

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.
- 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.”

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).

Status: This is the original version (as it was originally enacted).

- (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.
- 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.”

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)”.