

SCHEDULES

SCHEDULE 4

YOUTH REHABILITATION ORDERS: CONSEQUENTIAL AND RELATED AMENDMENTS

PART 2

RELATED AMENDMENTS

Criminal Justice Act 2003 (c. 44)

109 In Schedule 8 to the Criminal Justice Act 2003 (breach, revocation or amendment of community order), after paragraph 25 insert—

“25A (1) This paragraph applies to any hearing relating to an offender held by a magistrates' court in any proceedings under this Schedule.

(2) The court may adjourn the hearing, and, where it does so, may—

- (a) direct that the offender be released forthwith, or
- (b) remand the offender.

(3) Where the court remands the offender under sub-paragraph (2)—

- (a) it must fix the time and place at which the hearing is to be resumed, and
- (b) that time and place must be the time and place at which the offender is required to appear or be brought before the court by virtue of the remand.

(4) Where the court adjourns the hearing under sub-paragraph (2) but does not remand the offender—

- (a) it may fix the time and place at which the hearing is to be resumed, but
- (b) if it does not do so, it must not resume the hearing unless it is satisfied that the offender and the responsible officer have had adequate notice of the time and place for the resumed hearing.

(5) The powers of a magistrates' court under this paragraph may be exercised by a single justice of the peace, notwithstanding anything in the Magistrates' Courts Act 1980.

(6) This paragraph—

- (a) applies to any hearing in any proceedings under this Schedule in place of section 10 of the Magistrates' Courts Act 1980 (adjournment of trial) where that section would otherwise apply, but
- (b) is not to be taken to affect the application of that section to hearings of any other description.”