



Criminal Justice Act 2003

2003 CHAPTER 44

PART 12

SENTENCING

CHAPTER 1

GENERAL PROVISIONS ABOUT SENTENCING

General restrictions on discretionary custodial sentences

153 Length of discretionary custodial sentences: general provision

- (1) This section applies where a court passes a custodial sentence other than one fixed by law or ^{F1} . . . imposed under section 225 or 226.
- (2) Subject to section 51A(2) of the Firearms Act 1968 (c. 27), sections 110(2) and 111(2) of the Sentencing Act [^{F2}, section 29(4) or (6) of the Violent Crime Reduction Act 2006] and sections 227(2) and 228(2) of this Act, the custodial sentence must be for the shortest term (not exceeding the permitted maximum) that in the opinion of the court is commensurate with the seriousness of the offence, or the combination of the offence and one or more offences associated with it.

Textual Amendments

- F1** Words in s. 153(1) repealed (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 148, 149, 153, Sch. 26 para. 67, [Sch. 28 Pt. 2](#); S.I. 2008/1586, [art. 2\(1\)](#), Sch. 1 para. 50(2)(c)
- F2** Words in s. 153(2) inserted (6.4.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), ss. 49, 66(2), [Sch. 1 para. 9\(5\)](#); S.I. 2007/858, [art. 2\(g\)](#)

Status: Point in time view as at 14/07/2008. This version of this provision has been superseded.

Changes to legislation: Criminal Justice Act 2003, Section 153 is up to date with all changes known to be in force on or before 19 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)

Commencement Information

- II** S. 153 wholly in force at 4.4.2005, see s. 336(3) and S.I. 2005/950, [art. 2\(1\)](#), Sch. 1 para. 7 (subject to [art. 2\(2\)](#), Sch. 2)

Status:

Point in time view as at 14/07/2008. This version of this provision has been superseded.

Changes to legislation:

Criminal Justice Act 2003, Section 153 is up to date with all changes known to be in force on or before 19 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.