



Criminal Justice Act 2003

CHAPTER 44

CRIMINAL JUSTICE ACT 2003

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336 Commencement

337 Extent

338 Channel Islands and Isle of Man

339 Short title

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SCHEDULE 1 — Amendments related to Part 1

The 1984 Act

1 The 1984 Act is amended as follows.

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- 2 In section 18 (entry and search after arrest), for subsection...
- 3 In section 21 (access and copying), at the end there...
- 4 In section 22 (retention), at the end there is inserted—...
- 5 In section 34 (limitation on police detention), for subsection (7)...
- 6 In section 35(1) (designated police stations), for “section 30(3) and...
- 7 In section 36 (custody officers at police stations), after subsection...
- 8 In section 41(2) (calculation of periods of time), after paragraph...
- 9 In section 45A(2)(a) (functions which may be performed by video-conferencing),...
- 10 In section 47 (bail after arrest)— (a) in subsection (6),...

Criminal Justice Act 1987 (c. 38)

- 11 In section 2 of the Criminal Justice Act 1987 (director’s...
- 12 In subsection (7) of that section (meaning of appropriate person),...
- 13 In subsection (8D) of that section (references to evidence obtained...

Criminal Justice and Police Act 2001 (c. 16)

- 14 In section 56 of the Criminal Justice and Police Act...

Armed Forces Act 2001 (c. 19)

- 15 Amendments related to Part 1

Police Reform Act 2002 (c. 30)

- 16 Schedule 4 to the Police Reform Act 2002 (powers exercisable...
- 17 In paragraph 17 (access to excluded and special procedure material)...
- 18 In paragraph 20 (access and copying in case of things...
- 19 After paragraph 24 (extended powers of seizure) there is inserted—...
- 20 In paragraph 34 (powers of escort officer to take arrested...

SCHEDULE 2 — Charging or release of persons in police detention

- 1 The Police and Criminal Evidence Act 1984 (c. 60) is...
- 2 (1) Section 37 (duties of custody officers before charge) is...
- 3 After that section there is inserted— Guidance (1) The Director of Public Prosecutions may issue guidance—
- 4 In section 40 (review of police detention) in subsection (9)...
- 5 In section 46A (power of arrest for failure to answer...
- 6 (1) Section 47 (bail after arrest) is amended as follows....

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Magistrates' Courts Act 1980 (c. 43)

- 1 The Magistrates' Courts Act 1980 is amended as follows.
- 2 (1) Section 17A (initial indication as to plea) is amended...
- 3 After section 17C there is inserted— Maximum penalty under section...
- 4 In section 18 (initial procedure on information against adult for...
- 5 For section 19 (court to begin by considering which mode...
- 6 For section 20 (procedure where summary trial appears more suitable)...
- 7 For section 21 (procedure where trial on indictment appears more...

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- 8 (1) Section 23 (power of court, with consent of legally...
- 9 (1) Section 24 (summary trial of information against child or...
- 10 After section 24 there is inserted— Child or young person...
- 11 (1) Section 25 (power to change from summary trial to...
- 12 For subsections (1) and (2) of section 26 (power to...
- 13 Allocation of cases triable either way, and sending cases to the Crown Court
- 14 Section 42 (restriction on justices sitting after dealing with bail)...

Crime and Disorder Act 1998 (c. 37)

- 15 The Crime and Disorder Act 1998 is amended as follows...
- 16 In section 50 (early administrative hearings), in subsection (1) (court...
- 17 After section 50 there is inserted— Order of consideration for...
- 18 For section 51 (no committal proceedings for indictable-only offences) there...
- 19 (1) After section 52 there is inserted— Restrictions on reporting...
- 20 (1) Schedule 3 (procedure where persons are sent for trial...

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

- 21 The Powers of Criminal Courts (Sentencing) Act 2000 is amended...
- 22 Allocation of cases triable either way, and sending cases to the Crown Court
- 22A (1) Section 3 (committal for sentence on summary trial of...
- 23 After section 3 there is inserted— Committal for sentence of...
- 24 (1) Section 4 (committal for sentence on indication of guilty...
- 25 After section 4 there is inserted— Committal for sentence on...
- 26 For section 5 (power of Crown Court on committal for...
- 27 After section 5 there is inserted— Power of Crown Court...
- 28 In section 6 (committal for sentence in certain cases where...
Part 2 — MINOR AND CONSEQUENTIAL AMENDMENTS

Territorial Waters Jurisdiction Act 1878 (c. 73)

- 29 In section 4 of the Territorial Waters Jurisdiction Act 1878...

Bankers' Books Evidence Act 1879 (c. 11)

- 30 (1) The Bankers' Books Evidence Act 1879 is amended as...

Explosive Substances Act 1883 (c. 3)

- 31 In section 6 of the Explosive Substances Act 1883 (inquiry...

Criminal Justice Act 1925 (c. 86)

- 32 In section 49 of the Criminal Justice Act 1925 (interpretation,...

Children and Young Persons Act 1933 (c. 12)

- 33 In section 42 of the Children and Young Persons Act...

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

- 34 (1) Section 2 of the Administration of Justice (Miscellaneous Provisions)...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Criminal Justice Act 1948 (c. 58)

35 (1) The Criminal Justice Act 1948 is amended as follows....

Prison Act 1952 (c. 52)

36 Until their repeal by (respectively) section 59 of, and paragraph...

Army Act 1955 (3 & 4 Eliz. 2 c. 18)

37 Allocation of cases triable either way, and sending cases to the Crown Court

Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)

38 Allocation of cases triable either way, and sending cases to the Crown Court

Geneva Conventions Act 1957 (c. 52)

39 In section 5 of the Geneva Conventions Act 1957 (reduction...

Naval Discipline Act 1957 (c. 53)

40 Allocation of cases triable either way, and sending cases to the Crown Court

Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)

41 In paragraph 4 of the Schedule to the Backing of...

Criminal Procedure (Attendance of Witnesses) Act 1965 (c. 69)

42 In section 2 of the Criminal Procedure (Attendance of Witnesses)...

Criminal Justice Act 1967 (c. 80)

43 (1) The Criminal Justice Act 1967 is amended as follows....

Criminal Appeal Act 1968 (c. 19)

44 (1) The Criminal Appeal Act 1968 is amended as follows....

Firearms Act 1968 (c. 27)

45 In Schedule 6 to the Firearms Act 1968 (prosecution and...

Theft Act 1968 (c. 60)

46 In section 27 of the Theft Act 1968 (evidence and...

Criminal Justice Act 1972 (c. 71)

47 In section 46 of the Criminal Justice Act 1972 (admissibility...

Bail Act 1976 (c. 63)

48 (1) The Bail Act 1976 is amended as follows.

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Interpretation Act 1978 (c. 30)

49 In Schedule 1 to the Interpretation Act 1978 (words and...

Customs and Excise Management Act 1979 (c. 2)

50 In section 147 of the Customs and Excise Management Act...

Magistrates' Courts Act 1980 (c. 43)

51 (1) The Magistrates' Courts Act 1980 is amended as follows....

Criminal Attempts Act 1981 (c. 47)

52 In section 2 of the Criminal Attempts Act 1981 (application...

Contempt of Court Act 1981 (c. 49)

53 In section 4 of the Contempt of Court Act 1981...

Supreme Court Act 1981 (c. 54)

54 (1) The Supreme Court Act 1981 is amended as follows....

Mental Health Act 1983 (c. 20)

55 (1) The Mental Health Act 1983 is amended as follows....

Police and Criminal Evidence Act 1984 (c. 60)

56 (1) The Police and Criminal Evidence Act 1984 is amended...

Prosecution of Offences Act 1985 (c. 23)

57 (1) The Prosecution of Offences Act 1985 is amended as...

Criminal Justice Act 1987 (c. 38)

58 (1) The Criminal Justice Act 1987 is amended as follows....

Coroners Act 1988 (c. 13)

59 (1) The Coroners Act 1988 is amended as follows.

Criminal Justice Act 1988 (c. 33)

60 (1) The Criminal Justice Act 1988 is amended as follows....

Road Traffic Offenders Act 1988 (c. 53)

61 (1) The Road Traffic Offenders Act 1988 is amended as...

Criminal Justice Act 1991 (c. 53)

62 (1) The Criminal Justice Act 1991 is amended as follows....

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

63 In section 6 of the Sexual Offences (Amendment) Act 1992...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Criminal Justice and Public Order Act 1994 (c. 33)

64 (1) The Criminal Justice and Public Order Act 1994 is...

Reserve Forces Act 1996 (c. 14)

65 Allocation of cases triable either way, and sending cases to the Crown Court

Criminal Procedure and Investigations Act 1996 (c. 25)

66 (1) The Criminal Procedure and Investigations Act 1996 is amended...

Sexual Offences (Protected Material) Act 1997 (c. 39)

67 In section 9 of the Sexual Offences (Protected Material) Act...

Crime and Disorder Act 1998 (c. 37)

68 The Crime and Disorder Act 1998 is amended as follows....

69 In section 52 (provisions supplementing section 51)—

70 In section 121 (short title, commencement and extent), in subsection...

71 In paragraph 3 of Schedule 3 (reporting restrictions)—

72 In paragraph 4 of Schedule 3 (power of justice to...

Youth Justice and Criminal Evidence Act 1999 (c. 23)

73 (1) The Youth Justice and Criminal Evidence Act 1999 is...

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

74 (1) The Powers of Criminal Courts (Sentencing) Act 2000 is...

Proceeds of Crime Act 2002 (c. 29)

75 (1) The Proceeds of Crime Act 2002 is amended as...

SCHEDULE 3A — Prohibitions and limitations on use of live links

Conduct of proceedings wholly as audio proceedings

1 (1) Eligible criminal proceedings may be conducted wholly as audio...

Conduct of proceedings wholly as video proceedings

2 (1) Eligible criminal proceedings may be conducted wholly as video...

Other use of live audio links in preliminary and incidental proceedings etc

3 (1) This paragraph applies to eligible criminal proceedings which meet...

Other use of live audio links in other eligible criminal proceedings

4 (1) This paragraph applies to— (a) eligible criminal proceedings which...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Other limitations to apply also

5 The limitations imposed under this Schedule are in addition to...

SCHEDULE 4 — Qualifying offences for purposes of section 62

Part 1 — LIST OF OFFENCES

Offences Against the Person

Murder

1 Murder.

Attempted murder

2 An offence under section 1 of the Criminal Attempts Act...

Soliciting murder

3 An offence under section 4 of the Offences against the...

Manslaughter

4 Manslaughter.

Corporate manslaughter

4A An offence under section 1 of the Corporate Manslaughter and...

Wounding or causing grievous bodily harm with intent

5 An offence under section 18 of the Offences against the...

Kidnapping

6 Kidnapping.

Sexual Offences

Rape

7 An offence under section 1 of the Sexual Offences Act...

Attempted rape

8 An offence under section 1 of the Criminal Attempts Act...

Intercourse with a girl under thirteen

9 An offence under section 5 of the Sexual Offences Act...

Incest by a man with a girl under thirteen

10 An offence under section 10 of the Sexual Offences Act...

Assault by penetration

11 An offence under section 2 of the Sexual Offences Act...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Causing a person to engage in sexual activity without consent

- 12 An offence under section 4 of the Sexual Offences Act...

Rape of a child under thirteen

- 13 An offence under section 5 of the Sexual Offences Act...

Attempted rape of a child under thirteen

- 14 An offence under section 1 of the Criminal Attempts Act...

Assault of a child under thirteen by penetration

- 15 An offence under section 6 of the Sexual Offences Act...

Causing a child under thirteen to engage in sexual activity

- 16 An offence under section 8 of the Sexual Offences Act...

Sexual activity with a person with a mental disorder impeding choice

- 17 An offence under section 30 of the Sexual Offences Act...

*Causing or inciting a person with a mental disorder
impeding choice to engage in sexual activity*

- 18 An offence under section 31 of the Sexual Offences Act...

Drugs Offences

Unlawful importation of Class A drug

- 19 An offence under section 50(2) of the Customs and Excise...

Unlawful exportation of Class A drug

- 20 An offence under section 68(2) of the Customs and Excise...

Fraudulent evasion in respect of Class A drug

- 21 An offence under section 170(1) or (2) of the Customs...

Producing or being concerned in production of Class A drug

- 22 An offence under section 4(2) of the Misuse of Drugs...

Supplying or offering to supply Class A drug

- 23 An offence under section 4(3) of the Misuse of Drugs...

Theft Offences

Robbery

- 24 An offence under section 8(1) of the Theft Act 1968...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Criminal Damage Offences

Arson endangering life

25 An offence under section 1(2) of the Criminal Damage Act...

Causing explosion likely to endanger life or property

26 An offence under section 2 of the Explosive Substances Act...

Intent or conspiracy to cause explosion likely to endanger life or property

27 An offence under section 3(1)(a) of the Explosive Substances Act...

War Crimes and Terrorism

Genocide, crimes against humanity and war crimes

28 An offence under section 51 or 52 of the International...

Grave breaches of the Geneva Conventions

29 An offence under section 1 of the Geneva Conventions Act...

Directing terrorist organisation

30 An offence under section 56 of the Terrorism Act 2000...

Hostage-taking

31 An offence under section 1 of the Taking of Hostages...

Hijacking and Other Offences Relating to Aviation, Maritime and Rail Security

Hijacking of aircraft

32 An offence under section 1 of the Aviation Security Act...

Destroying, damaging or endangering the safety of an aircraft

33 An offence under section 2 of the Aviation Security Act...

Hijacking of spacecraft

33A An offence under paragraph 1 of Schedule 4 to the...

Destroying, damaging or endangering the safety of spacecraft

33B An offence under paragraph 2 of Schedule 4 to the...

Hijacking of ships

34 An offence under section 9 of the Aviation and Maritime...

Seizing or exercising control of fixed platforms

35 An offence under section 10 of the Aviation and Maritime...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Destroying ships or fixed platforms or endangering their safety

- 36 An offence under section 11 of the Aviation and Maritime...

Hijacking of Channel Tunnel trains

- 37 An offence under article 4 of the Channel Tunnel (Security)...

Seizing or exercising control of the Channel Tunnel system

- 38 An offence under article 5 of the Channel Tunnel (Security)...

Conspiracy

Conspiracy

- 39 An offence under section 1 of the Criminal Law Act...

Part 2 — SUPPLEMENTARY

- 40 A reference in Part 1 of this Schedule to an...

- 41 A reference in Part 1 of this Schedule to an...

SCHEDULE 5 — Qualifying offences for purposes of Part 10

Part 1 — LIST OF OFFENCES FOR ENGLAND AND WALES

Offences Against the Person

Murder

- 1 Murder.

Attempted murder

- 2 An offence under section 1 of the Criminal Attempts Act...

Soliciting murder

- 3 An offence under section 4 of the Offences against the...

Manslaughter

- 4 Manslaughter.

Corporate manslaughter

- 4A An offence under section 1 of the Corporate Manslaughter and...

Kidnapping

- 5 Kidnapping.

Sexual Offences

Rape

- 6 An offence under section 1 of the Sexual Offences Act...

Attempted rape

- 7 An offence under section 1 of the Criminal Attempts Act...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Intercourse with a girl under thirteen

8 An offence under section 5 of the Sexual Offences Act...

Incest by a man with a girl under thirteen

9 An offence under section 10 of the Sexual Offences Act...

Assault by penetration

10 An offence under section 2 of the Sexual Offences Act...

Causing a person to engage in sexual activity without consent

11 An offence under section 4 of the Sexual Offences Act...

Rape of a child under thirteen

12 An offence under section 5 of the Sexual Offences Act...

Attempted rape of a child under thirteen

13 An offence under section 1 of the Criminal Attempts Act...

Assault of a child under thirteen by penetration

14 An offence under section 6 of the Sexual Offences Act...

Causing a child under thirteen to engage in sexual activity

15 An offence under section 8 of the Sexual Offences Act...

Sexual activity with a person with a mental disorder impeding choice

16 An offence under section 30 of the Sexual Offences Act...

Causing a person with a mental disorder impeding choice to engage in sexual activity

17 An offence under section 31 of the Sexual Offences Act...

Drugs Offences

Unlawful importation of Class A drug

18 An offence under section 50(2) of the Customs and Excise...

Unlawful exportation of Class A drug

19 An offence under section 68(2) of the Customs and Excise...

Fraudulent evasion in respect of Class A drug

20 An offence under section 170(1) or (2) of the Customs...

Producing or being concerned in production of Class A drug

21 An offence under section 4(2) of the Misuse of Drugs...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Criminal Damage Offences

Arson endangering life

- 22 An offence under section 1(2) of the Criminal Damage Act...

Causing explosion likely to endanger life or property

- 23 An offence under section 2 of the Explosive Substances Act...

Intent or conspiracy to cause explosion likely to endanger life or property

- 24 An offence under section 3(1)(a) of the Explosive Substances Act...

War Crimes and Terrorism

Genocide, crimes against humanity and war crimes

- 25 An offence under section 51 or 52 of the International...

Grave breaches of the Geneva Conventions

- 26 An offence under section 1 of the Geneva Conventions Act...

Directing terrorist organisation

- 27 An offence under section 56 of the Terrorism Act 2000...

Hostage-taking

- 28 An offence under section 1 of the Taking of Hostages...

Conspiracy

Conspiracy

- 29 An offence under section 1 of the Criminal Law Act...
Part 2 — LIST OF OFFENCES FOR NORTHERN IRELAND

Offences Against the Person

Murder

- 30 Murder.

Attempted murder

- 31 An offence under Article 3 of the Criminal Attempts and...

Soliciting murder

- 32 An offence under section 4 of the Offences against the...

Manslaughter

- 33 Manslaughter.

Status: Point in time view as at 28/04/2022.

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Corporate manslaughter

33A An offence under section 1 of the Corporate Manslaughter and...

Kidnapping

34 Kidnapping.

Sexual Offences

Rape

35 Rape.

35A An offence under Article 5 of the Sexual Offences (Northern...

Attempted rape

36 An offence under section 2 of the Attempted Rape, etc.,...

36A An offence under Article 3 of the Criminal Attempts and...

Intercourse with a girl under fourteen

37 An offence under section 4 of the Criminal Law Amendment...

Incest by a man with a girl under fourteen

38 An offence under section 1(1) of the Punishment of Incest...

Assault by penetration

38A An offence under Article 6 of the Sexual Offences (Northern...

Causing a person to engage in sexual activity without consent

38B An offence under Article 8 of the Sexual Offences (Northern...

Rape of a child under thirteen

38C An offence under Article 12 of the Sexual Offences (Northern...

Attempted rape of a child under thirteen

38D An offence under Article 3 of the Criminal Attempts and...

Assault of child under thirteen by penetration

38E An offence under Article 13 of the Sexual Offences (Northern...

Causing a child under thirteen to engage in sexual activity by penetration

38F An offence under Article 15 of the Sexual Offences (Northern...

Sexual activity with a person with a mental disorder impeding choice

38G An offence under Article 43 of the Sexual Offences (Northern...

Causing a person with a mental disorder impeding choice to engage in sexual activity

38H An offence under Article 44 of the Sexual Offences (Northern...

Status: Point in time view as at 28/04/2022.

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Drugs Offences

Unlawful importation of Class A drug

39 An offence under section 50(2) of the Customs and Excise...

Unlawful exportation of Class A drug

40 An offence under section 68(2) of the Customs and Excise...

Fraudulent evasion in respect of Class A drug

41 An offence under section 170(1) or (2) of the Customs...

Producing or being concerned in production of Class A drug

42 An offence under section 4(2) of the Misuse of Drugs...

Criminal Damage Offences

Arson endangering life

43 An offence under Article 3(2) of the Criminal Damage (Northern...

Causing explosion likely to endanger life or property

44 An offence under section 2 of the Explosive Substances Act...

Intent or conspiracy to cause explosion likely to endanger life or property

45 An offence under section 3(1)(a) of the Explosive Substances Act...

War Crimes and Terrorism

Genocide, crimes against humanity and war crimes

46 An offence under section 51 or 52 of the International...

Grave breaches of the Geneva Conventions

47 An offence under section 1 of the Geneva Conventions Act...

Directing terrorist organisation

48 An offence under section 56 of the Terrorism Act 2000...

Hostage-taking

49 An offence under section 1 of the Taking of Hostages...

Conspiracy

Conspiracy

50 An offence under Article 9 of the Criminal Attempts and...

Part 3 — SUPPLEMENTARY

51 A reference in this Schedule to an offence includes a...

52 A reference in this Schedule to an enactment includes a...

Status: Point in time view as at 28/04/2022.

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SCHEDULE 6 — Evidence of bad character: armed forces

- 1 Sections 98 to 106, 109, 110 and 112, in so...
- 2 Section 103, as it applies in relation to proceedings before...
- 3 (1) Section 107 has effect in relation to proceedings before...
- 4 Section 110, as it applies in relation to proceedings before...
- 5 Section 111 has effect as if the expression “rules of court”...
- 6 In this Schedule “service court” means—

SCHEDULE 7 — Hearsay evidence: armed forces

Application to proceedings before service courts

- 1 Sections 114 to 121, 123, 124, 126, 127 to 129...
- 2 (1) In their application to such proceedings those sections have...
- 3 (1) Section 122 has effect in relation to proceedings before...
- 4 (1) Section 125 has effect in relation to proceedings before...

Amendments

- 5 Hearsay evidence: armed forces
- 6 Hearsay evidence: armed forces
- 7 Hearsay evidence: armed forces

Interpretation

- 8 In this Schedule, and in any provision of this Part...

SCHEDULE 8 — Breach, revocation or amendment of community order Part 1 — PRELIMINARY

Interpretation

- 1 In this Schedule— “the offender”, in relation to a community...
- 1A (1) In this Schedule “enforcement officer” means a...
- 2 In this Schedule— (a) references to a drug rehabilitation requirement...
- 3 For the purposes of this Schedule— (a) a requirement falling...

Orders made on appeal

- 4 Where a community order has been made on appeal, it...

Part 2 — BREACH OF REQUIREMENT OF ORDER

Duty to give warning

- 5 (1) If the responsible officer is of the opinion that...

Breach of order after warning

- 6 (1) If— (a) the responsible officer has given a warning...

Role of enforcement officer

- 6A (1) Where a matter is referred to an enforcement officer...

Issue of summons or warrant by justice of the peace

- 7 (1) This paragraph applies to— (a) a community order made...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Issue of summons or warrant by Crown Court

8 (1) This paragraph applies to a community order made by...

Powers of magistrates' court

9 (1) If it is proved to the satisfaction of a...

Powers of Crown Court

10 (1) Where under paragraph 8 or by virtue of paragraph...

Restriction of powers in paragraphs 9 and 10 where treatment required

11 (1) An offender who is required by any of the...

Power to amend amounts of fines

11A (1) The Secretary of State may by order amend any...

Supplementary

12 Breach, revocation or amendment of community order
Part 3 — REVOCATION OF ORDER

Revocation of order with or without re-sentencing: powers of magistrates' court

13 (1) This paragraph applies where a community order, other than...

Revocation of order with or without re-sentencing: powers of Crown Court

14 (1) This paragraph applies where— (a) there is in force...

Supplementary

15 Breach, revocation or amendment of community order
Part 4 — AMENDMENT OF ORDER

Amendment by reason of change of residence

16 (1) This paragraph applies where, at any time while a...
16A (1) This paragraph applies where at any time while a...

Amendment of requirements of community order

17 (1) The appropriate court may, on the application of the...

Amendment of treatment requirements of community order on report of practitioner

18 (1) Where the medical practitioner or other person by whom...

Amendment in relation to review of drug rehabilitation requirement

19 Where an officer of a provider of probation services is...

Extension of order

19A (1) The appropriate court may, on the application of the...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Extension of unpaid work requirement

- 20 (1) Where— (a) a community order imposing an unpaid work...
Part 5 — POWERS OF COURT IN RELATION TO ORDER FOLLOWING
SUBSEQUENT CONVICTION

Powers of magistrates' court following subsequent conviction

- 21 (1) This paragraph applies where— (a) an offender in respect...
22 (1) Where an offender in respect of whom a community...

Powers of Crown Court following subsequent conviction

- 23 (1) This paragraph applies where— (a) an offender in respect...
Part 6 — SUPPLEMENTARY
24 (1) ... No application may be made under paragraph 13,...
25 (1) Subject to sub-paragraph (2), where a court proposes to...
25A (1) This paragraph applies to any hearing relating to an...
26 Paragraphs 9(1)(a), 10(1)(a) and 17(1)(b) have effect subject to the...
27 (1) On the making under this Schedule of an order...

SCHEDULE 9 — Transfer of community orders to Scotland or Northern Ireland

Part 1 — SCOTLAND

- 1 (1) Where the court considering the making of a community...
2 (1) Where a court is considering the making or amendment...

Part 2 — NORTHERN IRELAND

- 3 (1) Where the court considering the making of a community...
4 (1) Where a court is considering the making or amendment...

Part 3 — GENERAL PROVISIONS

- 5 In this Part of this Schedule— “corresponding order” means the...
6 Where a community order is made or amended in accordance...
7 In section 220 (duty of offender to keep in touch...
8 Where a community order is made or amended in accordance...
9 Before making or amending a community order in those
circumstances...
10 The home court may exercise in relation to the community...
11 If at any time while legislation relating to corresponding orders...
12 Where an offender is required by virtue of paragraph 11...
13 Paragraph 12(b) does not enable the court to amend the...
14 The preceding paragraphs of this Schedule have effect in relation...
15 Where an offender is required by virtue of paragraph (a)...

SCHEDULE 10 — Revocation or amendment of custody plus orders and amendment
of intermittent custody orders

...

Revocation or amendment of custody plus orders and amendment of
intermittent custody orders
Revocation or amendment of custody plus orders and amendment of
intermittent custody orders
Revocation or amendment of custody plus orders and amendment of
intermittent custody orders
Revocation or amendment of custody plus orders and amendment of
intermittent custody orders

Status: Point in time view as at 28/04/2022.

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Revocation or amendment of custody plus orders and amendment of intermittent custody orders

Revocation or amendment of custody plus orders and amendment of intermittent custody orders

Revocation or amendment of custody plus orders and amendment of intermittent custody orders

Revocation or amendment of custody plus orders and amendment of intermittent custody orders

Revocation or amendment of custody plus orders and amendment of intermittent custody orders

SCHEDULE 11 — Transfer of custody plus orders and intermittent custody orders to Scotland or Northern Ireland

Transfer of custody plus orders and intermittent custody orders to Scotland or Northern Ireland

SCHEDULE 12 — Breach or amendment of suspended sentence order, and effect of further conviction

Part 1 — PRELIMINARY

Interpretation

- 1 In this Schedule— “the offender”, in relation to a suspended...
1A (1) In this Schedule “ enforcement officer ” means a...
2 In this Schedule— (a) any reference to a suspended sentence...

Orders made on appeal

- 3 Where a suspended sentence order is made on appeal it...
Part 2 — BREACH OF COMMUNITY REQUIREMENT OR CONVICTION OF FURTHER OFFENCE

Duty to give warning in relation to community requirement

- 4 (1) If the responsible officer is of the opinion that...

Breach of order after warning

- 5 (1) If— (a) the responsible officer has given a warning...

Role of enforcement officer

- 5A (1) Where a matter is referred to an enforcement officer...

Issue of summons or warrant by justice of the peace

- 6 (1) This paragraph applies to— (a) a suspended sentence order...

Issue of summons or warrant by Crown Court

- 7 (1) This paragraph applies to a suspended sentence order made...

Powers of court on breach of community requirement or conviction of further offence

- 8 (1) This paragraph applies where— (a) it is proved to...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Further provisions as to order that suspended sentence is to take effect

9 (1) When making an order under paragraph 8(2)(a) or (b)...

Restriction of powers in paragraph 8 where treatment required

10 (1) An offender who is required by any of the...

Court by which suspended sentence may be dealt with under paragraph 8(1)(b)

11 (1) An offender may be dealt with under paragraph 8(1)(b)...

Procedure where court convicting of further offence does not deal with suspended sentence

12 (1) If it appears to the Crown Court, where that...

Power to amend amount of fine

12A (1) The Secretary of State may by order amend the...

Part 3 — AMENDMENT OF SUSPENDED SENTENCE ORDER

Application of Part

12B This Part of this Schedule applies only in relation to...

Cancellation of community requirements of suspended sentence order

13 (1) Where at any time while a suspended sentence order...

Amendment by reason of change of residence

14 (1) This paragraph applies where, at any time while a...

14A (1) This paragraph applies where at any time while a...

Amendment of community requirements of suspended sentence order

15 (1) At any time during the supervision period, the appropriate...

Amendment of treatment requirements on report of practitioner

16 (1) Where the medical practitioner or other person by whom...

Amendment in relation to review of drug rehabilitation requirement

17 Where an officer of a provider of probation services is...

Extension of unpaid work requirement

18 (1) Where— (a) a suspended sentence order imposing an unpaid...

Supplementary

19 (1) No application may be made under paragraph 13, 15...

20 (1) Subject to sub-paragraph (2), where a court proposes to...

21 Paragraphs 8(2)(c) and 15(1)(b) have effect subject to the provisions...

22 (1) On the making under this Schedule of an order...

SCHEDULE 13 — Transfer of suspended sentence orders to Scotland or Northern Ireland

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Part 1 — SCOTLAND

- 1 (1) Where the court considering the making of a suspended...
- 2 A suspended sentence order made or amended in accordance with...
- 3 (1) Where a court makes or amends a suspended sentence...
- 4 (1) In relation to the making or amendment of a...
- 5 In this Part of this Schedule “local authority” means a...

Part 2 — NORTHERN IRELAND

- 6 (1) Where the court considering the making of a suspended...
- 7 A suspended sentence order made or amended in accordance with...
- 8 (1) Where a court makes or amends a suspended sentence...
- 9 (1) In relation to the making or amendment of a...

Part 3 — GENERAL PROVISIONS: BREACH OR AMENDMENT

- 10 This Part of this Schedule applies at any time while...
- 11 In this Part of this Schedule— “home court” means— if...
- 12 (1) Where this Part of this Schedule applies, Schedule 12...
- 13 (1) Sub-paragraph (2) applies where it appears to the home...
- 14 (1) The court before which an offender appears or is...
- 15 (1) The home court may exercise any power under Part...
- 16 Where by virtue of paragraph 15 any application is made...
- 17 No court may amend or further amend a suspended sentence...
- 18 The preceding paragraphs of this Schedule have effect in relation...
- 19 On the making of an order amending a suspended sentence...
- 20 (1) This paragraph applies where the home court is satisfied...

Part 4 — SUPPLEMENTARY

- 21 Subsections (1) and (3) of section 245C of the Criminal...
- 22 (1) Section 4 of the Summary Jurisdiction (Process) Act 1881...

SCHEDULE 14 — Persons to whom copies of requirements to be provided in particular cases

SCHEDULE 15 — Specified offences for purposes of section 325

Part 1 — SPECIFIED VIOLENT OFFENCES

- 1 Manslaughter.
- 2 Kidnapping.
- 3 False imprisonment.
- 4 An offence under section 4 of the Offences against the...
- 5 An offence under section 16 of that Act (threats to...
- 6 An offence under section 18 of that Act (wounding with...
- 7 An offence under section 20 of that Act (malicious wounding)...
- 8 An offence under section 21 of that Act (attempting to...
- 9 An offence under section 22 of that Act (using chloroform...
- 10 An offence under section 23 of that Act (maliciously administering...
- 11 An offence under section 27 of that Act (abandoning children)...
- 12 An offence under section 28 of that Act (causing bodily...
- 13 An offence under section 29 of that Act (using explosives...
- 14 An offence under section 30 of that Act (placing explosives...
- 15 An offence under section 31 of that Act (setting spring...
- 16 An offence under section 32 of that Act (endangering the...
- 17 An offence under section 35 of that Act (injuring persons...
- 18 An offence under section 37 of that Act (assaulting officer...
- 19 An offence under section 38 of that Act (assault with...
- 20 An offence under section 47 of that Act (assault occasioning...
- 21 An offence under section 2 of the Explosive Substances Act...

Status: Point in time view as at 28/04/2022.

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- 22 An offence under section 3 of that Act (attempt to...
- 22A An offence under section 4 of that Act (making or...
- 23 An offence under section 1 of the Infant Life (Preservation)...
- 24 An offence under section 1 of the Children and Young...
- 25 An offence under section 1 of the Infanticide Act 1938...
- 26 An offence under section 16 of the Firearms Act 1968...
- 27 An offence under section 16A of that Act (possession of...
- 28 An offence under section 17(1) of that Act (use of...
- 29 An offence under section 17(2) of that Act (possession of...
- 30 An offence under section 18 of that Act (carrying a...
- 31 An offence under section 8 of the Theft Act 1968...
- 32 An offence under section 9 of that Act of burglary...
- 33 An offence under section 10 of that Act (aggravated burglary)....
- 34 An offence under section 12A of that Act (aggravated vehicle-taking)...
- 35 An offence of arson under section 1 of the Criminal...
- 36 An offence under section 1(2) of that Act (destroying or...
- 37 An offence under section 1 of the Taking of Hostages...
- 38 An offence under section 1 of the Aviation Security Act...
- 39 An offence under section 2 of that Act (destroying, damaging...
- 40 An offence under section 3 of that Act (other acts...
- 41 An offence under section 4 of that Act (offences in...
- 42 An offence under section 127 of the Mental Health Act...
- 43 An offence under section 1 of the Prohibition of Female...
- 44 An offence under section 1 of the Public Order Act...
- 45 An offence under section 2 of that Act (violent disorder)....
- 46 An offence under section 3 of that Act (affray).
- 47 An offence under section 134 of the Criminal Justice Act...
- 48 An offence under section 1 of the Road Traffic Act...
- 48A An offence under section 3ZC of that Act (causing death...
- 49 An offence under section 3A of that Act (causing death...
- 50 An offence under section 1 of the Aviation and Maritime...
- 51 An offence under section 9 of that Act (hijacking of...
- 52 An offence under section 10 of that Act (seizing or...
- 53 An offence under section 11 of that Act (destroying fixed...
- 54 An offence under section 12 of that Act (other acts...
- 55 An offence under section 13 of that Act (offences involving...
- 56 An offence under Part II of the Channel Tunnel (Security)...
- 57 An offence under section 4 or 4A of the Protection...
- 58 An offence under section 29 of the Crime and Disorder...
- 59 An offence falling within section 31(1)(a) or (b) of that...
- 59A An offence under section 54 of the Terrorism Act 2000...
- 59B An offence under section 56 of that Act (directing terrorist...
- 59C An offence under section 57 of that Act (possession of...
- 59D An offence under section 59 of that Act (inciting terrorism...
- 60 An offence under section 51 or 52 of the International...
- 60A An offence under section 47 of the Anti-terrorism, Crime and...
- 60B An offence under section 50 of that Act (assisting or...
- 60C An offence under section 113 of that Act (use of...
- 61 An offence under section 1 of the Female Genital Mutilation...
- 62 An offence under section 2 of that Act (assisting a...
- 63 An offence under section 3 of that Act (assisting a...
- 63A An offence under section 5 of the Domestic Violence, Crime...
- 63B An offence under section 5 of the Terrorism Act 2006...

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- 63C An offence under section 6 of that Act (training for...
- 63D An offence under section 9 of that Act (making or...
- 63E An offence under section 10 of that Act (use of...
- 63F An offence under section 11 of that Act (terrorist threats...
- 63G An offence under section 1 of the Modern Slavery Act...
- 63H An offence under section 2 of that Act (human trafficking)...
- 63I An offence under paragraph 1 of Schedule 4 to the...
- 63J An offence under paragraph 2 of that Schedule (destroying, damaging...
- 63K An offence under paragraph 3 of that Schedule (other acts...
- 63L An offence under paragraph 4 of that Schedule (endangering safety...
- 63M An offence under paragraph 5 of that Schedule (offences in...
- 64 (1) Aiding, abetting, counselling or procuring the commission of an...
- 65 (1) An attempt to commit murder. (2) Conspiracy to commit...
- Part 2 — SPECIFIED SEXUAL OFFENCES
- 66 An offence under section 1 of the Sexual Offences Act...
- 67 An offence under section 2 of that Act (procurement of...
- 68 An offence under section 3 of that Act (procurement of...
- 69 An offence under section 4 of that Act (administering drugs...
- 70 An offence under section 5 of that Act (intercourse with...
- 71 An offence under section 6 of that Act (intercourse with...
- 72 An offence under section 7 of that Act (intercourse with...
- 73 An offence under section 9 of that Act (procurement of...
- 74 An offence under section 10 of that Act (incest by...
- 75 An offence under section 11 of that Act (incest by...
- 76 An offence under section 14 of that Act (indecent assault...
- 77 An offence under section 15 of that Act (indecent assault...
- 78 An offence under section 16 of that Act (assault with...
- 79 An offence under section 17 of that Act (abduction of...
- 80 An offence under section 19 of that Act (abduction of...
- 81 An offence under section 20 of that Act (abduction of...
- 82 An offence under section 21 of that Act (abduction of...
- 83 An offence under section 22 of that Act (causing prostitution...
- 84 An offence under section 23 of that Act (procurement of...
- 85 An offence under section 24 of that Act (detention of...
- 86 An offence under section 25 of that Act (permitting girl...
- 87 An offence under section 26 of that Act (permitting girl...
- 88 An offence under section 27 of that Act (permitting defective...
- 89 An offence under section 28 of that Act (causing or...
- 90 An offence under section 29 of that Act (causing or...
- 91 An offence under section 32 of that Act (soliciting by...
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- 92A An offence under section 33A of that Act (keeping a...
- 93 An offence under section 128 of the Mental Health Act...
- 94 An offence under section 1 of the Indecency with Children...
- 95 An offence under section 4 of the Sexual Offences Act...
- 96 An offence under section 5 of that Act (living on...
- 97 An offence under section 9 of the Theft Act 1968...
- 98 An offence under section 54 of the Criminal Law Act...
- 99 An offence under section 1 of the Protection of Children...
- 100 An offence under section 170 of the Customs and Excise...
- 101 An offence under section 160 of the Criminal Justice Act...
- 102 An offence under section 1 of the Sexual Offences Act...
- 103 An offence under section 2 of that Act (assault by...

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- 104 An offence under section 3 of that Act (sexual assault)....
- 105 An offence under section 4 of that Act (causing a...
- 106 An offence under section 5 of that Act (rape of...
- 107 An offence under section 6 of that Act (assault of...
- 108 An offence under section 7 of that Act (sexual assault...
- 109 An offence under section 8 of that Act (causing or...
- 110 An offence under section 9 of that Act (sexual activity...
- 111 An offence under section 10 of that Act (causing or...
- 112 An offence under section 11 of that Act (engaging in...
- 113 An offence under section 12 of that Act (causing a...
- 114 An offence under section 13 of that Act (child sex...
- 115 An offence under section 14 of that Act (arranging or...
- 116 An offence under section 15 of that Act (meeting a...
- 116A An offence under section 15A of that Act (sexual communication...
- 117 An offence under section 16 of that Act (abuse of...
- 118 An offence under section 17 of that Act (abuse of...
- 119 An offence under section 18 of that Act (abuse of...
- 120 An offence under section 19 of that Act (abuse of...
- 121 An offence under section 25 of that Act (sexual activity...
- 122 An offence under section 26 of that Act (inciting a...
- 123 An offence under section 30 of that Act (sexual activity...
- 124 An offence under section 31 of that Act (causing or...
- 125 An offence under section 32 of that Act (engaging in...
- 126 An offence under section 33 of that Act (causing a...
- 127 An offence under section 34 of that Act (inducement, threat...
- 128 An offence under section 35 of that Act (causing a...
- 129 An offence under section 36 of that Act (engaging in...
- 130 An offence under section 37 of that Act (causing a...
- 131 An offence under section 38 of that Act (care workers:...
- 132 An offence under section 39 of that Act (care workers:...
- 133 An offence under section 40 of that Act (care workers:...
- 134 An offence under section 41 of that Act (care workers:...
- 135 An offence under section 47 of that Act (paying for...
- 136 An offence under section 48 of that Act (causing or...
- 137 An offence under section 49 of that Act (controlling a...
- 138 An offence under section 50 of that Act (arranging or...
- 139 An offence under section 52 of that Act (causing or...
- 140 An offence under section 53 of that Act (controlling prostitution...
- 141 An offence under section 57 of that Act (trafficking into...
- 142 An offence under section 58 of that Act (trafficking within...
- 143 An offence under section 59 of that Act (trafficking out...
- 143A An offence under section 59A of that Act (trafficking for...
- 144 An offence under section 61 of that Act (administering a...
- 145 An offence under section 62 of that Act (committing an...
- 146 An offence under section 63 of that Act (trespass with...
- 147 An offence under section 64 of that Act (sex with...
- 148 An offence under section 65 of that Act (sex with...
- 149 An offence under section 66 of that Act (exposure).
- 150 An offence under section 67 of that Act (voyeurism).
- 151 An offence under section 69 of that Act (intercourse with...
- 152 An offence under section 70 of that Act (sexual penetration...
- 152A An offence under section 2 of the Modern Slavery Act...
- 153 (1) Aiding, abetting, counselling or procuring the commission of an...

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PART 3 — SPECIFIED TERRORISM OFFENCES

- 154 An offence under section 11 of the Terrorism Act 2000...
- 155 An offence under section 12 of that Act (inviting support...
- 156 An offence under section 54 of that Act (weapons training)....
- 157 An offence under section 56 of that Act (directing a...
- 158 An offence under section 57 of that Act (possession of...
- 159 An offence under section 58 of that Act (collection of...
- 160 An offence under section 58A of that Act (publishing information...
- 161 An offence under section 58B of that Act (entering or...
- 162 An offence under section 59 of that Act (inciting terrorism...
- 163 An offence under section 47 of the Anti-terrorism, Crime and...
- 164 An offence under section 50 of that Act (assisting or...
- 165 An offence under section 113 of that Act (use of...
- 166 An offence under section 1 of the Terrorism Act 2006...
- 167 An offence under section 2 of that Act (dissemination of...
- 168 An offence under section 5 of that Act (preparation of...
- 169 An offence under section 6 of that Act (training for...
- 170 An offence under section 8 of that Act (attendance at...
- 171 An offence under section 9 of that Act (making or...
- 172 An offence under section 10 of that Act (misuse of...
- 173 An offence under section 11 of that Act (terrorist threats...
- 174 (1) Aiding, abetting, counselling or procuring the commission of an...

SCHEDULE 15A — Offences specified for the purposes of sections 225(3A) and 227(2A)

Part 1 — OFFENCES UNDER THE LAW OF ENGLAND AND WALES

- 1 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 2 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 3 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 4 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 5 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 6 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 7 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 8 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 9 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 10 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 11 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 12 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 13 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 14 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 15 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 16 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 17 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 18 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 19 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 20 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 21 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 22 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 23 Offences specified for the purposes of sections 225(3A) and 227(2A)

Part 2 — OFFENCES UNDER THE LAW OF SCOTLAND

- 24 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 25 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 26 Offences specified for the purposes of sections 225(3A) and 227(2A)

Status: Point in time view as at 28/04/2022.

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- 27 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 28 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 29 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 30 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 31 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 32 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 33 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 34 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 35 Offences specified for the purposes of sections 225(3A) and 227(2A)
- Part 3 — OFFENCES UNDER THE LAW OF NORTHERN IRELAND
- 36 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 37 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 38 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 39 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 40 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 41 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 42 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 43 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 44 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 45 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 46 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 47 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 48 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49A Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49B Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49C Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49D Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49E Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49F Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49G Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49H Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49I Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49J Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49K Offences specified for the purposes of sections 225(3A) and 227(2A)
- 49L Offences specified for the purposes of sections 225(3A) and 227(2A)
- 50 Offences specified for the purposes of sections 225(3A) and 227(2A)
- Part 4 — OFFENCES UNDER SERVICE LAW
- 51 Offences specified for the purposes of sections 225(3A) and 227(2A)
- 52 Offences specified for the purposes of sections 225(3A) and 227(2A)
- Part 5 — INTERPRETATION
- 53 Offences specified for the purposes of sections 225(3A) and 227(2A)

SCHEDULE 15B — Offences listed for the purposes of section 246A

Part 1 — OFFENCES UNDER THE LAW OF ENGLAND AND WALES LISTED
FOR THE PURPOSES OF SECTIONS 224A(1), 224A(4), 226A AND
246A

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- 1 Manslaughter.
- 2 An offence under section 4 of the Offences against the...
- 3 An offence under section 18 of that Act (wounding with...
- 3A An offence under section 28 of that Act (causing bodily...
- 3B An offence under section 29 of that Act (using explosives...

Status: Point in time view as at 28/04/2022.

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- 3C An offence under section 2 of the Explosive Substances Act...
- 3D An offence under section 3 of that Act (attempt to...
- 3E An offence under section 4 of that Act (making or...
- 4 An offence under section 16 of the Firearms Act 1968...
- 5 An offence under section 17(1) of that Act (use of...
- 6 An offence under section 18 of that Act (carrying a...
- 7 An offence of robbery under section 8 of the Theft...
- 8 An offence under section 1 of the Protection of Children...
- 8A An offence under section 54 of the Terrorism Act 2000...
- 9 An offence under section 56 of that Act (directing terrorist...
- 10 An offence under section 57 of that Act (possession of...
- 11 An offence under section 59 of that Act (inciting terrorism...
- 12 An offence under section 47 of the Anti-terrorism, Crime and...
- 13 An offence under section 50 of that Act (assisting or...
- 14 An offence under section 113 of that Act (use of...
- 15 An offence under section 1 of the Sexual Offences Act...
- 16 An offence under section 2 of that Act (assault by...
- 17 An offence under section 4 of that Act (causing a...
- 18 An offence under section 5 of that Act (rape of...
- 19 An offence under section 6 of that Act (assault of...
- 20 An offence under section 7 of that Act (sexual assault...
- 21 An offence under section 8 of that Act (causing or...
- 22 An offence under section 9 of that Act (sexual activity...
- 23 An offence under section 10 of that Act (causing or...
- 24 An offence under section 11 of that Act (engaging in...
- 25 An offence under section 12 of that Act (causing a...
- 26 An offence under section 14 of that Act (arranging or...
- 27 An offence under section 15 of that Act (meeting a...
- 28 An offence under section 25 of that Act (sexual activity...
- 29 An offence under section 26 of that Act (inciting a...
- 30 An offence under section 30 of that Act (sexual activity...
- 31 An offence under section 31 of that Act (causing or...
- 32 An offence under section 34 of that Act (inducement, threat...
- 33 An offence under section 35 of that Act (causing a...
- 34 An offence under section 47 of that Act (paying for...
- 35 An offence under section 48 of that Act (causing or...
- 36 An offence under section 49 of that Act (controlling a...
- 37 An offence under section 50 of that Act (arranging or...
- 38 An offence under section 62 of that Act (committing an...
- 39 An offence under section 5 of the Domestic Violence, Crime...
- 40 An offence under section 5 of the Terrorism Act 2006...
- 40A An offence under section 6 of that Act (training for...
- 41 An offence under section 9 of that Act (making or...
- 42 An offence under section 10 of that Act (misuse of...
- 43 An offence under section 11 of that Act (terrorist threats...
- 43A An offence under section 1 of the Modern Slavery Act...
- 43B An offence under section 2 of that Act (human trafficking)...
- 44 (1) An attempt to commit an offence specified in the...
 - Part 2 — FURTHER OFFENCES UNDER THE LAW OF ENGLAND AND WALES
 - LISTED FOR THE PURPOSES OF SECTION 246A
 -
- 45 Murder.
- 46 (1) Any offence that— (a) was abolished (with or without...

Status: Point in time view as at 28/04/2022.

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Part 3 — OFFENCES UNDER SERVICE LAW LISTED FOR THE PURPOSES OF SECTION 246A

47 An offence under section 70 of the Army Act 1955,...

48 (1) An offence under section 42 of the Armed Forces...

Part 4 — OFFENCES UNDER THE LAW OF SCOTLAND, NORTHERN IRELAND OR A MEMBER STATE OTHER THAN THE UNITED KINGDOM LISTED FOR THE PURPOSES OF SECTIONS 224A(4) AND 226A

49 A civilian offence for which the person was convicted in...

49A A member State service offence which, if committed in England...

49B In this Part of this Schedule— “ civilian offence ”...

Part 5 — INTERPRETATION

50 In this Schedule “ imprisonment for life ” includes custody...

SCHEDULE 16 —

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SCHEDULE 17 —

Part 1 — VIOLENT OFFENCES

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Status: Point in time view as at 28/04/2022.

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Part 2 — SEXUAL OFFENCES

Status: Point in time view as at 28/04/2022.

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SCHEDULE 18 — Release of prisoners serving sentences of imprisonment or
detention for public protection

Release on licence

- 1 (1) Section 31 of the Crime (Sentences) Act 1997 (c....
- 2 After that section there is inserted— Imprisonment or detention for...

Status: Point in time view as at 28/04/2022.

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- 3 In section 34(2) of that Act (meaning of “life sentence”),...

Determination of tariffs

- 4 Release of prisoners serving sentences of imprisonment or detention for public protection

SCHEDULE 18A — Sentence under section 236A: offences

Terrorism offences

- 1 An offence under section 4 of the Offences against the...
 2 An offence under section 28 of that Act (causing bodily...
 3 An offence under section 29 of that Act (using explosives...
 4 An offence under section 2 of the Explosive Substances Act...
 5 An offence under section 3 of that Act (attempt to...
 6 An offence under section 4 of that Act (making or...
 6A An offence under section 11 of the Terrorism Act 2000...
 6B An offence under section 12 of that Act (inviting support...
 7 An offence under section 54 of that Act (weapons training)...
 8 An offence under section 56 of that Act (directing terrorist...
 9 An offence under section 57 of that Act (possession of...
 9A An offence under section 58 of that Act (collection of...
 9B An offence under section 58A of that Act (publishing information...
 9C An offence under section 58B of that Act (entering or...
 10 An offence under section 59 of that Act (inciting terrorism...
 11 An offence under section 47 of the Anti-terrorism, Crime and...
 12 An offence under section 50 of that Act (assisting or...
 13 An offence under section 113 of that Act (use of...
 13A An offence under section 1 of the Terrorism Act 2006...
 13B An offence under section 2 of that Act (dissemination of...
 14 An offence under section 5 of that Act (preparation of...
 15 An offence under section 6 of that Act (training for...
 15A An offence under section 8 of that Act (attendance at...
 16 An offence under section 9 of that Act (making or...
 17 An offence under section 10 of that Act (use of...
 18 An offence under section 11 of that Act (terrorist threats...)

Sexual offences

- 19 An offence under section 5 of the Sexual Offences Act...
 20 An offence under section 6 of that Act (assault of...)

Accessories and inchoate offences

- 21 (1) Aiding, abetting, counselling or procuring the commission of an...
 22 An offence in the following list that has a terrorist...

Abolished offences

- 23 An offence that— (a) was abolished before the coming into...

Meaning of “terrorist connection”

- 24 For the purposes of this Schedule, an offence has a...

Status: Point in time view as at 28/04/2022.

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SCHEDULE 19 — The Parole Board: supplementary provisions

Status and Capacity

- 1 (1) The Board is not to be regarded as the...

Membership

- 2 (1) The Board is to consist of a chairman and...

Payments to members

- 3 (1) The Board may pay to each member such remuneration...

Proceedings

- 4 (1) Subject to the provisions of section 239(5), the arrangements...

Staff

- 5 (1) The Board may appoint such number of employees as...
6 (1) Employment with the Board shall continue to be included...

Financial provisions

- 7 (1) The Secretary of State shall pay to the Board—...

Authentication of Board's seal

- 8 The application of the seal of the Board is to...

Presumption of authenticity of documents issued by Board

- 9 Any document purporting to be an instrument issued by the...

Accounts and audit

- 10 (1) It is the duty of the Board—

Reports

- 11 The Board must as soon as practicable after the end...

SCHEDULE 19ZA — Offences carrying restricted eligibility of terrorist prisoners for release on licence

PART 1 — TERRORISM OFFENCES PUNISHABLE WITH IMPRISONMENT FOR LIFE

- 1 An offence under any of the following provisions of the...
2 An offence under any of the following provisions of the...
3 (1) An attempt to commit an offence specified in a...
4 An offence that— (a) was abolished before the coming into...

PART 2 — TERRORISM OFFENCES PUNISHABLE WITH IMPRISONMENT FOR MORE THAN TWO YEARS (BUT NOT LIFE)

- 5 An offence under any of the following provisions of the...
6 An offence under section 113 of the Anti-terrorism, Crime and...
7 An offence under any of the following provisions of the...
8 An offence under section 54 of the Counter-Terrorism Act 2008...
9 An offence under section 23 of the Terrorism Prevention and...

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- 10 An offence under section 10 of the Counter-Terrorism and Security...
- 11 (1) An attempt to commit an offence specified in a...
- 12 An offence that— (a) was abolished before the coming into...
PART 3 — OTHER OFFENCES PUNISHABLE WITH IMPRISONMENT FOR LIFE
- 13 Manslaughter.
- 14 Culpable homicide (under the law of Scotland).
- 15 Kidnapping.
- 16 False imprisonment.
- 17 Abduction (under the law of Scotland).
- 18 Assault by explosive device (under the law of Scotland).
- 19 Assault to severe injury (under the law of Scotland).
- 20 Assault and poisoning (under the law of Scotland).
- 21 Poisoning (under the law of Scotland).
- 22 Robbery (under the law of Scotland).
- 23 Assault with intent to rob (under the law of Scotland)....
- 24 Wilful fire-raising (under the law of Scotland).
- 25 Malicious mischief (under the law of Scotland).
- 26 Riot (under the law of Northern Ireland).
- 27 Affray (under the law of Northern Ireland).
- 28 An offence under any of the following provisions of the...
- 29 An offence under any of the following provisions of the...
- 30 An offence under section 1 of the Infant Life (Preservation)...
- 31 An offence under section 1 of the Infanticide Act 1938...
- 32 An offence under section 1 of the Infanticide Act (Northern...
- 33 An offence under section 25 of the Criminal Justice Act...
- 34 An offence under any of the following provisions of the...
- 35 An offence under either of the following provisions of the...
- 36 An offence under either of the following provisions of the...
- 37 (1) An offence of arson under section 1 of the...
- 38 An offence under section 1 of the Biological Weapons Act...
- 39 (1) An offence of arson under Article 3 of the...
- 40 An offence under section 1 of the Taking of Hostages...
- 41 An offence under any of the following provisions of the...
- 42 An offence under either of the following provisions of the...
- 43 An offence under section 134 of the Criminal Justice Act...
- 44 An offence under any of the following provisions of the...
- 45 An offence under Part 2 of the Channel Tunnel (Security)...
- 46 An offence under either of the following provisions of the...
- 47 An offence under any of the following provisions of the...
- 48 An offence under either of the following provisions of the...
- 49 An offence under section 1 or 2 of the International...
- 50 An offence under any of the following provisions of the...
- 51 An offence under either of the following provisions of the...
- 52 An offence under either of the following provisions of the...
- 53 An offence under either of the following provisions of the...
- 54 An offence under any of the following provisions of Schedule...
- 55 (1) An attempt to commit an offence specified in a...
- 56 (1) An attempt to commit murder. (2) Conspiracy to commit...
- 57 An offence that— (a) was abolished before the coming into...

SCHEDULE 19A — Supervision default orders
PART 1 — REQUIREMENTS ETC

Status: Point in time view as at 28/04/2022.

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Application of provisions of the Sentencing Code

- 1 The provisions of the Sentencing Code listed in paragraph 2...
- 2 Those provisions are— (a) sections 208(13) and 214(4) (requirement to...
- 3 (1) The modifications mentioned in paragraph 1 are as follows....

Powers of Secretary of State in relation to provisions of the Sentencing Code

- 4 The Secretary of State's power to make regulations under subsection...
 - 5 (1) The Secretary of State's power to make rules under...
 - 6 The Secretary of State may by regulations amend paragraph 3(5)...
- PART 2 — BREACH, REVOCATION OR AMENDMENT

Proceedings for breach

- 7 (1) If the supervisor in relation to a person subject...

Issue of summons or warrant by justice of the peace

- 8 (1) If at any time while a supervision default order...

Powers of magistrates' court to deal with breach

- 9 (1) This paragraph applies if it is proved to the...

Amendment or revocation of order by magistrates' court

- 10 (1) Where a person is subject to a supervision default...

Amendment of local justice area specified in order

- 11 (1) This paragraph applies where, at any time while a...

Revocation of order on imposition of further sentence

- 12 (1) This paragraph applies where— (a) the Crown Court or...
- 13 Where— (a) the Crown Court or a magistrates' court orders...

SCHEDULE 20 — Prisoners liable to removal from United Kingdom: modifications of Criminal Justice Act 1991

Prisoners liable to removal from United Kingdom: modifications of Criminal Justice Act 1991

SCHEDULE 20A — Application of Chapter 6 of Part 12 to pre-4 April 2005 cases

- 1 In this Schedule— “ the 1991 Act ” means the...
- 2 Paragraphs 3 to 9 apply in relation to any person...
- 3 (1) Any relevant period is to be treated, for the...
- 4 (1) Section 246(4) applies as if— (a) the reference in...
- 5 (1) Where the person has been released on licence under...
- 6 (1) Where a person has been recalled under Part 2...
- 7 Rules made by virtue of section 42 of the 1991...
- 8 (1) A person removed from prison under section 46A of...
- 8A Section 268(1A) (definition of “the requisite custodial period”) has effect...
- 9 An order made under section 47 of the 1991 Act...
- 10 Section 264 applies as if the definition of “custodial period”...

Status: Point in time view as at 28/04/2022.

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SCHEDULE 20B — Modifications of Chapter 6 of Part 12 in certain transitional cases
Part 1 — INTRODUCTORY

Interpretation

- 1 (1) The following provisions apply for the purposes of this...

Explanation of dates

- 2 The following dates (which are mentioned in this Schedule) are...
Part 2 — PRISONERS SERVING 1991 ACT SENTENCES ETC
3 (1) This Part applies to certain persons serving a 1991...

Duty to release on licence at two-thirds of sentence

- 4 (1) This paragraph applies to a person in relation to...
5 (1) As soon as a person to whom paragraph 4...

Duty to release on direction of Parole Board

- 6 (1) After a person to whom paragraph 4 applies (but...

Release on licence at one-half of sentence: section 85 extended sentence prisoners

- 7 (1) This paragraph applies to a person if—
8 (1) As soon as a person to whom paragraph 7...

Duty to release unconditionally at three-quarters of sentence

- 9 (1) This paragraph applies to a person if—
10 As soon as a person to whom paragraph 9 applies...

Duty to release on licence at three-quarters of sentence

- 11 (1) This paragraph applies to a person who—
12 As soon as a person to whom paragraph 11 applies...

Release on licence: re-release of section 85 extended sentence prisoners

- 13 (1) This paragraph applies to a person who—
14 (1) If a person to whom paragraph 13 applies is...

Release of section 227 or 228 extended sentence prisoners: Parole Board direction

- 15 (1) This paragraph applies to a person (“P”) who is...

Licence to remain in force to three-quarters of sentence

- 16 (1) This paragraph applies to a person to whom paragraph...
17 (1) Where a person to whom paragraph 16 applies is...

Period for which licence to remain in force: section 85 extended sentence prisoners

- 18 This paragraph applies to a person who—
19 (1) Where a person to whom paragraph 18 applies is...

Concurrent or consecutive terms

- 20 Paragraphs 21 and 22 apply where a person (“P”) is...

Status: Point in time view as at 28/04/2022.

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- 21 (1) This paragraph applies if each of the sentences is...
22 (1) This paragraph applies where two or more sentences are...
Part 3 — PRISONERS SERVING 1967 ACT SENTENCES
23 (1) This Part applies to certain persons serving a 1967...

Sentence of more than 12 months imposed before 1 October 1992

- 24 (1) This paragraph applies to a person if—
25 (1) It is the duty of the Secretary of State...
26 (1) Where a person to whom paragraph 24 applies is...

Extended sentence of more than 12 months imposed before 1 October 1992

- 27 (1) This paragraph applies to a person if—
28 (1) It is the duty of the Secretary of State...

Additional days

- 29 (1) Prison rules made by virtue of section 257 may...

Concurrent or consecutive terms

- 30 Paragraphs 31 to 33 apply where a person (“P”) is...
31 (1) This paragraph applies where each of the sentences is...
32 (1) This paragraph applies where— (a) one or more of...
33 (1) This paragraph applies where two or more sentences are...
Part 4 — PROVISIONS APPLYING GENERALLY

Licence conditions

- 34 (1) This paragraph applies to any licence (a “Parole Board...

Fine defaulters and contemnors

- 35 (1) This paragraph applies to any person if—

Early removal of prisoners liable to removal from UK

- 36 (1) This paragraph applies to any person who—
37 (1) If a person to whom paragraph 36 applies—

Manslaughter: prisoner's non disclosure of information

- 38 (1) The Board must comply with this paragraph when making...

Indecent images: prisoner's non-disclosure of information

- 39 (1) The Board must comply with this paragraph when making...

SCHEDULE 21 — Determination of minimum term in relation to mandatory life sentence

Interpretation

- 1 In this Schedule— “child” means a person under 18 years;...
2 Section 28 of the Crime and Disorder Act 1998 (c....
3 For the purposes of this Schedule— (a) an offence is...

Status: Point in time view as at 28/04/2022.

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Starting points

- 4 (1) If— (a) the court considers that the seriousness of...
- 5 (1) If— (a) the case does not fall within paragraph...
- 5A (1) If— (a) the case does not fall within paragraph...
- 6 If the offender was aged 18 or over when he...
- 7 If the offender was aged under 18 when he committed...

Aggravating and mitigating factors

- 8 Having chosen a starting point, the court should take into...
- 9 Detailed consideration of aggravating or mitigating factors may result in...
- 10 Aggravating factors (additional to those mentioned in paragraph 4(2) ,...
- 11 Mitigating factors that may be relevant to the offence of...
- 12 Nothing in this Schedule restricts the application of—

SCHEDULE 22 — Mandatory life sentences: transitional cases

Interpretation

- 1 In this Schedule— “the commencement date” means the day on...

Existing prisoners notified by Secretary of State

- 2 Paragraph 3 applies in relation to any existing prisoner who,...
- 3 (1) On the application of the existing prisoner, the High...
- 4 (1) In dealing with an application under paragraph 3, the...

Existing prisoners not notified by Secretary of State

- 5 Paragraph 6 applies in relation to any existing prisoner who,...
- 6 The Secretary of State must refer the prisoner’s case to...
- 7 In considering under subsection (3) or (4) of section 269...
- 8 In dealing with a reference under paragraph 6, the High...

Sentences passed on or after commencement date in respect of offences committed before that date

- 9 Paragraph 10 applies where— (a) on or after the commencement...
- 10 The court— (a) may not make an order under subsection...

Proceedings in High Court

- 11 (1) An application under paragraph 3 or a reference under...

Giving of reasons

- 12 (1) Where the High Court makes an order under paragraph...
- 13 Where the High Court makes an order under subsection (2)...

Right of appeal

- 14 (1) A person who has made an application under paragraph...

Review of minimum term on reference by Attorney General

- 15 Section 36 of the Criminal Justice Act 1988 (c. 33)...

Status: Point in time view as at 28/04/2022.

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Modification of early release provisions

- 16 (1) In relation to an existing prisoner, section 28 of...
- 17 In section 34(1) of the Crime (Sentences) Act 1997 (c....

Transferred life prisoners

- 18 In relation to an existing prisoner who immediately before the...

SCHEDULE 23 — Deferment of sentence

- 1 For sections 1 and 2 of the Sentencing Act (deferment...
- 2 In section 159 of the Sentencing Act (execution of process...

SCHEDULE 24 —

- 1
- 2
- 3

SCHEDULE 25 — Summary offences no longer punishable with imprisonment

Vagrancy Act 1824 (c. 83)

- 1 The offence under section 3 of the Vagrancy Act 1824...
- 2 The following offences under section 4 of that Act (rogues...

Railway Regulation Act 1842 (c. 55)

- 3 An offence under section 17 of the Railway Regulation Act...

London Hackney Carriages Act 1843 (c. 86)

- 4 An offence under section 28 of the London Hackney Carriages...

Town Police Clauses Act 1847 (c. 89)

- 5 An offence under section 26 of the Town Police Clauses...
- 6 An offence under section 28 of that Act (offences relating...
- 7 An offence under section 29 of that Act (drunken persons,...
- 8 An offence under section 36 of that Act (keeping places...

Ecclesiastical Courts Jurisdiction Act 1860 (c. 32)

- 9 An offence under section 2 of the Ecclesiastical Courts Jurisdiction...

Town Gardens Protection Act 1863 (c. 13)

- 10 An offence under section 5 of the Town Gardens Protection...

Public Stores Act 1875 (c. 25)

- 11 An offence under section 8 of the Public Stores Act...

North Sea Fisheries Act 1893 (c. 17)

- 12 Summary offences no longer punishable with imprisonment
- 13 Summary offences no longer punishable with imprisonment

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Seamen's and Soldiers' False Characters Act 1906 (c. 5)

14 Summary offences no longer punishable with imprisonment

Aliens Restriction (Amendment) Act 1919 (c. 92)

15 An offence under section 3(2) of the Aliens Restriction (Amendment)...

Children and Young Persons Act 1933 (c. 12)

16 An offence under section 4 of the Children and Young...

Protection of Animals Act 1934 (c. 21)

17 An offence under section 2 of the Protection of Animals...

Public Health Act 1936 (c. 49)

18 An offence under section 287 of the Public Health Act...

Essential Commodities Reserves Act 1938 (c. 51)

19 An offence under section 4(2) of the Essential Commodities Reserves...

London Building Acts (Amendment) Act 1939 (c. xcvi)

20 An offence under section 142 of the London Building Acts...

Cancer Act 1939 (c. 13)

21 An offence under section 4 of the Cancer Act 1939...

Civil Defence Act 1939 (c. 31)

22 An offence under section 77 of the Civil Defence Act...

Hill Farming Act 1946 (c. 73)

23 An offence under section 19(2) or (3) of the Hill...

Polish Resettlement Act 1947 (c. 19)

24 An offence under paragraph 7 of the Schedule to the...

Agriculture Act 1947 (c. 48)

25 An offence under section 14(7) of the Agriculture Act 1947,...

26 An offence under section 95 of that Act (failure to...

Civil Defence Act 1948 (c. 5)

27 An offence under section 4 of the Civil Defence Act...

Agricultural Wages Act 1948 (c. 47)

28 An offence under section 12 of the Agricultural Wages Act...

Wireless Telegraphy Act 1949 (c. 54)

29 Summary offences no longer punishable with imprisonment

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Prevention of Damage by Pests Act 1949 (c. 55)

30 An offence under section 22(5) of the Prevention of Damage...

Coast Protection Act 1949 (c. 74)

31 An offence under section 25(9) of the Coast Protection Act...

Pet Animals Act 1951 (c. 35)

32 An offence under the Pet Animals Act 1951 (offences relating...

Cockfighting Act 1952 (c. 59)

33 An offence under section 1 of the Cockfighting Act 1952...

Agricultural Land (Removal of Surface Soil) Act 1953 (c. 10)

34 An offence under the Agricultural Land (Removal of Surface Soil)...

Accommodation Agencies Act 1953 (c. 23)

35 An offence under section 1 of the Accommodation Agencies Act...

Army Act 1955 (3 & 4 Eliz. 2 c. 18)

36 Summary offences no longer punishable with imprisonment
37 Summary offences no longer punishable with imprisonment
38 Summary offences no longer punishable with imprisonment
39 Summary offences no longer punishable with imprisonment
40 Summary offences no longer punishable with imprisonment
41 Summary offences no longer punishable with imprisonment
42 Summary offences no longer punishable with imprisonment

Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)

43 Summary offences no longer punishable with imprisonment
44 Summary offences no longer punishable with imprisonment
45 Summary offences no longer punishable with imprisonment
46 Summary offences no longer punishable with imprisonment
47 Summary offences no longer punishable with imprisonment
48 Summary offences no longer punishable with imprisonment
49 Summary offences no longer punishable with imprisonment

Naval Discipline Act 1957 (c. 53)

50 Summary offences no longer punishable with imprisonment
51 Summary offences no longer punishable with imprisonment

Agricultural Marketing Act 1958 (c. 47)

52 An offence under section 45 of the Agricultural Marketing Act...

Rivers (Prevention of Pollution) Act 1961 (c. 50)

53 An offence under section 12(1) of the Rivers (Prevention of...

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Betting, Gaming and Lotteries Act 1963 (c. 2)

- 54 Summary offences no longer punishable with imprisonment

Children and Young Persons Act 1963 (c. 37)

- 55 An offence under section 40 of the Children and Young...

Animal Boarding Establishments Act 1963 (c. 43)

- 56 An offence under the Animal Boarding Establishments Act 1963 (offences...

Agriculture and Horticulture Act 1964 (c. 28)

- 57 An offence under Part 3 of the Agriculture and Horticulture...

Emergency Laws (Re-enactments and Repeals) Act 1964 (c. 60)

- 58 An offence under paragraph 1(3) or 2(4) of Schedule 1...

Riding Establishments Act 1964 (c. 70)

- 59 An offence under the Riding Establishments Act 1964 (offences relating...

Industrial and Provident Societies Act 1965 (c. 12)

- 60 An offence under section 16 of the Industrial and Provident...
61 An offence under section 48 of that Act (production of...

Cereals Marketing Act 1965 (c. 14)

- 62 An offence under section 17(1) of the Cereals Marketing Act...

Gas Act 1965 (c. 36)

- 63 An offence under paragraph 9 of Schedule 6 to the...

Armed Forces Act 1966 (c. 45)

- 64 An offence under section 8 of the Armed Forces Act...

Agriculture Act 1967 (c. 22)

- 65 An offence under section 6(9) of the Agriculture Act 1967...
66 An offence under section 14(2) of that Act (levy schemes:...
67 An offence under section 69 of that Act (false statements...

Sea Fisheries (Shellfish) Act 1967 (c. 83)

- 68 An offence under section 14(2) of the Sea Fisheries (Shellfish)...

Theatres Act 1968 (c. 54)

- 69 An offence under section 13(1) or (2) of the Theatres...

Theft Act 1968 (c. 60)

- 70 Summary offences no longer punishable with imprisonment

Status: Point in time view as at 28/04/2022.

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Agriculture Act 1970 (c. 40)

71 An offence under section 106(8) of the Agriculture Act 1970...

Breeding of Dogs Act 1973 (c. 60)

72 An offence under the Breeding of Dogs Act 1973 (offences...

Slaughterhouses Act 1974 (c. 3)

73 An offence under section 4(5) of the Slaughterhouses Act 1974...

National Health Service Act 1977 (c. 49)

74 Summary offences no longer punishable with imprisonment

Magistrates' Courts Act 1980 (c. 43)

75 An offence under section 84(3) of the Magistrates' Courts Act...

Animal Health Act 1981 (c. 22)

76 An offence under paragraph 6 of Schedule 1 to the...

Fisheries Act 1981 (c. 29)

77 An offence under section 5(4) of the Fisheries Act 1981...

Civil Aviation Act 1982 (c. 16)

78 An offence under section 82 of the Civil Aviation Act...

Mental Health Act 1983 (c. 20)

79 An offence under section 103 of the Mental Health Act...

80 An offence under section 129 of that Act (obstruction).

Building Act 1984 (c. 55)

81 An offence under section 96(3) of the Building Act 1984...

Surrogacy Arrangements Act 1985 (c. 49)

82 An offence under section 2 of the Surrogacy Arrangements Act...

Animals (Scientific Procedures) Act 1986 (c. 14)

83 An offence under section 22(3), 23 or 25(3) of the...

Motor Cycle Noise Act 1987 (c. 34)

84 An offence under paragraph 1 of Schedule 1 to the...

Human Organ Transplants Act 1989 (c. 31)

85 An offence under section 2 of the Human Organ Transplants...

Town and Country Planning Act 1990 (c. 8)

86 An offence under paragraph 14(4) of Schedule 15 to the...

Status: Point in time view as at 28/04/2022.

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Environmental Protection Act 1990 (c. 43)

87 An offence under section 118(1)(g), (h) or (i) of the...

Criminal Justice Act 1991 (c. 53)

88 An offence under section 20A of the Criminal Justice Act...

Deer Act 1991 (c. 54)

89 An offence under section 10(3) of the Deer Act 1991...

Water Industry Act 1991 (c. 56)

90 An offence under section 206(2) of the Water Industry Act...

91 An offence that falls within paragraph 5(5) of Schedule 6...

Social Security Administration Act 1992 (c. 5)

92 An offence under section 105 of the Social Security Administration...

93 An offence under section 182 of that Act (illegal possession...

Local Government Finance Act 1992 (c. 14)

94 An offence under section 27(5) of the Local Government Finance...

Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

95 An offence under section 240 of the Trade Union and...

Merchant Shipping Act 1995 (c. 21)

96 An offence under section 57 of the Merchant Shipping Act...

Reserve Forces Act 1996 (c. 14)

97 An offence under section 75(5) of the Reserve Forces Act...

98 An offence under section 82(1) of that Act (offences in...

99 An offence under section 87(1) of that Act (offences in...

100 An offence under section 99 of that Act (false pretence...

101 An offence under paragraph 5(1) of Schedule 1 to that...

Housing Act 1996 (c. 52)

102 An offence under paragraph 23 or 24 of Schedule 1...

Broadcasting Act 1996 (c. 55)

103 An offence under section 144 of the Broadcasting Act 1996...

Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11)

104 An offence under section 8 or 9(6) of the Breeding...

Transport Act 2000 (c. 38)

105 An offence under section 82(2) of the Transport Act 2000...

SCHEDULE 26 — Increase in maximum term for certain summary offences

Status: Point in time view as at 28/04/2022.

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Railway Regulation Act 1840 (c. 97)

- 1 In section 16 of the Railway Regulation Act 1840 (obstructing...

Licensing Act 1872 (c. 94)

- 2 In section 12 of the Licensing Act 1872 (penalty for...

Regulation of Railways Act 1889 (c. 57)

- 3 In section 5 of the Regulation of Railways Act 1889...

Witnesses (Public Inquiries) Protection Act 1892 (c. 64)

- 4 In section 2 of the Witnesses (Public Inquiries) Protection Act...

Licensing Act 1902 (c. 28)

- 5 In section 2 of the Licensing Act 1902 (penalty for...

Emergency Powers Act 1920 (c. 55)

- 6 In section 2 of the Emergency Powers Act 1920 (emergency...

Judicial Proceedings (Regulation of Reports) Act 1926 (c. 61)

- 7 In section 1 of the Judicial Proceedings (Regulation of Reports)...

Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6 c. 6)

- 8 In section 7 of the Public Order Act 1936 (enforcement),...

Cinematograph Films (Animals) Act 1937 (c. 59)

- 9 In section 1 of the Cinematograph Films (Animals) Act 1937...

House to House Collections Act 1939 (c. 44)

- 10 In section 8 of the House to House Collections Act...

Fire Services Act 1947 (c. 41)

- 11 In section 31 of the Fire Services Act 1947 (false...

National Assistance Act 1948 (c. 29)

- 12 (1) The National Assistance Act 1948 is amended as follows....

Docking and Nicking of Horses Act 1949 (c. 70)

- 13 (1) The Docking and Nicking of Horses Act 1949 is...

Protection of Animals (Amendment) Act 1954 (c. 40)

- 14 In section 2 of the Protection of Animals (Amendment) Act...

Children and Young Persons (Harmful Publications) Act 1955 (c. 28)

- 15 In section 2 of the Children and Young Persons (Harmful...

Status: Point in time view as at 28/04/2022.

Changes to legislation: *Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Agriculture Act 1957 (c. 57)

16 In section 7 of the Agriculture Act 1957 (penalties)—

Animals (Cruel Poisons) Act 1962 (c. 26)

17 In section 1 of the Animals (Cruel Poisons) Act 1962...

Plant Varieties and Seeds Act 1964 (c. 14)

18 In section 27 of the Plant Varieties and Seeds Act...

Agriculture Act 1967 (c. 22)

19 Increase in maximum term for certain summary offences

Firearms Act 1968 (c. 27)

20 (1) Part 1 of Schedule 6 to the Firearms Act...

Agriculture (Miscellaneous Provisions) Act 1968 (c. 34)

21 In section 7 of the Agriculture (Miscellaneous Provisions) Act 1968...

Agriculture Act 1970 (c. 40)

22 (1) The Agriculture Act 1970 is amended as follows.

Slaughterhouses Act 1974 (c. 3)

23 (1) The Slaughterhouses Act 1974 is amended as follows.

Criminal Law Act 1977 (c. 45)

24 In section 8 of the Criminal Law Act 1977 (trespassing...

Refuse Disposal (Amenity) Act 1978 (c. 3)

25 In section 2 of the Refuse Disposal (Amenity) Act 1978...

Customs and Excise Management Act 1979 (c. 2)

26 (1) The Customs and Excise Management Act 1979 is amended...

Licensed Premises (Exclusion of Certain Persons) Act 1980 (c. 32)

27 In section 2 of the Licensed Premises (Exclusion of Certain...

Criminal Attempts Act 1981 (c. 47)

28 In section 9 of the Criminal Attempts Act 1981 (interference...

British Nationality Act 1981 (c. 61)

29 In section 46 of the British Nationality Act 1981 (offences...

Civil Aviation Act 1982 (c. 16)

30 (1) The Civil Aviation Act 1982 is amended as follows....

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Anatomy Act 1984 (c. 14)

31 In section 11 of the Anatomy Act 1984 (offences), in...

Public Health (Control of Disease) Act 1984 (c. 22)

32 (1) The Public Health (Control of Disease) Act 1984 is...

County Courts Act 1984 (c. 28)

33 (1) The County Courts Act 1984 is amended as follows....

Animal Health and Welfare Act 1984 (c. 40)

34 In section 10 of the Animal Health and Welfare Act...

Police and Criminal Evidence Act 1984 (c. 60)

35 In section 63C of the Police and Criminal Evidence Act...

Sporting Events (Control of Alcohol etc.) Act 1985 (c. 57)

36 In section 8 of the Sporting Events (Control of Alcohol...

Public Order Act 1986 (c. 64)

37 (1) The Public Order Act 1986 is amended as follows....

Road Traffic Offenders Act 1988 (c. 53)

38 (1) Part 1 of Schedule 2 to the Road Traffic...

Official Secrets Act 1989 (c. 6)

39 In section 10 of the Official Secrets Act 1989 (penalties),...

Human Organ Transplants Act 1989 (c. 31)

40 In section 1 of the Human Organ Transplants Act 1989...

Football Spectators Act 1989 (c. 37)

41 Increase in maximum term for certain summary offences

Food Safety Act 1990 (c. 16)

42 In section 35 of the Food Safety Act 1990 (punishment...

Deer Act 1991 (c. 54)

43 In section 9 of the Deer Act 1991 (penalties for...

Social Security Administration Act 1992 (c. 5)

44 In section 112 of the Social Security Administration Act 1992...

Criminal Justice and Public Order Act 1994 (c. 33)

45 (1) The Criminal Justice and Public Order Act 1994 is...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

London Local Authorities Act 1995 (c. x)

46 In section 24 of the London Local Authorities Act 1995...

Police Act 1996 (c. 16)

47 In section 89 of the Police Act 1996 (assaults on...

Treasure Act 1996 (c. 24)

48 In section 8 of the Treasure Act 1996 (duty of...

Education Act 1996 (c. 56)

49 (1) The Education Act 1996 is amended as follows.

Government of Wales Act 1998 (c. 38)

50 Increase in maximum term for certain summary offences

Access to Justice Act 1999 (c. 22)

51 In section 21 of the Access to Justice Act 1999...

Greater London Authority Act 1999 (c. 29)

52 In section 64 of the Greater London Authority Act 1999...

Immigration and Asylum Act 1999 (c. 33)

53 (1) The Immigration and Asylum Act 1999 is amended as...

Financial Services and Markets Act 2000 (c. 8)

54 (1) The Financial Services and Markets Act 2000 is amended...

Terrorism Act 2000 (c. 11)

55 (1) The Terrorism Act 2000 is amended as follows.

Criminal Justice and Police Act 2001 (c. 16)

56 (1) The Criminal Justice and Police Act 2001 is amended...

Police Reform Act 2002 (c. 30)

57 In section 46 of the Police Reform Act 2002 (offences...

Nationality, Immigration and Asylum Act 2002 (c. 41)

58 In section 137 of the Nationality, Immigration and Asylum Act...

Anti-social Behaviour Act 2003 (c. 38)

59 In section 40 of the Anti-social Behaviour Act 2003 (closure...

SCHEDULE 27 — Enabling powers: alteration of maximum penalties etc.

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Plant Health Act 1967 (c. 8)

1 (1) Section 3 of the Plant Health Act 1967 (control...

Agriculture Act 1967 (c. 22)

2 Enabling powers: alteration of maximum penalties

...

3

Slaughterhouses Act 1974 (c. 3)

4 In section 38(5) of the Slaughterhouses Act 1974 (maximum penalties...

Anatomy Act 1984 (c. 14)

5 (1) Section 11 of the Anatomy Act 1984 (offences) is...

Environmental Protection Act 1990 (c. 43)

6 (1) Section 141 of the Environmental Protection Act 1990 (power...

Scotland Act 1998 (c. 46)

7 (1) Section 113 of the Scotland Act 1998 (subordinate legislation:...

Regulatory Reform Act 2001 (c. 6)

8 Enabling powers: alteration of maximum penalties

SCHEDULE 28 — Increase in penalties for drug-related offences

Misuse of Drugs Act 1971 (c. 38)

1 (1) Schedule 4 to the Misuse of Drugs Act 1971...

Customs and Excise Management Act 1979 (c. 2)

2 In Schedule 1 to the Customs and Excise Management Act...

Criminal Justice (International Co-operation) Act 1990 (c. 5)

3 In section 19 of the Criminal Justice (International Co-operation) Act...

SCHEDULE 29 —

- 1
- 2
- 3
- 4
- 5
- 6

SCHEDULE 30 — Disqualification from working with children

- 1 The Criminal Justice and Court Services Act 2000 (c. 43)...
- 2 After section 29 there is inserted— Disqualification at discretion of...
- 3 (1) Section 30 (supplemental provisions) is amended as follows.

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 4 In section 31 (appeals), in subsection (1), after paragraph (b)...
- 5 (1) Section 33 (conditions for application under section 32) is...

SCHEDULE 31 — Default orders: modification of provisions relating to community orders

General

- 1 Any reference to the offender is, in relation to a...

Unpaid work requirement

- 2 (1) In its application to a default order, paragraph 2...

Curfew requirement

- 3 (1) In its application to a default order, paragraph 9...

Attendance centre requirement

- 3A In its application to a default order, paragraph 27(3) of...

Change of residence

- 3B (1) In its application to a default order, section 215...
- 3C Section 216 of the Sentencing Code (duty to obtain permission...

Enforcement, revocation and amendment of default order

- 4 (1) In its application to a default order, Schedule 10...

Power to alter amount of money or number of hours or days

- 5 The Secretary of State may by order amend paragraph 2...

Transfer of default orders to Scotland or Northern Ireland

- 6 In its application to a default order, Schedule 11 to...
- 7 After paragraph 20 there is inserted— Nothing in paragraph 20 affects the application of section 300(7)...
- 8 In paragraph 21, after sub-paragraph (5) there is inserted—

SCHEDULE 32 — Amendments relating to sentencing Part 1 — GENERAL

Piracy Act 1837 (c. 88)

- 1 Section 3 of the Piracy Act 1837 (punishment for offence...

Children and Young Persons Act 1933 (c. 12)

- 2 (1) Section 49 of the Children and Young Persons Act...

Prison Act 1952 (c. 52)

- 3 In section 53 of the Prison Act 1952 (interpretation), for...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Criminal Justice Act 1967 (c. 80)

- 4 The Criminal Justice Act 1967 is amended as follows.
- 5 In section 32 (amendments of Costs in Criminal Cases Act...
- 6 In section 104 (general provisions as to interpretation)_

Criminal Appeal Act 1968 (c. 19)

- 7 The Criminal Appeal Act 1968 is amended as follows.
- 8 (1) Section 10 (appeal against sentence in cases dealt with...
- 9 In section 11 (supplementary provisions as to appeal against sentence),...
- 10 In Schedule 2 (procedural and other provisions applicable on order...

Firearms Act 1968 (c. 27)

- 11 The Firearms Act 1968 is amended as follows.
- 12 (1) Section 21 (possession of firearms by persons previously convicted...
- 13 (1) Section 52 (forfeiture and disposal of firearms; cancellation of...

Social Work (Scotland) Act 1968 (c. 49)

- 14 Amendments relating to sentencing

Children and Young Persons Act 1969 (c. 54)

- 15 Amendments relating to sentencing

Immigration Act 1971 (c. 77)

- 16 In section 7 of the Immigration Act 1971 (exemption from...

Thames Barrier and Flood Prevention Act 1972 (c. xiv)

- 17 In section 56 of the Thames Barrier and Flood Prevention...

Rehabilitation of Offenders Act 1974 (c. 53)

- 18 (1) Section 5 of the Rehabilitation of Offenders Act 1974...

Armed Forces Act 1976 (c. 52)

- 19 Amendments relating to sentencing

Bail Act 1976 (c. 63)

- 20 The Bail Act 1976 is amended as follows.
- 21 (1) Section 2 (other definitions) is amended as follows.
- 22 In section 4 (general right to bail of accused persons...
- 23 In Part 3 of Schedule 1 (interpretation), in the definition...

Criminal Law Act 1977 (c. 45)

- 24 In section 3 of the Criminal Law Act 1977 (penalties...

Magistrates' Courts Act 1980 (c. 43)

- 25 The Magistrates' Courts Act 1980 is amended as follows.

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 26 In section 11 (non appearance of accused), in subsection (3),...
- 27 In section 33 (maximum penalties on summary conviction in pursuance...
- 28 In section 85 (power to remit fine), in subsection (2A),...
- 29 Amendments relating to sentencing
- 30 In section 133 (consecutive terms of imprisonment), in subsection (1),...

Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55)

- 31 In Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland)...

Public Passenger Vehicles Act 1981 (c. 14)

- 32 (1) In Schedule 3 to the Public Passenger Vehicles Act...

Criminal Attempts Act 1981 (c. 47)

- 33 In section 4 of the Criminal Attempts Act 1981 (trials...

Criminal Justice Act 1982 (c. 48)

- 34 The Criminal Justice Act 1982 is amended as follows.
- 35 In section 32 (early release of prisoners), in subsection (1)(a),...
- 36 (1) Part 3 of Schedule 13 (reciprocal arrangements (Northern Ireland):...

Mental Health Act 1983 (c. 20)

- 37 The Mental Health Act 1983 is amended as follows.
- 38 In section 37 (powers of courts to order hospital admission...
- 39 In section 45A (powers of higher courts to direct hospital...

Repatriation of Prisoners Act 1984 (c. 47)

- 40 The Repatriation of Prisoners Act 1984 is amended as follows....
- 41 In section 2 (transfer out of the United Kingdom), in...
- 42 In section 3 (transfer into the United Kingdom), subsection (9)...
- 43 (1) The Schedule (operation of certain enactments in relation to...

Police and Criminal Evidence Act 1984 (c. 60)

- 44 In section 38 of the Police and Criminal Evidence Act...

Criminal Justice Act 1988 (c. 33)

- 45 The Criminal Justice Act 1988 is amended as follows.
- 46 In section 36 (reviews of sentencing), in subsection (2), for...
- 47 In section 50 (suspended and partly suspended sentences on certain...

Firearms (Amendment) Act 1988 (c. 45)

- 48 The Firearms (Amendment) Act 1988 is amended as follows.
- 49 In section 1 (prohibited weapons and ammunition), in subsection (4A)...
- 50 In section 27(4) (which relates to Northern Ireland), after "Except...

Road Traffic Act 1988 (c. 52)

- 51 In section 164 of the Road Traffic Act 1988 (power...

Status: Point in time view as at 28/04/2022.

Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Road Traffic Offenders Act 1988 (c. 53)

- 52 The Road Traffic Offenders Act 1988 is amended as follows....
- 53 In section 27 (production of licence), in subsection (3), for...
- 54 In section 46 (combination of disqualification and endorsement with probation...

Football Spectators Act 1989 (c. 37)

- 55 The Football Spectators Act 1989 is amended as follows.
- 56 In section 7 (disqualification for membership of scheme), subsection (9)...
- 57 Amendments relating to sentencing
- 58 Amendments relating to sentencing

Children Act 1989 (c. 41)

- 59 The Children Act 1989 is amended as follows.
- 60 (1) Section 68 (persons disqualified from being foster parents) is...
- 61 (1) In Schedule 9A (child minding and day care for...

Criminal Justice Act 1991 (c. 53)

- 62 The Criminal Justice Act 1991 is amended as follows.
- 63 Section 65 (supervision of young offenders after release) is omitted...
- 64 (1) Schedule 3 (reciprocal enforcement of certain orders) is amended...

Aggravated Vehicle-Taking Act 1992 (c. 11)

- 65 In section 1 of the Aggravated Vehicle-Taking Act 1992 (new...

Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)

- 66 In section 10 of the Prisoners and Criminal Proceedings (Scotland)...

Criminal Justice and Public Order Act 1994 (c. 33)

- 67 In section 25 of the Criminal Justice and Public Order...

Goods Vehicles (Licensing of Operators) Act 1995 (c. 23)

- 68 (1) In Schedule 3 to the Goods Vehicles (Licensing of...

Criminal Procedure (Scotland) Act 1995 (c. 46)

- 69 Amendments relating to sentencing
- 70 Amendments relating to sentencing
- 71 Amendments relating to sentencing
- 72 Amendments relating to sentencing

Education Act 1996 (c. 56)

- 73 Amendments relating to sentencing

Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I.24))

- 74 The Criminal Justice (Northern Ireland) Order 1996 is amended as...
- 75 In Article 2 (interpretation) after paragraph (8) there is inserted—...

Status: Point in time view as at 28/04/2022.

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- 76 In Article 4 (absolute and conditional discharge), in paragraph (1),...
- 77 In Article 10 (probation orders), in paragraph (1) for “(not...
- 78 (1) Article 13 (community service orders) is amended as follows....
- 79 In Article 15 (orders combining probation and community service), in...
- 80 Amendments relating to sentencing
- 81 Amendments relating to sentencing

Crime (Sentences) Act 1997 (c. 43)

- 82 The Crime (Sentences) Act 1997 is amended as follows.
- 83 (1) Section 31 (duration and conditions of licences) is amended...
- 84 In section 32 (recall of life prisoners while on licence)...
- 85 (1) Schedule 1 (transfers of prisoners within the British Islands)...
- 86 In Schedule 2 (repatriation of prisoners to the British Islands)...

Crime and Disorder Act 1998 (c. 37)

- 87 The Crime and Disorder Act 1998 is amended as follows....
- 88 In section 18 (interpretation etc. of Chapter 1)—
- 89 (1) Section 38 (local provision of youth justice services) is...

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

- 90 The Powers of Criminal Courts (Sentencing) Act 2000 is amended...
- 91 (1) Section 6 (committal for sentence in certain cases where...
- 92 In section 7 (power of Crown Court on committal for...
- 93 In section 12 (absolute and conditional discharge)—
- 94 In the heading to Part 4, and the heading to...
- 95 For section 33 there is substituted— Meaning of “youth community...
- 96 (1) Section 36B (electronic monitoring of requirements in community orders)...
- 97 Amendments relating to sentencing
- 98 Amendments relating to sentencing
- 99 Amendments relating to sentencing
- 100 Amendments relating to sentencing
- 101 Amendments relating to sentencing
- 102 (1) Section 60 (attendance centre orders) is amended as follows....
- 103 Amendments relating to sentencing
- 104 Amendments relating to sentencing
- 105 Amendments relating to sentencing
- 106 (1) Section 73 (reparation orders) is amended as follows.
- 107 In section 74 (requirements and provisions of reparation order, and...
- 108 In section 76 (meaning of custodial sentence), in subsection (1)...
- 109 (1) Section 82A (determination of tariffs) is amended as follows....
- 110 (1) Section 91 (offenders under 18 convicted of certain serious...
- 111 (1) Section 100 (detention and training orders) is amended as...
- 112 In section 106 (interaction of detention and training orders with...
- 113 After section 106 there is inserted— Interaction with sentences of...
- 114 In section 110 (required custodial sentence for third class A...
- 115 In section 111 (minimum of three years for third domestic...
- 116 Sections 116 and 117 (return to prison etc. where offence...
- 117 In section 130 (compensation orders against convicted persons), in subsection...
- 118 In section 136 (power to order statement as to financial...

Status: Point in time view as at 28/04/2022.

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- 119 (1) Section 138 (fixing of fine or compensation to be...
- 120 In section 146 (driving disqualification for any offence), in subsection...
- 121 In section 154 (commencement of Crown Court sentence), in subsection...
- 122 Amendments relating to sentencing
- 123 (1) Section 163 (interpretation) is amended as follows.
- 124 In section 164 (further interpretative provision) for subsection (3) there...
- 125 Amendments relating to sentencing
- 126 In Schedule 5 (breach, revocation and amendment of attendance centre...
- 127 Amendments relating to sentencing
- 128 Amendments relating to sentencing
- 129 Amendments relating to sentencing

Child Support, Pensions and Social Security Act 2000 (c. 19)

- 130 Amendments relating to sentencing
- 131 Amendments relating to sentencing
- 132 Amendments relating to sentencing

Criminal Justice and Court Services Act 2000 (c. 43)

- 133 The Criminal Justice and Court Services Act 2000 is amended...
- 134 In section 1 (purposes of Chapter 1 of Part 1...
- 135 In section 42 (interpretation of Part 2), in subsection (2)(a),...
- 136 (1) Section 62 (release on licence etc: conditions as to...
- 137 In section 69 (duties of local probation boards in connection...
- 138 Amendments relating to sentencing

International Criminal Court Act 2001 (c. 17)

- 139 (1) Schedule 7 to the International Criminal Court Act 2001...

Armed Forces Act 2001 (c. 19)

- 140 Amendments relating to sentencing

Proceeds of Crime Act 2002 (c. 29)

- 141 In section 38 of the Proceeds of Crime Act 2002...

Sexual Offences Act 2003 (c. 42)

- 142 The Sexual Offences Act 2003 is amended as follows.
- 143 In section 131 (application of Part 2 to young offenders),...
- 144 In section 133 (general interpretation), at the end of paragraph...
Part 2 — OFFENCES: ABOLITION OF IMPRISONMENT AND CONVERSION TO
SUMMARY OFFENCE

Vagrancy Act 1824 (c. 83)

- 145 In section 3 of the Vagrancy Act 1824 (idle and...
- 146 (1) Section 4 of that Act (rogues and vagabonds) is...

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London Hackney Carriages Act 1843 (c. 86)

147 In section 28 of the London Hackney Carriages Act 1843,...

Town Police Clauses Act 1847 (c. 89)

148 In section 26 of the Town Police Clauses Act 1847,...

149 In section 28 of that Act, after “for each offence”,...

150 In section 29 of that Act, after “for every such...

151 In section 36 of that Act, after “liable”, there is...

Seamen’s and Soldiers’ False Characters Act 1906 (c. 5)

152 Amendments relating to sentencing

Aliens Restriction (Amendment) Act 1919 (c. 92)

153 In section 3(2) of the Aliens Restriction (Amendment) Act 1919,...

Polish Resettlement Act 1947 (c. 19)

154 In the Schedule to the Polish Resettlement Act 1947, in...

Army Act 1955 (3 & 4 Eliz. 2 c. 18)

155 Amendments relating to sentencing

Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)

156 Amendments relating to sentencing

Naval Discipline Act 1957 (c. 53)

157 Amendments relating to sentencing

Slaughterhouses Act 1974 (c. 3)

158 In section 4 of the Slaughterhouses Act 1974, after subsection...

Water Industry Act 1991 (c. 56)

159 In Schedule 6 to the Water Industry Act 1991, in...

Water Resources Act 1991 (c. 57)

160 In section 205(6) of the Water Resources Act 1991, for...

Transport Act 2000 (c. 38)

161 In section 82(4) of the Transport Act 2000, after “subsection...

Reserve Forces Act 1996 (c. 14)

162 Amendments relating to sentencing

SCHEDULE 33 — Jury service

1 The Juries Act 1974 (c. 23) is amended as follows....

2 For section 1 (qualification for jury service) there is substituted—...

3 Section 9(1) (certain persons entitled to be excused from jury...

Status: Point in time view as at 28/04/2022.

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- 4 In section 9(2) (discretionary excusal) after “may” there is inserted...
- 5 After section 9(2) (discretionary excusal) there is inserted—
- 6 In section 9(3) (discretionary excusal) after “above” there is inserted...
- 7 In section 9A(1) (discretionary deferral) after “may” there is inserted...
- 8 After section 9A(1) (discretionary deferral) there is inserted—
- 9 For section 9A(2) (discretionary deferral) there is substituted—
- 10 After section 9A(2) (discretionary deferral) there is inserted—
- 11 In section 9A(3) (discretionary deferral) after “above” there is inserted...
- 12 After section 9A (discretionary deferral) there is inserted—
Requirement to...
- 13 In section 19 (payment for jury service), after subsection (1)...
- 14 In section 20 (offences), for subsection (5)(d) there is substituted—...
- 15 For Schedule 1 (ineligibility and disqualification for and excusal from...

SCHEDULE 34 — Parenting orders and referral orders

Crime and Disorder Act 1998 (c. 37)

- 1 In section 8 of the Crime and Disorder Act 1998...
- 2 (1) Section 9 of that Act (parenting orders: supplemental) is...

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

- 3 In section 19(5) of the Powers of Criminal Courts (Sentencing)...
- 4 In section 22 of that Act (referral orders: attendance at...
- 5 (1) Section 28 of that Act (which introduces Schedule 1)...
- 6 In Schedule 1 to that Act (youth offender panels: further...

SCHEDULE 34A — Child sex offences for purposes of section 327A

Offences under provisions repealed by Sexual Offences Act 2003

- 1 An offence under— (a) section 5 or 6 of the...
- 2 An offence under any of— (a) section 1 of that...
- 3 An offence under section 1 of the Indecency with Children...
- 4 An offence under section 9 of the Theft Act 1968...
- 5 An offence under section 54 of the Criminal Law Act...
- 6 An offence under section 3 of the Sexual Offences (Amendment)...

Other offences

- 7 An offence under any of— (a) sections 5 to 8...
- 8 An offence under any of— (a) sections 1 to 4...
- 9 An offence under section 62 or 63 of that Act...
- 10 An offence under section 66 , 67 or 67A of...
- 11 An offence under— (a) section 1 of the Protection of...
- 12 An offence under section 170 of the Customs and Excise...
- 13 An offence under section 63 of the Criminal Justice and...
- 13A An offence under section 62(1) of the Coroners and Justice...
- 13B An offence under section 69 of the Serious Crime Act...

General

- 14 A reference in this Schedule to an offence (“ offence...
- 15 A reference in this Schedule to an offence (“ offence...

Status: Point in time view as at 28/04/2022.

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SCHEDULE 35 — Criminal record certificates: amendments of Part 5 of Police Act 1997

- 1 The Police Act 1997 (c. 50) is amended as follows....
- 2 Criminal record certificates: amendments of Part 5 of Police Act 1997
- 3 (1) Section 113 (criminal record certificates) is amended as follows....
- 4 (1) Section 115 (enhanced criminal record certificates) is amended as...
- 5 In section 116 (enhanced criminal record certificates: judicial appointments and...
- 6 (1) Section 120 (registered persons) is amended as follows.
- 7 After section 120 there is inserted— Regulations about registration (1)
The Secretary of State may by regulations make further...
- 8 At the end of the sidenote to section 120A (refusal...
- 9 After section 120A there is inserted— Refusal, cancellation or suspension...
- 10 After section 122 there is inserted— Delegation of functions of...
- 11 After section 124 (offences: disclosure) there is inserted— Further offences:...
- 12 In section 125 (regulations)— (a) subsection (3) is omitted, and...

SCHEDULE 36 — Further minor and consequential amendments Part 1 — BAIL

Bail Act 1976 (c. 63)

- 1 The Bail Act 1976 is amended as follows.
- 2 (1) Section 5(6A)(a) (supplementary provisions about decisions on bail) is...
- 3 In Part 3 of Schedule 1 (interpretation) for paragraph 2...

Supreme Court Act 1981 (c. 54)

- 4 (1) Section 81 of the Supreme Court Act 1981 (bail)...

Police and Criminal Evidence Act 1984 (c. 60)

- 5 In section 38(2A) of the Police and Criminal Evidence Act...
- Part 2 — CHARGING ETC

Criminal Law Act 1977 (c. 45)

- 6 In section 39 of the Criminal Law Act 1977 (service...

Magistrates' Courts Act 1980 (c. 43)

- 7 The Magistrates' Courts Act 1980 is amended as follows.
- 8 (1) Section 1 (issue of summons to accused or warrant...
- 9 In section 150(1) (interpretation of other terms) after the definition...

Prosecution of Offences Act 1985 (c. 23)

- 10 (1) Section 15 of the Prosecution of Offences Act 1985...

Criminal Justice and Public Order Act 1994 (c. 33)

- 11 (1) Section 51 of the Criminal Justice and Public Order...

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Drug Trafficking Act 1994 (c. 37)

- 12 (1) Section 60 of the Drug Trafficking Act 1994 (prosecution...)

Merchant Shipping Act 1995 (c. 21)

- 13 (1) Section 145 of the Merchant Shipping Act 1995 (interpretation...)

Terrorism Act 2000 (c. 11)

- 14 (1) Paragraph 11 of Schedule 4 to the Terrorism Act...

Proceeds of Crime Act 2002 (c. 29)

- 15 (1) Section 85 of the Proceeds of Crime Act 2002...

Crime (International Co-operation) Act 2003 (c. 32)

- 16 After section 4 of the Crime (International Co-operation) Act 2003...
Part 3 — DISCLOSURE

Prosecution of Offences Act 1985 (c. 23)

- 17 In section 22B of the Prosecution of Offences Act 1985...

Criminal Justice Act 1987 (c. 38)

- 18 In section 9 of the Criminal Justice Act 1987 (preparatory...)

Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16))

- 19 In Article 8 of the Criminal Justice (Serious Fraud) (Northern...)

Criminal Procedure and Investigations Act 1996 (c. 25)

- 20 The Criminal Procedure and Investigations Act 1996 is amended as...
21 In section 3 (primary disclosure by prosecutor), for the heading...
22 In section 4 (primary disclosure: further provisions), in the heading...
23 In section 5 (compulsory disclosure by accused), subsections (6) to...
24 In section 6 (voluntary disclosure by accused), subsection (3) is...
25 Section 7 (secondary disclosure by prosecutor) shall cease to have...
26 Section 9 (continuing duty of prosecutor to disclose) shall cease...
27 In section 10 (prosecutor's failure to observe time limits), in...
28 In section 12 (time limits)— (a) in subsection (1), for...
29 In section 13 (time limits: transitional), for subsection (2) there...
30 In section 14 (public interest: review for summary trials), in...
31 In section 15 (public interest: review in other cases), in...
32 In section 16 (applications: opportunity to be heard), in paragraph...
33 In section 17 (confidentiality of disclosed information), in
subsection (1)(a),...
34 In section 19 (rules of court) in subsection (2)(b) and...
35 In section 20 (other statutory rules as to disclosure)—
36 In section 31 (preparatory hearings in complex cases etc.), paragraphs...
37 (1) Section 77 (orders and regulations) is amended as follows...
38 In Schedule 4 (modifications for Northern Ireland), in paragraph 7,...

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Sexual Offences (Protected Material) Act 1997 (c. 39)

- 39 In section 9(4) of the Sexual Offences (Protected Material) Act...
Part 4 — TRIALS ON INDICTMENT WITHOUT A JURY

Indictments Act 1915 (c. 90)

- 40 (1) Section 5 of the Indictments Act 1915 (orders for...

Criminal Law Act 1967 (c. 58)

- 41 In section 6(4) of the Criminal Law Act 1967 (trial...

Criminal Justice Act 1967 (c. 80)

- 42 In section 17 of the Criminal Justice Act 1967 (entry...

Criminal Law Act (Northern Ireland) 1967 (c. 18)

- 43 In section 6(3) of the Criminal Law Act (Northern Ireland)...

Criminal Appeal Act 1968 (c. 19)

- 44 In section 7(2)(c) of the Criminal Appeal Act 1968 (power...

Judicature (Northern Ireland) Act 1978 (c. 23)

- 45 (1) Section 48 of the Judicature (Northern Ireland) Act 1978...

Criminal Appeal (Northern Ireland) Act 1980 (c. 47)

- 46 In section 6(3)(c) of the Criminal Appeal (Northern Ireland) Act...

Supreme Court Act 1981 (c. 54)

- 47 (1) Section 76 of the Supreme Court Act 1981 (committal...

Police and Criminal Evidence Act 1984 (c. 60)

- 48 (1) Section 77 of the Police and Criminal Evidence Act...

Prosecution of Offences Act 1985 (c. 23)

- 49 The Prosecution of Offences Act 1985 is amended as follows....

50 In section 7A(6)(a) (powers of non-legal staff) for “by a...

51 (1) Section 22 (power of Secretary of State to set...

Criminal Justice Act 1987 (c. 38)

52 The Criminal Justice Act 1987 is amended as follows.

53 (1) Section 7 (power to order preparatory hearing) is amended...

54 (1) Section 9 (the preparatory hearing) is amended as follows....

55 (1) Section 10 (later stages of trial) is amended as...

Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16))

56 The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 is...

57 (1) Article 6 (power to order preparatory hearing) is amended...

58 (1) Article 8 (the preparatory hearing) is amended as follows....

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- 59 (1) Article 9 (later stages of trial) (as originally enacted)...
- 60 (1) Article 9 (later stages of trial) (as substituted by...

Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))

- 61 (1) Article 75 of the Police and Criminal Evidence (Northern...

Criminal Justice and Public Order Act 1994 (c. 33)

- 62 The Criminal Justice and Public Order Act 1994 is amended...
- 63 In section 35(2) (effect of accused's silence at trial) after...
- 64 In section 51(10)(b) (intimidation of witnesses, jurors and others) after...

Criminal Procedure and Investigations Act 1996 (c. 25)

- 65 The Criminal Procedure and Investigations Act 1996 is amended as...
- 66 (1) Section 29 (power to order preparatory hearing) is amended...
- 67 In section 31(4)(b) (the preparatory hearing) for "the jury" there...
- 68 (1) Section 34 (later stages of trial) is amended as...
- 69 In section 35(2) (appeals to Court of Appeal) for "no...
- 70 In section 36(2) (appeals to House of Lords) for "no...
- 71 (1) Section 39 (meaning of pre-trial hearing) is amended as...
- 72 (1) Schedule 4 (modifications for Northern Ireland) is amended as...

Crime and Disorder Act 1998 (c. 37)

- 73 In paragraph 2(2) of Schedule 3 to the Crime and...

Youth Justice and Criminal Evidence Act 1999 (c. 23)

- 74 The Youth Justice and Criminal Evidence Act 1999 is amended...
- 75 In section 32 (warning to jury) after "indictment" there is...
- 76 In section 39(1) (warning to jury) after "indictment" there is...

Anti-terrorism, Crime and Security Act 2001 (c. 24)

- 77 In paragraph 19(6)(c) of Schedule 1 to the Anti-terrorism, Crime...

Proceeds of Crime Act 2002 (c. 29)

- 78 In section 316(9)(c) of the Proceeds of Crime Act 2002...
- Part 5 — EVIDENCE

Criminal Procedure Act 1865 (c. 18)

- 79 In section 6 of the Criminal Procedure Act 1865 (witness's...

Criminal Evidence Act 1898 (c. 36)

- 80 In section 1 of the Criminal Evidence Act 1898 (defendant...

Army Act 1955 (c. 18)

- 81 Further minor and consequential amendments

Air Force Act 1955 (c. 19)

- 82 Further minor and consequential amendments

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Naval Discipline Act 1957 (c. 53)

83 Further minor and consequential amendments

Armed Forces Act 1976 (c. 52)

84 Further minor and consequential amendments

Police and Criminal Evidence Act 1984 (c. 60)

85 (1) Section 74 of the Police and Criminal Evidence Act...
Part 6 — MISCELLANEOUS

Criminal Appeal Act 1968 (c. 19)

86 The Criminal Appeal Act 1968 is amended as follows.
87 In section 31(1) (powers of Court of Appeal exercisable by...
88 In section 31A (powers of Court of Appeal exercisable by...
89 In section 45 (construction of references to Court of Appeal)—...
90 (1) Section 51 (interpretation) is amended as follows.

Criminal Appeal (Northern Ireland) Act 1980 (c. 47)

91 The Criminal Appeal (Northern Ireland) Act 1980 is amended as...
92 (1) Section 19 (legal aid) is amended as follows.
93 (1) Section 28 (costs) is amended as follows.
94 For section 31(3) (definition of defendant and prosecutor) there is...
95 In section 45 (powers of Court of Appeal exercisable by...

Criminal Justice Act 1988 (c. 33)

96 In section 36 of the Criminal Justice Act 1988 (reviews...

Criminal Appeal Act 1995 (c. 35)

97 In section 15(2)(a) of the Criminal Appeal Act 1995 (investigations...

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

98 In section 159 of the Powers of Criminal Courts (Sentencing)...

SCHEDULE 37 — Repeals

Part 1 — REPEALS RELATING TO AMENDMENTS OF POLICE AND CRIMINAL EVIDENCE ACT 1984

Part 2 — BAIL

Part 3 — DISCLOSURE

Part 4 — ALLOCATION AND SENDING OF OFFENCES

Part 5 — EVIDENCE OF BAD CHARACTER

Part 6 — HEARSAY EVIDENCE

Part 7 — SENTENCING: GENERAL

Part 8 — LIFE SENTENCES

Part 9 — ALTERATION OF PENALTIES FOR SUMMARY OFFENCES

Part 10 — JURY SERVICE

Part 11 — REPEALS RELATING TO AMENDMENTS OF PART 5 OF POLICE ACT 1997

Part 12 — MISCELLANEOUS

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SCHEDULE 38 — Transitory, transitional and saving provisions

Sentencing of offenders aged 18 but under 21

1 If any provision of Part 12 (“the relevant provision”) is...

...

2 Transitory, transitional and saving provisions

3 Transitory, transitional and saving provisions

Drug treatment and testing orders

4 A drug treatment and testing order made under section 52...

Drug testing as part of supervision of young offenders after release

5 (1) Until the coming into force of the repeal by...

Intermittent custody

6 If section 183 (intermittent custody) is to come into force...

Transfer to Scotland of community orders and suspended sentence orders

7 (1) Until the coming into force of the repeal by...

Status:

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