



Crime (Sentences) Act 1997

1997 CHAPTER 43

PART II

EFFECT OF CUSTODIAL SENTENCES

CHAPTER II

LIFE SENTENCES

Miscellaneous and supplemental

33 Life prisoners transferred to England and Wales

- (1) This section applies where, in the case of a transferred life prisoner, the Secretary of State, after consultation with the Lord Chief Justice, certifies his opinion that, if—
 - (a) the prisoner's offence had been committed after the commencement of this Chapter; and
 - (b) he had been sentenced for it in England and Wales,the court by which he was so sentenced would have ordered that section 28 above should apply to him as soon as he had served a part of his sentence specified in the certificate.
- (2) This section also applies where, in the case of a transferred life prisoner, the Secretary of State certifies his opinion that, if—
 - (a) the prisoner's offence had been committed after the commencement of this Chapter; and
 - (b) he had been sentenced for it in England and Wales,the Secretary of State would have directed that section 28 above should apply to him as soon as he had served a part of his sentence specified in the certificate.
- (3) In a case to which this section applies, this Chapter except section 29(1) above shall apply as if—

Status: This is the original version (as it was originally enacted).

- (a) the transferred life prisoner were a life prisoner to whom section 28 above applies; and
 - (b) the relevant part of his sentence within the meaning of section 28 above were the part specified in the certificate.
- (4) In this section “transferred life prisoner” means a person—
- (a) on whom a court in a country or territory outside England and Wales has imposed one or more sentences of imprisonment or detention for an indeterminate period; and
 - (b) who has been transferred to England and Wales, in pursuance of—
 - (i) an order made by the Secretary of State under paragraph 1 of Schedule 1 to this Act or section 2 of the Colonial Prisoners Removal Act 1884; or
 - (ii) a warrant issued by the Secretary of State under the Repatriation of Prisoners Act 1984,there to serve his sentence or sentences or the remainder of his sentence or sentences.
- (5) A person who is required so to serve the whole or part of two or more such sentences shall not be treated as a life prisoner to whom section 28 above applies unless the requirements of subsection (1) or (2) above are satisfied as respects each of those sentences; and subsections (5) and (7) of section 28 above shall not apply in relation to such a person until after he has served the relevant part of each of those sentences.