



Courts Act 1971

1971 CHAPTER 23

PART II

THE CROWN COURT

Trial on indictment

7 Committal for trial on indictment

- (1) A magistrates' court committing a person for trial shall specify the place at which he is to be tried, and in selecting that place shall have regard to—
 - (a) the convenience of the defence, the prosecution and the witnesses,
 - (b) the expediting of the trial, and
 - (c) any direction given by or on behalf of the Lord Chief Justice with the concurrence of the Lord Chancellor under section 4(5) of this Act.
- (2) Without prejudice to the preceding provisions of this Act about the distribution of Crown Court business, the Crown Court may give directions, or further directions, altering the place of any trial on indictment, whether by varying the decision of a magistrates' court under subsection (1) above, or a previous decision of the Crown Court.
- (3) The defendant or the prosecutor, if dissatisfied with the place of trial as fixed by the magistrates' court, or by the Crown Court, may apply to the Crown Court for a direction, or further direction, varying the place of trial; and the court shall take the matter into consideration and may comply with or refuse the application, or give a direction not in compliance with the application, as the court thinks fit.

Any application under this subsection shall be heard in open court by a judge of the High Court.

- (4) The trial of a person committed by a magistrates' court—

Status: This is the original version (as it was originally enacted).

- (a) shall not begin until the expiration of the prescribed period beginning with the date of his committal, except with his consent and the consent of the prosecutor, and
- (b) shall, unless the Crown Court has otherwise ordered, begin not later than the expiration of the prescribed period beginning with the date of his committal (that is to say a period longer than the period prescribed for the purposes of paragraph (a) above for the proceedings in question).

For the purposes of this subsection—

- (i) " the prescribed period" means such period for the respective purposes of paragraphs (a) and (b) of this subsection as may be prescribed by Crown Court rules, and the rules may make different provision for different places of trial, or for other different circumstances;
 - (ii) the trial shall be deemed to begin when the defendant is arraigned.
- (5) Without prejudice to the provisions of section 4(10) of this Act, directions under subsection (2) of this section may be given on behalf of the Crown Court by an officer of the Crown Court, but the power to make orders conferred on the Crown Court by subsection (4)(b) above shall be exercisable only by a judge of the court.