



# Offender Rehabilitation Act 2014

## 2014 CHAPTER 11

### *Other provision about release and supervision of offenders*

#### **9 Recall and further release of offenders**

- (1) Chapter 6 of Part 12 of the Criminal Justice Act 2003 (sentencing: release, licences and recall) is amended as follows.
- (2) In section 244(1A) (disapplication of that section following recall), after “246” insert “ or 248 ”.
- (3) In section 255(1)(a) (recall of prisoners released early under section 246), for “any condition included in his licence” substitute “ the curfew condition included in the licence ”.
- (4) In section 255A (further release after recall)—
  - (a) omit subsection (3),
  - (b) in subsection (4), for “that period” substitute “ the automatic release period ”,
  - (c) in subsection (5), after paragraph (b) insert—

“but that is subject, where applicable, to section 243A(2) (unconditional release).”, and
  - (d) at the end insert—

“(8) Automatic release” means release at the end of the automatic release period.
- (9) In the case of a person recalled under section 254 while on licence under a provision of this Chapter other than section 246, “the automatic release period” means—
  - (a) where the person is serving a sentence of less than 12 months, the period of 14 days beginning with the day on which the person returns to custody;
  - (b) where the person is serving a sentence of 12 months or more, the period of 28 days beginning with that day.

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*Changes to legislation: There are currently no known outstanding effects for the Offender Rehabilitation Act 2014, Section 9. (See end of Document for details)*

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- (10) In the case of a person recalled under section 254 while on licence under section 246, “the automatic release period” means whichever of the following ends later—
- (a) the period described in subsection (9)(a) or (b) (as appropriate);
  - (b) the requisite custodial period which the person would have served under section 243A or 244 but for the earlier release.”
- (5) In section 255B(1)(b) (automatic release), for “the 28 day period mentioned in section 255A(3)” substitute “ the automatic release period (as defined in section 255A(9) and (10)) ”.
- (6) In section 240ZA(6) (time remanded in custody not to count as time served for purposes of automatic release), for “period of 28 days served by the offender before automatic release” substitute “ automatic release period served by the offender ”.
- (7) In section 240A(3B) (time remanded on bail not to count as time served for purposes of automatic release), for “period of 28 days served by the offender before automatic release” substitute “ automatic release period served by the offender ”.

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**Commencement Information**

**II** S. 9 in force at 1.2.2015 by [S.I. 2015/40](#), [art. 2\(i\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Offender Rehabilitation Act 2014, Section 9.