
Changes to legislation: Criminal Justice and Immigration Act 2008, Section 17 is up to date with all changes known to be in force on or before 29 March 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 4

YOUTH REHABILITATION ORDERS: CONSEQUENTIAL AND RELATED AMENDMENTS

PART 1

CONSEQUENTIAL AMENDMENTS

Children and Young Persons Act 1969 (c. 54)

- 17 (1) Section 32 (detention of absentees) is amended as follows.
- (2) In subsection (1A)—
- (a) in paragraph (a), for “paragraph 7(4) of Schedule 7 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ paragraph 21(2) of Schedule 2 to the Criminal Justice and Immigration Act 2008 ”, and
 - (b) for paragraph (b) substitute—
 - “(b) from local authority accommodation—
 - (i) in which he is required to live by virtue of a youth rehabilitation order imposing a local authority residence requirement (within the meaning of Part 1 of the Criminal Justice and Immigration Act 2008);
 - or
 - (ii) to which he has been remanded under paragraph 21 of Schedule 2 to that Act; or
 - (iii) to which he has been remanded or committed under section 23(1) of this Act.”.
- (3) For subsection (1C) substitute—
- “(1C) In this section “the responsible person” means, as the case may be—
- (a) the person who made the arrangements under paragraph 21(2) of Schedule 2 to the Criminal Justice and Immigration Act 2008;
 - (b) the authority specified under paragraph 17(5) of Schedule 1 to that Act;
 - (c) the authority designated under paragraph 21(10) of Schedule 2 to that Act; or
 - (d) the authority designated under section 23 of this Act.”
- (4) After subsection (1C) insert—
- “(1D) If a child or young person—
- (a) is required to reside with a local authority foster parent by virtue of a youth rehabilitation order with fostering, and

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- (b) is absent, without the consent of the responsible officer (within the meaning of Part 1 of the Criminal Justice and Immigration Act 2008), from the place in which he is required to reside,
 he may be arrested by a constable anywhere in the United Kingdom without a warrant.
- (1E) A person so arrested shall be conducted to—
- (a) the place where he is required to reside, or
 - (b) such other place as the local authority specified under paragraph 18(3) of Schedule 1 to the Criminal Justice and Immigration Act 2008 may direct,
 at that local authority's expense.”
- (5) In subsection (2), for “or (1A)” substitute “, (1A) or (1D) ”.
- (6) In subsection (2A), for the words from “mentioned in subsection” to “this section is in premises” substitute “ mentioned in subsection (1), (1A)(a) or (b)(i) or (ii) or (1D) of this section is in premises ”.
- (7) In subsection (2B)—
- (a) after “subsection (1A)” insert “ or (1D) ”, and
 - (b) at the end insert “ or the responsible officer, as the case may be. ”
- (8) In subsection (3), for “or (1A)” substitute “, (1A) or (1D) ”.
- (9) In subsection (4), after “(1A)” insert “, (1D) ”.

Annotations:

Commencement Information

II Sch. 4 para. 17 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(iii)

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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\(3\)](#)