

2024 No. 966 (C. 63)

CRIMINAL LAW, ENGLAND AND WALES

**The Victims and Prisoners Act 2024 (Commencement No. 3)
Regulations 2024**

Made - - - - *17th September 2024*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 81(2) and (5) of the Victims and Prisoners Act 2024(a).

Citation, extent and interpretation

1.—(1) These Regulations may be cited as the Victims and Prisoners Act 2024 (Commencement No. 3) Regulations 2024.

(2) These Regulations extend to England and Wales.

(3) “the 2024 Act” means the Victims and Prisoners Act 2024.

Provisions coming into force on the day after the day that these Regulations are made

2. The following provisions in Part 2 of the 2024 Act (victims of major incidents) come into force on the day after the day that these Regulations are made—

- (a) Section 34(1) to (5) and (6)(b) (meaning of “major incident” etc);
- (b) Section 36(1), (2), (3)(b), (4) and (5) (appointment of advocates in respect of major incidents);
- (c) Section 37 (terms of appointment);
- (d) Section 38 (appointment of more than one advocate in respect of same major incident);
- (e) Section 39 (functions of advocates appointed in respect of major incidents);
- (f) Section 40 (role of advocates under Part 1 of the Coroners and Justice Act 2009(b)) except for the insertion of paragraph (kb)(ii) into section 47(2) of the Coroners and Justice Act 2009 (interested persons);
- (g) Section 41(3) to (5), (6)(a), (7)(a) and (8) (reports to the Secretary of State);
- (h) Section 42(1)(b) and (c) and (2) to (4) (publication of reports);
- (i) Section 43(1)(b) to (e) and (2) to (8) (information sharing and data protection);
- (j) Section 44 (guidance for advocates);
- (k) Section 45 (consequential amendments);
- (l) Section 47 (review of operation of Part 2).

(a) 2024 c. 21.
(b) 2009 c. 25.

Provisions coming into force on 1 November 2024

3.—(1) The following provisions of the 2024 Act come into force on 1 November 2024—

- (a) Section 66 (imprisonment or detention for public protection), subject to paragraph (2);
- (b) Section 67 (imprisonment or detention for public protection: annual report).

(2) Section 66(3)(e)(ii) (definition of “qualifying period”) comes into force for the purpose of section 31A(4H) of the Crime (Sentences) Act 1997 only.

Provisions coming into force on 1 February 2025

4. Section 66(3)(e)(ii) (definition of “qualifying period”) of the 2024 Act comes into force for all remaining purposes on 1 February 2025.

17th September 2024

Alex Davies-Jones
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Victims and Prisoners Act 2024 (c. 21) (the “2024 Act”). These are the third commencement Regulations made under the 2024 Act.

Regulation 2 brings Part 2 of the 2024 Act (victims of major incidents) into force, except for the provisions that relate to the standing advocate, which will be brought into force when the appointment of the standing advocate is made following the recruitment process, and section 46 (review of duty of candour in relation to major incidents).

Regulations 3 and 4 bring sections 66 and 67 of the 2024 Act into force. Section 66 amends sections 31, 31A and 32 of the Crime (Sentences) Act 1997 (c. 43) (the “1997 Act”) which provide for the termination of licences for those serving sentences of Imprisonment or Detention for Public Protection (“IPP and DPP”) and setting licence conditions for IPP and DPP offenders. Section 67 requires the Secretary of State to prepare and publish an annual report about the steps taken to support the rehabilitation of IPP and DPP offenders and their progress towards release from prison or licence termination and lay the report before Parliament. These provisions will come into force on 1 November 2024.

From 1 November 2024, the qualifying period will be three years for IPP offenders and two years for DPP offenders for the purpose of the automatic licence termination, but will remain ten years for other purposes. On 1 February 2025, the qualifying period for all other purposes, including when the Secretary of State must refer a DPP and IPP licence to the Parole Board for consideration of licence termination, will be two and three years respectively.

An impact assessment has not been produced for this statutory instrument as no significant impact on the private, voluntary or public sectors is foreseen.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The follow provisions of the Victims and Prisoners Act 2024 have been brought into force by commencement Regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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Section 68	17 June 2024	2024/755
Section 75 (partially)	2 August 2024	2024/846
Section 76 (partially)	2 August 2024	2024/846

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