



Crime (Sentences) Act 1997

1997 CHAPTER 43

PART III

MISCELLANEOUS AND SUPPLEMENTAL

Young offenders

43 Curfew orders

- (1) In subsection (1) of section 12 of the 1991 Act (curfew orders), the words “of or over the age of sixteen years” shall cease to have effect.
- (2) After subsection (2) of that section there shall be inserted the following subsection—

“(2A) In relation to an offender who is under the age of sixteen years, subsection (2) (a) above shall have effect as if the reference to six months were a reference to three months.”
- (3) After subsection (6) of that section there shall be inserted the following subsection—

“(6A) Before making a curfew order in respect of an offender who is under the age of sixteen years, the court shall obtain and consider information about his family circumstances and the likely effect of such an order on those circumstances.”
- (4) In paragraph 3(1) of Schedule 2 to the 1991 Act (enforcement of community orders), for paragraph (c) there shall be substituted the following paragraph—

“(c) where—
 - (i) the relevant order is a probation order, or
 - (ii) the relevant order is a curfew order and the offender is under the age of sixteen years,and the case is one to which section 17 of the 1982 Act applies, it may make an order under that section requiring him to attend at an attendance centre; or”.

44 Long term detention

In subsection (2)(a) of section 53 of the 1933 Act (long term detention of children and young persons for certain grave crimes), for sub-paragraph (ii) there shall be substituted the following sub-paragraph—

“(ii) an offence under section 14 (indecent assault on a woman) or section 15 (indecent assault on a man) of the Sexual Offences Act 1956;”.

45 Publication of reports

(1) After subsection (4) of section 49 of the 1933 Act (restrictions on reports of proceedings in which children or young persons are concerned) there shall be inserted the following subsections—

“(4A) If a court is satisfied that it is in the public interest to do so, it may, in relation to a child or young person who has been convicted of an offence, by order dispense to any specified extent with the requirements of this section in relation to any proceedings before it to which this section applies by virtue of subsection (2)(a) or (b) above, being proceedings relating to—

- (a) the prosecution or conviction of the offender for the offence;
- (b) the manner in which he, or his parent or guardian, should be dealt with in respect of the offence;
- (c) the enforcement, amendment, variation, revocation or discharge of any order made in respect of the offence;
- (d) where an attendance centre order is made in respect of the offence, the enforcement of any rules made under section 16(3) of the Criminal Justice Act 1982; or
- (e) where a secure training order is so made, the enforcement of any requirements imposed under section 3(7) of the Criminal Justice and Public Order Act 1994.

(4B) A court shall not exercise its power under subsection (4A) above without—

- (a) affording the parties to the proceedings an opportunity to make representations; and
- (b) taking into account any representations which are duly made.”

(2) Subsection (1) above shall not apply where the offence was committed before the commencement of this section.