
STATUTORY INSTRUMENTS

2000 No. 1924

**CRIMINAL LAW, ENGLAND AND WALES
CRIMINAL LAW, NORTHERN IRELAND**

**The Criminal Justice Act 1988
(Reviews of Sentencing) Order 2000**

Made - - - - - *17th July 2000*
Laid before Parliament *24th July 2000*
Coming into force - - - *21st August 2000*

In exercise of the powers conferred on me by section 35(4) of the Criminal Justice Act 1988⁽¹⁾ I hereby make the following Order:

1. This Order may be cited as the Criminal Justice Act 1988 (Reviews of Sentencing) Order 2000 and shall come into force on 21st August 2000.

2. Part IV of the Criminal Justice Act 1988 shall apply to any case in which sentence is passed on a person for any of the following offences:

- (a) offences under section 50(2) or (3), section 68(2) or section 170(1) or (2) of the Customs and Excise Management Act 1979⁽²⁾ insofar as those offences are in connection with a prohibition or restriction on importation or exportation of either:
 - (i) a controlled drug within the meaning of section 2 of the Misuse of Drugs Act 1971 (“the 1971 Act”), such prohibition or restriction having effect by virtue of section 3 of that Act⁽³⁾; or
 - (ii) insofar as they relate to or depict a person under the age of 16, indecent or obscene prints, paintings, photographs, books, cards, lithographic or other engravings, or any other indecent or obscene articles, such prohibition and restriction having effect by virtue of section 42 of the Customs Consolidation Act 1876⁽⁴⁾;
- (b) offences under section 4(2) or (3) (production or supply of a controlled drug), section 5(3) (possession of a controlled drug with intent to supply) or section 6(2) (cultivation of cannabis plant) of the 1971 Act;

(1) [1998 c. 33](#); section 35(4) was amended by paragraph 34 of Schedule 9 to the Criminal Justice and Public Order Act [1994 c. 33](#).
(2) [1979 c. 2](#).
(3) [1971 c. 38](#).
(4) [1876 39 & 40 Vict c. 36](#).

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- (c) offences under section 6 of the Sexual Offences Act 1956⁽⁵⁾ (unlawful sexual intercourse with a girl under 16) or section 5(1) of the Criminal Law Amendment Act 1885⁽⁶⁾ (defilement of a girl between 14 and 17);
 - (d) offences under section 54 of the Criminal Law Act 1977⁽⁷⁾ or article 9 of the Criminal Justice (Northern Ireland) Order 1980⁽⁸⁾ (inciting a girl under 16 to have incestuous sexual intercourse);
 - (e) offences under section 1 of the Indecency with Children Act 1960⁽⁹⁾ or section 22 of the Children and Young Persons Act (Northern Ireland) 1968⁽¹⁰⁾ (indecent conduct with a child);
 - (f) attempting to commit, or inciting the commission of, any of the offences described above.
3. This Order extends to Northern Ireland⁽¹¹⁾.

Home Office
17th July 2000

Jack Straw
One of Her Majesty's Principal Secretaries of
State

⁽⁵⁾ 1956 4 & 5 Eliz 2 c. 69.

⁽⁶⁾ 1885 48 & 49 V. c. 69.

⁽⁷⁾ 1977 c. 45.

⁽⁸⁾ S.I. 1980/704 (N.I.6).

⁽⁹⁾ 1960 8 & 9 Eliz 2 c. 33.

⁽¹⁰⁾ 1968 c. 34.

⁽¹¹⁾ By virtue of section 35(10) of the Criminal Justice Act 1988, in its application to Northern Ireland, this Order is a statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (and not a statutory instrument) and is subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 applies accordingly.

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EXPLANATORY NOTE

(This note is not part of the Order)

Part IV of the Criminal Justice Act 1988 allows the Attorney General to refer certain cases to the Court of Appeal, with the leave of that Court, where he considers that a sentence imposed in the Crown Court was unduly lenient. This Order extends the range of offences triable either way in respect of which that power may be exercised.