



# Powers of Criminal Courts Act 1973 (repealed)

## 1973 CHAPTER 62

### PART I

#### POWERS OF COURTS TO DEAL WITH OFFENDERS

##### *[<sup>F1</sup>Probation and discharge]*

#### **12 Supplementary provision as to probation and discharge.**

- (1) Any court may, on making a probation order or an order for conditional discharge under this Part of this Act, if it thinks it expedient for the purpose of the reformation of the offender, allow any person who consents to do so to give security for the good behaviour of the offender.
- (2) For the purposes of this Act, except section 2(7) and paragraph 1 of Schedule 1, where a probation order or an order for conditional discharge has been made on appeal, the order shall be deemed to have been made by the court from which the appeal was brought.
- (3) In proceedings before the Crown Court under the preceding provisions of this Act, any question whether a probationer has failed to comply with the requirements of the probation order, and any question whether any person in whose case a probation order or an order for conditional discharge has been made has been convicted of an offence committed during the probation period or, as the case may be, the period of conditional discharge, shall be determined by the court and not by the verdict of a jury.
- (4) Nothing in section 2 or 7 of this Act shall be construed as taking away any power of the court, on making a probation order in respect of an offender or discharging an offender absolutely or conditionally, to order him to pay costs or compensation [<sup>F1</sup>or to make an order under section 43 below].

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**Status:** Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:** There are currently no known outstanding effects for the Powers of Criminal Courts Act 1973 (repealed), Section 12. (See end of Document for details)

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#### Textual Amendments

**F1** Words added by [Criminal Justice Act 1988 \(c. 33, SIF 39: 1\)](#), s. 69(2), **Sch. 8 para. 16**

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**Changes to legislation:**

There are currently no known outstanding effects for the Powers of Criminal Courts Act 1973 (repealed), Section 12.