
STATUTORY INSTRUMENTS

2008 No. 1587

**The Criminal Justice and Immigration Act
2008 (Transitory Provisions) Order 2008**

Modifications for sentencing of offenders aged at least 18 but under 21

2.—(1) In relation to any time before the coming into force of section 61 of the Criminal Justice and Court Services Act 2000⁽¹⁾ (abolition of sentences of detention in a young offender institution, custody for life etc), the following provisions of Part 12 of the 2003 Act shall have effect subject to the modifications specified in paragraphs (2) to (4).

(2) Section 225 (life sentence or imprisonment for public protection for serious offences) has effect as if—

- (a) in subsection (3)⁽²⁾, after the words “public protection” there were inserted “or, in the case of a person aged at least 18 but under 21, a sentence of detention in a young offender institution for public protection”;
- (b) in subsection (3C)⁽³⁾, after the words “public protection” there were inserted “or, in the case of a person aged at least 18 but under 21, a sentence of detention in a young offender institution for public protection”.

(3) Section 227 (extended sentence for certain violent or sexual offences: persons 18 or over) has effect as if —

- (a) in subsection (1)(c)⁽⁴⁾, after the words “a sentence of imprisonment for life” there were inserted “or, in the case of a person aged at least 18 but under 21, a sentence of custody for life”;
- (b) in subsection (2B)⁽⁵⁾, after the words “extended sentence of imprisonment” there were inserted “or, in the case of an offender aged at least 18 but under 21, an extended sentence of detention in a young offender institution”;
- (c) in subsection (2C)⁽⁶⁾—
 - (i) after the words “extended sentence of imprisonment” there were inserted “or, in the case of an offender aged at least 18 but under 21, an extended sentence of detention in a young offender institution”; and
 - (ii) after the words “a sentence of imprisonment” there were inserted “or detention in a young offender institution”.

(4) Section 305(4)(c)⁽⁷⁾ has effect as if, after the words “a sentence of imprisonment for life” there were inserted “or, in the case of a person aged at least 18 but under 21, a sentence of custody for life”.

(1) [2000 c.43](#)

(2) Section 225 has been modified by [S.I. 2005/643](#), and subsection (3) of section 225 was substituted by section 13(1) of the 2008 Act.

(3) Subsection (3C) of section 225 was added by section 13(1) of the 2008 Act.

(4) Section 227 has been modified by [S.I. 2005/643](#). Subsection (1)(c) of section 227 was added by section 15(2)(b) of the 2008 Act.

(5) Subsection (2B) of section 227 was added by section 15(4) of the 2008 Act.

(6) Subsection (2C) of section 227 was added by section 15(4) of the 2008 Act.

(7) Subsection (4)(c) of section 305 was substituted by paragraph 72(a) of Schedule 26 to the 2008 Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
