



# Criminal Justice Act 1967

## 1967 CHAPTER 80

### PART I

#### CRIMINAL PROCEDURE, ETC.

##### *Miscellaneous provisions as to evidence, procedure and trial*

#### **26 Restrictions on passing sentence in the absence of the defendant.**

- (1) A magistrates' court shall not in a person's absence sentence him to imprisonment or detention in a detention centre or make an order under section 40 of this Act that a suspended sentence passed on him shall take effect.
- (2) A magistrates' court shall not in a person's absence impose any disqualification on him, except on resumption of the hearing after an adjournment under section 14(3) of the Magistrates' Courts Act 1952 (adjournment after convicting, but before sentencing, the defendant).
- (3) Where a trial is adjourned in pursuance of the last foregoing subsection, the notice required by section 14(2) of that Act (notice of resumption) shall include notice of the reason for the adjournment.