



# Criminal Justice Act 1982

## 1982 CHAPTER 48

### PART I

#### TREATMENT OF YOUNG OFFENDERS

##### *Custody and detention of persons under 21*

#### 1 General restriction on custodial sentences.

<sup>F1</sup>(1) .....

<sup>F1</sup>(2) .....

<sup>F2</sup>(3) .....

<sup>F1</sup>(5) .....

<sup>F1</sup>(5A) .....

(6) For the purposes of any provision of this Act which requires the determination of the age of a person by the court or the Secretary of State his age shall be deemed to be that which it appears to the court or the Secretary of State (as the case may be) to be after considering any available evidence.

#### Textual Amendments

**F1** S. 1(1)(2)(5)(5A) repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**F2** S. 1(3)-(4A) repealed (1.10.1992) by **Criminal Justice Act 1991** (c. 53, SIF 39:1), s. 101(2), **Sch. 13**; S.I. 1992/333, art. 2(2), **Sch. 2**

<sup>F3</sup>**1A** .....

*Status: Point in time view as at 05/11/2012.*

*Changes to legislation: Criminal Justice Act 1982, Cross Heading: Custody and detention of persons under 21 is up to date with all changes known to be in force on or before 20 July 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. (See end of Document for details)*

**Textual Amendments**

**F3** S. 1A repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**F4** **1B** .....

**Textual Amendments**

**F4** Ss. 1A–1C inserted by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 123(4), **Sch. 8 para. 16**; S.1B repealed and superseded (1.1.2000) by 1998 c. 37, ss. 73(7)(a), 120(2), 121(2), **Sch. 10**; S.I. 1999/3426, **art. 3(c)(iv)**

**F5** **1C** .....

**Textual Amendments**

**F5** S. 1C repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**F6** **2** .....

**Textual Amendments**

**F6** S. 2 repealed (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 101(2), **Sch.13**; S.I. 1992/333, art. 2(2), **Sch.2**

**F7** **3** .....

**Textual Amendments**

**F7** S. 3 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**4–7.** ..... **F8**

**Textual Amendments**

**F8** Ss. 4–7 repealed by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 170, Sch. 8 para. 16, **Sch. 16**

**F9** **8** .....

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**Textual Amendments**

**F9** S. 8 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**F10**9 .....

**Textual Amendments**

**F10** S. 9 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**10 Computation of custodial sentences for young offenders.**

The following subsections shall be added at the end of section 67 of the <sup>M1</sup>Criminal Justice Act 1967 (reduction of custodial sentence by period already spent in custody)

- “(5) This section applies—
- (a) to orders made under section 4 of the Criminal Justice Act 1982 (detention centre orders); and
  - (b) to sentences passed by virtue of section 6 of the Criminal Justice Act 1982 (youth custody sentences),
- as it applies to sentences of imprisonment.
- (6) The reference in subsection (1) above to an offender being committed to custody by an order of a court includes a reference to his being committed to a remand centre or to prison under section 23 of the Children and Young Persons Act 1969 or section 37 of the Magistrates’ Courts Act 1980 but does not include a reference to his being committed to the care of a local authority under the said section 23.”.

**Marginal Citations**

**M1** 1967 c. 80.

**Status:**

Point in time view as at 05/11/2012.

**Changes to legislation:**

Criminal Justice Act 1982, Cross Heading: Custody and detention of persons under 21 is up to date with all changes known to be in force on or before 20 July 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.