
Changes to legislation: Criminal Justice Act 1982, Paragraph 5 is up to date with all changes known to be in force on or before 30 May 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) View outstanding changes

SCHEDULES

SCHEDULE 17

TRANSITIONAL PROVISIONS

Young offenders

- 5 (1) A custodial order to which this sub-paragraph applies shall be treated as a youth custody sentence for all purposes of detention, release and supervision of the offender in respect of whom it was made.
- (2) Sub-paragraph (1) above applies to a custodial order specifying a maximum period of detention which has not expired at the commencement of sections 1 to 15 above—
- (a) if the maximum period of detention which it specifies is more than 4 months; or
 - (b) if—
 - (i) the maximum period is 4 months or less; and
 - (ii) the offender is female.
- (3) A custodial order to which this sub-paragraph applies shall be treated as a detention centre order for all purposes of detention, release and supervision of the offender.
- (4) Sub-paragraph (3) above applies to a custodial order made in respect of a male offender and specifying a maximum period of detention of 4 months or less which has not expired at the commencement of sections 1 to 15 above.
- (5) In this paragraph “custodial order” means an order—
- (a) under section 71AA of the ^{M1}Army Act 1955, section 71AA of the ^{M2}Air Force Act 1955 or section 43AA of the ^{M3}Naval Discipline Act 1957; or
 - (b) under paragraph 10 of Schedule 5A to the Army Act 1955, Schedule 5A to the Air Force Act 1955 or Schedule 4A to the Naval Discipline Act 1957.

Marginal Citations

- M1** 1955 c. 18.
M2 1955 c. 19.
M3 1957 c. 53.

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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. 32(1A)(ca) words inserted by [2021 c. 11 Sch. 13 para. 36](#)