



Criminal Justice Act 1948

1948 CHAPTER 58 11 and 12 Geo 6

PART I

POWERS AND PROCEEDINGS OF COURTS

Abolition of penal servitude, hard labour, prison divisions and sentence of whipping

1 Abolition of penal servitude, hard labour and prison divisions.

- (1) No person shall be sentenced by a court to penal servitude; and every enactment conferring power on a court to pass a sentence of penal servitude in any case shall be construed as conferring power to pass a sentence of imprisonment for a term not exceeding the maximum term of penal servitude for which a sentence could have been passed in that case immediately before the commencement of this Act.
- (2) No person shall be sentenced by a court to imprisonment with hard labour; and every enactment conferring power on a court to pass a sentence of imprisonment with hard labour in any case shall be construed as conferring power to pass a sentence of imprisonment for a term not exceeding the term for which a sentence of imprisonment with hard labour could have been passed in that case immediately before the commencement of this Act; and so far as any enactment requires or permits prisoners to be kept to hard labour it shall cease to have effect.
- (3) So far as any enactment provides that a person sentenced to imprisonment or committed to prison is or may be directed to be treated as an offender of a particular division, or to be placed in a separate division, it shall cease to have effect.

2 F1

Textual Amendments

F1 S. 2 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. IV](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1948, Cross Heading: Abolition of penal servitude, hard labour, prison divisions and sentence of whipping. (See end of Document for details)

3—12. F2

Textual Amendments

F2 S. 3–12 repealed by [Powers of Criminal Courts Act 1973 \(c. 62\)](#), **Sch. 6**

13 F3

Textual Amendments

F3 S. 13 repealed by [Criminal Law Act 1967 \(c. 58\)](#), **Sch. 3 Pt. III**

14 F4

Textual Amendments

F4 S. 14 repealed by [Powers of Criminal Courts Act 1973 \(c. 62\)](#), **Sch. 6**

15 F5

Textual Amendments

F5 S. 15 repealed by [Criminal Justice Act 1967 \(c. 80\)](#), **Sch. 7 Pt. I**

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice Act 1948, Cross
Heading: Abolition of penal servitude, hard labour, prison divisions and sentence of whipping.