



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART II

BAIL

- 25 No bail for defendants charged with or convicted of homicide or rape after previous conviction of such offences**
- (1) A person who in any proceedings has been charged with or convicted of an offence to which this section applies in circumstances to which it applies shall not be granted bail in those proceedings.
 - (2) This section applies, subject to subsection (3) below, to the following offences, that is to say—
 - (a) murder;
 - (b) attempted murder;
 - (c) manslaughter;
 - (d) rape; or
 - (e) attempted rape.
 - (3) This section applies to a person charged with or convicted of any such offence only if he has been previously convicted by or before a court in any part of the United Kingdom of any such offence or of culpable homicide and, in the case of a previous conviction of manslaughter or of culpable homicide, if he was then sentenced to imprisonment or, if he was then a child or young person, to long-term detention under any of the relevant enactments.
 - (4) This section applies whether or not an appeal is pending against conviction or sentence.
 - (5) In this section—

“conviction” includes—

 - (a) a finding that a person is not guilty by reason of insanity;

Status: This is the original version (as it was originally enacted).

- (b) a finding under section 4A(3) of the Criminal Procedure (Insanity) Act 1964 (cases of unfitness to plead) that a person did the act or made the omission charged against him; and
 - (c) a conviction of an offence for which an order is made placing the offender on probation or discharging him absolutely or conditionally;
- and “convicted” shall be construed accordingly; and
- “the relevant enactments” means—
- (a) as respects England and Wales, section 53(2) of the Children and Young Persons Act 1933;
 - (b) as respects Scotland, sections 205 and 206 of the Criminal Procedure (Scotland) Act 1975;
 - (c) as respects Northern Ireland, section 73(2) of the Children and Young Persons Act (Northern Ireland) 1968.
- (6) This section does not apply in relation to proceedings instituted before its commencement.