



Crime (Sentences) Act 1997

1997 CHAPTER 43

PART II

EFFECT OF CUSTODIAL SENTENCES

CHAPTER II

LIFE SENTENCES

[^{F1}Sentence of detention during Her Majesty's pleasure: review of minimum term

[^{F1}27A Sentence of detention during Her Majesty's pleasure imposed on a person under 18: application for minimum term review

- (1) This section applies to a person who—
 - (a) is serving a DHMP sentence, and
 - (b) was under the age of 18 when sentenced;and such a person is referred to in this section as a “relevant young offender”.
- (2) A relevant young offender may make an application for a minimum term review to the Secretary of State after serving half of the minimum term.
- (3) An “application for a minimum term review” is an application made by a relevant young offender for a reduction in the minimum term.
- (4) Where a relevant young offender has made an application for a minimum term review under this section, the offender may only make a further such application if—
 - (a) the period of 2 years beginning with the day on which the previous application was determined has expired, and
 - (b) the offender is under the age of 18 on the day on which the further application is made.

Changes to legislation: *Crime (Sentences) Act 1997, Section 27A is up to date with all changes known to be in force on or before 24 April 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) View outstanding changes*

- (5) Where the Secretary of State receives an application under this section, the Secretary of State must—
- (a) consider the application, and
 - (b) unless the Secretary of State forms the view that the application is frivolous or vexatious, refer it to the High Court.
- (6) Where the Secretary of State decides not to refer the application to the High Court, the Secretary of State must give notice of that decision, and the reasons for it, to the relevant young offender.
- (7) If the relevant young offender makes representations or provides further evidence in support of the application before the end of the period of 4 weeks beginning with the day on which the notice under subsection (6) is given, the Secretary of State must consider the representations or evidence and—
- (a) if the Secretary of State is no longer of the view mentioned in subsection (5) (b), refer the application to the High Court, or
 - (b) give notice to the offender confirming the decision not to refer the application.
- (8) In this section—
- “DHMP sentence” means a sentence of detention during Her Majesty’s pleasure imposed (whether before or after this section comes into force) under a provision listed in column 1 of the table in subsection (9);
- “minimum term”, in relation to a person serving a DHMP sentence, means the part of the sentence specified—
- (a) in the minimum term order made in respect of the sentence, or
 - (b) where one or more reduction orders have been made under section 27B in respect of the sentence, in the most recent of those orders;
- “minimum term order”, in relation to a DHMP sentence, means the order made under the provision listed in column 2 of the table in subsection (9) that corresponds to the entry in column 1 that relates to the sentence.

- (9) The table is as follows—

<i>Provision under which DHMP sentence imposed</i>	<i>Provision under which minimum term order made</i>
Section 259 of the Sentencing Code	Section 322 of the Sentencing Code
Section 90 of the Powers of Criminal Courts (Sentencing) Act 2000	Section 82A of the Powers of Criminal Courts (Sentencing) Act 2000 or section 269 of the Criminal Justice Act 2003
Section 218 of the Armed Forces Act 2006	Section 269 of the Criminal Justice Act 2003 or section 322 of the Sentencing Code.

- (10) For the purposes of subsection (4), an application for a minimum term review is determined—
- (a) when the court makes a reduction order or a decision confirming the minimum term (see section 27B), or
 - (b) in a case where the application is not referred to the court, when the Secretary of State gives the relevant young offender notice in relation to the application under subsection (6).

Changes to legislation: Crime (Sentences) Act 1997, Section 27A is up to date with all changes known to be in force on or before 24 April 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) [View outstanding changes](#)

- (11) There is no right for any person who is serving a DHMP sentence to request a review of the minimum term other than that conferred by this section.]

Textual Amendments

F1 Ss. 27A, 27B and cross-heading inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 128\(1\)](#), [208\(5\)\(1\)](#)

Modifications etc. (not altering text)

C1 S. 27A(4) modified (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 128\(3\)](#), [208\(5\)\(1\)](#) (with [s. 128\(4\)](#))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 35(5)(c)s. 35(8)(a) by [2000 c. 43 Sch. 7 para. 139\(b\)](#)
- s. 8(5) by [2000 c. 43 Sch. 7 para. 143](#)