



Criminal Justice Act (Northern Ireland) 1953

1953 CHAPTER 14

PART I

GENERAL PROVISIONS AS TO THE PUNISHMENT AND TREATMENT OF OFFENDERS

PUNISHMENT GENERALLY

1 Abolition of penal servitude, hard labour and prison divisions.

- (1) No person shall be sentenced by a court to penal servitude; and every enactment which operates to empower a court to pass a sentence of penal servitude in any case shall operate so as to empower that court to pass a sentence of imprisonment for a term not exceeding the maximum term of penal servitude for which a sentence could have been passed in that case immediately before the commencement of this Act.
- (2) No person shall be sentenced by a court to imprisonment with hard labour; and every enactment which operates to empower a court to pass a sentence of imprisonment with hard labour in any case shall operate so as to empower that court to pass a sentence of imprisonment for a term not exceeding the term for which a sentence of imprisonment with hard labour could have been passed in that case immediately before the commencement of this Act; and so far as any enactment in force immediately before the commencement of this Act requires or permits prisoners to be kept to hard labour it shall cease to have effect and accordingly the words “with or without hard labour” wherever occurring in any enactment prescribing the punishment for an offence are hereby repealed.
- (3) So far as any enactment in force immediately before the commencement of this Act provides that a person sentenced to imprisonment or committed to prison is or may

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act (Northern Ireland) 1953. (See end of Document for details)

be directed to be treated as an offender of a particular division, or to be placed in a separate division, it shall cease to have effect.

2 Commutation of death sentence to sentence of imprisonment.

Where a person who has been sentenced to death has been pardoned on condition that he serves a term of imprisonment, that person shall be deemed to have been lawfully sentenced by the court before which he was convicted to imprisonment for the said term.

S. 3 rep. by 1967 c. 18 (NI)

4 Taking of other offences into consideration in imposing punishment.

- (1) Where a person, on being convicted of an offence, admits himself guilty of any other offence and asks the court to take it into consideration in imposing punishment, the court may, unless objection is made by or on behalf of the prosecutor or unless it is an offence in respect of which the court has not jurisdiction to award punishment, take it into consideration accordingly.
- (2) If the court takes an offence into consideration, a note of that fact shall be made and filed with the record of the sentence, and the accused shall not be prosecuted for that offence, unless his conviction is reversed or quashed or otherwise annulled.

Ss. 5, 6 rep. by 1968 c. 29 (NI)

S. 7 rep. by 1980 NI 10

S. 8 rep. by 1968 c. 34 (NI)

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice Act (Northern Ireland) 1953.