

Annex A – Parameters of CT, PD, and the New “Detention For Public Protection”

Requirements	Current CT Regime	Current PD Regime	[New] Detention For Public Protection (Key Amendments in Red)
Age of offender	At least 18 years old	At least 30 years old	At least 21 years old With the repeal of CT, we have revised the age floor of PD from 30 to 21 years old. Although CT used to cover persons aged 18 to 21, as Detention for Public Protection is a severe sentence, it is generally unsuitable for offenders who were below the age of 21 years at the time of the commission of the offence.
Criteria	(i) Convicted before High Court or District Court of an offence punishable with at least 2 years’ imprisonment; <u>and</u> (ii) Previously convicted at least <u>twice</u> since reaching the age of 16 years for offences punishable with at least 2 years’ imprisonment.	(i) Convicted before High Court or District Court of an offence punishable with at least 2 years’ imprisonment; <u>and</u> (ii) Previously convicted at least <u>thrice</u> since reaching the age of 16 years for offences punishable with at least 2 years’ imprisonment, and was on at least 2 of those occasions sentenced to imprisonment or CT.	<u>Same as CT.</u> The new DPP sentencing regime will mirror the CT requirements, so that courts will continue to have levers to deal with persistent or habitual offenders who would have qualified for the previous CT sentence.
	<u>OR</u>		<u>No change</u> to the criteria in the column to the left (common criteria for both CT and PD).
	(i) Convicted at one trial before High Court or District Court of 3 or more distinct offences punishable with at least 2 years’ imprisonment; <u>and</u>		

Requirements	Current CT Regime	Current PD Regime	[New] Detention For Public Protection (Key Amendments in Red)
	(ii) Previously convicted and sentenced to at least one month's imprisonment since reaching the age of 16 years for an offence punishable with at least 2 years' imprisonment.		
Purpose of Sentence	For offender's reformation and prevention of crime ¹	For protection of the public ²	<u>For protection of the public.</u> Offenders will undergo rehabilitation programmes and supervision before they are released into the community.
Period	5 to 14 years	7 to 20 years	<u>5 to 20 years</u> The lower limit follows the minimum CT period, while the upper limit follows the maximum PD period, as the aim is to streamline the CT and PD regimes.

¹ Section 304(1) of the Criminal Procedure Code (CPC) provides that the court must be satisfied that it is expedient with a view to the offender's reformation and the prevention of crime that the offender should receive corrective training for a substantial period, followed by supervision if released before the expiration of the sentence.

² Section 304(2) of the CPC provides that the court must be satisfied that it is expedient for the protection of the public that the offender should be detained for a substantial period, followed by supervision if released before the expiration of the sentence.