



Criminal Justice Act 1991

1991 CHAPTER 53

PART III

CHILDREN AND YOUNG PERSONS

Young offenders

65 Supervision of young offenders after release.

- (1) Where a person under the age of 22 years (“the offender”) is released from a term of detention in a young offender institution or under [^{F1}section 91 of the Powers of Criminal Courts (Sentencing) Act 2000], he shall be under the supervision of
- [^{F2}(a) [^{F3}an officer of a local probation board];
 - (b) a social worker of a local authority social services department; or
 - (c) in the case of a person under the age of 18 years on his release, a member of a youth offending team.]
- [^{F4}(1A) Where the supervision is to be provided by [^{F3}a n officer of a local probation board], [^{F3}the officer of a local probation board] shall be an officer appointed for or assigned to the petty sessions area within which the offender resides for the time being.
- (1B) Where the supervision is to be provided by—
- (a) a social worker of a local authority social services department; or
 - (b) a member of a youth offending team,
- the social worker or member shall be a social worker of, or a member of a youth offending team established by, the local authority within whose area the offender resides for the time being.]
- (2) The supervision period ends on the offender’s 22nd birthday if it has not ended before.
- (3) Subject to subsection (2) above, where the offender is released otherwise than on licence under Part II of this Act, the supervision period begins on his release and ends three months from his release.

Status: Point in time view as at 20/06/2001. This version of this provision has been superseded.

Changes to legislation: Criminal Justice Act 1991, Section 65 is up to date with all changes known to be in force on or before 09 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) Subject to subsection (2) above, where the offender is released on licence under Part II of this Act and the licence expires less than three months from his release, the supervision period begins on the expiry of the licence and ends three months from his release.
- (5) Where a person is under supervision under this section, he shall comply with such requirements, if any, as may for the time being be specified in a notice from the Secretary of State.
- [^{F5}(5A) The requirements that may be specified in a notice under subsection (5) above include—
- (a) requirements for securing the electronic monitoring of the person’s compliance with any other requirements specified in the notice;
 - (b) requirements for securing the electronic monitoring of his whereabouts (otherwise than for the purpose of securing his compliance with requirements specified in the notice);
 - (c) in the circumstances mentioned in subsection (5B) below, requirements to provide, when instructed to do so by an officer of a local probation board or a person authorised by the Secretary of State, any sample mentioned in the instruction for the purpose of ascertaining whether the person has any specified Class A drug in his body.
- (5B) The circumstances referred to in subsection (5A)(c) above are that—
- (a) the person has attained the age of 18 years;
 - (b) his term of detention was imposed for a trigger offence; and
 - (c) the requirements to provide samples are being imposed for the purpose of determining whether he is complying with any other requirements specified in the notice.
- (5C) Requirements imposed by virtue of subsection (5A) above shall not have effect on or after the day on which the person would (but for his release) have served his term in full.
- (5D) The function of giving such an instruction as is mentioned in subsection (5A)(c) above shall be exercised in accordance with guidance given from time to time by the Secretary of State; and the Secretary of State may make rules about the requirements that may be imposed by virtue of subsection (5A) above and the provision of samples in pursuance of such an instruction.]
- (6) A person who without reasonable excuse fails to comply with a requirement imposed under subsection (5) above shall be liable on summary conviction—
- (a) to a fine not exceeding level 3 on the standard scale; or
 - (b) to an appropriate custodial sentence for a period not exceeding 30 days, but not liable to be dealt with in any other way.
- (7) In subsection (6) above “appropriate custodial sentence” means—
- (a) a sentence of imprisonment, if the offender has attained the age of 21 years when he is sentenced; and
 - (b) a sentence of detention in a young offender institution, if he has not attained that age.
- (8) A person released from a custodial sentence passed under subsection (6) above shall not be liable to a period of supervision in consequence of his conviction under that

Status: Point in time view as at 20/06/2001. This version of this provision has been superseded.

Changes to legislation: Criminal Justice Act 1991, Section 65 is up to date with all changes known to be in force on or before 09 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

subsection, but his conviction shall not prejudice any liability to supervision to which he was previously subject, and that liability shall accordingly continue until the end of the supervision period.

[^{F6}(9) The power to make rules under this section—

- (a) shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament;
- (b) shall include power to make different provision for different cases or classes of case.

(10) In this section, “specified Class A drug” and “trigger offence” have the same meanings as in Part III of the Criminal Justice and Court Services Act 2000.]

Textual Amendments

- F1** Words in s. 65(1) substituted (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 9 para. 145**
- F2** S. 65(1)(a)(b)(c) substituted for words in s. 65(1) (30.9.1998 for areas specified in S.I. 1998/2327, **Sch. 1** and subject to art. 9 of that S.I., otherwise 1.4.2000) by 1998 c. 37, s. 119, **Sch. 8 para. 94(1)**; S.I. 1998/2327, arts. 3(1)(b), 9, **Sch. 1**; S.I. 2000/924, **art. 2(c)**
- F3** Words in s. 65(1)(a)(1A) substituted (1.4.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. I para. 4(1)(a)(b)(2)**; S.I. 2001/919, **art. 2(f)(i)**
- F4** S. 65(1A)(1B) inserted (30.9.1998 for areas specified in S.I. 1998/2327, **Sch. 1** and subject to art. 9 of that S.I., and otherwise 1.4.2000) by 1998 c. 37, s. 119, **Sch. 8 para. 94(2)**; S.I. 1998/2327, arts. 3(1)(b), 9, **Sch. 1**; S.I. 2000/924, **art. 2(c)**
- F5** S. 65(5A)-(5D) inserted (1.2.2001 as regards subsections (5A)(a)(b), and (5C) in so far as it applies to subsections (5A)(a)(b) and 20.6.2001 for specified purposes and otherwise 2.7.2001 as regards subsections (5A)(c)(5B)(5D) and (5C) insofar as it applies to (5A)(c)) by 2000 c. 43, s. 63(2); S.I. 2000/3302, **art. 3**; S.I. 2001/2232, **art. 2(h)(i)-(iv)**
- F6** S. 65(9)(10) inserted (20.6.2001 for specified purposes and otherwise 2.7.2001) by 2000 c. 43, s. 63(3); S.I. 2001/2232, **art. 2(h)(v)(vi)**

Modifications etc. (not altering text)

- C1** S. 65 applied (1.10.1997) by 1997 c. 43, ss. 41, 56(1), **Sch. 1**, Pt. II paras. 8(2)(4), 9(2)(4), **Sch. 5** paras. 9(1)(a)(b), **10(1)(b)(c)**; S.I. 1997/2200, **art. 2(1)**
s. 65 modified (25.8.2000) by 2000 c. 6, ss. 99(2), 168(1)

Commencement Information

- I1** S. 65 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

Status:

Point in time view as at 20/06/2001. This version of this provision has been superseded.

Changes to legislation:

Criminal Justice Act 1991, Section 65 is up to date with all changes known to be in force on or before 09 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.