



# Offender Rehabilitation Act 2014

## 2014 CHAPTER 11

### *Release and supervision of offenders sentenced to less than 2 years*

#### **5 Consecutive terms**

- (1) Chapter 6 of Part 12 of the Criminal Justice Act 2003 (sentencing: release, licences and recall) is amended as follows.
- (2) In section 264 (consecutive terms), for subsections (3) and (3A) substitute—
  - “(3B) The offender's release under this Chapter is to be unconditional if—
    - (a) the aggregate length of the terms of imprisonment is less than 12 months, and
    - (b) section 243A so requires in respect of each of the sentences, but in any other case is to be on licence.
  - (3C) If the offender is released on licence under this Chapter—
    - (a) the offender is to be on licence, on and after the release, until the offender would, but for the release, have served a term equal in length to the aggregate length of the terms of imprisonment (but see section 264B);
    - (b) the offender is to be subject to supervision requirements under section 256AA if (and only if)—
      - (i) section 256AA so requires in respect of one or more of the sentences, and
      - (ii) the aggregate length of the terms of imprisonment is less than 2 years.
  - (3D) If the offender is subject to supervision requirements under section 256AA, the supervision period for the purposes of that section begins on the expiry of the period during which the offender is on licence by virtue of subsection (3C) (a).
  - (3E) When the offender is released under this Chapter (whether unconditionally or on licence), the offender is to be subject to supervision requirements under

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*Changes to legislation: There are currently no known outstanding effects for the Offender Rehabilitation Act 2014, Section 5. (See end of Document for details)*

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section 256B if that section so requires in respect of one or more of the sentences.”

(3) Before section 265 (and the italic heading before it) insert—

**“264B Consecutive terms: supplementary**

(1) This section applies in a case in which section 264 applies where—

- (a) the offender is released on licence under this Chapter,
- (b) the aggregate length of the terms of imprisonment mentioned in section 264(1)(a) is less than 12 months, and
- (c) those terms include one or more terms of imprisonment (“short transitional terms”) which were imposed in respect of an offence committed before the day on which section 1 of the Offender Rehabilitation Act 2014 came into force, as well as one or more terms imposed in respect of an offence committed on or after that day.

(2) The offender is to be on licence until the offender would, but for the release, have served a term equal in length to the aggregate of—

- (a) the custodial period in relation to each of the short transitional terms, and
- (b) the full length of each of the other terms.

(3) In this section “custodial period” has the same meaning as in section 264.”

(4) In section 249(3) (duration of licence)—

- (a) for “sections” substitute “ section ”, and
- (b) for “and 264(3)” substitute “ and sections 264(3C)(a) and 264B ”.

(5) In section 250 (licence conditions), omit subsection (7).

(6) Schedule 20B (modifications of Chapter 6 of Part 12 in certain transitional cases) is amended as follows.

(7) In paragraph 22 (consecutive terms including 1991 Act sentence), after sub-paragraph (3) insert—

“(3A) If P is subject to supervision requirements under section 256AA (by virtue of section 264(3C)(b)), section 256AA(4)(b) (end of supervision period) applies in relation to P as if the reference to the requisite custodial period were to the period described in sub-paragraph (3) of this paragraph.”

(8) In paragraph 33 (consecutive terms including 1967 Act sentence), after sub-paragraph (3) insert—

“(4) If P is subject to supervision requirements under section 256AA (by virtue of section 264(3C)(b)), section 256AA(4)(b) (end of supervision period) applies in relation to P as if the reference to the requisite custodial period were to the period described in sub-paragraph (3) of this paragraph.”

**Commencement Information**

**II** S. 5 in force at 1.2.2015 by S.I. 2015/40, art. 2(e)

**Changes to legislation:**

There are currently no known outstanding effects for the Offender Rehabilitation Act 2014, Section 5.