



Criminal Justice and Public Order Act 1994

CHAPTER 33

CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

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- 1 In this Schedule— “certificate” means a certificate under section 12(3)...

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Suspension of certificate

- 3 (1) This paragraph applies where at any time—

Revocation of certificate

- 4 Where at any time it appears to the Secretary of...

False statements

- 5 If any person, for the purpose of obtaining a certificate...

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- 2 After section 5 of the Bail Act 1976 there shall...

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- 1 In this Part of this Schedule— “the 1853 Act” means...

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- 2 In section 9 of the 1853 Act (bringing up a...

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- 3 In section 4 of the 1878 Act (procedure under that...

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- 4 In section 6(3) of the 1883 Act (inquiry by Attorney-General,...

Children and Young Persons Act 1933 (c. 12.)

- 5 In section 42 of the Children and Young Persons Act...
- 6 In section 56(1) of the Children and Young Persons Act...

Administration of Justice (Miscellaneous Provisions) Act 1933 (c. 36.)

- 7 (1) Section 2 of the 1933 Act (procedure for indictment...

Criminal Justice Act 1948 (c. 58.)

- 8 (1) The 1948 Act shall be amended as follows.

Prison Act 1952 (c. 52.)

- 9 (1) Section 43 of the 1952 Act (remand centres, etc.)...
- 10 In section 47(5) of the 1952 Act (rules for the...

Army Act 1955 (c. 18.)

- 11 In section 187(4) of the 1955 Act (proceedings against persons...

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- 12 In section 187(4) of the Air Force Act 1955 (proceedings...

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- 14 In section 109(4) of the 1957 Act (proceedings against persons...

Criminal Justice Act 1967 (c. 80.)

- 15 (1) The 1967 Act shall be amended as follows.

Criminal Appeal Act 1968 (c. 19.)

- 16 In section 1(3) of the Criminal Appeal Act 1968 (limitation...

Firearms Act 1968 (c. 27.)

- 17 In paragraph 3(3) of Part II of Schedule 6 to...

Theft Act 1968 (c. 60.)

- 18 In section 28(4) of the Theft Act 1968 (orders for...

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- 19 In section 23(1) of the 1969 Act (remands and committals...

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- 20 In section 21(2) of the 1973 Act (restriction on imposing...

- 21 In section 32(1)(b) of the 1973 Act (enforcement, etc., of...

Bail Act 1976 (c. 63.)

- 22 In section 3 of the 1976 Act (incidents of bail...

- 23 In section 5 of the 1976 Act (supplementary provisions about...

- 24 In section 6(6)(b) of the 1976 Act (absconding by person...

- 25 In section 9(3)(b) of the 1976 Act (agreeing to indemnify...

Sexual Offences (Amendment) Act 1976 (c. 82.)

- 26 In section 3 of the Sexual Offences (Amendment) Act 1976...

- 27 In section 4(6)(c) of the Sexual Offences (Amendment) Act 1976...

Interpretation Act 1978 (c. 30.)

- 28 In Schedule 1 to the 1978 Act—

Customs and Excise Management Act 1979 (c. 2.)

- 29 (1) The 1979 Act shall be amended as follows.

Reserve Forces Act 1980 (c. 9.)

- 30 In paragraph 2(4) of Schedule 5 to the Reserve Forces...

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- 31 (1) Section 2 of the 1980 Act (jurisdiction of magistrates'...

- 32 In section 19 of the 1980 Act (court to consider...
- 33 In section 20 of the 1980 Act (procedure where summary...
- 34 In section 21 of the 1980 Act (procedure where trial...
- 35 (1) Section 23 of the 1980 Act (procedure where court...
- 36 (1) Section 24 of the 1980 Act (trial of child...
- 37 (1) Section 25 of the 1980 Act (court's power to...
- 38 For section 26 of the 1980 Act (power to issue...
- 39 In section 28 of the 1980 Act (use in summary...
- 40 In section 29 of the 1980 Act (remission of person...
- 41 In section 42 of the 1980 Act (restriction on justices...
- 42 (1) Section 97 of the 1980 Act (summons to witness)...
- 43 (1) Section 128 of the 1980 Act (remand in custody...
- 44 In section 129 of the 1980 Act (further remand), in...
- 45 In section 130 of the 1980 Act (transfer of remand...
- 46 In section 145(1)(f) of the 1980 Act (rules: supplementary provisions),...
- 47 (1) Schedule 3 to the 1980 Act (corporations) shall be...
- 48 In paragraph 5 of Schedule 5 to the 1980 Act...

Criminal Attempts Act 1981 (c. 47.)

- 49 In section 2(2)(g) of the Criminal Attempts Act 1981 (application...

Contempt of Court Act 1981 (c. 49.)

- 50 In section 4(3)(b) of the Contempt of Court Act 1981...

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- 51 In section 76 of the 1981 Act (alteration of place...
- 52 (1) Section 77 of the 1981 Act (date of Crown...
- 53 In section 80(2) of the 1981 Act (process to compel...

Criminal Justice Act 1982 (c. 48.)

- 54 In section 1(2) of the 1982 Act (restrictions on custodial...
- 55 In section 3(2) of the 1982 Act (restriction on imposing...

Mental Health Act 1983 (c. 20.)

- 56 (1) Section 52 of the 1983 Act (provisions relating to...

County Courts Act 1984 (c. 28.)

- 57 In section 57(1) of the 1984 Act (evidence of prisoners),...

Police and Criminal Evidence Act 1984 (c. 60.)

- 58 In section 62(10)(a) of the Police and Criminal Evidence Act...

Prosecution of Offences Act 1985 (c. 23.)

- 59 In section 16 of the 1985 Act (defence costs)—
- 60 In section 21(6) of the 1985 Act (interpretation, etc.), in...
- 61 In section 22 of the 1985 Act (time limits for...
- 62 In section 23 of the 1985 Act (discontinuance of proceedings...

Agricultural Holdings Act 1986 (c. 5.)

63 In paragraph 12(1) of Schedule 11 to the 1986 Act...

Criminal Justice Act 1987 (c. 38.)

64 (1) The 1987 Act shall be amended as follows.

Criminal Justice Act 1988 (c. 33.)

65 In section 40 of the Criminal Justice Act 1988 (power...

66 (1) Section 41 of the Criminal Justice Act 1988 shall...

Legal Aid Act 1988 (c. 34.)

67 In section 20 of the 1988 Act (authorities competent to...

68 In section 21 of the 1988 Act (availability of criminal...

69 (1) Schedule 3 to the 1988 Act (enforcement of contribution...

Coroners Act 1988 (c. 13.)

70 In section 16 of the Coroners Act 1988 (adjournment of...

71 In section 17 of the Coroners Act 1988 (supplementary provisions...

War Crimes Act 1991 (c. 13.)

72 In the War Crimes Act 1991— (a) in section 1(4)...

Criminal Justice Act 1991 (c. 53.)

73 (1) The 1991 Act shall be amended as follows.

Sexual Offences (Amendment) Act 1992 (c. 34.)

74 In section 6(3)(c) of the 1992 Act, for the words...

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1 For section 12 of the Magistrates' Courts Act 1980 (“the...

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2 After section 12 of the 1980 Act there shall be...

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Issue of certificates

- 2 (1) The Secretary of State may, on the application of...

Suspension of certificate

- 3 (1) This paragraph applies where at any time—

Revocation of certificate

- 4 Where at any time (whether on a reference to him...

False statements

- 5 If any person, for the purpose of obtaining a certificate...

SCHEDULE 7 — Certification of Prisoner Custody Officers: Northern Ireland

Preliminary

- 1 In this Schedule— “certificate” means a certificate under section 122...

Issue of certificates

- 2 (1) Any person may apply to the Secretary of State...

Suspension of certificate

- 3 (1) This paragraph applies where at any time it appears...

Revocation of certificate

- 4 Where at any time it appears to the Secretary of...

False statements

- 5 If any person, for the purpose of obtaining a certificate...

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Sexual offences: procurement of women

- 2 In sections 2(1) and 3(1) of the Sexual Offences Act...

Electronic transmission of obscene material

- 3 In section 1(3) of the Obscene Publications Act 1959 (definition...

Poaching: forfeiture of vehicles

4 After section 4 of the Game Laws (Amendment) Act 1960...

Magistrates' courts' jurisdiction in cases involving children and young persons

5 In section 18 of the Children and Young Persons Act...

Service of documents by first class post

6 (1) In section 9(8) of the Criminal Justice Act 1967...

Transfers of proceedings

7 In section 11 of the Criminal Justice Act 1967 (notice...

Offences aggravated by possession of firearms

8 In Schedule 1 to the Firearms Act 1968 (which lists...

Notice of proceedings

9 In section 34(2) of the Children and Young Persons Act...

Treatment of mental condition of offenders placed on probation

10 (1) Paragraph 5 of Schedule 1A to the Powers of...

Rehabilitation of offenders placed on probation

11 (1) In section 5 of the Rehabilitation of Offenders Act...

Transfers of proceedings

12 In section 3 of the Bail Act 1976 (general provisions)—...

Anonymity of victims of certain offences

13 In section 4 of the Sexual Offences (Amendment) Act 1976...

Execution of warrants for non-payment

14 (1) In section 38A(6) of the Criminal Law Act 1977...

Committals for sentence

15 In section 38 of the Magistrates' Courts Act 1980 (power...

Conditional or absolute discharge: appeal to Crown Court

16 In section 108(1A) of the Magistrates' Courts Act 1980 (right...

Transfers of proceedings

17 In section 76 of the Supreme Court Act 1981 (alteration...

Transfers of proceedings

18 In section 77 of the Supreme Court Act 1981 (date...

Transfers of proceedings

19 In section 81 of the Supreme Court Act 1981 (bail...

Electronic transmission of obscene material (Scotland)

20 In section 51(8) of the Civic Government (Scotland) Act 1982,...

Fines for breach of attendance centre orders or rules

21 In section 19 of the Criminal Justice Act 1982 (breach...

Video recordings

22 In section 1 of the Video Recordings Act 1984 (which...

Standard period of validity of search warrants

23 In the following enactments there shall be omitted the words...

Transfers of proceedings

24 In section 62(10) of the Police and Criminal Evidence Act...

Transfers of proceedings

25 In section 16 of the Prosecution of Offences Act 1985...

Award of costs against accused

26 In section 18(5) of the Prosecution of Offences Act 1985...

Transfers of proceedings

27 In section 22 of the Prosecution of Offences Act 1985...

Confiscation orders in drug trafficking cases: variation of sentences

28 In section 1A of the Drug Trafficking Offences Act 1986...

Transfer of fraud cases

29 In section 4 of the Criminal Justice Act 1987 (transfer...

Fraud cases: preparatory hearings

30 In section 7 of the Criminal Justice Act 1987 (preparatory...

Transfers of proceedings

31 In section 25(1) of the Criminal Justice Act 1988 (principle...

Evidence through television links

32 In section 32 of the Criminal Justice Act 1988 (evidence...

Competence of children

33 In section 33A of the Criminal Justice Act 1988 (inserted...

Reviews of sentencing

34 In section 35 of the Criminal Justice Act 1988 (kinds...

Assaulting prisoner custody officer triable with indictable offence

35 In section 40(3) of the Criminal Justice Act 1988 (summary...

Confiscation orders: variation of sentence

36 In section 72A of the Criminal Justice Act 1988 (inserted...

Extradition from the United Kingdom

37 (1) The Extradition Act 1989 shall be amended as follows....

Remands and committals of young persons to secure accommodation

38 In section 21 of the Children Act 1989 (provision of...

Non-intimate samples: samples of hair

39 In Article 63 of the Police and Criminal Evidence (Northern...

Pre-sentence reports

40 (1) The Criminal Justice Act 1991 shall be amended as...

Curfew orders

41 In section 12 of the Criminal Justice Act 1991 (curfew...

Fines

42 (1) Sections 18 and 20 of the Criminal Justice Act...

False statements as to financial circumstances

43 After section 20 of the Criminal Justice Act 1991 there...

Effect of previous probation orders and discharges

44 (1) Section 29 of the Criminal Justice Act 1991 (as...

Sexual offences

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Discretionary life prisoners

46 (1) In section 34 of the Criminal Justice Act 1991...

Committals for sentence

47 In section 40(3) of the Criminal Justice Act 1991 (power...

Extradited persons: sentence of imprisonment to reflect custody

48 (1) In section 47 of the Criminal Justice Act 1991...

Transfers of proceedings

49 In section 53 of the Criminal Justice Act 1991 (notices...

Community sentences: binding over of parent or guardian

50 In section 58(2) of the Criminal Justice Act 1991 (power...

Confiscation orders in terrorist-related activities cases: variation of sentences

51 (1) In section 48 of the Northern Ireland (Emergency Provisions)...

Anonymity of victims of certain offences

52 (1) The Sexual Offences (Amendment) Act 1992 shall be amended...

Application of 1993 Act powers to pre-commencement offences

53 Section 78(6) of the Criminal Justice Act 1993 (application of...

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1 In section 2 of the Habeas Corpus Act 1679 (bail...

Evidence of accused in criminal proceedings

2 In section 1 of the Criminal Evidence Act 1898 (competency...

Evidence of accused in criminal proceedings

3 In section 1 of the Criminal Evidence Act (Northern Ireland)...

Responsibility for fine for breach of requirements of secure training order

4 In section 55(1A) of the Children and Young Persons Act...

Bail: exclusion in homicide and rape cases

5 In section 56(3) of the Children and Young Persons Act...

Bail: exclusion in homicide or rape cases

6 In section 37(1) of the Criminal Justice Act 1948 (power...

Modernisation of “servant” in Prison Act

7 In section 3(1) of the Prison Act 1952 (officers and...

Use of young offender institutions as secure training centres

8 In section 37(4) of the Prison Act 1952 (prisons not...

Young offenders absconding from secure training centres

9 (1) Section 49 of the Prison Act 1952 (persons unlawfully...

Bail: exclusion in homicide and rape cases

10 In section 4(2) of the Administration of Justice Act 1960...

Young offenders: application of prison rules

11 In section 23(4) of the Criminal Justice Act 1961 (which...

Young offenders: transfer, supervision and recall within British Islands

12 (1) Part III of the Criminal Justice Act 1961 (transfer,...

Payment of damages by police authority

13 In section 48(4) of the Police Act 1964 (payment by...

Cross-border enforcement: extension of protection

14 In section 51 of the Police Act 1964 (assaults on,...

Bail: exclusion in homicide and rape cases

15 In section 22(1) of the Criminal Justice Act 1967 (power...

Young offenders: detention under secure training order

16 Section 67 of the Criminal Justice Act 1967 (computation of...

Payment of damages by Scottish police authority

17 In section 39(4) of the Police (Scotland) Act 1967 (payment...

Assaults on constables etc.

18 In section 41 of the Police (Scotland) Act 1967 (assaults...

Bail: exclusion in homicide and rape cases

19 In section 8(2)(a) of the Criminal Appeal Act 1968 (powers...

Bail: exclusion in homicide and rape cases

20 In section 11(5) of the Criminal Appeal Act 1968 (powers...

Bail: exclusion in homicide and rape cases

21 In section 16(3)(b) of the Criminal Appeal Act 1968 (powers...

Bail: exclusion in homicide and rape cases

22 In section 19(1) of the Criminal Appeal Act 1968 (power...

Bail: exclusion in homicide and rape cases

23 In section 36 of the Criminal Appeal Act 1968 (power...

Young offenders: possession of firearms

24 (1) The Firearms Act 1968 shall be amended as follows....

Cross-border enforcement: extension of protection

25 In section 7 of the Criminal Justice (Miscellaneous Provisions) Act...

Sexual offences: male rape

26 In section 9(2) of the Theft Act 1968 (offences which...

Payment of damages by Police Authority for Northern Ireland

27 In section 14(5) of the Police Act (Northern Ireland) 1970...

Jury service: penalty for serving when not qualified

28 In section 20(5) of the Juries Act 1974 (offences in...

Custody officers: ineligibility for jury service

29 In Part I of Schedule 1 to the Juries Act...

Rehabilitation of offenders subject to secure training orders

30 In section 5(6) of the Rehabilitation of Offenders Act 1974...

Prisoner custody officers: ineligibility for jury service

31 In Schedule 2 to the Juries (Northern Ireland) Order 1974...

Bail: exclusion in homicide and rape cases

32 In section 4 of the Bail Act 1976 (entitlement to...

Police bail: variation by magistrates

33 In section 4(2) of the Bail Act 1976 (occasions for...

Bail: no right for persons offending while on bail

34 In Part III of Schedule 1 to the Bail Act...

Sexual offences: male rape

35 (1) The Sexual Offences (Amendment) Act 1976 shall be amended...

Sexual offences: male rape

36 (1) Section 4 of the Sexual Offences (Amendment) Act 1976...

Indecent photographs etc.

37 (1) The Protection of Children Act 1978 shall be amended...

Indecent photographs etc. (Northern Ireland)

38 (1) The Protection of Children (Northern Ireland) Order 1978 shall...

Secure training orders: absence of accused

39 In section 11(3) of the Magistrates' Courts Act 1980 (certain...

Procedure for young offenders in cases of grave crimes

40 In section 24(1)(a) of the Magistrates' Courts Act 1980 (exception...

Bail: exclusion in homicide and rape cases

41 In section 29(4)(b) of the Magistrates' Courts Act 1980 (person...

Bail: exclusion in homicide and rape cases

42 In section 37(1) of the Magistrates' Courts Act 1980 (committal...

Police bail

43 In section 43(1) of the Magistrates' Courts Act 1980 (bail...

Bail: exclusion in homicide or rape cases

44 In section 113(1) of the Magistrates' Courts Act 1980 (power...

Prisoner custody officers: ineligibility for jury service

45 In Part I of Schedule 1 to the Law Reform...

Young offenders: detention in the custody of a constable and others

46 In section 6 of the Imprisonment (Temporary Provisions) Act 1980...

Detention by constables and officers of a prison etc.: maximum period

47 In section 2 of the Criminal Justice (Scotland) Act 1980...

Bail: exclusion in homicide and rape cases

48 In section 81(1) of the Supreme Court Act 1981 (power...

Young offenders: legal representation

49 In section 3(1) of the Criminal Justice Act 1982 (restriction...

Young offenders: early release

50 In section 32 of the Criminal Justice Act 1982 (early...

Bail: exclusion in homicide and rape cases

51 In section 51(4) of the Mental Health Act 1983 (power...

Video recordings

52 (1) The Video Recordings Act 1984 shall be amended as...

Interim possession order: power of entry

53 In section 17 of the Police and Criminal Evidence Act...

Bail: exclusion in homicide and rape cases

54 In section 38(1) of the Police and Criminal Evidence Act...

Searches of persons detained at police stations

55 In section 54(1)(b) of the Police and Criminal Evidence Act...

Fingerprinting: speculative searches

56 In section 61 of the Police and Criminal Evidence Act...

Intimate samples: speculative searches

57 In section 62 of the Police and Criminal Evidence Act...

Non-intimate samples: speculative searches

58 In section 63 of the Police and Criminal Evidence Act...

Sexual offences: male rape and buggery

59 In Part I of Schedule 5 to the Police and...

Trespassory assemblies

60 In section 15(1) of the Public Order Act 1986 (delegation...

Inferences from accused's silence

61 (1) The Criminal Evidence (Northern Ireland) Order 1988 shall be...

Samples: application to terrorist suspects

62 (1) The Prevention of Terrorism (Temporary Provisions) Act 1989 shall...

Prevention of terrorism: consents for prosecutions etc.

63 (1) The Prevention of Terrorism (Temporary Provisions) Act 1989 shall...

Young offenders: powers to search and to test for drugs

64 In section 19(4) of the Prisons (Scotland) Act 1989 (remand...

Non-appearance of accused: plea of guilty

65 In section 20(1A) of the Criminal Justice Act 1991 (power...

Young offenders: secure training order a custodial sentence

66 In section 31(1) of the Criminal Justice Act 1991 (which...

Bail: exclusion in homicide and rape cases

67 In section 40(3)(b) of the Criminal Justice Act 1991 (committal...

Contracted out prisons: exclusion of search powers

68 In section 87(3) of the Criminal Justice Act 1991 (provisions...

Testing prisoners for drugs: director's function

69 In section 87(4) of the Criminal Justice Act 1991 (certain...

The Parole Board

70 For Schedule 5 to the Criminal Justice Act 1991 (supplementary...

Bail: exclusion in homicide and rape cases

71 In Schedule 6 to the Criminal Justice Act 1991 (procedure...

Probation officers for offenders subject to secure training orders

72 In section 4 of the Probation Service Act 1993 (functions...

Secure training orders: cost of supervision by probation officer

73 In section 17 of the Probation Service Act 1993 (probation...

SCHEDULE 11 — Repeals