



# Criminal Justice Act 2003

## 2003 CHAPTER 44

### PART 12

#### SENTENCING

#### CHAPTER 6

#### [<sup>F1</sup> RELEASE, LICENCES<sup>F1</sup>, SUPERVISION] AND RECALL ]

#### *Release on licence*

#### **250 Licence conditions**

(1) In this section—

- (a) “the standard conditions” means such conditions as may be prescribed for the purposes of this section as standard conditions, and
- (b) “prescribed” means prescribed by the Secretary of State by order.

<sup>F1</sup>(2) .....

<sup>F2</sup>(2A) .....

<sup>F3</sup>(3) .....

(4) Any licence under this Chapter in respect of a prisoner serving a sentence of imprisonment <sup>F4</sup>... (including <sup>F4</sup>... a sentence imposed under section [<sup>F5</sup>226A][<sup>F6</sup>, 227 or 236A][<sup>F7</sup> or under section 278 [<sup>F8</sup>, 279 or 282A] of the Sentencing Code]) or any sentence of detention under section 91 [<sup>F9</sup> or 96] of [<sup>F10</sup> the PCC(S)A 2000, under section 250, [<sup>F11</sup>252A,] 254, 262, 265 [<sup>F12</sup>, 266 or 268A] of the Sentencing Code or under] section [<sup>F13</sup>226A, 226B,][<sup>F14</sup>227 ][<sup>F15</sup>, 228 or 236A] of this Act—

- (a) must include the standard conditions,
- [<sup>F16</sup>(aa) must include any electronic monitoring conditions required by an order under section 62A of the Criminal Justice and Court Services Act 2000,] and

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- (b) may include—
  - (i) any [<sup>F17</sup>other] condition authorised by section 62[<sup>F18</sup>, 64 or 64A] of the Criminal Justice and Court Services Act 2000 [<sup>F19</sup>or section 28 of the Offender Management Act 2007], and
  - (ii) such other conditions of a kind prescribed by the Secretary of State for the purposes of this paragraph as the Secretary of State may for the time being specify in the licence.

[<sup>F20</sup>(4A) In exercising any power under subsection (4)(b) in respect of an offender, the Secretary of State must have regard to any recommendation under section 328 of the Sentencing Code (power of court to recommend licence conditions where adult is sentenced to term of 12 months or more).]

(5) A licence under section 246 must also include a curfew condition complying with section 253.

[<sup>F21</sup>(5A) The Secretary of State must not—

- (a) include a condition referred to in subsection (4)(b)(ii) in a licence within subsection (5B), either on release or subsequently, or
  - (b) vary or cancel any such condition included in such a licence,
- unless the Board directs the Secretary of State to do so (and must, if the Board so directs, include, vary or cancel such a condition).

(5B) A licence is within this subsection if it is granted to a relevant prisoner—

- (a) on their initial release in a case where that release is at the direction of the Board, or
- (b) on their release after recall to prison in a case where that release is at the direction of the Board (see sections 255B(5), 255C(5) and 256A(5)).

(5C) In subsection (5B), “relevant prisoner” means a prisoner to whom section 244ZC, 244A, 246A, 247 or 247A applies (or applied) for the purposes of their initial release.]

<sup>F22</sup>(5BA) .....

<sup>F23</sup>(6) .....

<sup>F24</sup>(7) .....

(8) In exercising his powers to prescribe standard conditions or the other conditions referred to in subsection (4)(b)(ii), the Secretary of State must have regard to the following purposes of the supervision of offenders while on licence under this Chapter—

- (a) the protection of the public,
- (b) the prevention of re-offending, and
- (c) securing the successful re-integration of the prisoner into the community.

<sup>F25</sup>(9) .....

**Textual Amendments**

- F1** S. 250(2) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 10 para. 25\(a\)](#); S.I. 2012/2906, art. 2(h)
- F2** S. 250(2A) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 10 para. 25\(a\)](#); S.I. 2012/2906, art. 2(h)

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- F3** S. 250(3) omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 10 para. 25(a)**; S.I. 2012/2906, art. 2(h)
- F4** Words in s. 250(4) omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 14 para. 9**; S.I. 2012/2906, art. 2(l)
- F5** Words in s. 250(4) inserted (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 20 para. 6(2)(a)**; S.I. 2012/2906, art. 2(r)
- F6** Words in s. 250(4) substituted (13.4.2015) by Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), **Sch. 1 para. 17(2)(a)**; S.I. 2015/778, art. 3, Sch. 1 para. 72
- F7** Words in s. 250(4) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 227(2)(a)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F8** Words in s. 250(4) substituted (29.6.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(2)(v), **Sch. 13 para. 9(5)(a)**
- F9** Words in s. 250(4) inserted (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), **ss. 117(5)(a)**, 151(1) (with Sch. 15); S.I. 2012/2906, art. 2(d)
- F10** Words in s. 250(4) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 227(2)(b)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F11** Word in s. 250(4) inserted (30.4.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(1)(i), **Sch. 13 para. 21(5)(a)**
- F12** Words in s. 250(4) substituted (29.6.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(2)(v), **Sch. 13 para. 9(5)(b)**
- F13** Words in s. 250(4) inserted (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 20 para. 6(2)(b)**; S.I. 2012/2906, art. 2(r)
- F14** Words in s. 250(4) inserted (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), **ss. 117(5)(b)**, 151(1) (with Sch. 15); S.I. 2012/2906, art. 2(d)
- F15** Words in s. 250(4) substituted (13.4.2015) by Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), **Sch. 1 para. 17(2)(b)**; S.I. 2015/778, art. 3, Sch. 1 para. 72
- F16** S. 250(4)(aa) inserted (13.4.2015) by Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), **Sch. 2 para. 4(2)** (with s. 7(5)); S.I. 2015/778, art. 3, Sch. 1 para. 73
- F17** Word in s. 250(4)(b)(i) inserted (13.4.2015) by Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), **Sch. 2 para. 4(3)** (with s. 7(5)); S.I. 2015/778, art. 3, Sch. 1 para. 73
- F18** Words in s. 250(4)(b)(i) substituted (1.2.2015) by Offender Rehabilitation Act 2014 (c. 11), **ss. 12(2)**, 22(1) (with Sch. 7 para. 6); S.I. 2015/40, art. 2(k)
- F19** Words in s. 250(4)(b)(i) inserted (for specified purposes and with effect in accordance with art. 5 of the commencing S.I., 6.1.2014 in so far as not already in force) by Offender Management Act 2007 (c. 21), **ss. 28(5)**, 41(1); S.I. 2009/32, arts. 3(a), 4; S.I. 2013/1963, art. 2(1)
- F20** S. 250(4A) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 227(3)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F21** S. 250(5A)-(5C) substituted for s. 250(5A)-(5B) (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 134(2)**, 208(1) (with s. 134(4)-(7)); S.I. 2022/520, **reg. 5(o)**
- F22** S. 250(5BA) omitted (30.4.2021) by virtue of Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(1)(i), **Sch. 13 para. 45(3)(c)**
- F23** S. 250(6) omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 10 para. 25(a)**; S.I. 2012/2906, art. 2(h)
- F24** S. 250(7) omitted (1.2.2015) by virtue of Offender Rehabilitation Act 2014 (c. 11), **ss. 5(5)**, 22(1) (with Sch. 7 para. 2); S.I. 2015/40, art. 2(e)
- F25** S. 250(9) omitted (28.6.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 134(3)**, 208(1) (with s. 134(4)-(7)); S.I. 2022/520, reg. 5(o)

#### Modifications etc. (not altering text)

- C1** Pt. 12 Ch. 6 modified (1.12.2020) by Sentencing Act 2020 (c. 17), **s. 245(1)(2)(c)**, 416(1) (with ss. 2, 245(3), 398(1), 406, Sch. 27); S.I. 2020/1236, reg. 2
- C2** Pt. 12 Ch. 6 modified (1.12.2020) by Sentencing Act 2020 (c. 17), **s. 244(1)(2)(c)**, 416(1) (with ss. 2, 244(3), 398(1), 406, Sch. 27); S.I. 2020/1236, reg. 2

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**C3** Pt. 12 Ch. 6 applied (29.6.2021) by 1984 c. 47, **Sch. para. 2(3B)** (as inserted by Counter Terrorism and Sentencing Act 2021 (c. 11), s. 50(2)(r), **Sch. 11 para. 2**)

**Commencement Information**

**I1** S. 250 partly in force; s. 250 not in force at Royal Assent, see s. 336(3); s. 250(1)-(3)(5)-(8) in force for certain purposes at 26.1.2004 by S.I. 2003/3282, **art. 2, Sch.**; s. 250(1)(2)(b)(ii)(4)(b)(ii)(8) in force at 7.3.2005 by S.I. 2005/373, **art. 2**; s. 250(1)(4)-(7) in force at 4.4.2005 by S.I. 2005/950, **art. 2(1), Sch. 1 para. 19** (subject to **art. 2(2), Sch. 2**)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 250(5A) words substituted by [2015 c. 2 Sch. 3 para. 7\(2\)](#)
- s. 250(5B) words inserted by [2015 c. 2 Sch. 3 para. 7\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2012/2574, Sch. by [S.I. 2012/2761 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 150(aa) inserted by [2012 c. 10 Sch. 26 para. 19\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 150(ba) inserted by [2012 c. 10 Sch. 26 para. 19\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 151(A1) inserted by [2008 c. 4 s. 11\(3\)](#)
- s. 151(1A) inserted by [2008 c. 4 s. 11\(5\)](#)
- s. 151(1A)(b) word substituted by [2008 c. 4 Sch. 4 para. 76\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(1A)(c) substituted by [2009 c. 25 Sch. 17 para. 8\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(2A)(b) substituted by [2009 c. 25 Sch. 17 para. 8\(4\)](#)
- s. 151(4A) inserted by [2009 c. 25 Sch. 17 para. 8\(5\)](#)
- s. 151(8)(a) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(a\)](#)
- s. 151(8)(b) words inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(i\)](#)
- s. 151(8)(b) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(ii\)](#)
- s. 151(8)(c)-(f) inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(c\)](#)
- s. 165(5) inserted by [2014 c. 12 s. 179\(3\)](#)
- s. 237(1A) inserted by [2006 c. 48 s. 34\(3\)](#)
- s. 237(1B)(f)(g) inserted by [2021 c. 11 Sch. 13 para. 40\(b\)](#)
- s. 239A inserted by [2015 c. 2 s. 8\(1\)](#)
- s. 239A cross-heading inserted by [2015 c. 2 Sch. 3 para. 5](#)
- s. 250(5C) inserted by [2015 c. 2 Sch. 3 para. 7\(4\)](#)
- s. 255A(4A) inserted by [2015 c. 2 s. 9\(2\)](#)
- s. 255B(3A) inserted by [2015 c. 2 s. 9\(3\)\(b\)](#)
- s. 255B(4A)-(4C) inserted by [2015 c. 2 s. 9\(3\)\(d\)](#)
- s. 255C(3A) inserted by [2015 c. 2 s. 9\(4\)\(b\)](#)
- s. 255C(4A)-(4C) inserted by [2015 c. 2 s. 9\(4\)\(d\)](#)
- s. 256A(1)-(1B) substituted for s. 256A(1) by [2015 c. 2 s. 9\(6\)\(a\)](#)
- s. 256A(4A)(4B) inserted by [2015 c. 2 s. 9\(6\)\(f\)](#)
- s. 256A(5)(6) substituted for s. 256A(5) by [2015 c. 2 s. 9\(6\)\(g\)](#)
- s. 256AZA inserted by [2015 c. 2 s. 10\(1\)](#)
- s. 257(3) inserted by [2006 c. 48 s. 34\(4\)](#)
- s. 258(1A) inserted by [2006 c. 48 s. 34\(5\)](#)
- s. 260(4)(aa) substituted for word by [2008 c. 4 s. 34\(7\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 34(2)(4)(b)(7)(10) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(b); S.I. 2012/2906, art. 2(d))

- Sch. 15B para. 49A omitted by [S.I. 2019/780 reg. 26\(4\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 15B para. 49B omitted by [S.I. 2019/780 reg. 26\(4\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 20B para. 34(6)(7) substituted for Sch. 20B para. 34(6) by [2015 c. 2 Sch. 3 para. 10](#)