



Criminal Justice Act 1982

1982 CHAPTER 48

PART I

TREATMENT OF YOUNG OFFENDERS

Custody and detention of persons under 21

4 Orders for detention of male offenders aged 14 to 20

(1) Where—

(a) a male offender under 21 but not less than 14 years of age is convicted of an offence which is punishable with imprisonment in the case of a person aged 21 or over; and

(b) the court considers—

(i) that the only appropriate method of dealing with him is to pass a custodial sentence on him; but

(ii) that the term of such a sentence should be no more than 4 months, the order that the court is to make, subject to the provisions of this section and to section 5(2) below, is an order for his detention in a detention centre for such period, not exceeding 4 months, as it considers appropriate.

(2) If the maximum term of imprisonment that a court could impose for an offence is less than 4 months, the maximum term of detention it may specify for that offence in a detention centre order is the same as the maximum term of imprisonment.

(3) Subject to subsection (4) below, no order may be made under this section for the detention of an offender in a detention centre for less than 21 days.

(4) A court may order the detention of an offender in a detention centre for less than 21 days for an offence under section 15(11) below.

(5) Subject to subsection (6) below, a court shall not make an order under this section for the detention of an offender in a detention centre—

Status: This is the original version (as it was originally enacted).

- (a) if it considers that his detention in such a centre would be unsuitable because of his mental or physical condition ; or
 - (b) if he is serving or has ever served a sentence—
 - (i) of imprisonment;
 - (ii) of detention under section 53 of the Children and Young Persons Act 1933 (detention on conviction of certain grave crimes);
 - (iii) of Borstal training ;
 - (iv) of youth custody under section 6 below ; or
 - (v) of custody for life under section 8 below.
- (6) A court may make an order under this section for the detention in a detention centre of an offender who has served a sentence of a description specified in subsection (5)(b) above if it appears to the court that there are special circumstances (whether relating to the offence or to the offender) which warrant the making of such an order in his case.
- (7) An order under this section is referred to in this Act as a " detention centre order " .