



Criminal Justice Act 1967

CHAPTER 80

CRIMINAL JUSTICE ACT 1967

PART I

CRIMINAL PROCEDURE, ETC.

Committal proceedings

- 1 Committal for trial without consideration of the evidence.
- 2 Written statements before examining justices.
- 3 Restrictions on reports of committal proceedings.
- 4 Notice of result of committal proceedings.
- 5 Privilege of newspaper reports of committal proceedings in libel actions.
- 6 Duty of examining justices to sit in open court.
- 7 Signature of depositions.

Miscellaneous provisions as to evidence, procedure and trial

- 8 Proof of criminal intent.
- 9 Proof by written statement.
- 10 Proof by formal admission.
- 11 Notice of alibi.
- 12 Application of sections 9 to 11 to courts-martial.
- 13 Majority verdicts of juries in criminal proceedings.
- 14 Disqualification of ex-prisoners from serving on juries in criminal proceedings.
- 15 Validation of verdict where juror disqualified.
- 16 Continuation of exemption from jury service at criminal trials.
- 17 Entry of verdict of not guilty by order of a judge.
- 18 Restrictions on refusal of bail.

Status: This is the original version (as it was originally enacted).

- 19 Restriction on justices sitting after dealing with bail.
- 20 Power of magistrates' court to commit on bail for sentence.
- 21 Special conditions of bail.
- 22 Extension of power of High Court to grant, or vary conditions of, bail.
- 23 Arrest of persons granted bail.
- 24 Process for minor offences.
- 25 Restrictions on issue of search warrants under Obscene Publications Act 1959.
- 26 Restrictions on passing sentence in the absence of the defendant.
- 27 Summary trial of certain offences under the Forgery Act 1913.
- 28 Jurisdiction of magistrates' courts to try offences.
- 29 Plea by a corporation before a magistrates' court.
- 30 Period of adjournment under sections 14 and 26 of the Magistrates' Courts Act 1952.
- 31 Extension of Costs in Criminal Cases Act 1952.
- 32 Amendments of Costs in Criminal Cases Act 1952.
- 33 Taking and use of finger-prints and palm-prints.
- 34 Committal of persons under twenty-one accused of extradition crimes, etc.
- 35 Examining justices.
- 36 Interpretation of Part I.

PART II

POWERS OF COURTS TO DEAL WITH OFFENDERS

Powers to deal with persistent offenders

- 37 Punishment of persistent offenders.
- 38 Supplementary provisions as to persistent offenders.

Suspended sentences

- 39 Suspended sentences of imprisonment.
- 40 Power of court on conviction of further offence to deal with suspended sentence.
- 41 Court by which suspended sentence is to be dealt with.
- 42 Discovery of further offences.

Power of magistrates' courts to impose fines

- 43 General power of magistrates' courts to impose fines.

Enforcement of payment of fines, etc.

- 44 Restriction on magistrates' courts' power to impose imprisonment for default in payment of fines, etc.
- 45 Enforcement of payment of fines by High Court and county court.
- 46 Enforcement of payment of fines by attachment of earnings orders.
- 47 Fines imposed and recognizances forfeited at assizes and quarter sessions.
- 48 Enforcement in Scotland of fines imposed at assizes or quarter sessions.
- 49 Fines imposed by coroners.
- 50 Supplementary provisions as to payment of fines etc.

Probation and discharge

- 51 Combination of disqualification and endorsement for motoring offences with probation orders and orders for discharge.
- 52 Duration of conditions of discharge.
- 53 Substitution of conditional discharge for probation.
- 54 Miscellaneous provisions as to probation orders.
- 55 Selection of probation officers.

Miscellaneous

- 56 Committal for sentence for offences tried summarily.
- 57 Social inquiry report before sentence.
- 58 Power to make recommendations for deportation.

PART III

TREATMENT OF OFFENDERS

Release of prisoners on licence and supervision of prisoners after release

- 59 Constitution and functions of Parole Board and local review committees.
- 60 Release on licence of persons serving determinate sentences.
- 61 Release on licence of persons sentenced to imprisonment for life, etc.
- 62 Revocation of licences and conviction of prisoners on licence.
- 63 Supervision of young, short-term prisoners after release.
- 64 Supplemental.

Miscellaneous

- 65 Abolition of corporal punishment in prison.
- 66 Miscellaneous amendments of the Prison Act 1952.
- 67 Computation of sentences of imprisonment passed in England and Wales.
- 68 Consideration of time spent in custody in passing sentence in Scotland.
- 69 Extension of enactments relating to persons sentenced to imprisonment or detention to young persons sentenced to detention.
- 70 Prisoner transferred from Scotland to England for security.
- 71 Exercise of powers of release.
- 72 Power of magistrates to issue warrants for arrest of escaped prisoners and mental patients.

PART IV

LEGAL AID IN CRIMINAL PROCEEDINGS

- 73 Power to order legal aid to be given.
- 74 Supplementary provisions as to legal aid orders.
- 75 Circumstances in which legal aid may be given.
- 76 Liability for contributions.
- 77 Means inquiry by the Supplementary Benefits Commission.
- 78 Computation of resources.
- 79 Supplementary provisions as to payment of contributions.
- 80 Amendment and revocation of legal aid orders.
- 81 Payment of costs of legal aid.
- 82 Solicitors and counsel.

- 83 Regulations.
- 84 Interpretation of Part IV.

PART V

FIREARMS

- 85 Prohibition on possessing or acquiring a shot gun without a certificate.
- 86 Restrictions on gifts of shot guns.
- 87 Amendment of enactments relating to firearms.
- 88 Supplemental.

PART VI

MISCELLANEOUS AND GENERAL

Offences

- 89 False written statements tendered in evidence.
- 90 False statements as to means.
- 91 Drunkenness in a public place.

Increase of Fines, etc.

- 92 Increase of fines.
- 93 Alteration of maximum periods of imprisonment in default of payment of fines, etc.

Fees.

- 94 Abolition of fees in criminal proceedings in magistrates' courts

Administration of probation and after-care services

- 95 Probation and after-care areas and committees.
- 96 Financial provisions.

Criminal appeals

- 97 New provision as to appeal against sentence passed at assizes or quarter sessions.
- 98 Amendment of enactments relating to criminal appeals.

Miscellaneous

- 99 Evidence with respect to offences punishable in Scotland.
- 100 Regulations, rules and orders.
- 101 Expenses.
- 102 Transitional provisions and savings.
- 103 Minor and consequential amendments and repeals.
- 104 General provisions as to interpretation.
- 105 Northern Ireland.
- 106 Short title, extent and commencement.

SCHEDULES

SCHEDULE 1 — Application of the Maintenance Orders Act 1958 to Attachment of Earnings Orders under Section 46 or 79.

- 1 The provisions of Part II of the Maintenance Orders Act...
- 2 Sections 6(1) and (2), 7, 8, 9(3) to (5) and...
- 3 Section 6(3) of that Act shall have effect in relation...
- 4 Section 9(1) of that Act shall have effect in relation...
- 5 Section 9(2) of that Act shall have effect in relation...
- 6 In section 10(2) of that Act the reference to attachment...
- 7 Section 20(5)(i) of that Act shall have effect in relation...

SCHEDULE 2 — Provisions as to Parole Board and Local Review Committees.

The Parole Board

- 1 The Parole Board shall include among its members—
- 2 A person appointed to be a member of the Parole...
- 3 In Part II of Schedule 1 to the House of...
- 4 There shall be paid to the members of the Board...
- 5 The expenses of the Board under the last foregoing paragraph...
- 6 The Board shall as soon as practicable after the end...

Local Review Committees

- 7 The Secretary of State may out of moneys provided by...

SCHEDULE 3 — Increase of Fines.

PART I — INCREASE OF FINES FIXED BY ENACTMENTS

PART II — INCREASE OF LIMIT ON FINES WHICH MAY BE IMPOSED BY SUBORDINATE INSTRUMENTS

PART III — AMENDMENT OF SECTION 24 OF THE PUBLIC HEALTH (SCOTLAND) ACT 1897 (C. 38)

PART IV — AMENDMENTS EXTENDING TO NORTHERN IRELAND

SCHEDULE 4 — Miscellaneous Amendments of Enactments relating to Criminal Appeal.

THE CRIMINAL APPEAL ACT 1907 (C. 23)

- 1 In section 4(2) (consequence of appeal being allowed), the words...
- 2 In section 5 (powers of court in special cases of...
- 3 In section 6 (re-vesting and restitution of property), for the...
- 4 In section 7(1) (time for appealing and applying for leave...
- 5 In section 9 (supplemental powers of court),
- 6 In section 11(1) (right of appellant to be present at...
- 7 In section 15 (duties of registrar with respect to appeals),...
- 8 For section 21 (definitions) there shall be substituted the following...

THE CRIMINAL APPEAL (NORTHERN IRELAND) ACT 1930 (C. 45)

- 9 In section 3(2) (consequences of appeal against conviction being allowed)...
- 10 In section 4 (powers of court on appeal in special...

Status: This is the original version (as it was originally enacted).

- 11 In section 5(1) (re-vesting and restitution of property) for the...
- 12 In section 7(1) (time for appealing or applying for leave...
- 13 In section 12 (costs of appeal)— (a) the following shall...
- 14 In section 13(4) (time spent on bail pending appeal not...
- 15 In section 20 (definitions) for the words " a person...

THE COURTS-MARTIAL (APPEALS) ACT 1951 (C. 46)

- 16 In section 3 (right of appeal) the following shall be...
- 17 In section 11 (appeal to be heard in absence of...
- 18 In section 17 (removal of prisoners for purposes of appeal...
- 19 In section 21 (powers of single judge of Courts-Martial Appeal...

THE COSTS IN CRIMINAL CASES ACT 1952 (C. 48)

- 20 (1) In section 3 (costs on appeal to criminal division...
- 21 In section 4 (costs on appeal to House of Lords...
- 22 In section 8 (payment of costs from local funds), at...
- 23 In section 16 (savings, with exclusion of Act in relation...

THE ADMINISTRATION OF JUSTICE ACT 1960 (C. 65)

- 24 In section 4 (power to grant bail pending appeal to...
- 25 In section 4, as it applies to Northern Ireland—
- 26 In section 5 (power to order detention of defendant pending...
- 27 In section 5(4) as it applies to Northern Ireland, for...
- 28 In section 8(3) (costs on application for leave to appeal...
- 29 In section 8, as it applies to Northern Ireland by...
- 30 In section 9(3) (provision as to presence of defendant on...
- 31 In section 10 (application of provisions giving right of appeal...
- 32 In Schedule 1 (modifications of sections 1 to 9 in...

THE CRIMINAL PROCEDURE (INSANITY) ACT 1964 (C. 84)

- 33 In section 3 (sentence where appeal against verdict of not...
- 34 In section 4(6) (application of appeal provisions in section 2...

THE CRIMINAL APPEAL ACT 1966 (C. 31)

- 35 In section 4 (powers of Court of Appeal on determination...
- 36 In section 5 (duty to admit evidence on appeal) for...
- 37 In section 7 (record of proceedings at trial)—
- 38 In section 8(2) (ascertainment of witnesses' expenses) for the words...
- 39 In section 12(5) (construction of Act as applying to Northern...
- 40 In paragraph 8(2) of Schedule 1 (witnesses' costs on appeal...

THE CRIMINAL JUSTICE ACT (NORTHERN IRELAND) 1966 (C. 20)

- 41 At the end of section 16 (provisions relating to disposal...

SCHEDULE 5 — Transitional Provisions and Savings.

Juries

- 1 Section 13 of this Act shall not apply to the...
- 2 Section 14 of this Act shall not apply to any...

Prisoners sentenced to corrective training or preventive detention

- 3 A person sentenced to corrective training or preventive detention in...
- 4 A person sentenced to corrective training who immediately before the...
- 5 A person sentenced to preventive detention who immediately before the...

Release of prisoners, etc. on licence

- 6 A person serving any part of a sentence of imprisonment...
- 7 A person sentenced to a term of imprisonment within the...
- 8 A person sentenced to a term of imprisonment for less...
- 9 Where a person was sentenced to a term of imprisonment...
- 10 A person subject immediately before the commencement of section 61...
- 11 Where any person sentenced to imprisonment for life or sentenced...
- 12 Any person who immediately before the commencement of sections 60...

Non-payment of fines, etc.

- 13 Notwithstanding anything in this Act, sections 69 and 70 of...
- 14 Section 93 of this Act shall not apply to a...

Legal aid

- 15 Where free legal aid has been granted in connection with...
- 16 Where legal aid is ordered to be given under Part...

Criminal appeals

- 17 The repeal by this Act of sections 20(5)(d) and 29(3)(d)...

SCHEDULE 6 — Minor and Consequential Amendments.

THE VAGRANCY ACT 1824 (C. 83)

- 1 In section 5 (committal of incorrigible rogues to quarter sessions)...

THE PROSECUTION OF OFFENCES ACT 1879 (C. 22)

- 2 In section 2 (duty of Director of Public Prosecutions), for...

THE CORONERS ACT 1887 (C. 71)

- 3 In section 19(5) for the words " this section "...

THE CRIMINAL APPEAL ACT 1907 (C. 23)

- 4 In section 3(c) (right of appeal against sentence) for the...

THE CHILDREN AND YOUNG PERSONS ACT 1933 (C. 12)

- 5 In section 55(4) (manner in which fine, etc., ordered to...

THE CRIMINAL JUSTICE ACT 1948 (C. 58)

- 6 In section 29(2) after the words " 1952 " (being...

Status: This is the original version (as it was originally enacted).

THE LEGAL AID AND ADVICE ACT 1949 (C. 51)

- 7 In section 1(1) (proceedings excluded from the provisions of the...

THE PRISON ACT 1952 (C. 52)

- 8 In section 43(4)(a) (application of provisions of that Act) for...

THE MAGISTRATES' COURTS ACT 1952 (C. 55)

- 9 In section 14(3) (adjournment for inquiries after conviction and before...
10 In section 26(1) (remand for medical examination) at the end...
11 In section 28 (committal for borstal sentence), in subsection (1)...
12 In section 29 (committal for sentence for indictable offence tried...
13 In section 70(2) (summons requiring appearance of offender at means...
14 In section 72A(2) (court of summary jurisdiction in Scotland to...
15 In section 72A(3) (termination of functions of convicting court) for...
16 In section 72B (powers of magistrates' court under transfer of...
17 In section 96(4) (payment of a forfeited recognizance to be...
18 In section 98(2) and (3) (constitution and place of sitting...
19 In section 110(1) (detention of offenders for one day in...
20 In section 111(1) (committal to custody overnight at police station...

THE SUMMARY JURISDICTION (SCOTLAND) ACT 1954 (C. 48)

- 21 Section 44 (transfer of fine orders within and from Scotland)...

THE GENEVA CONVENTIONS ACT 1957 (C. 52)

- 22 In section 4(1) (appeals by protected persons), for the words...

THE ROAD TRAFFIC ACT 1960 (C. 16)

- 23 In section 105 (appeals against order of disqualification), the following...

THE CRIMINAL JUSTICE ACT 1961 (C. 39)

- 24 For section 32(2) (enactments about supervision and recall of persons...
25 In section 40 (Northern Ireland) at the end there shall...

THE CRIMINAL JUSTICE (SCOTLAND) ACT 1963 (C. 39)

- 26 In section 12(1) (supervision of persons released from young offenders...

THE CRIMINAL APPEAL ACT 1964 (C. 43)

- 27 In section 2(5) (evidence from previous committal proceedings and trial...

THE FORESTRY ACT 1967 (C. 10)

- 28 In section 46(5)(c) (penalty for contravention of byelaws by the...

SCHEDULE 7 — Enactments Repealed.

PART I — REPEALS APPLYING TO ENGLAND AND WALES

PART II — REPEALS EXTENDING TO SCOTLAND

PART III — REPEALS EXTENDING TO NORTHERN IRELAND