

SCHEDULES

SCHEDULE 1

SENTENCE AND PAROLE BOARD RELEASE FOR OFFENDERS OF PARTICULAR CONCERN

PART 1

SENTENCE AND RELEASE

Sentence

2 After Chapter 5 of Part 12 (sentencing) insert—

“CHAPTER 5A

OTHER OFFENDERS OF PARTICULAR CONCERN

236A Special custodial sentence for certain offenders of particular concern

- (1) Subsection (2) applies where—
 - (a) a person is convicted of an offence listed in Schedule 18A (whether the offence was committed before or after this section comes into force),
 - (b) the person was aged 18 or over when the offence was committed, and
 - (c) the court does not impose one of the following for the offence—
 - (i) a sentence of imprisonment for life, or
 - (ii) an extended sentence under section 226A.
- (2) If the court imposes a sentence of imprisonment for the offence, the term of the sentence must be equal to the aggregate of—
 - (a) the appropriate custodial term, and
 - (b) a further period of 1 year for which the offender is to be subject to a licence.
- (3) The “appropriate custodial term” is the term that, in the opinion of the court, ensures that the sentence is appropriate.
- (4) The term of a sentence of imprisonment imposed under this section for an offence must not exceed the term that, at the time the offence was committed, was the maximum term permitted for the offence.
- (5) The references in subsections (1)(c) and (2) to a sentence imposed for the offence include a sentence imposed for the offence and one or more offences associated with it.

Status: This is the original version (as it was originally enacted).

- (6) The Secretary of State may by order amend Schedule 18A by—
 - (a) adding offences, or
 - (b) varying or omitting offences listed in the Schedule.
- (7) An order under subsection (6) may, in particular, make provision that applies in relation to the sentencing of a person for an offence committed before the provision comes into force.”