



Powers of Criminal Courts Act 1973

1973 CHAPTER 62

PART I

POWERS OF COURTS TO DEAL WITH OFFENDERS

Preliminary

1 Deferment of sentence

- (1) Subject to the provisions of this section, the Crown Court or a magistrates' court may defer passing sentence on an offender for the purpose of enabling the court to have regard, in determining his sentence, to his conduct after conviction (including, where appropriate, the making by him of reparation for his offence) or to any change in his circumstances.
- (2) Any deferment under this section shall be until such date as may be specified by the court, not being more than six months after the date of the conviction ; and where the passing of sentence has been deferred under this section it shall not be further deferred thereunder.
- (3) The power conferred by this section shall be exercisable only if the offender consents and the court is satisfied, having regard to the nature of the offence and the character and circumstances of the offender, that it would be in the interests of justice to exercise the power.
- (4) A court which under this section has deferred passing sentence on an offender may pass sentence on him before the expiration of the period of deferment if during that period he is convicted in Great Britain of any offence.
- (5) Where a court which under this section has deferred passing sentence on an offender proposes to sentence him, whether on the date originally specified by the court or by virtue of subsection (4) above before that date, it may issue a summons requiring him to appear before the court, or may issue a warrant for his arrest.

Status: This is the original version (as it was originally enacted).

- (6) Notwithstanding section 14(4) of the Magistrates' Courts Act 1952 (adjournment of trial), a magistrates' court shall not be obliged to remand an offender in whose case it defers the passing of sentence under this section.
- (7) Nothing in this section shall affect the power of the Crown Court to bind over an offender to come up for judgment when called upon or the power of any court to defer passing sentence for any purpose for which it may lawfully do so apart from this section.