

# [Identify and discuss three examples of important criminal justice assignment](https://assignbuster.com/identify-and-discuss-three-examples-of-important-criminal-justice-assignment/)

[Law](https://assignbuster.com/essay-subjects/law/)

Identify and discuss three examples of important criminal justice legislative changes since sass. BY Philippics Introduction to the Criminal Justice System. Identify and discuss three examples of important criminal Justice legislative changes The key aim of this assignment is to discuss and identify the important changes of the criminal justice system legislation since early sass to 2003, and how these changes have reduce criminality in United Kingdom through the help off number of agencies.

There have been many important legislation changes in the criminal Justice system since In the sass, but some of these changes provided numerous forms to sentencing and create a systematic approach. There are three legislative changes that could be consider in the criminal justice system today, which is the Criminal Justice Act 1991 , Criminal Justice and Public Order Act 1994, and finally the Criminal Justice Act 2003 (Davies, et al. 2010).

Criminal Justice can be defined as a reputable governments system or society’s formal responses to those who violate state laws with the help of agencies such as the police, the courts, the prison service, the crown prosecution service and the national probation service working together to deliver the criminal justice process by undertake action and decisions to prevent more crime (Davies, et al. 2010). The criminal Justice helps to fight crimes and brought to justice those who commit a crime and punish the lawbreakers.

Overall criminal justice plays a huge roll in many societies. Criminal Justice system consist of three main parts: (a) Legislative, which create law; (b) Adjudication, the court Interpret the law; (c) Correction, government agencies that administer a Jurisdiction’s Jails, prisons, probation and parole. These three agencies operate together both under the rule of law, and as the foremost importance means of maintaining the rule of law of society.

The Criminal Justice Act (CA 1991) is one of the major public services In England, with some of the main changes In the criminal Justice Act 1991, was carried out by an unprecedented number of planning, research, consultation and training, but the Hampshire magistrates’ courts carried out a unit fine and extreme training to those that enforce the new Act. However, regardless the research, planning and consultation programmed went in the Act, the Home Secretary implement new amendment in the Act.

The Criminal Justice Act 1991 came to force since October 992, during Kenneth Clarke, he was the Home Secretary who abolished the unit fine parliament (Davies, et al. , 2010). The White Paper, Crime, Justice and Protecting the Public (Home Office AAA) was form as a far-reaching systematic transformed the sentence, which reflects on shifts in penal philosophy and sentencing policies, and to improve the consistency of the current sentencing policy and for sentences to be proportionate to the offense (Davies, et al. 2010: 30). At that time, it was understood that the best way to accomplish this was by emphasize the already established sentencing framework of just deserts. The perception of “ Just deserts” was widely criticized due to the fact that sentences were unable to issue a sentence that reflected the frequency or history of the offender.

After that, the Criminal Justice Act 1993 (CA 1993) abolished Section 29 of CA 1991, and allowed the court to consider all offences before the court, and force these provisions have been repealed and replaced with new criteria for Justifying the imposition of custody both for young offenders and for adult (Stockades and Casual, 1992; waste, 1990: p. 128). The CA 1991 also implemented the key changes by use of unit fines.

These unit fines are when sentences allocated points based on the seriousness of the committed offenses. These points also took into account the offender’s income and finances, for example, assets which ultimately resulted in a specific amount for the final fine. This concept also been criticized and it was later abolished by the CA 1993. The Criminal Justice Act 1991 introduced curfew orders as one of the range of community orders impose by the courts.

This allows the court to “ require an offender aged 16 or over to remain at the place or places specified for a specified period” (Card, et al. 1994: 251). In relation to curfew orders, electronic monitoring was also introduced. However, specific facilities for tagging offender did not exist in all area in the country, because there wasn’t any facility to enforce curfew on offender. The Act, which dealt with measures to combat anti-terrorist act, drug trafficking and insider dealing, was used to amend the Criminal Justice Act 1991.

Later, the Act make available the sentences must take into account the means of fines, and adjust fines up and down as appropriate, but without imposing a framework for doing so, the court might take very offence in account before the court, and offender’s previous convictions and with failure to respond to earlier sanctions might use by the courts when deciding on a sentence (Davies et al. 2010: 30). The Criminal Justice and Public Order Act 1994 (CAPO 1994) was introduced by Home Secretary, Michael Howard. According to Davies, et al. (2010) states that, this Act changed some aspects in key changes in the Criminal Justice System.

It contained many important reforms that affected the criminal Justice system for many years to follow. The Act introduced many changes that mainly included the restriction and deduction of existing rights and the most important reformed was to the right of silence of an accused person. This Act gave the court power to withhold inferences of a defendant’s silence when questioning by the police or in the court. “ These inferences may be drawn from a failure or refusal of a person under arrest to arrested person to account for his presence at a particular place where he is found” (Card, et al. 1994: 158). This action to be silence in court was widely criticized because it allows negative inferences to be drawn from silence in situations that are to subject to the safeguards of access to legal advice. Another reform introduced through the Act was that, any defendants convicted of homicide, manslaughter or rape (attempted or otherwise) that had convicted previous for such offense should not granted bail. The serving of the Act was obviously in the interest to public, and not granting bail to those who would put the public at risk.

This Act was seen as unjustifiable due to the fact that “(the government) was unable to cite a case of the type covered where a person released on bail in certain circumstances had re- offended in a similar way’ (Card, et al. 1994: 210). Other reforms included the establishment of secure training units, which could be used for constantly young offenders aged twelve to fourteen year old, and form two section, half of the young offender should spent in secure units and the other half to be spent in supervision of the community.

Some young offenders involve in rape cases and the other name of is called male rape and the consent age of lowered for homosexual acts from twenty- one to eighteen. The establishments of stop and search procedures due to increased of terrorist activity and knife crime by young people. The Act imposed more restrictive laws against trespasses, unauthorized camping, and raves. “ Changes to reformed in relation to obscenity to incorporate child pornography produced on computers and some restrictions on the classification of video recordings were directed against what are commonly know as video nastiest (Davies, et al. 2010: 31).

In 2000, the Home Secretary launched an extensive review of the existing Just deserts framework of sentencing. A research paper by the House of Commons said, “ the review will examine the foundations of the 1991 Criminal Justice Act and explore the usability of more flexible sentencing options which Join up custodial and community penalties” (House of Commons. 2002). The Criminal Justice Act 2003 (CA 2003) introduced a major change in the way crimes are handled in an effort to modernize the current criminal Justice system. The main aim of amendment was to be less about Just deserts and more about reducing re- offending.

The CA 1993 specially include a statue, which explain the purpose of sentencing and establishes a new framework to be used on sentences. The Criminal Justice Act (2003) change the way legislation is dealing with an offender in regard to is offence and the court should follow the key aims of sentencing listed, “(a) The punishment of offenders (b) the reduction of crime (including its reduction by deterrence), (c) the reform and rehabilitation of offenders, (d) the protection of the public, and (e) the making of reparation by offenders to persons affected by their offences” (Newborn, T. 007: 669). A sense of injustice system was an important contributory factor in the prison riots of 1990. Justice has also been a key strand of New Labor policy, expressed in the White Paper Justice, which the Labor government’s aim was to reducing the Justice gap between the number of crimes ported to the police and the great number of people commit offence brought to justice (Home Office 2002). Later introduced a extreme tougher sentences for serious judges the power to punish offenders from a minimum fifteen year sentence to compulsory life sentences, depending on certain circumstances.

These mandatory sentencing guidelines were criticized as an unnecessary limitation on the court’s ability to practice discretion in sentencing. The Act also proposed to increase the use of community punishments, which in some cases were a better alternative to traditional custody, allowing the reduction of refunding to be maximized. These single community orders were tailored towards the specific offender, and all of the elements of the order were now imposed at the same time (Card, et al. , 1994).

Moreover, the Act now expands the circumstances in which the court can hear evidence of a defendant’s previous convictions or bad character, and the Act also restricts the ability of defense lawyers to cross-examine prosecution witnesses about their own criminal records. The CA 2003 sometime abolished the double Jeopardy rule and allowed acquitted defendant’s to be tried again for serious offenses, including murder and rape violent. The Act also introduced measures to permit trial without a Jury in the specific cases of complex fraud and Jury tampering.

The CA 2003 expands the range of aggravating factors in hate crimes to include sexual orientation and disability (Davies et al. 2010). The significant changes in the criminal justice Act is the newly establishment formed body to work along-side with the sentencing advisory panel which introduced a series of new guidelines in the harm caused by a offence and offender culpability are to be the main considerations in determining sentencing (Newborn, T. 2007).

Finally, all the above three Criminal Justice Acts are interconnected to each other in the sense that they all build up from each other to create a uniqueness in the criminal Justice, and amend each other, by stating the Criminal Justice Act 1991. Ultimately through the passing of each of these legislations in succession, the criminal Justice system has involved into a more modernize system. The ultimate goals for all of these legislations are to maximize crime, tackling repeat offending and brought all offender or criminal to Justice, and improving public confidence.