



# Legal Aid, Sentencing and Punishment of Offenders Act 2012

## 2012 CHAPTER 10

### PART 3

#### SENTENCING AND PUNISHMENT OF OFFENDERS

### CHAPTER 4

#### RELEASE ON LICENCE ETC

#### *Other provisions about release*

#### **117 Replacement of transitory provisions**

- (1) Chapter 6 of Part 12 of the Criminal Justice Act 2003 (release on licence) is amended as follows.
- (2) In section 237(1)(b) (“fixed-term prisoner” includes those serving sentence of detention)—
  - (a) after “91” insert “ or 96 ”;
  - (b) before “228” insert “ 227 or ”.
- (3) At the end of that section insert—

“(3) In this Chapter, references to a sentence of detention under section 96 of the Sentencing Act or section 227 of this Act are references to a sentence of detention in a young offender institution.”
- (4) In section 244(3)(a) (duty to release prisoners: requisite custodial period), after “91” insert “ or 96 ”.
- (5) In section 250(4) (licence conditions)—

*Status: Point in time view as at 01/12/2020.*

*Changes to legislation: Legal Aid, Sentencing and Punishment of Offenders Act 2012, Section 117 is up to date with all changes known to be in force on or before 30 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)*

- (a) after “91” insert “ or 96 ”;
  - (b) before “228” insert “ 227 or ”.
- (6) In section 258 (early release of fine defaulters and contemnors), after subsection (3) insert—
- “(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 227 or 228 of this Act.”
- (7) In section 263(4) (concurrent terms)—
- (a) after “91” insert “ or 96 ”;
  - (b) before “228” insert “ 227 or ”.
- (8) In section 264(7) (consecutive terms)—
- (a) after “91” insert “ or 96 ”;
  - (b) before “228” insert “ 227 or ”.
- <sup>F1</sup>(9) .....
- (10) In Part 2 of the Crime (Sentences) Act 1997 (life sentences: release on licence)—
- (a) in section 31A(5) (termination of licences), in the definition of “preventive sentence”, after “a sentence of imprisonment” insert “ or detention in a young offender institution ”;
  - (b) in section 34(2)(d) (interpretation), after “a sentence of imprisonment” insert “ or detention in a young offender institution ”.
- (11) In the Criminal Justice Act 2003 (Sentencing) (Transitory Provisions) Order 2005 (S.I. 2005/643), article 3(7), (10), (11), (12), (13), (14), (15) and (17)(a) and (b) (transitory provision replaced by this section) are revoked.

#### Textual Amendments

**F1** S. 117(9) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

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