



Criminal Justice Act 1925

1925 CHAPTER 86 15 and 16 Geo 5

PART I

1—10.^{F1}

Textual Amendments

F1 Ss. 1–10 repealed by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. I](#)

PART II

JURISDICTION AND PROCEDURE

Indictable Offences generally

11 †Venue in indictable offences.

(1)^{F2}

(3) Where a person is charged with an offence [^{F3}against the ^{M1}Forgery Act 1913 or with an offence indictable at common law or]under any Act for the time being in force, consisting in the forging or altering of any matter whatsoever, or in offering, uttering, disposing of or putting off any matter whatsoever, knowing the same to be forged or altered, and the offence relates to documents made for the purpose of any Act relating to the suppression of the slave trade, the offence shall for the purposes of jurisdiction and trial be treated as an offence against the ^{M2}Slave Trade Act 1873.

(4)^{F2}

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Textual Amendments

F2 S. 11(1)(2)(4) repealed by Courts Act 1971 (c. 23), **Sch. 11 Pt. IV**

F3 Words repealed (E.W.) by Forgery and Counterfeiting Act 1981 (c. 45, SIF 39:7), s. 30, **Sch. 1 Pt. I**

Modifications etc. (not altering text)

C1 Unreliable marginal note

Marginal Citations

M1 1913 c. 27.

M2 1873 c. 88.

12 F4

Textual Amendments

F4 S. 12 repealed by Criminal Justice Act 1982 (c. 48), s. 170, **Sch. 16**

13 †Binding over of witnesses conditionally and reading of depositions at trial.

(1) F5

(3) Where any person has been committed for trial for any offence, the deposition of any person taken before the examining justices may, if the conditions hereinafter set out are satisfied, without further proof be read as evidence on the trial of that person, whether for that offence or for any other offence arising out of the same transaction, or set of circumstances, as that offence.

The conditions hereinbefore referred to are the following:—

- (a) The deposition must be the deposition either of a witness [^{F6}in respect of whom a conditional witness order, or an order treated as a conditional witness order, has been made under section 1 of the ^{M3}Criminal Procedure (Attendance of Witnesses) Act 1965], or of a witness who is proved at the trial by the oath of a credible witness to be dead or insane, or so ill as not to be able to travel, or to be kept out of the way by means of the procurement of the accused or on his behalf:
- (b) It must be proved at the trial, either by a certificate purporting to be signed by the justice before whom the deposition purports to have been taken or by the clerk to the examining justices, or by the oath of a credible witness, that the deposition was taken in the presence of the accused and that the accused or his counsel or solicitor had full opportunity of cross-examining the witness:
- (c) The deposition must purport to be signed by the justice before whom it purports to have been taken:

Provided that the provisions of this subsection shall not have effect in any case in which it is proved—

- (i) That the deposition, or, where the proof required by paragraph (b) of this subsection is given by means of a certificate, that the certificate, was not in fact signed by the justice by whom it purports to have been signed or;

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(ii) Where the deposition is the deposition of a witness [^{F6}in respect of whom such an order as aforesaid has been made] that the witness has been duly notified that he is required to attend the trial.

- (4) F7
- (5) F8

Textual Amendments

- F5 S. 13(1)(2) Repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, Sch. 6
- F6 Words substituted by Criminal Procedure (Attendance of Witnesses) Act 1965 (c. 69), Sch. 2 Pt. I
- F7 S. 13(4) repealed by Administration of Justice (Miscellaneous Provisions) Act 1933 (c. 36), Sch. 3
- F8 S. 13(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, Sch. 6

Modifications etc. (not altering text)

- C2 Unreliable marginal note
- C3 S. 13(3) excluded by Criminal Appeal Act 1968 (c. 19), s. 8(4), Sch. 2 para. 1
- C4 S. 13(3)(c) extended by Criminal Justice Act 1967 (c. 80), s. 7

Marginal Citations

- M3 1965 c. 69.

14 F9

Textual Amendments

- F9 S. 14 repealed by Courts Act 1971 (c. 23), Sch. 11 Pt. IV

15 F10

Textual Amendments

- F10 S. 15 repealed by Criminal Justice Act 1965 (c. 26), s. 2(4)

16 F11

Textual Amendments

- F11 S. 16 repealed by Administration of Justice Act 1960 (c. 65), Sch. 4

17 F12

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Textual Amendments

F12 S. 17 repealed by [Justices of the Peace Act 1949 \(c. 101\)](#), **Sch. 7 Pt. II**

18 **F13**

Textual Amendments

F13 S. 18 repealed by [Criminal Law Act 1967 \(c. 58\)](#), **Sch. 3 Pt. II**

19 **F14**

Textual Amendments

F14 S. 19 repealed by [Administration of Justice \(Miscellaneous Provisions\) Act 1933 \(c. 36\)](#), **Sch. 3**

20 **F15**

Textual Amendments

F15 S. 20 repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**

21 **F16**

Textual Amendments

F16 S. 21 repealed by [Summary Jurisdiction \(Appeals\) Acts 1933 \(c. 38\)](#), **Sch.**

22 **F17**

Textual Amendments

F17 S. 22 repealed by [Criminal Justice Administration Act 1962 \(c. 15\)](#), **Sch. 5 Pt. II**

23 **F18**

Textual Amendments

F18 S. 23 repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**

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Summary Jurisdiction

24 F19

Textual Amendments

F19 S. 24 repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, [Sch. 6](#)

25 F20

Textual Amendments

F20 S. 25 repealed by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. I](#)

26, 27. F21

Textual Amendments

F21 Ss. 26, 27 repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, [Sch. 6](#)

28 **Summary proceedings for offence under s. 3, and amendments of ss. 3 and 4, of Perjury Act, 1911.**

(1) Section three of the Perjury Act, 1911 (which relates to false statements as to marriages) shall have effect as though at the end of subsection (1) thereof there were inserted the words “and on summary conviction thereof shall be liable to a penalty not exceeding fifty pounds”.

(2) A person convicted summarily of an offence under section four of the Perjury Act, 1911 (which relates to false statements as to births or deaths), shall be liable to a penalty not exceeding fifty pounds.

(3) F22

Textual Amendments

F22 S. 28(3) repealed by [Criminal Law Act 1977 \(c. 45\)](#), s. 65(7), [Sch. 13](#)

Modifications etc. (not altering text)

C5 The text of s. 28(1)(2), (S. 28 (2) now spent), is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

29 F23

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Textual Amendments
F23 S. 29 repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, Sch. 6

30 F24

Textual Amendments
F24 S. 30 repealed by Statute Law Revision Act 1950 (c. 6), Sch. 1

31 F25

Textual Amendments
F25 Ss. 31, 32, 33(1)(2)(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, Sch. 6

Miscellaneous

32 F26

Textual Amendments
F26 Ss. 31, 32, 33(1)(2)(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, Sch. 6

33 Procedure on charge of offence against corporation.

(1) F27

(3) [F28 On arraignment of a corporation, the corporation may], enter in writing by its representative a plea of guilty or not guilty, and if either the corporation does not appear by a representative or, though it does so appear, fails to enter as aforesaid any plea, the court shall order a plea of not guilty to be entered and the trial shall proceed as though the corporation had duly entered a plea of not guilty.

(4) Provision may be made by rules under the M4 Indictments Act 1915 with respect to the service on any corporation charged with an indictable offence of any documents requiring to be served in connection with the proceedings, except in so far as such provision may be made by rules [F29 under section 144 of the Magistrates' Courts Act 1980].

(5) F27

(6) In this section the expression “representative” in relation to a corporation means a person duly appointed by the corporation to represent it for the purpose of doing any act or thing which the representative of a corporation is by this section authorized

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to do, but a person so appointed shall not, by virtue only of being so appointed, be qualified to act on behalf of the corporation before any court for any other purpose.

A representative for the purposes of this section need not be appointed under the seal of the corporation, and a statement in writing purporting to be signed by a managing director of the corporation, or by any person (by whatever name called) having, or being one of the persons having, the management of the affairs of the corporation, to the effect that the person named in the statement has been appointed as the representative of the corporation for the purposes of this section shall be admissible without further proof as prima facie evidence that that person has been so appointed.

Textual Amendments

- F27** Ss. 31, 32, 33(1)(2)(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, **Sch. 6**
- F28** Words substituted by Courts Act 1971 (c. 23), **Sch. 8 para. 19**
- F29** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 7 para. 5**

Modifications etc. (not altering text)

- C6** S. 33 extended by Magistrates' Courts Act 1980 (c. 43), **Sch. 3**, para. 8, Companies Act 1985 (c. 6, SIF 27), s. 734(3), Financial Services Act 1986 (c. 60, SIF 69), s. 203(3), and by Banking Act 1987 (c. 22, SIF 10), s. 98(3)
- C7** S. 33 modified by Insurance Companies Act 1982 (c. 50, SIF 67), s. 92(3)
- C8** S. 33 applied by Companies Act 1989 (c. 40, SIF 27), ss. 44(3), 91(3) (the application being in force as regards s. 91(3) and as regards s. 44(3) being in force for certain purposes only as mentioned in S.I. 1990/142, **Sch.** and being otherwise *prosp.*)
- C9** S. 33 extended by Counter–Inflation (Temporary Provisions) Act 1972 (c. 74), s. 5(5), Counter–Inflation Act 1973 (c. 9), s. 18(5) and Insurance Companies Act 1974 (c. 49), s. 80(3)
- C10** S. 33(6) extended by Magistrates' Courts Act 1980 (c. 43), **Sch. 3 para. 8**

Marginal Citations

- M4** 1915 c. 90.

34 F30

Textual Amendments

- F30** S. 34 repealed by Prosecution of Offences Act 1979 (c. 31), **Sch. 2 Pt. II**

PART III

AMENDMENTS AS TO OFFENCES

35 F31

Textual Amendments

- F31** S. 35 repealed by Forgery and Counterfeiting Act 1981 (c. 45, SIF 39:7), s. 30, **Sch. 1 Pt. I**

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36 Forgery of passport.

- (1) [^{F32}The forgery of any passport, or] the making by any person of a statement which is to his knowledge untrue for the purpose of procuring a passport, whether for himself or any other person, shall be a misdemeanour punishable with imprisonment not exceeding two years or a fine not exceeding one hundred pounds or both such imprisonment and fine.
- (2) ^{F33}

Textual Amendments

F32 Words repealed (E.W.N.I.) by [Forgery and Counterfeiting Act 1981 \(c. 45, SIF 39:7\)](#), s. 30, **Sch. 1 Pt. I**

F33 [S. 36\(2\)](#) repealed by [Forgery and Counterfeiting Act 1981 \(c. 45, SIF 39:7\)](#), s. 30, **Sch. 1 Pt. I**

Modifications etc. (not altering text)

C11 [S. 36](#) amended as to mode of trial by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 1 para. 19**

C12 [S. 36](#) amended by [Criminal Justice Act 1967 \(c. 80\)](#), **s. 92(8)**

37 Unlawful possession of pension documents.

- (1) If any person receives, detains or has in his possession any document to which this section applies as a pledge or a security for a debt or with a view to obtaining payment from the person entitled thereto of a debt due either to himself or to any other person, he shall be liable, on summary conviction, to a fine not exceeding [^{F34}level 3 on the standard scale], or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.
- (2) This section applies to certificates or official documents evidencing or issued in connection with the right of persons to pensions or allowances payable out of any grant which may be made out of the Consolidated Fund of the United Kingdom in pursuance of any Act for civil non-effective services.

Textual Amendments

F34 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 82\)](#), **ss. 38, 46**

38 ^{F35}

Textual Amendments

F35 [S. 38](#) repealed by [Forgery and Counterfeiting Act 1981 \(c. 45, SIF 39:7\)](#), s. 30, **Sch. 1 Pt. I**

39 ^{F36}

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Textual Amendments

F36 S. 39 repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, Sch. 8 para. 16, **Sch. 16**

40 **F37**

Textual Amendments

F37 S. 40 repealed by [Road Traffic Act 1930 \(c. 43\)](#), **Sch. 5**

41 Prohibition on taking photographs, &c., in court.

(1) No person shall—

- (a) take or attempt to take in any court any photograph, or with a view to publication make or attempt to make in any court any portrait or sketch, of any person, being a judge of the court or a juror or a witness in or a party to any proceedings before the court, whether civil or criminal; or
- (b) publish any photograph, portrait or sketch taken or made in contravention of the foregoing provisions of this section or any reproduction thereof;

and if any person acts in contravention of this section he shall, on summary conviction, be liable in respect of each offence to a fine not exceeding fifty pounds.

(2) For the purposes of this section—

- (a) the expression “court” means any court of justice, including the court of a coroner;
- (b) the expression “Judge” includes . . . ^{F38}, registrar, magistrate, justice and coroner;
- (c) a photograph, portrait or sketch shall be deemed to be a photograph, portrait or sketch taken or made in court if it is taken or made in the court-room or in the building or in the precincts of the building in which the court is held, or if it is a photograph, portrait or sketch taken or made of the person while he is entering or leaving the court-room or any such building or precincts as aforesaid.

Textual Amendments

F38 Word repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**

42 **F39**

Textual Amendments

F39 S. 42 repealed by [Statute Law Revision Act 1950 \(c. 6\)](#), **Sch. 1**

43 **F40**

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Textual Amendments

F40 S. 43 repealed by [Theatre's Act 1968 \(c. 54\)](#), [Sch. 3](#)

PART IV

MISCELLANEOUS AND GENERAL

44, 45. **F41**

Textual Amendments

F41 Ss. 44, 45 repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, [Sch. 6](#)

46 **F42**

Textual Amendments

F42 S. 46 repealed by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. I](#)

47 Abolition of presumption of coercion of married woman by husband.

Any presumption of law that an offence committed by a wife in the presence of her husband is committed under the coercion of the husband is hereby abolished, but on a charge against a wife for any offence other than treason or murder it shall be a good defence to prove that the offence was committed in the presence of, and under the coercion of, the husband.

48 **F43**

Textual Amendments

F43 S. 48 repealed by [Children and Young Persons Act 1933 \(c. 12\)](#), [Sch. 6](#)

49 Short title, interpretation, extent, repeal and commencement.

(1) This Act may be cited as the Criminal Justice Act 1925.

(2) In this Act, unless the context otherwise requires—

The expression “examining justices” means the justices before whom a charge is made against any person for an indictable offence, and references to examining justices include a reference to a single examining justice:

... **F44**

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(3) This Act shall not extend to Scotland or Northern Ireland, and references therein to warrants issued shall not be construed as including warrants issued elsewhere than in England or Wales.

(4) F45

Textual Amendments

F44 Definition repealed by Courts Act 1971 (c. 23), **Sch. 11 Pt. IV**

F45 S. 49(4)(5) repealed by Statute Law Revision Act 1950 (c. 6), **Sch. 1**

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