



Crime and Disorder Act 1998

1998 CHAPTER 37

^{F1}[^{F2}PART 3A

LIVE LINKS FOR ACCUSED'S ATTENDANCE AT CERTAIN PRELIMINARY [^{F1}, SENTENCING AND OTHER] HEARINGS

^{F2}57C ^{F1}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.

^{F3}[A live link direction under this section may not be given unless the court is satisfied
^{F4}(6A) that it is not contrary to the interests of justice to give the direction.]

^{F5}(7) ^{F6}

^{F7}(8) A magistrates' court may rescind a live link direction under this section at any time
^{F8} . . . during a hearing to which it relates.

(9) A magistrates' court may require or permit—

Status: Point in time view as at 28/01/2015. This version of this provision has been superseded.

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- ^{F9}(a) ^{F10}
- (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.]

Textual Amendments

- F1** Pt. 3A substituted (15.1.2007 for specified purposes, 1.4.2007 for specified purposes, 14.11.2008 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 45, 53(1); [S.I. 2006/3364](#), art. 2(g) (with art. 4); [S.I. 2007/709](#), art. 3(n) (with art. 6); [S.I. 2008/2785](#), art. 2; [S.I. 2011/2144](#), art. 2(1)(a); [S.I. 2012/2373](#), art. 2(a)
- F2** Pt. 3A (ss. 57A-57E) substituted for s. 57 (15.1.2007 for specified purposes, 1.4.2007 for specified purposes, 14.11.2008 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 45, 53(1); [S.I. 2006/3364](#), art. 2(g) (with art. 4); [S.I. 2007/709](#), art. 3(n) (with art. 6); [S.I. 2008/2785](#), art. 2; [S.I. 2011/2144](#), art. 2(1)(a); [S.I. 2012/2373](#), art. 2(a)
- F3** S. 57C(6A) inserted (14.12.2009 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(3)(a), 182(5) (with s. 180); [S.I. 2009/3253](#), art. 3(1)(a) (with art. 4); [S.I. 2011/2148](#), art. 2; [S.I. 2012/2374](#), art. 3(a)
- F4** S. 57C(6A) inserted (14.12.2009 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(3)(a), 182(5) (with s. 180); [S.I. 2009/3253](#), art. 3(1)(a) (with art. 4); [S.I. 2011/2148](#), art. 2; [S.I. 2012/2374](#), art. 3(a)
- F5** S. 57C(7) repealed (14.12.2009 for specified purposes, 6.4.2010 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(3)(b), 182(5), [Sch. 23 Pt. 3](#) (with s. 180); [S.I. 2009/3253](#), art. 3(1)(a) (with art. 4); [S.I. 2010/816](#), art. 4; [S.I. 2011/2148](#), art. 2; [S.I. 2012/2374](#), art. 3(a)(e)
- F6** S. 57C(7) repealed (14.12.2009 and 3.10.2011 in relation to specified areas, otherwise prosp.) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(3)(b), 178, 182(5), [Sch. 23 Pt. 3](#) (with s. 180, [Sch. 22](#)); [S.I. 2009/3253](#), [art. 3\(1\)\(a\)](#) (with [art. 4\(2\)](#)); [S.I. 2010/816](#), [art. 4\(b\)](#); [S.I. 2011/2148](#), [art. 2\(1\)\(a\)\(e\)](#)
- F7** Words in s. 57C(8) repealed (14.12.2009 for specified purposes, 6.4.2010 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(3)(c), 182(5), [Sch. 23 Pt. 3](#) (with s. 180); [S.I. 2009/3253](#), art. 3(1)(a) (with art. 4); [S.I. 2010/816](#), art. 4; [S.I. 2011/2148](#), art. 2; [S.I. 2012/2374](#), art. 3(a)(e)
- F8** Words in s. 57C(8) repealed (14.12.2009 for specified purposes, 6.4.2010 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(3)(c), 182(5), [Sch. 23 Pt. 3](#) (with s. 180); [S.I. 2009/3253](#), art. 3(1)(a) (with art. 4); [S.I. 2010/816](#), art. 4; [S.I. 2011/2148](#), art. 2; [S.I. 2012/2374](#), art. 3(a)(e)
- F9** S. 57C(9)(a) repealed (14.12.2009 for specified purposes, 6.4.2010 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(3)(d), 182(5), [Sch. 23 Pt. 3](#) (with s. 180); [S.I. 2009/3253](#), art. 3(1)(a) (with art. 4); [S.I. 2010/816](#), art. 4; [S.I. 2011/2148](#), art. 2; [S.I. 2012/2374](#), art. 3(a)(e)
- F10** S. 57C(9)(a) and word repealed (14.12.2009 and 3.10.2011 in relation to specified areas, otherwise prosp.) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(3)(d), 178, 182(5), [Sch. 23 Pt. 3](#) (with s. 180,

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Sch. 22); S.I. 2009/3253, **art. 3(1)(a)** (with art. 4(2)); S.I. 2010/816, **art. 4(b)**; S.I. 2011/2148, **art. 2(1)(a)(e)**

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