



# Powers of Criminal Courts (Sentencing) Act 2000

## 2000 CHAPTER 6

### PART III

#### MANDATORY AND DISCRETIONARY REFERRAL OF YOUNG OFFENDERS

##### *Youth offender contracts*

#### **26 Progress meetings**

- (1) At any time—
  - (a) after a youth offender contract has taken effect under section 23 above, but
  - (b) before the end of the period for which the contract has effect,the specified team shall, if so requested by the panel, arrange for the holding of a meeting of the panel under this section (“a progress meeting”).
- (2) The panel may make a request under subsection (1) above if it appears to the panel to be expedient to review—
  - (a) the offender’s progress in implementing the programme of behaviour contained in the contract; or
  - (b) any other matter arising in connection with the contract.
- (3) The panel shall make such a request if—
  - (a) the offender has notified the panel that—
    - (i) he wishes to seek the panel’s agreement to a variation in the terms of the contract; or
    - (ii) he wishes the panel to refer him back to the appropriate court with a view to the referral order (or orders) being revoked on account of a significant change in his circumstances (such as his being taken to live abroad) making compliance with any youth offender contract impractical; or

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*Status: This is the original version (as it was originally enacted).*

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- (b) it appears to the panel that the offender is in breach of any of the terms of the contract.
- (4) At a progress meeting the panel shall do such one or more of the following things as it considers appropriate in the circumstances, namely—
- (a) review the offender’s progress or any such other matter as is mentioned in subsection (2) above;
  - (b) discuss with the offender any breach of the terms of the contract which it appears to the panel that he has committed;
  - (c) consider any variation in the terms of the contract sought by the offender or which it appears to the panel to be expedient to make in the light of any such review or discussion;
  - (d) consider whether to accede to any request by the offender that he be referred back to the appropriate court.
- (5) Where the panel has discussed with the offender such a breach as is mentioned in subsection (4)(b) above—
- (a) the panel and the offender may agree that the offender is to continue to be required to comply with the contract (either in its original form or with any agreed variation in its terms) without being referred back to the appropriate court; or
  - (b) the panel may decide to end the meeting and refer the offender back to that court.
- (6) Where a variation in the terms of the contract is agreed between the offender and the panel, the panel shall cause a written record of the variation to be produced forthwith—
- (a) in language capable of being readily understood by, or explained to, the offender; and
  - (b) for signature by him.
- (7) Any such variation shall take effect once the record has been signed—
- (a) by the offender; and
  - (b) by a member of the panel on behalf of the panel;
- and the panel shall cause a copy of the record to be given or sent to the offender.
- (8) If at a progress meeting—
- (a) any such variation is agreed but the offender does not sign the record produced in pursuance of subsection (6) above, and
  - (b) his failure to do so appears to the panel to be unreasonable,
- the panel may end the meeting and refer the offender back to the appropriate court.
- (9) Section 23(2) to (4) above shall apply in connection with what may be provided for by the terms of the contract as varied under this section as they apply in connection with what may be provided for by the terms of a programme of behaviour of the kind mentioned in section 23(1).
- (10) Where the panel has discussed with the offender such a request as is mentioned in subsection (4)(d) above, the panel may, if it is satisfied that there is (or is soon to be) such a change in circumstances as is mentioned in subsection (3)(a)(ii) above, decide to end the meeting and refer the offender back to the appropriate court.