



2015 CHAPTER 9

PART 2

COMMITTAL FOR TRIAL

CHAPTER 2

DIRECT COMMITTAL FOR TRIAL IN CERTAIN CASES

Direct committal for trial: guilty pleas

Direct committal: indication of intention to plead guilty

10.—(1) Where—

- (a) this Chapter applies in relation to an accused charged with an offence,
- (b) the court has not begun to conduct committal proceedings in relation to the offence, and

(c) the accused indicates to the court an intention to plead guilty to the offence, the court shall forthwith commit the accused to the Crown Court for trial for the offence (and accordingly shall not conduct committal proceedings in relation to that offence).

(2) Where the court commits an accused for trial for an offence under this section, the functions of the court then cease in relation to that offence, except as provided by—

- (a) the following provisions of this section;
- (b) section 13; or

- (c) Article 29(2)(a) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 or any regulations under Article 26(3) of the Access to Justice (Northern Ireland) Order 2003.

(3) A court committing an accused for trial for an offence under this section may order—

- (a) the making of such inquiries, and
- (b) the preparation, and sending to the Crown Court sitting at the specified place of trial, of such reports,

as appear to the court to be appropriate in connection with the sentencing of the accused for that offence (should the accused plead guilty to that offence on arraignment in the Crown Court).

(4) Where—

- (a) an accused is committed for trial for an offence under this section, and
- (b) on arraignment the accused does not plead guilty to the offence,

the Crown Court shall make an order annulling the committal for trial of the accused for that offence.

(5) Where the Crown Court makes an order under subsection (4)—

- (a) any count in the indictment relating to the charge for that offence against the accused is quashed;
- (b) subject to subsection (6), the magistrates' court shall again have the functions in relation to the accused and the offence which it would have had if the accused had not been committed for trial under this section (and the proceedings against the accused shall, as far as practicable, resume from the point immediately before the accused was committed for trial);
- (c) the Crown Court shall remand the accused, in custody or on bail, to appear before the magistrates' court as soon as is practicable;
- (d) the annulment of the committal for trial does not affect the lawfulness of anything done on foot of that committal (such as the remanding of the accused in custody or on bail).

(6) Subsection (1) does not apply where a magistrates' court resumes proceedings against an accused under subsection (5).