



# Criminal Justice Act 1991

## 1991 CHAPTER 53

### PART II

#### EARLY RELEASE OF PRISONERS

##### *Special cases*

##### [<sup>F1</sup>43 **Young offenders.**

- (1) Subject to subsections (4) and (5) below, this Part applies to persons serving sentences of detention in a young offender institution, or determinate sentences of detention under section 53 of the 1933 Act, as it applies to persons serving equivalent sentences of imprisonment.
- (2) Subject to subsection (5) below, this Part applies to persons serving—
  - (a) sentences of detention during Her Majesty's pleasure or for life under section 53 of the 1933 Act; or
  - (b) sentences of custody for life under section 8 of the 1982 Act, as it applies to persons serving sentences of imprisonment for life.]
- (3) References in this Part to prisoners <sup>F1</sup>[. . .], or to prison or imprisonment, shall be construed in accordance with subsections (1) <sup>F1</sup>[. . .] above.
- (4) In relation to a short-term prisoner under the age of 18 years to whom subsection (1) of section 33 above applies, that subsection shall have effect as if it required the Secretary of State—
  - (a) to release him unconditionally if his sentence is for a term of twelve months or less; and
  - (b) to release him on licence if that sentence is for a term of more than twelve months.
- (5) In relation to a person under the age of 22 years who is released on licence under this Part, section 37(4) above shall have effect as if the reference to supervision by

*Status: Point in time view as at 01/10/1997. This version of this provision has been superseded.*

**Changes to legislation:** Criminal Justice Act 1991, Section 43 is up to date with all changes known to be in force on or before 18 March 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 probation officer included a reference to supervision by a social worker of a local authority social services department.]

#### Textual Amendments

- F1** S. 43 repealed (1.10.1997 in respect of s. 43(2) and words in s. 43(3), otherwise *prosp.*) by 1997 c. 43, ss. 56(2), 57(2), Sch.6 (subject to transitional provisions and savings in s. 56(1), **Sch. 5 para. 1**); S.I. 1997/2200, **art. 2(1)(p)(3)(f)**

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

- C1** S. 43 applied (1.10.1997) by 1997 c. 43, ss. 41, 56(1), Sch. 1 Pt. II paras. 8, 9(4), Sch. 5 paras. 9(2)(a) (b), **10(2)(b)**; S.I. 1997/2200, **art. 2(1)**.  
Ss. 43-46 applied (1.10.1997) by 1997 c. 43, ss. 41, 56(1), Sch. 1 Pt. II paras. 8(4), 9(2)(a)(4), **Sch. 5 paras. 9(1)(b)**, 10(1)(c)(2)(a); S.I. 1997/2200, **art. 2(1)**.  
Ss. 35-46 applied (1.10.1997) by 1997 c. 43, ss. 41, 56(1), Sch. 1 Pt. II para. 9(2), **Sch. 5 para. 10(1)(b)**; S.I. 1997/2200, **art. 2(1)**  
Ss. 41-46 applied (1.10.1997) by 1997 c. 43, ss. 41, 56(1), Sch. 1 Pt. II para. 8(2), **Sch. 5 para. 9(1)(a)**; S.I. 1997/2200, **art. 2(1)**

#### Commencement Information

- I1** Pt. II (ss. 32 - 51) wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

**Status:**

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