

Changes to legislation: There are currently no known outstanding effects for the Street Offences Act 1959, Cross Heading: Detention and remand of arrested offender. (See end of Document for details)

[^{F1}SCHEDULE

ORDERS UNDER SECTION 1(2A): BREACH, AMENDMENT ETC.

Textual Amendments

- F1** Sch. inserted (1.4.2010) by Policing and Crime Act 2009 (c. 26), ss. 17(4), 116(1), **Sch. 1**; S.I. 2010/507, art. 5(d) (with art. 6)

PART 4

SUPPLEMENTARY

Detention and remand of arrested offender

- 9 (1) This paragraph applies where the offender is arrested in pursuance of a warrant under this Schedule and cannot be brought immediately before the court before which the warrant directs him to be brought (“the appropriate court”).
- (2) The person in whose custody the offender is must, as soon as practicable and in any event before the end of the period of 72 hours beginning with the time of the arrest, bring the offender before [^{F2}any magistrates' court].
- (3) That person may make arrangements for the offender to be detained until brought before the court.
- ^{F3}(4)
- (5) A person who is detained in pursuance of arrangements made under sub-paragraph (3) is deemed to be in legal custody.

Textual Amendments

- F2** Words in Sch. para. 9(2) substituted for Sch. para. 9(2)(a)(b) (3.5.2015) by Serious Crime Act 2015 (c. 9), **Sch. 4 para. 2(3)** (with s. 86(11)); S.I. 2015/820, **reg. 2(r)(ii)**
- F3** Sch. para. 9(4) omitted (3.5.2015) by Serious Crime Act 2015 (c. 9), **Sch. 4 para. 2(4)** (with s. 86(11)); S.I. 2015/820, **reg. 2(r)(ii)**

- 10 (1) This paragraph applies where the court before which an offender is brought under paragraph 9(2) is not the appropriate court (within the meaning of paragraph 9).
- (2) The alternative court may direct that the offender is to be released forthwith or remand him to appear before the appropriate court.
- (3) For the purposes of sub-paragraph (2), section 128 of the Magistrates' Courts Act 1980 (remand in custody or on bail) applies as if the court referred to in subsections (1)(a), (3), (4)(a) and (5) were the appropriate court.
- (4) Any power to remand the offender in custody which is conferred by section 128 of the Magistrates' Court Act 1980 (as modified by sub-paragraph (3)) is to be taken to be a power to remand the offender [^{F4}to a prison].

- ^{F5}(5)

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Textual Amendments

- F4** Words in Sch. para. 10(4) substituted for Sch. para. 10(4)(a)(b) (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), [Sch. 4 para. 2\(5\)](#) (with s. 86(11)); [S.I. 2015/820](#), [reg. 2\(r\)\(ii\)](#)
- F5** Sch. para. 10(5) omitted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), [Sch. 4 para. 2\(6\)](#) (with s. 86(11)); [S.I. 2015/820](#), [reg. 2\(r\)\(ii\)](#)

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