



# Criminal Justice Act 2003

## 2003 CHAPTER 44

### PART 12

#### SENTENCING

#### CHAPTER 6

#### [<sup>F1</sup> RELEASE, LICENCES<sup>F1</sup>, SUPERVISION] AND RECALL ]

#### *Fine defaulters and contemnors*

#### **258 Early release of fine defaulters and contemnors**

- (1) This section applies in relation to a person committed to prison—
  - (a) in default of payment of a sum adjudged to be paid by a conviction, or
  - (b) for contempt of court or any kindred offence.
- (2) As soon as a person to whom this section applies has served one-half of the term for which he was committed, it is the duty of the Secretary of State to release him unconditionally.

[<sup>F1</sup>(2A) Subsection (2) is subject to paragraph 35 of Schedule 20B (transitional cases).]

- (3) Where a person to whom this section applies is also serving one or more sentences of imprisonment, nothing in this section [<sup>F2</sup>or in paragraph 35 of Schedule 20B] requires the Secretary of State to release him until he is also required to release him in respect of that sentence or each of those sentences.

[<sup>F3</sup>(3A) The reference in subsection (3) to sentences of imprisonment includes sentences of detention under section 91 or 96 of the Sentencing Act or under section [<sup>F4</sup>226A, 226B,] 227 [<sup>F5</sup>, 228 or 236A] of this Act.]

*Status: Point in time view as at 13/04/2015. This version of this provision has been superseded.*

*Changes to legislation: Criminal Justice Act 2003, Section 258 is up to date with all changes known to be in force on or before 05 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) The Secretary of State may at any time release unconditionally a person to whom this section applies if he is satisfied that exceptional circumstances exist which justify the person's release on compassionate grounds.

#### Textual Amendments

- F1** S. 258(2A) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 17 para. 5\(2\)](#); S.I. 2012/2906, art. 2(o)
- F2** Words in s. 258(3) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 17 para. 5\(3\)](#); S.I. 2012/2906, art. 2(o)
- F3** S. 258(3A) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), [ss. 117\(6\)](#), 151(1) (with [Sch. 15](#)); S.I. 2012/2906, art. 2(d)
- F4** Words in s. 258(3A) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 20 para. 8](#); S.I. 2012/2906, art. 2(r)
- F5** Words in s. 258(3A) substituted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 1 para. 19](#); S.I. 2015/778, art. 3, [Sch. 1 para. 72](#)

#### Modifications etc. (not altering text)

- C1** S. 258 extended (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), [ss. 121\(2\)](#), 151(1); S.I. 2012/2906, art. 2(d)

#### Commencement Information

- I1** S. 258 wholly in force at 4.4.2005, see s. 336(3) and S.I. 2005/950, [art. 2\(1\)](#), [Sch. 1 para. 19](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

**Status:**

Point in time view as at 13/04/2015. This version of this provision has been superseded.

**Changes to legislation:**

Criminal Justice Act 2003, Section 258 is up to date with all changes known to be in force on or before 05 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.