

CRIME AND SECURITY ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Domestic violence

Section 30: Further provision about remand

113. *Section 30* makes further provision about remand of a person by a magistrates' court under section 26(2) or (3) or section 29(2).
114. *Subsection (2)* makes a minor modification to section 128 of the Magistrates' Courts Act (which makes provision about remand in custody or on bail) in its application to these provisions.
115. *Subsection (3)* gives the court the power to remand P for the purposes of allowing a medical report to be made, and *subsections (4) and (5)* provide that, in such a case, the adjournment may not be for more than three weeks at a time if P is remanded in custody and not for more than four weeks at a time if P is remanded on bail.
116. *Subsection (6)* gives the court the same power as it has in respect of an accused person to make an order under section 35 of the Mental Health Act 1983 if it suspects that P is suffering from a mental disorder. Section 35 of that Act enables a court to remand an individual to a hospital specified by the court for a report on his mental condition. Such a remand may not be for more than 28 days at a time or for more than 12 weeks in total.
117. Under *subsection (7)*, when remanding a person on bail, the court may impose requirements which appear to the court as necessary to ensure that the person does not interfere with witnesses or otherwise obstruct the course of justice.