



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART I

#### YOUNG OFFENDERS

##### *Custodial sentences for young offenders*

#### **16 Long term detention of young offenders**

(1) Section 53 of the Children and Young Persons Act 1933 (which provides for the long term detention of children and young persons for certain grave crimes) shall be amended as follows.

(2) In subsection (1), for the words after “conditions” there shall be substituted—

“—

- (a) as the Secretary of State may direct, or
- (b) as the Secretary of State may arrange with any person.”.

(3) In subsection (2), for the words from the beginning to the words “and the court” there shall be substituted the following—

“(2) Subsection (3) below applies—

- (a) where a person of at least 10 but not more than 17 years is convicted on indictment of—
  - (i) any offence punishable in the case of an adult with imprisonment for fourteen years or more, not being an offence the sentence for which is fixed by law, or
  - (ii) an offence under section 14 of the Sexual Offences Act 1956 (indecent assault on a woman);
- (b) where a young person is convicted of—

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*Status: This is the original version (as it was originally enacted).*

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- (i) an offence under section 1 of the Road Traffic Act 1988 (causing death by dangerous driving), or
- (ii) an offence under section 3A of the Road Traffic Act 1988 (causing death by careless driving while under influence of drink or drugs).

(3) Where this subsection applies, then, if the court”.

(4) For the words from “as the” in subsection (3) to the end of the section there shall be substituted—

“—

- (a) as the Secretary of State may direct, or
- (b) as the Secretary of State may arrange with any person.

(4) A person detained pursuant to the directions or arrangements made by the Secretary of State under this section shall, while so detained, be deemed to be in legal custody.”.

## **17 Maximum length of detention for young offenders**

- (1) Section 1B of the Criminal Justice Act 1982 (maximum length of detention in young offender institution for offenders aged 15, 16 or 17 years) shall be amended as follows.
- (2) In subsection (2)(b), for the words “12 months” there shall be substituted the words “24 months”.
- (3) In subsection (4), for the words “12 months” there shall be substituted the words “24 months”.
- (4) In subsection (5), for the words “12 months” in both places where they occur there shall be substituted the words “24 months”.

## **18 Accommodation of young offenders sentenced to custody for life**

- (1) In section 1C of the Criminal Justice Act 1982 (young offenders sentenced to detention in a young offender institution to be detained in such an institution unless the Secretary of State otherwise directs)—
  - (a) in subsection (1), after the words “young offender institution” there shall be inserted the words “or to custody for life” and for the words “such an institution” there shall be substituted the words “a young offender institution”; and
  - (b) in subsection (2), after the words “in a young offender institution” there shall be inserted the words “or to custody for life”.
- (2) Subsections (6) and (7) of section 12 of the Criminal Justice Act 1982 (which provide for the detention of young offenders sentenced to custody for life in a prison unless the Secretary of State otherwise directs) are hereby repealed.
- (3) In section 43(1) of the Prison Act 1952 (which relates to the institutions for the detention of young offenders which may be provided by the Secretary of State), in paragraph (aa), at the end, there shall be inserted the words “or to custody for life”.