



Criminal Justice Act 1948

1948 CHAPTER 58

PART I

POWERS AND PROCEEDINGS OF COURTS.

Adjournment, remand etc.

27 Remand and committal of persons under 21.

- (1) Where a court remands or commits for trial or for sentence a person under twenty-one years of age who is charged with or convicted of an offence and is not released on bail, then, except as otherwise expressly provided by this section, the following provisions shall have effect, that is to say—
- (a) if he is under fourteen years of age, he shall be committed to a remand home;
 - (b) if he is not less than fourteen but under seventeen years of age, he shall be committed to a remand home unless the court certifies that he is of so unruly a character that he cannot safely be detained in a remand home or of so depraved a character that he is not fit to be so detained;
 - (c) , if he is not less than seventeen years of age, or if the court certifies as mentioned in the last foregoing paragraph, and the court has been notified by the Secretary of State that a remand centre is available for the reception from that court of persons of his class or description, he shall be committed to a remand centre,
- instead of being committed to a prison.
- (2) Subject as hereinafter provided, where a person is committed or remanded in custody by a court of summary jurisdiction under section twenty of this Act with a view to a sentence of Borstal training he shall be committed—
- (a) if the court has been notified by the Secretary of State that a remand centre is available for the reception from that court of persons of his class or description, to a remand centre; and
 - (b) if the court has not been so notified, to a prison:

Status: This is the original version (as it was originally enacted).

Provided that if, being under seventeen years of age, he is remanded under subsection (7) of the said section twenty for a report or representations of the Prison Commissioners, and the court has not been notified as aforesaid, he shall be committed to a remand home unless the court certifies that he is of so unruly a character that he cannot safely be detained in a remand home or of so depraved a character that he is not fit to be so detained.

- (3) Where a person being not less than fourteen but under seventeen years of age is remanded in custody under section twenty-six of this Act for an inquiry into his physical or mental condition, and the court is satisfied that facilities for such an inquiry during his detention in the remand home to which he would, but for this subsection, have been committed are not provided or otherwise made available under this Act, then if the court has been notified that a remand centre is available for the reception from that court of persons of his class or description, he shall be committed to a remand centre.
- (4) Where any person is committed to a remand home or a remand centre under any provision of this Act, the home or centre shall be specified in the warrant and he shall there be detained for the period for which he is remanded or until he is thence delivered in due course of law.
- (5) Where any person has been committed to a remand home under any provision of this Act, the court by which he was committed, or, if application cannot conveniently be made to that court, any court of summary jurisdiction having jurisdiction in the place where that court sat, may vary the commitment by substituting another remand home for that remand home; and if the person so committed is not less than fourteen years of age and it appears to the court that he is of so unruly a character that he cannot safely be detained in a remand home, or to be of so depraved a character that he is not fit to be so detained, the court may revoke the commitment and commit the said person—
 - (a) if the court has been notified that a remand centre is available for the reception from that court of persons of his class or description, to a remand centre; and
 - (b) if the court has not been so notified, to a prison.
- (6) In this section the expression " court " includes a justice of the peace.