



Criminal Law Act 1977

1977 CHAPTER 45

PART III

CRIMINAL PROCEDURE, PENALTIES, ETC.

Allocation of offences to classes as regards mode of trial

15 Offences which are to become triable only summarily.

- (1) The following offences shall be triable only summarily (instead of either way), namely—
 - (a) the offences mentioned (and broadly described) in column 1 of Schedule 1 to this Act; . . . ^{F1}
 - (b) ^{F1}
- ^{X1}(2) The provisions mentioned in subsection (3) below (which confer a right to claim trial by jury for certain offences triable summarily, thereby making triable either way such of those offences as would otherwise be triable only summarily) shall cease to have effect.
- ^{X2}(3) The said provisions are—
 - (a) ^{F2}
 - (b) sections 9 and 19(1) and (2) of the ^{M1}Conspiracy and Protection of Property Act 1875;
 - (c) in the ^{M2}Cruelty to Animals Act 1876, section 15 and, in section 17, the words from “or if” to “Justiciary”;
 - (d) in the ^{M3}Witnesses (Public Enquiries) Protection Act 1892, in section 3 the words from “provided that” onwards and, in section 6, paragraph (2).
- (4) The following offences under the ^{M4}Night Poaching Act 1828 shall be triable only summarily (instead of only on indictment), namely—
 - (a) offences under section 2 of that Act (assaults by persons committing offences under the Act);

Status: Point in time view as at 01/02/1991.

Changes to legislation: Criminal Law Act 1977, Cross Heading: Allocation of offences to classes as regards mode of trial is up to date with all changes known to be in force on or before 20 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(b) offences under section 9 of that Act (entering land, with others, armed and for the purpose of taking or destroying game or rabbits).

(5) Subsections (1) and (4) above are without prejudice to any other enactment by virtue of which any offence is triable only summarily.

Editorial Information

- X1** The text of ss. 5(10)(11), 15(2), 17, 30(1)(2), 31(10), 32(3), 46, 49, 52, 57, 63(1), 65(4)(5), Sch. 13 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- X2** The text of ss. 15(3), 37, 44, 53, 58, Schs. 1, 5, 6, 7, 9, 11, 12 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F1** Word “and” and s. 15(1)(b) repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 9**
- F2** [S. 15\(3\)\(a\)](#) repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 9**

Marginal Citations

- M1** [1875 c.86.](#)
- M2** [1876 c. 77](#)
- M3** [1892 c.64](#)
- M4** [1828 c. 69.](#)

16 F3

Textual Amendments

- F3** [Ss. 16, 18–27, 28\(1\)–\(7\), 29, 30\(4\)](#) repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 9**

17 **Offence which is to become triable only on indictment.** ^{X3}

Section 5 of the ^{M5}Newspaper Libel and Registration Act 1881 (which provides for the summary trial, with the consent of the accused, of charges against newspaper proprietors and others responsible for the publication of newspapers for libels published in them) shall cease to have effect.

Editorial Information

- X3** The text of ss. 5(10)(11), 15(2), 17, 30(1)(2), 31(10), 32(3), 46, 49, 52, 57, 63(1), 65(4)(5), Sch. 13 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M5** [1881 c. 60](#)

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18— **F4**
26.

Textual Amendments

F4 Ss. 16, 18–27, 28(1)–(7), 29, 30(4) repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 9**

Status:

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Changes to legislation:

Criminal Law Act 1977, Cross Heading: Allocation of offences to classes as regards mode of trial is up to date with all changes known to be in force on or before 20 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.