



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART VII

MISCELLANEOUS AND SUPPLEMENTARY

Detention for short periods

135 Detention of offender for one day in court-house or police station.

- (1) A magistrates' court that has power to commit to prison a person convicted of an offence, or would have that power but for section 82 or 88 above, may order him to be detained within the precincts of the court-house or at any police station until such hour, not later than 8 o'clock in the evening of the day on which the order is made, as the court may direct, and, if it does so, shall not, where it has power to commit him to prison, exercise that power.
- (2) A court shall not make such an order under this section as will deprive the offender of a reasonable opportunity of returning to his abode on the day of the order.
- [^{F1}(3) This section shall have effect in relation to a person [^{F2}aged 18] or over but less than 21 as if references in it to prison were references to detention under [^{F3}section 108 of the Powers of Criminal Courts (Sentencing) Act 2000] (detention of persons [^{F2}aged 18] to 20 for default).]

Textual Amendments

- F1** S. 135(3) added by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 77, [Sch. 14 para. 58](#)
- F2** Words in s. 135(3) substituted (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), ss. 68, 101(1), [Sch. 8 para. 6\(3\)](#), [Sch. 12 para. 22\(1\)](#); S.I. 1992/333, art. 2(2), [Sch. 2](#)
- F3** Words in s. 135(3) substituted (25.8.2000) by [2000 c. 6, ss. 165, 168\(1\)](#), [Sch. 9 para. 77](#)

Modifications etc. (not altering text)

- C1** S. 135 restricted (prosp.) by [Education and Skills Act 2008 \(c. 25\)](#), ss. 56, 57, [58](#), 173

Status:

Point in time view as at 31/03/2005.

Changes to legislation:

Magistrates' Courts Act 1980, Section 135 is up to date with all changes known to be in force on or before 08 September 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.