STATUTORY INSTRUMENTS

2026 No. 953 (C. 78)

CRIMINAL LAW, ENGLAND AND WALES

The Sentencing Act 2026 (Commencement No. 6 and Revocation) Regulations 2026

Made - - - - 1st September 2026

The Secretary of State makes these Regulations in exercise of the powers conferred by section 49(1) and (2) of the Sentencing Act 2026(**a**).

Citation, extent and interpretation

1.—(1) These Regulations may be cited as the Sentencing Act 2026 (Commencement No. 6 and Revocation) Regulations 2026.

(2) These Regulations extend to England and Wales.

(3) In these Regulations, "the Act" means the Sentencing Act 2026.

Provisions coming into force on 1st October 2026

2. Subject to regulation 5, the following provisions of the Act come into force on 1st October 2026—

(a) section 23(1), (2), (6), (8), (11)(b) and (c) and (12) to (15) (release);

(b) save as set out in regulations 3 to 6, section 23(3) to (5), (7), (10) and (11)(a) and (d) (release);

(c) section 24(1)(a), (2), (3)(a), (5)(a) and (6) (release: consequential amendments relating to driving disqualification).

Provisions coming into force between 1st October 2026 and 8th June 2027

3.—(1) Subject to regulations 5 and 6, in relation to a person who is serving a sentence of imprisonment or detention imposed before 1st October 2026 and who, immediately before that date, is in custody or detention pursuant to the sentence, the provisions in regulation 2(b) come into force on the relevant day.

(2) In this regulation, "the relevant day" means—

(a) 1st October 2026, where the relevant sentence is less than 575 days;

(b) 13th October 2026, where the relevant sentence is greater than 574 days and less than 883 days;

(**a**) 2026 c. 2.

(c) 10th November 2026, where the relevant sentence is greater than 882 days and less than 1163 days;

(d) 8th December 2026, where the relevant sentence is greater than 1162 days and less than 1562 days;

(e) 12th January 2027, where the relevant sentence is greater than 1561 days and less than 2122 days;

(f) 9th February 2027, where the relevant sentence is greater than 2121 days and less than 2759 days;

(g) 9th March 2027, where the relevant sentence is greater than 2758 days and less than 3284 days;

(h) 13th April 2027, where the relevant sentence is greater than 3283 days and less than 3655 days;

(i) 11th May 2027, where the relevant sentence is greater than 3654 days and less than 4397 days;

(j) 8th June 2027, where the relevant sentence is greater than 4396 days.

(3) In this regulation, "relevant sentence", in relation to a person who falls within paragraph (1), means—

(a) where the person is serving two or more concurrent sentences of imprisonment or detention immediately before 1st October 2026, the longest of those sentences at that time;

(b) in all other cases, the sentence of imprisonment or detention which the person is serving immediately before 1st October 2026.

(4) For the purposes of paragraph (2), the length of the relevant sentence is—

(a) the length calculated immediately before 1st October 2026, and

(b) where a person is serving two or more consecutive sentences immediately before 1st October 2026, the aggregate length of those sentences.

Provisions coming into force on 12th October 2027

4. Subject to regulations 5 and 6, in relation to a person who is serving a sentence of imprisonment or detention imposed before 1st October 2026 and who, immediately before that date, is on licence subject to a curfew condition within the meaning of section 253 of the Criminal Justice Act 2003(**a**), the provisions in regulation 2(b) come into force on 12th October 2027.

Excluded offences

5. The provisions listed in regulation 2 do not come into force in relation to a sentence for an offence listed in the Schedule to these Regulations.

Further provision regarding section 23(10)

6. Section 23(10) of the Act (release) does not come into force in relation to a sentence under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000(**b**) or section 250 of the Sentencing Code.

(**a**) 2003 c. 44.
(**b**) 2000 c. 6.

Revocation

7. The Sentencing Act 2026 (Commencement No. 4) Regulations 2026(**a**) are revoked.

Signed by the authority of the Secretary of State

Jake Richards
Parliamentary Under-Secretary of State
Ministry of Justice

1st September 2026

(**a**) S.I. 2026/609.

SCHEDULE

Regulation 5

Excluded offences

1. An offence of manslaughter.

2. An offence under section 4 of the Offences Against the Person Act 1861(**a**) (conspiring or soliciting to commit murder).

3. An offence under section 1 of the Infant Life (Preservation) Act 1929(**b**) (child destruction).

4. An offence under section 1 of the Children and Young Persons Act 1933(**c**) (cruelty to persons under sixteen)

5. An offence under section 1 of the Infanticide Act 1938(**d**) (infanticide).

6. An offence under section 1 of the Sexual Offences Act 1956(**e**) (rape of woman or man).

7. An offence under section 5 of that Act (intercourse with girl under thirteen).

8. An offence under section 6 of that Act (intercourse with girl between thirteen and sixteen).

9. An offence under section 10 of that Act (incest by a man).

10. An offence under section 14 of that Act(**f**) (indecent assault on a woman).

11. An offence under section 15 of that Act (indecent assault on a man).

12. An offence under section 19 of that Act (abduction of unmarried girl under eighteen from parent or guardian).

13. An offence under section 20 of that Act (abduction of unmarried girl under sixteen from parent or guardian).

14. An offence under section 23 of that Act (procuration of girl under twenty-one).

15. An offence under section 25 of that Act (permitting girl under thirteen to use premises for intercourse).

16. An offence under section 26 of that Act (permitting girl between thirteen and sixteen to use premises for intercourse).

17. An offence under section 28 of that Act (causing or encouraging prostitution of, intercourse with, or indecent assault on, girl under sixteen).

(**a**) 1861 c. 100. Section 4 was amended by the Statute Law Revision Act 1892 (c. 19) and section 5(10)(b) of, and Schedule 13 to, the Criminal Law Act 1977 (c. 45).

(**b**) 1929 c. 34.

(**c**) 1933 c. 12. Section 1 was amended by Schedule 5 to the Children and Young Persons Act 1963 (c. 37), Schedule 3 to the Criminal Law Act 1967 (c. 58), Schedule 4 to the Children Act 1975 (c. 72), section 32(2) of the Magistrates' Courts Act 1980 (c. 43), Schedule 16 to the Criminal Justice Act 1988 (c. 33), paragraph 2 of Schedule 12 and paragraph 2 of Schedule 13 to the Children Act 1989 (c. 41), Schedule 5 to the Children Act 2004 (c. 31), section 66 of the Serious Crime Act 2015 (c. 9), and section 122 of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) and S.I. 1951/174.

(**d**) 1938 c. 36. Section 1 was amended by Schedule 3 to the Criminal Law Act 1967 (c. 58) and section 57 of the Coroners and Justice Act 2009 (c. 25).

(**e**) 1956 c. 69. Sections 1 to 7, 9 to 17, 19 to 32 and 41 to 47 and paragraphs 1 to 32 of Schedule 2 were repealed by Schedule 7 to the Sexual Offences Act 2003 (c. 42).

(**f**) Sections 14 and 15 were repealed by Schedule 7 to the Sexual Offences Act 2003 (c. 42).

18. An offence under section 1 of the Indecency with Children Act 1960(**a**) (indecent conduct towards young child).

19. An offence under section 2 of the Suicide Act 1961(**b**) (complicity in another's suicide).

20. An offence under section 54 of the Criminal Law Act 1977(**c**) (inciting girl under sixteen to have incestuous sexual intercourse).

21. An offence under section 1 of the Protection of Children Act 1978(**d**) (indecent photographs of children).

22. An offence under section 160 of the Criminal Justice Act 1988(**e**) (possession of indecent photograph of child).

23. An offence under section 1 of the Road Traffic Act 1988(**f**) (causing death by dangerous driving).

24. An offence under section 2B of that Act(**g**) (causing death by careless, or inconsiderate, driving).

25. An offence under section 3ZB of that Act(**h**) (causing death by driving: unlicensed or uninsured drivers).

26. An offence under section 3ZC of that Act(**i**) (causing death by driving: disqualified drivers).

27. An offence under section 3A of that Act(**j**) (causing death by careless driving when under influence of drink or drugs).

28. An offence under section 27A of that Act(**k**) (causing death by dangerous cycling).

29. An offence under section 28B of that Act (causing death by careless, or inconsiderate, cycling).

30. An offence under section 1 of the Aviation and Maritime Security Act 1990(**l**) (endangering safety at aerodromes).

31. An offence under section 3 of the Dangerous Dogs Act 1991(**m**) (keeping dogs under proper control).

(**a**) 1960 c. 33. Section 1 was repealed by Schedule 7 to the Sexual Offences Act 2003.
(**b**) 1961 c. 60. Section 2 was amended by Schedule 3 to the Criminal Law Act 1967 (c. 58), Schedule 6 to the Criminal Jurisdiction Act 1975 (c. 59) and section 59(2) and (3) of the Coroners and Justice Act 2009 (c. 25).
(**c**) 1977 c. 45. Section 54 was repealed by Schedule 7 to the Sexual Offences Act 2003.
(**d**) 1978 c. 37. Section 1 was amended by section 37 of, and Schedule 2 to, the Extradition Act 1989 (c. 33), section 84(2) of, and paragraph 1 of Schedule 11 to, the Criminal Justice and Public Order Act 1994 (c. 33) and by paragraph 24 of Schedule 6 to the Sexual Offences Act 2003.
(**e**) 1988 c. 33. Section 160 was amended by sections 84 and 86(1) of, and Schedule 11 to, the Criminal Justice and Public Order Act 1994, section 41(3) of the Criminal Justice and Court Services Act 2000 (c. 43), paragraph 29(3) of Schedule 6 to the Sexual Offences Act 2003 and paragraph 24 of Schedule 26 to the Criminal Justice and Immigration Act 2008 (c. 4).
(**f**) 1988 c. 52. Section 1 of the Road Traffic Act 1991 (c. 40) substituted section 1.
(**g**) Section 2B was inserted by section 20(1) of the Road Safety Act 2006 (c. 49).
(**h**) Section 3ZB was inserted by section 21(1) of the Road Safety Act 2006 and amended by paragraph 1 of Schedule 6 to the Criminal Justice and Courts Act 2015 (c. 2) and S.I. 2019/1047.
(**i**) Section 3ZC was inserted by section 29(1) of the Criminal Justice and Courts Act 2015.
(**j**) Section 3A was inserted by section 3 of the Road Traffic Act 1991 and amended by section 31 of the Road Safety Act 2006 and paragraph 2 and (3) of Schedule 22 to the Crime and Courts Act 2013 (c. 22).
(**k**) Sections 27A and 28B were inserted by section 141 of the Crime and Policing Act 2026 (c. 20). Section 141 is not in force at the time these Regulations are made.
(**l**) 1990 c. 31.
(**m**) 1991 c. 65. Section 3 was amended by section 106(2) of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).

32. An offence under section 51 of the International Criminal Court Act 2001(**a**) (genocide, crimes against humanity and war crimes).

33. An offence under section 1 of the Sexual Offences Act 2003(**b**) (rape).

34. An offence under section 5 of that Act (rape of a child under 13).

35. An offence under section 6 of that Act (assault of a child under 13 by penetration).

36. An offence under section 7 of that Act (sexual assault of a child under 13).

37. An offence under section 8 of that Act (causing or inciting a child under 13 to engage in sexual activity).

38. An offence under section 8A(**c**) of that Act (rape of a child under 16).

39. An offence under section 8B of that Act (assault of a child under 16 by penetration).

40. An offence under section 8C of that Act (causing or inciting a child under 16 to engage in sexual activity involving penetration).

41. An offence under section 9 of that Act (sexual activity with a child).

42. An offence under section 10 of that Act (causing or inciting a child to engage in sexual activity).

43. An offence under section 11 of that Act (engaging in sexual activity in the presence of a child).

44. An offence under section 12 of that Act (causing a child to watch a sexual act).

45. An offence under section 13 of that Act (child sex offences committed by children or young persons).

46. An offence under section 14(**d**) of that Act (arranging or facilitating commission of a child sex offence).

47. An offence under section 15(**e**) of that Act (meeting a child following sexual grooming etc).

48. An offence under section 16 of that Act (abuse of position of trust: sexual activity with a child).

49. An offence under section 17 of that Act (abuse of position of trust: causing or inciting a child to engage in sexual activity).

50. An offence under section 18 of that Act (abuse of position of trust: sexual activity in the presence of a child).

51. An offence under section 19 of that Act (abuse of position of trust: causing a child to watch a sexual act).

(**a**) 2001 c. 17.
(**b**) 2003 c. 42.
(**c**) Sections 8A to 8C are inserted by section 81 of the Crime and Policing Act 2026 (c. 20). Those sections of that Act are not in force at the time these Regulations are made.
(**d**) Section 14 was amended by section 46 of the Police, Crime, Sentencing and Courts Act 2022 (c. 32).
(**e**) Section 15 was amended by paragraph 1 of Schedule 15 to the Criminal Justice and Immigration Act 2008 (c. 4) and by section 36(1) of the Criminal Justice and Courts Act 2015 (c. 2). This section, along with sections 16 to 19 and 48 to 50 of the Sexual Offences Act 2003, was repealed for Northern Ireland by paragraph 1 of Schedule 3 to the Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769), subject to the transitional provisions specified in Schedule 2 to that Order.

52. An offence under section 25 of that Act (sexual activity with a child family member).

53. An offence under section 26 of that Act (inciting a child family member to engage in sexual activity).

54. An offence under section 47 of that Act (paying for sexual services of a child).

55. An offence under section 48(**a**) of that Act (causing or inciting sexual exploitation of a child).

56. An offence under section 49(**b**) of that Act (controlling a child in relation to sexual exploitation).

57. An offence under section 50(**c**) of that Act (arranging or facilitating sexual exploitation of a child).

58. An offence under section 5(**d**) of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing a child or vulnerable adult to die or suffer serious physical harm).

59. An offence of attempting to commit an offence specified in paragraphs 1 to 58 of this Schedule ("a listed offence").

60. An offence of conspiring to commit a listed offence.

61. An offence under Part 2 of the Serious Crime Act 2007(**e**) in relation to which a listed offence is the offence (or one of the offences) which the person subject to the sentence intended or believed would be committed.

62. An offence of inciting a person to commit a listed offence.

63. An offence of aiding, abetting, counselling or procuring the commission of a listed offence.

64. An offence of attempting to commit murder.

65. An offence of conspiring to commit murder.

66. An offence under Part 2 of the Serious Crime Act 2007 in relation to which murder is the offence (or one of the offences) which the person subject to the sentence intended or believed would be committed.

67. An offence of inciting a person to commit murder.

68. An offence of aiding, abetting, counselling or procuring the commission of murder.

69. An offence under section 70 of the Army Act 1955(**f**) or section 70 of the Air Force Act 1955 as respects which the corresponding civil offence (within the meaning of that Act) is an offence specified in paragraphs 1 to 68 of this Schedule ("a specified offence").

70. An offence under section 42 of the Naval Discipline Act 1957 as respects which the civil offence (within the meaning given by that section) is a specified offence.

(**a**) Section 48 was amended by section 68(3) of the Serious Crime Act 2015 (c. 9).
(**b**) Section 49 was amended by section 68(4) of the Serious Crime Act 2015.
(**c**) Section 50 was amended by section 68(5) of the Serious Crime Act 2015.
(**d**) 2004 c. 28. Section 5 was amended by section 1 of the Domestic Violence, Crime and Victims (Amendment) Act 2012 (c. 4) and section 123 of the Police, Crime, Sentencing and Courts Act 2022 (c. 32).
(**e**) 2007 c. 27.
(**f**) 1955 c. 18. Section 70, along with section 70 of the Air Force Act 1955 (c. 19) and section 42 of the Naval Discipline Act 1957 (c. 53), were repealed by paragraph 1 of Schedule 17 to the Armed Forces Act 2006 (c. 52). The provisions effecting the repeal were commenced by the Armed Forces Act 2006 (Commencement No. 5) Order 2009 (S.I. 2009/1167), subject to savings specified in section 380(9) of the Armed Forces Act 2006.

71. An offence under section 42 of the Armed Forces Act 2006(**a**) as respects which the corresponding offence under the law of England and Wales (within the meaning given by that section) is a specified offence, and section 48 of that Act(**b**) (attempts etc. outside England and Wales) applies for the purposes of this paragraph as if the reference in subsection (3)(b) to any of the following provisions of that Act were a reference to this paragraph.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Sentencing Act 2026 ("the 2026 Act") (c. 2).

Regulation 2 brings into force sections 23(1) to (15) and 24 of the 2026 Act, to the extent not already commenced under section 49(3)(c) of the 2026 Act. Section 23 amends the provisions of the Criminal Justice Act 2003 ("the 2003 Act") (c. 44) which set out the requisite custodial periods for those serving adult standard determinate sentences. The requisite custodial period for those serving these sentences who are released under section 244 of the 2003 Act is 40% or 50% of the sentence (depending on the offence). Section 23 reduces this period to one-third of the sentence. For those who are released under section 244ZA of the 2003 Act, the period is reduced from two-thirds of the sentence to one-half. Section 24 makes amendments to the Road Traffic Offenders Act 1988 (c. 53) which are consequential to the changes to the requisite custodial period. The amendments ensure that the extension of any period of driving disqualification remains in accordance with the requisite custodial period of the sentence.

Regulation 3 provides for a phased commencement of the changes to the requisite custodial periods in relation to prisoners who are in custody immediately before 1st October 2026. The commencement date is determined by the length of the longest sentence that the prisoner is serving immediately before 1st October 2026.

Regulation 4 provides for the changes to commence on 12 October 2027 in relation to existing offenders who are in the community, having been released under section 246 of the 2003 Act, immediately before 1st October 2026.

Regulation 5 provides that sections 23 and 24 of the 2026 Act do not come into force in relation to sentences for the offences listed in the Schedule to these Regulations. This means that sentences for those offences will retain their current requisite custodial periods.

Regulation 6 provides that section 23(10) of the 2026 Act does not come into force in relation to those serving youth sentences under section 250 of the Sentencing Code, or (historically) under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6). Section 23(10) revokes the Criminal Justice Act 2003 (Requisite and Minimum Custodial Periods) Order 2024 (S.I. 2024/844), which provides for the custodial period for sentences for certain offences to be read as 40% of the sentence, rather than 50% as would otherwise be the case.

Regulation 7 revokes the Sentencing Act 2026 (Commencement No. 4) Regulations 2026 (S.I. 2026/609), the provisions of which are replaced by these Regulations.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

(**a**) Section 42 was amended by paragraph 8(c) of Schedule 6 to the Armed Forces Act 2021 (c. 35).
(**b**) Section 48 was amended by paragraph 12 of Schedule 5 to the Serious Crime Act 2007 (c. 27).

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Sentencing Act 2026 have been brought into force by commencement regulations made before or on the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Section 6	05.10.2026	S.I. 2026/772(**a**)
Section 12	01.10.2026	S.I. 2026/772
Section 13	01.10.2026	S.I. 2026/772
Section 14	01.10.2026	S.I. 2026/772
Section 15	01.10.2026	S.I. 2026/772
Section 16	01.10.2026	S.I. 2026/772
Section 18	01.10.2026	S.I. 2026/772
Section 21	11.05.2026	S.I. 2026/402
Section 27	01.10.2026	S.I. 2026/772
Sections 30 and 31	Various dates	S.I. 2026/86
Section 32(1) to (3)	Various dates	S.I. 2026/86
Section 32(4)	31.3.2026	S.I. 2026/86
Section 33	Various dates	S.I. 2026/86
Section 34	11.05.2026	S.I. 2026/402
Section 36	11.05.2026	S.I. 2026/402
Section 37	18.01.2027	S.I. 2026/772
Section 38	11.05.2026	S.I. 2026/402
Section 39	11.05.2026	S.I. 2026/402
Section 42	01.06.2026	S.I. 2026/402
Section 44	22.3.2026	S.I. 2026/86
Section 45	22.3.2026	S.I. 2026/217
Schedule 4	Various dates	S.I. 2026/86
Schedule 5	11.05.2026	S.I. 2026/402

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(**a**) Regulation 3 of the Sentencing Act 2026 (Commencement No. 5) Regulations 2026 (S.I. 2026/772) is amended by the Sentencing Act 2026 (Commencement No. 5) (Amendment) Regulations 2026 (S.I. 2026/948).

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