



Crime and Disorder Act 1998

1998 CHAPTER 37

[^{F1}PART 3A

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

[^{F1}[^{F2}57D]Continued use of live link for sentencing hearing following a preliminary hearing

- (1) Subsection (2) applies where—
 - (a) a live link direction under section 57B or 57C is in force;
 - (b) the accused is attending a preliminary hearing through a live link by virtue of the direction;
 - (c) the court convicts him of the offence in the course of that hearing (whether by virtue of a guilty plea or an indication of an intention to plead guilty); and
 - (d) the court proposes to continue the hearing as a sentencing hearing in relation to the offence.
- (2) The accused may continue to attend through the live link by virtue of the direction if—
 - (a) the hearing is continued as a sentencing hearing in relation to the offence;
 - ^{F3}(b) ; and
 - (c) the court is satisfied that [^{F4}the accused continuing to attend through the live link is not contrary to the interests of justice.]
- (3) But the accused may not give oral evidence through the live link during a continued hearing under subsection (2) unless—
 - ^{F5}(a)
 - (b) the court is satisfied that it is not contrary to the interests of justice for him to give it in that way.]]

Status: Point in time view as at 28/04/2022. This version of this provision has been superseded.

Changes to legislation: Crime and Disorder Act 1998, Section 57D is up to date with all changes known to be in force on or before 23 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)

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** S. 57D omitted (temp.) (25.3.2020) by virtue of [Coronavirus Act 2020 \(c. 7\)](#), s. 87(1), **Sch. 24 para. 3(6)** (with ss. 88-90)
- F3** S. 57D(2)(b) repealed (14.12.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(4)(a)(i), 178, 182(5), **Sch. 23 Pt. 3**; [S.I. 2009/3253](#), **art. 2(a)(ii)**; [S.I. 2010/816](#), **art. 2**, Sch. para. 22(a)(i)
- F4** Words in s. 57D(2)(c) substituted (14.12.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), **ss. 106(4)(a)(ii), 182(5)** (with s. 180, Sch. 22); [S.I. 2009/3253](#), **art. 2(a)(ii)**
- F5** S. 57D(3)(a) and word repealed (14.12.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 106(4)(b), 178, 182(5), **Sch. 23 Pt. 3**; [S.I. 2009/3253](#), **art. 2(a)(ii)**; [S.I. 2010/816](#), **art. 2**, Sch. para. 22(a)(i)

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