



Criminal Justice and Court Services Act 2000

2000 CHAPTER 43

PART III

DEALING WITH OFFENDERS

CHAPTER II

MISCELLANEOUS

Release of prisoners on licence etc.

62 Release on licence etc: [^{F1}electronic monitoring conditions].

- (1) This section applies where a sentence of imprisonment has been imposed on a person and, by virtue of any enactment—
- (a) the Secretary of State is required to, or may, release the person from prison, and
 - (b) the release is required to be, or may be, subject to conditions (whether conditions of a licence or any other conditions, however expressed).

[^{F2}(2) The conditions may include electronic monitoring conditions.

(2A) An electronic monitoring condition imposed under this section must include provision for making a person responsible for the monitoring.

(2B) A person may not be made responsible for the monitoring unless the person is of a description specified in an order made by the Secretary of State.]

[^{F3}(3)

Changes to legislation: Criminal Justice and Court Services Act 2000, Section 62 is up to date with all changes known to be in force on or before 24 June 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) View outstanding changes

- (4) The Secretary of State may make rules about the conditions that may be imposed by virtue of this section.
- (5) In this section, “sentence of imprisonment” includes—
- (a) a detention and training order,
 - (b) a sentence of detention in a young offender institution,
 - (c) a sentence of detention under section 90 of the ^{M1}Powers of Criminal Courts (Sentencing) Act 2000 [^{F4}or section 259 of the Sentencing Code] (detention at Her Majesty’s pleasure),
 - (d) a sentence of detention under section 91 of that Act [^{F5}or section 250 [^{F6}or 252A] of that Code] (detention of offenders under 18 convicted of certain serious offences),
 - (e) a sentence of custody for life under section 93 or 94 of that Act [^{F7}or section 272 or 275 of that Code (including one passed as a result of section 210A, 217, 218A or 219 of the Armed Forces Act 2006)], [^{F8}, ^{F9}...
 - (f) a sentence of detention under section 226 [^{F10}, 226B] or 228 of the Criminal Justice Act 2003 [^{F11}or section 254 of the Sentencing Code][^{F12}(including one passed as a result of section 221 [^{F13}, 221A] or 222 of the Armed Forces Act 2006)]
 - [^{F14}(g) a sentence of detention under section 209 or 218 of the Armed Forces Act 2006, and
 - (h) an order under section 211 of that Act,]
- and “prison” shall be construed accordingly.
- [^{F15}(5A) In this section “electronic monitoring condition” means a condition requiring the person to submit to either or both of the following—
- (a) electronic monitoring of the person's compliance with another condition of release, and
 - (b) electronic monitoring of the person's whereabouts (other than for the purpose of monitoring compliance with another condition of release).]

Textual Amendments

- F1** Words in s. 62 heading substituted (13.4.2015) by Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), **Sch. 2 para. 2(3)** (with s. 7(5)); S.I. 2015/778, art. 3, Sch. 1 para. 73
- F2** S. 62(2)-(2B) substituted for s. 62(2) (13.4.2015) by Criminal Justice and Courts Act 2015 (c. 2), ss. 7(2)(a), 95(1) (with s. 7(5)); S.I. 2015/778, art. 3, **Sch. 1 para. 7**
- F3** S. 62(3) omitted (13.4.2015) by virtue of Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), **Sch. 2 para. 2(2)** (with s. 7(5)); S.I. 2015/778, art. 3, Sch. 1 para. 73
- F4** Words in s. 62(5)(c) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 173(a)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F5** Words in s. 62(5)(d) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 173(b)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F6** Words in s. 62(5)(d) inserted (30.4.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(1)(i), **Sch. 13 para. 18(2)**
- F7** Words in s. 62(5)(e) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 173(c)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F8** S. 62(5)(f) and word inserted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 32 para. 136(3)**; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(36) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I.

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2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

- F9** Word in s. 62(5) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by **Armed Forces Act 2006 (c. 52)**, s. 383(2), **Sch. 17**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F10** Word in s. 62(5)(f) inserted (3.12.2012) by **Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)**, s. 151(1), **Sch. 21 para. 17**; S.I. 2012/2906, art. 2(s)
- F11** Words in s. 62(5)(f) inserted (1.12.2020) by **Sentencing Act 2020 (c. 17)**, s. 416(1), **Sch. 24 para. 173(d)** (with **Sch. 27**); S.I. 2020/1236, reg. 2
- F12** Words in s. 62(5)(f) inserted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by **Armed Forces Act 2006 (c. 52)**, s. 383(2), **Sch. 16 para. 184(a)**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F13** Word in s. 62(5)(f) inserted (3.12.2012) by **Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)**, s. 151(1), **Sch. 22 para. 18**; S.I. 2012/2906, art. 2(t)
- F14** S. 62(5)(g)(h) inserted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by **Armed Forces Act 2006 (c. 52)**, s. 383(2), **Sch. 16 para. 184(b)**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F15** S. 62(5A) inserted (13.4.2015) by **Criminal Justice and Courts Act 2015 (c. 2)**, **ss. 7(2)(b)**, 95(1) (with s. 7(5)); S.I. 2015/778, art. 3, **Sch. 1 para. 7**

Marginal Citations

- M1** 2000 c. 6.

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Changes and effects yet to be applied to :

- s. 62(5)(g) words substituted by [2021 c. 11 Sch. 13 para. 38\(2\)](#)

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. 64(1)(a)(aa) substituted for s. 64(1)(a) by [2003 c. 44 s. 266\(2\)](#)
- s. 64(4A) inserted by [2003 c. 44 s. 266\(3\)](#)
- s. 64(5)(f) and word inserted by [2003 c. 44 s. 266\(4\)](#)
- s. 64(5)(f) words inserted by [2006 c. 52 Sch. 16 para. 185\(a\)](#)
- s. 64(5)(f) words inserted by [2012 c. 10 Sch. 21 para. 18](#)
- s. 64(5)(f) words inserted by [2012 c. 10 Sch. 22 para. 19](#)
- s. 64(6) amendment to earlier affecting provision [2003 c. 44 s. 266\(5\)](#) by [S.I. 2008/912 Sch. 1 para. 19\(15\)](#)
- s. 64(6) inserted by [2003 c. 44 s. 266\(5\)](#)
- s. 64(6) words repealed by [2004 c. 31 Sch. 5 Pt. 4](#)
- s. 64(8) words inserted by [2021 c. 11 Sch. 13 para. 38\(5\)](#)
- s. 85(7B) applied (with modifications) by [S.I. 2014/3141 Sch. 3 para. 5\(7\)](#)
- Sch. 1A para. 2(2)(ia) inserted by [2024 c. 21 s. 26\(2\)](#)
- Sch. 1A para. 5(7)(8) inserted by [2024 c. 21 s. 26\(3\)](#)