



Contempt of Court Act 1981

1981 CHAPTER 49

Penalties for contempt and kindred offences

14 Proceedings in England and Wales.

- (1) In any case where a court has power to commit a person to prison for contempt of court and (apart from this provision) no limitation applies to the period of committal, the committal shall (without prejudice to the power of the court to order his earlier discharge) be for a fixed term, and that term shall not on any occasion exceed two years in the case of committal by a superior court, or one month in the case of committal by an inferior court.
- (2) In any case where an inferior court has power to fine a person for contempt of court and (apart from this provision) no limit applies to the amount of the fine, the fine shall not on any occasion exceed [^{F1}£2,500].
- [^{F2}(2A) A fine imposed under subsection (2) above shall be deemed, for the purposes of any enactment, to be a sum adjudged to be paid by a conviction.]
- [^{F3}(2A) In the exercise of jurisdiction to commit for contempt of court or any kindred offence the court shall not deal with the offender by making an order under [^{F4}section 60 of the Powers of Criminal Courts (Sentencing) Act 2000] (an attendance centre order) if it appears to the court, after considering any available evidence, that he is under 17 years of age.]
- (3) [^{F5}.....]
- (4) Each of the superior courts shall have the like power to make a hospital order or guardianship order under [^{F6}section 37 of the ^{M1}Mental Health Act 1983][^{F7}or an interim hospital order under][^{F6}section 38 of that Act] in the case of a person suffering from [^{F8}mental disorder within the meaning of that Act] who could otherwise be committed to prison for contempt of court as the Crown Court has under that section in the case of a person convicted of an offence.
- [^{F9}(4A) Each of the superior courts shall have the like power to make an order under [^{F10}section 35 of the said Act of 1983] (remand for report on accused's mental condition) where there is reason to suspect that a person who could be committed to

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prison for contempt of court is suffering from [^{F8}mental disorder within the meaning of that Act] as the Crown Court has under that section in the case of an accused person within the meaning of that section.]

[^{F11}(4A) For the purpose of the preceding provisions of this section [^{F12}the county court] shall be treated as a superior court and not as an inferior court.]

[^{F13}(4B) The preceding provisions of this section do not apply to the family court, but—

- (a) this is without prejudice to the operation of section 31E(1)(a) of the Matrimonial and Family Proceedings Act 1984 (family court has High Court's powers) in relation to the powers of the High Court that are limited or conferred by those provisions of this section, and
- (b) section 31E(1)(b) of that Act (family court has county court's powers) does not apply in relation to the powers of the county court that are limited or conferred by those provisions of this section.]

^{X1}(5) The enactments specified in Part III of Schedule 2 shall have effect subject to the amendments set out in that Part, being amendments relating to the penalties and procedure in respect of certain offences of contempt in coroner's courts, county courts and magistrates' courts.

Extent Information

E1 In its application to Northern Ireland, s. 14 has effect as set out in Sch. 4, see s. 18.

Editorial Information

X1 The text of ss. 3(4), 4(4), 14(5), 16(6), Sch. 2 Pt. II and Pt. III paras. 1, 6 and 7 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

Textual Amendments

- F1** Words in s. 14(2) substituted (E.W.) (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), s. 17(3), [Sch. 4 Pt. I](#); S.I. 1992/333, art. 2(2), [Sch. 2](#).
- F2** S. 14(2A) commencing "Section 18 of the Criminal Justice Act 1991..." inserted (E.W.) (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), s. 17(3), [Sch. 4 Pt. V para. 3](#) (with s. 28); S.I. 1992/333, art. 2(2), [Sch. 2](#) and substituted (20.9.1993) by 1993 c. 36, s. 65(3), [Sch. 3 para. 6\(5\)](#); S.I. 1993/1968, art. 2(2), [Sch. 2](#).
- F3** S. 14(2A) commencing "In the exercise of jurisdiction..." inserted (24.5.1983) by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [Sch. 14 para. 60](#)
- F4** Words in s. 14(2A) (inserted by the Criminal Justice Act 1982) inserted (25.8.2000) by 2000 c. 6, ss. 165, 168(1), [Sch. 9 para. 84](#)
- F5** S. 14(3) repealed by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [Sch. 16](#)
- F6** Words substituted by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), [Sch. 4 para. 57\(a\)](#)
- F7** Words inserted by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), [Sch. 3 para. 59\(a\)](#)
- F8** Words in s. 14(4) and the first subsection (4A) substituted (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), s. 56(1), [Sch. 1 para. 19](#); S.I. 2008/1900, art. 2(a) (with art. 3, Sch.)
- F9** S. 14(4A): first (4A) inserted (30.9.1983) by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), [Sch. 3 para. 60](#)
- F10** Words substituted (30.9.1983) by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), [Sch. 4 para. 57\(b\)](#)
- F11** S. 14(4A): second (4A) inserted by [County Courts \(Penalties for Contempt\) Act 1983 \(c. 45, SIF 39:3\)](#) (Royal Assent 13.5.1983), ss. 1, 2

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- F12** Words in s. 14 substituted (E.W.S.) (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 52](#); [S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F13** S. 14(4B) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 10 para. 53](#); [S.I. 2014/954, art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))

Modifications etc. (not altering text)

- C1** S. 14(2): power to amend conferred (E.W.) by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\), s. 143\(2\)\(f\)](#), Sch. 6A as inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 48, Sch. 5](#) and substituted (E.W.) (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\), s. 17\(3\), Sch. 4 Pt. IV](#) (with [s. 28](#)); [S.I. 1992/333, art. 2\(2\), Sch. 2](#).

Marginal Citations

- M1** [1983 c. 20](#).

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Changes and effects yet to be applied to :

- s. 14(2A) repealed by [2008 c. 4 Sch. 4 para. 25Sch. 28 Pt. 1](#)