



# Criminal Justice Act 1991

## CHAPTER 53

### CRIMINAL JUSTICE ACT 1991

#### PART I

##### POWERS OF COURTS TO DEAL WITH OFFENDERS

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- 16 Reciprocal enforcement of certain orders.

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92 Interpretation of Part IV.

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Discharge Absolute and conditional discharge. (1) Where a court by or before which a person...

Part II — PROVISIONS INSERTED AS SCHEDULE 1A

Schedule 1A Additional Requirements in Probation Orders  
Requirements as to...

SCHEDULE 2 — Enforcement etc. of Community Orders

Part I — PRELIMINARY

- 1 (1) In this Schedule “relevant order” means any of the...

Part II — BREACH OF REQUIREMENT OF ORDER

*Issue of summons or warrant*

- 2 (1) If at any time while a relevant order is...

*Powers of magistrates' court*

- 3 (1) If it is proved to the satisfaction of a...

*Powers of Crown Court*

- 4 (1) Where under paragraph 2 or by virtue of paragraph...

*Exclusions*

- 5 (1) Without prejudice to paragraphs 7 and 8 below, an...

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*Supplemental*

- 6 (1) Any exercise by a court of its powers under...  
6A (1) Where a relevant order was made by a magistrates'...  
Part III — REVOCATION OF ORDER

*Revocation of order with or without re-sentencing*

- 7 (1) This paragraph applies where a relevant order made by...  
8 (1) This paragraph applies where— (a) a relevant order made...  
8A (1) This paragraph applies where a probation order is in...

*Revocation of order following custodial sentence*

- 9 (1) This paragraph applies where— (a) an offender in respect...  
10 Where by virtue of paragraph 9(2)(b) above an offender is...

*Supplemental*

- 11 (1) On the making under this Part of this Schedule...  
11A Paragraph 6A above shall apply for the purposes of paragraphs...  
11B Where under this Part of this Schedule a relevant order...  
Part IV — AMENDMENT OF ORDER

*Amendment by reason of change of residence*

- 12 (1) This paragraph applies where, at any time while a...

*Amendment of requirements of probation or curfew order*

- 13 (1) Without prejudice to the provisions of paragraph 12 above,...

*Amendment of certain requirements of probation order*

- 14 (1) Where the medical practitioner or other person by whom...

*Amendment of drug treatment and testing order*

- 14A (1) Without prejudice to the provisions of section 63(2), (7)...

*Extension of community service order*

- 15 Where— (a) a community service order is in force in...

*Supplemental*

- 16 No order may be made under paragraph 12 above, and...  
17 (1) Subject to sub-paragraph (2) below, where a court proposes...  
18 (1) On the making under this Part of this Schedule...

SCHEDULE 3 — Reciprocal Enforcement of Certain Orders  
Part I — TRANSFER OF COMMUNITY ORDERS TO SCOTLAND OR  
NORTHERN IRELAND

*Probation orders: Scotland*

- 1 (1) Where a court considering the making of a probation...

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*Probation orders: Northern Ireland*

- 2 (1) Where a court considering the making of a probation...

*Community service orders: Scotland*

- 3 (1) Where a court considering the making of a community...

*Community service orders: Northern Ireland*

- 4 (1) Where a court considering the making of a community...

*Combination orders: Scotland*

- 5 Paragraphs 1 and 3 above shall apply in relation to...

*General*

- 6 (1) Where a community order is made or amended in...  
Part II — TRANSFER OF CORRESPONDING ORDERS FROM SCOTLAND

*Probation orders*

- 7 (1) The Criminal Procedure (Scotland) Act 1975 shall be amended...

*Community service orders*

- 8 .....

*Supervision requirements*

- 9 Section 72 of the Social Work (Scotland) Act 1968 (supervision...  
Part III — TRANSFER OF PROBATION ORDERS FROM NORTHERN IRELAND

- 10 (1) Where ... a court in Northern Ireland considering the...

- 11 (1) Where a probation order is made or amended in...

SCHEDULE 4 — Increase of Certain Maxima

Part I — SUBSTITUTION OF OTHER AMOUNTS

Part II — SUBSTITUTION OF LEVELS ON STANDARD SCALE

Part III — SUBSTITUTION OF STATUTORY MAXIMUM

Part IV — PROVISIONS SUBSTITUTED FOR SCHEDULE 6A TO 1980 ACT

Schedule 6A Fines that may be Altered under Section 143...

Part V — OTHER AMENDMENTS

- 1 In section 27 of the 1973 Act (breach of requirement...)

- 2 In section 97 of the 1980 Act (maximum fine for...)

- 3 In section 12 of the Contempt of Court Act 1981...

- 4 In section 14 of that Act (maximum fine for contempt...)

SCHEDULE 5 — The Parole Board

*Status and capacity*

- 1 (1) The Board shall not be regarded as the servant...

*Membership*

- 2 (1) The Board shall consist of a chairman and not...

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*Payments to members*

- 3 (1) The Board may pay to each member such remuneration...

*Proceedings*

- 4 (1) Subject to the provisions of section 32(5) of this...

*Staff*

- 5 (1) The Board may appoint such number of employees as...

*Reports*

- 6 (1) Employment with the Board shall be included among the...

*Financial provisions*

- 7 (1) The Secretary of State shall pay to the Board—...

*Authentication of Board's seal*

- 8 The application of the seal of the Board shall be...

*Presumption of authenticity of documents issued by Board*

- 9 Any document purporting to be an instrument issued by the...

*Accounts and audit*

- 10 (1) It shall be the duty of the Board—

*Reports*

- 11 The Board shall as soon as practicable after the end...

SCHEDULE 6 — Notices of Transfer: Procedure in lieu of Committal

*Contents of notice of transfer*

- 1 (1) A notice of transfer shall specify the proposed place...

*Remand*

- 2 (1) If a magistrates' court has remanded in custody a...

*Witnesses*

- 3 For the purposes of the Criminal Procedure (Attendance of Witnesses)...

*Regulations*

- 4 (1) The Attorney General— (a) shall by regulations make provision...

*Applications for dismissal*

- 5 (1) Where a notice of transfer has been given, any...



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*Reporting restrictions*

6 (1) Except as provided by this paragraph, it shall not...

*Avoidance of delay*

7 (1) Where a notice of transfer has been given in...

*Procedures for indictment of offenders*

8 (1) In subsection (2) of section 2 of the Administration...

*Legal aid*

9 .....

SCHEDULE 7 —

SCHEDULE 8 — Amendments for Treating Persons Aged 17 as Young Persons

*Children and Young Persons Act 1933 (c.12)*

1 (1) Section 31 of the 1933 Act shall be renumbered...

*Prison Act 1952 (c.52)*

2 In section 43(3) of the 1952 Act (remand centres, young...

*Children and Young Persons Act 1963 (c.37)*

3 In section 29(1) of the Children and Young Persons Act...

*Children and Young Persons Act 1969 (c.54)*

4 (1) Section 29 of the 1969 Act shall be renumbered...

*Rehabilitation of Offenders Act 1974 (c.53)*

5 In section 5(2) of the Rehabilitation of Offenders Act 1974...

*Magistrates' Courts Act 1980 (c.43)*

6 (1) Part I of the 1980 Act (criminal jurisdiction and...

SCHEDULE 9 — Amendments to Service Law

*Army Act 1955 (c.18) and Air Force Act 1955 (c.19)*

1 In section 71A of the Army Act 1955 and the...  
2 In section 71AA of those Acts (young service offenders: custodial...  
3 For subsection (2) of section 93 of those Acts (evidence...  
4 In paragraph 10 of Schedule 5A to those Acts (civilian...

*Naval Discipline Act 1957 (c.53)*

5 In section 43A of the Naval Discipline Act 1957 (life...  
6 In section 43AA of that Act (young service offenders: custodial...  
7 For subsections (2) and (3) of section 60 of that...  
8 In paragraph 10 of Schedule 4A to that Act (civilian...

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SCHEDULE 10 — Certification of Prisoner Custody Officers

*Preliminary*

1 In this Schedule— “certificate” means a certificate under section 89...

*Issue of certificates*

2 (1) Any person may apply to the Secretary of State...

*Suspension of certificate*

3 (1) This paragraph applies where at any time—

*Revocation of certificate*

4 Where at any time it appears to the Secretary of...

*False statements*

5 If any person, for the purpose of obtaining a certificate...

SCHEDULE 11 — Minor and Consequential Amendments

*Children and Young Persons Act 1933 (c.12)*

1 In section 38(2) of the 1933 Act (false evidence by...

*Criminal Justice Act 1967 (c.80)*

2 (1) Section 67 of the 1967 Act (remand time to...

*Criminal Appeal Act 1968 (c.19)*

3 In section 10(2) of the Criminal Appeal Act 1968 (appeal...

4 .....

*Civil Evidence Act 1968 (c.64)*

5 .....

*Children and Young Persons Act 1969 (c. 54)*

6 .....

7 .....

8 .....

*Vehicles (Excise) Act 1971 (c.10)*

9 .....

*Powers of Criminal Courts Act 1973 (c.62)*

10 .....

11 .....

12 .....

13 .....

14 .....

15 .....

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16	.....
17	.....
	<i>Juries Act 1974 (c.23)</i>
18	(1) In Schedule 1 to the Juries Act 1974, Group...
	<i>Solicitors Act 1974 (c.47)</i>
19	.....
	<i>Rehabilitation of Offenders Act 1974 (c.53)</i>
20	In section 1(4) of the Rehabilitation of Offenders Act 1974...
	<i>Bail Act 1976 (c.63)</i>
21	.....
22	(1) Paragraph 8 of Schedule 1 to that Act (restrictions...
	<i>Licensed Premises (Exclusion of Certain Persons) Act 1980 (c.32)</i>
23	In section 1(2) of the Licensed Premises (Exclusion of Certain...
	<i>Magistrates' Courts Act 1980 (c.43)</i>
24	.....
25	In section 20(2)(b) of that Act (procedure where summary trial...
26	.....
27	(1) In subsection (2) of section 143 of that Act...
28	In paragraph 2(2) of Schedule 4 to that Act (maximum...
	<i>Contempt of Court Act 1981 (c.49)</i>
29	(1) Section 12(2) of the Contempt of Court Act 1981...
	<i>Criminal Justice Act 1982 (c.48)</i>
30	.....
31	.....
32	.....
33	.....
34	.....
	<i>Repatriation of Prisoners Act 1984 (c.47)</i>
35	(1) In section 2 of the Repatriation of Prisoners Act...
	<i>Prosecution of Offences Act 1985 (c.23)</i>
36	In section 22(11) of the Prosecution of Offences Act 1985...
	<i>Criminal Justice Act 1988 (c.33)</i>
37	In section 34 of the Criminal Justice Act 1988 (abolition...
	<i>Road Traffic Offenders Act 1988 (c.53)</i>
38	.....

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*Extradition Act 1989 (c.33)*

39 .....

*References to juvenile courts*

40 (1) Without prejudice to the generality of section 70(2) of...

*References to juvenile court panels*

41 (1) Without prejudice to the generality of section 70(2) of...

SCHEDULE 12 — Transitional Provisions and Savings

*Custodial and community sentences*

- 1 .....
- 2 .....
- 3 .....
- 4 .....

*Community orders: supplemental*

5 .....

*Financial penalties*

6 .....

6A Section 17 of this Act shall not apply in relation...

*Increase of certain penalties*

7 Neither of subsections (3) and (4) of section 26 of...

*Early release: general*

- 8 (1) In this paragraph and paragraphs 9 to 11 below—...
- 9 (1) This paragraph applies where, in the case of an...
- 10 Prison rules made by virtue of section 42 of this...

*Early release of young persons detained under 1933 Act*

11 In relation to an existing prisoner or licensee whose sentence...

*Early release of prisoners serving extended sentences*

12 (1) In relation to an existing prisoner or licensee on...

*Early release of fine defaulters and contemnors*

13 Part II of this Act shall apply in relation to...

*Responsibilities of parent or guardian*

14 .....

*Remands and committals of children and young persons*

15 (1) In this paragraph— “section 23” means section 23 of...

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16 (1) Subsection (2)(a) of section 60 of this Act shall...

*Custodial sentences for young offenders*

17 .....

18 Section 64 of this Act shall not apply in any...

*Supervision of young offenders after release*

19 Section 65 of this Act shall not apply in relation...

*Supervision orders*

20 .....

*Attendance centre orders*

21 .....

*Provisions for treating persons aged 17 as young persons*

22 (1) Paragraphs 1, 3, 4 and 6 of Schedule 8...

*Renaming of juvenile courts etc.*

23 In relation to any time before the commencement of section...

*Supplemental*

24 For the purposes of this Schedule proceedings for an offence...

SCHEDULE 13 — Repeals

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 46A heading substituted by [2008 c. 4 s. 33\(8\)](#) (This amendment not applied to legislation.gov.uk. S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))
- s. 24 title words substituted by [2009 c. 24 Sch. 2 para. 2](#)
- s. 24(2)(d) words repealed by [2009 c. 24 Sch. 7 Pt. 1](#)
- s. 24(4) words repealed by [2007 c. 5 Sch. 8](#)
- s. 24(4) words repealed by [2009 c. 24 Sch. 7 Pt. 1](#)
- s. 26(5) repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 26(5) repealed by [2022 c. 32 s. 81\(3\)\(f\)](#)
- s. 35(1) excluded by [1997 c. 43 Sch. 5 para. 2\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 5 para. 2 was repealed (30.9.1998) without ever being in force by 1998 c. 37, Sch. 8 para. 138(1), Sch. 10; S.I. 1998/2327, art. 2)
- s. 41 modified by [1997 c. 43 Sch. 5 para. 4](#) (This amendment not applied to legislation.gov.uk. Sch. 5 para. 2 was repealed (30.9.1998) without ever being in force by 1998 c. 37, Sch. 8 para. 138(1), Sch. 10; S.I. 1998/2327, art. 2)
- s. 46(3)(b) words inserted by [2008 c. 4 s. 33\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))
- s. 46A(1) words inserted by [2008 c. 4 s. 33\(4\)](#) (This amendment not applied to legislation.gov.uk. S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))
- s. 46A(3)(a) words inserted by [2008 c. 4 s. 33\(7\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))
- s. 47 modified by [1997 c. 43 Sch. 5 para. 4](#) (This amendment not applied to legislation.gov.uk. Sch. 5 para. 2 was repealed (30.9.1998) without ever being in force by 1998 c. 37, Sch. 8 para. 138(1), Sch. 10; S.I. 1998/2327, art. 2)
- s. 55(7) repealed by [1999 c. 23 Sch. 6](#)
- s. 65(5B)(a) words substituted by [2003 c. 44 Sch. 38 para. 5\(2\)\(a\)](#)
- s. 65(5B)(b) substituted by [2003 c. 44 Sch. 38 para. 5\(2\)\(b\)](#)
- s. 65(5E) inserted by [2003 c. 44 Sch. 38 para. 5\(3\)](#)
- s. 65(10) substituted by [2003 c. 44 Sch. 38 para. 5\(4\)](#)
- s. 68(b) repealed by [2000 c. 43 Sch. 7 para. 108Sch. 8](#)
- s. 92(1) words repealed by [2000 c. 43 Sch. 7 para. 109Sch. 8](#)
- s. 93(2) repealed by [1994 c. 29 Sch. 9 Pt. 2](#)
- Sch. 8 para. 2 repealed by [2000 c. 43 Sch. 7 para. 112Sch. 8](#)
- Sch. 8 para. 6(3) repealed by [2000 c. 43 Sch. 7 para. 112Sch. 8](#)
- Sch. 11 para. 40(2)(f) repealed by [1999 c. 22 Sch. 15 Pt. 5\(2\)](#)
- Sch. 11 para. 40(2)(p) repealed by [1999 c. 22 Sch. 15 Pt. 5\(2\)](#)
- Sch. 11 para. 1 repealed by [1999 c. 23 Sch. 6](#)
- Sch. 11 para. 23 repealed by [2006 c. 38 Sch. 5](#)
- Sch. 11 para. 37 words repealed by [1999 c. 23 Sch. 6](#)
- Sch. 12 para. 8(8)(d) repealed by [2003 c. 44 Sch. 37 Pt. 7](#)
- Sch. 12 para. 9(3)(c) repealed by [2003 c. 44 Sch. 37 Pt. 7](#)
- Sch. 12 para. 15(4) words repealed by [2000 c. 43 Sch. 7 para. 113Sch. 8](#)
- Sch. 12 para. 16(3) words repealed by [2000 c. 43 Sch. 7 para. 113Sch. 8](#)

**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):

- s. 24(2)(ba) inserted by 2013 c. 22 s. 26(7)
- s. 46(3)(aa) substituted for word by 2008 c. 4 s. 33(7)(b) (This amendment not applied to legislation.gov.uk. S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))
- s. 46ZA inserted by 2008 c. 4 s. 33(2) (This amendment not applied to legislation.gov.uk. S. 33(2)(4)(7)(8) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(a); S.I. 2012/2906, art. 2(d))