



Crime (Sentences) Act 1997

1997 CHAPTER 43

PART II

EFFECT OF CUSTODIAL SENTENCES

CHAPTER I

DETERMINATE SENTENCES

Special cases

20 Sexual offenders

- (1) Subsection (2) below applies where—
- (a) there is released under this Chapter an offender who has been sentenced to imprisonment for a term in respect of a sexual offence committed after the commencement of this Chapter; and
 - (b) the court by which he was so sentenced gave a direction under subsection (3) below.
- (2) Section 16 above shall have effect in relation to the offender as if—
- (a) in subsection (1), paragraph (c) and, in paragraph (a), the words “of twelve months or more” were omitted; and
 - (b) for subsection (2) there were substituted the following subsection—

“(2) On his release, the offender shall be subject to a release supervision order—

 - (a) where he is released otherwise than under section 10 above, for such period as is specified in the direction under section 20(3) below;
 - (b) where he is released under section 10 above, for a period equal to the aggregate of—

Status: This is the original version (as it was originally enacted).

- (i) the period mentioned in paragraph (a) above; and
- (ii) a period equal to so much of the remainder of his term as he would have been liable to serve but for his release under section 10 above;

and in applying paragraph (b) above account shall be taken of any early release or additional days awarded to the offender before his release.”

- (3) Where a court sentences an offender to imprisonment for a term in respect of a sexual offence committed after the commencement of this Chapter, it shall give a direction under this subsection unless it is of the opinion that there are exceptional circumstances which justify its not doing so.
- (4) Where the court does not give a direction under subsection (3) above, it shall state in open court that it is of that opinion and what the exceptional circumstances are.
- (5) A direction under subsection (3) above shall direct that the offender’s release supervision period shall be such period as is specified in the direction.
- (6) The period so specified shall be—
 - (a) a period equal to 50 per cent of the offender’s term of imprisonment (rounded up to the nearest whole day) or a period of twelve months, whichever is the longer; or
 - (b) if the court considers a longer period necessary for the purpose of preventing the commission by the offender of further offences and of securing his rehabilitation, such longer period, not exceeding ten years, as it may determine.