



Criminal Justice Act 1982

1982 CHAPTER 48

PART I

TREATMENT OF YOUNG OFFENDERS

Custody and detention of persons under 21

[^{F1}1B Special provision for offenders under 17.

- (1) In the case of a male offender under 15 the maximum term of detention in a young offender institution that a court may impose is whichever is the lesser of—
 - (a) the maximum term of imprisonment the court may impose for the offence; and
 - (b) 4 months.
- (2) In the case of an offender aged 15 or 16 the maximum term of detention in a young offender institution that a court may impose is whichever is the lesser of—
 - (a) the maximum term of imprisonment the court may impose for the offence; and
 - (b) 12 months.
- (3) Where an offender is a female under 17 a court shall not pass a sentence for her detention in a young offender institution whose effect would be that she would be sentenced to a total term of four months or less.
- (4) A court shall not pass a sentence of detention in a young offender institution on an offender whose effect would be that the offender would be sentenced to a total term which exceeds—
 - (a) if the offender is male and under 15, 4 months; and
 - (b) if the offender is aged 15 or 16, 12 months.
- (5) Where the total term of detention in a young offender institution to which an offender is sentenced exceeds—
 - (a) in the case of a male offender under 15, 4 months; and
 - (b) in the case of an offender aged 15 or 16, 12 months,

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: Criminal Justice Act 1982, Section 1B is up to date with all changes known to be in force on or before 22 March 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)

so much of the term as exceeds 4 or 12 months, as the case may be, shall be treated as remitted.

- (6) In this section “total term” means—
- (a) in the case of an offender sentenced (whether or not on the same occasion) to two or more terms of detention in a young offender institution which are consecutive or wholly or partly concurrent, the aggregate of those terms;
 - (b) in the case of any other offender, the term of the sentence of detention in a young offender institution in question.]

Textual Amendments

F1 Ss. 1A–1C inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 123(4), [Sch. 8 para. 16](#)

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