



# Criminal Justice Act 2003

## CHAPTER 44

### CRIMINAL JUSTICE ACT 2003

#### PART 1

##### AMENDMENTS OF POLICE AND CRIMINAL EVIDENCE ACT 1984

- 1 Extension of powers to stop and search
- 2 Warrants to enter and search
- 3 Arrestable offences
- 4 Bail elsewhere than at police station
- 5 Drug testing for under-eighteens
- 6 Use of telephones for review of police detention
- 7 Limits on period of detention without charge
- 8 Property of detained persons
- 9 Taking fingerprints without consent
- 10 Taking non-intimate samples without consent
- 11 Codes of practice
- 12 Amendments related to Part 1

#### PART 2

##### BAIL

- 13 Grant and conditions of bail
- 14 Offences committed on bail
- 15 Absconding by persons released on bail
- 16 Appeal to Crown Court
- 17 Appeals to High Court
- 18 Appeal by prosecution
- 19 Drug users: restriction on bail
- 20 Supplementary amendments to the Bail Act 1976

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21 Interpretation of Part 2

**PART 3**

CONDITIONAL CAUTIONS

- 22 Conditional cautions
- 23 The five requirements
- 23A Financial penalties
- 23B Variation of conditions
- 24 Failure to comply with conditions
- 24A Arrest for failure to comply
- 24B Application of PACE provisions
- 25 Code of practice
- 26 Assistance of National Probation Service
- 27 Interpretation of Part 3

**PART 4**

CHARGING ETC

- 28 Charging or release of persons in police detention
- 29 New method of instituting proceedings
- 30 Further provision about new method
- 31 Removal of requirement to substantiate information on oath

**PART 5**

DISCLOSURE

- 32 Initial duty of disclosure by prosecutor
- 33 Defence disclosure
- 34 Notification of intention to call defence witnesses
- 35 Notification of names of experts instructed by defendant
- 36 Further provisions about defence disclosure
- 37 Continuing duty of disclosure by prosecutor
- 38 Application by defence for disclosure
- 39 Faults in defence disclosure
- 40 Code of practice for police interviews of witnesses notified by accused

**PART 6**

ALLOCATION AND SENDING OF OFFENCES

- 41 Allocation of offences triable either way, and sending cases to Crown Court
- 42 Mode of trial for certain firearms offences: transitory arrangements

**PART 7**

TRIALS ON INDICTMENT WITHOUT A JURY

- 43 Applications by prosecution for certain fraud cases to be conducted without a jury
- 44 Application by prosecution for trial to be conducted without a jury where danger of jury tampering
- 45 Procedure for applications under sections 43 and 44
- 46 Discharge of jury because of jury tampering

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- 47 Appeals
- 48 Further provision about trials without a jury
- 49 Rules of court
- 50 Application of Part 7 to Northern Ireland

## **PART 8**

### LIVE LINKS

- 51 Live links in criminal proceedings
- 52 Effect of, and rescission of, direction
- 53 Magistrates' courts permitted to sit at other locations
- 54 Warning to jury
- 55 Rules of court
- 56 Interpretation of Part 8

## **PART 9**

### PROSECUTION APPEALS

#### *Introduction*

- 57 Introduction

#### *General right of appeal in respect of rulings*

- 58 General right of appeal in respect of rulings
- 59 Expedited and non-expedited appeals
- 60 Continuation of proceedings for offences not affected by ruling
- 61 Determination of appeal by Court of Appeal

#### *Right of appeal in respect of evidentiary rulings*

- 62 Right of appeal in respect of evidentiary rulings
- 63 Condition that evidentiary ruling significantly weakens prosecution case
- 64 Expedited and non-expedited appeals
- 65 Continuation of proceedings for offences not affected by ruling
- 66 Determination of appeal by Court of Appeal

#### *Miscellaneous and supplemental*

- 67 Reversal of rulings
- 68 Appeals to the House of Lords
- 69 Costs
- 70 Effect on time limits in relation to preliminary stages
- 71 Restrictions on reporting
- 72 Offences in connection with reporting
- 73 Rules of court
- 74 Interpretation of Part 9

## **PART 10**

### RETRIAL FOR SERIOUS OFFENCES

#### *Cases that may be retried*

- 75 Cases that may be retried

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### *Application for retrial*

- 76 Application to Court of Appeal
- 77 Determination by Court of Appeal
- 78 New and compelling evidence
- 79 Interests of justice
- 80 Procedure and evidence
- 81 Appeals
- 82 Restrictions on publication in the interests of justice
- 83 Offences in connection with publication restrictions

### *Retrial*

- 84 Retrial

### *Investigations*

- 85 Authorisation of investigations
- 86 Urgent investigative steps
- 86A Application of sections 85 and 86 to investigations by the Police Ombudsman

### *Arrest, custody and bail*

- 87 Arrest and charge
- 88 Bail and custody before application
- 89 Bail and custody before hearing
- 90 Bail and custody during and after hearing
- 91 Revocation of bail

### *Part 10: supplementary*

- 92 Functions of the DPP
- 93 Rules of court
- 94 Armed Forces: Part 10
- 95 Interpretation of Part 10
- 96 Application of Part 10 to Northern Ireland
- 97 Application of Criminal Appeal Acts to proceedings under Part 10

## **PART 11**

### **EVIDENCE**

#### **CHAPTER 1**

#### **EVIDENCE OF BAD CHARACTER**

##### *Introductory*

- 98 “Bad character”
- 99 Abolition of common law rules

##### *Persons other than defendants*

- 100 Non-defendant’s bad character

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### *Defendants*

- 101 Defendant's bad character
- 102 "Important explanatory evidence"
- 103 "Matter in issue between the defendant and the prosecution"
- 104 "Matter in issue between the defendant and a co-defendant"
- 105 "Evidence to correct a false impression"
- 106 "Attack on another person's character"
- 107 Stopping the case where evidence contaminated
- 108 Offences committed by defendant when a child

### *General*

- 109 Assumption of truth in assessment of relevance or probative value
- 110 Court's duty to give reasons for rulings
- 111 Rules of court
- 112 Interpretation of Chapter 1
- 113 Armed forces

## **CHAPTER 2**

### HEARSAY EVIDENCE

#### *Hearsay: main provisions*

- 114 Admissibility of hearsay evidence
- 115 Statements and matters stated

#### *Principal categories of admissibility*

- 116 Cases where a witness is unavailable
- 117 Business and other documents
- 118 Preservation of certain common law categories of admissibility
- 119 Inconsistent statements
- 120 Other previous statements of witnesses

#### *Supplementary*

- 121 Additional requirement for admissibility of multiple hearsay
- 122 Documents produced as exhibits
- 123 Capability to make statement
- 124 Credibility
- 125 Stopping the case where evidence is unconvincing
- 126 Court's general discretion to exclude evidence

#### *Miscellaneous*

- 127 Expert evidence: preparatory work.
- 128 Confessions
- 129 Representations other than by a person
- 130 Depositions
- 131 Evidence at retrial

#### *General*

- 132 Rules of court

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- 133 Proof of statements in documents
- 134 Interpretation of Chapter 2
- 135 Armed forces
- 136 Repeals etc

### CHAPTER 3

#### MISCELLANEOUS AND SUPPLEMENTAL

- 137 Evidence by video recording
- 138 Video evidence: further provisions
- 139 Use of documents to refresh memory
- 140 Interpretation of Chapter 3
- 141 Saving

### PART 12

#### SENTENCING

### CHAPTER 1

#### GENERAL PROVISIONS ABOUT SENTENCING

##### *Matters to be taken into account in sentencing*

- 142 Purposes of sentencing
- 142A Purposes etc. of sentencing: offenders under 18
- 143 Determining the seriousness of an offence
- 144 Reduction in sentences for guilty pleas
- 145 Increase in sentences for racial or religious aggravation
- 146 Increase in sentences for aggravation related to disability or sexual orientation

##### *General restrictions on community sentences*

- 147 Meaning of “community sentence” etc.
- 148 Restrictions on imposing community sentences
- 149 Passing of community sentence on offender remanded in custody
- 150 Community sentence not available where sentence fixed by law etc.
- 150A Community order available only for offences punishable with imprisonment or for persistent offenders previously fined
- 151 Community order or youth rehabilitation order for persistent offender previously fined

##### *General restrictions on discretionary custodial sentences*

- 152 General restrictions on imposing discretionary custodial sentences
- 153 Length of discretionary custodial sentences: general provision

##### *General limit on magistrates' court's power to impose imprisonment*

- 154 General limit on magistrates' court's power to impose imprisonment
- 155 Consecutive terms of imprisonment

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*Procedural requirements for imposing community sentences and discretionary custodial sentences*

- 156 Pre-sentence reports and other requirements
- 157 Additional requirements in case of mentally disordered offender
- 158 Meaning of “pre-sentence report”

*Disclosure of pre-sentence reports etc*

- 159 Disclosure of pre-sentence reports
- 160 Other reports of local probation boards , providers of probation services and members of youth offending teams

*Pre-sentence drug testing*

- 161 Pre-sentence drug testing

*Surcharges*

- 161A Court’s duty to order payment of surcharge
- 161B Amount of surcharge

*Fines*

- 162 Powers to order statement as to offender’s financial circumstances
- 163 General power of Crown Court to fine offender convicted on indictment
- 164 Fixing of fines
- 165 Remission of fines

*Savings for power to mitigate etc*

- 166 Savings for powers to mitigate sentences and deal appropriately with mentally disordered offenders

*Sentencing and allocation guidelines*

- 167 The Sentencing Guidelines Council
- 168 Sentencing Guidelines Council: supplementary provisions
- 169 The Sentencing Advisory Panel
- 170 Guidelines relating to sentencing and allocation
- 171 Functions of Sentencing Advisory Panel in relation to guidelines
- 172 Duty of court to have regard to sentencing guidelines
- 173 Annual report by Council

*Duty of court to explain sentence*

- 174 Duty to give reasons for, and explain effect of, sentence

*Publication of information by Secretary of State*

- 175 Duty to publish information about sentencing

*Interpretation of Chapter*

- 176 Interpretation of Chapter 1

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## CHAPTER 2

### COMMUNITY ORDERS: OFFENDERS AGED 16 OR OVER

- 177 Community orders
- 178 Power to provide for court review of community orders
- 179 Breach, revocation or amendment of community order
- 180 Transfer of community orders to Scotland or Northern Ireland

## CHAPTER 3

### PRISON SENTENCES OF LESS THAN 12 MONTHS

#### *Prison sentences of less than twelve months*

- 181 Prison sentences of less than 12 months
- 182 Licence conditions

#### *Intermittent custody*

- 183 Intermittent custody
- 184 Restrictions on power to make intermittent custody order
- 185 Intermittent custody: licence conditions
- 186 Further provisions relating to intermittent custody

#### *Further provision about custody plus orders and intermittent custody orders*

- 187 Revocation or amendment of order
- 188 Transfer of custody plus orders and intermittent custody orders to Scotland or Northern Ireland

#### *Suspended sentences*

- 189 Suspended sentences of imprisonment
- 190 Imposition of requirements by suspended sentence order
- 191 Power to provide for review of suspended sentence order
- 192 Periodic reviews of suspended sentence order
- 193 Breach, revocation or amendment of suspended sentence order, and effect of further conviction
- 194 Transfer of suspended sentence orders to Scotland or Northern Ireland

#### *Interpretation of Chapter*

- 195 Interpretation of Chapter 3

## CHAPTER 4

### FURTHER PROVISIONS ABOUT ORDERS UNDER CHAPTERS 2 AND 3

#### *Introductory*

- 196 Meaning of “relevant order”
- 197 Meaning of “the responsible officer”
- 198 Duties of responsible officer



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### *Requirements available in case of all offenders*

- 199 Unpaid work requirement
- 200 Obligations of person subject to unpaid work requirement
- 201 Activity requirement
- 202 Programme requirement
- 203 Prohibited activity requirement
- 204 Curfew requirement
- 205 Exclusion requirement
- 206 Residence requirement
- 207 Mental health treatment requirement
- 208 Mental health treatment at place other than that specified in order
- 209 Drug rehabilitation requirement
- 210 Drug rehabilitation requirement: provision for review by court
- 211 Periodic review of drug rehabilitation requirement
- 212 Alcohol treatment requirement
- 213 Supervision requirement

### *Requirements available only in case of offenders aged under 25*

- 214 Attendance centre requirement

### *Electronic monitoring*

- 215 Electronic monitoring requirement

### *Provisions applying to relevant orders generally*

- 216 Local justice area to be specified in relevant order
- 217 Requirement to avoid conflict with religious beliefs, etc
- 218 Availability of arrangements in local area
- 219 Provision of copies of relevant orders
- 220 Duty of offender to keep in touch with responsible officer

### *Powers of Secretary of State*

- 221 Provision of attendance centres
- 222 Rules
- 223 Power to amend limits

## **CHAPTER 5**

### **DANGEROUS OFFENDERS**

- 224 Meaning of “specified offence” etc.
- 225 Life sentence or imprisonment for public protection for serious offences
- 226 Detention for life or detention for public protection for serious offences committed by those under 18
- 227 Extended sentence for certain violent or sexual offences: persons 18 or over
- 228 Extended sentence for certain violent or sexual offences: persons under 18
- 229 The assessment of dangerousness
- 230 Imprisonment or detention for public protection: release on licence
- 231 Appeals where previous convictions set aside

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- 232 Certificates of convictions for purposes of sections 225 and 227
- 233 Offences under service law
- 234 Determination of day when offence committed
- 235 Detention under sections 226 and 228
- 236 Conversion of sentences of detention into sentences of imprisonment

## CHAPTER 6

### RELEASE ON LICENCE

#### *Preliminary*

- 237 Meaning of “fixed-term prisoner” etc

#### *Power of court to recommend licence conditions*

- 238 Power of court to recommend licence conditions for certain prisoners
- 239 The Parole Board

#### *Effect of remand in custody or on bail subject to certain types of condition*

- 240 Crediting of periods of remand in custody: terms of imprisonment and detention
- 240A Crediting periods of remand on bail: terms of imprisonment and detention
- 241 Effect of direction under section 240 or 240A on release on licence
- 242 Interpretation of sections 240 , 240A and 241
- 243 Persons extradited to the United Kingdom

#### *Release on licence*

- 244 Duty to release prisoners
- 245 Restrictions on operation of section 244(1) in relation to intermittent custody prisoners
- 246 Power to release prisoners on licence before required to do so
- 247 Release on licence of prisoner serving extended sentence under section 227 or 228
- 248 Power to release prisoners on compassionate grounds
- 249 Duration of licence
- 250 Licence conditions
- 251 Licence conditions on re-release of prisoner serving sentence of less than 12 months
- 252 Duty to comply with licence conditions
- 253 Curfew condition to be included in licence under section 246

#### *Recall after release*

- 254 Recall of prisoners while on licence
- 255 Recall of prisoners released early under section 246
- 255A Further release after recall: introductory
- 255B Automatic release
- 255C Specified offence prisoners and those not suitable for automatic release
- 255D Extended sentence prisoners
- 256 Review by the Board
- 256A Further review

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*Additional days*

257 Additional days for disciplinary offences

*Fine defaulters and contemnors*

258 Early release of fine defaulters and contemnors

*Persons liable to removal from the United Kingdom*

259 Persons liable to removal from the United Kingdom  
259A Persons eligible for removal from the United Kingdom  
260 Early removal of prisoners liable to removal from United Kingdom  
261 Re-entry into United Kingdom of offender removed from prison early  
262 Prisoners liable to removal from United Kingdom: modifications of Criminal Justice Act 1991

*Consecutive or concurrent terms*

263 Concurrent terms  
264 Consecutive terms  
264A Consecutive terms: intermittent custody

*Restriction on consecutive sentences for released prisoners*

265 Restriction on consecutive sentences for released prisoners

*Drug testing requirements*

266 Release on licence etc: drug testing requirements

*Supplemental*

267 Alteration by order of relevant proportion of sentence  
268 Interpretation of Chapter 6

**CHAPTER 7**

**EFFECT OF LIFE SENTENCE**

269 Determination of minimum term in relation to mandatory life sentence  
270 Duty to give reasons  
271 Appeals  
272 Review of minimum term on a reference by Attorney General  
273 Life prisoners transferred to England and Wales  
274 Further provisions about references relating to transferred life prisoners  
275 Duty to release certain life prisoners  
276 Mandatory life sentences: transitional cases  
277 Interpretation of Chapter 7

**CHAPTER 8**

**OTHER PROVISIONS ABOUT SENTENCING**

*Deferment of sentence*

278 Deferment of sentence

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*Power to include drug treatment and testing requirement  
in certain orders in respect of young offenders*

- 279 Drug treatment and testing requirement in action plan order or supervision order

*Alteration of penalties for offences*

- 280 Alteration of penalties for specified summary offences  
281 Alteration of penalties for other summary offences  
282 Increase in maximum term that may be imposed on summary conviction of offence triable either way  
283 Enabling powers: power to alter maximum penalties  
284 Increase in penalties for drug-related offences  
285 Increase in penalties for certain driving-related offences  
286 Increase in penalties for offences under section 174 of Road Traffic Act 1988

*Firearms offences*

- 287 Minimum sentence for certain firearms offences  
288 Certain firearms offences to be triable only on indictment  
289 Power to sentence young offender to detention in respect of certain firearms offences: England and Wales  
290 Power to sentence young offender to detention in respect of certain firearms offences: Scotland  
291 Power by order to exclude application of minimum sentence to those under 18  
292 Sentencing for firearms offences in Northern Ireland  
293 Increase in penalty for offences relating to importation or exportation of certain firearms

*Offenders transferred to mental hospital*

- 294 Duration of directions under Mental Health Act 1983 in relation to offenders  
295 Access to Parole Board for certain patients serving prison sentences  
296 Duration of directions under Mental Health (Northern Ireland) Order 1986 in relation to offenders  
297 Access to Sentence Review Commissioners and Life Sentence Review Commissioners for certain Northern Ireland patients

*Term of detention and training order*

- 298 Term of detention and training order

*Disqualification from working with children*

- 299 Disqualification from working with children

*Fine defaulters*

- 300 Power to impose unpaid work requirement curfew requirement or attendance centre requirement on fine defaulter  
301 Fine defaulters: driving disqualification

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## CHAPTER 9

### SUPPLEMENTARY

- 302 Execution of process between England and Wales and Scotland
- 303 Sentencing: repeals
- 304 Amendments relating to sentencing
- 305 Interpretation of Part 12

### PART 13

#### MISCELLANEOUS

##### *Detention of suspected terrorists*

- 306 Limit on period of detention without charge of suspected terrorists

##### *Enforcement of legislation on endangered species*

- 307 Enforcement of regulations implementing EU legislation on endangered species

##### *Miscellaneous provisions about criminal proceedings*

- 308 Non-appearance of defendant: plea of guilty
- 309 Preparatory hearings for serious offences not involving fraud
- 310 Preparatory hearings to deal with severance and joinder of charges
- 311 Reporting restrictions for preparatory hearings
- 312 Awards of costs
- 313 Extension of investigations by Criminal Cases Review Commission in England and Wales
- 314 Extension of investigations by Criminal Cases Review Commission in Northern Ireland
- 315 Appeals following reference by Criminal Cases Review Commission
- 316 Power to substitute conviction of alternative offence on appeal in England and Wales
- 317 Power to substitute conviction of alternative offence on appeal in Northern Ireland
- 318 Substitution of conviction on different charge on appeal from court-martial
- 319 Appeals against sentences in England and Wales

##### *Outraging public decency*

- 320 Offence of outraging public decency triable either way

##### *Jury service*

- 321 Jury service

##### *Individual support orders*

- 322 Individual support orders
- 323 Individual support orders: consequential amendments

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### *Parenting orders and referral orders*

- 324 Parenting orders and referral orders
  - Assessing etc. risks posed by sexual or violent offenders*
  - 325 Arrangements for assessing etc risks posed by certain offenders
  - 326 Review of arrangements
  - 327 Section 325: interpretation
  - 327A Disclosure of information about convictions etc. of child sex offenders to members of the public
  - 327B Section 327A: interpretation

### *Criminal record certificates*

- 328 Criminal record certificates: amendments of Part 5 of Police Act 1997

### *Civil proceedings brought by offenders*

- 329 Civil proceedings for trespass to the person brought by offender

## **PART 14**

### **GENERAL**

- 330 Orders and rules
- 330A Orders: Northern Ireland
- 331 Further minor and consequential amendments
- 332 Repeals
- 333 Supplementary and consequential provision, etc.
- 334 Provision for Northern Ireland
- 335 Expenses
- 336 Commencement
- 337 Extent
- 338 Channel Islands and Isle of Man
- 339 Short title

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## **SCHEDULES**

### **SCHEDULE 1 — Amendments related to Part 1**

#### *The 1984 Act*

- 1 The 1984 Act is amended as follows.
- 2 In section 18 (entry and search after arrest), for subsection...
- 3 In section 21 (access and copying), at the end there...
- 4 In section 22 (retention), at the end there is inserted—...
- 5 In section 34 (limitation on police detention), for subsection (7)...
- 6 In section 35(1) (designated police stations), for “section 30(3) and...
- 7 In section 36 (custody officers at police stations), after subsection...
- 8 In section 41(2) (calculation of periods of time), after paragraph...
- 9 In section 45A(2)(a) (functions which may be performed by video-conferencing),...
- 10 In section 47 (bail after arrest)— (a) in subsection (6),...

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*Criminal Justice Act 1987 (c. 38)*

- 11 In section 2 of the Criminal Justice Act 1987 (director's...
- 12 In subsection (7) of that section (meaning of appropriate person),...
- 13 In subsection (8D) of that section (references to evidence obtained...

*Criminal Justice and Police Act 2001 (c. 16)*

- 14 In section 56 of the Criminal Justice and Police Act...

*Armed Forces Act 2001 (c. 19)*

- 15 In section 2(9) of the Armed Forces Act 2001 (offences...

*Police Reform Act 2002 (c. 30)*

- 16 Schedule 4 to the Police Reform Act 2002 (powers exercisable...
- 17 In paragraph 17 (access to excluded and special procedure material)...
- 18 In paragraph 20 (access and copying in case of things...
- 19 After paragraph 24 (extended powers of seizure) there is inserted—...
- 20 In paragraph 34 (powers of escort officer to take arrested...

SCHEDULE 2 — Charging or release of persons in police detention

- 1 The Police and Criminal Evidence Act 1984 (c. 60) is...
- 2 (1) Section 37 (duties of custody officers before charge) is...
- 3 After that section there is inserted— Guidance (1) The Director of Public Prosecutions may issue guidance—
- 4 In section 40 (review of police detention) in subsection (9)...
- 5 In section 46A (power of arrest for failure to answer...
- 6 (1) Section 47 (bail after arrest) is amended as follows....

SCHEDULE 3 — Allocation of cases triable either way, and sending cases to the Crown Court etc

Part 1 — PRINCIPAL AMENDMENTS

*Magistrates' Courts Act 1980 (c. 43)*

- 1 The Magistrates' Courts Act 1980 is amended as follows.
- 2 (1) Section 17A (initial indication as to plea) is amended...
- 3 After section 17C there is inserted— Maximum penalty under section...
- 4 In section 18 (initial procedure on information against adult for...
- 5 For section 19 (court to begin by considering which mode...
- 6 For section 20 (procedure where summary trial appears more suitable)...
- 7 For section 21 (procedure where trial on indictment appears more...
- 8 (1) Section 23 (power of court, with consent of legally...
- 9 (1) Section 24 (summary trial of information against child or...
- 10 After section 24 there is inserted— Child or young person...
- 11 (1) Section 25 (power to change from summary trial to...
- 12 For subsections (1) and (2) of section 26 (power to...
- 13 In section 33 (maximum penalties on summary conviction in pursuance...
- 14 Section 42 (restriction on justices sitting after dealing with bail)...

*Crime and Disorder Act 1998 (c. 37)*

- 15 The Crime and Disorder Act 1998 is amended as follows....

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- 16 In section 50 (early administrative hearings), in subsection (1) (court...  
 17 After section 50 there is inserted— Order of consideration for...  
 18 For section 51 (no committal proceedings for indictable-only offences)  
 there...  
 19 (1) After section 52 there is inserted— Restrictions on reporting...  
 20 (1) Schedule 3 (procedure where persons are sent for trial...

*Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

- 21 The Powers of Criminal Courts (Sentencing) Act 2000 is amended...  
 22 For section 3 (committal for sentence on summary trial of...  
 22A (1) Section 3 (committal for sentence on summary trial of...  
 23 After section 3 there is inserted— Committal for sentence of...  
 24 (1) Section 4 (committal for sentence on indication of guilty...  
 25 After section 4 there is inserted— Committal for sentence on...  
 26 For section 5 (power of Crown Court on committal for...  
 27 After section 5 there is inserted— Power of Crown Court...  
 28 In section 6 (committal for sentence in certain cases where...  
 Part 2 — MINOR AND CONSEQUENTIAL AMENDMENTS

*Territorial Waters Jurisdiction Act 1878 (c. 73)*

- 29 In section 4 of the Territorial Waters Jurisdiction Act 1878...

*Bankers' Books Evidence Act 1879 (c. 11)*

- 30 (1) The Bankers' Books Evidence Act 1879 is amended as...

*Explosive Substances Act 1883 (c. 3)*

- 31 In section 6 of the Explosive Substances Act 1883 (inquiry...

*Criminal Justice Act 1925 (c. 86)*

- 32 In section 49 of the Criminal Justice Act 1925 (interpretation,...

*Children and Young Persons Act 1933 (c. 12)*

- 33 In section 42 of the Children and Young Persons Act...

*Administration of Justice (Miscellaneous Provisions) Act 1933 (c. 36)*

- 34 (1) Section 2 of the Administration of Justice (Miscellaneous Provisions)...

*Criminal Justice Act 1948 (c. 58)*

- 35 (1) The Criminal Justice Act 1948 is amended as follows....

*Prison Act 1952 (c. 52)*

- 36 Until their repeal by (respectively) section 59 of, and paragraph...

*Army Act 1955 (3 & 4 Eliz. 2 c. 18)*

- 37 In section 187 of the Army Act 1955 (proceedings before...



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**Changes to legislation:** *Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)*

38 In section 187 of the Air Force Act 1955 (proceedings...

*Geneva Conventions Act 1957 (c. 52)*

39 In section 5 of the Geneva Conventions Act 1957 (reduction...

*Naval Discipline Act 1957 (c. 53)*

40 In section 109 of the Naval Discipline Act 1957 (proceedings...

*Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)*

41 In paragraph 4 of the Schedule to the Backing of...

*Criminal Procedure (Attendance of Witnesses) Act 1965 (c. 69)*

42 In section 2 of the Criminal Procedure (Attendance of Witnesses)...

*Criminal Justice Act 1967 (c. 80)*

43 (1) The Criminal Justice Act 1967 is amended as follows....

*Criminal Appeal Act 1968 (c. 19)*

44 (1) The Criminal Appeal Act 1968 is amended as follows....

*Firearms Act 1968 (c. 27)*

45 In Schedule 6 to the Firearms Act 1968 (prosecution and...

*Theft Act 1968 (c. 60)*

46 In section 27 of the Theft Act 1968 (evidence and...

*Criminal Justice Act 1972 (c. 71)*

47 In section 46 of the Criminal Justice Act 1972 (admissibility...

*Bail Act 1976 (c. 63)*

48 (1) The Bail Act 1976 is amended as follows.

*Interpretation Act 1978 (c. 30)*

49 In Schedule 1 to the Interpretation Act 1978 (words and...

*Customs and Excise Management Act 1979 (c. 2)*

50 In section 147 of the Customs and Excise Management Act...

*Magistrates' Courts Act 1980 (c. 43)*

51 (1) The Magistrates' Courts Act 1980 is amended as follows....

*Criminal Attempts Act 1981 (c. 47)*

52 In section 2 of the Criminal Attempts Act 1981 (application...

*Status: Point in time view as at 22/04/2011.*

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*Contempt of Court Act 1981 (c. 49)*

53 In section 4 of the Contempt of Court Act 1981...

*Supreme Court Act 1981 (c. 54)*

54 (1) The Supreme Court Act 1981 is amended as follows....

*Mental Health Act 1983 (c. 20)*

55 (1) The Mental Health Act 1983 is amended as follows....

*Police and Criminal Evidence Act 1984 (c. 60)*

56 (1) The Police and Criminal Evidence Act 1984 is amended...

*Prosecution of Offences Act 1985 (c. 23)*

57 (1) The Prosecution of Offences Act 1985 is amended as...

*Criminal Justice Act 1987 (c. 38)*

58 (1) The Criminal Justice Act 1987 is amended as follows....

*Coroners Act 1988 (c. 13)*

59 (1) The Coroners Act 1988 is amended as follows.

*Criminal Justice Act 1988 (c. 33)*

60 (1) The Criminal Justice Act 1988 is amended as follows....

*Road Traffic Offenders Act 1988 (c. 53)*

61 (1) The Road Traffic Offenders Act 1988 is amended as...

*Criminal Justice Act 1991 (c. 53)*

62 (1) The Criminal Justice Act 1991 is amended as follows....

*Sexual Offences (Amendment) Act 1992 (c. 34)*

63 In section 6 of the Sexual Offences (Amendment) Act 1992...

*Criminal Justice and Public Order Act 1994 (c. 33)*

64 (1) The Criminal Justice and Public Order Act 1994 is...

*Reserve Forces Act 1996 (c. 14)*

65 In Schedule 2 to the Reserve Forces Act 1996 (deserters...

*Criminal Procedure and Investigations Act 1996 (c. 25)*

66 (1) The Criminal Procedure and Investigations Act 1996 is amended...

*Sexual Offences (Protected Material) Act 1997 (c. 39)*

67 In section 9 of the Sexual Offences (Protected Material) Act...

*Status: Point in time view as at 22/04/2011.*

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*Crime and Disorder Act 1998 (c. 37)*

- 68 The Crime and Disorder Act 1998 is amended as follows....
- 69 In section 52 (provisions supplementing section 51)—
- 70 In section 121 (short title, commencement and extent), in subsection...
- 71 In paragraph 3 of Schedule 3 (reporting restrictions)—
- 72 In paragraph 4 of Schedule 3 (power of justice to...

*Youth Justice and Criminal Evidence Act 1999 (c. 23)*

- 73 (1) The Youth Justice and Criminal Evidence Act 1999 is...

*Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

- 74 (1) The Powers of Criminal Courts (Sentencing) Act 2000 is...

*Proceeds of Crime Act 2002 (c. 29)*

- 75 (1) The Proceeds of Crime Act 2002 is amended as...

SCHEDULE 4 — Qualifying offences for purposes of section 62  
Part 1 — LIST OF OFFENCES

*Offences Against the Person*

*Murder*

- 1 Murder.

*Attempted murder*

- 2 An offence under section 1 of the Criminal Attempts Act...

*Soliciting murder*

- 3 An offence under section 4 of the Offences against the...

*Manslaughter*

- 4 Manslaughter.

*Corporate manslaughter*

- 4A An offence under section 1 of the Corporate Manslaughter and...

*Wounding or causing grievous bodily harm with intent*

- 5 An offence under section 18 of the Offences against the...

*Kidnapping*

- 6 Kidnapping.

*Sexual Offences*

*Rape*

- 7 An offence under section 1 of the Sexual Offences Act...

*Status: Point in time view as at 22/04/2011.*

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*Attempted rape*

8 An offence under section 1 of the Criminal Attempts Act...

*Intercourse with a girl under thirteen*

9 An offence under section 5 of the Sexual Offences Act...

*Incest by a man with a girl under thirteen*

10 An offence under section 10 of the Sexual Offences Act...

*Assault by penetration*

11 An offence under section 2 of the Sexual Offences Act...

*Causing a person to engage in sexual activity without consent*

12 An offence under section 4 of the Sexual Offences Act...

*Rape of a child under thirteen*

13 An offence under section 5 of the Sexual Offences Act...

*Attempted rape of a child under thirteen*

14 An offence under section 1 of the Criminal Attempts Act...

*Assault of a child under thirteen by penetration*

15 An offence under section 6 of the Sexual Offences Act...

*Causing a child under thirteen to engage in sexual activity*

16 An offence under section 8 of the Sexual Offences Act...

*Sexual activity with a person with a mental disorder impeding choice*

17 An offence under section 30 of the Sexual Offences Act...

*Causing or inciting a person with a mental disorder  
impeding choice to engage in sexual activity*

18 An offence under section 31 of the Sexual Offences Act...

*Drugs Offences*

*Unlawful importation of Class A drug*

19 An offence under section 50(2) of the Customs and Excise...

*Unlawful exportation of Class A drug*

20 An offence under section 68(2) of the Customs and Excise...

*Fraudulent evasion in respect of Class A drug*

21 An offence under section 170(1) or (2) of the Customs...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Producing or being concerned in production of Class A drug*

22 An offence under section 4(2) of the Misuse of Drugs...

*Supplying or offering to supply Class A drug*

23 An offence under section 4(3) of the Misuse of Drugs...

*Theft Offences*

*Robbery*

24 An offence under section 8(1) of the Theft Act 1968...

*Criminal Damage Offences*

*Arson endangering life*

25 An offence under section 1(2) of the Criminal Damage Act...

*Causing explosion likely to endanger life or property*

26 An offence under section 2 of the Explosive Substances Act...

*Intent or conspiracy to cause explosion likely to endanger life or property*

27 An offence under section 3(1)(a) of the Explosive Substances Act...

*War Crimes and Terrorism*

*Genocide, crimes against humanity and war crimes*

28 An offence under section 51 or 52 of the International...

*Grave breaches of the Geneva Conventions*

29 An offence under section 1 of the Geneva Conventions Act...

*Directing terrorist organisation*

30 An offence under section 56 of the Terrorism Act 2000...

*Hostage-taking*

31 An offence under section 1 of the Taking of Hostages...

*Hijacking and Other Offences Relating to Aviation, Maritime and Rail Security*

*Hijacking of aircraft*

32 An offence under section 1 of the Aviation Security Act...

*Destroying, damaging or endangering the safety of an aircraft*

33 An offence under section 2 of the Aviation Security Act...

*Hijacking of spacecraft*

33A An offence under paragraph 1 of Schedule 4 to the...

*Status: Point in time view as at 22/04/2011.*

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*Destroying, damaging or endangering the safety of spacecraft*

33B An offence under paragraph 2 of Schedule 4 to the...

*Hijacking of ships*

34 An offence under section 9 of the Aviation and Maritime...

*Seizing or exercising control of fixed platforms*

35 An offence under section 10 of the Aviation and Maritime...

*Destroying ships or fixed platforms or endangering their safety*

36 An offence under section 11 of the Aviation and Maritime...

*Hijacking of Channel Tunnel trains*

37 An offence under article 4 of the Channel Tunnel (Security)...

*Seizing or exercising control of the Channel Tunnel system*

38 An offence under article 5 of the Channel Tunnel (Security)...

*Conspiracy*

*Conspiracy*

39 An offence under section 1 of the Criminal Law Act...

Part 2 — SUPPLEMENTARY

40 A reference in Part 1 of this Schedule to an...

41 A reference in Part 1 of this Schedule to an...

SCHEDULE 5 — Qualifying offences for purposes of Part 10

Part 1 — LIST OF OFFENCES FOR ENGLAND AND WALES

*Offences Against the Person*

*Murder*

1 Murder.

*Attempted murder*

2 An offence under section 1 of the Criminal Attempts Act...

*Soliciting murder*

3 An offence under section 4 of the Offences against the...

*Manslaughter*

4 Manslaughter.

*Corporate manslaughter*

4A An offence under section 1 of the Corporate Manslaughter and...

*Status: Point in time view as at 22/04/2011.*

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### *Kidnapping*

- 5 Kidnapping.

### *Sexual Offences*

#### *Rape*

- 6 An offence under section 1 of the Sexual Offences Act...

#### *Attempted rape*

- 7 An offence under section 1 of the Criminal Attempts Act...

#### *Intercourse with a girl under thirteen*

- 8 An offence under section 5 of the Sexual Offences Act...

#### *Incest by a man with a girl under thirteen*

- 9 An offence under section 10 of the Sexual Offences Act...

#### *Assault by penetration*

- 10 An offence under section 2 of the Sexual Offences Act...

#### *Causing a person to engage in sexual activity without consent*

- 11 An offence under section 4 of the Sexual Offences Act...

#### *Rape of a child under thirteen*

- 12 An offence under section 5 of the Sexual Offences Act...

#### *Attempted rape of a child under thirteen*

- 13 An offence under section 1 of the Criminal Attempts Act...

#### *Assault of a child under thirteen by penetration*

- 14 An offence under section 6 of the Sexual Offences Act...

#### *Causing a child under thirteen to engage in sexual activity*

- 15 An offence under section 8 of the Sexual Offences Act...

#### *Sexual activity with a person with a mental disorder impeding choice*

- 16 An offence under section 30 of the Sexual Offences Act...

#### *Causing a person with a mental disorder impeding choice to engage in sexual activity*

- 17 An offence under section 31 of the Sexual Offences Act...

### *Drugs Offences*

#### *Unlawful importation of Class A drug*

- 18 An offence under section 50(2) of the Customs and Excise...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Unlawful exportation of Class A drug*

19 An offence under section 68(2) of the Customs and Excise...

*Fraudulent evasion in respect of Class A drug*

20 An offence under section 170(1) or (2) of the Customs...

*Producing or being concerned in production of Class A drug*

21 An offence under section 4(2) of the Misuse of Drugs...

*Criminal Damage Offences*

*Arson endangering life*

22 An offence under section 1(2) of the Criminal Damage Act...

*Causing explosion likely to endanger life or property*

23 An offence under section 2 of the Explosive Substances Act...

*Intent or conspiracy to cause explosion likely to endanger life or property*

24 An offence under section 3(1)(a) of the Explosive Substances Act...

*War Crimes and Terrorism*

*Genocide, crimes against humanity and war crimes*

25 An offence under section 51 or 52 of the International...

*Grave breaches of the Geneva Conventions*

26 An offence under section 1 of the Geneva Conventions Act...

*Directing terrorist organisation*

27 An offence under section 56 of the Terrorism Act 2000...

*Hostage-taking*

28 An offence under section 1 of the Taking of Hostages...

*Conspiracy*

*Conspiracy*

29 An offence under section 1 of the Criminal Law Act...

Part 2 — LIST OF OFFENCES FOR NORTHERN IRELAND

*Offences Against the Person*

*Murder*

30 Murder.



*Status: Point in time view as at 22/04/2011.*

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*Attempted murder*

31 An offence under Article 3 of the Criminal Attempts and...

*Soliciting murder*

32 An offence under section 4 of the Offences against the...

*Manslaughter*

33 Manslaughter.

*Corporate manslaughter*

33A An offence under section 1 of the Corporate Manslaughter and...

*Kidnapping*

34 Kidnapping.

*Sexual Offences*

*Rape*

35 Rape.

35A An offence under Article 5 of the Sexual Offences (Northern...

*Attempted rape*

36 An offence under section 2 of the Attempted Rape, etc.,...

36A An offence under Article 3 of the Criminal Attempts and...

*Intercourse with a girl under fourteen*

37 An offence under section 4 of the Criminal Law Amendment...

*Incest by a man with a girl under fourteen*

38 An offence under section 1(1) of the Punishment of Incest...

*Assault by penetration*

38A An offence under Article 6 of the Sexual Offences (Northern...

*Causing a person to engage in sexual activity without consent*

38B An offence under Article 8 of the Sexual Offences (Northern...

*Rape of a child under thirteen*

38C An offence under Article 12 of the Sexual Offences (Northern...

*Attempted rape of a child under thirteen*

38D An offence under Article 3 of the Criminal Attempts and...

*Assault of child under thirteen by penetration*

38E An offence under Article 13 of the Sexual Offences (Northern...

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*Causing a child under thirteen to engage in sexual activity by penetration*

38F An offence under Article 15 of the Sexual Offences (Northern...

*Sexual activity with a person with a mental disorder impeding choice*

38G An offence under Article 43 of the Sexual Offences (Northern...

*Causing a person with a mental disorder impeding choice to engage in sexual activity*

38H An offence under Article 44 of the Sexual Offences (Northern...

*Drugs Offences*

*Unlawful importation of Class A drug*

39 An offence under section 50(2) of the Customs and Excise...

*Unlawful exportation of Class A drug*

40 An offence under section 68(2) of the Customs and Excise...

*Fraudulent evasion in respect of Class A drug*

41 An offence under section 170(1) or (2) of the Customs...

*Producing or being concerned in production of Class A drug*

42 An offence under section 4(2) of the Misuse of Drugs...

*Criminal Damage Offences*

*Arson endangering life*

43 An offence under Article 3(2) of the Criminal Damage (Northern...

*Causing explosion likely to endanger life or property*

44 An offence under section 2 of the Explosive Substances Act...

*Intent or conspiracy to cause explosion likely to endanger life or property*

45 An offence under section 3(1)(a) of the Explosive Substances Act...

*War Crimes and Terrorism*

*Genocide, crimes against humanity and war crimes*

46 An offence under section 51 or 52 of the International...

*Grave breaches of the Geneva Conventions*

47 An offence under section 1 of the Geneva Conventions Act...

*Directing terrorist organisation*

48 An offence under section 56 of the Terrorism Act 2000...

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### *Hostage-taking*

- 49 An offence under section 1 of the Taking of Hostages...

### *Conspiracy*

### *Conspiracy*

- 50 An offence under Article 9 of the Criminal Attempts and...  
Part 3 — SUPPLEMENTARY
- 51 A reference in this Schedule to an offence includes a...
- 52 A reference in this Schedule to an enactment includes a...

### SCHEDULE 6 — Evidence of bad character: armed forces

- 1 Sections 98 to 106, 109, 110 and 112, in so...
- 2 Section 103, as it applies in relation to proceedings before...
- 3 (1) Section 107 has effect in relation to proceedings before...
- 4 Section 110, as it applies in relation to proceedings before...
- 5 Section 111 has effect as if the expression “rules of court”...
- 6 In this Schedule “service court” means—

### SCHEDULE 7 — Hearsay evidence: armed forces

#### *Application to proceedings before service courts*

- 1 Sections 114 to 121, 123, 124, 126, 127 to 129...
- 2 (1) In their application to such proceedings those sections have...
- 3 (1) Section 122 has effect in relation to proceedings before...
- 4 (1) Section 125 has effect in relation to proceedings before...

#### *Amendments*

- 5 For paragraph 1 of Schedule 1 to the Courts-Martial (Appeals)...
- 6 For paragraph 3 of that Schedule (use at retrial under...
- 7 For paragraph 5 of that Schedule (use at retrial under...

#### *Interpretation*

- 8 In this Schedule, and in any provision of this Part...

### SCHEDULE 8 — Breach, revocation or amendment of community order Part 1 — PRELIMINARY

#### *Interpretation*

- 1 In this Schedule— “the offender”, in relation to a community...
- 2 In this Schedule— (a) references to a drug rehabilitation requirement...
- 3 For the purposes of this Schedule— (a) a requirement falling...

#### *Orders made on appeal*

- 4 Where a community order has been made on appeal, it...  
Part 2 — BREACH OF REQUIREMENT OF ORDER

#### *Duty to give warning*

- 5 (1) If the responsible officer is of the opinion that...

*Status: Point in time view as at 22/04/2011.*

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*Breach of order after warning*

- 6 (1) If— (a) the responsible officer has given a warning...

*Issue of summons or warrant by justice of the peace*

- 7 (1) This paragraph applies to— (a) a community order made...

*Issue of summons or warrant by Crown Court*

- 8 (1) This paragraph applies to a community order made by...

*Powers of magistrates' court*

- 9 (1) If it is proved to the satisfaction of a...

*Powers of Crown Court*

- 10 (1) Where under paragraph 8 or by virtue of paragraph...

*Restriction of powers in paragraphs 9 and 10 where treatment required*

- 11 (1) An offender who is required by any of the...

*Supplementary*

- 12 Where a community order was made by a magistrates' court...

Part 3 — REVOCATION OF ORDER

*Revocation of order with or without re-sentencing: powers of magistrates' court*

- 13 (1) This paragraph applies where a community order, other than...

*Revocation of order with or without re-sentencing: powers of Crown Court*

- 14 (1) This paragraph applies where— (a) there is in force...

*Supplementary*

- 15 Paragraph 12 applies for the purposes of paragraphs 13 and...

Part 4 — AMENDMENT OF ORDER

*Amendment by reason of change of residence*

- 16 (1) This paragraph applies where, at any time while a...

*Amendment of requirements of community order*

- 17 (1) The appropriate court may, on the application of the...

*Amendment of treatment requirements of community order on report of practitioner*

- 18 (1) Where the medical practitioner or other person by whom...

*Amendment in relation to review of drug rehabilitation requirement*

- 19 Where the responsible officer is of the opinion that a...

*Status: Point in time view as at 22/04/2011.*

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*Extension of unpaid work requirement*

- 20 (1) Where— (a) a community order imposing an unpaid work...  
Part 5 — POWERS OF COURT IN RELATION TO ORDER FOLLOWING  
SUBSEQUENT CONVICTION

*Powers of magistrates' court following subsequent conviction*

- 21 (1) This paragraph applies where— (a) an offender in respect...  
22 (1) Where an offender in respect of whom a community...

*Powers of Crown Court following subsequent conviction*

- 23 (1) This paragraph applies where— (a) an offender in respect...  
Part 6 — SUPPLEMENTARY  
24 (1) No order may be made under paragraph 16, and...  
25 (1) Subject to sub-paragraph (2), where a court proposes to...  
25A (1) This paragraph applies to any hearing relating to an...  
26 Paragraphs 9(1)(a), 10(1)(a) and 17(1)(b) have effect subject to the...  
27 (1) On the making under this Schedule of an order...

SCHEDULE 9 — Transfer of community orders to Scotland or Northern Ireland

Part 1 — SCOTLAND

- 1 (1) Where the court considering the making of a community...  
2 (1) Where a court is considering the making or amendment...

Part 2 — NORTHERN IRELAND

- 3 (1) Where the court considering the making of a community...  
4 (1) Where a court is considering the making or amendment...

Part 3 — GENERAL PROVISIONS

- 5 In this Part of this Schedule— “corresponding order” means the...  
6 Where a community order is made or amended in accordance...  
7 In section 220 (duty of offender to keep in touch...  
8 Where a community order is made or amended in accordance...  
9 Before making or amending a community order in those  
circumstances...  
10 The home court may exercise in relation to the community...  
11 If at any time while legislation relating to corresponding orders...  
12 Where an offender is required by virtue of paragraph 11...  
13 Paragraph 12(b) does not enable the court to amend the...  
14 The preceding paragraphs of this Schedule have effect in relation...  
15 Where an offender is required by virtue of paragraph (a)...

SCHEDULE 10 — Revocation or amendment of custody plus orders and amendment  
of intermittent custody orders

*Interpretation*

- 1 (1) In this Schedule— “the appropriate court” means— where the...

*Orders made on appeal*

- 2 Where a custody plus order or intermittent custody order has...

*Status: Point in time view as at 22/04/2011.*

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*Revocation of custody plus order or removal from intermittent custody order of requirements as to licence conditions*

- 3 (1) Where at any time while a custody plus order...

*Amendment by reason of change of residence*

- 4 (1) This paragraph applies where, at any time during the...

*Amendment of requirements of custody plus order or intermittent custody order*

- 5 (1) At any time during the term of imprisonment to...

*Alteration of pattern of temporary release*

- 6 (1) At any time during the term of imprisonment to...

*Supplementary*

- 7 No application may be made under paragraph 3(1), 5(1) or...  
8 (1) Subject to sub-paragraph (2), where a court proposes to...  
9 (1) On the making under this Schedule of an order...

SCHEDULE 11 — Transfer of custody plus orders and intermittent custody orders to Scotland or Northern Ireland

.....

SCHEDULE 12 — Breach or amendment of suspended sentence order, and effect of further conviction

Part 1 — PRELIMINARY

*Interpretation*

- 1 In this Schedule— “the offender”, in relation to a suspended...  
2 In this Schedule— (a) any reference to a suspended sentence...

*Orders made on appeal*

- 3 Where a suspended sentence order is made on appeal it...  
Part 2 — BREACH OF COMMUNITY REQUIREMENT OR CONVICTION OF FURTHER OFFENCE

*Duty to give warning in relation to community requirement*

- 4 (1) If the responsible officer is of the opinion that...

*Breach of order after warning*

- 5 (1) If— (a) the responsible officer has given a warning...

*Issue of summons or warrant by justice of the peace*

- 6 (1) This paragraph applies to— (a) a suspended sentence order...

*Issue of summons or warrant by Crown Court*

- 7 (1) This paragraph applies to a suspended sentence order made...

*Status: Point in time view as at 22/04/2011.*

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*Powers of court on breach of community requirement or conviction of further offence*

8 (1) This paragraph applies where— (a) it is proved to...

*Further provisions as to order that suspended sentence is to take effect*

9 (1) When making an order under paragraph 8(2)(a) or (b)...

*Restriction of powers in paragraph 8 where treatment required*

10 (1) An offender who is required by any of the...

*Court by which suspended sentence may be dealt with under paragraph 8(1)(b)*

11 (1) An offender may be dealt with under paragraph 8(1)(b)...

*Procedure where court convicting of further offence does not deal with suspended sentence*

12 (1) If it appears to the Crown Court, where that...

Part 3 — AMENDMENT OF SUSPENDED SENTENCE ORDER

*Cancellation of community requirements of suspended sentence order*

13 (1) Where at any time while a suspended sentence order...

*Amendment by reason of change of residence*

14 (1) This paragraph applies where, at any time while a...

*Amendment of community requirements of suspended sentence order*

15 (1) At any time during the supervision period, the appropriate...

*Amendment of treatment requirements on report of practitioner*

16 (1) Where the medical practitioner or other person by whom...

*Amendment in relation to review of drug rehabilitation requirement*

17 Where the responsible officer is of the opinion that a...

*Extension of unpaid work requirement*

18 (1) Where— (a) a suspended sentence order imposing an unpaid...

*Supplementary*

19 (1) No application may be made under paragraph 13, 15...

20 (1) Subject to sub-paragraph (2), where a court proposes to...

21 Paragraphs 8(2)(c) and 15(1)(b) have effect subject to the provisions...

22 (1) On the making under this Schedule of an order...

SCHEDULE 13 — Transfer of suspended sentence orders to Scotland or Northern Ireland

Part 1 — SCOTLAND

1 (1) Where the court considering the making of a suspended...

2 A suspended sentence order made or amended in accordance with...

3 (1) Where a court makes or amends a suspended sentence...

4 (1) In relation to the making or amendment of a...

*Status: Point in time view as at 22/04/2011.*

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- 5 In this Part of this Schedule “local authority” means a...  
     Part 2 — NORTHERN IRELAND
- 6 (1) Where the court considering the making of a suspended...  
 7 A suspended sentence order made or amended in accordance with...  
 8 (1) Where a court makes or amends a suspended sentence...  
 9 (1) In relation to the making or amendment of a...  
     Part 3 — GENERAL PROVISIONS: BREACH OR AMENDMENT
- 10 This Part of this Schedule applies at any time while...  
 11 In this Part of this Schedule— “home court” means— if...  
 12 (1) Where this Part of this Schedule applies, Schedule 12...  
 13 (1) Sub-paragraph (2) applies where it appears to the home...  
 14 (1) The court before which an offender appears or is...  
 15 (1) The home court may exercise any power under Part...  
 16 Where by virtue of paragraph 15 any application is made...  
 17 No court may amend or further amend a suspended sentence...  
 18 The preceding paragraphs of this Schedule have effect in relation...  
 19 On the making of an order amending a suspended sentence...  
 20 (1) This paragraph applies where the home court is satisfied...  
     Part 4 — SUPPLEMENTARY
- 21 Subsections (1) and (3) of section 245C of the Criminal...  
 22 (1) Section 4 of the Summary Jurisdiction (Process) Act 1881...

SCHEDULE 14 — Persons to whom copies of requirements to be provided in particular cases

SCHEDULE 15 — Specified offences for purposes of Chapter 5 of Part 12

- Part 1 — SPECIFIED VIOLENT OFFENCES
- 1 Manslaughter.  
 2 Kidnapping.  
 3 False imprisonment.  
 4 An offence under section 4 of the Offences against the...  
 5 An offence under section 16 of that Act (threats to...  
 6 An offence under section 18 of that Act (wounding with...  
 7 An offence under section 20 of that Act (malicious wounding)...  
 8 An offence under section 21 of that Act (attempting to...  
 9 An offence under section 22 of that Act (using chloroform...  
 10 An offence under section 23 of that Act (maliciously administering...  
 11 An offence under section 27 of that Act (abandoning children)...  
 12 An offence under section 28 of that Act (causing bodily...  
 13 An offence under section 29 of that Act (using explosives...  
 14 An offence under section 30 of that Act (placing explosives...  
 15 An offence under section 31 of that Act (setting spring...  
 16 An offence under section 32 of that Act (endangering the...  
 17 An offence under section 35 of that Act (injuring persons...  
 18 An offence under section 37 of that Act (assaulting officer...  
 19 An offence under section 38 of that Act (assault with...  
 20 An offence under section 47 of that Act (assault occasioning...  
 21 An offence under section 2 of the Explosive Substances Act...  
 22 An offence under section 3 of that Act (attempt to...  
 23 An offence under section 1 of the Infant Life (Preservation)...  
 24 An offence under section 1 of the Children and Young...  
 25 An offence under section 1 of the Infanticide Act 1938...  
 26 An offence under section 16 of the Firearms Act 1968...



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- 27 An offence under section 16A of that Act (possession of...
- 28 An offence under section 17(1) of that Act (use of...
- 29 An offence under section 17(2) of that Act (possession of...
- 30 An offence under section 18 of that Act (carrying a...
- 31 An offence under section 8 of the Theft Act 1968...
- 32 An offence under section 9 of that Act of burglary...
- 33 An offence under section 10 of that Act (aggravated burglary)...
- 34 An offence under section 12A of that Act (aggravated vehicle-taking)...
- 35 An offence of arson under section 1 of the Criminal...
- 36 An offence under section 1(2) of that Act (destroying or...
- 37 An offence under section 1 of the Taking of Hostages...
- 38 An offence under section 1 of the Aviation Security Act...
- 39 An offence under section 2 of that Act (destroying, damaging...
- 40 An offence under section 3 of that Act (other acts...
- 41 An offence under section 4 of that Act (offences in...
- 42 An offence under section 127 of the Mental Health Act...
- 43 An offence under section 1 of the Prohibition of Female...
- 44 An offence under section 1 of the Public Order Act...
- 45 An offence under section 2 of that Act (violent disorder)...
- 46 An offence under section 3 of that Act (affray).
- 47 An offence under section 134 of the Criminal Justice Act...
- 48 An offence under section 1 of the Road Traffic Act...
- 49 An offence under section 3A of that Act (causing death...
- 50 An offence under section 1 of the Aviation and Maritime...
- 51 An offence under section 9 of that Act (hijacking of...
- 52 An offence under section 10 of that Act (seizing or...
- 53 An offence under section 11 of that Act (destroying fixed...
- 54 An offence under section 12 of that Act (other acts...
- 55 An offence under section 13 of that Act (offences involving...
- 56 An offence under Part II of the Channel Tunnel (Security)...
- 57 An offence under section 4 of the Protection from Harassment...
- 58 An offence under section 29 of the Crime and Disorder...
- 59 An offence falling within section 31(1)(a) or (b) of that...
- 59A An offence under section 54 of the Terrorism Act 2000...
- 59B An offence under section 56 of that Act (directing terrorist...
- 59C An offence under section 57 of that Act (possession of...
- 59D An offence under section 59 of that Act (inciting terrorism...
- 60 An offence under section 51 or 52 of the International...
- 60A An offence under section 47 of the Anti-terrorism, Crime and...
- 60B An offence under section 50 of that Act (assisting or...
- 60C An offence under section 113 of that Act (use of...
- 61 An offence under section 1 of the Female Genital Mutilation...
- 62 An offence under section 2 of that Act (assisting a...
- 63 An offence under section 3 of that Act (assisting a...
- 63A An offence under section 5 of the Domestic Violence, Crime...
- 63B An offence under section 5 of the Terrorism Act 2006...
- 63C An offence under section 6 of that Act (training for...
- 63D An offence under section 9 of that Act (making or...
- 63E An offence under section 10 of that Act (use of...
- 63F An offence under section 11 of that Act (terrorist threats...
- 64 An offence of— (a) aiding, abetting, counselling, procuring or inciting...
- 65 An attempt to commit murder or a conspiracy to commit...

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- 66 An offence under section 1 of the Sexual Offences Act...
- 67 An offence under section 2 of that Act (procurement of...
- 68 An offence under section 3 of that Act (procurement of...
- 69 An offence under section 4 of that Act (administering drugs...
- 70 An offence under section 5 of that Act (intercourse with...
- 71 An offence under section 6 of that Act (intercourse with...
- 72 An offence under section 7 of that Act (intercourse with...
- 73 An offence under section 9 of that Act (procurement of...
- 74 An offence under section 10 of that Act (incest by...
- 75 An offence under section 11 of that Act (incest by...
- 76 An offence under section 14 of that Act (indecent assault...
- 77 An offence under section 15 of that Act (indecent assault...
- 78 An offence under section 16 of that Act (assault with...
- 79 An offence under section 17 of that Act (abduction of...
- 80 An offence under section 19 of that Act (abduction of...
- 81 An offence under section 20 of that Act (abduction of...
- 82 An offence under section 21 of that Act (abduction of...
- 83 An offence under section 22 of that Act (causing prostitution...
- 84 An offence under section 23 of that Act (procuration of...
- 85 An offence under section 24 of that Act (detention of...
- 86 An offence under section 25 of that Act (permitting girl...
- 87 An offence under section 26 of that Act (permitting girl...
- 88 An offence under section 27 of that Act (permitting defective...
- 89 An offence under section 28 of that Act (causing or...
- 90 An offence under section 29 of that Act (causing or...
- 91 An offence under section 32 of that Act (soliciting by...
- 92 An offence under section 33 of that Act (keeping a...
- 93 An offence under section 128 of the Mental Health Act...
- 94 An offence under section 1 of the Indecency with Children...
- 95 An offence under section 4 of the Sexual Offences Act...
- 96 An offence under section 5 of that Act (living on...
- 97 An offence under section 9 of the Theft Act 1968...
- 98 An offence under section 54 of the Criminal Law Act...
- 99 An offence under section 1 of the Protection of Children...
- 100 An offence under section 170 of the Customs and Excise...
- 101 An offence under section 160 of the Criminal Justice Act...
- 102 An offence under section 1 of the Sexual Offences Act...
- 103 An offence under section 2 of that Act (assault by...
- 104 An offence under section 3 of that Act (sexual assault)...
- 105 An offence under section 4 of that Act (causing a...
- 106 An offence under section 5 of that Act (rape of...
- 107 An offence under section 6 of that Act (assault of...
- 108 An offence under section 7 of that Act (sexual assault...
- 109 An offence under section 8 of that Act (causing or...
- 110 An offence under section 9 of that Act (sexual activity...
- 111 An offence under section 10 of that Act (causing or...
- 112 An offence under section 11 of that Act (engaging in...
- 113 An offence under section 12 of that Act (causing a...
- 114 An offence under section 13 of that Act (child sex...
- 115 An offence under section 14 of that Act (arranging or...
- 116 An offence under section 15 of that Act (meeting a...
- 117 An offence under section 16 of that Act (abuse of...
- 118 An offence under section 17 of that Act (abuse of...

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- 119 An offence under section 18 of that Act (abuse of...
- 120 An offence under section 19 of that Act (abuse of...
- 121 An offence under section 25 of that Act (sexual activity...
- 122 An offence under section 26 of that Act (inciting a...
- 123 An offence under section 30 of that Act (sexual activity...
- 124 An offence under section 31 of that Act (causing or...
- 125 An offence under section 32 of that Act (engaging in...
- 126 An offence under section 33 of that Act (causing a...
- 127 An offence under section 34 of that Act (inducement, threat...
- 128 An offence under section 35 of that Act (causing a...
- 129 An offence under section 36 of that Act (engaging in...
- 130 An offence under section 37 of that Act (causing a...
- 131 An offence under section 38 of that Act (care workers:...
- 132 An offence under section 39 of that Act (care workers:...
- 133 An offence under section 40 of that Act (care workers:...
- 134 An offence under section 41 of that Act (care workers:...
- 135 An offence under section 47 of that Act (paying for...
- 136 An offence under section 48 of that Act (causing or...
- 137 An offence under section 49 of that Act (controlling a...
- 138 An offence under section 50 of that Act (arranging or...
- 139 An offence under section 52 of that Act (causing or...
- 140 An offence under section 53 of that Act (controlling prostitution...
- 141 An offence under section 57 of that Act (trafficking into...
- 142 An offence under section 58 of that Act (trafficking within...
- 143 An offence under section 59 of that Act (trafficking out...
- 144 An offence under section 61 of that Act (administering a...
- 145 An offence under section 62 of that Act (committing an...
- 146 An offence under section 63 of that Act (trespass with...
- 147 An offence under section 64 of that Act (sex with...
- 148 An offence under section 65 of that Act (sex with...
- 149 An offence under section 66 of that Act (exposure).
- 150 An offence under section 67 of that Act (voyeurism).
- 151 An offence under section 69 of that Act (intercourse with...
- 152 An offence under section 70 of that Act (sexual penetration...
- 153 An offence of— (a) aiding, abetting, counselling, procuring or inciting...

SCHEDULE 15A — Offences specified for the purposes of sections 225(3A) and 227(2A)

Part 1 — OFFENCES UNDER THE LAW OF ENGLAND AND WALES

- 1 Murder.
- 2 Manslaughter.
- 3 An offence under section 4 of the Offences against the...
- 4 An offence under section 18 of that Act (wounding with...
- 5 An offence under section 1 of the Sexual Offences Act...
- 6 An offence under section 5 of that Act (intercourse with...
- 7 An offence under section 16 of the Firearms Act 1968...
- 8 An offence under section 17(1) of that Act (use of...
- 9 An offence under section 18 of that Act (carrying a...
- 10 An offence of robbery under section 8 of the Theft...
- 11 An offence under section 1 of the Sexual Offences Act...
- 12 An offence under section 2 of that Act (assault by...
- 13 An offence under section 4 of that Act (causing a...
- 14 An offence under section 5 of that Act (rape of...

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- 15 An offence under section 6 of that Act (assault of...
- 16 An offence under section 8 of that Act (causing or...
- 17 An offence under section 30 of that Act (sexual activity...
- 18 An offence under section 31 of that Act (causing or...
- 19 An offence under section 34 of that Act (inducement, threat...
- 20 An offence under section 35 of that Act (causing a...
- 21 An offence under section 47 of that Act (paying for...
- 22 An offence under section 62 of that Act (committing an...
- 23 (1) An attempt to commit an offence specified in the...
  - Part 2 — OFFENCES UNDER THE LAW OF SCOTLAND
  - 24 Murder.
  - 25 Culpable homicide.
  - 26 Rape.
  - 27 Assault where the assault— (a) is aggravated because it caused...
  - 28 Sodomy where the person against whom the offence was committed...
  - 29 Lewd, indecent or libidinous behaviour or practices.
  - 30 Robbery, where, at some time during the commission of the...
  - 31 An offence under section 16 of the Firearms Act 1968...
  - 32 An offence under section 17(1) of that Act (use of...
  - 33 An offence under section 18 of that Act (carrying a...
  - 34 An offence under section 5(1) of the Criminal Law (Consolidation)...
  - 35 (1) An attempt to commit an offence specified in the...
    - Part 3 — OFFENCES UNDER THE LAW OF NORTHERN IRELAND
    - 36 Murder.
    - 37 Manslaughter.
    - 38 Rape.
    - 39 An offence under section 4 of the Offences against the...
    - 40 An offence under section 18 of that Act (wounding with...
    - 41 An offence under section 4 of the Criminal Law Amendment...
    - 42 An offence of robbery under section 8 of the Theft...
    - 43 An offence under Article 17 of the Firearms (Northern Ireland)...
    - 44 An offence under Article 18(1) of that Order (use of...
    - 45 An offence under Article 19 of that Order (carrying a...
    - 46 An offence under Article 58 of the Firearms (Northern Ireland)...
    - 47 An offence under Article 59 of that Order (use of...
    - 48 An offence under Article 60 of that Order (carrying a...
    - 49 An offence under section 47 of the Sexual Offences Act...
    - 49A An offence under Article 5 of the Sexual Offences (Northern...
    - 49B An offence under Article 6 of that Order (assault by...
    - 49C An offence under Article 8 of that Order (causing a...
    - 49D An offence under Article 12 of that Order (rape of...
    - 49E An offence under Article 13 of that Order (assault of...
    - 49F An offence under Article 15 of that Order (causing or...
    - 49G An offence under Article 37 of that Order (paying for...
    - 49H An offence under Article 43 of that Order (sexual activity...
    - 49I An offence under Article 44 of that Order (causing or...
    - 49J An offence under Article 47 of that Order (inducement, threat...
    - 49K An offence under Article 48 of that Order (causing a...
    - 49L An offence under Article 66 of that Order (committing an...
    - 50 (1) An attempt to commit an offence specified in the...
      - Part 4 — OFFENCES UNDER SERVICE LAW
      - 51 An offence under section 70 of the Army Act 1955,...
      - 52 (1) An offence under section 42 of the Armed Forces...

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Part 5 — INTERPRETATION

53 In this Schedule, “imprisonment for life” includes custody...

SCHEDULE 16 —

- 1 Rape.
- 2 Clandestine injury to women.
- 3 Abduction of woman or girl with intent to rape or...
- 4 Assault with intent to rape or ravish.
- 5 Indecent assault.
- 6 Lewd, indecent or libidinous behaviour or practices.
- 7 Shameless indecency.
- 8 Sodomy.
- 9 An offence under section 170 of the Customs and Excise...
- 10 An offence under section 52 of the Civic Government (Scotland)...
- 11 An offence under section 52A of that Act (possession of...
- 12 An offence under section 1 of the Criminal Law (Consolidation)...
- 13 An offence under section 2 of that Act (intercourse with...
- 14 An offence under section 3 of that Act (intercourse with...
- 15 An offence under section 5 of that Act (unlawful intercourse...
- 16 An offence under section 6 of that Act (indecent behaviour...
- 17 An offence under section 8 of that Act (detention of...
- 18 An offence under section 10 of that Act (person having...
- 19 An offence under subsection (5) of section 13 of that...
- 20 An offence under section 3 of the Sexual Offences (Amendment)...
- 21 An offence of— (a) attempting, conspiring or inciting another to...
- 22 Any offence (other than an offence specified in any of...

SCHEDULE 17 —

Part 1 — VIOLENT OFFENCES

- 1 Manslaughter.
- 2 Kidnapping.
- 3 Riot.
- 4 Affray.
- 5 False imprisonment.
- 6 An offence under section 4 of the Offences against the...
- 7 An offence under section 16 of that Act (threats to...
- 8 An offence under section 18 of that Act (wounding with...
- 9 An offence under section 20 of that Act (malicious wounding)...
- 10 An offence under section 21 of that Act (attempting to...
- 11 An offence under section 22 of that Act (using chloroform...
- 12 An offence under section 23 of that Act (maliciously administering...
- 13 An offence under section 27 of that Act (abandoning children)...
- 14 An offence under section 28 of that Act (causing bodily...
- 15 An offence under section 29 of that Act (using explosives...
- 16 An offence under section 30 of that Act (placing explosives...
- 17 An offence under section 31 of that Act (setting spring...
- 18 An offence under section 32 of that Act (endangering the...
- 19 An offence under section 35 of that Act (injuring persons...
- 20 An offence under section 37 of that Act (assaulting officer...
- 21 An offence under section 47 of that Act of assault...
- 22 An offence under section 2 of the Explosive Substances Act...
- 23 An offence under section 3 of that Act (attempt to...
- 24 An offence under section 25 of the Criminal Justice (Northern...

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- 25 An offence under section 1 of the Infanticide Act (Northern...
- 26 An offence under section 7(1)(b) of the Criminal Justice  
(Miscellaneous...
- 27 An offence under section 20 of the Children and Young...
- 28 An offence under section 8 of the Theft Act (Northern...
- 29 An offence under section 9 of that Act of burglary...
- 30 An offence under section 10 of that Act (aggravated burglary)....
- 31 An offence of arson under Article 3 of the Criminal...
- 32 An offence under Article 3(2) of that Order (destroying or...
- 33 An offence under Article 58(1) of the Firearms (Northern Ireland)...
- 34 An offence under Article 58(2) of that Order (possession of...
- 35 An offence under Article 59(1) of that Order (use of...
- 36 An offence under Article 59(2) of that Order (possession of...
- 37 An offence under Article 60 of that Order (carrying a...
- 38 An offence under section 1 of the Taking of Hostages...
- 39 An offence under section 1 of the Aviation Security Act...
- 40 An offence under section 2 of that Act (destroying, damaging...
- 41 An offence under section 3 of that Act (other acts...
- 42 An offence under section 4 of that Act (offences in...
- 43 An offence under section 1 of the Prohibition of Female...
- 44 An offence under Article 121 of the Mental Health (Northern...
- 45 An offence under section 134 of the Criminal Justice Act...
- 46 An offence under section 1 of the Aviation and Maritime...
- 47 An offence under section 9 of that Act (hijacking of...
- 48 An offence under section 10 of that Act (seizing or...
- 49 An offence under section 11 of that Act (destroying fixed...
- 50 An offence under section 12 of that Act (other acts...
- 51 An offence under section 13 of that Act (offences involving...
- 52 An offence under Part II of the Channel Tunnel (Security)...
- 53 An offence under Article 9 of the Road Traffic (Northern...
- 54 An offence under Article 14 of that Order (causing death...
- 55 An offence under Article 6 of the Protection from Harassment...
- 56 An offence under section 66 of the Police (Northern Ireland)...
- 57 An offence under section 51 or 52 of the International...
- 58 An offence under section 1 of the Female Genital Mutilation...
- 59 An offence under section 2 of that Act (assisting a...
- 60 An offence under section 3 of that Act (assisting a...
- 60A An offence under section 5 of the Domestic Violence, Crime...
- 61 An offence of— (a) aiding, abetting, counselling, procuring or inciting...
- 62 An attempt to commit murder or a conspiracy to commit...  
Part 2 — SEXUAL OFFENCES
- 63 Rape.
- 64 Indecent assault upon a female.
- 65 An offence under section 52 of the Offences against the...
- 66 An offence under section 53 of that Act (abduction of...
- 67 An offence under section 54 of that Act (abduction of...
- 68 An offence under section 55 of that Act (abduction of...
- 69 An offence under section 2 of the Criminal Law Amendment...
- 70 An offence under section 3 of that Act (procurement of...
- 71 An offence under section 4 of that Act (intercourse or...
- 72 An offence under section 5 of that Act (intercourse or...
- 73 An offence under section 6 of that Act (permitting girl...
- 74 An offence under section 7 of that Act (abduction of...

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- 75 An offence under section 8 of that Act (unlawful detention...
- 76 An offence under section 1 of the Vagrancy Act 1898...
- 77 An offence under section 1 of the Punishment of Incest...
- 78 An offence under section 2 of that Act (incest by...
- 79 An offence under section 21 of the Children and Young...
- 80 An offence under section 22 of that Act (indecent conduct...
- 81 An offence under section 9 of the Theft Act (Northern...
- 82 An offence under Article 3 of the Protection of Children...
- 83 An offence under section 170 of the Customs and Excise...
- 84 An offence under Article 9 of the Criminal Justice (Northern...
- 85 An offence under Article 7 of the Homosexual Offences (Northern...
- 86 An offence under Article 8 of that Order (living on...
- 87 An offence under Article 122 of the Mental Health (Northern...
- 88 An offence under Article 123 of that Order (protection of...
- 89 An offence under Article 15 of the Criminal Justice (Evidence,...
- 90 An offence under section 15 of the Sexual Offences Act...
- 91 An offence under section 16 of that Act (abuse of...
- 92 An offence under section 17 of that Act (abuse of...
- 93 An offence under section 18 of that Act (abuse of...
- 94 An offence under section 19 of that Act (abuse of...
- 95 An offence under section 47 of that Act (paying for...
- 96 An offence under section 48 of that Act (causing or...
- 97 An offence under section 49 of that Act (controlling a...
- 98 An offence under section 50 of that Act (arranging or...
- 99 An offence under section 52 of that Act (causing or...
- 100 An offence under section 53 of that Act (controlling prostitution...
- 101 An offence under section 57 of that Act (trafficking into...
- 102 An offence under section 58 of that Act (trafficking within...
- 103 An offence under section 59 of that Act (trafficking out...
- 104 An offence under section 66 of that Act (exposure).
- 105 An offence under section 67 of that Act (voyeurism).
- 106 An offence under section 69 of that Act (intercourse with...
- 107 An offence under section 70 of that Act (sexual penetration...
- 108 An offence under Article 20 of the Criminal Justice (Northern...
- 109 An offence under Article 21 of that Order (indecent assault...
- 110 An offence of— (a) aiding, abetting, counselling, procuring or inciting...

SCHEDULE 18 — Release of prisoners serving sentences of imprisonment or detention for public protection

*Release on licence*

- 1 (1) Section 31 of the Crime (Sentences) Act 1997 (c....
- 2 After that section there is inserted— Imprisonment or detention for...
- 3 In section 34(2) of that Act (meaning of “life sentence”),...

*Determination of tariffs*

- 4 In section 82A of the Sentencing Act (determination of tariffs),...

SCHEDULE 19 — The Parole Board: supplementary provisions

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### *Status and Capacity*

- 1 (1) The Board is not to be regarded as the...

### *Membership*

- 2 (1) The Board is to consist of a chairman and...

### *Payments to members*

- 3 (1) The Board may pay to each member such remuneration...

### *Proceedings*

- 4 (1) Subject to the provisions of section 239(5), the arrangements...

### *Staff*

- 5 (1) The Board may appoint such number of employees as...  
6 (1) Employment with the Board shall continue to be included...

### *Financial provisions*

- 7 (1) The Secretary of State shall pay to the Board—...

### *Authentication of Board's seal*

- 8 The application of the seal of the Board is to...

### *Presumption of authenticity of documents issued by Board*

- 9 Any document purporting to be an instrument issued by the...

### *Accounts and audit*

- 10 (1) It is the duty of the Board—

### *Reports*

- 11 The Board must as soon as practicable after the end...

## SCHEDULE 20 — Prisoners liable to removal from United Kingdom: modifications of Criminal Justice Act 1991

- 1 In this Schedule “the 1991 Act” means the Criminal Justice...  
2 In section 42 of the 1991 Act (additional days for...  
3 (1) In section 46 of the 1991 Act (persons liable...  
4 After section 46 of the 1991 Act there is inserted—...

## SCHEDULE 21 — Determination of minimum term in relation to mandatory life sentence

### *Interpretation*

- 1 In this Schedule— “child” means a person under 18 years;...  
2 Section 28 of the Crime and Disorder Act 1998 (c....  
3 For the purposes of this Schedule an offence is aggravated...



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### *Starting points*

- 4 (1) If— (a) the court considers that the seriousness of...
- 5 (1) If— (a) the case does not fall within paragraph...
- 5A (1) If— (a) the case does not fall within paragraph...
- 6 If the offender was aged 18 or over when he...
- 7 If the offender was aged under 18 when he committed...

### *Aggravating and mitigating factors*

- 8 Having chosen a starting point, the court should take into...
- 9 Detailed consideration of aggravating or mitigating factors may result in...
- 10 Aggravating factors (additional to those mentioned in paragraph 4(2) ,...
- 11 Mitigating factors that may be relevant to the offence of...
- 12 Nothing in this Schedule restricts the application of—

## SCHEDULE 22 — Mandatory life sentences: transitional cases

### *Interpretation*

- 1 In this Schedule— “the commencement date” means the day on...

### *Existing prisoners notified by Secretary of State*

- 2 Paragraph 3 applies in relation to any existing prisoner who,...
- 3 (1) On the application of the existing prisoner, the High...
- 4 (1) In dealing with an application under paragraph 3, the...

### *Existing prisoners not notified by Secretary of State*

- 5 Paragraph 6 applies in relation to any existing prisoner who,...
- 6 The Secretary of State must refer the prisoner’s case to...
- 7 In considering under subsection (3) or (4) of section 269...
- 8 In dealing with a reference under paragraph 6, the High...

### *Sentences passed on or after commencement date in respect of offences committed before that date*

- 9 Paragraph 10 applies where— (a) on or after the commencement...
- 10 The court— (a) may not make an order under subsection...

### *Proceedings in High Court*

- 11 (1) An application under paragraph 3 or a reference under...

### *Giving of reasons*

- 12 (1) Where the High Court makes an order under paragraph...
- 13 Where the High Court makes an order under subsection (2)...

### *Right of appeal*

- 14 (1) A person who has made an application under paragraph...

### *Review of minimum term on reference by Attorney General*

- 15 Section 36 of the Criminal Justice Act 1988 (c. 33)...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Modification of early release provisions*

- 16 (1) In relation to an existing prisoner, section 28 of...
- 17 In section 34(1) of the Crime (Sentences) Act 1997 (c....

*Transferred life prisoners*

- 18 In relation to an existing prisoner who immediately before the...

SCHEDULE 23 — Deferment of sentence

- 1 For sections 1 and 2 of the Sentencing Act (deferment...
- 2 In section 159 of the Sentencing Act (execution of process...

SCHEDULE 24 —

- 1 (1) Section 70 of the Sentencing Act (requirements which may...
- 2 (1) Schedule 6 to the Sentencing Act (requirements which may...
- 3 In Schedule 7 to the Sentencing Act (breach, revocation and...

SCHEDULE 25 — Summary offences no longer punishable with imprisonment

*Vagrancy Act 1824 (c. 83)*

- 1 The offence under section 3 of the Vagrancy Act 1824...
- 2 The following offences under section 4 of that Act (rogues...

*Railway Regulation Act 1842 (c. 55)*

- 3 An offence under section 17 of the Railway Regulation Act...

*London Hackney Carriages Act 1843 (c. 86)*

- 4 An offence under section 28 of the London Hackney Carriages...

*Town Police Clauses Act 1847 (c. 89)*

- 5 An offence under section 26 of the Town Police Clauses...
- 6 An offence under section 28 of that Act (offences relating...
- 7 An offence under section 29 of that Act (drunken persons,...
- 8 An offence under section 36 of that Act (keeping places...

*Ecclesiastical Courts Jurisdiction Act 1860 (c. 32)*

- 9 An offence under section 2 of the Ecclesiastical Courts Jurisdiction...

*Town Gardens Protection Act 1863 (c. 13)*

- 10 An offence under section 5 of the Town Gardens Protection...

*Public Stores Act 1875 (c. 25)*

- 11 An offence under section 8 of the Public Stores Act...

*North Sea Fisheries Act 1893 (c. 17)*

- 12 An offence under section 2 of the North Sea Fisheries...
- 13 An offence under section 3 of that Act (penalty for...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Seamen's and Soldiers' False Characters Act 1906 (c. 5)*

14 An offence under section 1 of the Seamen's and Soldiers'...

*Aliens Restriction (Amendment) Act 1919 (c. 92)*

15 An offence under section 3(2) of the Aliens Restriction (Amendment)...

*Children and Young Persons Act 1933 (c. 12)*

16 An offence under section 4 of the Children and Young...

*Protection of Animals Act 1934 (c. 21)*

17 An offence under section 2 of the Protection of Animals...

*Public Health Act 1936 (c. 49)*

18 An offence under section 287 of the Public Health Act...

*Essential Commodities Reserves Act 1938 (c. 51)*

19 An offence under section 4(2) of the Essential Commodities Reserves...

*London Building Acts (Amendment) Act 1939 (c. xcvi)*

20 An offence under section 142 of the London Building Acts...

*Cancer Act 1939 (c. 13)*

21 An offence under section 4 of the Cancer Act 1939...

*Civil Defence Act 1939 (c. 31)*

22 An offence under section 77 of the Civil Defence Act...

*Hill Farming Act 1946 (c. 73)*

23 An offence under section 19(2) or (3) of the Hill...

*Polish Resettlement Act 1947 (c. 19)*

24 An offence under paragraph 7 of the Schedule to the...

*Agriculture Act 1947 (c. 48)*

25 An offence under section 14(7) of the Agriculture Act 1947,...

26 An offence under section 95 of that Act (failure to...

*Civil Defence Act 1948 (c. 5)*

27 An offence under section 4 of the Civil Defence Act...

*Agricultural Wages Act 1948 (c. 47)*

28 An offence under section 12 of the Agricultural Wages Act...

*Wireless Telegraphy Act 1949 (c. 54)*

29 An offence under section 11(7) of the Wireless Telegraphy Act...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Prevention of Damage by Pests Act 1949 (c. 55)*

30 An offence under section 22(5) of the Prevention of Damage...

*Coast Protection Act 1949 (c. 74)*

31 An offence under section 25(9) of the Coast Protection Act...

*Pet Animals Act 1951 (c. 35)*

32 An offence under the Pet Animals Act 1951 (offences relating...

*Cockfighting Act 1952 (c. 59)*

33 An offence under section 1 of the Cockfighting Act 1952...

*Agricultural Land (Removal of Surface Soil) Act 1953 (c. 10)*

34 An offence under the Agricultural Land (Removal of Surface Soil)...

*Accommodation Agencies Act 1953 (c. 23)*

35 An offence under section 1 of the Accommodation Agencies Act...

*Army Act 1955 (3 & 4 Eliz. 2 c. 18)*

36 An offence under section 19 of the Army Act 1955...

37 An offence under section 161 of that Act (refusal to...

38 An offence under section 171 of that Act (offences relating...

39 An offence under section 191 of that Act (pretending to...

40 An offence under section 193 of that Act (obstructing members...

41 An offence under section 196 of that Act (illegal dealings...

42 An offence under section 197 of that Act (unauthorised use...

*Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)*

43 An offence under section 19 of the Air Force Act...

44 An offence under section 161 of that Act (refusal to...

45 An offence under section 171 of that Act (offences relating...

46 An offence under section 191 of that Act (pretending to...

47 An offence under section 193 of that Act (obstructing members...

48 An offence under section 196 of that Act (illegal dealings...

49 An offence under section 197 of that Act (unauthorised use...

*Naval Discipline Act 1957 (c. 53)*

50 An offence under section 96 of the Naval Discipline Act...

51 An offence under section 99 of that Act (illegal dealings...

*Agricultural Marketing Act 1958 (c. 47)*

52 An offence under section 45 of the Agricultural Marketing Act...

*Rivers (Prevention of Pollution) Act 1961 (c. 50)*

53 An offence under section 12(1) of the Rivers (Prevention of...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Betting, Gaming and Lotteries Act 1963 (c. 2)*

54 An offence under section 8 of the Betting, Gaming and...

*Children and Young Persons Act 1963 (c. 37)*

55 An offence under section 40 of the Children and Young...

*Animal Boarding Establishments Act 1963 (c. 43)*

56 An offence under the Animal Boarding Establishments Act 1963  
(offences...

*Agriculture and Horticulture Act 1964 (c. 28)*

57 An offence under Part 3 of the Agriculture and Horticulture...

*Emergency Laws (Re-enactments and Repeals) Act 1964 (c. 60)*

58 An offence under paragraph 1(3) or 2(4) of Schedule 1...

*Riding Establishments Act 1964 (c. 70)*

59 An offence under the Riding Establishments Act 1964 (offences  
relating...

*Industrial and Provident Societies Act 1965 (c. 12)*

60 An offence under section 16 of the Industrial and Provident...

61 An offence under section 48 of that Act (production of...

*Cereals Marketing Act 1965 (c. 14)*

62 An offence under section 17(1) of the Cereals Marketing Act...

*Gas Act 1965 (c. 36)*

63 An offence under paragraph 9 of Schedule 6 to the...

*Armed Forces Act 1966 (c. 45)*

64 An offence under section 8 of the Armed Forces Act...

*Agriculture Act 1967 (c. 22)*

65 An offence under section 6(9) of the Agriculture Act 1967...

66 An offence under section 14(2) of that Act (levy schemes:...

67 An offence under section 69 of that Act (false statements...

*Sea Fisheries (Shellfish) Act 1967 (c. 83)*

68 An offence under section 14(2) of the Sea Fisheries (Shellfish)...

*Theatres Act 1968 (c. 54)*

69 An offence under section 13(1) or (2) of the Theatres...

*Theft Act 1968 (c. 60)*

70 An offence under paragraph 2(1) of Schedule 1 to the...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Agriculture Act 1970 (c. 40)*

71 An offence under section 106(8) of the Agriculture Act 1970...

*Breeding of Dogs Act 1973 (c. 60)*

72 An offence under the Breeding of Dogs Act 1973 (offences...

*Slaughterhouses Act 1974 (c. 3)*

73 An offence under section 4(5) of the Slaughterhouses Act 1974...

*National Health Service Act 1977 (c. 49)*

74 An offence under paragraph 8(3) or 9(4) of Schedule 11...

*Magistrates' Courts Act 1980 (c. 43)*

75 An offence under section 84(3) of the Magistrates' Courts Act...

*Animal Health Act 1981 (c. 22)*

76 An offence under paragraph 6 of Schedule 1 to the...

*Fisheries Act 1981 (c. 29)*

77 An offence under section 5(4) of the Fisheries Act 1981...

*Civil Aviation Act 1982 (c. 16)*

78 An offence under section 82 of the Civil Aviation Act...

*Mental Health Act 1983 (c. 20)*

79 An offence under section 103 of the Mental Health Act...

80 An offence under section 129 of that Act (obstruction).

*Building Act 1984 (c. 55)*

81 An offence under section 96(3) of the Building Act 1984...

*Surrogacy Arrangements Act 1985 (c. 49)*

82 An offence under section 2 of the Surrogacy Arrangements Act...

*Animals (Scientific Procedures) Act 1986 (c. 14)*

83 An offence under section 22(3), 23 or 25(3) of the...

*Motor Cycle Noise Act 1987 (c. 34)*

84 An offence under paragraph 1 of Schedule 1 to the...

*Human Organ Transplants Act 1989 (c. 31)*

85 An offence under section 2 of the Human Organ Transplants...

*Town and Country Planning Act 1990 (c. 8)*

86 An offence under paragraph 14(4) of Schedule 15 to the...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Environmental Protection Act 1990 (c. 43)*

87 An offence under section 118(1)(g), (h) or (i) of the...

*Criminal Justice Act 1991 (c. 53)*

88 An offence under section 20A of the Criminal Justice Act...

*Deer Act 1991 (c. 54)*

89 An offence under section 10(3) of the Deer Act 1991...

*Water Industry Act 1991 (c. 56)*

90 An offence under section 206(2) of the Water Industry Act...

91 An offence that falls within paragraph 5(5) of Schedule 6...

*Social Security Administration Act 1992 (c. 5)*

92 An offence under section 105 of the Social Security Administration...

93 An offence under section 182 of that Act (illegal possession...

*Local Government Finance Act 1992 (c. 14)*

94 An offence under section 27(5) of the Local Government Finance...

*Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)*

95 An offence under section 240 of the Trade Union and...

*Merchant Shipping Act 1995 (c. 21)*

96 An offence under section 57 of the Merchant Shipping Act...

*Reserve Forces Act 1996 (c. 14)*

97 An offence under section 75(5) of the Reserve Forces Act...

98 An offence under section 82(1) of that Act (offences in...

99 An offence under section 87(1) of that Act (offences in...

100 An offence under section 99 of that Act (false pretence...

101 An offence under paragraph 5(1) of Schedule 1 to that...

*Housing Act 1996 (c. 52)*

102 An offence under paragraph 23 or 24 of Schedule 1...

*Broadcasting Act 1996 (c. 55)*

103 An offence under section 144 of the Broadcasting Act 1996...

*Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11)*

104 An offence under section 8 or 9(6) of the Breeding...

*Transport Act 2000 (c. 38)*

105 An offence under section 82(2) of the Transport Act 2000...

SCHEDULE 26 — Increase in maximum term for certain summary offences

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Railway Regulation Act 1840 (c. 97)*

- 1 In section 16 of the Railway Regulation Act 1840 (obstructing...

*Licensing Act 1872 (c. 94)*

- 2 In section 12 of the Licensing Act 1872 (penalty for...

*Regulation of Railways Act 1889 (c. 57)*

- 3 In section 5 of the Regulation of Railways Act 1889...

*Witnesses (Public Inquiries) Protection Act 1892 (c. 64)*

- 4 In section 2 of the Witnesses (Public Inquiries) Protection Act...

*Licensing Act 1902 (c. 28)*

- 5 In section 2 of the Licensing Act 1902 (penalty for...

*Emergency Powers Act 1920 (c. 55)*

- 6 In section 2 of the Emergency Powers Act 1920 (emergency...

*Judicial Proceedings (Regulation of Reports) Act 1926 (c. 61)*

- 7 In section 1 of the Judicial Proceedings (Regulation of Reports)...

*Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6 c. 6)*

- 8 In section 7 of the Public Order Act 1936 (enforcement),...

*Cinematograph Films (Animals) Act 1937 (c. 59)*

- 9 In section 1 of the Cinematograph Films (Animals) Act 1937...

*House to House Collections Act 1939 (c. 44)*

- 10 In section 8 of the House to House Collections Act...

*Fire Services Act 1947 (c. 41)*

- 11 In section 31 of the Fire Services Act 1947 (false...

*National Assistance Act 1948 (c. 29)*

- 12 (1) The National Assistance Act 1948 is amended as follows....

*Docking and Nicking of Horses Act 1949 (c. 70)*

- 13 (1) The Docking and Nicking of Horses Act 1949 is...

*Protection of Animals (Amendment) Act 1954 (c. 40)*

- 14 In section 2 of the Protection of Animals (Amendment) Act...

*Children and Young Persons (Harmful Publications) Act 1955 (c. 28)*

- 15 In section 2 of the Children and Young Persons (Harmful...



*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Agriculture Act 1957 (c. 57)*

16 In section 7 of the Agriculture Act 1957 (penalties)—

*Animals (Cruel Poisons) Act 1962 (c. 26)*

17 In section 1 of the Animals (Cruel Poisons) Act 1962...

*Plant Varieties and Seeds Act 1964 (c. 14)*

18 In section 27 of the Plant Varieties and Seeds Act...

*Agriculture Act 1967 (c. 22)*

19 (1) The Agriculture Act 1967 is amended as follows.

*Firearms Act 1968 (c. 27)*

20 (1) Part 1 of Schedule 6 to the Firearms Act...

*Agriculture (Miscellaneous Provisions) Act 1968 (c. 34)*

21 In section 7 of the Agriculture (Miscellaneous Provisions) Act 1968...

*Agriculture Act 1970 (c. 40)*

22 (1) The Agriculture Act 1970 is amended as follows.

*Slaughterhouses Act 1974 (c. 3)*

23 (1) The Slaughterhouses Act 1974 is amended as follows.

*Criminal Law Act 1977 (c. 45)*

24 In section 8 of the Criminal Law Act 1977 (trespassing...

*Refuse Disposal (Amenity) Act 1978 (c. 3)*

25 In section 2 of the Refuse Disposal (Amenity) Act 1978...

*Customs and Excise Management Act 1979 (c. 2)*

26 (1) The Customs and Excise Management Act 1979 is amended...

*Licensed Premises (Exclusion of Certain Persons) Act 1980 (c. 32)*

27 In section 2 of the Licensed Premises (Exclusion of Certain...

*Criminal Attempts Act 1981 (c. 47)*

28 In section 9 of the Criminal Attempts Act 1981 (interference...

*British Nationality Act 1981 (c. 61)*

29 In section 46 of the British Nationality Act 1981 (offences...

*Civil Aviation Act 1982 (c. 16)*

30 (1) The Civil Aviation Act 1982 is amended as follows....

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Anatomy Act 1984 (c. 14)*

31 In section 11 of the Anatomy Act 1984 (offences), in...

*Public Health (Control of Disease) Act 1984 (c. 22)*

32 (1) The Public Health (Control of Disease) Act 1984 is...

*County Courts Act 1984 (c. 28)*

33 (1) The County Courts Act 1984 is amended as follows....

*Animal Health and Welfare Act 1984 (c. 40)*

34 In section 10 of the Animal Health and Welfare Act...

*Police and Criminal Evidence Act 1984 (c. 60)*

35 In section 63C of the Police and Criminal Evidence Act...

*Sporting Events (Control of Alcohol etc.) Act 1985 (c. 57)*

36 In section 8 of the Sporting Events (Control of Alcohol...

*Public Order Act 1986 (c. 64)*

37 (1) The Public Order Act 1986 is amended as follows....

*Road Traffic Offenders Act 1988 (c. 53)*

38 (1) Part 1 of Schedule 2 to the Road Traffic...

*Official Secrets Act 1989 (c. 6)*

39 In section 10 of the Official Secrets Act 1989 (penalties),...

*Human Organ Transplants Act 1989 (c. 31)*

40 In section 1 of the Human Organ Transplants Act 1989...

*Football Spectators Act 1989 (c. 37)*

41 In section 2 of the Football Spectators Act 1989 (unauthorised...

*Food Safety Act 1990 (c. 16)*

42 In section 35 of the Food Safety Act 1990 (punishment...

*Deer Act 1991 (c. 54)*

43 In section 9 of the Deer Act 1991 (penalties for...

*Social Security Administration Act 1992 (c. 5)*

44 In section 112 of the Social Security Administration Act 1992...

*Criminal Justice and Public Order Act 1994 (c. 33)*

45 (1) The Criminal Justice and Public Order Act 1994 is...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*London Local Authorities Act 1995 (c. x)*

46 In section 24 of the London Local Authorities Act 1995...

*Police Act 1996 (c. 16)*

47 In section 89 of the Police Act 1996 (assaults on...

*Treasure Act 1996 (c. 24)*

48 In section 8 of the Treasure Act 1996 (duty of...

*Education Act 1996 (c. 56)*

49 (1) The Education Act 1996 is amended as follows.

*Government of Wales Act 1998 (c. 38)*

50 In section 75 of the Government of Wales Act 1998...

*Access to Justice Act 1999 (c. 22)*

51 In section 21 of the Access to Justice Act 1999...

*Greater London Authority Act 1999 (c. 29)*

52 In section 64 of the Greater London Authority Act 1999...

*Immigration and Asylum Act 1999 (c. 33)*

53 (1) The Immigration and Asylum Act 1999 is amended as...

*Financial Services and Markets Act 2000 (c. 8)*

54 (1) The Financial Services and Markets Act 2000 is amended...

*Terrorism Act 2000 (c. 11)*

55 (1) The Terrorism Act 2000 is amended as follows.

*Criminal Justice and Police Act 2001 (c. 16)*

56 (1) The Criminal Justice and Police Act 2001 is amended...

*Police Reform Act 2002 (c. 30)*

57 In section 46 of the Police Reform Act 2002 (offences...

*Nationality, Immigration and Asylum Act 2002 (c. 41)*

58 In section 137 of the Nationality, Immigration and Asylum Act...

*Anti-social Behaviour Act 2003 (c. 38)*

59 In section 40 of the Anti-social Behaviour Act 2003 (closure...

SCHEDULE 27 — Enabling powers: alteration of maximum penalties etc.

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Plant Health Act 1967 (c. 8)*

1 (1) Section 3 of the Plant Health Act 1967 (control...

*Agriculture Act 1967 (c. 22)*

2 .....

*European Communities Act 1972 (c. 68)*

3 (1) Paragraph 1 of Schedule 2 to the European Communities...

*Slaughterhouses Act 1974 (c. 3)*

4 In section 38(5) of the Slaughterhouses Act 1974 (maximum penalties...

*Anatomy Act 1984 (c. 14)*

5 (1) Section 11 of the Anatomy Act 1984 (offences) is...

*Environmental Protection Act 1990 (c. 43)*

6 (1) Section 141 of the Environmental Protection Act 1990 (power...

*Scotland Act 1998 (c. 46)*

7 (1) Section 113 of the Scotland Act 1998 (subordinate legislation:...

*Regulatory Reform Act 2001 (c. 6)*

8 .....

SCHEDULE 28 — Increase in penalties for drug-related offences

*Misuse of Drugs Act 1971 (c. 38)*

1 (1) Schedule 4 to the Misuse of Drugs Act 1971...

*Customs and Excise Management Act 1979 (c. 2)*

2 In Schedule 1 to the Customs and Excise Management Act...

*Criminal Justice (International Co-operation) Act 1990 (c. 5)*

3 In section 19 of the Criminal Justice (International Co-operation) Act...

SCHEDULE 29 —

- 1 The Firearms (Northern Ireland) Order 1981 (S.I. 1981/155 (N.I. 2))...
- 2 In Article 2(2) (interpretation) after the definition of “firearms dealer”...
- 3 In Article 3(1) (requirement of firearm certificate) for sub-paragraph (a)...
- 4 After Article 52 of that Order there is inserted— Minimum...
- 5 After Article 52A there is inserted— Power by order to...
- 6 (1) Schedule 2 (table of punishments) is amended as follows....

SCHEDULE 30 — Disqualification from working with children

- 1 The Criminal Justice and Court Services Act 2000 (c. 43)...
- 2 After section 29 there is inserted— Disqualification at discretion of...

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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- 3 (1) Section 30 (supplemental provisions) is amended as follows.
- 4 In section 31 (appeals), in subsection (1), after paragraph (b)...
- 5 (1) Section 33 (conditions for application under section 32) is...

#### SCHEDULE 31 — Default orders: modification of provisions relating to community orders

##### *General*

- 1 Any reference to the offender is, in relation to a...

##### *Unpaid work requirement*

- 2 (1) In its application to a default order, paragraph 2...

##### *Curfew requirement*

- 3 (1) In its application to a default order, paragraph 9...

##### *Attendance centre requirement*

- 3A In its application to a default order, section 214(2) (attendance...

##### *Enforcement, revocation and amendment of default order*

- 4 (1) In its application to a default order, Schedule 10...

##### *Power to alter amount of money or number of hours or days*

- 5 The Secretary of State may by order amend paragraph 2...

##### *Transfer of default orders to Scotland or Northern Ireland*

- 6 In its application to a default order, Schedule 11 to...
- 7 After paragraph 8 there is inserted— Nothing in paragraph 8 affects the application of section 300(7)...
- 8 In paragraph 10, after paragraph (b) there is inserted—

#### SCHEDULE 32 — Amendments relating to sentencing Part 1 — GENERAL

##### *Piracy Act 1837 (c. 88)*

- 1 Section 3 of the Piracy Act 1837 (punishment for offence...

##### *Children and Young Persons Act 1933 (c. 12)*

- 2 (1) Section 49 of the Children and Young Persons Act...

##### *Prison Act 1952 (c. 52)*

- 3 In section 53 of the Prison Act 1952 (interpretation), for...

##### *Criminal Justice Act 1967 (c. 80)*

- 4 The Criminal Justice Act 1967 is amended as follows.
- 5 In section 32 (amendments of Costs in Criminal Cases Act...
- 6 In section 104 (general provisions as to interpretation)\_

*Status: Point in time view as at 22/04/2011.*

*Changes to legislation: Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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*Criminal Appeal Act 1968 (c. 19)*

- 7 The Criminal Appeal Act 1968 is amended as follows.  
8 (1) Section 10 (appeal against sentence in cases dealt with...  
9 In section 11 (supplementary provisions as to appeal against  
sentence),...  
10 In Schedule 2 (procedural and other provisions applicable on order...

*Firearms Act 1968 (c. 27)*

- 11 The Firearms Act 1968 is amended as follows.  
12 (1) Section 21 (possession of firearms by persons previously  
convicted...  
13 (1) Section 52 (forfeiture and disposal of firearms; cancellation of...

*Social Work (Scotland) Act 1968 (c. 49)*

- 14 In section 94 of the Social Work (Scotland) Act 1968...

*Children and Young Persons Act 1969 (c. 54)*

- 15 In section 23 of the Children and Young Persons Act...

*Immigration Act 1971 (c. 77)*

- 16 In section 7 of the Immigration Act 1971 (exemption from...

*Thames Barrier and Flood Prevention Act 1972 (c. xiv)*

- 17 In section 56 of the Thames Barrier and Flood Prevention...

*Rehabilitation of Offenders Act 1974 (c. 53)*

- 18 (1) Section 5 of the Rehabilitation of Offenders Act 1974...

*Armed Forces Act 1976 (c. 52)*

- 19 (1) Section 8 of the Armed Forces Act 1976 (powers...

*Bail Act 1976 (c. 63)*

- 20 The Bail Act 1976 is amended as follows.  
21 (1) Section 2 (other definitions) is amended as follows.  
22 In section 4 (general right to bail of accused persons...  
23 In Part 3 of Schedule 1 (interpretation), in the definition...

*Criminal Law Act 1977 (c. 45)*

- 24 In section 3 of the Criminal Law Act 1977 (penalties...

*Magistrates' Courts Act 1980 (c. 43)*

- 25 The Magistrates' Courts Act 1980 is amended as follows.  
26 In section 11 (non appearance of accused), in subsection (3),...  
27 In section 33 (maximum penalties on summary conviction in  
pursuance...  
28 In section 85 (power to remit fine), in subsection (2A),...  
29 In section 131 (remand of accused already in custody), after...

*Status: Point in time view as at 22/04/2011.*

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30 In section 133 (consecutive terms of imprisonment), in subsection (1),...

*Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55)*

31 In Schedule 1 to the Law Reform (Miscellaneous Provisions)  
(Scotland)...

*Public Passenger Vehicles Act 1981 (c. 14)*

32 (1) In Schedule 3 to the Public Passenger Vehicles Act...

*Criminal Attempts Act 1981 (c. 47)*

33 . . . . .

*Criminal Justice Act 1982 (c. 48)*

34 The Criminal Justice Act 1982 is amended as follows.

35 In section 32 (early release of prisoners), in subsection (1)(a),...

36 (1) Part 3 of Schedule 13 (reciprocal arrangements (Northern Ireland))...

*Mental Health Act 1983 (c. 20)*

37 The Mental Health Act 1983 is amended as follows.

38 In section 37 (powers of courts to order hospital admission...

39 In section 45A (powers of higher courts to direct hospital...

*Repatriation of Prisoners Act 1984 (c. 47)*

40 The Repatriation of Prisoners Act 1984 is amended as follows....

41 In section 2 (transfer out of the United Kingdom), in...

42 In section 3 (transfer into the United Kingdom), subsection (9)...

43 (1) The Schedule (operation of certain enactments in relation to...

*Police and Criminal Evidence Act 1984 (c. 60)*

44 In section 38 of the Police and Criminal Evidence Act...

*Criminal Justice Act 1988 (c. 33)*

45 The Criminal Justice Act 1988 is amended as follows.

46 In section 36 (reviews of sentencing), in subsection (2), for...

47 In section 50 (suspended and partly suspended sentences on certain...

*Firearms (Amendment) Act 1988 (c. 45)*

48 The Firearms (Amendment) Act 1988 is amended as follows.

49 In section 1 (prohibited weapons and ammunition), in subsection (4A)...

50 In section 27(4) (which relates to Northern Ireland), after "Except...

*Road Traffic Act 1988 (c. 52)*

51 In section 164 of the Road Traffic Act 1988 (power...

*Road Traffic Offenders Act 1988 (c. 53)*

52 The Road Traffic Offenders Act 1988 is amended as follows....

53 In section 27 (production of licence), in subsection (3), for...

*Status: Point in time view as at 22/04/2011.*

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- 54 In section 46 (combination of disqualification and endorsement with probation...

*Football Spectators Act 1989 (c. 37)*

- 55 The Football Spectators Act 1989 is amended as follows.  
56 In section 7 (disqualification for membership of scheme),  
subsection (9)...  
57 In section 14E (banning orders: general), after subsection (6) there...  
58 In section 18 (information), after subsection (4) there is inserted—...

*Children Act 1989 (c. 41)*

- 59 The Children Act 1989 is amended as follows.  
60 (1) Section 68 (persons disqualified from being foster parents) is...  
61 (1) In Schedule 9A (child minding and day care for...

*Criminal Justice Act 1991 (c. 53)*

- 62 The Criminal Justice Act 1991 is amended as follows.  
63 Section 65 (supervision of young offenders after release) is omitted...  
64 (1) Schedule 3 (reciprocal enforcement of certain orders) is amended...

*Aggravated Vehicle-Taking Act 1992 (c. 11)*

- 65 In section 1 of the Aggravated Vehicle-Taking Act 1992 (new...

*Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)*

- 66 In section 10 of the Prisoners and Criminal Proceedings (Scotland)...

*Criminal Justice and Public Order Act 1994 (c. 33)*

- 67 In section 25 of the Criminal Justice and Public Order...

*Goods Vehicles (Licensing of Operators) Act 1995 (c. 23)*

- 68 (1) In Schedule 3 to the Goods Vehicles (Licensing of...

*Criminal Procedure (Scotland) Act 1995 (c. 46)*

- 69 The Criminal Procedure (Scotland) Act 1995 is amended as follows....  
70 (1) Section 234 (probation orders: persons residing in England and...  
71 In section 242 (community service orders: persons residing in England...  
72 In section 244 (community service orders: provisions relating to  
persons...

*Education Act 1996 (c. 56)*

- 73 In section 562 of the Education Act 1996 (Act not...

*Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I.24))*

- 74 The Criminal Justice (Northern Ireland) Order 1996 is amended as...  
75 In Article 2 (interpretation) after paragraph (8) there is inserted—...  
76 In Article 4 (absolute and conditional discharge), in paragraph (1),...  
77 In Article 10 (probation orders), in paragraph (1) for “(not...  
78 (1) Article 13 (community service orders) is amended as follows....



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- 79 In Article 15 (orders combining probation and community service), in...
- 80 In Article 19 (restrictions on imposing custodial sentences), at the...
- 81 (1) In Article 20 (length of custodial sentences), at the...

*Crime (Sentences) Act 1997 (c. 43)*

- 82 The Crime (Sentences) Act 1997 is amended as follows.
- 83 (1) Section 31 (duration and conditions of licences) is amended...
- 84 In section 32 (recall of life prisoners while on licence)...
- 85 (1) Schedule 1 (transfers of prisoners within the British Islands)...
- 86 In Schedule 2 (repatriation of prisoners to the British Islands)...

*Crime and Disorder Act 1998 (c. 37)*

- 87 The Crime and Disorder Act 1998 is amended as follows....
- 88 In section 18 (interpretation etc. of Chapter 1)—
- 89 (1) Section 38 (local provision of youth justice services) is...

*Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

- 90 The Powers of Criminal Courts (Sentencing) Act 2000 is amended...
- 91 (1) Section 6 (committal for sentence in certain cases where...
- 92 In section 7 (power of Crown Court on committal for...
- 93 In section 12 (absolute and conditional discharge)—
- 94 In the heading to Part 4, and the heading to...
- 95 For section 33 there is substituted— Meaning of “youth community...
- 96 (1) Section 36B (electronic monitoring of requirements in community orders)...
- 97 (1) Section 37 (curfew orders) is amended as follows.
- 98 In section 39 (breach, revocation and amendment of curfew orders),...
- 99 In section 40 (curfew orders: supplementary), in subsection (3), for...
- 100 (1) Section 40A (exclusion orders) is amended as follows.
- 101 In section 40B (breach, revocation and amendment of exclusion orders),...
- 102 (1) Section 60 (attendance centre orders) is amended as follows....
- 103 In section 63 (supervision orders), in subsection (1), for “sections...
- 104 (1) Section 69 (action plan orders) is amended as follows....
- 105 In section 70 (requirements which may be included in action...
- 106 (1) Section 73 (reparation orders) is amended as follows.
- 107 In section 74 (requirements and provisions of reparation order, and...
- 108 In section 76 (meaning of custodial sentence), in subsection (1)...
- 109 (1) Section 82A (determination of tariffs) is amended as follows....
- 110 (1) Section 91 (offenders under 18 convicted of certain serious...
- 111 (1) Section 100 (detention and training orders) is amended as...
- 112 In section 106 (interaction of detention and training orders with...
- 113 After section 106 there is inserted— Interaction with sentences of...
- 114 In section 110 (required custodial sentence for third class A...
- 115 In section 111 (minimum of three years for third domestic...
- 116 Sections 116 and 117 (return to prison etc. where offence...
- 117 In section 130 (compensation orders against convicted persons), in subsection...
- 118 In section 136 (power to order statement as to financial...
- 119 (1) Section 138 (fixing of fine or compensation to be...
- 120 In section 146 (driving disqualification for any offence), in subsection...

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- 121 In section 154 (commencement of Crown Court sentence), in subsection...
- 122 In section 159 (execution of process between England and Wales...
- 123 (1) Section 163 (interpretation) is amended as follows.
- 124 In section 164 (further interpretative provision) for subsection (3) there...
- 125 For Schedule 3 (breach revocation and amendment of certain community...
- 126 In Schedule 5 (breach, revocation and amendment of attendance centre...
- 127 In Schedule 6 (requirements which may be included in supervision...
- 128 In Schedule 7 (breach, revocation and amendment of supervision orders)—...
- 129 In Schedule 8 (breach, revocation and amendment of action plan...

*Child Support, Pensions and Social Security Act 2000 (c. 19)*

- 130 The Child Support, Pensions and Social Security Act 2000 is...
- 131 (1) Section 62 (loss of benefit for breach of community...
- 132 In section 64 (information provision), in subsection (6)(a), after “community...

*Criminal Justice and Court Services Act 2000 (c. 43)*

- 133 The Criminal Justice and Court Services Act 2000 is amended...
- 134 In section 1 (purposes of Chapter 1 of Part 1...
- 135 In section 42 (interpretation of Part 2), in subsection (2)(a),...
- 136 (1) Section 62 (release on licence etc: conditions as to...
- 137 In section 69 (duties of local probation boards in connection...
- 138 In section 70 (general interpretation), in subsection (5), for the...

*International Criminal Court Act 2001 (c. 17)*

- 139 (1) Schedule 7 to the International Criminal Court Act 2001...

*Armed Forces Act 2001 (c. 19)*

- 140 In section 30 of the Armed Forces Act 2001 (conditional...

*Proceeds of Crime Act 2002 (c. 29)*

- 141 In section 38 of the Proceeds of Crime Act 2002...

*Sexual Offences Act 2003 (c. 42)*

- 142 The Sexual Offences Act 2003 is amended as follows.
- 143 In section 131 (application of Part 2 to young offenders),...
- 144 In section 133 (general interpretation), at the end of paragraph...  
Part 2 — OFFENCES: ABOLITION OF IMPRISONMENT AND CONVERSION TO SUMMARY OFFENCE

*Vagrancy Act 1824 (c. 83)*

- 145 In section 3 of the Vagrancy Act 1824 (idle and...
- 146 (1) Section 4 of that Act (rogues and vagabonds) is...

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*London Hackney Carriages Act 1843 (c. 86)*

147 In section 28 of the London Hackney Carriages Act 1843,...

*Town Police Clauses Act 1847 (c. 89)*

148 In section 26 of the Town Police Clauses Act 1847,...

149 In section 28 of that Act, after “for each offence”,...

150 In section 29 of that Act, after “for every such...

151 In section 36 of that Act, after “liable”, there is...

*Seamen’s and Soldiers’ False Characters Act 1906 (c. 5)*

152 In section 1 of the Seamen’s and Soldiers’ False Characters...

*Aliens Restriction (Amendment) Act 1919 (c. 92)*

153 In section 3(2) of the Aliens Restriction (Amendment) Act 1919,...

*Polish Resettlement Act 1947 (c. 19)*

154 In the Schedule to the Polish Resettlement Act 1947, in...

*Army Act 1955 (3 & 4 Eliz. 2 c. 18)*

155 In section 61 of the Army Act 1955, for the...

*Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)*

156 In section 61 of the Air Force Act 1955, for...

*Naval Discipline Act 1957 (c. 53)*

157 In section 34A of the Naval Discipline Act 1957, for...

*Slaughterhouses Act 1974 (c. 3)*

158 In section 4 of the Slaughterhouses Act 1974, after subsection...

*Water Industry Act 1991 (c. 56)*

159 In Schedule 6 to the Water Industry Act 1991, in...

*Water Resources Act 1991 (c. 57)*

160 In section 205(6) of the Water Resources Act 1991, for...

*Transport Act 2000 (c. 38)*

161 In section 82(4) of the Transport Act 2000, after “subsection...

*Reserve Forces Act 1996 (c. 14)*

162 In paragraph 5(3) of Schedule 1 to the Reserve Forces...

SCHEDULE 33 — Jury service

1 The Juries Act 1974 (c. 23) is amended as follows....

2 For section 1 (qualification for jury service) there is substituted—...

3 Section 9(1) (certain persons entitled to be excused from jury...

*Status: Point in time view as at 22/04/2011.*

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- 4 In section 9(2) (discretionary excusal) after “may” there is inserted...
- 5 After section 9(2) (discretionary excusal) there is inserted—
- 6 In section 9(3) (discretionary excusal) after “above” there is inserted...
- 7 In section 9A(1) (discretionary deferral) after “may” there is inserted...
- 8 After section 9A(1) (discretionary deferral) there is inserted—
- 9 For section 9A(2) (discretionary deferral) there is substituted—
- 10 After section 9A(2) (discretionary deferral) there is inserted—
- 11 In section 9A(3) (discretionary deferral) after “above” there is inserted...
- 12 After section 9A (discretionary deferral) there is inserted—  
Requirement to...
- 13 In section 19 (payment for jury service), after subsection (1)...
- 14 In section 20 (offences), for subsection (5)(d) there is substituted—...
- 15 For Schedule 1 (ineligibility and disqualification for and excusal from...

#### SCHEDULE 34 — Parenting orders and referral orders

##### *Crime and Disorder Act 1998 (c. 37)*

- 1 In section 8 of the Crime and Disorder Act 1998...
- 2 (1) Section 9 of that Act (parenting orders: supplemental) is...

##### *Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

- 3 In section 19(5) of the Powers of Criminal Courts (Sentencing)...
- 4 In section 22 of that Act (referral orders: attendance at...
- 5 (1) Section 28 of that Act (which introduces Schedule 1)...
- 6 In Schedule 1 to that Act (youth offender panels: further...

#### SCHEDULE 34A — Child sex offences for purposes of section 327A

##### *Offences under provisions repealed by Sexual Offences Act 2003*

- 1 An offence under— (a) section 5 or 6 of the...
- 2 An offence under any of— (a) section 1 of that...
- 3 An offence under section 1 of the Indecency with Children...
- 4 An offence under section 9 of the Theft Act 1968...
- 5 An offence under section 54 of the Criminal Law Act...
- 6 An offence under section 3 of the Sexual Offences (Amendment)...

##### *Other offences*

- 7 An offence under any of— (a) sections 5 to 8...
- 8 An offence under any of— (a) sections 1 to 4...
- 9 An offence under section 62 or 63 of that Act...
- 10 An offence under section 66 or 67 of that Act...
- 11 An offence under— (a) section 1 of the Protection of...
- 12 An offence under section 170 of the Customs and Excise...
- 13 An offence under section 63 of the Criminal Justice and...
- 13A An offence under section 62(1) of the Coroners and Justice...

##### *General*

- 14 A reference in this Schedule to an offence (“ offence...
- 15 A reference in this Schedule to an offence (“ offence...

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SCHEDULE 35 — Criminal record certificates: amendments of Part 5 of Police Act 1997

- 1 The Police Act 1997 (c. 50) is amended as follows....
- 2 In section 112 (criminal conviction certificates), in subsection (1)(a), after...
- 3 (1) Section 113 (criminal record certificates) is amended as follows....
- 4 (1) Section 115 (enhanced criminal record certificates) is amended as...
- 5 In section 116 (enhanced criminal record certificates: judicial appointments and...
- 6 (1) Section 120 (registered persons) is amended as follows.
- 7 After section 120 there is inserted— Regulations about registration (1) The Secretary of State may by regulations make further...
- 8 At the end of the sidenote to section 120A (refusal...
- 9 After section 120A there is inserted— Refusal, cancellation or suspension...
- 10 After section 122 there is inserted— Delegation of functions of...
- 11 After section 124 (offences: disclosure) there is inserted— Further offences:...
- 12 In section 125 (regulations)— (a) subsection (3) is omitted, and...

SCHEDULE 36 — Further minor and consequential amendments  
Part 1 — BAIL

*Bail Act 1976 (c. 63)*

- 1 The Bail Act 1976 is amended as follows.
- 2 (1) Section 5(6A)(a) (supplementary provisions about decisions on bail) is...
- 3 In Part 3 of Schedule 1 (interpretation) for paragraph 2...

*Supreme Court Act 1981 (c. 54)*

- 4 (1) Section 81 of the Supreme Court Act 1981 (bail)...

*Police and Criminal Evidence Act 1984 (c. 60)*

- 5 In section 38(2A) of the Police and Criminal Evidence Act...
- Part 2 — CHARGING ETC

*Criminal Law Act 1977 (c. 45)*

- 6 In section 39 of the Criminal Law Act 1977 (service...

*Magistrates' Courts Act 1980 (c. 43)*

- 7 The Magistrates' Courts Act 1980 is amended as follows.
- 8 (1) Section 1 (issue of summons to accused or warrant...
- 9 In section 150(1) (interpretation of other terms) after the definition...

*Prosecution of Offences Act 1985 (c. 23)*

- 10 (1) Section 15 of the Prosecution of Offences Act 1985...

*Criminal Justice and Public Order Act 1994 (c. 33)*

- 11 (1) Section 51 of the Criminal Justice and Public Order...

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*Drug Trafficking Act 1994 (c. 37)*

- 12 (1) Section 60 of the Drug Trafficking Act 1994 (prosecution...

*Merchant Shipping Act 1995 (c. 21)*

- 13 (1) Section 145 of the Merchant Shipping Act 1995 (interpretation...

*Terrorism Act 2000 (c. 11)*

- 14 (1) Paragraph 11 of Schedule 4 to the Terrorism Act...

*Proceeds of Crime Act 2002 (c. 29)*

- 15 (1) Section 85 of the Proceeds of Crime Act 2002...

*Crime (International Co-operation) Act 2003 (c. 32)*

- 16 After section 4 of the Crime (International Co-operation) Act 2003...  
Part 3 — DISCLOSURE

*Prosecution of Offences Act 1985 (c. 23)*

- 17 In section 22B of the Prosecution of Offences Act 1985...

*Criminal Justice Act 1987 (c. 38)*

- 18 In section 9 of the Criminal Justice Act 1987 (preparatory...

*Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16))*

- 19 In Article 8 of the Criminal Justice (Serious Fraud) (Northern...

*Criminal Procedure and Investigations Act 1996 (c. 25)*

- 20 The Criminal Procedure and Investigations Act 1996 is amended as...  
21 In section 3 (primary disclosure by prosecutor), for the heading...  
22 In section 4 (primary disclosure: further provisions), in the heading...  
23 In section 5 (compulsory disclosure by accused), subsections (6) to...  
24 In section 6 (voluntary disclosure by accused), subsection (3) is...  
25 Section 7 (secondary disclosure by prosecutor) shall cease to have...  
26 Section 9 (continuing duty of prosecutor to disclose) shall cease...  
27 In section 10 (prosecutor's failure to observe time limits), in...  
28 In section 12 (time limits)— (a) in subsection (1), for...  
29 In section 13 (time limits: transitional), for subsection (2) there...  
30 In section 14 (public interest: review for summary trials), in...  
31 In section 15 (public interest: review in other cases), in...  
32 In section 16 (applications: opportunity to be heard), in paragraph...  
33 In section 17 (confidentiality of disclosed information), in  
subsection (1)(a),...  
34 In section 19 (rules of court) in subsection (2)(b) and...  
35 In section 20 (other statutory rules as to disclosure)—  
36 In section 31 (preparatory hearings in complex cases etc.), paragraphs...  
37 (1) Section 77 (orders and regulations) is amended as follows...  
38 In Schedule 4 (modifications for Northern Ireland), in paragraph 7,...

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*Sexual Offences (Protected Material) Act 1997 (c. 39)*

- 39 In section 9(4) of the Sexual Offences (Protected Material) Act...  
Part 4 — TRIALS ON INDICTMENT WITHOUT A JURY

*Indictments Act 1915 (c. 90)*

- 40 (1) Section 5 of the Indictments Act 1915 (orders for...

*Criminal Law Act 1967 (c. 58)*

- 41 In section 6(4) of the Criminal Law Act 1967 (trial...

*Criminal Justice Act 1967 (c. 80)*

- 42 In section 17 of the Criminal Justice Act 1967 (entry...

*Criminal Law Act (Northern Ireland) 1967 (c. 18)*

- 43 In section 6(3) of the Criminal Law Act (Northern Ireland)...

*Criminal Appeal Act 1968 (c. 19)*

- 44 In section 7(2)(c) of the Criminal Appeal Act 1968 (power...

*Judicature (Northern Ireland) Act 1978 (c. 23)*

- 45 (1) Section 48 of the Judicature (Northern Ireland) Act 1978...

*Criminal Appeal (Northern Ireland) Act 1980 (c. 47)*

- 46 In section 6(3)(c) of the Criminal Appeal (Northern Ireland) Act...

*Supreme Court Act 1981 (c. 54)*

- 47 (1) Section 76 of the Supreme Court Act 1981 (committal...

*Police and Criminal Evidence Act 1984 (c. 60)*

- 48 (1) Section 77 of the Police and Criminal Evidence Act...

*Prosecution of Offences Act 1985 (c. 23)*

- 49 The Prosecution of Offences Act 1985 is amended as follows....

50 In section 7A(6)(a) (powers of non-legal staff) for “by a...

51 (1) Section 22 (power of Secretary of State to set...

*Criminal Justice Act 1987 (c. 38)*

52 The Criminal Justice Act 1987 is amended as follows.

53 (1) Section 7 (power to order preparatory hearing) is amended...

54 (1) Section 9 (the preparatory hearing) is amended as follows....

55 (1) Section 10 (later stages of trial) is amended as...

*Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16))*

56 The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 is...

57 (1) Article 6 (power to order preparatory hearing) is amended...

58 (1) Article 8 (the preparatory hearing) is amended as follows....

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- 59 (1) Article 9 (later stages of trial) (as originally enacted)...
- 60 (1) Article 9 (later stages of trial) (as substituted by...

*Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))*

- 61 (1) Article 75 of the Police and Criminal Evidence (Northern...

*Criminal Justice and Public Order Act 1994 (c. 33)*

- 62 The Criminal Justice and Public Order Act 1994 is amended...
- 63 In section 35(2) (effect of accused's silence at trial) after...
- 64 In section 51(10)(b) (intimidation of witnesses, jurors and others) after...

*Criminal Procedure and Investigations Act 1996 (c. 25)*

- 65 The Criminal Procedure and Investigations Act 1996 is amended as...
- 66 (1) Section 29 (power to order preparatory hearing) is amended...
- 67 In section 31(4)(b) (the preparatory hearing) for "the jury" there...
- 68 (1) Section 34 (later stages of trial) is amended as...
- 69 In section 35(2) (appeals to Court of Appeal) for "no..."
- 70 In section 36(2) (appeals to House of Lords) for "no..."
- 71 (1) Section 39 (meaning of pre-trial hearing) is amended as...
- 72 (1) Schedule 4 (modifications for Northern Ireland) is amended as...

*Crime and Disorder Act 1998 (c. 37)*

- 73 In paragraph 2(2) of Schedule 3 to the Crime and...

*Youth Justice and Criminal Evidence Act 1999 (c. 23)*

- 74 The Youth Justice and Criminal Evidence Act 1999 is amended...
- 75 In section 32 (warning to jury) after "indictment" there is...
- 76 In section 39(1) (warning to jury) after "indictment" there is...

*Anti-terrorism, Crime and Security Act 2001 (c. 24)*

- 77 In paragraph 19(6)(c) of Schedule 1 to the Anti-terrorism, Crime...

*Proceeds of Crime Act 2002 (c. 29)*

- 78 In section 316(9)(c) of the Proceeds of Crime Act 2002...
- Part 5 — EVIDENCE

*Criminal Procedure Act 1865 (c. 18)*

- 79 In section 6 of the Criminal Procedure Act 1865 (witness's...

*Criminal Evidence Act 1898 (c. 36)*

- 80 In section 1 of the Criminal Evidence Act 1898 (defendant...

*Army Act 1955 (c. 18)*

- 81 In section 99(1) of the Army Act 1955 (rules of...

*Air Force Act 1955 (c. 19)*

- 82 In section 99(1) of the Air Force Act 1955 (rules...



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*Naval Discipline Act 1957 (c. 53)*

83 In section 64A(1) of the Naval Discipline Act 1957 (rules...

*Armed Forces Act 1976 (c. 52)*

84 In paragraph 11(1) of Schedule 3 to the Armed Forces...

*Police and Criminal Evidence Act 1984 (c. 60)*

85 (1) Section 74 of the Police and Criminal Evidence Act...  
Part 6 — MISCELLANEOUS

*Criminal Appeal Act 1968 (c. 19)*

86 The Criminal Appeal Act 1968 is amended as follows.  
87 In section 31(1) (powers of Court of Appeal exercisable by...  
88 In section 31A (powers of Court of Appeal exercisable by...  
89 In section 45 (construction of references to Court of Appeal)—...  
90 (1) Section 51 (interpretation) is amended as follows.

*Criminal Appeal (Northern Ireland) Act 1980 (c. 47)*

91 The Criminal Appeal (Northern Ireland) Act 1980 is amended as...  
92 (1) Section 19 (legal aid) is amended as follows.  
93 (1) Section 28 (costs) is amended as follows.  
94 For section 31(3) (definition of defendant and prosecutor) there is...  
95 In section 45 (powers of Court of Appeal exercisable by...

*Criminal Justice Act 1988 (c. 33)*

96 In section 36 of the Criminal Justice Act 1988 (reviews...

*Criminal Appeal Act 1995 (c. 35)*

97 In section 15(2)(a) of the Criminal Appeal Act 1995 (investigations...

*Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

98 .....

SCHEDULE 37 — Repeals

Part 1 — REPEALS RELATING TO AMENDMENTS OF POLICE AND CRIMINAL  
EVIDENCE ACT 1984

Part 2 — BAIL

Part 3 — DISCLOSURE

Part 4 — ALLOCATION AND SENDING OF OFFENCES

Part 5 — EVIDENCE OF BAD CHARACTER

Part 6 — HEARSAY EVIDENCE

Part 7 — SENTENCING: GENERAL

Part 8 — LIFE SENTENCES

Part 9 — ALTERATION OF PENALTIES FOR SUMMARY OFFENCES

Part 10 — JURY SERVICE

Part 11 — REPEALS RELATING TO AMENDMENTS OF PART 5 OF POLICE ACT  
1997

Part 12 — MISCELLANEOUS

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## SCHEDULE 38 — Transitory, transitional and saving provisions

### *Sentencing of offenders aged 18 but under 21*

- 1 If any provision of Part 12 (“the relevant provision”) is...

#### *Sentencing guidelines*

- 2 The repeal by this Act of sections 80 and 81...
- 3 (1) Subject to sub-paragraph (2), the repeal by this Act...

#### *Drug treatment and testing orders*

- 4 A drug treatment and testing order made under section 52...

#### *Drug testing as part of supervision of young offenders after release*

- 5 (1) Until the coming into force of the repeal by...

#### *Intermittent custody*

- 6 If section 183 (intermittent custody) is to come into force...

#### *Transfer to Scotland of community orders and suspended sentence orders*

- 7 (1) Until the coming into force of the repeal by...

**Status:**

Point in time view as at 22/04/2011.

**Changes to legislation:**

Criminal Justice Act 2003 is up to date with all changes known to be in force on or before 20 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.