

*These notes refer to the Criminal Justice and Immigration Act 2008 (c.4) which received Royal Assent on 8 May 2008*

# CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

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## EXPLANATORY NOTES

### THE ACT

#### *Commentary on Sections*

#### **Part 5: Criminal Law**

#### ***Section 67: Penalties etc. for possession of extreme pornographic images***

474. The penalties that will apply to persons found guilty of an offence under section 63 are set out in this section.
475. On conviction on indictment, the maximum sentence is imprisonment for three years for possession of images covered by section 63(7)(a) or (b) (life threatening acts, or serious injury), and imprisonment for two years for possession of images covered by section 63(7)(c) or (d) (necrophilia or bestiality).
476. The combined effect of section 67 and the transitional provision in [paragraph 23](#) of Schedule 27 is that initially the maximum sentence on summary conviction of the offence in England and Wales will be 6 months' imprisonment. On the commencement of section 154(1) of the 2003 Act, the maximum sentence on summary conviction in England and Wales will rise to 12 months. The maximum custodial penalty in Northern Ireland is six months