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Definition of criminal justice system uk

By Dominic CascianiHome and legal correspondentimage captionSue Mountstevens, Avon and Somerset's police and crime commissioner said the acts showed 'reckless disregard' of people's lives and safetyThere have been violent clashes in Bristol, following protests against new laws making their way through Parliament. The Police, Crime, Sentencing and Courts Bill is a mammoth piece of legislation that includes major government proposals on crime and justice in England and Wales. One part of it covers changes to protests. If the police want to place restrictions on a protest, they generally have to show it may result in "serious public disorder, serious damage to property or serious disruption to the life of the community". They can also impose specific measures on the routes of marches. When it comes to major events, such details are typically thrashed out with the organisers weeks in advance. Police chiefs will be able to put more conditions on static protests. Impose a start and finish timeSet noise limitsApply these rules to a demonstration by just one personTaken to an extreme, let's say there's an individual holding a protest placard, while blasting out their protest, they could be fined up to £2,500. It will also become a crime to fail to follow restrictions the protesters "ought" to have known about, even if they have not received a direct order from an officer. At present, police need to prove protesters knew they had been told to move on, before they can be said to have broken the law. The proposed law includes an offence of "intentionally or recklessly causing public nuisance". This is designed to stop people occupying public spaces, hanging off bridges, gluing themselves to windows, or employing other protest tactics to make themselves both seen and heard. One final measure clarifies that damage to memorials could lead to up to 10 years in prison. This follows the toppling of a statue of slave trader Edward Colston in Bristol. Ministers and police have worked together on the proposals covering protests. Police chiefs including Dame Cressida Dick, the Metropolitan Police commissioner, were frustrated they could not do more to lessen the impact of Extinction Rebellion demonstrations in 2019. Mass occupations of roads and bridges in London and elsewhere stretched the police to the limit.image caption Extinction Rebellion protests brought much of central London to a standstill in 2019The right to protest and express yourself is enshrined in the Human Rights Act. Police commanders have to show they have taken this into account. But that right is not absolute. Protests can be limited by police if they believe they have good reason to impose restrictions on an event to ensure public safety, or to prevent crime. The Home Office insists its proposals will respect human rights. But the problem is the history of public protest is littered with long and complex legal battles over whether police have used their powers properly. One of the most important cases - about the police's power to contain a crowd for an indefinite period - took 11 years of courtroom arguments to reach the conclusion that the tactic was lawful. The Labour Party opposes the protest measures. Shadow justice secretary David Lammy says the legislation is "a mess". He says the government is trying to rush through Parliament "poorly thought-out measures to impose disproportionate controls on free expression and the right to protest". Rights of Women, a campaign group, says the bill fails to introduce long-called-for measures that could reduce violence against women and girls. However, the government says that other parts of the legislation toughen sentencing for serious violent and sexual offences and introduce new police bail rules for suspects under investigation. The bill will also place a legal duty on police and local authorities to come up with a joint action plan to tackle serious violence. Changing sentencing rules so that serious criminals spend more time in jail before they can be conditionally releasedJudges will be allowed to consider jailing child murderers for their entire livesMaximum sentences for low-level assaults against emergency service workers doubled to two yearsOn terrorism, the bill creates powers to more closely monitor offenders released from prisonCommunity sentences for less serious crime to address underlying problems in offenders livesChanges to sexual offences law to tackle abusive adults in positions of trust, such as sports coaches and religious figuresSarah Everard caseMetropolitan Police, the Home Office, the Ministry of Justice and other agencies throughout the criminal justice system (CJS). The courts (HM Courts & Tribunals Service) Her Majesty's Prison & Probation Service Inspectorate (HMCPSI) More information about crime, justice and the law is available on GOV.UK Continue reading Most people feel very strongly about crime, and judges and magistrates play a vital role in the criminal justice system. especially when it comes to sentencing. Criminal cases come to court after a decision has been made by, usually the Crown Prosecution Service, to prosecute someone for an alleged crime. In the vast majority of cases (over 95 per cent), magistrates hear the evidence and, as a panel, make a decision on guilt or innocence. For more serious cases a district judge (Magistrates' Court) or a circuit judge in the Crown Court will hear the evidence, and in the case of the latter, this will involve a jury trial. Very serious criminal cases, such as murder and rape, may be heard by a High Court judge. Both magistrates and judges have the power to imprison those convicted of a crime, if the offence is serious enough. But imprisonment is not the only solution; a judge or magistrate can order a community punishment, or put an individual under some sort of control order where their movements or activities are restricted. Although punishment is a key consideration when sentencing, judges will also have a mind as to how a particular sentence may reduce the chances of an individual re-offending. A judge hearing a criminal case Before a criminal trial starts the judge will familiarise himself or herself with the details of the case by reading the relevant case papers. These include the indictment which sets out the charges on which the defendant is to be tried, witness statements, exhibits and documentation on applications to be made by any party concerning the admissibility of evidence in the trial. For jury trials in the Crown Court, the judge supervises the selection and swearing in of the jury, giving the jurors a direction about their role in the trial of deciding the facts and warning them not to discuss the case with anyone else. During the trial Once the trial has commenced the judge ensures that all parties involved are given the opportunity for their case to be presented and considered as fully and fairly as possible. The judge plays an active role during the trial, controlling the way the case is conducted in accordance with relevant law and practice. As the case progresses the judge makes notes of the evidence and decides on legal issues, for example, whether evidence is admissible. Once all evidence in the case has been heard the judge's summing up takes place. The judge sets out for the jury sure of the case. At this stage the judge refers to notes made during the course of the trial and reminds the jury of the key points of the case, highlighting the strengths and weaknesses of each side's argument. The judge then gives directions about the duties of the jury before they retire to the jury deliberation room to consider the verdict. Sentencing If the jury find the defendant guilty then the judge will decide on an appropriate sentence. The sentence will be influenced by a number of factors: principally the circumstances of the case, the impact that the crime has had on the victim, and relevant law especially guideline cases from the Court of Appeal. The judge will equally take into account the mitigation and any reports and references on the defendant. Only once the judge has considered all of these factors will the appropriate sentence or punishment be pronounced. Court of Appeal Criminal Division. He is supported in this role by a Vice President. Judges in the Criminal Division hear appeals in criminal matters from the Crown Court. In the Criminal Division the bench usually consists of a Lord or Lady Justice and usually two High Court judges can hear the most serious and sensitive cases in the Crown Court (for example murder) and some sit with Appeal Court judges in the Criminal Division of the Court of Appeal. Most High Court Judges sit in the Queen's Bench Division. They will also deal at first instance with the more serious criminal matters in Crown Court and, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court and, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court and, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court and, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court and, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court and, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court and, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court and, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court and, relatively early in their careers can be appointed to hear serious criminal matters in Crown Court and provide the court and provi circuit"). Circuit Judges - criminal Circuit judges may deal solely with civil, family or criminal work, or divide their time between the three. Most Crown Court to be heard by a circuit judge - for example, if the defendant has opted for trial by jury, or the magistrates decide they do not have sufficient sentencing powers to deal with a guilty party (magistrates can impose a maximum six-month sentence for a single offence, with a total of 12 months for multiple offences). Recorders Recorders are fee-paid, part-time judges. For many it is the first step on the judicial ladder to appointment to the circuit bench. Recorders' jurisdiction is broadly similar to that of a circuit judge, but they generally handle less complex or serious matters coming before the Crown or county courts. They are required to sit for between 15 and 30 days every year with at least one ten-day continuous period. The appointment is for an initial five-year period, extendible for further successive five year terms up to the retirement age of 65. District Judge (Magistrates' Courts) The role of a district judge (magistrates' courts) is to actions; but (b)shall decide whether he did intend or foresee that result by reference to all the evidence as appear proper in the circumstances. (1)In any criminal proceedings under sections 4 to 6 of the Magistrates' Courts Act 1980,] a written statement by any person shall, if such of the conditions mentioned in the next following subsection as are applicable are satisfied, be admissible as evidence to the like effect by that person to the effect that it is true to the best of his knowledge and belief and that he made the statement knowing that, if it were tendered in evidence, he would be liable to prosecution if he wilfully stated in it anything which he knew to be false or did not believe to be true; (c)before the hearing at which the statement is tendered in evidence, a copy of the statement is served, by or on behalf of the party proposing to tender it, on each of the other parties to the proceedings; and (d)none of the other parties or their solicitors, [F4within the relevant period], serves a notice on the party so proposing objecting to the statement being tendered in evidence under this section: Provided that the conditions mentioned in paragraphs (c) and (d) of this subsection shall not apply if the parties agree before or during the hearing that the statement as may be prescribed by Criminal Procedure Rules, or (b)if no such number is prescribed, seven days from the service of the copy of the statement.] F6(3)......(4)Notwithstanding that a written statement made by any person may be admissible as evidence by virtue of this section— (a)the party by whom or on whose behalf a copy of the statement was served may call that person to give evidence; and (b)the court may, of its own motion or on the application under paragraph (b) of the last foregoing subsection to a court other than a magistrates' court may be made before the hearing and on any such application the powers of the court shall be exercisable [F7by any of the following sitting alone— (a)a puisne judge of the High Court; (b)a Circuit judge; (c)a District Judge (Magistrates' Courts); (d)a Recorder]; [F8(e)subject to subsection (5A), a qualifying judge advocate (within the meaning of the Senior and, if so made by a body corporate, shall purport to be signed by a director or manager, or the secretary or clerk, or some other similar officer of the body corporate; (d)if made at any stage before the trial by a defendant who is an individual, must be approved by his counsel or solicitor (whether at the time it was made or subsequently) before or at the proceedings relating to any matter shall be treated as an admission for the purpose of any subsequent criminal proceedings relating to that matter (including any appeal [F25and (b)it does so where an application to the court to state a case for the opinion of the High Court may F26 ... grant bail or vary the conditions in granting bail in extradition proceedings, the High Court may grant bail or vary the conditions.] (2)Where the High Court grants a person bail under this section it may direct him to appear at a time and place which the [F24magistrates' court] could have directed and the recognizance of any surety shall be conditioned accordingly.] (3)Subsections F28... (4) and (6) of section 37 of the M2Criminal Justice Act 1948 (ancillary provisions as to persons [F29granted] to bail by the High Court under that section and the currency of sentence in the case of persons so admitted) shall apply in relation to the powers conferred by that section and persons [F29granted] bail in pursuance of those powers F30... (4)In this section F31... [F32 ...F33"bail in criminal proceedings" [F34, "extradition proceedings" [F34, "extradition proceedings"] and "vary" shall have the same meanings as they have in the M3Bail Act 1976.] 194 (groot of previous convictions by finger-print) any reference to finger-prints shall be construed as including a reference to innegr-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to innegr-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-print shall be construed as including a reference to finger-print shall be construed as including a reference to finger-print shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as including a reference to finger-prints shall be construed as for a person of the shall be construed as including a reference to finger-prints shall be added to sody on a person of the shall be added to a poly including a reference to finger-prints shall case to have effect, and a shall be added to sody corporate which is established do you do not a reference to a poly including a reference to a poly including a treatment of this fact relating to made and including and a shall be added to find a shall be added to find a print or part of an industry o(5)In section 47(4) of that Act (duty to include in prison rules provisions for the special treatment of certain classes of prisoners), paragraphs (b) and (c) (persons convicted of sedition, etc., and appellants) shall cease to have effect, and at the end of paragraph (d) (miscellaneous prisoners) there shall be added the words "or a person committed to custody on his conviction"......(1)In section 38(3) of the M8Criminal Justice Act 1961 (construction of references to imprisonment or detention and sentence) at the end there shall be added the following paragraph—"(c) any reference to a person serving a sentence of, or sentenced to, imprisonment or detention and sentence) at the end there shall be added the following paragraph. detention shall be construed as including a reference to a person who, under any enactment relating to children and young persons in force in any part of the United Kingdom or any of the Channel Islands or the Isle of Man, has been sentenced by a court to be detained for an offence and is liable to be detained in accordance with directions given by the Secretary of State, by the Minister of Home Affairs for Northern Ireland or by the Governor of the Isle of Man with the concurrence of the Secretary of State, and any other reference to a sentence of imprisonment or detention shall be construed accordingly." (2)In section 49 of the M9Prison Act 1952 F81. . . and section 38(2) of the M10Prison Act (Northern Ireland) 1953 (persons unlawfully at large) any reference to a person sentenced to imprisonment, . . . F82 in Scotland, is of the opinion that in the interests of security or of public safety that person ought to be transferred to a prison in England and Wales, he may make an order for the transfer of that person back to a prison in Scotland. (2)A person transferred to England and Wales or transferred back to Scotland under this section shall be treated for all purposes as if he had been transferred by or under any enactment to release a person from a prison or other institution to which the Prison Act 1952 applies or from an approved school may be exercised notwithstanding that he is not for the time being detained in that institution or school and a person released by virtue of this section shall, after his release, be treated in all respects as if he had been released from that institution or school. [F83(1)On an information in writing being laid before a justice of the peace for any area in England and Wales or Northern Ireland and substantiated on oath, or on an application being made to a sheriff, magistrate or justice of the peace in Scotland, alleging that any person is— (a) an offender unlawfully at large from a prison or other institution to which the Prison Act applies in which he is required to be detained after being convicted of an offence; or (b)a convicted mental Health (Scotland) Act 1983, section 36 or 106 of the Mental Health (Northern Ireland) Order 1986] (retaking of mental patients who are absent without leave or have escaped from custody); the justice, sheriff or magistrates' court for that area or, in Scotland, before a magistrates' court for that area or, in Scotland, before a magistrates' court for that area or, in Scotland, before a magistrates' court for that area or, in Scotland, before a magistrates' court for that area or, in Scotland, before a magistrates' court for that area or, in Scotland, before a magistrates' court for that area or, in Scotland, before a magistrate may issue a warrant to arrest him and bring him before a magistrates' court for that area or, in Scotland, before any sheriff. (2) Where a person is brought before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant to arrest him and bring him before a magistrate may issue a warrant him and bring him before a magistrate may issue a warrant him and bring him before a magistrate may issue a warrant him and bring him before a magistrate may issue a warrant him and bring him b by this section to be conveyed to any place or to be kept in custody or detained in a place of safety as they apply to a person required by or by virtue of [F88the said Act of 1983], 1960 [F89or 1984 or the said Order of 1986] 1960 or 1961, as the case may be, to be so conveyed, kept or detained. (4)In this section— "convicted mental patient" means a person liable after being convicted of an offence to be detained under [F90Part III of the Mental Health (Scotland) Act 1983], Part V of the Mental Health (Scotland) Act 1980 or Part III of t [F92or in pursuance of a hospital direction and a limitation direction][F93or a person liable to be detained under][F90section 38 of the said Act of 1983][F94or Article 45 of the Mental Health (Northern Ireland) Order 1986]; "place of safety" has the same meaning as in [F90Part III of the said Act of 1983] or 1960 or Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said Act of 1983] or 1960 or Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said Act of 1983] or 1960 or Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said Act of 1983] or 1960 or Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said Act of 1983] or 1960 or Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said Act of 1983] or 1960 or Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said Act of 1983] or 1960 or Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said Act of 1983] or 1960 or Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said Act of 1983] or 1960 or Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said [F95Order of safety] has the same meaning as in [F90Part III of the said [F95Order of safety] has the said [F95Order of safety] ha 1986], as the case may be; "Prison Act" means the M14Prison Act 1952, the M15Prisons (Scotland) Act 1952 or the M16Prison Act (Northern Ireland) 1953, as the case may be.] (5)Section 27 of the M17Criminal Justice Administration Act 1914 (power to issue warrants for the arrest of persons who may be arrested without a warrant) shall cease to have effect. [F96(6)References in this section to offences include service offences within the meaning of the Armed Forces Act 2006.] (1)If any person in a written statement material in those proceedings which he knows to be false or does not believe to be true, he shall be liable on conviction on indictment to imprisonment for a term not exceeding two years or a fine or both. (2) The M18Perjury Act 1911 shall have effect as if this section were contained in that Act. (1) Any person who in any public place is guilty, while drunk, of disorderly behaviour F102... shall be liable on summary conviction to a fine not exceeding [F103level 3 on the standard scale]. (2)The foregoing subsection shall have effect instead of any corresponding provision contained in section 12 of the M20Metropolitan Police Act 1839, section 37 of the M21City of London Police Act 1839, and section 29 of the M22Town Police Clauses Act 1847 (being enactments which authorise the imposition of a short term of imprisonment or of a fine not exceeding £10 or both for the corresponding provision of a local Act which appears to him to be a provision corresponding to subsection (1) of this section or to impose a liability to imprisonment for an offence of drunkenness or of being incapable while drunk. (4) In this section or to impose a liability to imprisonment for an offence of drunkenness or of being incapable while drunk. offence specified in that enactment were a fine not exceeding, the amount specified in column 3 of that Schedule 3 (being enactments which confer power to include in subordinate instruments a provision imposing a fine on summary conviction of any offence described in column 2 of that Part of that Schedule) shall each have effect as if the maximum amount of the fine which may be imposed by any provision contained in such an instrument and made under that enactment for any offence under the instrument were that specified in column 4 of that Schedule instead specified in the provision shall be the amount specified in column 3 of the said Part II, have effect as if the said Part II, have effect as if the said Part II after the commencement of this Act. (5) The foregoing provisions of this section shall not affect the power of a court to impose a penalty for a continuing offence under any enactment specified in Part II of that Schedule except where such a penalty is expressly mentioned in column 3 of that Schedule; nor shall they affect the power of a court to award imprisonment under any such enactment or provision. (6)In this section "subordinate provision contained in an instrument made under an enactment. F105(7).......(8)......(8)...... F106 (9) Nothing in this section shall affect the amount of the fine which may be imposed on conviction of an offence committed before the commencement of this Act. (1) For the Table in paragraph 1 of Schedule 3 to the Magistrates' Courts Act 1952 (maximum periods of imprisonment in default of payment of fines, etc.) there shall be substituted the following Table:— (2)In paragraph 3 of the said Schedule 3 (maximum periods of imprisonment in default of payment of sums due on summary conviction of a revenue offence) for the reference to three months there shall be substituted a reference to ninety F115 (6) The enactments specified in Schedule 4 to this Act shall have effect subject to the amendments shown in that Schedule (being minor amendments relating to criminal appeals in England and Wales, the corresponding enactments instrument. (2) Any regulations or rules under this Act, ... F118, shall be subject to annulment in pursuance of a resolution of each House of Parliament.] (3) Any order made under any provision of this Act by statutory instrument may be varied or revoked by a subsequent order made under that provisions of this Act in the sums payable out of moneys so provided under any other enactment; (b). F120 Schedule 5 to this Act to things done before the commencement of those provisions of this Act from the law in force before the commencement of those provisions. (1) The enactments specified in Schedule 6 to this Act shall have effect subject to the amendments set out in that Schedule, being minor amendments consequential on the foregoing provisions of this Act. (2) The enactments which were obsolete or unnecessary before the passing of this Act) are hereby Court Martial, the Summary Appeal Court, the Service Civilian Court, the Court Martial Appeal Court or the Supreme Court on an appeal brought from the Court Martial Appeal Court, the Service Civilian Court, the Service Civilia a sum includes a reference to circumstances where— (a)there is power to use the procedure in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007 to recover the sum from a person, but (b)it appears, after an attempt has been made to exercise the power, that the person's goods are insufficient to pay the amount outstanding (as defined by paragraph 50(3) of that Schedule).] F127(2)......(3)Any reference in this Act however expressed to a previous conviction by a court in any part of Great Britain and to a previous sentence passed by any such court. (4)Any reference in this Act to an offence punishable with imprisonment shall be construed, in relation to any offender, without regard to any prohibition or restriction imposed by or under any enactment is a reference thereto as amended, and includes a reference thereto as extended or applied, by or under any other enactment, including this Act. (1), (2).......F128 (3)Any reference in this Act to an enactment which that Parliament has power to amend, shall be construed, in relation to Northern Ireland, as a reference to that enactment as much of this Act as relates to courts-martial and appeals therefrom; (b)[F129section 102] and paragraphs 7, 10 to 12 and 14 of Schedule 2; (d)Part V; (e)section 92 and Schedule 3 so far as they amend any enactment which extends to Scotland; [F130(ee)section 100;] (f)so much of section 103(1) and Schedule 6 as amends. . . F131. . . F132, the M25Criminal Justice (Scotland) Act 1963; and (g)Part II of Schedule 7 and so much of section and except so far as it relates to the interpretation or commencement of the said provisions this Act shall not extend to Scotland. (3) The following provisions of this Act shall extend to Northern Ireland, that is to say— (a) so much of section 92 and Parts I and II of Schedule 3 as is extended to Northern Ireland by Part IV of that Schedule; (d)......F134 (e)so much of section 103(1) and Schedule 6 as amends...F132 the M27Criminal Justice Act 1961; (f)section 105; and (g)Part III of Schedule 7 and so much of section 103(2) as relates thereto; but except as provided by this subsection and except so far as it relates to the interpretation or commencement of the said provisions this Act shall not extend to Northern Ireland. (4)Sections 69(1) and 92 of, and Schedule 3 to, this Act, so far as they amend any enactment which extends to the Channel Islands or the Isle of Man, as the case may be. (5)This Act shall come into force on such day as the Secretary of State may by order appoint, and different days may be so appointed for this Act to the commencement of of a provision of this Act shall be construed as a reference to the day appointed for the coming into force of the provision with the provisions thereby brought into force, including such adaptations of those provisions or any provisions of this Act then in force as appear to him to be necessary or expedient in consequence of the partial operation of this Act (whether before or after the day appointed by the order). SCHEDULES......Section 59.F136F137SCHEDULE 2E+W+S Provisions as to Parole Board and Local Review Committees......Section 92.SCHEDULE 3U.K. Increase of FinesModifications etc. (not altering text)F188......Section 92.SCHEDULE 3U.K. Increase of FinesModifications etc. (not altering text)F188....... they amend the following enactments:—F189... section 6 of the M34Dockyard Ports Regulation Act 1865; Marginal Citationssection 17 of the M36Military Lands Act 1892; Marginal Citationssection 2 and 3 of the M37Uniforms Act 1894; Marginal CitationsF190..... F1913E+WA person sentenced to corrective training or preventive detention in England and Wales who was or ought to have been detained in pursuance of his sentence immediately before the commencement of section 60 of this Act shall be treated for purposes of detention, release, recall and otherwise as having been sentenced to a term of imprisonment of the same length as the term of his original sentenced to preventive detention, he shall also be so treated as if an extended sentenced to corrective training who immediately before the commencement of the said section 60 was subject to a licence under section 26 of the M39Prison Act 1952 (release on licence of prisoner sentenced to corrective training or preventive detention) shall be treated for all purposes as if his sentence do preventive detention who immediately before the commencement of the said section 60 was subject to a licence as aforesaid shall be treated for the purposes of Part III of this Act as if he had been released on licence under the said section 26 were conditions specified in a licence under the said paragraph (a).6E+WA person serving any part of a sentence of imprisonment after the commencement of section 67 of this Act, being a sentence which fell to be reduced under section 17(2) of the M40Criminal Justice Administration Act 1962 (duration of sentence), shall, for the purpose of determining under section 60(1) of this Act whether he has served one-third of his sentence, be treated as if any subject immediately before the commencement of that section to a licence under section 25 of the M41Prison Act 1952 or section 20 of the M42Prisons (Scotland) Act 1952 (release on licence under section 60(3)(b) of this Act and as if the requirements specified in the licence under the said section 25 or 20 were conditions specified in a licence under the said section 60 to a licence under the said section 60 to a licence under the said section 50 to a licence under the said section 60 to a licence under the said section 25 shall be subject to supervision under Schedule 1 to the M43Criminal Justice Act 1961 (supervision of persons released from detention centres) until the expiration of the period for which he would have been subject to supervision under the said section 25 had been specified in a notice given to him under that Schedule; and that Schedule and section 63(2) of this Act with the substitution for any reference in that Schedule to a period of twelve months from the date of a person's release of a reference to the period between his release and the expiration of the time for which he would have been subject to supervision as aforesaid. Marginal Citations 9E+WWhere a person was sentenced to a term of imprisonment for less than eighteen months and was immediately before the commencement of section 60 of this Act in prison by reason of having been recalled under the said section 25, the said Schedule 1 and section 63(2) shall apply to him as they apply to a person mentioned in the last foregoing paragraph, and he shall be treated for the purposes of that Schedule as if he had been recalled thereunder. 10E+W+SA person subject immediately before the commencement of section 61 of this Act to a licence under any of the M44Prison Act 1952, section 27 of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons Act 1933 or section 57(4) of the M45Prisons (Scotland) Act 1952, section 27 of the M45Prisons (Scotland) Act 1952, section 27 of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the M45Prisons (Scotland) Act 1952 (persons serving imprisonment for life). Young Persons (Scotland) Act 1937 (young offenders convicted of grave crimes), shall be treated as if he had been released on licence under the said section 61 and, in the case of a person released after being sentenced under section 53(2) of the said Act of 1933 or section 57(2) of the said Act of 1937 to be detained otherwise than for life, as if a licence granted to him under the said section 61 had specified the date of the expiration of his sentence as the date until which the licence is to remain in force.11E+W+SWhere any person sentenced to imprisonment for life or sentenced under section 53 of the M48Children and Young Persons Act 1933 or section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 57 of the M49Children and Young Persons (Scotland) Act 1937 to be detained was notified befo foregoing paragraph, the Secretary of State may release him on licence under the said section 61, whether or not recommended to do so by the Parole Board for Scotland. Marginal Citations 12E+W+SAny person who immediately before the commencement of sections 60 to 62 or section 69 of this Act was unlawfully at large or liable to be arrested without warrant under any enactment superseded by any provision of those sections shall, so long as he is at large, be (or continue to be) unlawfully at large.13E+WNotwithstanding anything in this Act, sections 69 and 70 of the M50Magistrates' Courts Act 1952, as in force immediately before the commencement of sections 44 to 46 of this Act, shall continue to apply, and the last-mentioned sections shall not apply, to a sum adjudged to be paid by a conviction of a magistrates' court has fixed a term of imprisonment for default in paying that sum. Marginal Citations 14E+W+SSection 93 of this Act transfer of fine order) for the words "twenty Pounds or more" there shall be substituted the words "more than fifty pounds or is a fine originally imposed by a court of assize or quarter sessions".15E+WIn section 72A(3) (termination of functions of convicting court) for the words "convicting court" there shall be substituted the words "court which made the order".16E+WIn section 72B (powers of magistrates' court under transfer of fine order from Scotland) there shall be added the following subsection:—"(3)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(3)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(3)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(3)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(3)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(3)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(3)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(3)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(3)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(4)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(5)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(6)Where a transfer of fine order from Scotland) there shall be added the following subsection:—"(6)Where a transfer of fine order from Scotland) the fine order from Scotland fr originally imposed by a court of assize or quarter sessions, a magistrates' court acting for that area shall have all the like functions under this Part of this Act, exercisable subject to the like restrictions, as if it were the magistrates' court by which payment of the fine fell to be enforced by virtue of section 44(3) of the Criminal Justice Act 1967 and as if any order made under the said Act of 1954 in respect of the fine before the making of the transfer of fine orders within and from Scotland) shall be amended as follows, that is to say—(a)in subsection (2) for the words "fine was imposed" there shall be substituted the words "order is made";(b)in (3) for the words "imposing the fine" there shall be added the following subsection—"(5)Where a transfer of fine order under section 72A of the Magistrates'Courts Act 1952 or this section quarter sessions or a term which bears the same proportion to the term so fixed as the amount of the term so fixed as the 1952; (b)sections 19 and 33 of the Prisons (Scotland) Act 1952; (c)section 55(4) of the Children and Young Persons Act (Northern Ireland) 1953, and Schedules 1, 2 and 3 of the Prison Schedules 1, 2 and 3 of the Prison Schedule I to this Act; (e)section 11, 12 and 14 of the Criminal Justice (Scotland) Act 1963 and Schedule 1 to that Act; and (g)sections 60 to 63 of the Criminal Justice Act 1967." 25U.K.In section 40 (Northern Ireland) at the end there shall be added the following subsection—"(2)Any reference in this Act to an enactment of the Parliament of Northern Ireland, or to an enactment which that Parliament has power to amend, shall be construed, in relation to Northern Ireland as a reference to that Parliament passed after this Act re-enacting the said enactment with or without modifications." 26E+W+SIn section 12(1) (supervision of persons

released from young offenders institutions), after the word "more" there shall be inserted the words "but less than eighteen months".27E+W+S.......F22828E+WIn section 46(5)(c) (penalty for contravention of byelaws by the Forestry Commissioners) for the words "either case" there shall be substituted the words

"the case of a continuing offence falling within either of the foregoing paragraphs". Modifications etc. (not altering text)

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