
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Criminal Justice Act 2003 (Commencement No. 29 and Saving Provisions) Order 2012 (S.I. 2012/2574) (“the No. 29 Order”). It does so by inserting the local justice area of High Peak into a list of local justice areas in the Schedule to the No. 29 Order. Local justice areas are areas in England and Wales in relation to which a magistrates’ court may sit. The No. 29 Order brings into force on 5th November 2012 provisions in Schedule 3 to the Criminal Justice Act 2003 (c. 44) (“the 2003 Act”) in relation to the listed local justice areas. Inserting High Peak into that list means that that area is included among the areas where provisions in Schedule 3 are commenced.

The provisions in Schedule 3 relate to the circumstances in which certain cases reach the Crown Court from a magistrates’ court. In particular, Schedule 3 replaces the committal procedure with a sending procedure. It also modifies the powers of a magistrates’ court to commit to the Crown Court for sentence. A magistrates’ court for a particular local justice area tends in practice to send or commit cases to the Crown Court for a particular area. The local justice area of High Peak is included in the Schedule to the No. 29 Order so that the relevant provisions in Schedule 3 to the 2003 Act are commenced in relation to all local justice areas which in practice send or commit cases to the Crown Court at Derby. The other local justice areas which in practice send or commit cases to the Crown Court at Derby (Southern Derbyshire and North East Derbyshire and Dales) are already listed in the Schedule to the No. 29 Order.

A regulatory impact assessment has not been prepared for this Order as no impact on the private or voluntary sectors is foreseen.