Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

SCHEDULES

SCHEDULE 1

Section 1

FURTHER PROVISIONS ABOUT YOUTH REHABILITATION ORDERS

PART 1

PROVISIONS TO BE INCLUDED IN YOUTH REHABILITATION ORDERS

Imposition of requirements

1 Subsection (1) of section 1 has effect subject to the following provisions of Part 2 of this Schedule which relate to particular requirements—

(a) paragraph 8(3) and (4) (activity requirement),
(b) paragraph 10(3) (unpaid work requirement),
(c) paragraph 11(3) and (4) (programme requirement),
(d) paragraph 12(3) (attendance centre requirement),
(e) paragraph 13(2) (prohibited activity requirement),
(f) paragraph 16(2), (4) and (7) (residence requirement),
(g) paragraphs 17(3) and (4) and 19 (local authority residence requirement),
(h) paragraph 20(3) (mental health treatment requirement),
(i) paragraph 22(2) and (4) (drug treatment requirement),
(j) paragraph 23(3) (drug testing requirement),
(k) paragraph 24(2) and (4) (intoxicating substance treatment requirement), and
(l) paragraph 25(4) (education requirement).

Commencement Information
I1 Sch. 1 para. 1 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Electronic monitoring requirement

2 (1) Sub-paragraph (2) applies to a youth rehabilitation order which—

(a) imposes a curfew requirement (whether by virtue of paragraph 3(4)(b) or otherwise), or
(b) imposes an exclusion requirement.

(2) The order must also impose an electronic monitoring requirement unless—

(a) in the particular circumstances of the case, the court considers it inappropriate for the order to do so, or
(b) the court is prevented by paragraph 26(3) or (6) from including such a requirement in the order.

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(3) Subsection (2)(a) of section 1 has effect subject to paragraph 26(3) and (6).

Commencement Information

I2 Sch. 1 para. 2 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Youth rehabilitation order with intensive supervision and surveillance

3 (1) This paragraph applies where paragraphs (a) to (c) of section 1(4) are satisfied.

(2) The court, if it makes a youth rehabilitation order which imposes an activity requirement, may specify in relation to that requirement a number of days which is more than 90 but not more than 180.

(3) Such an activity requirement is referred to in this Part of this Act as "an extended activity requirement".

(4) A youth rehabilitation order which imposes an extended activity requirement must also impose—

(a) a supervision requirement, and

(b) a curfew requirement (and, accordingly, if so required by paragraph 2, an electronic monitoring requirement).

(5) A youth rehabilitation order which imposes an extended activity requirement (and other requirements in accordance with sub-paragraph (4)) is referred to in this Part of this Act as "a youth rehabilitation order with intensive supervision and surveillance" (whether or not it also imposes any other requirement mentioned in section 1(1)).

Commencement Information

I3 Sch. 1 para. 3 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Youth rehabilitation order with fostering

4 (1) This paragraph applies where paragraphs (a) to (c) of section 1(4) are satisfied.

(2) If the court is satisfied—

(a) that the behaviour which constituted the offence was due to a significant extent to the circumstances in which the offender was living, and

(b) that the imposition of a fostering requirement (see paragraph 18) would assist in the offender's rehabilitation,

it may make a youth rehabilitation order in accordance with section 1 which imposes a fostering requirement.

(3) But a court may not impose a fostering requirement unless—

(a) it has consulted the offender's parents or guardians (unless it is impracticable to do so), and

(b) it has consulted the local authority which is to place the offender with a local authority foster parent.

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(4) A youth rehabilitation order which imposes a fostering requirement must also impose a supervision requirement.

(5) This paragraph has effect subject to paragraphs 18(7) and 19 (pre-conditions to imposing fostering requirement).

(6) A youth rehabilitation order which imposes a fostering requirement is referred to in this Part of this Act as "a youth rehabilitation order with fostering" (whatever other requirements mentioned in section 1(1) or (2) it imposes).

Commencement Information
I4 Sch. 1 para. 4 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Intensive supervision and surveillance and fostering: further provisions

5 (1) A youth rehabilitation order with intensive supervision and surveillance may not impose a fostering requirement.

(2) Nothing in—

(a) section 1(4)(b), or

(b) section 148(1) or (2)(b) of the Criminal Justice Act 2003 (c. 44) (restrictions on imposing community sentences),

prevents a court from making a youth rehabilitation order with intensive supervision and surveillance in respect of an offender if the offender fails to comply with an order under section 161(2) of the Criminal Justice Act 2003 (pre-sentence drug testing).

Commencement Information
I5 Sch. 1 para. 5 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

PART 2

REQUIREMENTS

Activity requirement

6 (1) In this Part of this Act "activity requirement", in relation to a youth rehabilitation order, means a requirement that the offender must do any or all of the following—

(a) participate, on such number of days as may be specified in the order, in activities at a place, or places, so specified;

(b) participate in an activity, or activities, specified in the order on such number of days as may be so specified;

(c) participate in one or more residential exercises for a continuous period or periods comprising such number or numbers of days as may be specified in the order;

(d) in accordance with paragraph 7, engage in activities in accordance with instructions of the responsible officer on such number of days as may be specified in the order.

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(2) Subject to paragraph 3(2), the number of days specified in the order under sub-paragraph (1) must not, in aggregate, be more than 90.

(3) A requirement such as is mentioned in sub-paragraph (1)(a) or (b) operates to require the offender, in accordance with instructions given by the responsible officer, on the number of days specified in the order in relation to the requirement—

(a) in the case of a requirement such as is mentioned in sub-paragraph (1)(a), to present himself or herself at a place specified in the order to a person of a description so specified, or

(b) in the case of a requirement such as is mentioned in sub-paragraph (1)(b), to participate in an activity specified in the order,

and, on each such day, to comply with instructions given by, or under the authority of, the person in charge of the place or the activity (as the case may be).

(4) Where the order requires the offender to participate in a residential exercise, it must specify, in relation to the exercise—

(a) a place, or

(b) an activity.

(5) A requirement to participate in a residential exercise operates to require the offender, in accordance with instructions given by the responsible officer—

(a) if a place is specified under sub-paragraph (4)(a)—

(i) to present himself or herself at the beginning of the period specified in the order in relation to the exercise, at the place so specified to a person of a description specified in the instructions, and

(ii) to reside there for that period,

(b) if an activity is specified under sub-paragraph (4)(b), to participate, for the period specified in the order in relation to the exercise, in the activity so specified,

and, during that period, to comply with instructions given by, or under the authority of, the person in charge of the place or the activity (as the case may be).

Commencement Information

I6 Sch. 1 para. 6 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Activity requirement: instructions of responsible officer under paragraph 6(1)(d)

7 (1) Subject to sub-paragraph (3), instructions under paragraph 6(1)(d) relating to any day must require the offender to do either of the following—

(a) present himself or herself to a person or persons of a description specified in the instructions at a place so specified;

(b) participate in an activity specified in the instructions.

(2) Any such instructions operate to require the offender, on that day or while participating in that activity, to comply with instructions given by, or under the authority of, the person in charge of the place or, as the case may be, the activity.

(3) If the order so provides, instructions under paragraph 6(1)(d) may require the offender to participate in a residential exercise for a period comprising not more than 7 days, and, for that purpose—

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(a) to present himself or herself at the beginning of that period to a person of a description specified in the instructions at a place so specified and to reside there for that period, or

(b) to participate for that period in an activity specified in the instructions.

(4) Instructions such as are mentioned in sub-paragraph (3)—

(a) may not be given except with the consent of a parent or guardian of the offender, and

(b) operate to require the offender, during the period specified under that sub-paragraph, to comply with instructions given by, or under the authority of, the person in charge of the place or activity specified under sub-paragraph (3)(a) or (b) (as the case may be).

Commencement Information

I7 Sch. 1 para. 7 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Activity requirement: further provisions

8 (1) Instructions given by, or under the authority of, a person in charge of any place under any of the following provisions—

(a) paragraph 6(3),

(b) paragraph 6(5),

(c) paragraph 7(2), or

(d) paragraph 7(4)(b),

may require the offender to engage in activities otherwise than at that place.

(2) An activity specified—

(a) in an order under paragraph 6(1)(b), or

(b) in instructions given under paragraph 6(1)(d),

may consist of or include an activity whose purpose is that of reparation, such as an activity involving contact between an offender and persons affected by the offences in respect of which the order was made.

(3) A court may not include an activity requirement in a youth rehabilitation order unless—

(a) it has consulted a member of a youth offending team, an officer of a local probation board or an officer of a provider of probation services,

(b) it is satisfied that it is feasible to secure compliance with the requirement, and

(c) it is satisfied that provision for the offender to participate in the activities proposed to be specified in the order can be made under the arrangements for persons to participate in such activities which exist in the local justice area in which the offender resides or is to reside.

(4) A court may not include an activity requirement in a youth rehabilitation order if compliance with that requirement would involve the co-operation of a person other than the offender and the responsible officer, unless that other person consents to its inclusion.

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Commencement Information
I8 Sch. 1 para. 8 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Supervision requirement

9 In this Part of this Act "supervision requirement", in relation to a youth rehabilitation order, means a requirement that, during the period for which the order remains in force, the offender must attend appointments with the responsible officer or another person determined by the responsible officer, at such times and places as may be determined by the responsible officer.

Commencement Information
I9 Sch. 1 para. 9 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Unpaid work requirement

10 (1) In this Part of this Act "unpaid work requirement", in relation to a youth rehabilitation order, means a requirement that the offender must perform unpaid work in accordance with this paragraph.

(2) The number of hours which a person may be required to work under an unpaid work requirement must be specified in the youth rehabilitation order and must be, in aggregate—
(a) not less than 40, and
(b) not more than 240.

(3) A court may not impose an unpaid work requirement in respect of an offender unless—
(a) after hearing (if the court thinks necessary) an appropriate officer, the court is satisfied that the offender is a suitable person to perform work under such a requirement, and
(b) the court is satisfied that provision for the offender to work under such a requirement can be made under the arrangements for persons to perform work under such a requirement which exist in the local justice area in which the offender resides or is to reside.

(4) In sub-paragraph (3)(a) "an appropriate officer" means a member of a youth offending team, an officer of a local probation board or an officer of a provider of probation services.

(5) An offender in respect of whom an unpaid work requirement of a youth rehabilitation order is in force must perform for the number of hours specified in the order such work at such times as the responsible officer may specify in instructions.

(6) Subject to paragraph 17 of Schedule 2, the work required to be performed under an unpaid work requirement of a youth rehabilitation order must be performed during the period of 12 months beginning with the day on which the order takes effect.

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(7) Unless revoked, a youth rehabilitation order imposing an unpaid work requirement remains in force until the offender has worked under it for the number of hours specified in it.

Commencement Information
I10 Sch. 1 para. 10 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Programme requirement

11 (1) In this Part of this Act "programme requirement", in relation to a youth rehabilitation order, means a requirement that the offender must participate in a systematic set of activities ("a programme") specified in the order at a place or places so specified on such number of days as may be so specified.

(2) A programme requirement may require the offender to reside at any place specified in the order under sub-paragraph (1) for any period so specified if it is necessary for the offender to reside there for that period in order to participate in the programme.

(3) A court may not include a programme requirement in a youth rehabilitation order unless—

(a) the programme which the court proposes to specify in the order has been recommended to the court by—

(i) a member of a youth offending team,

(ii) an officer of a local probation board, or

(iii) an officer of a provider of probation services,

as being suitable for the offender, and

(b) the court is satisfied that the programme is available at the place or places proposed to be specified.

(4) A court may not include a programme requirement in a youth rehabilitation order if compliance with that requirement would involve the co-operation of a person other than the offender and the offender's responsible officer, unless that other person consents to its inclusion.

(5) A requirement to participate in a programme operates to require the offender—

(a) in accordance with instructions given by the responsible officer to participate in the programme at the place or places specified in the order on the number of days so specified, and

(b) while at any of those places, to comply with instructions given by, or under the authority of, the person in charge of the programme.

Commencement Information
I11 Sch. 1 para. 11 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Attendance centre requirement

12 (1) In this Part of this Act "attendance centre requirement", in relation to a youth rehabilitation order, means a requirement that the offender must attend at an

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attendance centre specified in the order for such number of hours as may be so specified.

(2) The aggregate number of hours for which the offender may be required to attend at an attendance centre—

(a) if the offender is aged 16 or over at the time of conviction, must be—

(i) not less than 12, and

(ii) not more than 36;

(b) if the offender is aged 14 or over but under 16 at the time of conviction, must be—

(i) not less than 12, and

(ii) not more than 24;

(c) if the offender is aged under 14 at the time of conviction, must not be more than 12.

(3) A court may not include an attendance centre requirement in a youth rehabilitation order unless it—

(a) has been notified by the Secretary of State that—

(i) an attendance centre is available for persons of the offender's description, and

(ii) provision can be made at the centre for the offender, and

(b) is satisfied that the attendance centre proposed to be specified is reasonably accessible to the offender, having regard to the means of access available to the offender and any other circumstances.

(4) The first time at which the offender is required to attend at the attendance centre is a time notified to the offender by the responsible officer.

(5) The subsequent hours are to be fixed by the officer in charge of the centre—

(a) in accordance with arrangements made by the responsible officer, and

(b) having regard to the offender's circumstances.

(6) An offender may not be required under this paragraph to attend at an attendance centre—

(a) on more than one occasion on any day, or

(b) for more than three hours on any occasion.

(7) A requirement to attend at an attendance centre for any period on any occasion operates as a requirement—

(a) to attend at the centre at the beginning of the period, and

(b) during that period, to engage in occupation, or receive instruction, under the supervision of and in accordance with instructions given by, or under the authority of, the officer in charge of the centre, whether at the centre or elsewhere.

Commencement Information

I12 Sch. 1 para. 12 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Status: *Point in time view as at 05/05/2010.*
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Prohibited activity requirement

13 (1) In this Part of this Act "prohibited activity requirement", in relation to a youth rehabilitation order, means a requirement that the offender must refrain from participating in activities specified in the order—

(a) on a day or days so specified, or

(b) during a period so specified.

(2) A court may not include a prohibited activity requirement in a youth rehabilitation order unless it has consulted—

(a) a member of a youth offending team,

(b) an officer of a local probation board, or

(c) an officer of a provider of probation services.

(3) The requirements that may by virtue of this paragraph be included in a youth rehabilitation order include a requirement that the offender does not possess, use or carry a firearm within the meaning of the Firearms Act 1968 (c. 27).

Commencement Information

I13 Sch. 1 para. 13 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Curfew requirement

14 (1) In this Part of this Act "curfew requirement", in relation to a youth rehabilitation order, means a requirement that the offender must remain, for periods specified in the order, at a place so specified.

(2) A youth rehabilitation order imposing a curfew requirement may specify different places or different periods for different days, but may not specify periods which amount to less than 2 hours or more than 12 hours in any day.

(3) A youth rehabilitation order imposing a curfew requirement may not specify periods which fall outside the period of 6 months beginning with the day on which the requirement first takes effect.

(4) Before making a youth rehabilitation order imposing a curfew requirement, the court must obtain and consider information about the place proposed to be specified in the order (including information as to the attitude of persons likely to be affected by the enforced presence there of the offender).

Commencement Information

I14 Sch. 1 para. 14 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Exclusion requirement

15 (1) In this Part of this Act "exclusion requirement", in relation to a youth rehabilitation order, means a provision prohibiting the offender from entering a place specified in the order for a period so specified.

(2) The period specified must not be more than 3 months.

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(3) An exclusion requirement—

(a) may provide for the prohibition to operate only during the periods specified in the order, and

(b) may specify different places for different periods or days.

(4) In this paragraph "place" includes an area.

Commencement Information

I15 Sch. 1 para. 15 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Residence requirement

16 (1) In this Part of this Act, "residence requirement", in relation to a youth rehabilitation order, means a requirement that, during the period specified in the order, the offender must reside—

(a) with an individual specified in the order, or

(b) at a place specified in the order.

(2) A court may not by virtue of sub-paragraph (1)(a) include in a youth rehabilitation order a requirement that the offender reside with an individual unless that individual has consented to the requirement.

(3) In this paragraph, a residence requirement falling within sub-paragraph (1)(b) is referred to as "a place of residence requirement".

(4) A court may not include a place of residence requirement in a youth rehabilitation order unless the offender was aged 16 or over at the time of conviction.

(5) If the order so provides, a place of residence requirement does not prohibit the offender from residing, with the prior approval of the responsible officer, at a place other than that specified in the order.

(6) Before making a youth rehabilitation order containing a place of residence requirement, the court must consider the home surroundings of the offender.

(7) A court may not specify a hostel or other institution as the place where an offender must reside for the purposes of a place of residence requirement except on the recommendation of—

(a) a member of a youth offending team,

(b) an officer of a local probation board,

(c) an officer of a provider of probation services, or

(d) a social worker of a local authority.

Commencement Information

I16 Sch. 1 para. 16 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

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Local authority residence requirement

17 (1) In this Part of this Act, "local authority residence requirement", in relation to a youth rehabilitation order, means a requirement that, during the period specified in the order, the offender must reside in accommodation provided by or on behalf of a local authority specified in the order for the purposes of the requirement.

(2) A youth rehabilitation order which imposes a local authority residence requirement may also stipulate that the offender is not to reside with a person specified in the order.

(3) A court may not include a local authority residence requirement in a youth rehabilitation order made in respect of an offence unless it is satisfied—

(a) that the behaviour which constituted the offence was due to a significant extent to the circumstances in which the offender was living, and

(b) that the imposition of that requirement will assist in the offender's rehabilitation.

(4) A court may not include a local authority residence requirement in a youth rehabilitation order unless it has consulted—

(a) a parent or guardian of the offender (unless it is impracticable to consult such a person), and

(b) the local authority which is to receive the offender.

(5) A youth rehabilitation order which imposes a local authority residence requirement must specify, as the local authority which is to receive the offender, the local authority in whose area the offender resides or is to reside.

(6) Any period specified in a youth rehabilitation order as a period for which the offender must reside in accommodation provided by or on behalf of a local authority must—

(a) not be longer than 6 months, and

(b) not include any period after the offender has reached the age of 18.

Commencement Information

I17 Sch. 1 para. 17 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Fostering requirement

18 (1) In this Part of this Act "fostering requirement", in relation to a youth rehabilitation order, means a requirement that, for a period specified in the order, the offender must reside with a local authority foster parent.

(2) A period specified in a youth rehabilitation order as a period for which the offender must reside with a local authority foster parent must—

(a) end no later than the end of the period of 12 months beginning with the date on which the requirement first has effect (but subject to paragraphs 6(9), 8(9) and 16(2) of Schedule 2), and

(b) not include any period after the offender has reached the age of 18.

(3) A youth rehabilitation order which imposes a fostering requirement must specify the local authority which is to place the offender with a local authority foster parent under section 23(2)(a) of the Children Act 1989 (c. 41).

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(4) The authority so specified must be the local authority in whose area the offender resides or is to reside.

(5) If at any time during the period specified under sub-paragraph (1), the responsible officer notifies the offender—

(a) that no suitable local authority foster parent is available, and

(b) that the responsible officer has applied or proposes to apply under Part 3 or 4 of Schedule 2 for the revocation or amendment of the order,

the fostering requirement is, until the determination of the application, to be taken to require the offender to reside in accommodation provided by or on behalf of a local authority.

(6) This paragraph does not affect the power of a local authority to place with a local authority foster parent an offender in respect of whom a local authority residence requirement is imposed.

(7) A court may not include a fostering requirement in a youth rehabilitation order unless the court has been notified by the Secretary of State that arrangements for implementing such a requirement are available in the area of the local authority which is to place the offender with a local authority foster parent.

(8) In this paragraph, "local authority foster parent" has the same meaning as it has in the Children Act 1989.

Commencement Information

I18 Sch. 1 para. 18 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Pre-conditions to imposing local authority residence requirement or fostering requirement

19 (1) A court may not include a local authority residence requirement or a fostering requirement in a youth rehabilitation order in respect of an offender unless—

(a) the offender was legally represented at the relevant time in court, or

(b) either of the conditions in sub-paragraph (2) is satisfied.

(2) Those conditions are—

(a) that the offender was granted a right to representation funded by the Legal Services Commission as part of the Criminal Defence Service for the purposes of the proceedings but the right was withdrawn because of the offender's conduct, or

(b) that the offender has been informed of the right to apply for such representation for the purposes of the proceedings and has had the opportunity to do so, but nevertheless refused or failed to apply.

(3) In this paragraph—

"the proceedings" means—

(a) the whole proceedings, or

(b) the part of the proceedings relating to the imposition of the local authority residence requirement or the fostering requirement;

"the relevant time" means the time when the court is considering whether to impose that requirement.

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Commencement Information

I19 Sch. 1 para. 19 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Mental health treatment requirement

20 (1) In this Part of this Act "mental health treatment requirement", in relation to a youth rehabilitation order, means a requirement that the offender must submit, during a period or periods specified in the order, to treatment by or under the direction of a registered medical practitioner or a **[**[F1] registered psychologist **]** (or both, for different periods) with a view to the improvement of the offender's mental condition.

(2) The treatment required during a period specified under sub-paragraph (1) must be such one of the following kinds of treatment as may be specified in the youth rehabilitation order—

(a) treatment as a resident patient in an independent hospital or care home within the meaning of the Care Standards Act 2000 (c. 14) or a hospital within the meaning of the Mental Health Act 1983 (c. 20), but not in hospital premises where high security psychiatric services within the meaning of that Act are provided;

(b) treatment as a non-resident patient at such institution or place as may be specified in the order;

(c) treatment by or under the direction of such registered medical practitioner or **[**[F2]registered psychologist**]** (or both) as may be so specified;

but the order must not otherwise specify the nature of the treatment.

(3) A court may not include a mental health treatment requirement in a youth rehabilitation order unless—

(a) the court is satisfied, on the evidence of a registered medical practitioner approved for the purposes of section 12 of the Mental Health Act 1983 (c. 20), that the mental condition of the offender—

(i) is such as requires and may be susceptible to treatment, but

(ii) is not such as to warrant the making of a hospital order or guardianship order within the meaning of that Act,

(b) the court is also satisfied that arrangements have been or can be made for the treatment intended to be specified in the order (including, where the offender is to be required to submit to treatment as a resident patient, arrangements for the reception of the offender), and

(c) the offender has expressed willingness to comply with the requirement.

(4) While the offender is under treatment as a resident patient in pursuance of a mental health treatment requirement of a youth rehabilitation order, the responsible officer is to carry out the supervision of the offender to such extent only as may be necessary for the purpose of the revocation or amendment of the order.

(5) Subsections (2) and (3) of section 54 of the Mental Health Act 1983 have effect with respect to proof of an offender's mental condition for the purposes of sub-paragraph (3)(a) as they have effect with respect to proof of an offender's mental condition for the purposes of section 37(2)(a) of that Act.

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

[[F3](6) In this paragraph and paragraph 21, "registered psychologist" means a person for the time being registered in the part of the register maintained under the Health Professions Order 2001 which relates to practitioner psychologists.**]**

Textual Amendments

F1 Words in Sch. 1 para. 20(1) substituted (1.7.2009) by The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 (S.I. 2009/1182), art. 1(9), **Sch. 5 para. 10(a)(i)** (with arts. 9, 10); S.I. 2009/1357, art. 2(1)(d)

F2 Words in Sch. 1 para. 20(2)(c) substituted (1.7.2009) by The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 (S.I. 2009/1182), art. 1(9), **Sch. 5 para. 10(a)(ii)** (with arts. 9, 10); S.I. 2009/1357, art. 2(1)(d)

F3 Sch. 1 para. 20(6) substituted (1.7.2009) by The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 (S.I. 2009/1182), art. 1(9), **Sch. 5 para. 10(a)(iii)** (with arts. 9, 10); S.I. 2009/1357, art. 2(1)(d)

Commencement Information

I20 Sch. 1 para. 20 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Mental health treatment at place other than that specified in order

21 (1) Where the registered medical practitioner or **[**[F4]registered psychologist**]** by whom or under whose direction an offender is being treated in pursuance of a mental health treatment requirement is of the opinion that part of the treatment can be better or more conveniently given in or at an institution or place which—

(a) is not specified in the youth rehabilitation order, and

(b) is one in or at which the treatment of the offender will be given by or under the direction of a registered medical practitioner or **[**[F4]registered psychologist**]**,

the medical practitioner or psychologist may make arrangements for the offender to be treated accordingly.

(2) Such arrangements as are mentioned in sub-paragraph (1) may only be made if the offender has expressed willingness for the treatment to be given as mentioned in that sub-paragraph.

(3) Such arrangements as are mentioned in sub-paragraph (1) may provide for part of the treatment to be provided to the offender as a resident patient in an institution or place notwithstanding that the institution or place is not one which could have been specified for that purpose in the youth rehabilitation order.

(4) Where any such arrangements as are mentioned in sub-paragraph (1) are made for the treatment of an offender—

(a) the registered medical practitioner or **[**[F5]registered psychologist**]** by whom the arrangements are made must give notice in writing to the offender's responsible officer, specifying the institution or place in or at which the treatment is to be carried out, and

(b) the treatment provided for by the arrangements is deemed to be treatment to which the offender is required to submit in pursuance of the youth rehabilitation order.

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Textual Amendments

F4 Words in Sch. 1 para. 21(1) substituted (1.7.2009) by The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 (S.I. 2009/1182), art. 1(9), **Sch. 5 para. 10(b)(i)** (with arts. 9, 10); S.I. 2009/1357, art. 2(1)(d)

F5 Words in Sch. 1 para. 21(4)(a) substituted (1.7.2009) by The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 (S.I. 2009/1182), art. 1(9), **Sch. 5 para. 10(b)(ii)** (with arts. 9, 10); S.I. 2009/1357, art. 2(1)(d)

Commencement Information

I21 Sch. 1 para. 21 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Drug treatment requirement

22 (1) In this Part of this Act, "drug treatment requirement", in relation to a youth rehabilitation order, means a requirement that the offender must submit, during a period or periods specified in the order, to treatment, by or under the direction of a person so specified having the necessary qualifications or experience ("the treatment provider"), with a view to the reduction or elimination of the offender's dependency on, or propensity to misuse, drugs.

(2) A court may not include a drug treatment requirement in a youth rehabilitation order unless it is satisfied—

(a) that the offender is dependent on, or has a propensity to misuse, drugs, and

(b) that the offender's dependency or propensity is such as requires and may be susceptible to treatment.

(3) The treatment required during a period specified under sub-paragraph (1) must be such one of the following kinds of treatment as may be specified in the youth rehabilitation order—

(a) treatment as a resident in such institution or place as may be specified in the order, or

(b) treatment as a non-resident at such institution or place, and at such intervals, as may be so specified,

but the order must not otherwise specify the nature of the treatment.

(4) A court may not include a drug treatment requirement in a youth rehabilitation order unless—

(a) the court has been notified by the Secretary of State that arrangements for implementing drug treatment requirements are in force in the local justice area in which the offender resides or is to reside,

(b) the court is satisfied that arrangements have been or can be made for the treatment intended to be specified in the order (including, where the offender is to be required to submit to treatment as a resident, arrangements for the reception of the offender),

(c) the requirement has been recommended to the court as suitable for the offender by a member of a youth offending team, an officer of a local probation board or an officer of a provider of probation services, and

(d) the offender has expressed willingness to comply with the requirement.

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(5) In this paragraph "drug" means a controlled drug as defined by section 2 of the Misuse of Drugs Act 1971 (c. 38).

Commencement Information

I22 Sch. 1 para. 22 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Drug testing requirement

23 (1) In this Part of this Act, "drug testing requirement", in relation to a youth rehabilitation order, means a requirement that, for the purpose of ascertaining whether there is any drug in the offender's body during any treatment period, the offender must, during that period, provide samples in accordance with instructions given by the responsible officer or the treatment provider.

(2) In sub-paragraph (1)—

"drug" has the same meaning as in paragraph 22,

"treatment period" means a period specified in the youth rehabilitation order as a period during which the offender must submit to treatment as mentioned in sub-paragraph (1) of that paragraph, and

"the treatment provider" has the meaning given by that sub-paragraph.

(3) A court may not include a drug testing requirement in a youth rehabilitation order unless—

(a) the court has been notified by the Secretary of State that arrangements for implementing drug testing requirements are in force in the local justice area in which the offender resides or is to reside,

(b) the order also imposes a drug treatment requirement, and

(c) the offender has expressed willingness to comply with the requirement.

(4) A youth rehabilitation order which imposes a drug testing requirement—

(a) must specify for each month the minimum number of occasions on which samples are to be provided, and

(b) may specify—

(i) times at which and circumstances in which the responsible officer or treatment provider may require samples to be provided, and

(ii) descriptions of the samples which may be so required.

(5) A youth rehabilitation order which imposes a drug testing requirement must provide for the results of tests carried out otherwise than by the responsible officer on samples provided by the offender in pursuance of the requirement to be communicated to the responsible officer.

Commencement Information

I23 Sch. 1 para. 23 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Intoxicating substance treatment requirement

24 (1) In this Part of this Act, "intoxicating substance treatment requirement", in relation to a youth rehabilitation order, means a requirement that the offender must submit, during a period or periods specified in the order, to treatment, by or under the direction of a person so specified having the necessary qualifications or experience, with a view to the reduction or elimination of the offender's dependency on or propensity to misuse intoxicating substances.

(2) A court may not include an intoxicating substance treatment requirement in a youth rehabilitation order unless it is satisfied—

(a) that the offender is dependent on, or has a propensity to misuse, intoxicating substances, and

(b) that the offender's dependency or propensity is such as requires and may be susceptible to treatment.

(3) The treatment required during a period specified under sub-paragraph (1) must be such one of the following kinds of treatment as may be specified in the youth rehabilitation order—

(a) treatment as a resident in such institution or place as may be specified in the order, or

(b) treatment as a non-resident at such institution or place, and at such intervals, as may be so specified,

but the order must not otherwise specify the nature of the treatment.

(4) A court may not include an intoxicating substance treatment requirement in a youth rehabilitation order unless—

(a) the court is satisfied that arrangements have been or can be made for the treatment intended to be specified in the order (including, where the offender is to be required to submit to treatment as a resident, arrangements for the reception of the offender),

(b) the requirement has been recommended to the court as suitable for the offender by a member of a youth offending team, an officer of a local probation board or an officer of a provider of probation services, and

(c) the offender has expressed willingness to comply with the requirement.

(5) In this paragraph "intoxicating substance" means—

(a) alcohol, or

(b) any other substance or product (other than a drug) which is, or the fumes of which are, capable of being inhaled or otherwise used for the purpose of causing intoxication.

(6) In sub-paragraph (5)(b) "drug" means a controlled drug as defined by section 2 of the Misuse of Drugs Act 1971 (c. 38).

Commencement Information

I24 Sch. 1 para. 24 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Education requirement

25 (1) In this Part of this Act "education requirement", in relation to a youth rehabilitation order, means a requirement that the offender must comply, during a period or periods specified in the order, with approved education arrangements.

(2) For this purpose, "approved education arrangements" means arrangements for the offender's education—

(a) made for the time being by the offender's parent or guardian, and

(b) approved by the **[**[F6]local authority**]** specified in the order.

(3) The **[**[F6]local authority**]** so specified must be the **[**[F6]local authority**]** for the area in which the offender resides or is to reside.

(4) A court may not include an education requirement in a youth rehabilitation order unless—

(a) it has consulted the **[**[F6]local authority**]** proposed to be specified in the order with regard to the proposal to include the requirement, and

(b) it is satisfied—

(i) that, in the view of that **[**[F6]local authority**]** , arrangements exist for the offender to receive efficient full-time education suitable to the offender's age, ability, aptitude and special educational needs (if any), and

(ii) that, having regard to the circumstances of the case, the inclusion of the education requirement is necessary for securing the good conduct of the offender or for preventing the commission of further offences.

(5) Any period specified in a youth rehabilitation order as a period during which an offender must comply with approved education arrangements must not include any period after the offender has ceased to be of compulsory school age.

(6) In this paragraph, "**[**[F6]local authority**]**" and "parent" have the same meanings as in the Education Act 1996 (c. 56).

Textual Amendments

F6 Words in Sch. 1 para. 25 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 63(2)(a)**

Commencement Information

I25 Sch. 1 para. 25 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Electronic monitoring requirement

26 (1) In this Part of this Act "electronic monitoring requirement", in relation to a youth rehabilitation order, means a requirement for securing the electronic monitoring of the offender's compliance with other requirements imposed by the order during a period specified in the order or determined by the responsible officer in accordance with the order.

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(2) Where an electronic monitoring requirement is required to take effect during a period determined by the responsible officer in accordance with the youth rehabilitation order, the responsible officer must, before the beginning of that period, notify—
  (a) the offender,
  (b) the person responsible for the monitoring, and
  (c) any person falling within sub-paragraph (3)(b),

of the time when the period is to begin.

(3) Where—
  (a) it is proposed to include an electronic monitoring requirement in a youth rehabilitation order, but
  (b) there is a person (other than the offender) without whose co-operation it will not be practicable to secure that the monitoring takes place,

the requirement may not be included in the order without that person's consent.

(4) A youth rehabilitation order which imposes an electronic monitoring requirement must include provision for making a person responsible for the monitoring.

(5) The person who is made responsible for the monitoring must be of a description specified in an order made by the Secretary of State.

(6) A court may not include an electronic monitoring requirement in a youth rehabilitation order unless the court—
  (a) has been notified by the Secretary of State that arrangements for electronic monitoring of offenders are available—
    (i) in the local justice area proposed to be specified in the order, and
    (ii) for each requirement mentioned in the first column of the Table in sub-paragraph (7) which the court proposes to include in the order, in the area in which the relevant place is situated, and
  (b) is satisfied that the necessary provision can be made under the arrangements currently available.

(7) For the purposes of sub-paragraph (6), "relevant place", in relation to a requirement mentioned in the first column of the following Table which the court proposes to include in the order, means the place mentioned in relation to it in the second column of the Table.

Proposed requirement of youth rehabilitation order	***Relevant place***
Curfew requirement.	The place which the court proposes to specify in the order for the purposes of that requirement.
Exclusion requirement.	The place (within the meaning of paragraph 15) which the court proposes to specify in the order.
Attendance centre requirement.	The attendance centre which the court proposes to specify in the order.

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information

I26 Sch. 1 para. 26(1)-(4)(6)(7) in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

I27 Sch. 1 para. 26(5) in force at 1.4.2009 by S.I. 2009/860, **art. 2(1)(g)**

Power to amend limits

27 (1) The Secretary of State may by order amend—

(a) paragraph 10(2) (unpaid work requirement), or

(b) paragraph 14(2) (curfew requirement),

by substituting, for the maximum number of hours for the time being specified in that provision, such other number of hours as may be specified in the order.

(2) The Secretary of State may by order amend any of the provisions mentioned in sub-paragraph (3) by substituting, for any period for the time being specified in the provision, such other period as may be specified in the order.

(3) Those provisions are—

(a) paragraph 14(3) (curfew requirement);

(b) paragraph 15(2) (exclusion requirement);

(c) paragraph 17(6) (local authority residence requirement);

(d) paragraph 18(2) (fostering requirement).

(4) An order under this paragraph which amends paragraph 18(2) may also make consequential amendments of paragraphs 6(9), 8(9) and 16(2) of Schedule 2.

Commencement Information

I28 Sch. 1 para. 27 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

PART 3

PROVISIONS APPLYING WHERE COURT PROPOSES TO MAKE YOUTH REHABILITATION ORDER

Family circumstances

28 Before making a youth rehabilitation order, the court must obtain and consider information about the offender's family circumstances and the likely effect of such an order on those circumstances.

Commencement Information

I29 Sch. 1 para. 28 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Compatibility of requirements, requirement to avoid conflict with religious beliefs, etc.

29 (1) Before making—

(a) a youth rehabilitation order imposing two or more requirements, or

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Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(b) two or more youth rehabilitation orders in respect of associated offences,

the court must consider whether, in the circumstances of the case, the requirements to be imposed by the order or orders are compatible with each other.

(2) Sub-paragraph (1) is subject to paragraphs 2, 3(4) and 4(4).

(3) The court must ensure, as far as practicable, that any requirement imposed by a youth rehabilitation order is such as to avoid—

(a) any conflict with the offender's religious beliefs,

(b) any interference with the times, if any, at which the offender normally works or attends school or any other educational establishment, and

(c) any conflict with the requirements of any other youth rehabilitation order to which the offender may be subject.

(4) The Secretary of State may by order provide that sub-paragraph (3) is to have effect with such additional restrictions as may be specified in the order.

Commencement Information

I30 Sch. 1 para. 29 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Date of taking effect and other existing orders

30 (1) Subject to **[**[F7] sub-paragraphs (1A) and (2) **]**, a youth rehabilitation order takes effect on [F8]... the day on which the order is made.

[[F9](1A) A court making a youth rehabilitation order may order that it is to take effect instead on a later date.**]**

(2) **[**[F10] In particular, if **]** a detention and training order is in force in respect of an offender, a court making a youth rehabilitation order in respect of the offender may order that it is to take effect instead—

(a) when the period of supervision begins in relation to the detention and training order in accordance with section 103(1)(a) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), or

(b) on the expiry of the term of the detention and training order.

(3) In sub-paragraph (2)—

(a) the references to a detention and training order include an order made under section 211 of the Armed Forces Act 2006 (c. 52) (detention and training orders made by service courts); and

(b) the reference to section 103(1)(a) of the Powers of Criminal Courts (Sentencing) Act 2000 includes that provision as applied by section 213(1) of the Armed Forces Act 2006.

(4) A court must not make a youth rehabilitation order in respect of an offender at a time when—

(a) another youth rehabilitation order, or

(b) a reparation order made under section 73(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6),

is in force in respect of the offender, unless when it makes the order it revokes the earlier order.

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(5) Where the earlier order is revoked under sub-paragraph (4), paragraph 24 of Schedule 2 (provision of copies of orders) applies to the revocation as it applies to the revocation of a youth rehabilitation order.

Textual Amendments

F7 Words in Sch. 1 para. 30(1) substituted (12.11.2009) by Coroners and Justice Act 2009 (c. 25), s. 182(1)(h), **Sch. 21 para. 98(4)(a)(i)** (with s. 180)

F8 Words in Sch. 1 para. 30(1) repealed (12.11.2009) by Coroners and Justice Act 2009 (c. 25), s. 182(1)(h), Sch. 21 para. 98(4)(a)(ii), **Sch. 23 Pt. 9** (with s. 180)

F9 Sch. 1 para. 30(1A) inserted (12.11.2009) by Coroners and Justice Act 2009 (c. 25), s. 182(1)(h), **Sch. 21 para. 98(4)(b)** (with s. 180)

F10 Words in Sch. 1 para. 30(2) substituted (12.11.2009) by Coroners and Justice Act 2009 (c. 25), s. 182(1)(h), **Sch. 21 para. 98(4)(c)** (with s. 180)

Commencement Information

I31 Sch. 1 para. 30 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Concurrent and consecutive orders

31 (1) This paragraph applies where the court is dealing with an offender who has been convicted of two or more associated offences.

(2) If, in respect of one of the offences, the court makes an order of any of the following kinds—

(a) a youth rehabilitation order with intensive supervision and surveillance,

(b) a youth rehabilitation order with fostering, or

(c) any other youth rehabilitation order,

it may not make an order of any other of those kinds in respect of the other offence, or any of the other offences.

(3) If the court makes two or more youth rehabilitation orders with intensive supervision and surveillance, or with fostering, both or all of the orders must take effect at the same time (in accordance with paragraph 30(1) or (2)).

(4) Where the court includes requirements of the same kind in two or more youth rehabilitation orders, it must direct, in relation to each requirement of that kind, whether—

(a) it is to be concurrent with the other requirement or requirements of that kind, or any of them, or

(b) it and the other requirement or requirements of that kind, or any of them, are to be consecutive.

(5) But the court may not direct that two or more fostering requirements are to be consecutive.

(6) Where the court directs that two or more requirements of the same kind are to be consecutive—

(a) the number of hours, days or months specified in relation to one of them is additional to the number of hours, days, or months specified in relation to the other or others, but

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(b) the aggregate number of hours, days or months specified in relation to both or all of them must not exceed the maximum number which may be specified in relation to any one of them.

(7) For the purposes of sub-paragraphs (4) and (6), requirements are of the same kind if they fall within the same paragraph of Part 2 of this Schedule.

Commencement Information
I32 Sch. 1 para. 31 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

PART 4

PROVISIONS APPLYING WHERE COURT MAKES YOUTH REHABILITATION ORDER ETC.

Date for compliance with requirements to be specified in order

32 (1) A youth rehabilitation order must specify a date, not more than 3 years after the date on which the order takes effect, by which all the requirements in it must have been complied with.

(2) A youth rehabilitation order which imposes two or more different requirements falling within Part 2 of this Schedule may also specify an earlier date or dates in relation to compliance with any one or more of them.

(3) In the case of a youth rehabilitation order with intensive supervision and surveillance, the date specified for the purposes of sub-paragraph (1) must not be earlier than 6 months after the date on which the order takes effect.

Commencement Information
I33 Sch. 1 para. 32 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Local justice area to be specified in order

33 A youth rehabilitation order must specify the local justice area in which the offender resides or will reside.

Commencement Information
I34 Sch. 1 para. 33 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Provision of copies of orders

34 (1) The court by which any youth rehabilitation order is made must forthwith provide copies of the order—

(a) to the offender,

(b) if the offender is aged under 14, to the offender's parent or guardian, and

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(c) to a member of a youth offending team assigned to the court, to an officer of a local probation board assigned to the court or to an officer of a provider of probation services.

(2) Sub-paragraph (3) applies where a youth rehabilitation order—

(a) is made by the Crown Court, or

(b) is made by a magistrates' court which does not act in the local justice area specified in the order.

(3) The court making the order must—

(a) provide to the magistrates' court acting in the local justice area specified in the order—

(i) a copy of the order, and

(ii) such documents and information relating to the case as it considers likely to be of assistance to a court acting in that area in the exercise of its functions in relation to the order, and

(b) provide a copy of the order to the local probation board acting for that area or (as the case may be) a provider of probation services operating in that area.

(4) Where a youth rehabilitation order imposes any requirement specified in the first column of the following Table, the court by which the order is made must also forthwith provide the person specified in relation to that requirement in the second column of that Table with a copy of so much of the order as relates to that requirement.

Requirement	***Person to whom copy of requirement is to be given***
An activity requirement specifying a place under paragraph 6(1)(a).	The person in charge of that place.
An activity requirement specifying an activity under paragraph 6(1)(b).	The person in charge of that activity.
An activity requirement specifying a residential exercise under paragraph 6(1)(c).	The person in charge of the place or activity specified under paragraph 6(4) in relation to that residential exercise.
An attendance centre requirement.	The officer in charge of the attendance centre specified under paragraph 12(1).
An exclusion requirement imposed for the purpose (or partly for the purpose) of protecting a person from being approached by the offender.	The person intended to be protected.
A residence requirement requiring residence with an individual.	The individual specified under paragraph 16(1)(a).
A place of residence requirement (within the meaning of paragraph 16) relating to residence in an institution.	The person in charge of the institution.
A local authority residence requirement.	The local authority specified under paragraph 17(1).

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

A mental health treatment requirement.	The person in charge of the institution or place specified under sub-paragraph (2)(a) or (b) of paragraph 20, or the person specified under sub-paragraph (2)(c) of that paragraph.
A drug treatment requirement.	The treatment provider specified under paragraph 22(1).
A drug testing requirement.	The treatment provider specified under paragraph 22(1).
An intoxicating substance treatment requirement	The person specified under paragraph 24(1).
An education requirement.	The **[**[F11]local authority**]** specified under paragraph 25(2).
An electronic monitoring requirement.	Any person who by virtue of paragraph 26(4) will be responsible for the electronic monitoring. Any person without whose consent the requirement could not have been included in the order.

Textual Amendments

F11 Words in Sch. 1 para. 34(4) substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 63(2)(b)**

Commencement Information

I35 Sch. 1 para. 34 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Power to provide for court review of orders

35 (1) The Secretary of State may by order—

(a) enable or require a court making a youth rehabilitation order to provide for the order to be reviewed periodically by that or another court,

(b) enable a court to amend a youth rehabilitation order so as to include or remove a provision for review by a court, and

(c) make provision as to the timing and conduct of reviews and as to the powers of the court on a review.

(2) An order under this paragraph may, in particular, make provision in relation to youth rehabilitation orders corresponding to any provision made by sections 191 and 192 of the Criminal Justice Act 2003 (c. 44) (reviews of suspended sentence orders) in relation to suspended sentence orders.

(3) An order under this paragraph may repeal or amend any provision of—

(a) this Part of this Act, or

(b) Chapter 1 of Part 12 of the Criminal Justice Act 2003 (general provisions about sentencing).

Status: *Point in time view as at 05/05/2010.*
Changes to legislation: *Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information

I36 Sch. 1 para. 35 in force at 1.4.2009 by S.I. 2009/860, **art. 2(1)(g)**

Order made by Crown Court: direction in relation to further proceedings

36 (1) Where the Crown Court makes a youth rehabilitation order, it may include in the order a direction that further proceedings relating to the order be in a youth court or other magistrates' court (subject to paragraph 7 of Schedule 2).

(2) In sub-paragraph (1), "further proceedings", in relation to a youth rehabilitation order, means proceedings—

(a) for any failure to comply with the order within the meaning given by paragraph 1(2)(b) of Schedule 2, or

(b) on any application for amendment or revocation of the order under Part 3 or 4 of that Schedule.

Commencement Information

I37 Sch. 1 para. 36 in force at 30.11.2009 by S.I. 2009/3074, **art. 2(m)**

Status:
Point in time view as at 05/05/2010.

Changes to legislation:
Criminal Justice and Immigration Act 2008, SCHEDULE 1 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.