

*These notes refer to the Justice and Security (Northern Ireland)  
Act 2007 (c.6) which received Royal Assent on 24 May 2007*

# **JUSTICE AND SECURITY (NORTHERN IRELAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Trials on indictment without a jury***

#### ***Section 3: Preliminary inquiry***

27. This section enables the prosecution to request a preliminary inquiry rather than a preliminary investigation when a section 1 certificate case is being returned for trial to the Crown Court. The court must grant the request unless they consider a preliminary investigation to be in the interests of justice (*subsection (4)(b)*) or the offence is an extra-territorial offence under the Criminal Jurisdiction Act 1975 (*subsection (4)(c)*). Preliminary inquiry is a paper-based process whereas preliminary investigation requires the calling of witnesses. Preliminary inquiry should help to protect witnesses from intimidation.