



Murder (Abolition of Death Penalty) Act 1965

1965 CHAPTER 71

An Act to abolish capital punishment in the case of persons convicted in Great Britain of murder or convicted of murder or a corresponding offence by court-martial and, in connection therewith, to make further provision for the punishment of persons so convicted. [8th November 1965]

Extent Information

E1 For extent of this Act in relation to Northern Ireland see [s. 3\(3\)](#)

1 Abolition of death penalty for murder.

- (1) No person shall suffer death for murder, and a person convicted of murder shall, subject to subsection (5) below, be sentenced to imprisonment for life.
- (2) On sentencing any person convicted of murder to imprisonment for life the Court may at the same time declare the period which it recommends to the Secretary of State as the minimum period which in its view should elapse before the Secretary of State orders the release of that person on licence under section [F161 of the ^{M1}Criminal Justice Act 1967]
- (3) For the purpose of any proceedings on or subsequent to a person's trial on a charge of capital murder, that charge and any plea or finding of guilty of capital murder shall be treated as being or having been a charge, or a plea or finding of guilty, of murder only; and if at the commencement of this Act a person is under sentence of death for murder, the sentence shall have effect as a sentence of imprisonment for life.
- (4) In the foregoing subsections any reference to murder shall include an offence of or corresponding to murder under section 70 of the ^{M2}Army Act 1955 or of the ^{M3}Air Force Act 1955 or under section 42 of the ^{M4}Naval Discipline Act 1957, and any reference to capital murder shall be construed accordingly; and in each of the said sections 70 there shall be inserted in subsection (3) after paragraph (a) as a new paragraph (aa)—

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Murder (Abolition of Death Penalty) Act 1965. (See end of Document for details)

“(aa) if the corresponding civil offence is murder, be liable to imprisonment for life”.

[^{F2}(5) In section 53 of the ^{M5}Children and Young Persons Act 1933, and in section 57 of the Children and Young Persons (Scotland) Act 1937 ^{M6}, there shall be substituted for subsection (10)—

“(1) A person convicted of an offence who appears to the court to have been under the age of eighteen years at the time the offence was committed shall not, if he is convicted of murder, be sentenced to imprisonment for life, nor shall sentence of death be pronounced on or recorded against any such person ; but in lieu thereof the court shall (notwithstanding anything in this or in any other Act) sentence him to be detained during Her Majesty’s pleasure, and if so sentenced he shall be liable to be detained in such place and under such conditions as the Secretary of State may direct.”]

Textual Amendments

- F1 Words substituted by virtue of [Interpretation Act 1889 \(c. 63\), s. 38\(1\)](#)
- F2 [S. 1\(5\)](#) repealed (S.) except as to courts-martial by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), Sch. 10 Pt. I](#)

Modifications etc. (not altering text)

- C1 [S. 1\(1\)\(2\)\(3\)](#) repealed (S.) except so far as relating to courts-martial, by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), Sch. 10 Pt. I](#)
- C2 The text of s. 1(5) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1 [1967 c. 80.](#)
- M2 [1955 c. 18.](#)
- M3 [1955 c. 19.](#)
- M4 [1957 c. 53.](#)
- M5 [1933 c. 12.](#)
- M6 [1937 c. 37.](#)

2 ^{F3}

Textual Amendments

- F3 [S. 2](#) repealed by [Criminal Justice Act 1967 \(c. 80\), Sch. 7 Pts. I, II](#)

3 Short title, repeal, extent and commencement.

- (1) This Act may be cited as the Murder (Abolition of Death Penalty) Act 1965.
- (2) ^{F4}
- (3) This Act, except as regards courts-martial, shall not extend to Northern Ireland.
- (4) This Act shall come into force on the day following that on which it is passed.

Status: Point in time view as at 01/02/1991.

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Textual Amendments

F4 S. 3(2) repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), **Sch. Pt. XI**

4 **F5**

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Textual Amendments

F5 S. 4 repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), **Sch. 1 Pt. V**

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F6F6 SCHEDULE

Textual Amendments

F6 Sch. repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

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F6

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

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