



Police, Crime, Sentencing and Courts Act 2022

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POLICE, CRIME, SENTENCING AND COURTS ACT 2022

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PART 1 — GRANT OF PRE-CHARGE BAIL

- 1 Amendments to the Police and Criminal Evidence Act 1984 (c. 60)
- 2 (1) Section 30A (release of a person arrested elsewhere than...
- 3 (1) Section 34 (limitations on police detention) is amended as...
- 4 In section 36 (custody officers at police stations), after subsection...
- 5 (1) Section 37 (duties of custody officer before charge) is...
- 6 (1) Section 37CA (breach of bail following release under section...
- 7 In section 37D(4A) (release on bail under section 37: further...
- 8 In section 41(7) (release following period of detention without
charge),...
- 9 In section 42(10) (release following continued detention without
charge), for...
- 10 (1) Section 43 (warrants of further detention) is amended as...
- 11 In section 44(7) (release following extension of warrants of further...
- 12 (1) Section 47ZC (applicable bail period: conditions A to D)...
- 13 In section 50A (interpretation of references to pre-conditions for bail),...
- 14 Amendments to the Criminal Justice Act 2003 (c. 44)
- 15 (1) Section 24A (arrest for failure to comply with conditions...
- 16 In section 24B(5) (application of PACE provisions), for “section 24A(2)
(c)”...

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- 17 In section 30A of the Police and Criminal Evidence Act...
- 18 (1) Section 50A of the Police and Criminal Evidence Act...

PART 3 — DUTY TO SEEK VIEWS OF ALLEGED VICTIMS

- 19 Amendments to the Bail Act 1976 (c. 63)
- 20 Amendments to the Police and Criminal Evidence Act 1984 (c. 60)
- 21 (1) Section 30CA (bail under section 30A: variation of conditions...
- 22 After section 47 insert— Duty to seek views of alleged...
- 23 Amendments to the Criminal Justice Act 2003 (c. 44)

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- 24 The Police and Criminal Evidence Act 1984 is amended as...
- 25 In section 30B(8) (notice of release under section 30A: bail...
- 26 (1) Section 47ZB (applicable bail period: initial limit) is amended...
- 27 In section 47ZC (applicable bail period: conditions A to D...
- 28 (1) Section 47ZD (applicable bail period: extension of initial limit...
- 29 After section 47ZD insert— Applicable bail period: further extension
of...
- 30 (1) Section 47ZE (applicable bail period: extension of limit in...
- 31 (1) Section 47ZF (applicable bail period: first extension of limit...
- 32 In section 47ZI (sections 47ZF to 47ZH: proceedings in magistrates’...
- 33 In section 47ZM(2) (applicable bail period: special case of release...

PART 5 — POLICE DETENTION AFTER ARREST FOR BREACH OF PRE-CHARGE
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- 34 The Police and Criminal Evidence Act 1984 is amended as...
- 35 In section 41 (limits on period of detention without charge),...
- 36 In section 47 (bail after arrest), after subsection (6) insert—...

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- 37 In the Police and Criminal Evidence Act 1984, after section...

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- 1 The Crime (Overseas Production Orders) Act 2019 is amended as...
- 2 (1) Section 3 (meaning of “electronic data” and “excepted electronic...
- 3 In section 5(3) (content of order: requirements fulfilled by reference...
- 4 (1) Section 9 (restrictions on service of order) is amended...
- 5 (1) Section 14 (means of service) is amended as follows....
- 6 In section 15(3) (modifications of section 9 in the case...
- 7 (1) Section 17 (regulations) is amended as follows.

SCHEDULE 6 — Special procedure for access to material relating to human remains

- 1 Making of orders by judge
- 2 (1) An order under this paragraph is an order that,...
- 3 Where the material consists of information stored in any electronic...
- 4 For the purposes of sections 21 and 22 of the...
- 5 Notices of applications for orders
- 6 (1) Where notice of an application for an order under...
- 7 Failure to comply with order
- 8 Issue of warrants by judge
- 9 If the application is for an all premises warrant, the...
- 10 (1) The warrant may authorise entry to and search of...
- 11 A constable may— (a) seize and retain anything for which...
- 12 Procedural rules
- 13 Costs
- 14 Interpretation

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- 1 The Anti-social Behaviour, Crime and Policing Act 2014 is amended...
- 2 In the heading of Chapter 2 of Part 4, at...
- 3 In the italic heading before section 59, at the end...
- 4 In the heading of section 59 (power to make orders),...
- 5 In the heading of section 60 (duration of orders), after...
- 6 (1) Section 61 (variation and discharge of orders) is amended...
- 7 (1) Section 62 (premises etc to which alcohol prohibition does...
- 8 In section 63 (consumption of alcohol in breach of prohibition...
- 9 (1) Section 64 (orders restricting public right of way over...
- 10 In section 65 (categories of highway over which public right...
- 11 (1) Section 66 (challenging validity of orders) is amended as...
- 12 (1) Section 67 (offence of failing to comply with order)...
- 13 (1) Section 68 (fixed penalty notices) is amended as follows....
- 14 In section 70 (byelaws), after “protection order” insert “or an...
- 15 (1) Section 71 (bodies other than local authorities with statutory...
- 16 In the heading of section 72 (Convention rights, consultation, publicity...
- 17 (1) Section 74 (interpretation of Chapter 2 of Part 4)...

SCHEDULE 8 — Road traffic offences: minor and consequential amendments

- 1 Road Traffic Act 1988 (c. 52)
- 2 Road Traffic Offenders Act 1988 (c. 55)
- 3 Crime (International Co-operation) Act 2003 (c. 32)
- 4 Armed Forces Act 2006 (c. 52)

SCHEDULE 9 — Surrender of licences and test certificates by new drivers

- 1 The Road Traffic (New Drivers) Act 1995 is amended as...

- 2 (1) Section 2 (surrender of licences) is amended as follows....
- 3 (1) Section 3 (revocation of licences) is amended as follows....
- 4 After section 3 insert— Surrender of licences (1) Where— (a) the
Secretary of State is required under...
- 5 In section 9, for subsection (5) (interpretation: address for sending...
- 6 (1) Schedule 1 (newly qualified drivers holding test certificates) is...

SCHEDULE 10 — Surrender of licences: minor and consequential amendments
PART 1 — AMENDMENTS TO THE ROAD TRAFFIC OFFENDERS ACT 1988

- 1 The Road Traffic Offenders Act 1988 is amended as follows....
- 2 (1) Section 2 (requirement of warning etc: supplementary) is amended...
- 3 (1) Section 26 (interim disqualification) is amended as follows.
- 4 (1) Section 27 (production of licence) is amended as follows....
- 5 (1) Section 47 (supplementary provisions as to disqualifications and
endorsements)...
- 6 Omit section 56 (licence receipts).
- 7 (1) Section 57A (endorsement of driving records without hearings) is...
- 8 (1) Section 61A (fixed penalty notice mistakenly given: exclusion of...
- 9 (1) Section 69 (payment of penalty) is amended as follows....
- 10 (1) Section 70 (registration certificates) is amended as follows.
- 11 (1) Section 79 (statements by constables) is amended as follows....
- 12 In section 80 (certificates about payment)— (a) in the heading,...
- 13 (1) In section 84(a) (regulations), omit “54(5), 56,”.
- 14 (1) Section 89 (interpretation) is amended as follows.
- 15 (1) Section 90 (index to Part 3) is amended as...
- 16 In section 91ZA(1) (application to Northern Ireland licence holders),
after...
- 17 In section 91A(1) (application to Community licence holders)—
- 18 (1) Schedule 1 (offences to which sections 1, 6, 11...
- 19 In Part 1 of Schedule 2 (prosecution and punishment of...

PART 2 — AMENDMENTS TO OTHER ACTS

- 20 Road Traffic Act 1988 (c. 52)
- 21 In section 93 (revocation of licence because of disability or...
- 22 In section 99 (duration of licences), omit subsection (6).
- 23 (1) Section 164 (power of constables to require production of...
- 24 In section 166 (powers of certain officers as respects goods...
- 25 Crime (International Co-operation) Act 2003 (c. 32)

PART 3 — CONSEQUENTIAL REPEALS OF AMENDING ENACTMENTS

- 26 Road Traffic (New Drivers) Act 1995 (c. 13)
- 27 Access to Justice Act 1999 (c. 22)
- 28 Police Reform Act 2002 (c. 30)
- 29 Courts Act 2003 (c. 39)
- 30 Road Safety Act 2006 (c. 49)
- 31 In section 10, omit— (a) subsections (5) and (6) (which...
- 32 In Schedule 1, omit— (a) paragraph 3(8) (which amends section...
- 33 In Schedule 2, omit paragraph 25(2)(b) (which amends section 76...
- 34 In Schedule 3, omit— (a) paragraph 5(3) and (4) (which...
- 35 Criminal Justice and Courts Act 2015 (c. 2)

SCHEDULE 11 — Cautions: consequential amendments

- 1 Rehabilitation of Offenders Act 1974 (c. 53)
- 2 In section 8A (protection afforded to spent cautions), in subsection...
- 3 (1) Schedule 2 (protection for spent cautions) is amended as...

- 4 Bail Act 1976 (c. 63)
- 5 In section 3A (conditions of bail in case of police...
- 6 In section 5A (supplementary provision in case of police bail),...
- 7 Paragraphs 5 and 6 do not affect the operation of...
- 8 Matrimonial and Family Proceedings Act 1984 (c. 42)
- 9 Police Act 1997 (c. 50)
- 10 (1) Section 112 (criminal conviction certificates) is amended as follows....
- 11 (1) Section 116A (up-dating certificates) is amended as follows.
- 12 Police and Criminal Evidence Act 1984 (c. 60)
- 13 In section 34 (limitation on police detention), in subsection (5E)—...
- 14 In section 37B (consultation with DPP), in subsection (7), for...
- 15 In section 60B (notification of decision not to prosecute person...
- 16 In section 63B (testing for presence of Class A drugs),...
- 17 Omit section 63L (which relates to persons given a penalty...
- 18 In section 64A (photographing of suspects), in subsection (1B)—
- 19 Paragraphs 13 to 18 do not affect the operation of...
- 20 Crime and Disorder Act 1998 (c. 37)
- 21 In section 66E (failure to comply with conditions), for subsections...
- 22 In section 66G (code of practice), in subsection (2)—
- 23 Police Reform Act 2002 (c. 30)
- 24 In section 43 (railways safety accreditation scheme)—
- 25 In Schedule 5 (powers exercisable by accredited persons), omit the...
- 26 Omit Schedule 5A (powers exercisable by accredited inspectors).
- 27 Licensing Act 2003 (c. 17)
- 28 Courts Act 2003 (c. 39)
- 29 In section 85EA (prohibition of cross-examination in person: victims of...
- 30 In Schedule 5 (collection of fines), in paragraph 3(1)(b), for...
- 31 Criminal Justice Act 2003 (c. 44)
- 32 Offender Management Act 2007 (c. 21)
- 33 Anti-social Behaviour, Crime and Policing Act 2014 (c. 12)
- 34 In section 101 (community remedy document), in subsection (9), in...
- 35 (1) Section 102 (out-of-court disposals) is amended as follows.
- 36 Paragraphs 34 and 35 do not affect the operation of...
- 37 Criminal Justice and Courts Act 2015 (c. 2)
- 38 Other consequential repeals
- 39 (1) Omit the following (which make amendments to Chapter 1...

SCHEDULE 12 — Minimum sentences for particular offences: consequential amendments

- 1 Mental Health Act 1983 (c. 20)
- 2 Armed Forces Act 2006 (c. 52)
- 3 In section 225(2) (third drug trafficking offence)—
- 4 In section 226(2) (third domestic burglary)— (a) for “section 314(2)”...
- 5 (1) Section 227A (offences of threatening with a weapon in...
- 6 In section 237 (duty to have regard to purposes of...
- 7 (1) Section 239 (reduction in sentences for guilty pleas) is...
- 8 In section 260 (discretionary custodial sentences: general restrictions), in subsection...
- 9 In section 273 (review of unduly lenient sentence by Court...

SCHEDULE 13 — Removal of attendance centre requirements for adults: related amendments

- 1 Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)
- 2 (1) Section 60 (attendance centre orders) is amended as follows...
- 3 In Schedule 5 (further provision about attendance centre orders), in...
- 4 Criminal Justice Act 2003 (c. 44)
- 5 (1) Section 221 (provision of attendance centres) is amended as...
- 6 (1) In section 300(2) (power to impose attendance centre requirement...
- 7 If paragraph 102 of Schedule 32 is not in force...
- 8 Sentencing Code
- 9 (1) Schedule 11 (transfer of community orders to Scotland or...
- 10 (1) Schedule 17 (transfer of suspended sentence orders to Scotland...

SCHEDULE 14 — Community and suspended sentence orders: special procedures relating to review and breach

PART 1 — AMENDMENTS TO THE SENTENCING CODE

- 1 Introductory
- 2 Orders that qualify for special procedures
- 3 Review of community orders
- 4 In section 217 (power to provide for court review of...
- 5 After section 217 insert— Review of community order qualifying for...
- 6 Review of suspended sentence orders
- 7 After section 293 insert— Review of suspended sentence order qualifying...
- 8 (1) Section 294 (review hearings) is amended as follows.
- 9 (1) Section 295 (alteration of review arrangements) is amended as...
- 10 (1) Section 297 (power to direct magistrates' court supervision) is...
- 11 Review of drug rehabilitation requirements
- 12 Breach of community order: power to commit to custody
- 13 Breach of suspended sentence order: power to commit to custody
- PART 2 — PROSPECTIVE AMENDMENTS
- 14 Prospective amendments relating to abolition of detention in a young offender institution

SCHEDULE 15 — Community and suspended sentence orders: drug testing requirement

- 1 The Sentencing Code is amended as follows.
- 2 In section 201 (community order: community order requirements table), after...
- 3 In section 207 (community order: availability of particular requirements), after...
- 4 In section 287 (suspended sentence order: community requirements table), after...
- 5 In section 291 (suspended sentence order: availability of particular requirements),...
- 6 In Schedule 9 (community orders and suspended sentence orders: requirements),...

SCHEDULE 16 — Detention and training orders: time to count as served

PART 1 — DETENTION AND TRAINING ORDERS MADE UNDER SENTENCING CODE

- 1 Criminal Justice Act 2003 (c. 44)
- 2 (1) Section 240ZA (time remanded in custody to count as...

- 3 (1) Section 240A (time remanded on bail to count towards...
- 4 In section 242 (interpretation), at the end insert—
- 5 Sentencing Act 2020 (c. 17)
- 6 Omit sections 239 and 240 (effect on term of detention...
- 7 In section 244 (offender subject concurrently to detention and training...
- 8 In section 245 (offender subject concurrently to detention and training...
- 9 In section 325 (time on bail under certain conditions: declaration...
- 10 In section 327 (period in custody awaiting extradition: declaration by...
- 11 In Schedule 27 (transitional provision), omit paragraph 14 (and the...
- 12 Other enactments
- 13 In Schedule 7 to the International Criminal Court Act 2001...
- PART 2 — DETENTION AND TRAINING ORDERS MADE UNDER ARMED
- FORCES ACT 2006
- 14 The Armed Forces Act 2006 is amended as follows.
- 15 In section 213 (application of provisions relating to civilian detention...
- 16 After section 213 insert— Period in service custody: effect on...

SCHEDULE 17 — Youth rehabilitation orders

PART 1 — ELECTRONIC MONITORING: GENERAL REQUIREMENTS

- 1 In Part 17 of Schedule 6 to the Sentencing Code...

PART 2 — ELECTRONIC WHEREABOUTS MONITORING REQUIREMENTS

- 2 Criminal Justice and Immigration Act 2008 (c. 4)
- 3 Sentencing Code
- 4 (1) Section 174 (youth rehabilitation requirements table) is amended
- as...
- 5 In section 175(1)(c) (meaning of youth rehabilitation order with
- intensive...
- 6 (1) Section 185 (youth rehabilitation order: availability of particular
- requirements)...
- 7 In section 190 (provision of copies of youth rehabilitation order...
- 8 After section 198 insert— Electronic monitoring requirement previously
- imposed (1) This section applies where an electronic monitoring
- requirement was...
- 9 In section 395 (data from electronic monitoring: code of practice),...
- 10 In paragraph 19(3) of Schedule 6 (requirements where court imposes...
- 11 In paragraph 21 of Schedule 6 (requirements where court imposes...
- 12 (1) Part 17 of Schedule 6 (electronic monitoring) is amended...
- 13 (1) Schedule 7 (breach, revocation or amendment of youth
- rehabilitation...
- 14 (1) Schedule 8 (transfer of youth rehabilitation orders to Northern...

PART 3 — INTENSIVE SUPERVISION AND SURVEILLANCE

- 15 The Sentencing Code is amended as follows.
- 16 In section 175(1) (youth rehabilitation order with intensive supervision
- and...
- 17 (1) Paragraph 2 of Schedule 6 (extended activity requirement) is...

PART 4 — CURFEW REQUIREMENTS AND EDUCATION REQUIREMENTS

- 18 Introductory
- 19 Curfew requirement
- 20 In paragraph 9(1) of Schedule 23 (powers to amend limits...
- 21 Education requirement

PART 5 — THE RESPONSIBLE OFFICER

- 22 Criminal Justice and Immigration Act 2008 (c. 4)
- 23 Sentencing Code

- SCHEDULE 18 — Variation etc of order by court in another part of the United Kingdom
- PART 1 — VARIATION ETC OF ORDER MADE IN ENGLAND AND WALES OR SCOTLAND BY COURT IN NORTHERN IRELAND
- 1 Amendments of the Sexual Offences Act 2003 (c. 42)
 - 2 (1) Section 136ZD of the Sexual Offences Act 2003 (variation...
 - 3 Amendments of the Sentencing Code
- PART 2 — VARIATION OF ORDER BY COURT IN SCOTLAND
- 4 Amendments of the Sexual Offences Act 2003 (c. 42)
 - 5 Amendments of the Sentencing Code
- PART 3 — VARIATION OF ORDER BY COURT IN ENGLAND AND WALES
- 6 After section 136ZF of the Sexual Offences Act 2003 (inserted...
- SCHEDULE 19 — Management of terrorist offenders: provision consequential on sections 184 to 187
- 1 Police and Criminal Evidence Act 1984 (c. 60)
 - 2 Criminal Justice and Police Act 2001 (c. 16)
 - 3 Counter-Terrorism Act 2008 (c. 28)
 - 4 Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))
 - 5 Criminal Justice (Scotland) Act 2016 (asp 1)
- SCHEDULE 20 — Further provision about video and audio links in criminal proceedings
- 1 Criminal Justice Act 2003
 - 2 Extradition Act 2003
 - 3 Consequential amendments of other enactments
 - 4 (1) The Police and Criminal Evidence Act 1984 is amended...
 - 5 In section 32 of the Criminal Justice Act 1988—
 - 6 (1) The Youth Justice and Criminal Evidence Act 1999 is...
 - 7 (1) In section 29 of the Crime (International Co-operation) Act...
 - 8 In the Sentencing Code, omit section 391.
 - 9 In section 26 of the Domestic Abuse Act 2021 (breach...
- SCHEDULE 21 — Minor amendments in relation to the sentencing consolidation
- PART 1 — AMENDMENTS TO THE SENTENCING ACT 2020
- 1 The Sentencing Act 2020 is amended as follows.
 - 2 In section 108(4), for “Part” substitute “Chapter”.
 - 3 In the table in section 122(1) (standard scale of fines...
 - 4 In section 166(7), for “paragraph” substitute “entry”.
 - 5 In section 293(2)(d), for “(“a progress report”)” substitute “(a “progress...
 - 6 In section 414(6), in each of paragraphs (a) and (b),...
 - 7 (1) Schedule 5 is amended as follows.
 - 8 In Schedule 16, in paragraph 11(4)(b), for first “by” substitute...
 - 9 In Schedule 21, in paragraph 4(1)— (a) omit the word...
 - 10 (1) Schedule 22 is amended as follows.
 - 11 In Schedule 24, omit paragraph 154(f).
- PART 2 — AMENDMENTS TO OTHER ENACTMENTS
- 12 Criminal Justice Act 2003 (c. 44)
 - 13 Counter-Terrorism and Sentencing Act 2021 (c. 11)