

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Youth Justice and Criminal Evidence Act 1999, Cross Heading: Criminal Justice and Public Order Act 1994 (c.33) is up to date with all changes known to be in force on or before 23 April 2024.

There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Criminal Justice and Public Order Act 1994 (c.33)

PROSPECTIVE

21 The Criminal Justice and Public Order Act 1994 has effect subject to the following amendments.

22 (1) Section 51 (intimidation etc. of witnesses, jurors and others) is amended as follows.

(2) For subsections (1) to (3) (offences of intimidating, and of doing or threatening harm to, witnesses etc.) substitute—

“(1) A person commits an offence if—

- (a) he does an act which intimidates, and is intended to intimidate, another person (“the victim”),
- (b) he does the act knowing or believing that the victim is assisting in the investigation of an offence or is a witness or potential witness or a juror or potential juror in proceedings for an offence, and
- (c) he does it intending thereby to cause the investigation or the course of justice to be obstructed, perverted or interfered with.

(2) A person commits an offence if—

- (a) he does an act which harms, and is intended to harm, another person or, intending to cause another person to fear harm, he threatens to do an act which would harm that other person,
- (b) he does or threatens to do the act knowing or believing that the person harmed or threatened to be harmed (“the victim”), or some other person, has assisted in an investigation into an offence or has given evidence or particular evidence in proceedings for an offence, or has acted as a juror or concurred in a particular verdict in proceedings for an offence, and
- (c) he does or threatens to do it because of that knowledge or belief.

(3) For the purposes of subsections (1) and (2) it is immaterial that the act is or would be done, or that the threat is made—

- (a) otherwise than in the presence of the victim, or
- (b) to a person other than the victim.”

(3) In subsection (8) (presumption in proceedings for offence under subsection (2))—

- (a) for “he did or threatened to do an act falling within paragraph (a) within the relevant period” substitute “within the relevant period—

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- (a) he did an act which harmed, and was intended to harm, another person, or
- (b) intending to cause another person fear of harm, he threatened to do an act which would harm that other person,

and that he did the act, or (as the case may be) threatened to do the act,
 ”; and

- (b) after “to have done the act” insert “ or (as the case may be) threatened to do the act ”.

23 In section 136 (cross-border execution of arrest warrants), after subsection (7) insert—

“(7A) This section applies as respects a warrant issued under paragraph 3(2) of Schedule 1 to the Youth Justice and Criminal Evidence Act 1999 (warrant for arrest of offender referred back to court by youth offender panel) as it applies to a warrant issued in England or Wales for the arrest of a person charged with an offence.”

PROSPECTIVE

24 In Schedule 11 (repeals), the entry relating to section 57(4) of the ^{M1}Children and Young Persons Act 1969 shall be treated as, and as always having been, an entry relating to section 57(4) of the ^{M2}Children and Young Persons Act 1963.

Marginal Citations

M1 1969 c. 54.

M2 1963 c. 37.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33BA33BB inserted by [2009 c. 25 s. 104\(1\)](#)