



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART III **E+W**

MANDATORY AND DISCRETIONARY REFERRAL OF YOUNG OFFENDERS

[^{F1}Referrals back to court in the interests of justice

Textual Amendments

- F1** S. 27A and cross-heading inserted (27.4.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), [ss. 36\(2\)](#), 153(7); S.I. 2009/860, art. 2(2)(b)

27A **Revocation of referral order where offender making good progress etc.** **E+W**

- (1) This section applies where, having regard to circumstances which have arisen since a youth offender contract took effect under section 23 above, it appears to the youth offender panel to be in the interests of justice for the referral order (or each of the referral orders) to be revoked.
- (2) The panel may refer the offender back to the appropriate court requesting it—
 - (a) to exercise only the power conferred by sub-paragraph (2) of paragraph 5 of Schedule 1 to this Act to revoke the order (or each of the orders); or
 - (b) to exercise both—
 - (i) the power conferred by that sub-paragraph to revoke the order (or each of the orders); and
 - (ii) the power conferred by sub-paragraph (4) of that paragraph to deal with the offender for the offence in respect of which the revoked order was made.

Status: Point in time view as at 27/04/2009.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Cross Heading: Referrals back to court in the interests of justice is up to date with all changes known to be in force on or before 04 September 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) The circumstances in which the panel may make a referral under subsection (2) above include the offender's making good progress under the contract.
- (4) Where—
- (a) the panel makes a referral under subsection (2) above in relation to any offender and any youth offender contract, and
 - (b) the appropriate court decides not to exercise the power conferred by paragraph 5(2) of Schedule 1 to this Act in consequence of that referral,
- the panel may not make a further referral under that subsection in relation to that offender and contract during the relevant period except with the consent of the appropriate court.
- (5) In subsection (4) above “the relevant period” means the period of 3 months beginning with the date on which the appropriate court made the decision mentioned in paragraph (b) of that subsection.]

[^{F2}27B Extension of period for which young offender contract has effect E+W

- (1) This section applies where at any time—
- (a) a youth offender contract has taken effect under section 23 above for a period which is less than twelve months;
 - (b) that period has not ended; and
 - (c) having regard to circumstances which have arisen since the contract took effect, it appears to the youth offender panel to be in the interests of justice for the length of that period to be extended.
- (2) The panel may refer the offender back to the appropriate court requesting it to extend the length of that period.
- (3) The requested period of extension must not exceed three months.]

Textual Amendments

F2 S. 27B inserted (27.4.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), ss. 37\(2\), 153\(7\)](#); [S.I. 2009/860, art. 2\(2\)\(c\)](#)

Status:

Point in time view as at 27/04/2009.

Changes to legislation:

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