



# Coroners and Justice Act 2009

## 2009 CHAPTER 25

### PART 3

#### CRIMINAL EVIDENCE, INVESTIGATIONS AND PROCEDURE

### CHAPTER 4

#### LIVE LINKS

#### 106 Directions to attend through live link

- (1) The [Crime and Disorder Act 1998 \(c. 37\)](#) is amended as follows.
- (2) In section 57B (use of live link at preliminary hearings where accused is in custody), after subsection (6) add—
  - “(7) The following functions of a magistrates’ court under this section may be discharged by a single justice—
    - (a) giving a live link direction under this section;
    - (b) rescinding a live link direction before a preliminary hearing begins; and
    - (c) requiring or permitting a person to attend by live link a hearing about a matter within paragraph (a) or (b).”
- (3) In section 57C (use of live link at preliminary hearings where accused is at police station)—
  - (a) after subsection (6) insert—
    - “(6A) A live link direction under this section may not be given unless the court is satisfied that it is not contrary to the interests of justice to give the direction.”,
  - (b) omit subsection (7) (no live link direction unless accused consents),

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*Status: This is the original version (as it was originally enacted).*

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- (c) in subsection (8) (power to rescind live link direction before or during hearing), omit “before or”, and
  - (d) in subsection (9) (representations about use of live link), omit paragraph (a) (and the “and” following it).
- (4) In section 57D (continued use of live link for sentencing hearing following a preliminary hearing)—
- (a) in subsection (2) (conditions for use of live link)—
    - (i) omit paragraph (b) (but not the “and” following it), and
    - (ii) in paragraph (c), for “it” to the end substitute “the accused continuing to attend through the live link is not contrary to the interests of justice.”, and
  - (b) in subsection (3) (conditions for giving oral evidence by live link), omit paragraph (a) (and the “and” following it).
- (5) In section 57E (use of live link in sentencing hearings)—
- (a) in subsection (5) (conditions for giving live link direction), omit paragraph (a) (and the “and” following it), and
  - (b) in subsection (7) (conditions for giving oral evidence by live link), omit paragraph (a) (and the “and” following it).