



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART IV

COMMUNITY ORDERS AND REPARATION ORDERS

CHAPTER VI

REPARATION ORDERS FOR YOUNG OFFENDERS

73 **Reparation orders**

- (1) Where a child or young person (that is to say, any person aged under 18) is convicted of an offence other than one for which the sentence is fixed by law, the court by or before which he is convicted may make an order requiring him to make reparation specified in the order—
 - (a) to a person or persons so specified; or
 - (b) to the community at large;and any person so specified must be a person identified by the court as a victim of the offence or a person otherwise affected by it.
- (2) An order under subsection (1) above is in this Act referred to as a “reparation order”.
- (3) In this section and section 74 below “make reparation”, in relation to an offender, means make reparation for the offence otherwise than by the payment of compensation; and the requirements that may be specified in a reparation order are subject to section 74(1) to (3).
- (4) The court shall not make a reparation order in respect of the offender if it proposes—
 - (a) to pass on him a custodial sentence; or

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- (b) to make in respect of him a community service order, a combination order, a supervision order which includes requirements authorised by Schedule 6 to this Act, an action plan order or a referral order.
- (5) Before making a reparation order, a court shall obtain and consider a written report by a probation officer, a social worker of a local authority social services department or a member of a youth offending team indicating—
 - (a) the type of work that is suitable for the offender; and
 - (b) the attitude of the victim or victims to the requirements proposed to be included in the order.
- (6) The court shall not make a reparation order unless it has been notified by the Secretary of State that arrangements for implementing such orders are available in the area proposed to be named in the order under section 74(4) below and the notice has not been withdrawn.
- (7) Before making a reparation order, the court shall explain to the offender in ordinary language—
 - (a) the effect of the order and of the requirements proposed to be included in it;
 - (b) the consequences which may follow (under Schedule 8 to this Act) if he fails to comply with any of those requirements; and
 - (c) that the court has power (under that Schedule) to review the order on the application either of the offender or of the responsible officer;and “responsible officer” here has the meaning given by section 74(5) below.
- (8) The court shall give reasons if it does not make a reparation order in a case where it has power to do so.