



# Criminal Justice Act 1967

## 1967 CHAPTER 80

### PART II **U.K.**

#### POWERS OF COURTS TO DEAL WITH OFFENDERS

37— .....<sup>F1</sup> **E+W**  
42.

##### Textual Amendments

**F1** Ss. 37–42, 47, 48(2), 52, 53, 54(1)–(3), 54(5)(7), 55, 57, 95(2)(3), 96, 99 repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

43 .....<sup>F2</sup> **E+W**

##### Textual Amendments

**F2** S. 43 repealed by Criminal Law Act 1977 (c. 45), s. 65(7), **Sch. 13**

#### *Enforcement of payment of fines, etc.*

44 .....<sup>F3</sup> **E+W**

##### Textual Amendments

**F3** Ss. 1–6, 19, 24, 26, 28–30, 44, 44A, 45, 56(4), 94, repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 9**

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1967, Part II. (See end of Document for details)*

44A ..... F4 **E+W**

**Textual Amendments**  
F4 Ss. 1–6, 19, 24, 26, 28–30, 44, 44A, 45, 56(4), 94, repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 9**

45 ..... F5 **E+W**

**Textual Amendments**  
F5 Ss. 1–6, 19, 24, 26, 28–30, 44, 44A, 45, 56(4), 94, repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 9**

46 ..... F6 **E+W**

**Textual Amendments**  
F6 S. 46 repealed by Administration of Justice Act 1970 (c. 31), **Sch. 11**

47 ..... F7 **E+W**

**Textual Amendments**  
F7 Ss. 37–42, 47, 48(2), 52, 53, 54(1)–(3), 54(5)(7), 55, 57, 95(2)(3), 96, 99 repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

48 **E+W**

(1) ..... F8

(2) ..... F9

**Textual Amendments**  
F8 Ss. 48(1), 54(6)(8), 62(8), 68, 93(3) repealed by Criminal Procedure (Scotland) Act 1975 (c. 21), **Sch. 10 Pt. I**  
F9 Ss. 37–42, 47, 48(2), 52, 53, 54(1)–(3), 54(5)(7), 55, 57, 95(2)(3), 96, 99 repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

49 ..... F10 **E+W**

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1967, Part II. (See end of Document for details)*

**Textual Amendments**

**F10** S. 49 repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, Sch. 8 para. 16, **Sch. 16**

**F12** **50** ..... **F11** **E+W**

**Textual Amendments**

**F11** Words repealed by [Powers of Criminal Courts Act 1973 \(c. 62\)](#), **Sch. 6**

**F12** Words repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 9**

**51** ..... **F13** **E+W**

**Textual Amendments**

**F13** Ss. 51, 56(8)–(12) repealed by [Road Traffic Act 1972 \(c. 20\)](#), **Sch. 9 Pt. I**

**52, 53.** ..... **F14** **E+W**

**Textual Amendments**

**F14** Ss. 37–42, 47, 48(2), 52, 53, 54(1)–(3), 54(5)(7), 55, 57, 95(2)(3), 96, 99 repealed by [Powers of Criminal Courts Act 1973 \(c. 62\)](#), **Sch. 6**

**54** **E+W+S**

- (1) ..... **F15**
- (4) ..... **F16**
- (5) ..... **F15**
- (6) ..... **F17**
- (7) ..... **F15**
- (8) ..... **F17**

**Textual Amendments**

**F15** Ss. 37–42, 47, 48(2), 52, 53, 54(1)–(3), 54(5)(7), 55, 57, 95(2)(3), 96, 99 repealed by [Powers of Criminal Courts Act 1973 \(c. 62\)](#), **Sch. 6**

**F16** Ss. 54(4), 56(7), 95(4)(5) repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**

**F17** Ss. 48(1), 54(6)(8), 62(8), 68, 93(3) repealed by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), **Sch. 10 Pt. I**

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55 ..... F18 **E+W**

**Textual Amendments**  
F18 Ss. 37–42, 47, 48(2), 52, 53, 54(1)–(3), 54(5)(7), 55, 57, 95(2)(3), 96, 99 repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

*Miscellaneous*

56 **Committal for sentence for offences tried summarily.** **E+W**

- [<sup>F19</sup>(1) Where a magistrates’ court (“the committing court”) commits a person in custody or on bail to the Crown Court under any enactment to which this section applies to be sentenced or otherwise dealt with in respect of an offence (“the relevant offence”), the committing court—
- (a) if the relevant offence is an [<sup>F20</sup>indictable offence], may also commit him, in custody or on bail as the case may require, to the Crown Court to be dealt with in respect of any other offence whatsoever in respect of which the committing court has power to deal with him (being an offence of which he has been convicted by that or any other court); or
  - (b) if the relevant offence is a summary offence, may commit him, as aforesaid, to the Crown Court to be dealt with in respect of—
    - (i) any other offence of which the committing court has convicted him, being either an offence punishable with imprisonment or an offence in respect of which the committing court has a power or duty to order him to be disqualified under [<sup>F21</sup>section 93 of the Road Traffic Act 1972, section 19 of the Transport Act 1981 or sections 34 to 36 of the Road Traffic Offenders Act 1988] (disqualification for certain motoring offences); or
    - (ii) any suspended sentence in respect of which the committing court has under section 24(1) of the <sup>M1</sup>Powers of Criminal Courts Act 1973 power to deal with him.]
- (2) The enactments to which this section applies are the <sup>M2</sup>Vagrancy Act 1824 (incorrigible rogues), [<sup>F22</sup>[<sup>F23</sup>sections 37 and 38 of the Magistrates’ Courts Act 1980] (committal for sentence), section 62(6) of this Act [<sup>F24</sup>, section 8(6) of the Powers of Criminal Courts Act 1973 (probationer convicted of subsequent offence) and section 24(2) of that Act and paragraph 2(2)(a) of Schedule 9 to the Criminal Law Act 1977 (committal to be dealt with in respect of a wholly or partly suspended sentence)].
- (3) The power of a magistrates’ court under section 8(4) of the <sup>M3</sup>Criminal Justice Act 1948 to commit to a [<sup>F25</sup>Crown Court] a person subject to a probation order or an order for conditional discharge who has been convicted of an offence by the magistrates’ court shall be exercisable notwithstanding that the magistrates’ court has not dealt with him in respect of that offence; and accordingly in that subsection and subsection (5) of that section the words “and dealt with” shall cease to have effect.
- (4) ..... <sup>F26</sup>
- (5) Where under subsection (1) of this section a magistrates’ court commits a person to be dealt with by a [<sup>F25</sup>Crown Court] in respect of an offence, the latter court may after

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inquiring into the circumstances of the case deal with him in any way in which the magistrates' court might have dealt with him, and, without prejudice to the foregoing provision, where under that subsection or any enactment to which this section applies a magistrates' court so commits a person, any duty or power which, apart from this subsection, would fall to be discharged or exercised by the magistrates' court shall not be discharged or exercised by that court but shall instead be discharged or may instead be exercised by the [F25Crown Court].

- (6) Any duty imposed or power conferred by virtue of the last foregoing subsection on a [F25Crown Court], in a case where an offender has been committed to the court under [F27section 37 of the Magistrates' Courts Act 1980], shall be discharged or may be exercised by the court notwithstanding that it sentences him to borstal training and in that or any other case shall be discharged or may be exercised notwithstanding anything in any other enactment and, in particular, in [F28sections 34 to 36 and 44 of the Road Traffic Offenders Act 1988].

(7) ..... F29

(8) ..... F30

- (13) In this section—

“disqualified” means disqualified for holding or obtaining a licence under Part II of the <sup>M4</sup>Road Traffic Act 1960 [F31Part III of the Road Traffic Act 1972, section 19 of the Transport Act 1981 or Part III of the Road Traffic Act 1988].

F32

#### Textual Amendments

- F19** S. 56(1) substituted by Criminal Law Act 1977 (c. 45), ss. 46, 65(7)  
**F20** Words substituted by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 42(1)(2), Sch 8 para. 16  
**F21** Words substituted by virtue of Transport Act 1981 (c.56, SIF 107:1), s. 30, Sch. 9 Pt. II para. 25 and Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, Sch. 3 para. 3(a)  
**F22** Words substituted by Powers of Criminal Courts Act 1973 (c. 62), s. 56(1), Sch. 5 para. 20(b)  
**F23** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), Sch. 7 para. 67(a)  
**F24** Words substituted by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 42(1)(3), Sch. 8 para. 16  
**F25** Words substituted by Courts Act 1971 (c. 23), Sch. 8 para.48  
**F26** Ss. 1–6, 19, 24, 26, 28–30, 44, 44A,45, 56(4), 94, repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), Sch. 9  
**F27** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), Sch. 7 paras. 6, 7(b)  
**F28** Words substituted by virtue of Transport Act 1981 (c.56, SIF 107:1), s. 30, Sch. 9 Pt. II para. 25 and Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, Sch. 3 para. 3(b)  
**F29** Ss. 54(4), 56(7), 95(4)(5) repealed by Courts Act 1971 (c. 23), Sch. 11 Pt. IV  
**F30** Ss. 51, 56(8)–(12) repealed by Road Traffic Act 1972 (c. 20), Sch. 9 Pt. I  
**F31** Words substituted by virtue of Transport Act 1981 (c.56, SIF 107:1), s. 30, Sch. 9 Pt. II para. 25 and Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, Sch. 3 para. 3(c)  
**F32** Definitions repealed by Road Traffic Act 1972 (c. 20), Sch. 9 Pt. I

#### Modifications etc. (not altering text)

- C1** S. 56(5) excluded by Road Traffic Offenders Act 1988 (c. 53, SIF 107:1), s. 25(4)

#### Marginal Citations

- M1** 1973 c. 62.  
**M2** 1824 c. 83.

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- M3** 1948 c. 58.
- M4** 1960 c. 16.

57 ..... <sup>F33</sup> **E+W**

**Textual Amendments**

**F33** Ss. 37–42, 47, 48(2), 52, 53, 54(1)–(3), 54(5)(7), 55, 57, 95(2)(3), 96, 99 repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

58 ..... <sup>F34</sup> **E+W**

**Textual Amendments**

**F34** S. 58 repealed by Immigration Act 1971 (c. 77), **Sch. 6**

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**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice Act 1967, Part II.