

## SCHEDULE 1

Article 2(1)

Provisions of the Criminal Justice and Immigration Act 2008 coming into force on 14 July 2008

1. Section 10 (Effect of restriction on imposing community sentences).
2. Section 11(1) (Restriction on power to make a community order).
3. Section 12 (Pre-sentence reports).
4. Section 13 (Sentences of imprisonment for public protection) and Schedule 5 (Offences specified for the purposes of sections 225(3A) and 227(2A) of the Criminal Justice Act 2003).
5. Section 14 (Sentences of detention for public protection).
6. Section 15 (Extended sentences for certain violent or sexual offences: persons 18 or over).
7. Section 16 (Extended sentences for certain violent or sexual offences: persons under 18).
8. Section 17 (The assessment of dangerousness).
9. Section 18 (Further amendments relating to sentences for public protection).
10. Section 20 (Consecutive terms of imprisonment).
11. Section 24 (Minimum conditions for early release under section 246(1) of the Criminal Justice Act 2003).
12. Section 25 (Release on licence under Criminal Justice Act 2003 of prisoners serving extended sentences).
13. Section 27 (Application of section 35(1) of the Criminal Justice Act 1991<sup>(1)</sup> to prisoners liable to removal from the UK).
14. Section 28 (Release of fine defaulters and contemnors under Criminal Justice Act 1991).
15. Section 29 (Release of prisoners after recall) save insofar as subsection (2) inserts subsections (9) and (10) of section 255A of the 2003 Act.
16. Section 30 (Further review and release of prisoners after recall).
17. Section 31 (Recall of life prisoners: abolition of requirement for recommendation by Parole Board).
18. Section 32 (Release of prisoners recalled following release under Criminal Justice Act 1991).
19. Section 38 (Imposition of unpaid work requirement for breach of community order).
20. Section 40 (Power to impose attendance centre requirement on fine defaulter).
21. Section 42 (Power to dismiss certain appeals following references by the CCRC: England and Wales).
22. Section 43 (Power to dismiss certain appeals following references by the CCRC: Northern Ireland).
23. Section 44 (Determination of prosecution appeals: England and Wales).
24. Section 45 (Determination of prosecution appeals: Northern Ireland).
25. Section 46(1) and (3) (Review of sentence on reference by Attorney General).
26. Section 47 (Further amendments relating to appeals in criminal cases) and Schedule 8 (Appeals in criminal cases).

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(1) [1991 c.53](#)

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27. Section 52 (Bail for summary offences and certain other offences to be tried summarily) and Schedule 12 (Bail for summary offences and certain other offences to be tried summarily).
28. Section 54 (Trial or sentencing in absence of accused in magistrates' courts).
29. Section 55 (Extension of powers of non-legal staff).
30. Section 56 (Provisional grant of right to representation).
31. Section 57 (Disclosure of information to enable assessment of financial eligibility).
32. Section 58 (Pilot schemes).
33. Section 59 (SFO's pre-investigation powers in relation to bribery and corruption: foreign officers etc.).
34. Section 72 (Offences committed outside the United Kingdom).
35. Section 73 (Grooming and adoption) and Schedule 15 (Sexual offences: grooming and adoption) to the extent not already in force.
36. Section 76 (Reasonable force for purposes of self-defence etc.).
37. Section 93 (Delivery of prisoner to place abroad for purposes of transfer out of the United Kingdom).
38. Section 94 (Issue of warrant transferring responsibility for detention and release of an offender to or from the relevant Minister).
39. Section 95 (Powers to arrest and detain persons believed to fall within section 4A(3) of Repatriation of Prisoners Act 1984(2)).
40. Section 96 (Amendments relating to Scotland).
41. Section 97 (Power to transfer functions under Crime (International Co-operation) Act 2003(3) in relation to direct taxation).
42. Section 126(1) (Police misconduct and performance procedures) insofar as it relates to the provision specified in paragraph 47.
43. Section 140 (Disclosure of information about convictions etc. of child sex offenders to members of the public) and Schedule 24 (Section 327A of the Criminal Justice Act 2003: meaning of "child sex offence").
44. Section 141 (Sexual offences prevention orders: relevant sexual offences).
45. Section 142 (Notification requirements: prescribed information).
46. Sections 148(1) and (2) and 149 insofar as they relate to the provisions specified in paragraphs 48, 49 and 50 respectively.
47. In Schedule 22 (Police misconduct and performance procedures), paragraph 6 (Police Advisory Board).
48. In Schedule 26 (Minor and consequential amendments)—
  - (a) paragraphs 2(1), (2), (4), (5) and (6), 59, 64, 65, 66, 67, 68, 69, 71, 72, 73, 74, 75 and 76 (2003 Act),
  - (b) paragraph 3 (Prison Act 1952 (c.52)),
  - (c) paragraph 4 (Criminal Justice Act 1961 (c.39)),

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(2) 1984 c.47  
(3) 2003 c.32

- (d) paragraph 6 (Criminal Appeal (Northern Ireland) Act 1980 (c.47)),
  - (e) paragraph 7 (Wildlife and Countryside Act 1981 (c.69)),
  - (f) paragraph 8 (Mental Health Act 1983 (c.20)),
  - (g) paragraphs 10 to 19 (Repatriation of Prisoners Act 1984) to the extent not already in force,
  - (h) paragraph 21 (Criminal Justice Act 1987 (c.38)),
  - (i) paragraphs 22 and 23 (Criminal Justice Act 1988 (c.33)),
  - (j) paragraph 26 (Football Spectators Act 1989 (c.37)),
  - (k) paragraph 27 (Criminal Justice (International Co-operation) Act 1990 (c.5)),
  - (l) paragraph 28 (Broadcasting Act 1990 (c.42)),
  - (m) paragraph 30 (Prisoners and Criminal Proceedings (Scotland) Act 1993 (c.9)),
  - (n) paragraph 32 and, to the extent not already in force, paragraph 33 (Crime (Sentences) Act 1997 (c.43)),
  - (o) paragraphs 41, 44, 45(b), 46, 47 and 48 (Powers of Criminal Courts (Sentencing) Act 2000 (c.6)),
  - (p) paragraph 51 (Life Sentences (Northern Ireland) Order 2001(S.I. 2001/2564(N.I.2))),
  - (q) paragraph 52 (Crime (International Co-operation) Act 2000 (c.32)),
  - (r) paragraphs 53, 56(1), (2)(a) and (4) and 57 (Sexual Offences Act 2003 (c.42)),
  - (s) paragraph 78 (Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 (S.I. 2005/950)),
  - (t) paragraph 80 (Natural Environment and Rural Communities Act 2006 (c.16)),
  - (u) paragraph 81 (Police and Justice Act 2006 (c.48)).
- 49.** In Schedule 27 (Transitory, transitional and saving provisions), paragraphs 6, 10 to 12, 13(2), 14 to 17, 21, 27, 30 and 38.
- 50.**—(1) The following entries in Schedule 28 (repeals).
- (2) In Part 2 (Sentencing), the entries relating to the—
    - (a) Criminal Justice Act 1991 in sections 45, 46(1) and 50(2),
    - (b) Crime (Sentences) Act 1997 (c.43),
    - (c) 2003 Act, in sections 153(1), 224(3), 227(1)(a), 228, 229, 234, 247, 254(3) to (5), 256 and 305(4)(e), Schedules 16 and 17 and in paragraph 4(5)(a) of Schedule 31,
    - (d) Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 (S.I. 2005/950).
  - (3) In Part 3 (Appeals), the entries relating to the—
    - (a) 1968 Act,
    - (b) Judicature (Northern Ireland) Act 1978 (c.23),
    - (c) Criminal Appeal (Northern Ireland) Act 1980 (c.47),
    - (d) Mental Health Act 1983 (c.20),
    - (e) Criminal Justice Act 1988 (c.33),
    - (f) Powers of Criminal Courts (Sentencing) Act 2000 (c.6).
  - (4) In Part 4 (Other criminal justice provisions), the entries relating to the—
    - (a) Magistrates' Courts Act 1980 (c.43), section 13(5),
    - (b) Prosecution of Offences Act 1985 (c.23),

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- (c) Access to Justice Act 1999 (c.22),
  - (d) Sexual Offences Act 2003,
  - (e) 2003 Act, section 23A(7) to (9).
- (5) In Part 5 (Criminal law), the entry relating to the Sexual Offences Act 2003.
- (6) All the entries in Part 6 (International co-operation in relation to criminal justice matters).
- (7) In Part 8 (Policing), the entries relating to the—
- (a) Police Act 1996 (c.16) in section 54(2),
  - (b) Police and Justice Act 2006 (c.48) in section 49(1) and in Schedule 1.