



Criminal Justice Act 1991

1991 CHAPTER 53

PART I

POWERS OF COURTS TO DEAL WITH OFFENDERS

Community sentences

7 Procedural requirements for community sentences.

- (1) In forming any such opinion as is mentioned in subsection (1) or (2)(b) of section 6 above, a court shall take into account all such information about the circumstances of the offence (including any aggravating or mitigating factors) as is available to it.
- (2) In forming any such opinion as is mentioned in subsection (2)(a) of that section, a court may take into account any information about the offender which is before it.
- (3) A court shall obtain and consider a pre-sentence report before forming an opinion as to the suitability for the offender of one or more of the following orders, namely—
 - (a) a probation order which includes additional requirements authorised by Schedule 1A to the 1973 Act;
 - (b) a community service order;
 - (c) a combination order; and
 - (d) a supervision order which includes requirements imposed under section 12, 12A, 12AA, 12B or 12C of the ^{M1}Children and Young Persons Act 1969 (“the 1969 Act”).
- (4) No community sentence which consists of or includes such an order as is mentioned in subsection (3) above shall be invalidated by the failure of a court to comply with that subsection, but any court on an appeal against such a sentence—
 - (a) shall obtain a pre-sentence report if none was obtained by the court below; and
 - (b) shall consider any such report obtained by it or by that court.

Status: Point in time view as at 01/10/1992. This version of this provision has been superseded.

Changes to legislation: *Criminal Justice Act 1991, Section 7 is up to date with all changes known to be in force on or before 18 April 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)*

Commencement Information

II S. 7 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

Marginal Citations

M1 1969 c. 54.

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