



# Crime and Disorder Act 1998

## 1998 CHAPTER 37

### PART 3A

#### LIVE LINKS FOR ACCUSED'S ATTENDANCE AT CERTAIN PRELIMINARY AND SENTENCING HEARINGS

VALID FROM 01/04/2007

#### **57C Use of live link at preliminary hearings where accused is at police station**

- (1) This section applies in relation to a preliminary hearing in a magistrates' court.
- (2) Where subsection (3) or (4) applies to the accused, the court may give a live link direction in relation to his attendance at the preliminary hearing.
- (3) This subsection applies to the accused if—
  - (a) he is in police detention at a police station in connection with the offence; and
  - (b) it appears to the court that he is likely to remain at that station in police detention until the beginning of the preliminary hearing.
- (4) This subsection applies to the accused if he is at a police station in answer to live link bail in connection with the offence.
- (5) A live link direction under this section is a direction requiring the accused to attend the preliminary hearing through a live link from the police station.
- (6) But a direction given in relation to an accused to whom subsection (3) applies has no effect if he does not remain in police detention at the police station until the beginning of the preliminary hearing.
- (7) A live link direction under this section may not be given unless the accused has given his consent to the court.

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*Status: Point in time view as at 01/07/2005. This version of this provision is not valid for this point in time.*

*Changes to legislation: Crime and Disorder Act 1998, Section 57C is up to date with all changes known to be in force on or before 24 August 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)*

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- (8) A magistrates' court may rescind a live link direction under this section at any time before or during a hearing to which it relates.
- (9) A magistrates' court may require or permit—
  - (a) the accused to give or withhold consent under subsection (7) through a live link; and
  - (b) any party to the proceedings who wishes to make representations in relation to the giving or rescission of a live link direction under this section to do so through a live link.
- (10) Where a live link direction under this section is given in relation to an accused person who is answering to live link bail he is to be treated as having surrendered to the custody of the court (as from the time when the direction is given).
- (11) In this section, “live link bail” means bail granted under Part 4 of the Police and Criminal Evidence Act 1984 subject to the duty mentioned in section 47(3)(b) of that Act.

**Status:**

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