

Changes to legislation: Criminal Justice and Immigration Act 2008, Cross Heading: Children Act 1989 (c. 41) is up to date with all changes known to be in force on or before 19 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 Act 1989 (c. 41)

33 The Children Act 1989 has effect subject to the following amendments.

Annotations:

Commencement Information

II Sch. 4 para. 33 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(v)

34 (1) Section 21 (provision of accommodation for children in police protection or detention or on remand, etc.) is amended as follows.

(2) In subsection (2)(c)—

(a) in sub-paragraph (i), omit “paragraph 7(5) of Schedule 7 to the Powers of Criminal Courts (Sentencing) Act 2000 or” and “or” at the end of that sub-paragraph, and

(b) for sub-paragraph (ii), substitute—

“(ii) remanded to accommodation provided by or on behalf of a local authority by virtue of paragraph 21 of Schedule 2 to the Criminal Justice and Immigration Act 2008 (breach etc. of youth rehabilitation orders); or

(iii) the subject of a youth rehabilitation order imposing a local authority residence requirement or a youth rehabilitation order with fostering.”

(3) After subsection (2) insert—

“(2A) In subsection (2)(c)(iii), the following terms have the same meanings as in Part 1 of the Criminal Justice and Immigration Act 2008 (see section 7 of that Act)—

“local authority residence requirement”;

“youth rehabilitation order”;

“youth rehabilitation order with fostering”.”

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Annotations:

Commencement Information

I2 Sch. 4 para. 34 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(v)

- 35 In section 31(7)(b) (care and supervision orders), for sub-paragraph (ii) substitute—
 “(ii) a youth rehabilitation order within the meaning of Part 1 of the Criminal Justice and Immigration Act 2008; or”.

Annotations:

Commencement Information

I3 Sch. 4 para. 35 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(v)

- 36 In section 105(6) (interpretation)—
 (a) in paragraph (b), omit from the words “or an” to the end of the paragraph, and
 (b) after that paragraph insert—
 “(ba) in accordance with the requirements of a youth rehabilitation order under Part 1 of the Criminal Justice and Immigration Act 2008; or”.

Annotations:

Commencement Information

I4 Sch. 4 para. 36 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(v)

- 37 (1) Part 3 of Schedule 3 (education supervision orders) is amended as follows.
 (2) In paragraph 13(2), for paragraph (c) substitute—
 “(c) a youth rehabilitation order made under Part 1 of the Criminal Justice and Immigration Act 2008 with respect to the child, while the education supervision order is in force, may not include an education requirement (within the meaning of that Part);”.
- (3) In paragraph 14—
 (a) in sub-paragraph (1), for “order under section 63(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ youth rehabilitation order (within the meaning of Part 1 of the Criminal Justice and Immigration Act 2008) ”, and
 (b) in sub-paragraph (2), after “direction” (in the second place it occurs) insert “ or instruction ”.

Annotations:

Commencement Information

I5 Sch. 4 para. 37 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(v)

- 38 In paragraph 3 of Schedule 8 (privately fostered children) for paragraph (a) substitute—

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“(a) a youth rehabilitation order made under section 1 of the Criminal Justice and Immigration Act 2008;”.

Annotations:

Commencement Information

I6 Sch. 4 para. 38 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(v)

Changes to legislation:

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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\(3\)](#)