

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Cross Heading: Duty to give warning or lay information relating to breach of order is up to date with all changes known to be in force on or before 18 June 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 7

BREACH, REVOCATION OR AMENDMENT OF YOUTH REHABILITATION ORDER

Modifications etc. (not altering text)

- C1** Sch. 7 applied (with modifications) by 2008 c. 4, s. 39(6)(c), Sch. 7 (as amended (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 24 paras. 266(5), 270 (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2)

PART 2

BREACH OF REQUIREMENT OF ORDER

Duty to give warning or lay information relating to breach of order

- 4 (1) This paragraph applies where the responsible officer is of the opinion that the offender has without reasonable excuse breached a requirement of a youth rehabilitation order.
- (2) Sub-paragraph (3) applies if—
- (a) the breach occurred during a warned period relating to an earlier breach of the order, and
 - (b) during that warned period the offender had been given a further warning in relation to the order.
- (3) The responsible officer must cause an information to be laid before a justice of the peace in respect of that breach unless of the opinion that there are exceptional circumstances which justify not doing so.
- (4) If sub-paragraph (3) does not apply, the responsible officer must either—
- (a) give the offender a warning under this paragraph, or
 - (b) cause an information to be laid before a justice of the peace in respect of that breach.
- (5) A warning under this paragraph must—
- (a) describe the circumstances of the breach,
 - (b) state that the breach is unacceptable, and
 - (c) inform the offender that the offender will be liable to be brought before a court if the offender breaches a requirement of the order again—
 - (i) more than once during the warned period, or
 - (ii) if the warning is given during the warned period relating to an earlier breach of the order, during that warned period.

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- (6) For the purposes of this paragraph, “warned period”, in relation to a breach of a requirement of the youth rehabilitation order, means the period of 12 months beginning with the date on which a warning is given under this paragraph in relation to the breach.
- (7) As soon as practicable after giving a warning under this paragraph, the responsible officer must record that fact.

Commencement Information

II Sch. 7 para. 4 in force at 1.12.2020 by [S.I. 2020/1236, reg. 2](#)

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