



# Criminal Justice Act 2003

## 2003 CHAPTER 44

### PART 12

#### SENTENCING

### CHAPTER 6

#### [<sup>F1</sup> RELEASE, LICENCES<sup>F1</sup>, SUPERVISION] AND RECALL ]

<sup>F1</sup> [<sup>F1</sup> ...]

#### [<sup>F1</sup>256E Drug appointment requirements

- (1) “Drug appointment requirement”, in relation to an offender subject to supervision under this Chapter, means a requirement that the offender, in accordance with instructions given by the supervisor, attend appointments with a view to addressing the offender's dependency on, or propensity to misuse, a controlled drug.
- (2) A drug appointment requirement may be imposed on an offender subject to supervision under this Chapter only if—
  - (a) the supervisor has recommended to the Secretary of State that such a requirement be imposed on the offender, and
  - (b) the Secretary of State is satisfied of the matters in subsection (3).
- (3) Those matters are—
  - (a) that the misuse by the offender of a controlled drug caused or contributed to an offence of which the offender has been convicted or is likely to cause or contribute to the commission of further offences by the offender,
  - (b) that the offender is dependent on, or has a propensity to misuse, a controlled drug,
  - (c) that the dependency or propensity requires, and may be susceptible to, treatment, and

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**Changes to legislation:** *Criminal Justice Act 2003, Section 256E is up to date with all changes known to be in force on or before 22 May 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*

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- (d) that arrangements have been made, or can be made, for the offender to have treatment.
- (4) The requirement must specify—
  - (a) the person with whom the offender is to meet or under whose direction the appointments are to take place, and
  - (b) where the appointments are to take place.
- (5) The person specified under subsection (4)(a) must be a person who has the necessary qualifications or experience.
- (6) The only instructions that the supervisor may give for the purposes of the requirement are instructions as to—
  - (a) the duration of each appointment, and
  - (b) when each appointment is to take place.
- (7) For the purposes of this section, references to a requirement to attend an appointment do not include a requirement to submit to treatment.
- (8) In this section, “controlled drug” has the same meaning as in the Misuse of Drugs Act 1971.]

#### **Textual Amendments**

- F1** Ss. 256D, 256E inserted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), **Sch. 1 para. 2** (with [Sch. 7 para. 3](#)); S.I. 2015/40, art. 2(s)

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

- C1** Pt. 12 Ch. 6 modified (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. **245(1)(2)(c)**, 416(1) (with ss. 2, 245(3), 398(1), 406, [Sch. 27](#)); S.I. 2020/1236, reg. 2
- C2** Pt. 12 Ch. 6 modified (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. **244(1)(2)(c)**, 416(1) (with ss. 2, 244(3), 398(1), 406, [Sch. 27](#)); S.I. 2020/1236, reg. 2
- C3** Ss. 256AA-256E applied (with modifications) by 1997 c. 43, Sch. 1 para. 8(2)(4)(8)-(12) (as amended (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), para. 3(3), (5), s. 22(1), **Sch. 3 para. 3(2)** (with [Sch. 7 para. 2](#))); S.I. 2015/40, art. 2(u)
- C4** S. 256E applied (with modifications) by 2000 c. 6, s. 106B(2)-(7) (as inserted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), ss. **6(4)**, 22(1) (with [Sch. 7 para. 2](#)); S.I. 2015/40, art. 2(f))
- C5** S. 256E applied (with modifications) by 1997 c. 43, Sch. 1 para. 9(2)(4)(9)-(12) (as amended (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), **Sch. 3 para. 5(5)** (with [Sch. 7 para. 2](#)); S.I. 2015/40, art. 2(u))
- C6** S. 256E applied (with modifications) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. **247(2)(b)(3)(4)**, 416(1) (with ss. 2, 398(1), 406, [Sch. 27](#)); S.I. 2020/1236, reg. 2

**Changes to legislation:**

Criminal Justice Act 2003, Section 256E is up to date with all changes known to be in force on or before 22 May 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.

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2012/2574, Sch. by [S.I. 2012/2761 art. 2](#)

**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. 150(aa) inserted by [2012 c. 10 Sch. 26 para. 19\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 150(ba) inserted by [2012 c. 10 Sch. 26 para. 19\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 151(A1) inserted by [2008 c. 4 s. 11\(3\)](#)
- s. 151(1A) inserted by [2008 c. 4 s. 11\(5\)](#)
- s. 151(1A)(b) word substituted by [2008 c. 4 Sch. 4 para. 76\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(1A)(c) substituted by [2009 c. 25 Sch. 17 para. 8\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(2A)(b) substituted by [2009 c. 25 Sch. 17 para. 8\(4\)](#)
- s. 151(4A) inserted by [2009 c. 25 Sch. 17 para. 8\(5\)](#)
- s. 151(8)(a) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(a\)](#)
- s. 151(8)(b) words inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(i\)](#)
- s. 151(8)(b) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(ii\)](#)
- s. 151(8)(c)-(f) inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(c\)](#)
- s. 165(5) inserted by [2014 c. 12 s. 179\(3\)](#)
- s. 237(1A) inserted by [2006 c. 48 s. 34\(3\)](#)
- s. 237(1B)(f)(g) inserted by [2021 c. 11 Sch. 13 para. 40\(b\)](#)
- s. 239A inserted by [2015 c. 2 s. 8\(1\)](#)
- s. 239A cross-heading inserted by [2015 c. 2 Sch. 3 para. 5](#)
- s. 250(5C) inserted by [2015 c. 2 Sch. 3 para. 7\(4\)](#)
- s. 255A(4A) inserted by [2015 c. 2 s. 9\(2\)](#)
- s. 255B(3A) inserted by [2015 c. 2 s. 9\(3\)\(b\)](#)
- s. 255B(4A)-(4C) inserted by [2015 c. 2 s. 9\(3\)\(d\)](#)
- s. 255C(3A) inserted by [2015 c. 2 s. 9\(4\)\(b\)](#)
- s. 255C(4A)-(4C) inserted by [2015 c. 2 s. 9\(4\)\(d\)](#)
- s. 256A(1)-(1B) substituted for s. 256A(1) by [2015 c. 2 s. 9\(6\)\(a\)](#)
- s. 256A(4A)(4B) inserted by [2015 c. 2 s. 9\(6\)\(f\)](#)
- s. 256A(5)(6) substituted for s. 256A(5) by [2015 c. 2 s. 9\(6\)\(g\)](#)
- s. 256AZA inserted by [2015 c. 2 s. 10\(1\)](#)
- s. 257(3) inserted by [2006 c. 48 s. 34\(4\)](#)
- s. 258(1A) inserted by [2006 c. 48 s. 34\(5\)](#)
- s. 260(4)(aa) substituted for word by [2008 c. 4 s. 34\(7\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 34(2)(4)(b)(7)(10) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(b); S.I. 2012/2906, art. 2(d))

- Sch. 15B para. 49A omitted by [S.I. 2019/780 reg. 26\(4\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 15B para. 49B omitted by [S.I. 2019/780 reg. 26\(4\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 20B para. 34(6)(7) substituted for Sch. 20B para. 34(6) by [2015 c. 2 Sch. 3 para. 10](#)