



# Offender Rehabilitation Act 2014

## 2014 CHAPTER 11

### *Release and supervision of offenders sentenced to less than 2 years*

#### **2 Supervision after end of sentence**

- (1) Chapter 6 of Part 12 of the Criminal Justice Act 2003 (sentencing: release, licences and recall) is amended as follows.
- (2) After section 256A insert—

#### *“Supervision of offenders*

##### **256AA Supervision after end of sentence of prisoners serving less than 2 years**

- (1) This section applies where a person (“the offender”) has served a fixed-term sentence which was for a term of more than 1 day but less than 2 years, except where—
  - (a) the offender was aged under 18 on the last day of the requisite custodial period (as defined in section 243A(3)),
  - (b) the sentence was an extended sentence imposed under section 226A or 226B, or
  - (c) the sentence was imposed in respect of an offence committed before the day on which section 2(2) of the Offender Rehabilitation Act 2014 came into force.
- (2) The offender must comply with the supervision requirements during the supervision period, except at any time when the offender is—
  - (a) in legal custody,
  - (b) subject to a licence under this Chapter or Chapter 2 of Part 2 of the 1997 Act, or
  - (c) subject to DTO supervision.

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*Status: This is the original version (as it was originally enacted).*

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- (3) The supervision requirements are the requirements for the time being specified in a notice given to the offender by the Secretary of State (but see the restrictions in section 256AB).
  - (4) “The supervision period” is the period which—
    - (a) begins on the expiry of the sentence, and
    - (b) ends on the expiry of the period of 12 months beginning immediately after the offender has served the requisite custodial period (as defined in section 244(3)).
  - (5) The purpose of the supervision period is the rehabilitation of the offender.
  - (6) The Secretary of State must have regard to that purpose when specifying requirements under this section.
  - (7) The supervisor must have regard to that purpose when carrying out functions in relation to the requirements.
  - (8) In this Chapter, “the supervisor”, in relation to a person subject to supervision requirements under this section, means a person who is for the time being responsible for discharging the functions conferred by this Chapter on the supervisor in accordance with arrangements made by the Secretary of State.
  - (9) In relation to a person subject to supervision requirements under this section following a sentence of detention under section 91 of the Sentencing Act, the supervisor must be—
    - (a) an officer of a provider of probation services, or
    - (b) a member of the youth offending team established by the local authority in whose area the offender resides for the time being.
  - (10) In relation to any other person, the supervisor must be an officer of a provider of probation services.
  - (11) In this section “DTO supervision” means supervision under—
    - (a) a detention and training order (including an order under section 211 of the Armed Forces Act 2006), or
    - (b) an order under section 104(3)(aa) of the Powers of Criminal Courts (Sentencing) Act 2002 (breach of supervision requirements of detention and training order).
  - (12) This section has effect subject to section 264(3C)(b) and (3D).”
- (3) In section 237(1) (meaning of “fixed-term prisoner”), at the end insert—
- “and “fixed-term sentence” means a sentence falling within paragraph (a) or (b).”
- (4) In Schedule 1 to this Act—
- (a) Part 1 inserts section 256AB of the Criminal Justice Act 2003 which makes general provision about supervision requirements, and
  - (b) Part 2 inserts sections 256D and 256E of that Act which make provision about drug testing requirements and drug appointment requirements.