



Criminal Justice Act 1988

1988 CHAPTER 33

PART XI

MISCELLANEOUS

Costs and expenses

166 Costs and expenses of prosecution witnesses and other persons.

- (1) Section 14 of the ^{M1}Prosecution of Offences Act 1985 (control of certain fees and expenses etc. paid by Crown Prosecution Service) shall be amended as follows—
- (a) at the end of paragraph (b) of subsection (1) there shall be added the words “and, subject to subsection (1A) below, of any other person who in the opinion of the Service necessarily attends for the purpose of the case otherwise than to give evidence”;
 - (b) the following subsections shall be inserted after that subsection—
 - “(1A) The power conferred on the Attorney General by subsection (1)(b) above only relates to the costs and expenses of an interpreter if the interpreter is required because of the lack of English of a person attending to give evidence at the instance of the Service.
 - (1B) In subsection (1)(b) above “attending” means attending at the court or elsewhere.”; and
 - (c) the following subsection shall be inserted after subsection (2)—
 - “(3) Regulations made under subsection (1)(b) above may provide that scales or rates of costs and expenses shall be determined by the Attorney General with the consent of the Treasury.”.
- (2) In paragraph (a) of section 19(3) of that Act (regulations as to payment out of central funds) after the word “proceedings” there shall be inserted the words “, and any other person who in the opinion of the court necessarily attends for the purpose of the proceedings otherwise than to give evidence,”.

Changes to legislation: *Criminal Justice Act 1988, Section 166 is up to date with all changes known to be in force on or before 24 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*

(3) The following subsection shall be inserted after that subsection—

“(3A) In subsection (3)(a) above “attendance” means attendance at the core elsewhere.”.

(4) The amendments made by subsections (2) and (3) above shall be deemed to have come into force on 1st October 1986.

(5) In Schedule 1 to the ^{M2}Criminal Justice Act 1987 (control of certain fees and expenses etc. paid by Serious Fraud Office)—

(a) in sub-paragraph (1)(b) of paragraph 8, for the word “to” in the third place it occurs there shall be substituted the word “of”; and

(b) the following sub-paragraph shall be inserted after sub-paragraph (4) of that paragraph—

“(5) In sub-paragraph (1)(b) above “attends” means attends at the court or elsewhere.”

Marginal Citations

M1 1985 c. 23.

M2 1987 c. 38.

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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. 36(2)(b)(v) and word inserted by [2019 c. 17 s. 13\(3\)\(b\)](#)
- s. 36(3A)(3B) substituted for s. 36(3A) by [2008 c. 4 s. 46\(2\)](#)
- s. 41(4A) inserted by [2004 c. 28 Sch. 10 para. 28](#)
- s. 139AZA(1)(a)(iii) and word inserted by [2019 c. 17 s. 13\(4\)\(b\)](#)