



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 8

#### YOUTH JUSTICE

##### *Detention and training orders*

#### **159 Consecutive detention and training order and sentence of detention: effect of early release decision**

- (1) In section 237 of the Sentencing Code (making of detention and training order where offender subject to other order or sentence of detention), omit subsection (5).
- (2) In section 241 of that Code (period of detention and training), after subsection (5) insert—

##### *“Consecutive detention and training order and sentence of detention*

- (5A) Where the offender is also subject to a sentence of any of the following kinds that is to take effect, by virtue of an order to which subsection (7) applies, when the offender would otherwise be released for supervision—
  - (a) a sentence of detention under section 250 or 252A,
  - (b) a sentence of detention under section 209 or 224A of the Armed Forces Act 2006, or
  - (c) an extended sentence of detention under section 254 (including one passed as a result of section 221A of the Armed Forces Act 2006),subsection (4) is to be read as if, instead of conferring a power to release the offender, it conferred a power to determine that the Secretary of State would, but for the sentence concerned, have released the offender.”

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*Status: This is the original version (as it was originally enacted).*

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(3) In section 264AA of the Criminal Justice Act 2003 (consecutive terms: detention and training orders), after subsection (1) insert—

“(1A) In a case where the detention and training order was made on or after the day on which section 159 of the Police, Crime, Sentencing and Courts Act 2022 came into force, section 246(1)(a) is to be read as if, instead of conferring a power to release the offender, it conferred a power to determine that the Secretary of State would, but for the detention and training order, have directed the offender’s release under that section.”