



Serious Crime Act 2007

2007 CHAPTER 27

PART 2

ENCOURAGING OR ASSISTING CRIME

Jurisdiction and procedure

57 Alternative verdicts and guilty pleas

- (1) If in proceedings on indictment for an offence under section 44 or 45 a person is not found guilty of that offence by reference to the specified offence, he may be found guilty of that offence by reference to an alternative offence.
- (2) If in proceedings for an offence under section 46 a person is not found guilty of that offence by reference to any specified offence, he may be found guilty of that offence by reference to one or more alternative offences.
- (3) If in proceedings for an offence under section 46 a person is found guilty of the offence by reference to one or more specified offences, he may also be found guilty of it by reference to one or more other alternative offences.
- (4) For the purposes of this section, an offence is an alternative offence if—
 - (a) it is an offence of which, on a trial on indictment for the specified offence, an accused may be found guilty; or
 - (b) it is an indictable offence, or one to which section 40 of the Criminal Justice Act 1988 (c. 33) applies (power to include count for common assault etc. in indictment), and the condition in subsection (5) is satisfied.
- (5) The condition is that the allegations in the indictment charging the person with the offence under this Part amount to or include (expressly or by implication) an allegation of that offence by reference to it.
- (6) Subsection (4)(b) does not apply if the specified offence, or any of the specified offences, is murder or treason.

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007, Section 57. (See end of Document for details)

- (7) In the application of subsection (5) to proceedings for an offence under section 44, the allegations in the indictment are to be taken to include an allegation of that offence by reference to the offence of attempting to commit the specified offence.
- (8) Section 49(4) applies to an offence which is an alternative offence in relation to a specified offence as it applies to that specified offence.
- (9) In this section—
- (a) in relation to a person charged with an offence under section 44 or 45, “the specified offence” means the offence specified in the indictment as the one alleged to be the anticipated offence;
 - (b) in relation to a person charged with an offence under section 46, “specified offence” means an offence specified in the indictment (within the meaning of subsection (4) of that section), and related expressions are to be read accordingly.
- (10) A person arraigned on an indictment for an offence under this Part may plead guilty to an offence of which he could be found guilty under this section on that indictment.
- (11) This section applies to an indictment containing more than one count as if each count were a separate indictment.
- (12) This section is without prejudice to—
- (a) section 6(1)(b) and (3) of the Criminal Law Act 1967 (c. 58);
 - (b) section 6(1)(b) and (2) of the Criminal Law Act (Northern Ireland) 1967 (c. 18).

Modifications etc. (not altering text)

C1 Pt. 2 restricted by 2007 c. 19, s. 18(1A) (as inserted (1.10.2008) by [Serious Crime Act 2007 \(c. 27\)](#), **ss. 62, 94(1)** (with [Sch. 13 para. 5](#)); [S.I. 2008/2504](#), **art. 2(a)**)

Commencement Information

I1 [S. 57](#) in force at 1.10.2008 by [S.I. 2008/2504](#), **art. 2(a)**

Changes to legislation:

There are currently no known outstanding effects for the Serious Crime Act 2007, Section 57.