
STATUTORY INSTRUMENTS

1995 No. 10

CRIMINAL LAW, ENGLAND AND WALES

**The Criminal Justice Act 1988
(Reviews of Sentencing) Order 1995**

<i>Made</i>	- - - -	<i>9th January 1995</i>
<i>Laid before Parliament</i>		<i>16th January 1995</i>
<i>Coming into force</i>	- -	<i>8th February 1995</i>

In exercise of the powers conferred on me by section 35(4) of the Criminal Justice Act 1988(1), I hereby make the following Order:

1. This Order may be cited as the Criminal Justice Act 1988 (Reviews of Sentencing) Order 1995 and shall come into force on 8th February 1995.
2. Part IV of the Criminal Justice Act 1988 shall apply to any case tried on indictment—
 - (a) following a notice of transfer given under section 4 of the Criminal Justice Act 1987(2) by an authority designated for that purpose by subsection (2) of that section; or
 - (b) in which one or more of the counts in respect of which sentence is passed relates to a charge which was dismissed under section 6(1) of the Criminal Justice Act 1987 and on which further proceedings were brought by means of the preferment of a voluntary bill of indictment.
3. This Order extends to England and Wales only.

Home Office
9th January 1995

Michael Howard
One of Her Majesty's Principal Secretaries of
State

(1) 1988 c. 33; section 35(4) was amended by paragraph 34 of Schedule 9 to the Criminal Justice and Public Order Act 1994 (c. 33).
(2) 1987 c. 38.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

Part IV of the Criminal Justice Act 1988 allows the Attorney General to refer certain cases to the Court of Appeal, with the leave of that Court, where he considers that a sentence imposed in the Crown Court was unduly lenient. At present, that power may be exercised in respect of offences triable only on indictment and, by virtue of the Criminal Justice Act 1988 (Reviews of Sentencing) Order 1994 (S.I. [1994/119](#)), certain offences triable either way.

This Order extends the range of cases in respect of which the power may be exercised, to include fraud cases which are tried in the Crown Court following the notice of transfer procedure established by Part I of the Criminal Justice Act 1987.