

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Cross Heading: Exercise of power in paragraph 13: duty to make activation order where not unjust is up to date with all changes known to be in force on or before 13 July 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)

SCHEDULES

SCHEDULE 16 **U.K.**

BREACH OR AMENDMENT OF SUSPENDED SENTENCE ORDER, AND EFFECT OF FURTHER CONVICTION

Modifications etc. (not altering text)

- C1** Sch. 16 applied (with modifications) by 2006 c. 52, s. 200, Sch. 7 (as amended (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 25 paras. 19, 26](#) (with s. 416(7), [Sch. 27](#)); [S.I. 2020/1236, reg. 2](#))

PART 2 **U.K.**

BREACH OF COMMUNITY REQUIREMENT OR CONVICTION OF FURTHER OFFENCE

Exercise of power in paragraph 13: duty to make activation order where not unjust

- 14 (1) Where the court deals with the case under paragraph 13, it must make an order under paragraph 13(1)(a) or (b) (“an activation order”) unless it is of the opinion that it would be unjust to do so in view of all the circumstances, including the matters mentioned in sub-paragraph (2).

Where it is of that opinion the court must state its reasons.

- (2) The matters referred to in sub-paragraph (1) are—
- (a) the extent to which the offender has complied with any community requirements of the suspended sentence order, and
 - (b) in a case falling within paragraph 11 or 12(3) (conviction of further offence during operational period), the facts of the subsequent offence.

Commencement Information

- II** Sch. 16 para. 14 in force at 1.12.2020 by [S.I. 2020/1236, reg. 2](#)

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