



Coroners and Justice Act 2009

2009 CHAPTER 25

PART 3

CRIMINAL EVIDENCE, INVESTIGATIONS AND PROCEDURE

CHAPTER 4

LIVE LINKS

106 Directions to attend through live link

- (1) The Crime and Disorder Act 1998 (c. 37) is amended as follows.
- (2) In section 57B (use of live link at preliminary hearings where accused is in custody), after subsection (6) add—
 - “(7) The following functions of a magistrates' court under this section may be discharged by a single justice—
 - (a) giving a live link direction under this section;
 - (b) rescinding a live link direction before a preliminary hearing begins; and
 - (c) requiring or permitting a person to attend by live link a hearing about a matter within paragraph (a) or (b).”
- (3) In section 57C (use of live link at preliminary hearings where accused is at police station)—
 - (a) after subsection (6) insert—
 - “(6A) A live link direction under this section may not be given unless the court is satisfied that it is not contrary to the interests of justice to give the direction.”,
 - (b) omit subsection (7) (no live link direction unless accused consents),

Changes to legislation: Coroners and Justice Act 2009, Section 106 is up to date with all changes known to be in force on or before 10 April 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) View outstanding changes

- (c) in subsection (8) (power to rescind live link direction before or during hearing), omit “before or”, and
 - (d) in subsection (9) (representations about use of live link), omit paragraph (a) (and the “and” following it).
- (4) In section 57D (continued use of live link for sentencing hearing following a preliminary hearing)—
- (a) in subsection (2) (conditions for use of live link)—
 - (i) omit paragraph (b) (but not the “and” following it), and
 - (ii) in paragraph (c), for “it” to the end substitute “ the accused continuing to attend through the live link is not contrary to the interests of justice.”, and
 - (b) in subsection (3) (conditions for giving oral evidence by live link), omit paragraph (a) (and the “and” following it).
- (5) In section 57E (use of live link in sentencing hearings)—
- (a) in subsection (5) (conditions for giving live link direction), omit paragraph (a) (and the “and” following it), and
 - (b) in subsection (7) (conditions for giving oral evidence by live link), omit paragraph (a) (and the “and” following it).

Commencement Information

- I1** S. 106(1) in force at 14.12.2009 for specified purposes by [S.I. 2009/3253](#), [art. 2\(a\)\(iii\)](#), [3\(1\)\(a\)](#) (with [art. 4](#))
- I2** [S. 106\(1\)](#) in force at 3.10.2011 for specified purposes by [S.I. 2011/2148](#), [art. 2\(1\)\(a\)](#)
- I3** [S. 106\(1\)\(3\)](#) in force at 8.10.2012 in so far as not already in force by [S.I. 2012/2374](#), [art. 3\(a\)](#)
- I4** S. 106(2)(5) in force at 14.12.2009 by [S.I. 2009/3253](#), [art. 2\(a\)\(i\)](#) (with [art. 4](#))
- I5** S. 106(3) in force at 14.12.2009 for specified purposes by [S.I. 2009/3253](#), [art. 3\(1\)\(a\)](#) (with [art. 4](#))
- I6** [S. 106\(3\)](#) in force at 3.10.2011 for specified purposes by [S.I. 2011/2148](#), [art. 2\(1\)\(a\)](#)
- I7** S. 106(4) in force at 14.12.2009 by [S.I. 2009/3253](#), [art. 2\(a\)\(ii\)](#)

Changes to legislation:

Coroners and Justice Act 2009, Section 106 is up to date with all changes known to be in force on or before 10 April 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A and cross-heading inserted by [2023 c. 41 Sch. 11 para. 1\(1\)](#)
- Sch. 1A inserted by [2023 c. 41 Sch. 11 para. 1\(2\)](#)