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STATUTORY INSTRUMENTS

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**1983 No. 1695 (S.162)**

**PRISONS**

**The Transfer of Offenders (Designation of  
Equivalent Sentences) Amendment Order 1983**

*Made* - - - - *10th November 1983*

*Coming into Operation* *15th November 1983*

In exercise of the powers conferred upon me by section 38(6) of the Criminal Justice Act 1961<sup>(1)</sup>, and of all other powers enabling me in that behalf, I hereby make the following order:—

1. This order may be cited as the Transfer of Offenders (Designation of Equivalent Sentences) Amendment Order 1983 and shall come into operation on 15th November 1983.

2. Schedule 1 to the Transfer of Offenders (Designation of Equivalent Sentences) Order 1983 shall be amended as follows:—

- (a) In Part I, in paragraph (b) of the entry in column 2 specifying an equivalent sentence in Scotland to a youth custody sentence under section 6 of the Criminal Justice Act 1982 (which is specified in column 1), for the words “section 208(3)” there shall be substituted the words “section 207”<sup>(2)</sup>;
- (b) In Part I, in paragraph (b) of the entry in column 2 specifying an equivalent sentence in Scotland to a detention centre order under section 4 of the Criminal Justice Act 1982 (which is specified in column 1), for sub-paragraphs (i) and (ii) there shall be substituted the words “detention in a detention centre under section 207 of that Act for the like term”;
- (c) In Part II, for the entry in column 1 “Detention in a young offenders institution under section 208(3) of the Criminal Procedure (Scotland) Act 1975.” there shall be substituted the entry “Detention in a young offenders institution.”;
- (d) In Part III, in paragraph (b) of the entry in column 2 specifying an equivalent sentence in Scotland to imprisonment for a determinate period (which is specified in column 1), for the words “section 208(3)” there shall be substituted the words “section 207”;
- (e) In Part III, in the entry in column 2 specifying an equivalent sentence in Scotland to detention in a young offenders centre (which is specified in column 1), for the words “section 208(3)” there shall be substituted the words “section 207”;

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<sup>(1)</sup> section 38(6) was inserted by the Criminal Justice Act 1982 (c.48), section 77 and Schedule 14, paragraph 15.

<sup>(2)</sup> Section 207 of the Criminal Procedure (Scotland) Act 1975 (c.21) is substituted by section 45 of the Criminal Justice (Scotland) Act 1980 (c.62).

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- (f) In Part IV, in paragraph (b) of the entry in column 2 specifying an equivalent sentence in Scotland to imprisonment for a determinate period (which is specified in column 1), for the words “section 208(3)” there shall be substituted the words “section 207”; and
- (g) In Part IV, for the entry in column 2 specifying an equivalent sentence in Scotland to Borstal training (which is specified in column 1) there shall be substituted the following entry:—

“In Scotland, detention in a young offenders institution under section 207 of the Criminal Procedure (Scotland) Act 1975 for a term of 12 months.”.

New St Andrew's House  
Edinburgh  
10th November 1983

*George Younger*  
One of Her Majesty's Principal Secretary of State

## EXPLANATORY NOTE

This Order makes amendments to the Transfer of Offenders (Designation of Equivalent Sentences) Order 1983, which designates equivalent sentences for the purpose of transfer of offenders between different parts of the United Kingdom, the Channel Islands and the Isle of Man. The amendments are consequential on the changes to the sentencing powers of the Scottish courts made by section 45 of the Criminal Justice (Scotland) Act 1980, which with effect from 15th November 1983 abolishes the sentence of Borstal training and makes revised provision for the sentences of detention in a young offenders institution and detention in a detention centre.