Criminal Justice Act 1988

1988 CHAPTER 33

E+W

An Act to make fresh provision for extradition; to amend the rules of evidence in criminal proceedings; to provide for the reference by the Attorney General of certain questions relating to sentencing to the Court of Appeal; to amend the law with regard to the jurisdiction and powers of criminal courts, the collection, enforcement and remission of fines imposed by coroners, juries, supervision orders, the detention of children and young persons, probation and the probation service, criminal appeals, anonymity in cases of rape and similar cases, orders under sections 4 and 11 of the Contempt of Court Act 1981 relating to trials on indictment, orders restricting the access of the public to the whole or any part of a trial on indictment or to any proceedings ancillary to such a trial and orders restricting the publication of any report of the whole or any part of a trial on indictment or any such ancillary proceedings, the alteration of names of petty sessions areas, officers of inner London magistrates' courts and the costs and expenses of prosecution witnesses and certain other persons; to make fresh provision for the payment of compensation by the Criminal Injuries Compensation Board; to make provision for the payment of compensation for a miscarriage of justice which has resulted in a wrongful conviction; to create an offence of torture and an offence of having an article with a blade or point in a public place; to create further offences relating to weapons; to create a summary offence of possession of an indecent photograph of a child; to amend the Police and Criminal Evidence Act 1984 in relation to searches, computer data about fingerprints and bail for persons in customs detention; to make provision in relation to the taking of body samples by the police in Northern Ireland; to amend the Bail Act 1976; to give a justice of the peace power to authorise entry and search of premises for offensive weapons; to provide for the enforcement of the Video Recordings Act 1984 by officers of a weights and measures authority and in Northern Ireland by officers of the Department of Economic Development; to extend to the purchase of easements and other rights over land the power to purchase land conferred on the Secretary of State by section 36 of the Prison Act 1952; and for connected purposes. [29th July 1988]

Changes to legislation: *Criminal Justice Act 1988, Introductory Text is up to date with all changes known to be in force on or before 08 October 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) View outstanding changes*

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Modifications etc. (not altering text)

C1 By Criminal Justice Act 1991 (c.53, SIF 39:1), s. 101(1), **Sch. 12 para. 23**; S.I. 1991/2208, art. 2(1), **Sch. 1** it is provided (14.10.1991) that in relation to any time before the commencement of s.70 of that 1991 Act (which came into force on 1.10.1992 by S.I. 1992/333, art. 2(2), **Sch. 2**) references in any enactment amended by that 1991 Act, to youth courts shall be construed as references to juvenile courts.

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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. 36(2)(b)(v) and word inserted by 2019 c. 17 s. 13(3)(b)
- s. 36(3A)(3B) substituted for s. 36(3A) by 2008 c. 4 s. 46(2)
- s. 41(4A) inserted by 2004 c. 28 Sch. 10 para. 28
- s. 139AZA(1)(a)(iii) and word inserted by 2019 c. 17 s. 13(4)(b)