

CRIMINAL JUSTICE AND COURTS ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 – Courts and Tribunals

Committal to Crown Court

Section 52: Low-value shoplifting: mode of trial

464. *Section 52* clarifies the effect of section 22A of the Magistrates' Courts Act 1980, inserted by section 176 of the Anti-social Behaviour, Crime and Policing Act 2014, which made theft from a shop of property valued at £200 or less a summary offence.
465. The defendant's right to elect to be tried in the Crown Court was retained. This section makes it clear that a low-value shoplifting case in which the defendant elects to be tried in the Crown Court is to be treated in the same manner as an either-way offence in which the defendant has so elected. These changes take effect two months after the Act is passed.

Section 53: Committal of young offenders convicted of certain serious offences

466. Section 3B of the Powers of Criminal Courts (Sentencing) Act 2000 allows a magistrates' court to commit a defendant under 18 to the Crown Court for sentence in certain circumstances. At present, it only applies where the defendant is charged with a serious offence listed in section 91(1) of the 2000 Act and the defendant indicates a guilty plea under section 24A or 24B of the Magistrates' Courts Act 1980. Section 53 extends section 3B so that it allows for committal for sentence in any case where a magistrates' court is of opinion that a defendant under 18 who has been convicted summarily of a serious offence listed in section 91(1) of the 2000 Act should be sentenced by the Crown Court.
467. *Subsections (3) and (4)* provide that the extended committal power is not retrospective, but applies to a case only where the offender first appeared in respect of the offence after the date of commencement.