



Criminal Justice Act 2003

2003 CHAPTER 44

PART 12

SENTENCING

CHAPTER 6

[^{F1} RELEASE, LICENCES AND RECALL]

[^{F1}Supervision of young offenders after release

[^{F1}256B Supervision of young offenders after release

- (1) This section applies where a person (“the offender”) is released under this Chapter from one of the following terms if the term is for less than 12 months—
 - (a) a term of detention in a young offender institution;
 - (b) a term of detention under section 91 of the Sentencing Act;
 - (c) a term of detention under section 209 of the Armed Forces Act 2006.
- (2) The offender is to be under the supervision of—
 - (a) an officer of a provider of probation services,
 - (b) a social worker of a local authority, or
 - (c) if the offender is under the age of 18 years at the date of release, a member of the youth offending team.
- (3) Where the supervision is to be provided by an officer of a provider of probation services, the officer must be an officer acting in the local justice area in which the offender resides for the time being.
- (4) Where the supervision is to be provided by—
 - (a) a social worker of a local authority, or
 - (b) a member of a youth offending team,

Status: Point in time view as at 03/12/2012. This version of this provision has been superseded.

Changes to legislation: Criminal Justice Act 2003, Section 256B 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)

the social worker or member must 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.

- (5) The supervision period begins on the offender's release and ends three months later (whether or not the offender is detained under section 256C or otherwise during that period).
- (6) During the supervision period, the offender must comply with such requirements, if any, as may for the time being be specified in a notice from the Secretary of State.
- (7) The requirements that may be specified in a notice under subsection (6) include—
 - (a) requirements for securing the electronic monitoring of the offender's compliance with any other requirements specified in the notice;
 - (b) requirements for securing the electronic monitoring of the offender's whereabouts (otherwise than for the purpose of securing compliance with requirements specified in the notice);
 - (c) in the circumstances mentioned in subsection (8), requirements to provide, when instructed to do so by an officer of a provider of probation services or a person authorised by the Secretary of State, any sample mentioned in the instruction for the purpose of ascertaining whether the offender has any specified Class A drug in his or her body.
- (8) The circumstances referred to in subsection (7)(c) are that—
 - (a) the offender has attained the age of 18 years;
 - (b) the offender's 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 the offender is complying with any other requirements specified in the notice.
- (9) The function of giving such an instruction as is mentioned in subsection (7)(c) must 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 (7) and the provision of samples in pursuance of such an instruction.
- (10) In this section—

“specified Class A drug” has the same meaning as in Part 3 of the Criminal Justice and Court Services Act 2000;

“trigger offence”—

 - (a) has the same meaning as in that Part, unless paragraph (b) applies;
 - (b) if the offender's term of detention was imposed for an offence under section 42 of the Armed Forces Act 2006 (criminal conduct), means such an offence as respects which the corresponding offence under the law of England and Wales is a trigger offence within the meaning of that Part.]

Textual Amendments

- F1** Ss. 256B, 256C and cross-heading inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), **ss. 115**, 151(1) (with Sch. 15); S.I. 2012/2906, art. 2(d)

Status:

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