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Criminal Justice Act 1925

1925 CHAPTER 86 15 and 16 Geo 5

An Act to amend the law with respect to the administration of criminal justice in England, and otherwise to amend the criminal law. [22nd December 1925]

Commencement Information

II Act partly in force at 1.1.1926 and wholly in force at 1.7.1926 by s. 49(5) (now repealed)

PART I

1—10.^{F1}

Textual Amendments

F1 Ss. 1—10 repealed by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. I](#)

PART II

JURISDICTION AND PROCEDURE

Indictable Offences generally

11 †**Venue in indictable offences.**

(1)^{F2}

(3) Where a person is charged with an offence [^{F3}against the ^{M1}Forgery Act 1913 or with an offence indictable at common law or]under any Act for the time being in force, consisting in the forging or altering of any matter whatsoever, or in offering, uttering, disposing of or putting off any matter whatsoever, knowing the same to be forged or

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altered, and the offence relates to documents made for the purpose of any Act relating to the suppression of the slave trade, the offence shall for the purposes of jurisdiction and trial be treated as an offence against the ^{M2}Slave Trade Act 1873.

(4) F2

Textual Amendments

F2 S. 11(1)(2)(4) repealed by Courts Act 1971 (c. 23), **Sch. 11 Pt. IV**

F3 Words repealed (E.W.) by Forgery and Counterfeiting Act 1981 (c. 45, SIF 39:7), s. 30, **Sch. 1 Pt. I**

Modifications etc. (not altering text)

C1 Unreliable marginal note

Marginal Citations

M1 1913 c. 27.

M2 1873 c. 88.

12 F4

Textual Amendments

F4 S. 12 repealed by Criminal Justice Act 1982 (c. 48), s. 170, **Sch. 16**

13 (1) F5
^{F6}(3)
(4) F7
(5) F8

Textual Amendments

F5 S. 13(1)(2) Repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, **Sch. 6**

F6 S. 13(3) repealed (4.7.1996 but with effect (8.3.1997) as mentioned in Sch. 2 para. 7) by 1996 c. 25, ss. 68, 80, Sch. 2, paras. 6(1), 7, **Sch. 5 para. 11**; S.I. 1997/683, **art. 1(2)**

F7 S. 13(4) repealed by Administration of Justice (Miscellaneous Provisions) Act 1933 (c. 36), **Sch. 3**

F8 S. 13(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, **Sch. 6**

Modifications etc. (not altering text)

C2 S. 13(3) excluded by Criminal Appeal Act 1968 (c. 19), s. 8(4), **Sch. 2 para. 1**

14 F9

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Textual Amendments

F9 S. 14 repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

15 **F10**

Textual Amendments

F10 S. 15 repealed by [Criminal Justice Act 1965 \(c. 26\)](#), [s. 2\(4\)](#)

16 **F11**

Textual Amendments

F11 S. 16 repealed by [Administration of Justice Act 1960 \(c. 65\)](#), [Sch. 4](#)

17 **F12**

Textual Amendments

F12 S. 17 repealed by [Justices of the Peace Act 1949 \(c. 101\)](#), [Sch. 7 Pt. II](#)

18 **F13**

Textual Amendments

F13 S. 18 repealed by [Criminal Law Act 1967 \(c. 58\)](#), [Sch. 3 Pt. II](#)

19 **F14**

Textual Amendments

F14 S. 19 repealed by [Administration of Justice \(Miscellaneous Provisions\) Act 1933 \(c. 36\)](#), [Sch. 3](#)

20 **F15**

Textual Amendments

F15 S. 20 repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

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21 F16

Textual Amendments
F16 S. 21 repealed by [Summary Jurisdiction \(Appeals\) Acts 1933 \(c. 38\)](#), [Sch.](#)

22 F17

Textual Amendments
F17 S. 22 repealed by [Criminal Justice Administration Act 1962 \(c. 15\)](#), [Sch. 5 Pt. II](#)

23 F18

Textual Amendments
F18 S. 23 repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

Summary Jurisdiction

24 F19

Textual Amendments
F19 S. 24 repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, [Sch. 6](#)

25 F20

Textual Amendments
F20 S. 25 repealed by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. I](#)

26, 27. F21

Textual Amendments
F21 Ss. 26, 27 repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, [Sch. 6](#)

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28 Summary proceedings for offence under s. 3, and amendments of ss. 3 and 4, of Perjury Act, 1911.

- (1) Section three of the Perjury Act, 1911 (which relates to false statements as to marriages) shall have effect as though at the end of subsection (1) thereof there were inserted the words “and on summary conviction thereof shall be liable to a penalty not exceeding fifty pounds”.
- (2) A person convicted summarily of an offence under section four of the Perjury Act, 1911 (which relates to false statements as to births or deaths), shall be liable to a penalty not exceeding fifty pounds.
- (3) F22

Textual Amendments

F22 S. 28(3) repealed by [Criminal Law Act 1977 \(c. 45\)](#), s. 65(7), [Sch. 13](#)

Modifications etc. (not altering text)

C3 The text of s. 28(1)(2), (S. 28 (2) now spent), is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

29 F23

Textual Amendments

F23 S. 29 repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, [Sch. 6](#)

30 F24

Textual Amendments

F24 S. 30 repealed by [Statute Law Revision Act 1950 \(c. 6\)](#), [Sch. 1](#)

31 F25

Textual Amendments

F25 Ss. 31, 32, 33(1)(2)(5) repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, [Sch. 6](#)

Miscellaneous

32 F26

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Textual Amendments

F26 Ss. 31, 32, 33(1)(2)(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, **Sch. 6**

33 Procedure on charge of offence against corporation.

- (1) ^{F27}
- (3) [^{F28}On arraignment of a corporation, the corporation may], enter in writing by its representative a plea of guilty or not guilty, and if either the corporation does not appear by a representative or, though it does so appear, fails to enter as aforesaid any plea, the court shall order a plea of not guilty to be entered and the trial shall proceed as though the corporation had duly entered a plea of not guilty.
- (4) Provision may be made by rules under the ^{M3}Indictments Act 1915 with respect to the service on any corporation charged with an indictable offence of any documents requiring to be served in connection with the proceedings, except in so far as such provision may be made by rules [^{F29}under section 144 of the Magistrates' Courts Act 1980].
- (5) ^{F27}
- (6) In this section the expression “representative” in relation to a corporation means a person duly appointed by the corporation to represent it for the purpose of doing any act or thing which the representative of a corporation is by this section authorized to do, but a person so appointed shall not, by virtue only of being so appointed, be qualified to act on behalf of the corporation before any court for any other purpose.

A representative for the purposes of this section need not be appointed under the seal of the corporation, and a statement in writing purporting to be signed by a managing director of the corporation, or by any person (by whatever name called) having, or being one of the persons having, the management of the affairs of the corporation, to the effect that the person named in the statement has been appointed as the representative of the corporation for the purposes of this section shall be admissible without further proof as prima facie evidence that that person has been so appointed.

Textual Amendments

F27 Ss. 31, 32, 33(1)(2)(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, **Sch. 6**

F28 Words substituted by Courts Act 1971 (c. 23), **Sch. 8 para. 19**

F29 Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 7 para. 5**

Modifications etc. (not altering text)

- C4** S. 33 extended by Magistrates' Courts Act 1980 (c. 43), **Sch. 3**, para. 8, Companies Act 1985 (c. 6, SIF 27), **s. 734(3)**, Financial Services Act 1986 (c. 60, SIF 69), **s. 203(3)**, and by Banking Act 1987 (c. 22, SIF 10), **s. 98(3)**
- C5** S. 33 modified by Insurance Companies Act 1982 (c. 50, SIF 67), **s. 92(3)**
- C6** S. 33 applied by Companies Act 1989 (c. 40, SIF 27), **ss. 44(3), 91(3)** (the application being in force as regards s. 91(3) and as regards s. 44(3) being in force (1.3.1990) for certain purposes only as mentioned in S.I. 1990/142, **Sch.** and otherwise (1.10.1991) see s. 44(3) and S.I. 1991/1996, **art. 2(1)(a)**)
- C7** S. 33 extended by Counter–Inflation (Temporary Provisions) Act 1972 (c. 74), **s. 5(5)**, Counter–Inflation Act 1973 (c. 9), **s. 18(5)** and Insurance Companies Act 1974 (c. 49), **s. 80(3)**

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- C8** S. 33 extended (6.1.1997) by S.I. 1996/2827, **reg. 70(3)**
- C9** S. 33 applied (with modifications) (16.2.2001) by **Political Parties, Elections and Referendums Act 2000 (c. 41), s. 153(3)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1** (subject to transitional provisions in Sch. 1 Pt. II)
s. 33 applied (18.6.2001) by **Financial Services and Markets Act 2000 (c. 8), s. 403(4)(a)**; S.I. 2001/1820, art. 2, **Sch.**
S. 33 applied (31.5.2002) by **Anti-terrorism, Crime and Security Act 2001 (c. 24), s. 69(4)(a)**; S.I. 2002/1279, **art. 2**
S. 33 extended (7.11.2002) by **Adoption and Children Act 2002 (c. 38), ss. 143(5)(a)**, 148 (with Sch. 4 paras. 1, 6-8)
- C10** S. 33(6) extended by **Magistrates' Courts Act 1980 (c. 43), Sch. 3 para. 8**

Marginal Citations

- M3** 1915 c. 90.

34 **F30**

Textual Amendments

- F30** S. 34 repealed by **Prosecution of Offences Act 1979 (c. 31), Sch. 2 Pt. II**

PART III

AMENDMENTS AS TO OFFENCES

35 **F31**

Textual Amendments

- F31** S. 35 repealed by **Forgery and Counterfeiting Act 1981 (c. 45, SIF 39:7), s. 30, Sch. 1 Pt. I**

36 **Forgery of passport.**

- (1) [^{F32}The forgery of any passport, or] the making by any person of a statement which is to his knowledge untrue for the purpose of procuring a passport, whether for himself or any other person, shall be a misdemeanour punishable with imprisonment not exceeding two years or a fine not exceeding one hundred pounds or both such imprisonment and fine.

(2) **F33**

Textual Amendments

- F32** Words repealed (E.W.N.I.) by **Forgery and Counterfeiting Act 1981 (c. 45, SIF 39:7), s. 30, Sch. 1 Pt. I**
- F33** S. 36(2) repealed by **Forgery and Counterfeiting Act 1981 (c. 45, SIF 39:7), s. 30, Sch. 1 Pt. I**

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Modifications etc. (not altering text)

- C11 S. 36 amended as to mode of trial by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 1 para. 19**
- C12 S. 36 amended by [Criminal Justice Act 1967 \(c. 80\)](#), **s. 92(8)**

37 Unlawful possession of pension documents.

- (1) If any person receives, detains or has in his possession any document to which this section applies as a pledge or a security for a debt or with a view to obtaining payment from the person entitled thereto of a debt due either to himself or to any other person, he shall be liable, on summary conviction, to a fine not exceeding [^{F34}level 3 on the standard scale], or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.
- (2) This section applies to certificates or official documents evidencing or issued in connection with the right of persons to pensions or allowances payable out of any grant which may be made out of the Consolidated Fund of the United Kingdom in pursuance of any Act for civil non-effective services.

Textual Amendments

- F34 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 82\)](#), **ss. 38, 46**

38 F35

Textual Amendments

- F35 S. 38 repealed by [Forgery and Counterfeiting Act 1981 \(c. 45, SIF 39:7\)](#), s. 30, **Sch. 1 Pt. I**

39 F36

Textual Amendments

- F36 S. 39 repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, **Sch. 8 para. 16, Sch. 16**

40 F37

Textual Amendments

- F37 S. 40 repealed by [Road Traffic Act 1930 \(c. 43\)](#), **Sch. 5**

41 Prohibition on taking photographs, &c., in court.

- (1) No person shall—
 - (a) take or attempt to take in any court any photograph, or with a view to publication make or attempt to make in any court any portrait or sketch, of

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any person, being a judge of the court or a juror or a witness in or a party to any proceedings before the court, whether civil or criminal; or

- (b) publish any photograph, portrait or sketch taken or made in contravention of the foregoing provisions of this section or any reproduction thereof;

and if any person acts in contravention of this section he shall, on summary conviction, be liable in respect of each offence to a fine not exceeding fifty pounds.

(2) For the purposes of this section—

- (a) the expression “court” means any court of justice, including the court of a coroner:
- (b) the expression “Judge” includes . . . ^{F38}, registrar, magistrate, justice and coroner:
- (c) a photograph, portrait or sketch shall be deemed to be a photograph, portrait or sketch taken or made in court if it is taken or made in the court-room or in the building or in the precincts of the building in which the court is held, or if it is a photograph, portrait or sketch taken or made of the person while he is entering or leaving the court-room or any such building or precincts as aforesaid.

Textual Amendments

F38 Word repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

42 ^{F39}

Textual Amendments

F39 [S. 42](#) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#), [Sch. 1](#)

43 ^{F40}

Textual Amendments

F40 [S. 43](#) repealed by [Theatre's Act 1968 \(c. 54\)](#), [Sch. 3](#)

PART IV

MISCELLANEOUS AND GENERAL

44, 45. ^{F41}

Textual Amendments

F41 [Ss. 44, 45](#) repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), [s. 132](#), [Sch. 6](#)

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46 F42

Textual Amendments
F42 S. 46 repealed by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. I](#)

47 Abolition of presumption of coercion of married woman by husband.

Any presumption of law that an offence committed by a wife in the presence of her husband is committed under the coercion of the husband is hereby abolished, but on a charge against a wife for any offence other than treason or murder it shall be a good defence to prove that the offence was committed in the presence of, and under the coercion of, the husband.

48 F43

Textual Amendments
F43 S. 48 repealed by [Children and Young Persons Act 1933 \(c. 12\)](#), [Sch. 6](#)

49 Short title, interpretation, extent, repeal and commencement.

(1) This Act may be cited as the Criminal Justice Act 1925.

(2) In this Act, unless the context otherwise requires—

The expression “examining justices” means the justices before whom a charge is made against any person for an indictable offence, and references to examining justices include a reference to a single examining justice:

...
F44

(3) This Act shall not extend to Scotland or Northern Ireland, and references therein to warrants issued shall not be construed as including warrants issued elsewhere than in England or Wales.

(4) F45

Textual Amendments
F44 Definition repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)
F45 S. 49(4)(5) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#), [Sch. 1](#)

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F46F46 SCHEDULE 1

Textual Amendments

F46 Sch. 1 repealed by Criminal Law Act 1967 (c. 58), Sch. 3 Pt. II

F46

F47F47 SCHEDULE 2

Textual Amendments

F47 Sch. 2 repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, Sch. 6

F47

F48F48 SCHEDULE 3

Textual Amendments

F48 Sch. 3 repealed by Statute Law Revision Act 1950 (c. 6), Sch. 1

F48

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