
STATUTORY INSTRUMENTS

1987 No. 299

**The Prosecution of Offences (Custody
Time Limits) Regulations 1987**

Custody time limits in the Crown Court

5.—(1) In this Regulation “specified Crown Court centre” means the Crown Court sitting at any of the following places, namely –

Birmingham
Bristol
Maidstone.

(2) In proceedings in relation to which these Regulations apply, where –

- (a) a person accused of an indictable offence other than treason is committed for trial at a specified Crown Court centre; or
- (b) a bill of indictment is preferred against such a person under section 2(2)(b) of the Administration of Justice (Miscellaneous Provisions) Act 1933(1) at a specified Crown Court centre,

the maximum period during which he may be in the custody of the Crown Court in relation to that offence, or any other offence included in the indictment preferred against him, while awaiting the preliminary stage of the proceedings specified in the following provisions of this Regulation shall be as stated in those provisions.

(3) The maximum period of custody–

- (a) between the time when the accused is committed for trial and his arraignment; or
- (b) where a bill of indictment is preferred against him under the said section 2(2)(b), between the preferment of the bill and his arraignment,

shall, subject to the following provisions of this Regulation, be 112 days.

(4) Where, following a committal for trial, the bill of indictment preferred against the accused (not being a bill preferred under the said section 2(2)(b)) contains a count charging an offence for which he was committed for trial on a different occasion, paragraph (3) above applies in relation to each offence separately.

(5) Where, following a committal for trial, a bill of indictment is preferred under the said section 2(2)(b) and the bill does not contain a count charging an offence for which he was not committed for trial, the maximum period of custody between the preferment of the bill and the accused’s arraignment shall be 112 days less any period, or the aggregate of any periods, during which the accused has, since the committal, been in the custody of the Crown Court in relation to an offence for which he was committed for trial.

(6) Where, following a committal for trial, the bill of indictment preferred against the accused (not being a bill preferred under the said section 2(2)(b)) contains a count charging an offence for which he was not committed for trial, the maximum period of custody –

(1) 1933 c. 36; section 2(2)(b) was amended by the Supreme Court Act 1981 (c. 54), Schedule 5, and by the Prosecution of Offences Act 1985 (c. 23), Schedule 2.

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- (a) between the preferment of the bill and his arraignment, or
- (b) if the count was added to the bill after its preferment, between that addition and his arraignment,

shall be 112 days less any period, or the aggregate of any periods, during which he has, since the committal, been in the custody of the Crown Court in relation to an offence for which he was committed for trial.

(7) For the purposes of this Regulation, the arraignment of the accused shall be regarded as occurring at the time when he is asked to plead, notwithstanding that he has not done so.