



Crime and Disorder Act 1998

1998 CHAPTER 37

PART III

CRIMINAL JUSTICE SYSTEM

Functions of courts etc.

50 Early administrative hearings.

- (1) Where a person (“the accused”) has been charged with an offence at a police station, the magistrates’ court before whom he appears or is brought for the first time in relation to the charge may, ^{F1} ..., consist of a single justice.
- [^{F2}(2) At a hearing conducted by a single justice under this section the accused shall be asked whether he wishes to be granted a right to representation funded by the Legal Services Commission as part of the Criminal Defence Service.
- (2A) Where the accused wishes to be granted such a right, the Legal Services Commission shall decide whether or not to grant him that right.]
- (3) At such a hearing the single justice—
 - (a) may exercise, subject to subsection (2) above, such of his powers as a single justice as he thinks fit; and
 - (b) on adjourning the hearing, may remand the accused in custody or on bail.
- (4) This section applies in relation to a justices’ clerk as it applies in relation to a single justice; but nothing in subsection (3)(b) above authorises such a clerk to remand the accused in custody or, without the consent of the prosecutor and the accused, to remand the accused on bail on conditions other than those (if any) previously imposed.
- [^{F3}(4A) A hearing conducted by a single justice under this section may be—
 - (a) adjourned to enable the decision mentioned in subsection (2A) above to be taken, and
 - (b) subsequently resumed by a single justice.]

Status: Point in time view as at 18/06/2012. This version of this provision has been superseded.

Changes to legislation: Crime and Disorder Act 1998, Section 50 is up to date with all changes known to be in force on or before 30 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)

^{F4}(5)

Textual Amendments

- F1** Words in s. 50(1) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 3 para. 16](#), [Sch. 37 Pt. 4](#); [S.I. 2012/1320](#), art. 4(1)(c)(d)(2)(3) (with art. 5) (see [S.I. 2012/2574](#), art. 4(2) and [S.I. 2013/1103](#), art. 4); [S.I. 2012/2574](#), art. 2(2)(3), Sch. (with arts. 3, 4) (as amended (4.11.2012) by [S.I. 2012/2761](#), art. 2) (with [S.I. 2013/1103](#), art. 4); [S.I. 2013/1103](#), art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F2** S. 50(2)(2A) substituted for s. 50(2) (2.10.2006) by The Criminal Defence Service (Representation Orders and Consequential Amendment) Regulations 2006 ([S.I. 2006/2493](#)), {reg. 8(2)}
- F3** S. 50(4A) inserted (2.10.2006) by The Criminal Defence Service (Representation Orders and Consequential Amendment) Regulations 2006 ([S.I. 2006/2493](#)), {reg. 8(3)}
- F4** S. 50(5) repealed (2.4.2001) by [1999 c. 22](#), s. 106, [Sch. 15 Pt. I](#) (with [Sch. 14 paras. 7\(2\), 36\(9\)](#)); [S.I. 2001/916](#), [art. 3\(b\)](#) (with [Sch. 2 para. 2](#))

Modifications etc. (not altering text)

- C1** S. 50 extended (1.11.1999) by [S.I. 1999/2784](#), [rule 3\(2\)](#)

Commencement Information

- I1** S. 50 wholly in force; S. 50 not in force at Royal Assent see s. 121. In force at 30.9.1998 by [S.I. 1998/2327](#), [art. 2\(1\)](#) (subject to savings in [arts. 5-8](#))

Status:

Point in time view as at 18/06/2012. This version of this provision has been superseded.

Changes to legislation:

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