

Changes to legislation: Criminal Justice and Immigration Act 2008, Cross Heading: Power of magistrates' court to refer offender to Crown Court is up to date with all changes known to be in force on or before 21 February 2019. 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 2

BREACH, REVOCATION OR AMENDMENT OF YOUTH REHABILITATION ORDERS

Annotations:

Modifications etc. (not altering text)

- C1** Sch. 2 modified by Criminal Procedure (Scotland) Act 1995 (c. 46), s. 234(6A) (as inserted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 4 para. 44\(6\)](#) (with [Sch. 27 paras. 1, 5](#)); [S.I. 2009/3074, art. 2\(p\)\(v\)](#))

PART 2

BREACH OF REQUIREMENT OF ORDER

Power of magistrates' court to refer offender to Crown Court

- 7 (1) Sub-paragraph (2) applies if—
- the youth rehabilitation order was made by the Crown Court and contains a direction under paragraph 36 of Schedule 1, and
 - a youth court or other magistrates' court would (apart from that sub-paragraph) be required, or has the power, to deal with the offender in one of the ways mentioned in paragraph 6(2).
- (2) The court may instead—
- commit the offender in custody, or
 - release the offender on bail,
- until the offender can be brought or appear before the Crown Court.
- (3) Where a court deals with the offender's case under sub-paragraph (2) it must send to the Crown Court—
- a certificate signed by a justice of the peace certifying that the offender has failed to comply with the youth rehabilitation order in the respect specified in the certificate, and
 - such other particulars of the case as may be desirable;
- and a certificate purporting to be so signed is admissible as evidence of the failure before the Crown Court.

Annotations:

Commencement Information

- II** Sch. 2 para. 7 in force at 30.11.2009 by [S.I. 2009/3074, art. 2\(n\)](#)

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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\(3\)](#)