



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART I

CRIMINAL JURISDICTION AND PROCEDURE

Offences triable on indictment or summarily

24 Summary trial of information against child or young person for indictable offence.

- (1) Where a person under [^{F1}the age of 18 years] appears or is brought before a magistrates' court on an information charging him with an indictable offence other than homicide, he shall be tried summarily unless—
- (a) ^{F2} . . . the offence is such as is mentioned in subsection (2) of section 53 of the ^{M1}Children and Young Persons Act 1933 (under which young persons convicted on indictment of certain grave crimes may be sentenced to be detained for long periods) and the court considers that if he is found guilty of the offence it ought to be possible to sentence him in pursuance of [^{F3}subsection (3) of that section]; or
- (b) he is charged jointly with a person who has attained [^{F1}the age of 18 years] and the court considers it necessary in the interests of justice to commit them both for trial;

and accordingly in a case falling within paragraph (a) or (b) of this subsection the court shall commit the accused for trial if either it is of opinion that there is sufficient evidence to put him on trial or it has power under section 6(2) above so to commit him without consideration of the evidence.

[^{F4}(1A) Where a magistrates' court—

- (a) commits a person under the age of 18 for trial for an offence of homicide; or
- (b) in a case falling within subsection (1)(a) above, commits such a person for trial for an offence,

Status: Point in time view as at 30/09/1998. This version of this provision has been superseded.

Changes to legislation: Magistrates' Courts Act 1980, Section 24 is up to date with all changes known to be in force on or before 19 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

the court may also commit him for trial for any other indictable offence with which he is charged at the same time if the charges for both offences could be joined in the same indictment.]

- (2) Where, in a case falling within subsection (1)(b) above, a magistrates' court commits a person under [^{F1}the age of 18 years] for trial for an offence with which he is charged jointly with a person who has attained that age, the court may also commit him for trial for any other indictable offence with which he is charged at the same time (whether jointly with the person who has attained that age or not) if that other offence arises out of circumstances which are the same as or connected with those giving rise to the first-mentioned offence.
- (3) If on trying a person summarily in pursuance of subsection (1) above the court finds him guilty, it may impose a fine of an amount not exceeding [^{F5}£1000] or may exercise the same powers as it could have exercised if he had been found guilty of an offence for which, but for section [^{F6}1(1) of the Criminal Justice Act 1982, it could have sentenced him to imprisonment for a term not exceeding—
- (a) the maximum term of imprisonment for the offence on conviction on indictment; or
 - (b) six months,
- whichever is the less.]
- (4) In relation to a person under the age of 14 subsection (3) above shall have effect as if for the words “ [^{F7}£1000]” there were substituted the words “ [^{F8}£250]”; ^{F9}. . .

Textual Amendments

- F1** Words in s. 24 substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 68(d), 101(1), Sch. 8 para. 6(1)(a), **Sch. 12 para. 22(1)**; S.I. 1992/333, art. 2(2), **Sch. 2**
- F2** Words in s. 24(1)(a) repealed (9.1.1995) by 1994 c. 33, s. 168(2)(3), Sch. 10 para. 40, **Sch. 11**; S.I. 1994/3192, art. 2, **Sch**
- F3** Words in s. 24(1)(a) substituted (30.9.1998) by 1998 c. 37, s. 119, **Sch. 8 para. 40(1)**; S.I. 1998/2327, **art. 2(1)(y)(2)(n)**
- F4** S. 24(1A) inserted (30.9.1998) by 1998 c. 37, s. 47(6); S.I. 1998/2327, **art. 2(1)(k)**
- F5** Word in s. 24(3) substituted (1.10.1992) by virtue of Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 17(2)(a), 101(1), **Sch. 12 para. 6** (with s. 28); S.I. 1992/333, art. 2(2), **Sch. 2**
- F6** Words substituted by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 77, **Sch. 14 para. 47**
- F7** Word in s. 24(4) substituted (1.10.1992) by virtue of Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 17(2)(a), 101(1), **Sch. 12 para. 6** (with s. 28); S.I. 1992/333, art. 2(2), **Sch. 2**
- F8** Word in s. 24(4) substituted (1.10.1992) by virtue of Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 17(2)(b), 101(1), **Sch. 12 para. 6** (with s. 28); S.I. 1992/333, art. 2(2), **Sch. 2**
- F9** Words in s. 24(4) repealed (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 101(2), **Sch. 13**; S.I. 1992/333, art. 2(2), **Sch. 2**

Marginal Citations

- M1** 1933 c. 12.

Status:

Point in time view as at 30/09/1998. This version of this provision has been superseded.

Changes to legislation:

Magistrates' Courts Act 1980, Section 24 is up to date with all changes known to be in force on or before 19 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.