



# Criminal Justice and Public Order Act 1994

## CHAPTER 33

### CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

#### PART I

#### YOUNG OFFENDERS

##### *Secure training orders*

- 1 Secure training orders.
- 2 Secure training orders: supplementary provisions as to detention.
- 3 Supervision under secure training order.
- 4 Breaches of requirements of supervision of persons subject to secure training orders.
- 5 Provision etc. of secure training centres.
- 6 Management of secure training centres.
- 7 Contracting out of secure training centres.
- 8 Officers of contracted out secure training centres.
- 9 Powers and duties of custody officers employed at contracted out secure training centres.
- 9A Power of custody officers to detain suspected offenders
- 10 Intervention by Secretary of State in management of contracted out secure training centres.
- 11 Contracted out functions at directly managed secure training centres.
- 12 Escort arrangements and officers.
- 13 Protection of custody officers . . . .
- 14 Wrongful disclosure of information relating to persons detained in youth detention accommodation.
- 15 Interpretation of sections 7 to 14.

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### *Custodial sentences for young offenders*

- 16 Long term detention of young offenders.
- 17 Maximum length of detention for young offenders.
- 18 Accommodation of young offenders sentenced to custody for life.

### *Secure accommodation for certain young persons*

- 19 Extension of kinds of secure accommodation.
- 20 Secure remands for young offenders.
- 21 Cost of secure accommodation.
- 22 Management of secure accommodation.

### *Arrest of young persons in breach of conditions of remand*

- 23 Liability of young persons to arrest for breaking conditions of remand.

### *Police detention of young persons*

- 24 Detention of arrested juveniles after charge.

## **PART II**

### **BAIL**

- 25 No bail for defendants charged with or convicted of homicide or rape after previous conviction of such offences.
- 26 No right to bail for persons accused or convicted of committing offence while on bail.
- 27 Power for police to grant conditional bail to persons charged.
- 28 Police detention after charge.
- 29 Power for police to arrest for failure to answer to police bail.
- 30 Reconsideration of decisions granting bail.

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#### *Imputations on character*

- 31 Imputations on character.

#### *Corroboration*

- 32 Abolition of corroboration rules.
- 33 Abolition of corroboration requirements under Sexual Offences Act 1956.

#### *Inferences from accused's silence*

- 34 Effect of accused's failure to mention facts when questioned or charged.
- 35 Effect of accused's silence at trial.
- 36 Effect of accused's failure or refusal to account for objects, substances or marks.
- 37 Effect of accused's failure or refusal to account for presence at a particular place.
- 38 Interpretation and savings for sections 34, 35, 36 and 37.
- 39 Power to apply sections 34 to 38 to armed forces.

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39A Power to apply sections 36 and 37 in relation to food crime officers

*Juries*

- 40 Disqualification for jury service of persons on bail in criminal proceedings.
- 41 Jury service: disabled persons.
- 42 Jury service: excusal on religious grounds.
- 43 Separation of jury during consideration of verdict.

*Procedure, jurisdiction and powers of magistrates' courts*

- 44 .....
- 45 Extension of procedures enabling magistrates' courts to deal with cases in which accused pleads guilty.
- 46 Criminal damage, etc. as summary offence: relevant sum.
- 47 Recovery of fines, etc. by deduction from income support.

*Sentencing: guilty pleas*

- 48 Reduction in sentences for guilty pleas.

*Publication of reports in young offender cases*

- 49 Restrictions on reports of proceedings in which children or young persons are concerned.

*Child testimony*

- 50 Video recordings of testimony from child witnesses.

*Intimidation, etc., of witnesses, jurors and others*

- 51 Intimidation, etc., of witnesses, jurors and others.

*Criminal appeals*

- 52 Circuit judges to act as judges of criminal division of Court of Appeal.
- 53 Expenses in criminal appeals in Northern Ireland Court of Appeal.

**PART IV**

**POLICE POWERS**

*Powers of police to take body samples*

- 54 Powers of police to take intimate body samples.
- 55 Powers of police to take non-intimate body samples.
- 56 Fingerprints and samples: supplementary provisions.
- 57 Retention of samples in certain cases.
- 58 Samples: intimate and non-intimate etc.
- 59 Extension of powers to search persons' mouths.

*Powers of police to stop and search*

- 60 Powers to stop and search in anticipation of, or after violence.
- 60AA Powers to require removal of disguises
- 60A Retention and disposal of things seized under section 60.

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60B Arrest without warrant for offences under section 60: Scotland.

## PART V

### PUBLIC ORDER: UNAUTHORISED ENCAMPMENTS AND COLLECTIVE TRESPASS OR NUISANCE ON LAND

#### *Residing on land without consent in or with a vehicle*

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60D Offence under section 60C: seizure of property etc  
60E Offence under section 60C: forfeiture

#### *Powers to remove trespassers on land*

61 Power to remove trespassers on land.  
62 Supplementary powers of seizure.  
62A Power to remove trespassers: alternative site available  
62B Failure to comply with direction under section 62A: offences  
62C Failure to comply with direction under section 62A: seizure  
62D Common land: modifications  
62E Sections 62A to 62D: interpretation  
62F Guidance

#### *Powers in relation to raves*

63 Powers to remove persons attending or preparing for a rave.  
64 Supplementary powers of entry and seizure.  
65 Raves: power to stop persons from proceeding.  
66 Power of court to forfeit sound equipment.

#### *Retention and charges for seized property*

67 Retention and charges for seized property.

#### *Disruptive trespassers*

68 Offence of aggravated trespass.  
69 Powers to remove persons committing or participating in aggravated trespass.

#### *Trespassory assemblies*

70 Trespassory assemblies.  
71 Trespassory assemblies: power to stop persons from proceeding.

#### *Squatters*

72 Violent entry to premises: special position of displaced residential occupiers and intending occupiers.  
73 Adverse occupation of residential premises.  
74 Protected intending occupiers: supplementary provisions.  
75 Interim possession orders: false or misleading statements.  
76 Interim possession orders: trespassing during currency of order.

#### *Powers to remove unauthorised campers*

77 Power of local authority to direct unauthorised campers to leave land.

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- 78 Orders for removal of persons and their vehicles unlawfully on land.
- 79 Provisions as to directions under s. 77 and orders under s. 78.
- 80 Repeal of certain provisions relating to gipsy sites.

## **PART VI**

### PREVENTION OF TERRORISM

- 81 Powers to stop and search vehicles, etc. and persons.
- 82 Offences relating to terrorism.
- 83 Investigations into activities and financial resources of terrorist organisations.

## **PART VII**

### OBSCENITY AND PORNOGRAPHY AND VIDEOS

#### *Obscene publications and indecent photographs of children*

- 84 Indecent pseudo-photographs of children.
- 85 Arrestable offences to include certain offences relating to obscenity or indecency.
- 86 Indecent photographs of children: sentence of imprisonment.
- 87 Publishing, displaying, selling or distributing etc. obscene material in Scotland: sentence of imprisonment.

#### *Video recordings*

- 88 Video recordings: increase in penalties.
- 89 Video recordings: restriction of exemptions.
- 90 Video recordings: suitability.
- 91 Enforcement by enforcing authorities outside their areas.

#### *Obscene, offensive or annoying telephone calls*

- 92 Obscene, offensive or annoying telephone calls: increase in penalty.

## **PART VIII**

### PRISON SERVICES AND THE PRISON SERVICE

## **CHAPTER I**

### ENGLAND AND WALES

#### *Prisoner escorts*

- 93 Arrangements for the provision of prisoner escorts.
- 94 Powers and duties of prisoner custody officers acting in pursuance of such arrangements.
- 95 Breaches of discipline by prisoners under escort.

#### *Contracted out prisons etc.*

- 96 Contracted out parts of prisons, etc.
- 97 Temporary attachment of prison officers.
- 98 Prisoners temporarily out of prison.

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- 99 Contracted out functions at directly managed prisons.
- 100 Provision of prisons by contractors.

### *Supplemental*

- 101 Minor and consequential amendments.

## **CHAPTER II**

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#### *Prisoner escorts*

- 102 Arrangements for the provision of prisoner escorts.
- 103 Monitoring of prisoner escort arrangements.
- 104 Powers and duties of prisoner custody officers performing escort functions.
- 105 Breaches of discipline by prisoners under escort.

#### *Contracted out prisons*

- 106 Contracting out of prisons.
- 107 Officers of contracted out prisons.
- 108 Powers and duties of prisoner custody officers employed at contracted out prisons.
- 109 Breaches of discipline by prisoners temporarily out of contracted out prison.
- 110 Consequential modifications of 1989 Act, prison rules and directions.
- 111 Intervention by the Secretary of State.

#### *Contracted out functions*

- 112 Contracted out functions at directly managed prisons.

#### *Provision of new prisons*

- 113 Provision of new prisons.

### *Supplemental*

- 114 Prisoner custody officers: general provisions.
- 115 Wrongful disclosure of information.
- 116 Minor and consequential amendments.
- 117 Interpretation of Chapter II.

## **CHAPTER III**

### NORTHERN IRELAND

#### *Prisoner escorts*

- 117A Exercise of functions by the Department of Justice
- 118 Arrangements for the provision of prisoner escorts.
- 119 Monitoring etc. of prisoner escort arrangements.

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- 120 Powers and duties of prisoner custody officers acting in pursuance of such arrangements.
- 121 Breaches of discipline by prisoners under escort.

#### *Supplemental*

- 122 Certification of custody officers.
- 123 Protection of prisoner custody officers.
- 124 Wrongful disclosure of information.
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- 127 Inducements to withhold services or to indisciplin.
- 127A Power to suspend the operation of section 127
- 128 Pay and related conditions.
- 128A Pay and related conditions: Northern Ireland

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- 130 Detention and release of children: Scotland.
- 131 Conditions in licence of released prisoner: requirement for Parole Board recommendations.
- 132 Provision for standard requirements in supervised release orders in Scotland.
- 133 Extension of categories of prisoner to whom Part I of Prisoners and Criminal Proceedings (Scotland) Act 1993 applies.
- 134 Amendment of provisions continued in effect for certain prisoners by Prisoners and Criminal Proceedings (Scotland) Act 1993.
- 135 Further amendment of Schedule 6 to the Prisoners and Criminal Proceedings (Scotland) Act 1993: application of “new provisions”.

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#### CROSS-BORDER ENFORCEMENT

- 136 Execution of warrants.
- 137 Cross-border powers of arrest etc.
- 137ZA Arrest under section 136 or 137 in connection with offence in Scotland
- 137A Additional cross-border powers of arrest etc: urgent cases
- 137B Meaning of “specified offence” for the purposes of section 137A
- 137C Detention for the purpose of re-arrest
- 137D Rights of persons arrested under section 137A
- 137E Entry and search for the purposes of arrest
- 138 Powers of arrest etc.: supplementary provisions.
- 139 Search powers available on arrests under sections 136, 137 and 137A.
- 140 Reciprocal powers of arrest.
- 141 Cross-Border Enforcement

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## PART XI

### SEXUAL OFFENCES

#### *Rape*

142 Rape of women and men.

#### *Male rape and buggery*

143 Male rape and buggery.

#### *Revised penalties for certain sexual offences*

144 Revised penalties for buggery and indecency between men.

#### *Homosexuality*

145 Age at which homosexual acts are lawful.

146 Extension of Sexual Offences Act 1967 to the armed forces and merchant navy.

147 Homosexuality on merchant ships and in the armed forces: Northern Ireland.

148 Amendment of law relating to homosexual acts in Scotland.

## PART XII

### MISCELLANEOUS AND GENERAL

#### *The Parole Board*

149 Incorporation of the Parole Board.

150 Powers to recall prisoners released on licence.

#### *Prisons: powers in relation to prisoners, visitors and others*

151 Power to test prisoners for drugs.

152 Powers of search by authorised employees in prisons.

153 Prohibited articles in Scottish prisons.

#### *Harassment, alarm or distress*

154 Offence of causing intentional harassment, alarm or distress.

#### *Offence of racially inflammatory publication etc. to be arrestable*

155 Offence of racially inflammatory publication etc. to be arrestable.

#### *Prohibition on use of cells from embryos or foetuses*

156 Prohibition on use of cells from embryos or foetuses.

#### *Increase in certain penalties*

157 Increase in penalties for certain offences.

#### *Extradition procedures*

158 Extradition procedures.

159 Backing of warrants: Republic of Ireland.



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*Constabulary powers in United Kingdom waters*

160 Extension of powers, etc., of constables to United Kingdom waters.

*Obtaining computer-held information*

161 Procuring disclosure of, and selling, computer-held personal information.

162 Access to computer material by constables and other enforcement officers.

*Closed-circuit television by local authorities*

163 Local authority powers to provide closed-circuit television.

*Serious fraud*

164 Extension of powers of Serious Fraud Office and of powers to investigate serious fraud in Scotland.

*Copyright and illicit recordings: enforcement of offences*

165 Enforcement of certain offences relating to copyright and illicit recordings.

*Ticket touts*

166 Sale of tickets by unauthorised persons.

166A Supplementary provision relating to sale and disposal of tickets on internet

*Taxi touts*

167 Touting for hire car services.

*General*

168 Minor and consequential amendments and repeals.

169 Power of Secretary of State to make payments or grants in relation to crime prevention, etc.

170 Security costs at party conferences.

171 Expenses etc. under Act.

172 Short title, commencement and extent.

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SCHEDULES —

SCHEDULE 1 — Escort Arrangements: England and Wales

*Arrangements for the escort of persons detained in youth detention accommodation*

1 (1) The Secretary of State may make arrangements for any...

*Monitoring etc. of escort arrangements*

2 (1) Escort arrangements shall include the appointment of—

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*Powers and duties of custody officers acting in pursuance of escort arrangements*

- 3 (1) A custody officer acting in pursuance of escort arrangements...

*Interpretation*

- 4 In this Schedule— “detained person” means a person...

SCHEDULE 2 — Certification of Custody Officers: England and Wales

*Preliminary*

- 1 In this Schedule— “certificate” means a certificate under section 12(3)...

*Issue of certificates*

- 2 (1) Any person may apply to the Secretary of State...

*Suspension of certificate*

- 3 (1) This paragraph applies where at any time—

*Revocation of certificate*

- 4 Where at any time it appears to the Secretary of...

*False statements*

- 5 If any person, for the purpose of obtaining a certificate...

SCHEDULE 3 — Bail: Supplementary Provisions

*Bail Act 1976*

- 1 Section 5 of the Bail Act 1976 (supplementary provisions about...  
2 After section 5 of the Bail Act 1976 there shall...

*Magistrates’ Courts Act 1980*

- 3 After section 43A of the Magistrates’ Courts Act 1980 there...

SCHEDULE 4 —

SCHEDULE 5 — Magistrates’ Courts: Dealing with cases where accused pleads guilty

*Non-appearance of accused: plea of guilty*

- 1 For section 12 of the Magistrates’ Courts Act 1980 (“the...

*Application of section 12 procedure where accused appears*

- 2 After section 12 of the 1980 Act there shall be...

*Consequential amendments*

- 3 (1) In consequence of the amendments made by paragraphs 1...

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## SCHEDULE 6 — Certification of Prisoner Custody Officers: Scotland

### *Preliminary*

- 1 In this Schedule— “certificate” means a certificate under section 114...

### *Issue of certificates*

- 2 (1) The Secretary of State may, on the application of...

### *Suspension of certificate*

- 3 (1) This paragraph applies where at any time—

### *Revocation of certificate*

- 4 Where at any time (whether on a reference to him...

### *False statements*

- 5 If any person, for the purpose of obtaining a certificate...

## SCHEDULE 7 — Certification of Prisoner Custody Officers: Northern Ireland

### *Preliminary*

- 1 In this Schedule— “certificate” means a certificate under section 122...

### *Issue of certificates*

- 2 (1) Any person may apply to the Secretary of State...

### *Suspension of certificate*

- 3 (1) This paragraph applies where at any time it appears...

### *Revocation of certificate*

- 4 Where at any time it appears to the Secretary of...

### *False statements*

- 5 If any person, for the purpose of obtaining a certificate...

## Schedule 7A — Offences specified for the purposes of section 137A

### Part 1 — OFFENCES UNDER THE LAW OF ENGLAND AND WALES

- 1 Any of the following offences at common law—  
2 An offence under any of the following provisions of the...  
3 (1) An offence under any of the following provisions of...  
4 An offence under section 4 of the Criminal Law Act...  
5 An offence under section 5 of the Sexual Offences Act...  
6 An offence under any of the following provisions of the...  
7 An offence under section 106A of the Taxes Management Act...  
8 (1) An offence under section 50(2) or (3) of the...  
9 An offence under section 4 of the Aviation Security Act...  
10 An offence under section 127 of the Mental Health Act...  
11 An offence under either of the following provisions of the...  
12 An offence under section 1 of the Prohibition of Female...

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- 13 An offence under either of the following provisions of the...
- 14 An offence under section 160 of the Criminal Justice Act...
- 15 An offence under section 2 of the Computer Misuse Act...
- 16 An offence under section 72(1), (3) or (8) of the...
- 17 An offence under either of the following provisions of the...
- 18 An offence under section 29(1)(a) or (b) of the Crime...
- 19 An offence under section 38B of the Terrorism Act 2000...
- 20 An offence under section 3 of the Sexual Offences (Amendment)...
- 21 An offence under section 35 of the Tax Credits Act...
- 22 (1) An offence under any of the following provisions of...
- 23 An offence under either of the following provisions of the...
- 24 An offence under either of the following provisions of the...
- 25 An offence under section 68 of the Policing and Crime...
- 25A An offence under any of the following sections of the...
  - Part 2 — OFFENCES UNDER THE LAW OF SCOTLAND
  - 26 Any of the following offences at common law—
  - 27 An offence under any of the following provisions of the...
  - 28 An offence under section 106A of the Taxes Management Act...
  - 29 (1) An offence under section 50(2) or (3) of the...
  - 30 An offence under section 4 of the Aviation Security Act...
  - 31 An offence under either of the following provisions of the...
  - 32 An offence under section 6 of the Child Abduction Act...
  - 33 An offence under section 1 of the Prohibition of Female...
  - 34 An offence under section 2 of the Computer Misuse Act...
  - 35 An offence under section 72(1), (3) or (8) of the...
  - 36 An offence under any of the following provisions of the...
  - 37 An offence under section 38B of the Terrorism Act 2000...
  - 38 An offence under section 35 of the Tax Credits Act...
  - 39 An offence under section 313 of the Mental Health (Care...
  - 40 An offence under either of the following provisions of the...
  - 41 Any of the following offences under the Sexual Offences (Scotland)...
  - 42 An offence under either of the following provisions of the...
  - 43 An offence under section 2 of the Abusive Behaviour and...
  - 43A An offence under any of the following sections of the...
    - Part 3 — OFFENCES UNDER THE LAW OF NORTHERN IRELAND
    - 44 Any of the following offences at common law—
    - 45 An offence under any of the following provisions of the...
    - 46 An offence under section 11 of the Criminal Law Amendment...
    - 47 An offence under either of the following provisions of the...
    - 48 An offence under section 4 of the Criminal Law Act...
    - 49 An offence under section 106A of the Taxes Management Act...
    - 50 (1) An offence under section 50(2) or (3) of the...
    - 51 An offence under section 4 of the Aviation Security Act...
    - 52 An offence under Article 8 of the Homosexual Offences (Northern...
    - 53 An offence under section 1 of the Prohibition of Female...
    - 54 An offence under either of the following provisions of the...
    - 55 An offence under Article 121 of the Mental Health (Northern...
    - 56 An offence under Article 15 of the Criminal Justice (Evidence,...
    - 57 An offence under section 2 of the Computer Misuse Act...
    - 58 An offence under section 72(1), (3) or (8) of the...
    - 59 An offence under Article 6 of the Protection from Harassment...
    - 60 An offence under section 38B of the Terrorism Act 2000...
    - 61 An offence under section 3 of the Sexual Offences (Amendment)...

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- 62 An offence under section 35 of the Tax Credits Act...
- 63 An offence under section 53 of the Sexual Offences Act...
- 64 An offence under any of the following provisions of the...
- 65 An offence under either of the following provisions of the...
- 66 (1) An offence under any of the following provisions of...
- 67 An offence under section 68 of the Policing and Crime...
- 68 An offence under any of the following sections of the...

Schedule 7B — Rights of persons arrested under section 137A: modifications

Part 1 — ARRESTS IN RESPECT OF OFFENCES COMMITTED IN ENGLAND  
AND WALES

- 1 (1) This Part sets out the modifications mentioned in section...
- 2 (1) Section 56 of the Police and Criminal Evidence Act...
- 3 (1) Section 58 of the Police and Criminal Evidence Act...
- 4 (1) Section 34 of the Children and Young Persons Act...

Part 2 — ARRESTS IN RESPECT OF OFFENCES COMMITTED IN SCOTLAND

- 5 (1) This Part sets out the modifications mentioned in section...
- 6 (1) Section 38 of the Criminal Justice (Scotland) Act 2016...
- 7 (1) Section 40 of that Act (right of under 18s...
- 8 (1) Section 41 of that Act (social work involvement in...
- 9 (1) Section 42 of that Act (support for vulnerable persons)...
- 10 (1) Section 43 of that Act (right to have intimation...
- 11 (1) Section 44 of that Act (right to consultation with...
- 12 (1) Section 51 of that Act (duty to consider child's...

Part 3 — ARRESTS IN RESPECT OF OFFENCES COMMITTED IN NORTHERN  
IRELAND

- 13 (1) This Part sets out the modifications mentioned in section...
- 14 (1) Article 57 of the Police and Criminal Evidence (Northern...
- 15 (1) Article 59 of the Police and Criminal Evidence (Northern...
- 16 (1) Article 10 of the Criminal Justice (Children) (Northern Ireland)...

SCHEDULE 8 — Increase in Penalties

Part I — INCREASE OF FINES FOR CERTAIN SEA FISHERIES OFFENCES

Part II — INCREASE OF FINES FOR CERTAIN MISUSE OF DRUGS OFFENCES

Part III — INCREASE IN PENALTIES FOR CERTAIN FIREARMS OFFENCES

SCHEDULE 9 — Minor Amendments

*Poaching: increase in penalties*

- 1 (1) The Game Act 1831 shall be amended as follows....

*Sexual offences: procurement of women*

- 2 In sections 2(1) and 3(1) of the Sexual Offences Act...

*Electronic transmission of obscene material*

- 3 In section 1(3) of the Obscene Publications Act 1959 (definition...

*Poaching: forfeiture of vehicles*

- 4 After section 4 of the Game Laws (Amendment) Act 1960...

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*Magistrates' courts' jurisdiction in cases involving children and young persons*

5 In section 18 of the Children and Young Persons Act...

*Service of documents by first class post*

6 Minor Amendments

*Transfers of proceedings*

7 Minor Amendments

*Offences aggravated by possession of firearms*

8 In Schedule 1 to the Firearms Act 1968 (which lists...

*Notice of proceedings*

9 In section 34(2) of the Children and Young Persons Act...

*Treatment of mental condition of offenders placed on probation*

10 Minor Amendments

*Rehabilitation of offenders placed on probation*

11 (1) In section 5 of the Rehabilitation of Offenders Act...

*Transfers of proceedings*

12 Minor Amendments

*Anonymity of victims of certain offences*

13 In section 4 of the Sexual Offences (Amendment) Act 1976...

*Execution of warrants for non-payment*

14 (1) In section 38A(6) of the Criminal Law Act 1977...

*Committals for sentence*

15 Minor Amendments

*Conditional or absolute discharge: appeal to Crown Court*

16 Minor Amendments

*Transfers of proceedings*

17 In section 76 of the Senior Courts Act 1981 (alteration...

*Transfers of proceedings*

18 In section 77 of the Senior Courts Act 1981 (date...

*Transfers of proceedings*

19 In section 81 of the Senior Courts Act 1981 (bail...

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*Electronic transmission of obscene material (Scotland)*

20 In section 51(8) of the Civic Government (Scotland) Act 1982,...

*Fines for breach of attendance centre orders or rules*

21 Minor Amendments

*Video recordings*

22 In section 1 of the Video Recordings Act 1984 (which...

*Standard period of validity of search warrants*

23 In the following enactments there shall be omitted the words...

*Transfers of proceedings*

24 In section 62(10) of the Police and Criminal Evidence Act...

*Transfers of proceedings*

25 Minor Amendments

*Award of costs against accused*

26 In section 18(5) of the Prosecution of Offences Act 1985...

*Transfers of proceedings*

27 Minor Amendments

*Confiscation orders in drug trafficking cases: variation of sentences*

28 Minor Amendments

*Transfer of fraud cases*

29 Minor Amendments

*Fraud cases: preparatory hearings*

30 In section 7 of the Criminal Justice Act 1987 (preparatory...

*Transfers of proceedings*

31 Minor Amendments

*Evidence through television links*

32 In section 32 of the Criminal Justice Act 1988 (evidence...

*Competence of children*

33 Minor Amendments

*Reviews of sentencing*

34 In section 35 of the Criminal Justice Act 1988 (kinds...

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*Assaulting prisoner custody officer triable with indictable offence*

35 In section 40(3) of the Criminal Justice Act 1988 (summary...

*Confiscation orders: variation of sentence*

36 In section 72A of the Criminal Justice Act 1988 (inserted...

*Extradition from the United Kingdom*

37 (1) The Extradition Act 1989 shall be amended as follows....

*Remands and committals of young persons to secure accommodation*

38 Minor Amendments

*Non-intimate samples: samples of hair*

39 In Article 63 of the Police and Criminal Evidence (Northern...

*Pre-sentence reports*

40 Minor Amendments

*Curfew orders*

41 Minor Amendments

*Fines*

42 Minor Amendments

*False statements as to financial circumstances*

43 After section 20 of the Criminal Justice Act 1991 there...

*Effect of previous probation orders and discharges*

44 Minor Amendments

*Sexual offences*

45 Minor Amendments

*Discretionary life prisoners*

46 (1) In section 34 of the Criminal Justice Act 1991...

*Committals for sentence*

47 Minor Amendments

*Extradited persons: sentence of imprisonment to reflect custody*

48 (1) In section 47 of the Criminal Justice Act 1991...

*Transfers of proceedings*

49 Minor Amendments



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*Community sentences: binding over of parent or guardian*

50 Minor Amendments

*Confiscation orders in terrorist-related activities cases: variation of sentences*

51 Minor Amendments

*Anonymity of victims of certain offences*

52 (1) The Sexual Offences (Amendment) Act 1992 shall be amended...

*Application of 1993 Act powers to pre-commencement offences*

53 Section 78(6) of the Criminal Justice Act 1993 (application of...

SCHEDULE 10 — Consequential Amendments

*Bail: exclusion in homicide and rape cases*

1 In section 2 of the Habeas Corpus Act 1679 (bail...

*Evidence of accused in criminal proceedings*

2 In section 1 of the Criminal Evidence Act 1898 (competency...

*Evidence of accused in criminal proceedings*

3 In section 1 of the Criminal Evidence Act (Northern Ireland)...

*Responsibility for fine for breach of requirements of secure training order*

4 Consequential Amendments

*Bail: exclusion in homicide and rape cases*

5 Consequential Amendments

*Bail: exclusion in homicide or rape cases*

6 In section 37(1) of the Criminal Justice Act 1948 (power...

*Modernisation of “servant” in Prison Act*

7 In section 3(1) of the Prison Act 1952 (officers and...

*Use of young offender institutions as secure training centres*

8 In section 37(4) of the Prison Act 1952 (prisons not...

*Young offenders absconding from secure training centres*

9 (1) Section 49 of the Prison Act 1952 (persons unlawfully...

*Bail: exclusion in homicide and rape cases*

10 In section 4(2) of the Administration of Justice Act 1960...

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*Young offenders: application of prison rules*

11 In section 23(4) of the Criminal Justice Act 1961 (which...

*Young offenders: transfer, supervision and recall within British Islands*

12 (1) Part III of the Criminal Justice Act 1961 (transfer,...

*Payment of damages by police authority*

13 Consequential Amendments

*Cross-border enforcement: extension of protection*

14 Consequential Amendments

*Bail: exclusion in homicide and rape cases*

15 Consequential Amendments

*Young offenders: detention under secure training order*

16 Section 67 of the Criminal Justice Act 1967 (computation of...

*Payment of damages by Scottish police authority*

17 Consequential Amendments

*Assaults on constables etc.*

18 In section 41 of the Police (Scotland) Act 1967 (assaults...

*Bail: exclusion in homicide and rape cases*

19 In section 8(2)(a) of the Criminal Appeal Act 1968 (powers...

*Bail: exclusion in homicide and rape cases*

20 In section 11(5) of the Criminal Appeal Act 1968 (powers...

*Bail: exclusion in homicide and rape cases*

21 In section 16(3)(b) of the Criminal Appeal Act 1968 (powers...

*Bail: exclusion in homicide and rape cases*

22 In section 19(1) of the Criminal Appeal Act 1968 (power...

*Bail: exclusion in homicide and rape cases*

23 In section 36 of the Criminal Appeal Act 1968 (power...

*Young offenders: possession of firearms*

24 (1) The Firearms Act 1968 shall be amended as follows....

*Cross-border enforcement: extension of protection*

25 In section 7 of the Criminal Justice (Miscellaneous Provisions) Act...

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*Sexual offences: male rape*

26 Consequential Amendments

*Payment of damages by Police Authority for Northern Ireland*

27 Consequential Amendments

*Jury service: penalty for serving when not qualified*

28 In section 20(5) of the Juries Act 1974 (offences in...

*Custody officers: ineligibility for jury service*

29 Consequential Amendments

*Rehabilitation of offenders subject to secure training orders*

30 In section 5(6) of the Rehabilitation of Offenders Act 1974...

*Prisoner custody officers: ineligibility for jury service*

31 Consequential Amendments

*Bail: exclusion in homicide and rape cases*

32 In section 4 of the Bail Act 1976 (entitlement to...

*Police bail: variation by magistrates*

33 In section 4(2) of the Bail Act 1976 (occasions for...

*Bail: no right for persons offending while on bail*

34 In Part III of Schedule 1 to the Bail Act...

*Sexual offences: male rape*

35 (1) The Sexual Offences (Amendment) Act 1976 shall be amended...

*Sexual offences: male rape*

36 (1) Section 4 of the Sexual Offences (Amendment) Act 1976...

*Indecent photographs etc.*

37 (1) The Protection of Children Act 1978 shall be amended...

*Indecent photographs etc. (Northern Ireland)*

38 (1) The Protection of Children (Northern Ireland) Order 1978 shall...

*Secure training orders: absence of accused*

39 In section 11(3) of the Magistrates' Courts Act 1980 (certain...

*Procedure for young offenders in cases of grave crimes*

40 Consequential Amendments

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*Bail: exclusion in homicide and rape cases*

41 In section 29(4)(b) of the Magistrates' Courts Act 1980 (person...

*Bail: exclusion in homicide and rape cases*

42 Consequential Amendments

*Police bail*

43 In section 43(1) of the Magistrates' Courts Act 1980 (bail...

*Bail: exclusion in homicide or rape cases*

44 In section 113(1) of the Magistrates' Courts Act 1980 (power...

*Prisoner custody officers: ineligibility for jury service*

45 In Part I of Schedule 1 to the Law Reform...

*Young offenders: detention in the custody of a constable and others*

46 In section 6 of the Imprisonment (Temporary Provisions) Act 1980...

*Detention by constables and officers of a prison etc.: maximum period*

47 Consequential Amendments

*Bail: exclusion in homicide and rape cases*

48 In section 81(1) of the Senior Courts Act 1981 (power...

*Young offenders: legal representation*

49 Consequential Amendments

*Young offenders: early release*

50 In section 32 of the Criminal Justice Act 1982 (early...

*Bail: exclusion in homicide and rape cases*

51 In section 51(4) of the Mental Health Act 1983 (power...

*Video recordings*

52 (1) The Video Recordings Act 1984 shall be amended as...

*Interim possession order: power of entry*

53 In section 17 of the Police and Criminal Evidence Act...

*Bail: exclusion in homicide and rape cases*

54 In section 38(1) of the Police and Criminal Evidence Act...

*Searches of persons detained at police stations*

55 In section 54(1)(b) of the Police and Criminal Evidence Act...

*Status: Point in time view as at 19/06/2023.*

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*Fingerprinting: speculative searches*

56 In section 61 of the Police and Criminal Evidence Act...

*Intimate samples: speculative searches*

57 In section 62 of the Police and Criminal Evidence Act...

*Non-intimate samples: speculative searches*

58 In section 63 of the Police and Criminal Evidence Act...

*Sexual offences: male rape and buggery*

59 Consequential Amendments

*Trespassory assemblies*

60 In section 15(1) of the Public Order Act 1986 (delegation...

*Inferences from accused's silence*

61 (1) The Criminal Evidence (Northern Ireland) Order 1988 shall be...

*Samples: application to terrorist suspects*

62 Consequential Amendments

*Prevention of terrorism: consents for prosecutions etc.*

63 Consequential Amendments

*Young offenders: powers to search and to test for drugs*

64 Consequential Amendments

*Non-appearance of accused: plea of guilty*

65 Consequential Amendments

*Young offenders: secure training order a custodial sentence*

66 Consequential Amendments

*Bail: exclusion in homicide and rape cases*

67 Consequential Amendments

*Contracted out prisons: exclusion of search powers*

68 Consequential Amendments

*Testing prisoners for drugs: director's function*

69 In section 87(4) of the Criminal Justice Act 1991 (certain...

*The Parole Board*

70 For Schedule 5 to the Criminal Justice Act 1991 (supplementary...

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*Bail: exclusion in homicide and rape cases*

71 Consequential Amendments

*Probation officers for offenders subject to secure training orders*

72 Consequential Amendments

*Secure training orders: cost of supervision by probation officer*

73 Consequential Amendments

SCHEDULE 11 — Repeals

Note: The repeals that are to come into force on the...

**Status:**

Point in time view as at 19/06/2023.

**Changes to legislation:**

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