

*These notes refer to the Criminal Justice and Immigration Act 2008 (c.4) which received Royal Assent on 8 May 2008*

# CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

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## EXPLANATORY NOTES

### THE ACT

#### *Commentary on Sections*

#### **Part 10: Special immigration status**

#### ***Section 138: Amendment to section 127 of Criminal Justice and Public Order Act 1994***

804. **Section 138** reintroduces a statutory prohibition on inducing prison officers in England and Wales and Scotland to take industrial action or commit a breach of discipline. *Subsection (3)* broadens the definition of industrial action to include “any action likely to put at risk the safety of any person”. This provision came into force on Royal Assent for England, Wales and Northern Ireland as well as for private sector prisons across the UK. *Subsection (4)* which extends the prohibition to public sector prison officers in Scotland comes into force by order.