



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 2

SENTENCING

Release and recall of prisoners

22 Credit for period of remand on bail: other cases

- (1) The Criminal Justice Act 2003 (c. 44) is amended in accordance with subsections (2) and (3).
- (2) In section 246(4) (exceptions to power to release prisoner on licence before required to do so), in paragraph (i), after “section 240” insert “or 240A”.
- (3) In section 269(3) (part of mandatory life prisoner’s sentence to be specified for purposes of early release provisions), in paragraph (b), before “if” insert “or under section 240A (crediting periods of remand on bail spent subject to certain types of condition)”.
- (4) In paragraph 2 of Schedule 2 to the Criminal Appeal Act 1968 (c. 19) (sentence on conviction at retrial), in sub-paragraph (4), for the words from the beginning to “custody:” substitute “Sections 240 and 240A of the Criminal Justice Act 2003 (crediting of periods of remand in custody or on bail subject to certain types of condition:”.
- (5) In section 82A(3) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) (part of discretionary life prisoner’s sentence to be specified for purposes of early release provisions), in paragraph (b), before “if” insert “or under section 240A of that Act of 2003 (crediting periods of remand on bail subject to certain types of condition)”.
- (6) In section 101 of that Act (detention and training orders: taking account of remand etc.)—

Status: This is the original version (as it was originally enacted).

- (a) in subsection (8) for “in custody” substitute “—
 - (a) in custody, or
 - (b) on bail subject to a qualifying curfew condition and an electronic monitoring condition (within the meaning of section 240A of the Criminal Justice Act 2003),”; and
 - (b) in subsection (9) for “in custody” substitute “as mentioned in that subsection”.
- (7) In paragraph 2(1) of Schedule 7 to the International Criminal Court Act 2001 (c. 17) (provisions of law of England and Wales affecting length of sentence which are not applicable to ICC prisoners), for paragraph (d) substitute—
- “(d) sections 240 and 240A of the Criminal Justice Act 2003 (crediting of periods spent on remand in custody or on bail subject to certain types of condition: terms of imprisonment and detention).”