



# Powers of Criminal Courts (Sentencing) Act 2000

## 2000 CHAPTER 6

### PART V

#### CUSTODIAL SENTENCES ETC.

#### CHAPTER II

#### DETENTION AND CUSTODY OF YOUNG OFFENDERS

##### *Detention and training orders*

#### **100 Offenders under 18: detention and training orders.**

- (1) Subject to sections 90, 91 and 93 above and subsection (2) below, where—
- (a) a child or young person (that is to say, any person aged under 18) is convicted of an offence which is punishable with imprisonment in the case of a person aged 21 or over, and
  - (b) the court is of the opinion that either or both of paragraphs (a) and (b) of section 79(2) above apply or the case falls within section 79(3),
- the sentence that the court is to pass is a detention and training order.
- (2) A court shall not make a detention and training order—
- (a) in the case of an offender under the age of 15 at the time of the conviction, unless it is of the opinion that he is a persistent offender;
  - (b) in the case of an offender under the age of 12 at that time, unless—
    - (i) it is of the opinion that only a custodial sentence would be adequate to protect the public from further offending by him; and
    - (ii) the offence was committed on or after such date as the Secretary of State may by order appoint.

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*Status: Point in time view as at 18/08/2003. This version of this provision has been superseded.*

*Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Section 100 is up to date with all changes known to be in force on or before 17 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (3) A detention and training order is an order that the offender in respect of whom it is made shall be subject, for the term specified in the order, to a period of detention and training followed by a period of supervision.
- (4) On making a detention and training order in a case where subsection (2) above applies, it shall be the duty of the court (in addition to the duty imposed by section 79(4) above) to state in open court that it is of the opinion mentioned in paragraph (a) or, as the case may be, paragraphs (a) and (b)(i) of that subsection.

**Status:**

Point in time view as at 18/08/2003. This version of this provision has been superseded.

**Changes to legislation:**

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