

Status: Point in time view as at 10/03/2022.

Changes to legislation: There are currently no known outstanding effects for the Coroners and Justice Act 2009, Part 7. (See end of Document for details)

SCHEDULES

SCHEDULE 21

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 7

BAIL

Bail Act 1976 (c. 63)

- 74 In the Bail Act 1976—
- (a) in section 4 (general right to bail of accused persons etc), in subsection (7) at the end add “ and section 115(1) of the Coroners and Justice Act 2009 (bail decisions in murder cases to be made by Crown Court judge) ”, and
 - (b) in section 7 (liability to arrest for absconding or breaking conditions of bail), after subsection (7) add—
 - “(8) In the case of a person charged with murder or with murder and one or more other offences—
 - (a) subsections (4) and (5) have effect as if for “justice of the peace” there were substituted “ judge of the Crown Court ”,
 - (b) subsection (6) has effect as if for “justice” (in both places) there were substituted “ judge ”, and
 - (c) subsection (7) has effect, for the purposes of subsection (4), as if at the end there were added “, Saturday or bank holiday.”

Commencement Information

I1 Sch. 21 para. 74 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 25(b)

Magistrates' Courts Act 1980 (c. 43)

- 75 In section 117 of the Magistrates' Courts Act 1980 (warrant endorsed for bail), after subsection (1) insert—
- “(1A) Subsection (1) is subject to section 115(1) of the Coroners and Justice Act 2009 (bail decisions in murder cases to be made by Crown Court judge).”

Commencement Information

I2 Sch. 21 para. 75 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 25(b)

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Supreme Court Act 1981 (c. 54)

76 In section 81 of the Supreme Court Act 1981 (granting of bail by the Crown Court)

- (a) after subsection (1)(g) insert—
- “(h) in respect of whom a judge of the Crown Court is required to make a decision pursuant to section 115(3) of the Coroners and Justice Act 2009 (bail decisions in murder cases to be made by Crown Court judge);”, and”
- (b) in subsection (5) for “either” to the end substitute “—
- (a) if the person is charged with murder or with murder and one or more other offences, the Crown Court, and
- (b) in any other case, either the Crown Court or a magistrates' court.”

Commencement Information

I3 Sch. 21 para. 76 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 25(b)

Police and Criminal Evidence Act 1984 (c. 60)

77 In section 38 of the Police and Criminal Evidence Act 1984 (duties of custody officer after charge), after subsection (1)(b) add—

- “(c) the offence with which the person is charged is murder.”

Commencement Information

I4 Sch. 21 para. 77 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 25(b)

Crime and Disorder Act 1998 (c. 37)

78 In section 52 of the Crime and Disorder Act 1998 (supplementary provision about persons sent for trial to Crown Court), in subsection (1), after “1980 Act” insert “, section 115(1) of the Coroners and Justice Act 2009”.

Commencement Information

I5 Sch. 21 para. 78 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 25(b)

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