



Children and Young Persons Act 1969

1969 CHAPTER 54

PART I

CARE AND OTHER TREATMENT OF JUVENILES THROUGH COURT PROCEEDINGS

Committal to care of local authorities

[^{F1}23B Report by local authority in certain cases where person remanded on bail

- (1) Subsection (2) below applies where a court remands a person aged 10 or 11 on bail and either—
 - (a) the person is charged with or has been convicted of a serious offence, or
 - (b) in the opinion of the court the person is a persistent offender.
- (2) The court may order a local authority to make an oral or written report specifying where the person is likely to be placed or maintained if he is further remanded to local authority accommodation [^{F2}under section 91(3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.]
- (3) An order under subsection (2) above must designate the local authority which is to make the report; and that authority must be the local authority which the court would have designated under [^{F3}section 92(2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012] if the person had been remanded to local authority accommodation.
- (4) An order under subsection (2) above must specify the period within which the local authority must comply with the order.
- (5) The maximum period that may be so specified is seven working days.
- (6) If the Secretary of State by order so provides, subsection (2) above also applies where—
 - (a) a court remands on bail any person who has attained the age of 12 and is under the age of [^{F4}18],

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 23B. (See end of Document for details)

- [^{F5}(b) the requirements in section 94(3) and (4) or 95(3) and (4) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 would have been fulfilled if the person had not been remanded on bail, and]
- (c) in a case where he is remanded after conviction, the court is satisfied that the behaviour which constituted the offence was due, to a significant extent, to the circumstances in which the offender was living.

(7) In this section—

“serious offence” means [^{F6}(subject to subsection (8))] an offence punishable in the case of an adult with imprisonment for a term of two years or more.

“working day” means any day other than—

- (a) a Saturday or a Sunday,
- (b) Christmas day or Good Friday, or
- (c) a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971.]

[^{F7}(8) For the purposes of the application of this section to a person remanded on bail in connection with proceedings under the Extradition Act 2003—

- (a) an offence is a “serious offence” if the conduct constituting the offence would, if committed in England and Wales, constitute an offence punishable in the case of an adult with imprisonment for a term of two years or more, and
- (b) the reference in subsection (1)(a) to a person being charged with a serious offence includes a reference to the person having been accused of such an offence.]

Textual Amendments

- F1** S. 23B inserted (31.7.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), **ss. 90, 93**; S.I. 2004/1502, art. 3
- F2** Words in s. 23B(2) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(2)**; S.I. 2012/2906, art. 2(j)
- F3** Words in s. 23B(3) substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(3)**; S.I. 2012/2906, art. 2(j)
- F4** Word in s. 23B(6)(a) substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(4)(a)**; S.I. 2012/2906, art. 2(j)
- F5** S. 23B(6)(b) substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(4)(b)**; S.I. 2012/2906, art. 2(j)
- F6** Words in s. 23B(7) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(5)**; S.I. 2012/2906, art. 2(j)
- F7** S. 23B(8) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(6)**; S.I. 2012/2906, art. 2(j)

Changes to legislation:

There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 23B.