



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.