

*Status:* This version of this cross heading contains provisions that are prospective.

**Changes to legislation:** Domestic Violence, Crime and Victims Act 2004, Paragraph 28 is up to date with all changes known to be in force on or before 12 May 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

## SCHEDULES

### SCHEDULE 10

#### MINOR AND CONSEQUENTIAL AMENDMENTS

PROSPECTIVE

#### *Criminal Justice Act 1988 (c. 33)*

28 In section 41 of the Criminal Justice Act 1988 (power of Crown Court to deal with summary offence where person committed for either way offence), after subsection (4) insert—

“(4A) The committal of a person under this section in respect of an offence to which section 40 above applies shall not prevent him being found guilty of that offence under section 6(3) of the Criminal Law Act 1967 (alternative verdicts on trial on indictment); but where he is convicted under that provision of such an offence, the functions of the Crown Court under this section in relation to the offence shall cease.”

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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):

- [Sch. 9 para. 26A](#) inserted by [2015 c. 2 Sch. 3 para. 12](#)