



# Criminal Justice Act 1988

## 1988 CHAPTER 33

### PART IX

#### YOUNG OFFENDERS

#### 123 Custodial sentences for young offenders.

- (1)<sup>F1</sup> .....
- <sup>F2</sup>(2) .....
- <sup>F2</sup>(3) .....
- <sup>F3</sup>(4) .....
- (5)<sup>F1</sup> .....
- (6) The amendments and transitional provisions in Schedule 8 to this Act shall have effect.

#### Textual Amendments

- F1** S. 123(1)(5) repealed (21.7.2008) by Statute Law (Repeals) Act 2008 (c. 12), s. 1(1), **Sch. 1 Pt. 3**
- F2** S. 123(2)(3) repealed (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 101(2), **Sch. 13**; S.I. 1992/333, art. 2(2), **Sch. 2**
- F3** S. 123(4) repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

#### 124 Detention of young offenders in Scotland.

- (1) In each of sections 207 and 415 of the <sup>M1</sup>Criminal Procedure (Scotland) Act 1975 for subsections (5) to (10) there shall be substituted the following subsection—
- “(5) A sentence of detention imposed under this section shall be a sentence of detention in a young offenders institution.”.
- (2) Subject to subsection (3) below, in any enactment—

*Changes to legislation: Criminal Justice Act 1988, Part IX is up to date with all changes known to be in force on or before 14 April 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*

- (a) for a reference to a detention centre there shall be substituted a reference to a young offenders institution; and
  - (b) for a reference (however expressed) to a detention centre order there shall be substituted a reference to a sentence of detention in a young offenders institution.
- (3) Nothing in subsection (2) above applies—
- (a) to section 21 of the <sup>M2</sup>Firearms Act 1968;
  - (b) to Part I of Schedule I to the <sup>M3</sup>Law Reform (Miscellaneous Provisions) (Scotland) Act 1980;
  - (c) to section 41(2) of the <sup>M4</sup>Criminal Justice (Scotland) Act 1980.
- (4) The amendments and transitional provisions in Schedule 9 to this Act shall have effect.

**Marginal Citations**

**M1** 1975 c. 21.  
**M2** 1968 c. 27.  
**M3** 1980 c. 55.  
**M4** 1980 c. 62.

**125 Abolition of power of court to commit juvenile to remand centre instead of local authority care. 1969 c. 54.**

<sup>F4</sup> .....

**Textual Amendments**

**F4** S. 125 repealed (21.7.2008) by Statute Law (Repeals) Act 2008 (c. 12), s. 1(1), **Sch. 1 Pt. 3**

<sup>F5</sup>**126** .....

**Textual Amendments**

**F5** S. 126 repealed (9.1.1995) by 1994 c. 33, s. 168(3), **Sch.11**; S.I. 1994/3192, **art. 2**,Sch.

<sup>F6</sup>**127** .....

**Textual Amendments**

**F6** S. 127 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

<sup>F7</sup>**128** .....

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**Textual Amendments**

**F7** S. 128 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**F8** **129** .....

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**Textual Amendments**

**F8** S. 129 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**130 Computation of sentence—time passed in care of local authority in accommodation provided for restricting liberty. 1967 c. 80.**

- (1) At the end of section 67(1A) of the Criminal Justice Act 1967 there shall be added the words “or—
  - (c) any period during which, in connection with the offence for which the sentence was passed, he was in the care of a local authority by virtue of an order under section 23 of the Children and Young Persons Act 1969 and in accommodation provided for the purpose of restricting liberty.”.
- (2) This section shall not have effect in relation to any sentence imposed before it comes into force.

**Changes to legislation:**

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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\(4\)\(b\)](#)