



Crime (Sentences) Act 1997

CHAPTER 43

CRIME (SENTENCES) ACT 1997

PART I

- 1 Conditions relating to mandatory and minimum custodial sentences.
- 2 Mandatory life sentence for second serious offence.
- 3 Minimum of seven years for third class A drug trafficking offence.
- 4 Minimum of three years for third domestic burglary.
- 5 Appeals where previous convictions set aside.
- 6 Certificates of convictions for purposes of Part I.
- 7 Offences under service law.

PART II

EFFECT OF CUSTODIAL SENTENCES

CHAPTER I

DETERMINATE SENTENCES

General

- 8 Time to be served.
- 9 Crediting of periods of remand in custody.
- 9A Provision supplementary to section 9.

Early release

- 10 Early release on compassionate grounds.
- 11 Award of early release days for good behaviour.
- 12 Early release on Parole Board recommendation.

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- 13 Provisional early release days for remand prisoners.

Additional days

- 14 Award of additional days for disciplinary offences.
15 Provisional additional days for remand prisoners.

Supervision after release

- 16 Release supervision orders.
17 Breach of conditions of release supervision order.
18 Powers of arrest and search warrants.

Special cases

- 19 Young offenders.
20 Sexual offenders.
21 Violent offenders.
22 Mentally disordered offenders.
23 Fine defaulters and contemnors.
24 Persons liable to removal from the United Kingdom.
25 Persons extradited to the United Kingdom.

Supplemental

- 26 Continuity of sentencing.
27 Interpretation of Chapter I.

CHAPTER II

LIFE SENTENCES

Sentence of detention during Her Majesty's pleasure: review of minimum term

- 27A Sentence of detention during Her Majesty's pleasure imposed on a person under 18: application for minimum term review
27B Power of High Court to reduce minimum term

Release on licence

- 28 Duty to release certain life prisoners.
28A Murder or manslaughter: prisoner's non-disclosure of information
28B Indecent images: prisoner's non-disclosure of information
29 Power to release other life prisoners.
30 Power to release life prisoners on compassionate grounds.

Licences and recall

- 31 Duration and conditions of licences.
31A Imprisonment or detention for public protection: termination of licences
32 Recall of life prisoners while on licence.
32ZA Offence of remaining unlawfully at large after recall

Release at the direction of Parole Board

- 32ZB Release at direction of Parole Board: timing

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Persons liable to removal from the United Kingdom

- 32A Removal of prisoners liable to removal from United Kingdom
- 32B Re-entry into United Kingdom of offender removed from prison

Miscellaneous and supplemental

- 33 Life prisoners transferred to England and Wales.
- 33A Life prisoners also serving fixed-term sentence
- 34 Interpretation of Chapter II.

PART III

MISCELLANEOUS AND SUPPLEMENTAL

Community sentences

- 35 Fine defaulters: general.
- 36 Fine defaulters under 25.
- 37 Persistent petty offenders.
- 38 Abolition of certain consent etc. requirements.

Driving disqualifications

- 39 Offenders.
- 40 Fine defaulters.

Transfer and repatriation of prisoners

- 41 Transfer of prisoners within the British Islands.
- 42 Repatriation of prisoners to the British Islands.

Young offenders

- 43 Curfew orders.
- 44 Long term detention.
- 45 Publication of reports.

Mentally disordered offenders

- 46 Power to make hospital and limitation directions.
- 47 Power to specify hospital units.
- 48 Offenders conditionally discharged from hospital.
- 49 Other amendments of the 1983 Act.

Miscellaneous

- 50 Disclosure of pre-sentence reports.
- 51 Committals for sentence.
- 52 Increased penalty for offence of indecency with children.

Supplemental

- 53 Financial provisions.
- 54 General interpretation.
- 55 Minor and consequential amendments.
- 56 Transitional provisions, savings and repeals.
- 57 Short title, commencement and extent.

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SCHEDULES

SCHEDULE 1 — Transfer of prisoners within the British Islands Part I — POWERS OF TRANSFER

Transfer of prisoners: general

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

Transfer of prisoners for trial

- 2 (1) If it appears to the Secretary of State that—...

Transfer of prisoners for other judicial purposes

- 3 (1) If the Secretary of State is satisfied, in the...

Transfer of supervision of released prisoners

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

Conditions of transfers

- 5 (1) A transfer under this Part (other than a transfer...

Conditions of transfer under paragraph 1(2A)

- 5A (1) A transfer under paragraph 1(2A) shall have effect subject...

Part II — EFFECT OF TRANSFERS

Preliminary

- 6 (1) For the purposes of this Part of this Schedule,...

Restricted transfers: general

- 7 (1) Where— (a) a person's transfer under paragraph 1, 2...

Restricted transfers from England and Wales to Scotland

- 8 (1) Where a person's transfer under paragraph 1(1)(a), 2(1)(a) or...

Restricted transfers between England and Wales and Scotland: further provision about supervision default orders

- 8A (1) This paragraph applies if— (a) a person's supervision is...

Restricted transfers from England and Wales to Northern Ireland

- 9 (1) Where a person's transfer under paragraph 1(1)(a), 2(1)(a) or...

Restricted transfers from Scotland to England and Wales

- 10 (1) Where a person's transfer under paragraph 1(1)(a), 2(1)(a) or...

Restricted transfers from Scotland to Northern Ireland

- 11 (1) Where a person's transfer under paragraph 1(1)(a), 2(1)(a) or...

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Restricted transfers from Northern Ireland to England and Wales

12 (1) Where a person's transfer under paragraph 1(1)(a) or (2A)(a),...

Restricted transfers from Northern Ireland to Scotland

13 (1) Where a person's transfer under paragraph 1(1)(a) or (2A)(a),...

Restricted transfers between the United Kingdom and the Channel Islands

14 (1) Her Majesty may by Order in Council make, in...

Unrestricted transfers: general

15 (1) Where a person's transfer under paragraph 1(1)(a) or (2)(a),...

Transfers ceasing to be restricted

16 Where a transfer under Part I of this Schedule ceases...

Part III — SUPPLEMENTAL

Prisoners unlawfully at large

17 (1) The following enactments (relating to the arrest and return...

Subsequent sentence in case of transferred prisoners

18 (1) The power of a court in any part of...

Application to the Isle of Man

19 (1) Her Majesty may by Order in Council direct that...

Service of process issued in Scotland

19A (1) Section 4 of the Summary Jurisdiction (Process) Act 1881...

Electronic monitoring in Scotland

19B (1) Section 245C of the Criminal Procedure (Scotland) Act 1995...

Interpretation

20 (1) In this Schedule— "detention and training order" includes...

SCHEDULE 2 — Repatriation of prisoners to the British Islands

Preliminary

1 Any reference in this Schedule to prisoners repatriated to any...

Prisoners repatriated to England and Wales

2
3
4

Prisoners repatriated to Scotland

5 (1) This paragraph applies in relation to—

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- 6 (1) This paragraph applies in relation to—
- 7 (1) This paragraph applies in relation to prisoners repatriated to...
- 8

Prisoners repatriated to Northern Ireland

- 9 (1) This paragraph applies in relation to—
- 10

Prisoners repatriated to the Islands

- 11 (1) This paragraph applies where any Order in Council under...

SCHEDULE 3 — Transfers within the British Islands of responsibility for offenders conditionally discharged from hospital

Part I — AMENDMENTS OF THE 1983 ACT

Transfers from England and Wales to Scotland

- 1 After section 80 of the 1983 Act there shall be...

Transfers from England and Wales to Northern Ireland

- 2 After section 81 of the 1983 Act there shall be...

Transfers from Northern Ireland to England and Wales

- 3 After section 82 of the 1983 Act there shall be...

Transfers from England and Wales to the Islands

- 4 After section 83 of the 1983 Act there shall be...

Transfers from the Islands to England and Wales

- 5 After section 85 of the 1983 Act there shall be...

Part II — AMENDMENTS OF THE 1984 ACT

Transfers from Scotland to England and Wales

- 6

Transfers from Scotland to Northern Ireland

- 7

Transfers from Northern Ireland to Scotland

- 8

Transfers from the Islands to Scotland

- 9

Transfers from Scotland to the Islands

- 10

SCHEDULE 4 — Minor and consequential amendments

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Army Act 1955 (c.18)

1 (1) After subsection (3) of section 70 of the Army...

Air Force Act 1955 (c.19)

2 (1) After subsection (3) of section 70 of the Air...

Naval Discipline Act 1957 (c.53)

3 (1) After subsection (1) of section 42 of the Naval...

Children and Young Persons Act 1963 (c.37)

4 After subsection (2) of section 16 of the Children and...

Criminal Justice Act 1967 (c.80)

5 (1) In subsection (2) of section 56 of the Criminal...

Criminal Appeal Act 1968 (c.19)

6 (1) In subsection (1) of section 50 of the Criminal...

Immigration Act 1971 (c.77)

7 In subsection (4) of section 7 of the Immigration Act...

Powers of Criminal Courts Act 1973 (c.62)

8

Rehabilitation of Offenders Act 1974 (c.53)

9

Magistrates' Courts Act 1980 (c.43)

10 (1) In subsection (4A) of section 82 of the 1980...

Criminal Justice Act 1982 (c.48)

11

Mental Health Act 1983 (c.20)

12 (1) In subsection (1) of section 37 of the 1983...

Criminal Justice Act 1988 (c.33)

13 At the end of subsection (2) of section 36 of...

Prevention of Terrorism (Temporary Provisions) Act 1989 (c.4)

14 In sub-paragraph (5) of paragraph 9 of Schedule 2 to...

Criminal Justice Act 1991 (c.53)

15 (1) In subsection (1) of section 1 of the 1991...

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

16 (1) In section 10(4) of the Prisoners and Criminal Proceedings...

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

17

SCHEDULE 5 — Transitional provisions and savings

Sentences for offences committed before the commencement of Chapter I of Part II

1

Consecutive sentences for offences committed before and after that commencement

2

Concurrent sentences for offences committed before and after that commencement

3

Crediting of periods of remand in custody

4

Duty to release certain life prisoners

5 (1) In relation to any time before the commencement of...

Life prisoners transferred to England and Wales

6

Recall of life prisoners while on licence

7 (1) Section 32(3) and (4) of this Act shall have...

Transfers of prisoners: general

8

Transfers of prisoners from England and Wales to Scotland

9 (1) In relation to any person serving a determinate custodial...

Transfers of prisoners from England and Wales to Northern Ireland

10 (1) In relation to any person serving a determinate custodial...

Transfers of prisoners from Scotland to England and Wales

11 (1) In relation to any prisoner sentenced on or after...

Transfers of prisoners from Scotland to Northern Ireland

12 (1) In relation to any prisoner sentenced on or after...

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Interpretation

13 In this Schedule— “life prisoner” has the same meaning as...

SCHEDULE 6 — Repeals

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 11(6) by 2000 c. 43 Sch. 7 para. 143
- s. 28 by 2000 c. 43 Sch. 7 para. 136(a)(b)
- s. 28 by 2000 c. 43 Sch. 8
- s. 28(1B) by 2000 c. 43 Sch. 7 para. 147
- s. 28(7)(c) words substituted by 2015 c. 2 s. 11(1)
- s. 31(2A)(a) by 2000 c. 43 Sch. 7 para. 4(a)para. 4(b) (2)
- s. 33(1)(2) by 2000 c. 43 Sch. 7 para. 137(a)
- s. 33(5) by 2000 c. 43 Sch. 7 para. 137(b)
- s. 34 by 2000 c. 43 Sch. 8
- s. 34(1) by 2000 c. 43 Sch. 7 para. 138
- s. 35 repealed by 2003 c. 44 s. 303(b)(iii)Sch. 37 Pt. 7
- s. 35(1)(b) by 2000 c. 43 Sch. 7 para. 139(a)
- s. 40 repealed by 2003 c. 44 s. 303(b)(iii)Sch. 37 Pt. 7
- s. 40(1)(b) by 2000 c. 43 Sch. 7 para. 140
- s. 54(1) by 2000 c. 43 Sch. 7 para. 141
- s. 55(2) repealed by 2001 c. 19 Sch. 7 Pt. 2
- s. 57(8) by 2000 c. 43 Sch. 7 para. 142
- Sch. 1 by 2000 c. 43 Sch. 7 para. 143
- Sch. 1 para. 8(2)(a) modified by 2008 c. 4 Sch. 26 para. 32(4)
- Sch. 1 para. 8(4)(a) modified by 2008 c. 4 Sch. 26 para. 32(4)
- Sch. 1 para. 9(2)(a) modified by 2008 c. 4 Sch. 26 para. 32(7)
- Sch. 1 para. 9(4)(a) modified by 2008 c. 4 Sch. 26 para. 32(7)
- Sch. 1 para. 9(6) Table words repealed by 2004 c. 31 Sch. 5 Pt. 4
- Sch. 2 para. 10 repealed by S.I. 2008/1216 (N.I.) Sch. 6 Pt. 1 (provision previously repealed)
- Sch. 4 para. 1(1)(4) repealed by 2001 c. 19 Sch. 7 Pt. 2
- Sch. 4 para. 2(1)(4) repealed by 2001 c. 19 Sch. 7 Pt. 2
- Sch. 4 para. 3(1)(4) repealed by 2001 c. 19 Sch. 7 Pt. 2
- Sch. 5 para. 5 by 2000 c. 43 Sch. 8
- Sch. 5 para. 5(1) by 2000 c. 43 Sch. 7 para. 144

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 35(5)(c)s. 35(8)(a) by 2000 c. 43 Sch. 7 para. 139(b)
- s. 8(5) by 2000 c. 43 Sch. 7 para. 143