



# Powers of Criminal Courts (Sentencing) Act 2000

## 2000 CHAPTER 6

### PART V

#### CUSTODIAL SENTENCES ETC.

#### CHAPTER II

#### DETENTION AND CUSTODY OF YOUNG OFFENDERS

##### *Detention and training orders*

#### **102 The period of detention and training.**

- (1) An offender shall serve the period of detention and training under a detention and training order in such [<sup>F1</sup>youth detention] accommodation as may be determined by the Secretary of State <sup>F2</sup>....
- (2) Subject to subsections (3) to (5) below, the period of detention and training under a detention and training order shall be one-half of the term of the order.
- (3) The Secretary of State may at any time release the offender if he is satisfied that exceptional circumstances exist which justify the offender's release on compassionate grounds.
- (4) The Secretary of State may release the offender—
  - (a) in the case of an order for a term of 8 months or more but less than 18 months, [<sup>F3</sup>at any time during the period of one month ending with] the half-way point of the term of the order; and
  - (b) in the case of an order for a term of 18 months or more, [<sup>F4</sup>at any time during the period of two months ending with ] that point.

*Status: Point in time view as at 28/03/2009. This version of this provision has been superseded.*

*Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Section 102 is up to date with all changes known to be in force on or before 13 May 2023. 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)*

- (5) If a youth court so orders on an application made by the Secretary of State for the purpose, the Secretary of State shall release the offender—
- (a) in the case of an order for a term of 8 months or more but less than 18 months, one month after the half-way point of the term of the order; and
  - (b) in the case of an order for a term of 18 months or more, one month or two months after that point.
- (6) An offender detained in pursuance of a detention and training order shall be deemed to be in legal custody.

#### **Textual Amendments**

- F1** Words in s. 102(1) substituted (1.11.2007) by [Offender Management Act 2007 \(c. 21\), ss. 34\(2\)\(a\)](#), 41(1); S.I. 2007/3001, art. 2(1)(k)
- F2** Words in s. 102(1) omitted (1.11.2007) by virtue of [Offender Management Act 2007 \(c. 21\), ss. 34\(2\)\(b\)](#), 41(1); S.I. 2007/3001, art. 2(1)(k)
- F3** Words in s. 102(4)(a) substituted (1.11.2007) by [Offender Management Act 2007 \(c. 21\), ss. 33\(1\)\(a\)](#), 41(1) (with s. 33(2)); S.I. 2007/3001, art. 2(1)(j)
- F4** Words in s. 102(4)(b) substituted (1.11.2007) by [Offender Management Act 2007 \(c. 21\), ss. 33\(1\)\(b\)](#), 41(1) (with s. 33(2)); S.I. 2007/3001, art. 2(1)(j)

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

- C1** [Ss. 102-105](#) modified (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\), ss. 213\(1\)](#), 383(2); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

**Status:**

Point in time view as at 28/03/2009. This version of this provision has been superseded.

**Changes to legislation:**

Powers of Criminal Courts (Sentencing) Act 2000, Section 102 is up to date with all changes known to be in force on or before 13 May 2023. 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.