

*These notes refer to the Criminal Justice and Immigration Act 2008 (c.4) which received Royal Assent on 8 May 2008*

# **CRIMINAL JUSTICE AND IMMIGRATION ACT 2008**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### *Commentary on Sections*

#### *Schedule 9: Alternatives to prosecution for offenders under 18*

#### **New section 66F of the 1998 Act: Restriction on sentencing powers where youth conditional caution given**

357. New section 66F provides that, save in exceptional circumstances, a court may not, when sentencing an offender who has been given a youth conditional caution in the period of two years preceding the commission of the offence for which he is being sentenced, sentence that person to a conditional discharge. Where the court is satisfied that exceptional circumstances are present, the sentencer must state in open court why he or she is so satisfied.