



Senior Courts Act 1981

1981 CHAPTER 54

PART II

JURISDICTION

THE HIGH COURT

Other particular fields of jurisdiction

[^{F1}28A Proceedings on case stated by magistrates' court or Crown Court.

- (1) This section applies where a case is stated for the opinion of the High Court—
 - (a) by a magistrates' court under section 111 of the ^{M1}Magistrates' Courts Act 1980; or
 - (b) by the Crown Court under section 28(1) of this Act.
- (2) The High Court may, if it thinks fit, cause the case to be sent back for amendment and, where it does so, the case shall be amended accordingly.
- (3) The High Court shall hear and determine the question arising on the case (or the case as amended) and shall—
 - (a) reverse, affirm or amend the determination in respect of which the case has been stated; or
 - (b) remit the matter to the magistrates' court, or the Crown Court, with the opinion of the High Court,and may make such other order in relation to the matter (including as to costs) as it thinks fit.
- (4) Except as provided by the ^{M2}Administration of Justice Act 1960 (right of appeal to [^{F2}Supreme Court] in criminal cases), a decision of the High Court under this section is final.]

Changes to legislation: Senior Courts Act 1981, Section 28A is up to date with all changes known to be in force on or before 17 April 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) View outstanding changes

Textual Amendments

- F1** S. 28A substituted (27.9.1999) by [1999 c. 22, ss. 61, 108\(3\)\(b\)](#) (with [Sch. 14 para. 7\(2\)](#))
- F2** Words in s. 28A(4) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40, 148\(1\), Sch. 9 para. 36\(4\)](#); [S.I. 2009/1604, art. 2\(d\)](#)
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Marginal Citations

- M1** [1980 c.43.](#)
- M2** [1960 c.65.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)