



Criminal Appeal Act 1995

1995 CHAPTER 35

PART II

THE CRIMINAL CASES REVIEW COMMISSION

References to court

11 Cases dealt with summarily in England and Wales.

- (1) Where a person has been convicted of an offence by a magistrates' court in England and Wales, the Commission—
 - (a) may at any time refer the conviction to the Crown Court, and
 - (b) (whether or not they refer the conviction) may at any time refer to the Crown Court any sentence imposed on, or in subsequent proceedings relating to, the conviction.
- (2) A reference under subsection (1) of a person's conviction shall be treated for all purposes as an appeal by the person under section 108(1) of the ^{M1}Magistrates' Courts Act 1980 against the conviction (whether or not he pleaded guilty).
- (3) A reference under subsection (1) of a sentence imposed on, or in subsequent proceedings relating to, a person's conviction shall be treated for all purposes as an appeal by the person under section 108(1) of the Magistrates' Courts Act 1980 against—
 - (a) the sentence, and
 - (b) any other sentence imposed on, or in subsequent proceedings relating to, the conviction or any related conviction.
- (4) On a reference under subsection (1) of a person's conviction the Commission may give notice to the Crown Court that any related conviction which is specified in the notice is to be treated as referred to the Crown Court under subsection (1).
- (5) For the purposes of this section convictions are related if they are convictions of the same person by the same court on the same day.

Changes to legislation: There are currently no known outstanding effects for the Criminal Appeal Act 1995, Section 11. (See end of Document for details)

- (6) On a reference under this section the Crown Court may not award any punishment more severe than that awarded by the court whose decision is referred.
- (7) The Crown Court may grant bail to a person whose conviction or sentence has been referred under this section; and any time during which he is released on bail shall not count as part of any term of imprisonment or detention under his sentence.

Marginal Citations

M1 [1980 c. 43.](#)

Changes to legislation:

There are currently no known outstanding effects for the Criminal Appeal Act 1995, Section 11.