



Sentencing Act 2020

2020 CHAPTER 17

THIRD GROUP OF PARTS Disposals

PART 10

CUSTODIAL SENTENCES

CHAPTER 2

OFFENDERS AGED UNDER 18

Detention and training orders

245 Offender subject concurrently to detention and training order and other sentence of detention

(1) This section applies where an offender is subject concurrently to—

- (a) a relevant detention and training order, and
- (b) a relevant sentence of detention,

at least one of which is imposed in respect of an offence of which the offender was convicted on or after the commencement date.

(See section 248 for the meaning of “relevant detention and training order” and “relevant sentence of detention”.)

(2) The offender is to be treated as if subject only to the relevant sentence of detention for the purposes of the following provisions—

- (a) sections 241 to 243 and Schedule 12 (periods of detention and training and supervision, breach of supervision requirements and further offences);
- (b) section 260 and section 261 (place of detention);
- (c) Chapter 6 of Part 12 of the Criminal Justice Act 2003 (release and supervision following release);
- (d) section 210 of the Armed Forces Act 2006 (place of detention etc);

Status: This is the original version (as it was originally enacted).

- (e) section 214 of the Armed Forces Act 2006 (offences committed during a detention and training order under that Act).

This is subject to subsection (3).

- (3) Nothing in subsection (2) requires the offender to be released in respect of either the order or the sentence unless and until the offender is required to be released in respect of each of them.
- (4) Subsection (2) has effect in relation to a relevant detention and training order or relevant sentence of detention that is imposed in respect of an offence of which the offender was convicted before the commencement date as if the provisions referred to in paragraphs (a) to (e) included the provisions referred to in section 106A(8) of the Powers of Criminal Courts (Sentencing) Act 2000.