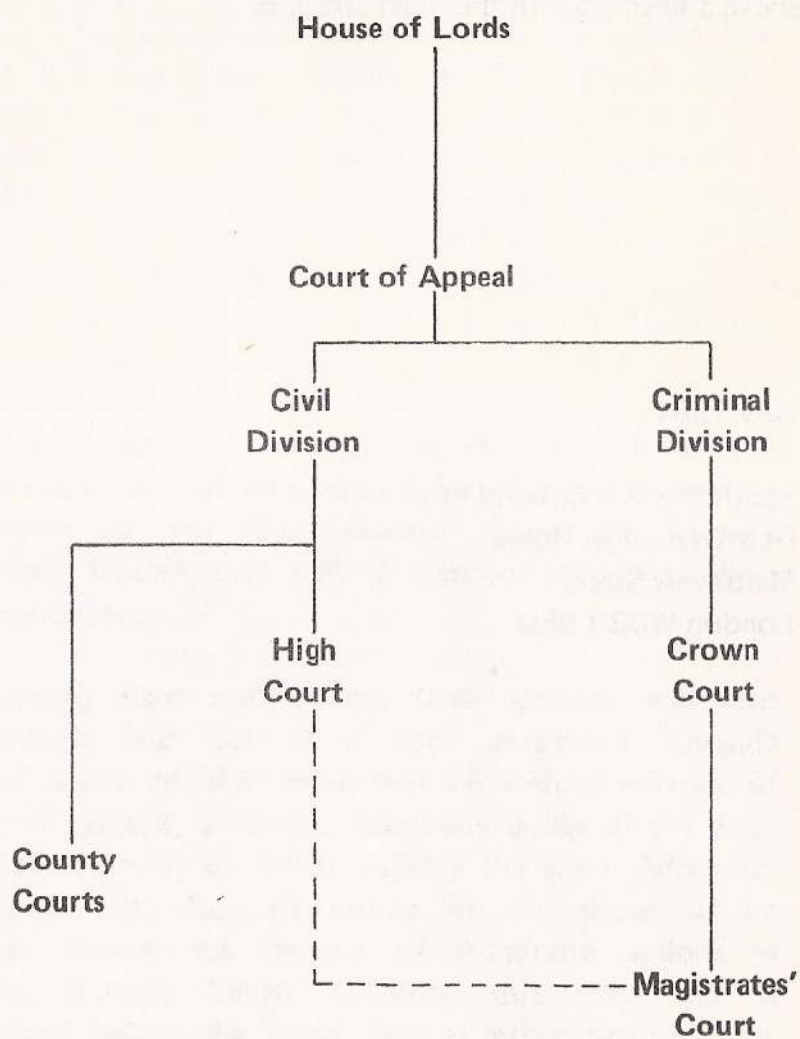
This museum is easily reached after passing Lord Stowell's portrait. Proceeding through the swing doors to the left of the lift, walking straight ahead

and then down some seven steps and turning right into the gallery of the Queen's Bench Courts, will bring the visitor back to the Strand end of the building; and, if the steps a few feet along on the right are taken they will lead down to the museum mentioned above and so back to the main entrance.

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**A SIMPLE REPRESENTATION OF THE
COURT SYSTEM IN ENGLAND AND WALES**



**For explanation of dotted line see
references to 'Divisional Courts'
on pages 3 and 4.**