



Offender Rehabilitation Act 2014

2014 CHAPTER 11

Other provision about release and supervision of offenders

8 Extended sentences: length of extension period

- (1) Chapter 5 of Part 12 of the Criminal Justice Act 2003 (sentencing: dangerous offenders) is amended as follows.
- (2) In section 226A (extended sentence for certain violent or sexual offences: persons 18 or over)—
 - (a) in subsection (7), for “subsections (8) and (9)” substitute “subsections (7A) to (9)”, and
 - (b) after that subsection insert—

“(7A) The extension period must be at least 1 year.”
- (3) In section 226B (extended sentence for certain violent or sexual offences: persons under 18)—
 - (a) in subsection (5), for “subsections (6) and (7)” substitute “subsections (5A) to (7)”, and
 - (b) after that subsection insert—

“(5A) The extension period must be at least 1 year.”

9 Recall and further release of offenders

- (1) Chapter 6 of Part 12 of the Criminal Justice Act 2003 (sentencing: release, licences and recall) is amended as follows.
- (2) In section 244(1A) (disapplication of that section following recall), after “246” insert “or 248”.
- (3) In section 255(1)(a) (recall of prisoners released early under section 246), for “any condition included in his licence” substitute “the curfew condition included in the licence”.

- (4) In section 255A (further release after recall)—
- (a) omit subsection (3),
 - (b) in subsection (4), for “that period” substitute “the automatic release period”,
 - (c) in subsection (5), after paragraph (b) insert—

“but that is subject, where applicable, to section 243A(2) (unconditional release).”, and
 - (d) at the end insert—

“(8) Automatic release” means release at the end of the automatic release period.

(9) In the case of a person recalled under section 254 while on licence under a provision of this Chapter other than section 246, “the automatic release period” means—

 - (a) where the person is serving a sentence of less than 12 months, the period of 14 days beginning with the day on which the person returns to custody;
 - (b) where the person is serving a sentence of 12 months or more, the period of 28 days beginning with that day.

(10) In the case of a person recalled under section 254 while on licence under section 246, “the automatic release period” means whichever of the following ends later—

 - (a) the period described in subsection (9)(a) or (b) (as appropriate);
 - (b) the requisite custodial period which the person would have served under section 243A or 244 but for the earlier release.”

(5) In section 255B(1)(b) (automatic release), for “the 28 day period mentioned in section 255A(3)” substitute “the automatic release period (as defined in section 255A(9) and (10))”.

(6) In section 240ZA(6) (time remanded in custody not to count as time served for purposes of automatic release), for “period of 28 days served by the offender before automatic release” substitute “automatic release period served by the offender”.

(7) In section 240A(3B) (time remanded on bail not to count as time served for purposes of automatic release), for “period of 28 days served by the offender before automatic release” substitute “automatic release period served by the offender”.

10 Arrangements for supervision and rehabilitation: female offenders

In section 3 of the Offender Management Act 2007 (power to make arrangements for the provision of probation services), after subsection (6) insert—

- “(6A) The Secretary of State must ensure that arrangements under subsection (2) or (5) for the supervision or rehabilitation of persons convicted of offences—
- (a) state that the Secretary of State has, in making the arrangements, complied with the duty under section 149 of the Equality Act 2010 (public sector equality duty) as it relates to female offenders, and
 - (b) identify anything in the arrangements that is intended to meet the particular needs of female offenders.”