



Legal Aid, Sentencing and Punishment of Offenders Act 2012

2012 CHAPTER 10

PART 3

SENTENCING AND PUNISHMENT OF OFFENDERS

CHAPTER 1

SENTENCING

Youth sentences

83 Youth rehabilitation order: duration

(1) In Schedule 1 to the Criminal Justice and Immigration Act 2008 (further provisions about youth rehabilitation orders), in paragraph 32 (requirement for order to specify date by which requirements must have been complied with)—

- (a) in sub-paragraph (1), after the first “date” insert “(“the end date””,
- (b) for sub-paragraph (2) substitute—

“(2) If a youth rehabilitation order imposes two or more different requirements falling within Part 2 of this Schedule, the order may also specify a date by which each of those requirements must have been complied with; and the last of those dates must be the same as the end date.”, and

- (c) after sub-paragraph (3) insert—

“(4) Subject to paragraph 10(7) (duration of youth rehabilitation order imposing unpaid work requirement), a youth rehabilitation order ceases to be in force on the end date.”

Status: This is the original version (as it was originally enacted).

- (2) In Schedule 2 to that Act (breach, revocation or amendment of youth rehabilitation order), in paragraph 6 (powers of magistrates' court in case of breach of order)—
- (a) in sub-paragraph (6), at the beginning insert “Subject to sub-paragraph (6A),”, and
 - (b) after that sub-paragraph insert—
 - “(6A) When imposing a requirement under sub-paragraph (2)(b), the court may amend the order to substitute a later date for that specified under paragraph 32(1) of Schedule 1.
 - (6B) A date substituted under sub-paragraph (6A)—
 - (a) may not fall outside the period of six months beginning with the date previously specified under paragraph 32(1) of Schedule 1;
 - (b) subject to that, may fall more than three years after the date on which the order took effect.
 - (6C) The power under sub-paragraph (6A) may not be exercised in relation to an order if that power or the power in paragraph 8(6A) has previously been exercised in relation to that order.
 - (6D) A date substituted under sub-paragraph (6A) is to be treated as having been specified in relation to the order under paragraph 32(1) of Schedule 1.”
- (3) In that Schedule, in paragraph 8 (powers of Crown Court in case of breach of order)—
- (a) in sub-paragraph (6), at the beginning insert “Subject to sub-paragraph (6A),”, and
 - (b) after that sub-paragraph insert—
 - “(6A) When imposing a requirement under sub-paragraph (2)(b), the Crown Court may amend the order to substitute a later date for that specified under paragraph 32(1) of Schedule 1.
 - (6B) A date substituted under sub-paragraph (6A)—
 - (a) may not fall outside the period of six months beginning with the date previously specified under paragraph 32(1) of Schedule 1;
 - (b) subject to that, may fall more than three years after the date on which the order took effect.
 - (6C) The power under sub-paragraph (6A) may not be exercised in relation to an order if that power or the power in paragraph 6(6A) has previously been exercised in relation to that order.
 - (6D) A date substituted under sub-paragraph (6A) is to be treated as having been specified in relation to the order under paragraph 32(1) of Schedule 1.”
- (4) In that Schedule, in paragraph 16(1) (exercise of powers to amend order: further provision), at the beginning insert “Subject to paragraph 16A,”.
- (5) After that paragraph insert—

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

“Extension of order

- 16A (1) The appropriate court may, on the application of the offender or the responsible officer, amend a youth rehabilitation order by substituting a later date for that specified under paragraph 32(1) of Schedule 1.
- (2) A date substituted under sub-paragraph (1)—
- (a) may not fall outside the period of six months beginning with the date previously specified under paragraph 32(1) of Schedule 1;
 - (b) subject to that, may fall more than three years after the date on which the order took effect.
- (3) The power under sub-paragraph (1) may not be exercised in relation to an order if it has previously been exercised in relation to that order.
- (4) A date substituted under sub-paragraph (1) is to be treated as having been specified in relation to the order under paragraph 32(1) of Schedule 1.
- (5) In this paragraph “the appropriate court” means—
- (a) if the order was made by a youth court or other magistrates’ court, or was made by the Crown Court and contains a direction under paragraph 36 of Schedule 1, the court determined under sub-paragraph (6), and
 - (b) if the order was made by the Crown Court and does not contain a direction under paragraph 36 of Schedule 1, the Crown Court.
- (6) The court referred to in sub-paragraph (5)(a) is—
- (a) if the offender is aged under 18 when the application is made, a youth court acting in the local justice area specified in the youth rehabilitation order, and
 - (b) if the offender is aged 18 or over at that time, a magistrates’ court (other than a youth court) acting in that local justice area.”