



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART III

MANDATORY AND DISCRETIONARY REFERRAL OF YOUNG OFFENDERS

Youth offender panels

21 Establishment of panels

- (1) Where a referral order has been made in respect of an offender (or two or more associated referral orders have been so made), it is the duty of the youth offending team specified in the order (or orders)—
 - (a) to establish a youth offender panel for the offender;
 - (b) to arrange for the first meeting of the panel to be held for the purposes of section 23 below; and
 - (c) subsequently to arrange for the holding of any further meetings of the panel required by virtue of section 25 below (in addition to those required by virtue of any other provision of this Part).
- (2) A youth offender panel shall—
 - (a) be constituted,
 - (b) conduct its proceedings, and
 - (c) discharge its functions under this Part (and in particular those arising under section 23 below),in accordance with guidance given from time to time by the Secretary of State.
- (3) At each of its meetings a panel shall, however, consist of at least—
 - (a) one member appointed by the youth offending team from among its members; and
 - (b) two members so appointed who are not members of the team.

Status: This is the original version (as it was originally enacted).

- (4) The Secretary of State may by regulations make provision requiring persons appointed as members of a youth offender panel to have such qualifications, or satisfy such other criteria, as are specified in the regulations.
- (5) Where it appears to the court which made a referral order that, by reason of either a change or a prospective change in the offender's place or intended place of residence, the youth offending team for the time being specified in the order ("the current team") either does not or will not have the function of implementing referral orders in the area in which the offender resides or will reside, the court may amend the order so that it instead specifies the team which has the function of implementing such orders in that area ("the new team").
- (6) Where a court so amends a referral order—
 - (a) subsection (1)(a) above shall apply to the new team in any event;
 - (b) subsection (1)(b) above shall apply to the new team if no youth offender contract has (or has under paragraph (c) below been treated as having) taken effect under section 23 below between the offender and a youth offender panel established by the current team;
 - (c) if such a contract has (or has previously under this paragraph been treated as having) so taken effect, it shall (after the amendment) be treated as if it were a contract which had taken effect under section 23 below between the offender and the panel being established for the offender by the new team.
- (7) References in this Part to the meetings of a youth offender panel (or any such meeting) are to the following meetings of the panel (or any of them)—
 - (a) the first meeting held in pursuance of subsection (1)(b) above;
 - (b) any further meetings held in pursuance of section 25 below;
 - (c) any progress meeting held under section 26 below; and
 - (d) the final meeting held under section 27 below.

22 Attendance at panel meetings

- (1) The specified team shall, in the case of each meeting of the panel established for the offender, notify—
 - (a) the offender, and
 - (b) any person to whom an order under section 20 above applies, of the time and place at which he is required to attend that meeting.
- (2) If the offender fails to attend any part of such a meeting the panel may—
 - (a) adjourn the meeting to such time and place as it may specify; or
 - (b) end the meeting and refer the offender back to the appropriate court; and subsection (1) above shall apply in relation to any such adjourned meeting.
- (3) One person aged 18 or over chosen by the offender, with the agreement of the panel, shall be entitled to accompany the offender to any meeting of the panel (and it need not be the same person who accompanies him to every meeting).
- (4) The panel may allow to attend any such meeting—
 - (a) any person who appears to the panel to be a victim of, or otherwise affected by, the offence, or any of the offences, in respect of which the offender was referred to the panel;

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- (b) any person who appears to the panel to be someone capable of having a good influence on the offender.
- (5) Where the panel allows any such person as is mentioned in subsection (4)(a) above (“the victim”) to attend a meeting of the panel, the panel may allow the victim to be accompanied to the meeting by one person chosen by the victim with the agreement of the panel.