



Criminal Law Act 1977

1977 CHAPTER 45

PART III

CRIMINAL PROCEDURE, PENALTIES, ETC.

Allocation of offences to classes as regards mode of trial

15 Offences which are to become triable only summarily

- (1) The following offences shall be triable only summarily (instead of either way), namely—
 - (a) the offences mentioned (and broadly described) in column 1 of Schedule 1 to this Act; and
 - (b) any offence consisting in the incitement to commit a summary offence.
- (2) The provisions mentioned in subsection (3) below (which confer a right to claim trial by jury for certain offences triable summarily, thereby making triable either way such of those offences as would otherwise be triable only summarily) shall cease to have effect.
- (3) The said provisions are—
 - (a) section 25 of the Magistrates' Courts Act 1952 ;
 - (b) sections 9 and 19(1) and (2) of the Conspiracy and Protection of Property Act 1875 ;
 - (c) in the Cruelty to Animals Act 1876, section 15 and, in section 17, the words from "or if" to "Justiciary";
 - (d) in the Witnesses (Public Inquiries) Protection Act 1892, in section 3 the words from " provided that" onwards and, in section 6, paragraph (2).
- (4) The following offences under the Night Poaching Act 1828 shall be triable only summarily (instead of only on indictment), namely—
 - (a) offences under section 2 of that Act (assaults by persons committing offences under the Act);

Status: This is the original version (as it was originally enacted).

- (b) offences under section 9 of that Act (entering land, with others, armed and for the purpose of taking or destroying game or rabbits).
- (5) Subsections (1) and (4) above are without prejudice to any other enactment by virtue of which any offence is triable only summarily.