



Crime and Security Act 2010

2010 CHAPTER 17

Domestic violence

30 Further provision about remand

- (1) This section applies for the purposes of the remand of a person by a magistrates' court under section 26(2) or (3) or 29(2).
- (2) In the application of section 128(6) of the Magistrates' Courts Act 1980 for those purposes, the reference to the "other party" is to be read—
 - (a) in the case of a remand prior to the hearing of an application for a DVPO, as a reference to the authorising officer,
 - (b) in any other case, as a reference to the constable who applied for the DVPO.
- (3) If the court has reason to suspect that a medical report will be required, the power to remand a person may be exercised for the purpose of enabling a medical examination to take place and a report to be made.
- (4) If the person is remanded in custody for that purpose, the adjournment may not be for more than 3 weeks at a time.
- (5) If the person is remanded on bail for that purpose, the adjournment may not be for more than 4 weeks at a time.
- (6) If the court has reason to suspect that the person is suffering from a mental disorder within the meaning of the Mental Health Act 1983, the court has the same power to make an order under section 35 of that Act (remand to hospital for medical report) as it has under that section in the case of an accused person (within the meaning of that section).
- (7) The court may, when remanding the person on bail, require the person to comply, before release on bail or later, with such requirements as appear to the court to be necessary to secure that the person does not interfere with witnesses or otherwise obstruct the course of justice.

Changes to legislation: *Crime and Security Act 2010, Section 30 is up to date with all changes known to be in force on or before 25 May 2023. 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*

Commencement Information

- I1** S. 30 coming into force (temp.) (30.6.2011 for specified police areas and policing divisions for a period of 12 months ending on 29.6.2012 so that the Secretary of State may assess the effectiveness of this provision) by [Crime and Security Act 2010 \(Domestic Violence: Pilot Schemes\) Order 2011 \(S.I. 2011/1440\)](#), **arts. 2, 3**
- I2** S. 30 coming into force (temp.) (7.10.2011 for specified police areas and policing divisions for a period ending on 29.6.2012 so that the Secretary of State may assess the effectiveness of this provision) by [The Crime and Security Act 2010 \(Domestic Violence: Pilot Schemes\) Order \(No. 2\) 2011 \(S.I. 2011/2279\)](#), **arts. 2, 3**
- I3** S. 30 in force at 30.6.2012 for specified purposes by [S.I. 2012/1615](#), **arts. 2, 3**
- I4** S. 30 in force at 8.3.2014 in so far as not already in force by [S.I. 2014/478](#), **art. 2(a)**

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Changes and effects yet to be applied to :

- s. 24-33 omitted by [2021 c. 17 s. 55\(1\)](#)