



# Criminal Justice Act 1925

## 1925 CHAPTER 86

### PART II

#### JURISDICTION AND PROCEDURE

##### *Quarter Sessions*

#### **18 Extension of criminal jurisdiction of quarter sessions**

Notwithstanding anything to the contrary in any Act, a court of quarter sessions shall, in addition to such jurisdiction with respect to the trial of offences as is vested in courts of quarter sessions at the commencement of this Act, have jurisdiction to try a person charged with any of the offences specified in the First Schedule to this Act.

#### **19 Power to dispense with grand jury at quarter sessions where all persons committed have pleaded guilty**

- (1) If by the fifth day preceding the day appointed for holding any quarter sessions no persons have been committed for trial at the sessions except persons in respect of whom a certificate has been transmitted in pursuance of section four of the Administration of Justice Act, 1920, stating that they have pleaded guilty or admitted the truth of the charge, there shall be deemed to be no business requiring the attendance of grand jurors at that sessions, and the provisions of the Assizes and Quarter Sessions Act, 1908, shall apply accordingly.
- (2) In any case to which this section applies an indictment against any person for the offence in respect of which he was committed for trial may be presented to the court without having been found by a grand jury, and, where an indictment is so presented, it shall be proceeded with in the same manner as it would have been proceeded with before the commencement of this Act, and all enactments and rules of law relating to procedure in connection with indictable offences shall have effect accordingly.
- (3) An indictment against any person presented to a court of quarter sessions in pursuance of this section may contain, in addition to the counts for the offences specified in the

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caption of the depositions, any further counts founded on facts or evidence disclosed in any examination or deposition taken before a justice in the presence of the accused.

A court of quarter sessions may in any case direct any such further counts as aforesaid to be added to any indictment presented to the court.

- (4) Rules may be made under the Indictments Act, 1915, for carrying this section into effect, and in particular for modifying, so far as is necessary for the purpose of this section, any enactment, including any statutory form, and for applying with the necessary modifications the provisions of section three of the Indictable Offences Act, 1848, relating to certificates of an indictment having been found.

## **20 Court of quarter sessions on appeal to state case on point of law**

- (1) After the determination by a court of quarter sessions of any appeal against a conviction by a court of summary jurisdiction or the sentence imposed on such a conviction, either party to the proceedings may, if dissatisfied with the determination of the court of quarter sessions as being erroneous in point of law, make an application in writing to the court of quarter sessions at any time within seven days after the date of the determination of the appeal to have a case stated for the opinion of the High Court on the point of law.

Any such application may be made by delivering it to the clerk of the peace, and for the purpose of the making of any such application, the court of quarter sessions shall, if and so far as necessary, be deemed to have been adjourned until the next subsequent sitting of the court.

- (2) The applicant shall, before the case is stated and delivered to him by the court of quarter sessions, enter before a justice having jurisdiction in the county or place for which the court of quarter sessions acts into a recognizance, with or without sureties and in such sum as the justice considers proper, having regard to the means of the applicant, conditioned to prosecute the appeal without delay and to submit to the judgment of the High Court, and pay such costs as may be awarded by that court, and the applicant shall before the case is delivered to him pay to the clerk of the peace his fees for and in respect of the case, and to the clerk to the justices his fee for and in respect of the recognizances.
- (3) If a court of quarter sessions is of opinion that an application under this section is frivolous, it may refuse to state a case, and where the court does so it shall, if the applicant so requires, cause the clerk of the peace to deliver to him a certificate of the refusal, and the reasons for the refusal shall be stated in the certificate:

Provided that the court shall not refuse to state a case where the application is made by or on behalf of the Attorney-General.

- (4) Where a court of quarter sessions refuses to state a case, the applicant may apply to the High Court for a rule calling on the court of quarter sessions and the other party to the proceedings to show cause why a case should not be stated, and the High Court may make such order on the application as the High Court thinks fit.

## **21 Power to enter appeal for adjourned or intermediate sessions**

An appeal under section thirty-one of the Summary Jurisdiction Act, 1879 (which regulates the procedure on appeals from courts of summary jurisdiction), may be entered for hearing at a court of quarter sessions held by adjournment (unless it is a

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court held by adjournment for some particular area only which does not comprise the area in respect of which jurisdiction is exercised by the court from which the appeal is brought), or at an intermediate court of general sessions, and the expression " the next practicable court of general or quarter sessions" in paragraph (1) of that section shall be construed accordingly.

## **22 Times for holding county quarter sessions**

- (1) General quarter sessions of the peace for any county shall, instead of being held at the times prescribed by section thirty-five of the Law Terms Act, 1830, be held at such times within the period of twenty-one clays immediately preceding or immediately following the twenty-fifth day of March, the twenty-fourth day of June, the twenty-ninth day of September and the twenty-fifth day of December in every year as the court of quarter sessions for the county or the justices of the county assembled at a special meeting (which special meeting they are hereby authorised to hold) may from time to time fix.
- (2) In this section the expression " county " includes a riding, division or part of a county for which a separate court of quarter sessions is held, hut does not include the County of London or a county of a city or a county of a town.

## **23 Amendment of County of Hertford Acts, 1874 and 1878**

- (1) The justices of the peace for the county of Hertford shall in every year hold, alternately within the Hertford division and within the Liberty of St. Alban division of the said county, courts of general or quarter sessions of the peace for the whole county of Hertford:
  - (a) An Epiphany session within the Hertford division within the period of twenty-one days immediately preceding or immediately following the twenty-fifth day of December;
  - (b) An Easter session within the Liberty of St. Alban division within the period of twenty-one days immediately preceding or immediately following the twenty-fifth day of March ;
  - (c) A Midsummer session within the Hertford division within the period of twenty-one days immediately preceding or immediately following the twenty-fourth day of June ;
  - (d) A Michaelmas session within the Liberty of St. Alban division within the period of twenty-one days immediately preceding or immediately following the twenty-ninth day of September.
- (2) The said justices shall, on each occasion after holding in pursuance of the foregoing provisions of this section a session in one of the said divisions of the county, hold a session by adjournment in the other of the said divisions, and may at any time, whether before or after the adjourned sessions to be held under this subsection, hold such other sessions by adjournment in either of the said divisions as they may consider necessary for the purpose of disposing of any business requiring to be disposed of.
- (3) Every court held under this section shall be a court of quarter sessions for the whole county of Hertford, and shall have power to hear, determine, and dispose of all business accordingly, including any business pending in either of the two divisions of the said county at the commencement of this Act.

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- (4) The justices in the Hertford division assembled shall from time to time at sessions held under this section in that division elect persons to act as chairman and deputy chairman of the court of quarter sessions of the county of Hertford when the court is sitting within the Hertford division, and the justices in the Liberty of St. Alban division assembled shall from time to time at sessions held under this section in that division elect persons to act as chairman and deputy chairman of the said court when the court is sitting within the Liberty of St. Alban division.
- (5) Section five of the County of Hertford Act, 1878, shall have effect as though for the references to the Hertford division quarter sessions and the St. Alban division quarter sessions there were respectively substituted references to the sessions for the county of Hertford held under this Act within the Hertford division and the sessions for the said county so held within the Liberty of St. Alban division.