

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2011, Part 2. (See end of Document for details)

SCHEDULES

SCHEDULE 2

JUDGE ADVOCATES SITTING IN CIVILIAN COURTS

PART 2

RELATED AMENDMENTS

Criminal Justice Act 1967 (c. 80)

7 In section 9(5) of the Criminal Justice Act 1967 (application for court attendance of person who has provided a written statement), after paragraph (d) insert—

“(e) subject to subsection (5A), a qualifying judge advocate (within the meaning of the Senior Courts Act 1981).

(5A) Subsection (5)(e) applies only where the application in question is to the Crown Court.”; but this paragraph is subject to paragraph 8.

Commencement Information

II Sch. 2 para. 7 in force at 2.4.2012 by S.I. 2012/669, art. 4(c)

8 (1) This paragraph applies if the amendment made to section 9(5) of the Criminal Justice Act 1967 by paragraph 1 of Schedule 4 to the Courts Act 2003 has not come into force before the commencement of paragraph 1 of this Schedule.

(2) Until the coming into force of that amendment—

(a) paragraph 7 above does not apply; and

(b) section 9(5) of the Criminal Justice Act 1967 is amended as follows.

(3) The words from “by a puisne judge” to the end become paragraph (a).

(4) After paragraph (a) insert “; or

(b) subject to subsection (5A), by a qualifying judge advocate (within the meaning of the Senior Courts Act 1981) sitting alone.

(5A) Subsection (5)(b) applies only where the application in question is to the Crown Court.”

Commencement Information

I2 Sch. 2 para. 8 in force at 2.4.2012 by S.I. 2012/669, art. 4(c)

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Juries Act 1974 (c. 23)

- 9 In section 9B(3) of the Juries Act 1974 (judges who may determine whether juror to be discharged on account of disability)—
- (a) omit the “or” at the end of paragraph (c); and
 - (b) after paragraph (d) insert “, or
 - (e) subject to subsection (4), a qualifying judge advocate (within the meaning of the Senior Courts Act 1981).
- (4) Subsection (3)(e) applies only where the case relates to a summons to attend for jury service in the Crown Court.”;
- but this is subject to paragraph 10.

Commencement Information

I3 Sch. 2 para. 9 in force at 2.4.2012 by S.I. 2012/669, art. 4(c)

- 10 (1) This paragraph applies if the amendment made to section 9B(3) of the Juries Act 1974 by paragraph 3 of Schedule 4 to the Courts Act 2003 has not come into force before the commencement of paragraph 1 of this Schedule.
- (2) Until the coming into force of that amendment—
- (a) paragraph 9 above does not apply; and
 - (b) section 9B(3) of the Juries Act 1974 is amended as follows.
- (3) The words from “any judge” to the end become paragraph (a).
- (4) After paragraph (a) insert “, or
 - (b) subject to subsection (4), any qualifying judge advocate (within the meaning of the Senior Courts Act 1981).
- (4) Subsection (3)(b) applies only where the case relates to a summons to attend for jury service in the Crown Court.”

Commencement Information

I4 Sch. 2 para. 10 in force at 2.4.2012 by S.I. 2012/669, art. 4(c)

Police and Criminal Evidence Act 1984 (c. 60)

- 11 (1) Schedule 1 to the Police and Criminal Evidence Act 1984 (access to excluded or special procedure material) is amended as follows.
- (2) In paragraph 17 (as amended by section 114(1) and (9) of the Serious Organised Crime and Police Act 2005), after “a Recorder” insert “, a qualifying judge advocate (within the meaning of the Senior Courts Act 1981) ”.

Commencement Information

I5 Sch. 2 para. 11 in force at 2.4.2012 by S.I. 2012/669, art. 4(c)

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