

Status: Point in time view as at 04/07/1996.

Changes to legislation: Criminal Procedure and Investigations Act 1996, Cross Heading: Criminal Justice Act 1988 is up to date with all changes known to be in force on or before 18 July 2024. 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)

SCHEDULES

SCHEDULE 1

COMMITTAL PROCEEDINGS

PART II

OTHER PROVISIONS

Criminal Justice Act 1988

- 28 In section 23 of the ^{M1}Criminal Justice Act 1988 (first-hand hearsay) the following subsection shall be inserted after subsection (4)—

“(5) This section shall not apply to proceedings before a magistrates’ court inquiring into an offence as examining justices.”

Marginal Citations

M1 1988 c. 33.

- 29 In section 24 of the Criminal Justice Act 1988 (business etc. documents) the following subsection shall be inserted after subsection (4)—

“(5) This section shall not apply to proceedings before a magistrates’ court inquiring into an offence as examining justices.”

- 30 The following shall be inserted at the end of section 26 of the Criminal Justice Act 1988 (statements in certain documents)—

“This section shall not apply to proceedings before a magistrates’ court inquiring into an offence as examining justices.”

- 31 The following shall be inserted at the end of section 27 of the Criminal Justice Act 1988 (proof of statements contained in documents)—

“This section shall not apply to proceedings before a magistrates’ court inquiring into an offence as examining justices.”

- 32 In section 30 of the Criminal Justice Act 1988 (expert reports) the following subsection shall be inserted after subsection (4)—

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“(4A) Where the proceedings mentioned in subsection (1) above are proceedings before a magistrates’ court inquiring into an offence as examining justices this section shall have effect with the omission of—

- (a) in subsection (1) the words “whether or not the person making it attends to give oral evidence in those proceedings”, and
- (b) subsections (2) to (4).”

33 In section 32A(10) of the Criminal Justice Act 1988 (video recordings) the words “notwithstanding that the child witness is not called at the committal proceedings” shall be omitted.

34 In section 40 of the Criminal Justice Act 1988 (power to join in indictment count for common assault etc.) in subsection (1) for the words from “in an examination” to the end of the subsection there shall be substituted “to a magistrates’ court inquiring into the offence as examining justices”.

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