
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 3rd October 2011 the provisions of the Coroners and Justice Act 2009 (c. 25) (“the 2009 Act”) set out in article 2(1), but only in certain local justice areas (article 2(2)).

Section 106 of the 2009 Act amends section 57C of the Crime and Disorder Act 1998 (c. 37), which concerns the use of “live links” at preliminary hearings in magistrates’ courts where the accused is at a police station. A live link is a video-link between a court and a police station. The amendment replaces the requirement that the court obtain the consent of the accused before giving a live link direction with a new requirement that the court be satisfied that it is not contrary to the interests of justice to make such a direction. Section 107 of the 2009 Act makes consequential amendments to sections 46ZA and 46A of the Police and Criminal Evidence Act 1984 (c. 60) (“the 1984 Act”).

Section 108 of the 2009 Act inserts new sections 54B and 54C of the 1984 Act, and paragraph 27A of Schedule 4 to the Police Reform Act 2002, to allow persons answering to live link bail at a police station to be searched.