



# Criminal Justice and Courts Act 2015

## 2015 CHAPTER 2

### PART 2

#### YOUNG OFFENDERS

##### *Other matters*

#### **43 Referral orders: alternatives to revocation for breach of youth offender contract**

- (1) In Schedule 1 to the Powers of Criminal Courts (Sentencing) Act 2000, after paragraph 6 insert—

*“Power of court to impose fine or extend period for which contract has effect*

- 6A (1) This paragraph applies where—
- (a) an offender has been referred back to the appropriate court under section 22(2), 26(5) or 27(4), and
  - (b) it is proved to the satisfaction of the court that the offender has failed, without reasonable excuse, to comply with the terms of a contract under section 23.
- (2) If the court does not revoke the order under paragraph 5 it may—
- (a) order the offender to pay a fine of an amount not exceeding £2,500, or
  - (b) make an order extending the length of the period for which the contract under section 23 has effect.
- (3) The court may not extend the length of the period for which the contract has effect so that it becomes longer than 12 months.
- (4) If the period for which the contract has effect has expired (whether before or after the referral of the offender back to court) the court—
- (a) may make an order under sub-paragraph (2)(a), but
  - (b) may not make an order under sub-paragraph (2)(b).

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*Status: This is the original version (as it was originally enacted).*

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- (5) The court may not exercise a power under sub-paragraph (2) unless the offender is present before it.
  - (6) A fine imposed under sub-paragraph (2)(a) is to be treated, for the purposes of any enactment, as being a sum adjudged to be paid by a conviction.
  - (7) The Secretary of State may by order amend any sum for the time being specified in sub-paragraph (2)(a).”
- (2) In paragraph 7 of that Schedule, in sub-paragraph (2), at the end insert “(subject to any order under paragraph 6A(2)(b))”.
  - (3) In the heading before paragraph 7 of that Schedule, at the beginning insert “Consequences of”.
  - (4) In section 160(3) of the Powers of Criminal Courts (Sentencing) Act 2000 (statutory instruments subject to affirmative resolution procedure), after “103(2)” insert “or paragraph 6A(7) of Schedule 1”.
  - (5) The amendments made by this section apply only in relation to a person who fails to comply with the terms of a youth offender contract after this section comes into force.