



Criminal Justice Act 2003

2003 CHAPTER 44

PART 12

SENTENCING

CHAPTER 6

[^{F1} RELEASE, LICENCES^{F1}, SUPERVISION] AND RECALL]

[^{F1}Supervision of offenders

[^{F1}256A] **Supervision after end of sentence of prisoners serving less than 2 years**

- (1) This section applies where a person (“the offender”) has served a fixed-term sentence which was for a term of more than 1 day but less than 2 years, except where—
- (a) the offender was aged under 18 on the last day of the requisite custodial period (as defined in section 243A(3)),
 - (b) the sentence was an extended sentence imposed under section 226A or 226B,
[the sentence was imposed under section 236A,]
^{F2}(ba)
 - [section 247A applied to the offender in respect of the sentence,] or
^{F3}(bb)
 - (c) the sentence was imposed in respect of an offence committed before the day on which section 2(2) of the Offender Rehabilitation Act 2014 came into force.
- (2) The offender must comply with the supervision requirements during the supervision period, except at any time when the offender is—
- (a) in legal custody,
 - (b) subject to a licence under this Chapter or Chapter 2 of Part 2 of the 1997 Act, or
 - (c) subject to DTO supervision.

Status: Point in time view as at 26/02/2020. This version of this provision has been superseded.

Changes to legislation: Criminal Justice Act 2003, Section 256AA is up to date with all changes known to be in force on or before 03 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)

- (3) The supervision requirements are the requirements for the time being specified in a notice given to the offender by the Secretary of State (but see the restrictions in section 256AB).
- (4) “The supervision period” is the period which—
 - (a) begins on the expiry of the sentence, and
 - (b) ends on the expiry of the period of 12 months beginning immediately after the offender has served the requisite custodial period (as defined in section 244(3)).
- (5) The purpose of the supervision period is the rehabilitation of the offender.
- (6) The Secretary of State must have regard to that purpose when specifying requirements under this section.
- (7) The supervisor must have regard to that purpose when carrying out functions in relation to the requirements.
- (8) In this Chapter, “the supervisor”, in relation to a person subject to supervision requirements under this section, means a person who is for the time being responsible for discharging the functions conferred by this Chapter on the supervisor in accordance with arrangements made by the Secretary of State.
- (9) In relation to a person subject to supervision requirements under this section following a sentence of detention under section 91 of the Sentencing Act, the supervisor must be—
 - (a) an officer of a provider of probation services, or
 - (b) a member of the youth offending team established by the local authority in whose area the offender resides for the time being.
- (10) In relation to any other person, the supervisor must be an officer of a provider of probation services.
- (11) In this section “DTO supervision” means supervision under—
 - (a) a detention and training order (including an order under section 211 of the Armed Forces Act 2006), or
 - (b) an order under section 104(3)(aa) of the Powers of Criminal Courts (Sentencing) Act 2002 (breach of supervision requirements of detention and training order).
- (12) This section has effect subject to section 264(3C)(b) and (3D).]

Textual Amendments

- F1** S. 256AA and cross-heading inserted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), **ss. 2(2)**, 22(1) (with [Sch. 7 para. 2](#)); [S.I. 2015/40](#), **art. 2(b)**
- F2** S. 256AA(1)(ba) inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), **Sch. 1 para. 18**; [S.I. 2015/778](#), **art. 3**, [Sch. 1 para. 72](#)
- F3** S. 256AA(1)(bb) inserted (26.2.2020) by [Terrorist Offenders \(Restriction of Early Release\) Act 2020 \(c. 3\)](#), **ss. 7(3)**, 10(4)

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Modifications etc. (not altering text)

- C1** Ss. 256AA-256E applied (with modifications) by 1997 c. 43, Sch. 1 para. 8(2)(4)(8)-(12) (as amended (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), para. 3(3), (5), s. 22(1), **Sch. 3 para. 3(2)** (with Sch. 7 para. 2)); S.I. 2015/40, art. 2(u))
- C2** Ss. 256AA-256AC applied (with modifications) by 1997 c. 43, Sch. 1 para. 9(2)(4)(9)-(12) (as amended (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), **Sch. 3 para. 5(5)** (with Sch. 7 para. 2); S.I. 2015/40, art. 2(u))
- C3** S. 256AA(2)-(11) applied (with modifications) by 2000 c. 6, s. 106B(2)-(7) (as inserted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), **ss. 6(4)**, 22(1) (with Sch. 7 para. 2); S.I. 2015/40, art. 2(f))

Status:

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Changes to legislation:

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