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**Changes to legislation:** Criminal Justice and Immigration Act 2008, Part 4 is up to date with all changes known to be in force on or before 03 September 2018. 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)

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## SCHEDULES

### SCHEDULE 1

#### FURTHER PROVISIONS ABOUT YOUTH REHABILITATION ORDERS

#### PART 4

##### PROVISIONS APPLYING WHERE COURT MAKES YOUTH REHABILITATION ORDER ETC.

###### *Date for compliance with requirements to be specified in order*

- 32 (1) A youth rehabilitation order must specify a date [<sup>F1</sup>(“the end date”)], not more than 3 years after the date on which the order takes effect, by which all the requirements in it must have been complied with.
- [<sup>F2</sup>(2) If a youth rehabilitation order imposes two or more different requirements falling within Part 2 of this Schedule, the order may also specify a date by which each of those requirements must have been complied with; and the last of those dates must be the same as the end date.]
- (3) In the case of a youth rehabilitation order with intensive supervision and surveillance, the date specified for the purposes of sub-paragraph (1) must not be earlier than 6 months after the date on which the order takes effect.
- [<sup>F3</sup>(4) Subject to paragraph 10(7) (duration of youth rehabilitation order imposing unpaid work requirement), a youth rehabilitation order ceases to be in force on the end date.]

#### Annotations:

##### Amendments (Textual)

- F1** Words in Sch. 1 para. 32(1) inserted (3.12.2012) by  
[Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#)  
,  
**ss. 83(1)(a)**  
,  
[151\(1\)](#)  
,  
[S.I. 2012/2906](#)  
,  
[art. 2\(a\)](#)  
(with  
[art. 5\(2\)](#)  
)
- F2** Sch. 1 para. 32(2) substituted (3.12.2012) by  
[Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#)  
,

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**ss. 83(1)(b)**

,  
 151(1)  
 ;  
 S.I. 2012/2906

,  
 art. 2(a)  
 (with  
 art. 5(2)  
 )

**F3** Sch. 1 para. 32(4) inserted (3.12.2012) by  
 Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)

**ss. 83(1)(c)**

,  
 151(1)  
 ;  
 S.I. 2012/2906

,  
 art. 2(a)  
 (with  
 art. 5(2)  
 )

**Commencement Information**

**II** Sch. 1 para. 32 in force at 30.11.2009 by  
 S.I. 2009/3074

,  
**art. 2(m)**

*Local justice area to be specified in order*

33 A youth rehabilitation order must specify the local justice area in which the offender resides or will reside.

**Annotations:**

**Commencement Information**

**I2** Sch. 1 para. 33  
 in force at 30.11.2009 by  
 S.I. 2009/3074

,  
**art. 2(m)**

*Provision of copies of orders*

34 (1) The court by which any youth rehabilitation order is made must forthwith provide copies of the order—  
 (a) to the offender,  
 (b) if the offender is aged under 14, to the offender's parent or guardian, and

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- (c) to a member of a youth offending team assigned to the court, to an officer of a local probation board assigned to the court or to an officer of a provider of probation services.
- (2) Sub-paragraph (3) applies where a youth rehabilitation order—
- (a) is made by the Crown Court, or
- (b) is made by a magistrates' court which does not act in the local justice area specified in the order.
- (3) The court making the order must—
- (a) provide to the magistrates' court acting in the local justice area specified in the order—
- (i) a copy of the order, and
- (ii) such documents and information relating to the case as it considers likely to be of assistance to a court acting in that area in the exercise of its functions in relation to the order, and
- (b) provide a copy of the order to the local probation board acting for that area or (as the case may be) a provider of probation services operating in that area.
- (4) Where a youth rehabilitation order imposes any requirement specified in the first column of the following Table, the court by which the order is made must also forthwith provide the person specified in relation to that requirement in the second column of that Table with a copy of so much of the order as relates to that requirement.

<b><i>Requirement</i></b>	<b><i>Person to whom copy of requirement is to be given</i></b>
An activity requirement specifying a place under paragraph 6(1)(a).	The person in charge of that place.
An activity requirement specifying an activity under paragraph 6(1)(b).	The person in charge of that activity.
An activity requirement specifying a residential exercise under paragraph 6(1)(c).	The person in charge of the place or activity specified under paragraph 6(4) in relation to that residential exercise.
An attendance centre requirement.	The officer in charge of the attendance centre specified under paragraph 12(1).
An exclusion requirement imposed for the purpose (or partly for the purpose) of protecting a person from being approached by the offender.	The person intended to be protected.
A residence requirement requiring residence with an individual.	The individual specified under paragraph 16(1)(a).
A place of residence requirement (within the meaning of paragraph 16) relating to residence in an institution.	The person in charge of the institution.
A local authority residence requirement.	The local authority specified under paragraph 17(1).

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A mental health treatment requirement.	The person in charge of the institution or place specified under subparagraph (2)(a) or (b) of paragraph 20, or the person specified under subparagraph (2)(c) of that paragraph.
A drug treatment requirement.	The treatment provider specified under paragraph 22(1).
A drug testing requirement.	The treatment provider specified under paragraph 22(1).
An intoxicating substance treatment requirement	The person specified under paragraph 24(1).
An education requirement.	The [ <sup>F4</sup> local authority] specified under paragraph 25(2).
An electronic monitoring requirement.	Any person who by virtue of paragraph 26(4) will be responsible for the electronic monitoring. Any person without whose consent the requirement could not have been included in the order.

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**Annotations:**

**Amendments (Textual)**

- F4** Words in Sch. 1 para. 34(4) substituted (5.5.2010) by  
[The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#)  
 ›  
[art. 1](#)  
 ›  
[Sch. 2 para. 63\(2\)\(b\)](#)

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**Annotations:**

**Amendments (Textual)**

- F4** Words in Sch. 1 para. 34(4) substituted (5.5.2010) by  
[The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#)  
 ›  
[art. 1](#)  
 ›  
[Sch. 2 para. 63\(2\)\(b\)](#)

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**Commencement Information**

- I3** Sch. 1 para. 34 in force at 30.11.2009 by  
[S.I. 2009/3074](#)  
 ›  
[art. 2\(m\)](#)

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*Power to provide for court review of orders*

- 35 (1) The Secretary of State may by order—
- (a) enable or require a court making a youth rehabilitation order to provide for the order to be reviewed periodically by that or another court,
  - (b) enable a court to amend a youth rehabilitation order so as to include or remove a provision for review by a court, and
  - (c) make provision as to the timing and conduct of reviews and as to the powers of the court on a review.
- (2) An order under this paragraph may, in particular, make provision in relation to youth rehabilitation orders corresponding to any provision made by sections 191 and 192 of the Criminal Justice Act 2003 (c. 44) (reviews of suspended sentence orders) in relation to suspended sentence orders.
- (3) An order under this paragraph may repeal or amend any provision of—
- (a) this Part of this Act, or
  - (b) Chapter 1 of Part 12 of the Criminal Justice Act 2003 (general provisions about sentencing).

**Annotations:**

**Commencement Information**

- I4** [Sch. 1 para. 35](#)  
in force at 1.4.2009 by  
[S.I. 2009/860](#)  
,  
[art. 2\(1\)\(g\)](#)

*Order made by Crown Court: direction in relation to further proceedings*

- 36 (1) Where the Crown Court makes a youth rehabilitation order, it may include in the order a direction that further proceedings relating to the order be in a youth court or other magistrates' court (subject to paragraph 7 of Schedule 2).
- (2) In sub-paragraph (1), “further proceedings”, in relation to a youth rehabilitation order, means proceedings—
- (a) for any failure to comply with the order within the meaning given by paragraph 1(2)(b) of Schedule 2, or
  - (b) on any application for amendment or revocation of the order under Part 3 or 4 of that Schedule.

**Annotations:**

**Commencement Information**

- I5** [Sch. 1 para. 36](#)  
in force at 30.11.2009 by  
[S.I. 2009/3074](#)  
,  
[art. 2\(m\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 5A and cross-heading inserted by  
[2008 c. 25](#)  
[Sch. 1](#)  
[para. 90\(3\)](#)