

SCHEDULES

SCHEDULE 19

LIFE SENTENCE FOR SECOND LISTED OFFENCE: CONSEQUENTIAL AND TRANSITORY PROVISION

PART 1

CONSEQUENTIAL PROVISION

Criminal Justice Act 2003 (c. 44)

- 20 (1) Section 231 (appeals where convictions set aside) is amended as follows.
- (2) Before subsection (1) insert—
- “(A1) Subsection (2) applies where—
- (a) a sentence has been imposed on a person under section 224A,
 - (b) a previous conviction of that person has been subsequently set aside on appeal, and
 - (c) without that conviction, the previous offence condition in section 224A(4) would not have been met.”
- (3) In subsection (1), for “This section” substitute “Subsection (2) also”.
- (4) After subsection (2) insert—
- “(3) Subsection (4) applies where—
- (a) a sentence has been imposed on a person under section 224A,
 - (b) a previous sentence imposed on that person has been subsequently modified on appeal, and
 - (c) taking account of that modification, the previous offence condition in section 224A(4) would not have been met.
- (4) Notwithstanding anything in section 18 of the Criminal Appeal Act 1968, notice of appeal against the sentence mentioned in subsection (3)(a) may be given at any time within 28 days from the date on which the previous sentence was modified.”