

Status: Point in time view as at 01/04/2005.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Cross Heading: Revocation of order with or without re-sentencing: powers of Crown Court on conviction etc. is up to date with all changes known to be in force on or before 10 August 2023. 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)

SCHEDULES

SCHEDULE 3

[^{F1}BREACH, REVOCATION AND AMENDMENT OF CERTAIN COMMUNITY ORDERS]

Textual Amendments

- F1** Heading to Sch. 3 substituted (1.4.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. II para. 199(27)**; S.I. 2001/919, **art. 2(f)(iv)**

PART III

REVOCATION OF ORDER

Revocation of order with or without re-sentencing: powers of Crown Court on conviction etc.

- 11 (1) This paragraph applies where—
- (a) a relevant order made by the Crown Court is in force in respect of an offender and the offender or the responsible officer applies to the Crown Court for the order to be revoked or for the offender to be dealt with in some other way for the offence in respect of which the order was made; or
 - (b) an offender in respect of whom a relevant order is in force is convicted of an offence before the Crown Court or, having been committed by a magistrates' court to the Crown Court for sentence, is brought or appears before the Crown Court.
- (2) If it appears to the Crown Court to be in the interests of justice to do so, having regard to circumstances which have arisen since the order was made, the Crown Court may—
- (a) revoke the order; or
 - (b) both—
 - (i) revoke the order; and
 - (ii) deal with the offender, for the offence in respect of which the order was made, in any way in which the court which made the order could deal with him if he had just been convicted of that offence by or before the court which made the order.
- (3) The circumstances in which a [^{F1}community rehabilitation, community punishment and rehabilitation] or drug treatment and testing order may be revoked under sub-paragraph (2)(a) above shall include the offender's making good progress or his responding satisfactorily to supervision or, as the case may be, treatment.
- (4) In dealing with an offender under sub-paragraph (2)(b) above, the Crown Court shall take into account the extent to which the offender has complied with the requirements of the relevant order.

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Textual Amendments

- F1** Words in **Sch. 3 para. 11(3)** substituted (1.4.2001) by **2000 c. 43, s. 74, Sch. 7 Pt. II para. 199(14); S.I. 2001/919, art. 2(f)(iv)**

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