

# Working out how long you will be in prison

## Main points

- The court decides how long your sentence will be, but it takes time to work out the details.
- You will be told what date your sentence finishes when you get to prison. If the prison is waiting for information on how long your sentence will be, you may be told the information is **provisional**. This means it might change.
- If you break prison rules you may have to spend extra days in prison. This is not part of your sentence. **See page 83 for more information.**
- Speak to your personal officer or another member of prison staff if you need help to understand your prison sentence.

## About your sentence – this does not cover life or indeterminate sentence for public protection prisoners

### Your sentence is worked out by looking at

- the date you were sentenced
- how long your sentence is
- the date you committed the offence
- the prison service will take into account any time you spent in prison on remand for the offence if it was committed before 4 April 2005
- if your offence was after 4 April 2005 the court may tell the prison not to count the time you spent on remand.

## How long will you spend in prison?

This depends on the date the offence was committed. There is extra information in the starting on **page 145**.

### Adult sentences up to 12 months

- Your release will be unconditional (AUR).
- You will **not** be supervised by an offender manager.
- You will be given information called a notice. This notice will explain what this means and you have to sign it.

### Offences committed before 4<sup>th</sup> April 2005

#### If your sentence is less than 1 year long

- You will be released half way through with no licence (unless you are under 21).

#### If your sentence is more than 1 year and less than 4 years long

- You will be released when you have served **half** your sentence.
- When this happens, you have to see someone from probation who will make sure you are keeping to the rules in your licence.
- Your licence ends at three quarters of the way through your sentence.

#### If your sentence is more than 4 years long

- You can apply for parole when you have served **half** your sentence.
- If you get parole, someone from the probation service will keep checking on you after you are released.
- If you do **not** get parole, you may be able to apply again every year unless you have less than 13 months left to serve in prison.
- If you do **not** get parole at all, you will be released before the end of your sentence. The date you will be released is called your Non-Parole Date. You will have to see someone from probation that will work with you and check you are keeping to the rules in your licence.

## More about offences committed before 4<sup>th</sup> April 2005

### Extended Sentences

- You may have an extended sentence for a violent or sexual crime.
- The date you leave prison will depend on how long the judge says you should be in prison for.
- If you get parole you may also have to spend longer on licence.
- If you do **not** get parole, you may be able to apply again every year.
- If not, you will be released before the end of your sentence. The date you will be released is called your Non-Parole Date. You will have to see someone from probation that will work with you and check you are keeping to the rules in your licence.

## Offences committed on or after 4<sup>th</sup> April 2005

### If your sentence is more than 1 year but less than four years

- You will be released when you have served **half** your sentence.
- You will have to see someone from probation who will work with you and check you are keeping to the rules in your licence.

### Extended sentences

- If you have an extended sentence, you will have to **apply** to get parole. You can do this when you have served the prison part of your sentence.
- If you do **not** get parole, you may be able to apply again every year.

## Offences committed before 1<sup>st</sup> October 1992

- You can apply for parole after you have served **1 third** of your sentence.
- If you get parole you will be released from prison on licence until two thirds of the way through.
- If you do **not** get parole, you may be able to keep applying every year unless you have less than 13 months left to serve. If you never get parole, you will be released from prison after you have served **2 thirds** of your sentence.
- If you commit another offence while on parole you may have to serve the rest of your sentence.

**There is more information about release on licence and parole starting on page 141.**