

Impact of the Institute of Judicial Administration



Since its inception the Institute of Judicial Administration has produced important research studies which had direct impact on legislation, policy and practice.

The 1960s

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1968: IJA established

Examined how far the principles of judicial administration are translated into everyday practice.

1968: First two directors of the IJA

Lord Borrie and Professor Ian Scott

Identified a number of possible areas for research: jury trials, the selection of the judiciary, arbitration procedures and family courts.

1969-1970: Pilot Study: The provision of legal services in the city of Birmingham

John Lambert and Richard White

Objective of study will be to assess the nature and extend of unmet need for legal services and to investigate the factors hindering use of the facilities at present available. A working paper outlining the projected research was widely circulated for comment in April 1969 and many favourable replied were received.

1969-1973: The Law of Contempt

Nigel Lowe

Aimed to draw up proposals for reform on the basis of this study. The principle of the project was published by Butterworth on 13th March 1973. It was possible on proof stage to insert an extended note on the series of much publicised incidents arising out of disobedience to orders of the new National Industrial Relations Court that led to the House of Lords decision in Heaton Transport (St Helens) Ltd v Transport and General Workers Union. Further, the institute's evident to the Phillimore Committee on contempt was published in December 1971.

1969-1973: Membership of Administrative Tribunals

G.N. Hawker, E. Sumorok and W.E. Cavenagh

Wider findings of the study have been presented in articles accepted for publications in Public Administration and SSRC Newsletter.

1969-1971: Legal aid in criminal cases

Jeremy Varcoe

Study argued that the present system of legal aid in criminal proceeding would be satisfactory if fully operated by all courts (subject to changes recommended in the report) but the value of the contribution system is doubted

1969-1972: Police powers

Peter Moodie

Penguin Books published the results of this research

The 1970s

1970-1975: The provision of legal services in the city of Birmingham

Richard White, Jim Whettob, Lee Bridges, Brenda Sufrin

The first volume of results, entitled Legal Services in Birmingham, was published by the Institute in April/May 1975. The concluding chapter examined the implication of the research for the future provision of legal services. A second volume was published in 1975.

1970-1971: Bail

Undergraduate students, Professor Ian Scott

1970-1973: Arbitration

John Constable

Much interest in arbitration as an alternative method of settling disputes.

1970-1971: Appeals to Quarter Sessions in Criminal Cases

Professor Ian Scott

Article was referred to during the House of Lord's debates on the Courts Bill in December 1970.

1970-1972: Court Buildings

Malcolm Booth

A consultative memorandum on court design was circulated by Lord Chancellor's Office in October 1971. It represented the initial conclusions of a Joint Working Party set up by the Lord Chancellor's office, the Home Office, and the Department of the Environment.

1971-1972: [The Crown Court](http://books.google.co.uk/books/about/The_Crown_Court.html?id=4I2FQgAACAAJ) (http://books.google.co.uk/books/about/The_Crown_Court.html?id=4I2FQgAACAAJ)

Professor Ian Scott

The resulting [book](http://books.google.co.uk/books/about/The_Crown_Court.html?id=4I2FQgAACAAJ) (http://books.google.co.uk/books/about/The_Crown_Court.html?id=4I2FQgAACAAJ) was by Butterworth's in May 1972. It included an annotated text of the Courts Act 1971 as well as of the Crown Court Rules 1971, the various practice directions issued under the Act by the Lord Chancellor and by the Lord Chief Justice, and the addresses and telephone numbers of all Crown Courts and their offices.

1971-1973: Magistrates' Court

John Lambert

1972-1973: Justice and Journalism

Majories Jones, Neville Brown and W.E. Cavenagh

1972-1972: Pilot Study: County Courts and Small Claims

Neville Turner

1972: Family Courts

Neville Turner

Paper containing comment and recommendations was submitted to the Law Commission in April 1972

1972-1973: Role of Magistrates in the Crown Court

G.N. Hawker

1973-1974: Industrial Tribunals (<http://books.google.co.uk/books?id=M1JKAQAAIAAJ>)

G.N. Hawker and K.R. Whitsides

This work was published in the Modern Legal Studies series of Sweet and Maxwell Ltd

1973: The Active Functions of Judges in England

Director

1973: The Accused's Right of Compensation for Detention Prior to Acquittal

Professor Ian Scott

1973: The Distribution of Criminal Business between the Crown Court and Magistrates' Court

Rt. Hon. Lord Justice James and a committee

1973-1975: The Impact of the Legal Advice and Assistance Act 1972

Richard White and Ian Johnson

1973: Legal Aid in Tribunals

Richard White

Paper submitted to Lord Chancellor's legal Aid Advisory Committee in September 1973

1973: Pilot Study: West Indian Defendants in the Magistrates Court

J Jarrett

Findings are being used in the study of legal services in Birmingham and in the development of proposals for further research

1973-1976: Structure Plan Examinations in Public

L.T. Bridges, J.D. Stewart, J. Dunlop, C. Viewlba and P.A. Eddison

1974-1978: Contested Trials in the Crown Court

Professor John Baldwin (<http://www.birmingham.ac.uk/research/activity/ija/members/profile.aspx?Referenceld=18143>) and Michael McConville

Some of the authors' predictions were used in a separate report, entitled Negotiated Justice, which dealt specifically with the cases of 150 defendants who pleaded guilty shortly before trial, often following some kind of informal plea negotiation. This was published by Martin Robertson in 1977

1974: The Compulsory Training in Magistrates

Professor John Baldwin (<http://www.birmingham.ac.uk/research/activity/ija/members/profile.aspx?Referenceld=18143>)

Results submitted to the Lord Chancellor's Advisory Committee on the Training of Magistrates

1974: Membership of Boards of Visitors

It was hoped to publish a Report of this research later in 1975

1977: Negotiated Justice (<https://www.ncjrs.gov/App/abstractdb/AbstractDBDetails.aspx?id=46712>) published

Professor John Baldwin (<http://www.birmingham.ac.uk/research/activity/ija/members/profile.aspx?Referenceld=18143>) and Michael McConville

Media controversy, heated parliamentary debate and an internal enquiry by the University's Vice-Chancellor, Lord Hunter.

Throughout the 1970s:

- The outcome of jury trials, John Baldwin and Michael McConville
- The exercise of prosecutorial discretion
- The negotiation of guilty pleas
- Police interrogation
- Advance disclosure of prosecution evidence
- Child witnesses
- Delays in processing cases
- The right to silence
- The provision of legal advice in police stations
- And the administration of legal services.

The 1980s

1980s-1990s: Two Royal Commissions were set up

Examined the workings of the criminal justice system and their reports led to the questionings of assumptions and the rethinking of fundamentals. Launched major research projects. Commissions widely referred to research conducted by IJA.

Late 1980s: 'Researchers United' Pressure Group formed

Attempted to combat any groups against the IJA.

The 1990s

Late 1990s: Two Reports on Civil Justice Reform

Professor Michael Zander (<http://www.lse.ac.uk/collections/law/staff/michael-zander.htm>) acted a chairman

The Department for Constitutional Affairs acknowledged the point that had been demonstrated in a series of IJA studies that ineffective enforcement of courts judgments undermines the credibility and integrity of the civil justice system.

Late 1990s: Enforcement Reviews

Lord Woolf (http://en.wikipedia.org/wiki/Harry_Woolf,_Baron_Woolf)

The Department for Constitutional Affairs acknowledged the point that had been demonstrated in a series of IJA studies that ineffective enforcement of courts judgments undermines the credibility and integrity of the civil justice system.

The 2000s

2001: Criminal Court Review (<http://webarchive.nationalarchives.gov.uk/+http://www.criminal-courts-review.org.uk/>)

Lord Justice Auld, Department for Constitutional Affairs

Extensive reference to research conducted by IJA.

Up to 2005: Civil Justice Quarterly

Edited by members of the IJA, lead by Professor Ian Scott.

IJA associated with the leading Civil Justice Journal in England.

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