



# Powers of Criminal Courts (Sentencing) Act 2000

## 2000 CHAPTER 6

### PART IV

#### COMMUNITY ORDERS AND REPARATION ORDERS

#### CHAPTER IV

##### ATTENDANCE CENTRE ORDERS: OFFENDERS UNDER 21 AND DEFAULTERS

#### 60 Attendance centre orders.

(1) Where—

- (a) (subject to sections 34 to 36 above) a person aged under 21 is convicted by or before a court of an offence punishable with imprisonment, or
- (b) a court would have power, but for section 89 below (restrictions on imprisonment of young offenders and defaulters), to commit a person aged under 21 to prison in default of payment of any sum of money or for failing to do or abstain from doing anything required to be done or left undone, or
- (c) a court has power to commit a person aged at least 21 but under 25 to prison in default of payment of any sum of money,

the court may, if it has been notified by the Secretary of State that an attendance centre is available for the reception of persons of his description, order him to attend at such a centre, to be specified in the order, for such number of hours as may be so specified.

- (2) An order under subsection (1) above is in this Act referred to as an “attendance centre order”.
- (3) The aggregate number of hours for which an attendance centre order may require a person to attend at an attendance centre shall not be less than 12 except where—
  - (a) he is aged under 14; and

*Status: Point in time view as at 25/08/2000.*

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- (b) the court is of the opinion that 12 hours would be excessive, having regard to his age or any other circumstances.
- (4) The aggregate number of hours shall not exceed 12 except where the court is of the opinion, having regard to all the circumstances, that 12 hours would be inadequate, and in that case—
  - (a) shall not exceed 24 where the person is aged under 16; and
  - (b) shall not exceed 36 where the person is aged 16 or over but under 21 or (where subsection (1)(c) above applies) under 25.
- (5) A court may make an attendance centre order in respect of a person before a previous attendance centre order made in respect of him has ceased to have effect, and may determine the number of hours to be specified in the order without regard—
  - (a) to the number specified in the previous order; or
  - (b) to the fact that that order is still in effect.
- (6) An attendance centre order shall not be made unless the court is satisfied that the attendance centre to be specified in it is reasonably accessible to the person concerned, having regard to his age, the means of access available to him and any other circumstances.
- (7) The times at which a person is required to attend at an attendance centre shall, as far as practicable, be such as to avoid—
  - (a) any conflict with his religious beliefs or with the requirements of any other community order to which he may be subject; and
  - (b) any interference with the times, if any, at which he normally works or attends school or any other educational establishment.
- (8) The first time at which the person is required to attend at an attendance centre shall be a time at which the centre is available for his attendance in accordance with the notification of the Secretary of State, and shall be specified in the order.
- (9) The subsequent times shall be fixed by the officer in charge of the centre, having regard to the person's circumstances.
- (10) A person shall not be required under this section to attend at an attendance centre on more than one occasion on any day, or for more than three hours on any occasion.
- (11) Where a court makes an attendance centre order, the clerk of the court shall—
  - (a) deliver or send a copy of the order to the officer in charge of the attendance centre specified in it; and
  - (b) deliver a copy of the order to the person in respect of whom it is made or send a copy by registered post or the recorded delivery service addressed to his last or usual place of abode.
- (12) Where a person (“the defaulter”) has been ordered to attend at an attendance centre in default of the payment of any sum of money—
  - (a) on payment of the whole sum to any person authorised to receive it, the attendance centre order shall cease to have effect;
  - (b) on payment of a part of the sum to any such person, the total number of hours for which the defaulter is required to attend at the centre shall be reduced proportionately, that is to say by such number of complete hours as bears to the total number the proportion most nearly approximating to, without exceeding, the proportion which the part bears to the whole sum.

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**61 Breach, revocation and amendment of attendance centre orders.**

Schedule 5 to this Act (which makes provision for dealing with failures to comply with attendance centre orders, for revoking such orders with or without the substitution of other sentences and for amending such orders) shall have effect.

**62 Provision, regulation and management of attendance centres.**

- (1) The Secretary of State may continue to provide attendance centres.
- (2) In this Act “attendance centre” means a place at which offenders aged under 21 may be required to attend and be given under supervision appropriate occupation or instruction in pursuance of attendance centre orders.
- (3) The Secretary of State may make rules for the regulation and management of attendance centres.
- (4) For the purpose of providing attendance centres, the Secretary of State may make arrangements with any local authority or police authority for the use of premises of that authority.

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