

SCHEDULES

SCHEDULE 17

TREATMENT OF CONVICTIONS IN OTHER MEMBER STATES ETC

Young offenders: referral conditions

- 12 (1) Section 17 of the [Powers of Criminal Courts \(Sentencing\) Act 2000 \(c. 6\)](#) (referral conditions for young offenders) (as amended by the Criminal Justice and Immigration Act [2008 \(c. 4\)](#)) is amended as follows.
- (2) For subsection (1)(b) substitute—
- “(b) has never been—
- (i) convicted by or before a court in the United Kingdom of any offence other than the offence and any connected offence, or
- (ii) convicted by or before a court in another member State of any offence.”
- (3) In subsection (2A)—
- (a) after “never” insert “—
- (a)”,
- and
- (b) at the end insert “, or
- (b) been convicted by or before a court in another member State of any offence.”
- (4) For subsection (2B) substitute—
- “(2B) This subsection is satisfied in relation to the offender if, disregarding the offence and any connected offence—
- (a) the offender —
- (i) has been dealt with by a UK court for any offence on only one previous occasion, and
- (ii) was not referred to a youth offender panel under section 16 on that occasion; or
- (b) the offender has been dealt with by a court in any member State other than the United Kingdom on only one previous occasion.”
- (5) For subsection (2C)(a) substitute—
- “(a) disregarding the offence and any connected offence, the offender has been dealt with by a UK court or a court in another member State for any offence on one or more previous occasions, and has either—
- (i) never been referred to a youth offender panel under section 16 above, or
- (ii) been referred to a youth offender panel on only one previous occasion;”.