

## SCHEDULES

### SCHEDULE 4

#### YOUTH REHABILITATION ORDERS: CONSEQUENTIAL AND RELATED AMENDMENTS

##### PART 1

##### CONSEQUENTIAL AMENDMENTS

###### *Criminal Justice Act 1991 (c. 53)*

- 41 (1) Paragraph 11 is amended as follows.
- (2) In sub-paragraph (2)—
- (a) for “a probation order” substitute “an adult probation order”,
  - (b) in paragraph (a), omit “under section 177 of the Criminal Justice Act 2003”,  
and
  - (c) in paragraph (b), for “of that Act” substitute “of the Criminal Justice Act 2003”.
- (3) After that sub-paragraph insert—
- “(2A) Where a youth probation order is made or amended in any of the circumstances specified in paragraph 10 above then, subject to the following provisions of this paragraph—
- (a) the order shall be treated as if it were a youth rehabilitation order made in England and Wales, and
  - (b) the provisions of Part 1 of the Criminal Justice and Immigration Act 2008 shall apply accordingly.”
- (4) In sub-paragraph (3)—
- (a) for paragraph (a) substitute—  
“(a) the requirements of the legislation relating to community orders or, as the case may be, youth rehabilitation orders;”;
  - (b) in paragraph (b), for “Schedule 8 to that Act” substitute “that legislation”.
- (5) In sub-paragraph (4)—
- (a) after “a community order” insert “or, as the case may be, a youth rehabilitation order”,
  - (b) omit “under section 177 of the Criminal Justice Act 2003”, and
  - (c) for “to that Act” substitute “to the Criminal Justice Act 2003 or by paragraph 6(2)(c) or 11(2) of Schedule 2 to the Criminal Justice and Immigration Act 2008”.
- (6) In sub-paragraph (5)—

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*Status: This is the original version (as it was originally enacted).*

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- (a) after “2003” insert “or, as the case may be, Part 1 of the Criminal Justice and Immigration Act 2008”,
  - (b) for “(2) above” substitute “(2) or (2A) (as the case may be)”, and
  - (c) in paragraph (b) for the words from “of the” to “board” substitute “of—
    - (i) the offender, or
    - (ii) the officer of a local probation board, officer of a provider of probation services or member of a youth offending team (as the case may be),”.
- (7) In sub-paragraph (8)—
- (a) after “In this paragraph” insert—
    - ““adult probation order” means a probation order made in respect of an offender who was aged at least 18 when convicted of the offence in respect of which the order is made;
    - “community order” means an order made under section 177 of the Criminal Justice Act 2003;”;
  - (b) at the end insert—
    - ““youth probation order” means a probation order made in respect of an offender who was aged under 18 when convicted of the offence in respect of which the order is made;
    - “youth rehabilitation order” means an order made under section 1 of the Criminal Justice and Immigration Act 2008.”