



Supreme Court Act 1981

1981 CHAPTER 54

PART II

JURISDICTION

THE CROWN COURT

48 Appeals to Crown Court

- (1) The Crown Court may, in the course of hearing any appeal, correct any error or mistake in the order or judgment incorporating the decision which is the subject of the appeal.
- (2) on the termination of the hearing of an appeal the Crown Court—
 - (a) may confirm, reverse or vary the decision appealed against; or
 - (b) may remit the matter with its opinion thereon to the authority whose decision is appealed against; or
 - (c) may make such other order in the matter as the court thinks just, and by such order exercise any power which the said authority might have exercised.
- (3) Subsection (2) has effect subject to any enactment relating to any such appeal which expressly limits or restricts the powers of the court on the appeal.
- (4) If the appeal is against a conviction or a sentence, the preceding provisions of this section shall be construed as including power to award any punishment, whether more or less severe than that awarded by the magistrates' court whose decision is appealed against, if that is a punishment which that magistrates' court might have awarded.
- (5) This section applies whether or not the appeal is against the whole of the decision.
- (6) In this section "sentence" includes any order made by a court when dealing with an offender, including—
 - (a) a hospital order under Part V of the Mental Health Act 1959, with or without an order restricting discharge ; and
 - (b) a recommendation for deportation made when dealing with an offender.