

SCHEDULES

SCHEDULE 11

MINOR AND CONSEQUENTIAL AMENDMENTS

Children and Young Persons Act 1969 (c. 54)

- 6 (1) In subsection (1) of section 12D of the 1969 Act (duty of court to state in certain cases that requirement is in place of custodial sentence), in paragraph (ii), for sub-paragraphs (a) to (c) there shall be substituted the following sub-paragraphs—
- “(a) the offence of which he has been convicted, or the combination of that offence and one other offence associated with it, was so serious that only a supervision order containing such a requirement or a custodial sentence can be justified for that offence; or
 - (b) that offence was a violent or sexual offence and only a supervision order containing such a requirement or such a sentence would be adequate to protect the public from serious harm from him;”.
- (2) After that subsection there shall be inserted the following subsection—
- “(1A) Sub-paragraphs (a) and (b) of subsection (1)(ii) above shall be construed as if they were contained in Part I of the Criminal Justice Act 1991.”
- 7 (1) In subsection (4) of section 16 of that Act (provisions supplementary to section 15), for the words “a court” there shall be substituted the words “a youth court”.
- (2) In subsection (6)(b) of that section, for the words “subsection (5)” there shall be substituted the words “subsection (10)”.
- (3) In subsection (10) of that section, for the words “paragraph (b) of subsection (2A) and paragraph (a) of subsection (4)” there shall be substituted the words “paragraph (a) of subsection (3)”.
- 8 (1) In subsection (1) of section 16A of that Act (application of sections 17 to 19 of the 1982 Act), for the words “section 15(2A)(b) and (4)(a)” there shall be substituted the words “section 15(3)(a)”.
- (2) In subsection (2) of that section, for the words “each of those paragraphs” there shall be substituted the words “section 15(3)(a) of this Act”.