



Children and Young Persons Act 1969

1969 CHAPTER 54

PART I

CARE AND OTHER TREATMENT OF JUVENILES THROUGH COURT PROCEEDINGS

Supervision

[^{F1}12A Young offenders.

[This subsection applies to any supervision order made under section 7(7) of this ^{F2}(1) Act unless it requires the supervised person to comply with directions given by the supervisor under section 12(2) of this Act.]

(3) Subject to the following provisions of this section and to section 19(13) of this Act, a supervision order to which subsection (1) of this section applies may require a supervised person—

(a) to do anything that by virtue of section 12(2) of this Act a supervisor has power, or would but for section 19(12) of this Act have power, to direct a supervised person to do;

[^{F3}(aa) to make reparation specified in the order to a person or persons so specified or to the community at large;]

(b) to remain for specified periods between 6 p.m. and 6 a.m.—

- (i) at a place specified in the order; or
- (ii) at one of several places so specified;

(c) to refrain from participating in activities specified in the order—

- (i) on a specified day or days during the period for which the supervision order is in force; or
- (ii) during the whole of that period or a specified portion of it.

(4) Any power to include a requirement in a supervision order which is exercisable in relation to a person by virtue of this section or the following provisions of this Act may be exercised in relation to him whether or not any other such power is exercised.

Status: Point in time view as at 01/06/2000. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 12A. (See end of Document for details)

- (5) The total number of days in respect of which a supervised person may be subject to requirements imposed by virtue of [^{F4}subsection (3)(a), (aa) or (b)] above shall not exceed 90.
- (6) The court may not include requirements under subsection (3) above in a supervision order unless—
- (a) it has first consulted the supervisor as to—
 - (i) the offender’s circumstances; and
 - (ii) the feasibility of securing compliance with the requirements,
 and is satisfied, having regard to the supervisor’s report, that it is feasible to secure compliance with them;
 - (b) having regard to the circumstances of the case, it considers the requirements necessary for securing the good conduct of the supervised person or for preventing a repetition by him of the same offence or the commission of other offences; and
 - ^{F5}(c) [if the supervised person is under the age of sixteen, it has obtained and considered information about his family circumstances and the likely effect of the requirements on those circumstances.]
- (7) The court shall not include in such an order by virtue of subsection (3) above—
- (a) any requirement that would involve the co-operation of a person other than the supervisor and the supervised person unless that other person consents to its inclusion; or
 - ^{F6}(aa) [any requirement to make reparation to any person unless that person—
 - (i) is identified by the court as a victim of the offence or a person otherwise affected by it; and
 - (ii) consents to the inclusion of the requirement; or]
 - (b) any requirement requiring the supervised person to reside with a specified individual; or
 - (c) any such requirement as is mentioned in section 12B(1) of this Act.
- (8) The place, or one of the places, specified in a requirement under subsection (3)(b) above (“a night restriction”) shall be the place where the supervised person lives.
- (9) A night restriction shall not require the supervised person to remain at a place for longer than 10 hours on any one night.
- (10) A night restriction shall not be imposed in respect of any day which falls outside the period of three months beginning with the date when the supervision order is made.
- (11) A night restriction shall not be imposed in respect of more than 30 days in all.
- (12) A supervised person who is required by a night restriction to remain at a place may leave it if he is accompanied—
- (a) by his parent or guardian;
 - (b) by his supervisor; or
 - (c) by some other person specified in the supervision order.
- (13) A night restriction imposed in respect of a period of time beginning in the evening and ending in the morning shall be treated as imposed only in respect of the day upon which the period begins.]

Status: Point in time view as at 01/06/2000. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 12A. (See end of Document for details)

Textual Amendments

- F1** Ss. 12–12D substituted for s. 12 by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 128, [Sch. 10 Pt. I](#)
- F2** [S. 12A\(1\)](#) substituted (14.10.1991) for subsections (1) and (2) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(4)(6), [Sch. 12 para. 22](#), (with [Sch. 14 para. 1\(1\)](#)); [S.I. 1991/828](#), [art. 3\(2\)](#)
- F3** [S. 12A\(3\)\(aa\)](#) inserted (1.6.2000) by [1998 c. 37, s. 71\(1\)](#); [S.I. 2000/924](#), [art. 5](#)
- F4** Words in [s. 12A\(5\)](#) substituted (1.6.2000) by [1998 c. 37, s. 71\(2\)](#); [S.I. 2000/924](#), [art. 5](#)
- F5** [S. 12A\(6\)\(c\)](#) substituted (1.10.1997) by [1997 c. 43, s. 38\(1\)](#); [S.I. 1997/2200](#), [art. 2\(1\)\(f\)](#) (with transitional savings in [art. 5\(1\)\(a\)](#))
- F6** [S. 12A\(7\)\(aa\)](#) inserted (1.6.2000) by [1998 c. 37, s. 71\(3\)](#); [S.I. 2000/924](#), [art. 5](#)

[^{F7}12A Young offenders. **E+W**

[This subsection applies to any supervision order made under section 7(7) of this ^{F8F9}(1) Act unless it requires the supervised person to comply with directions given by the supervisor under section 12(2) of this Act.]

- (3) Subject to the following provisions of this section and to section 19(13) of this Act, a supervision order to which subsection (1) of this section applies may require a supervised person—
- to do anything that by virtue of section 12(2) of this Act a supervisor has power, or would but for section 19(12) of this Act have power, to direct a supervised person to do;
 - to remain for specified periods between 6 p.m. and 6 a.m.—
 - at a place specified in the order; or
 - at one of several places so specified;
 - to refrain from participating in activities specified in the order—
 - on a specified day or days during the period for which the supervision order is in force; or
 - during the whole of that period or a specified portion of it.
- (4) Any power to include a requirement in a supervision order which is exercisable in relation to a person by virtue of this section or the following provisions of this Act may be exercised in relation to him whether or not any other such power is exercised.
- (5) The total number of days in respect of which a supervised person may be subject to requirements imposed by virtue of subsection (3) (a) or (b) above shall not exceed 90.
- (6) The court may not include requirements under subsection (3) above in a supervision order unless—
- it has first consulted the supervisor as to—
 - the offender’s circumstances; and
 - the feasibility of securing compliance with the requirements,and is satisfied, having regard to the supervisor’s report, that it is feasible to secure compliance with them;
 - having regard to the circumstances of the case, it considers the requirements necessary for securing the good conduct of the supervised person or for preventing a repetition by him of the same offence or the commission of other offences; and

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- [if the supervised person is under the age of sixteen, it has obtained and considered information about his family circumstances and the likely effect of the requirements on those circumstances.]
- ^{F10}(c) [if the supervised person is under the age of sixteen, it has obtained and considered information about his family circumstances and the likely effect of the requirements on those circumstances.]
- (7) The court shall not include in such an order by virtue of subsection (3) above—
- (a) any requirement that would involve the co-operation of a person other than the supervisor and the supervised person unless that other person consents to its inclusion; or
 - (b) any requirement requiring the supervised person to reside with a specified individual; or
 - (c) any such requirement as is mentioned in section 12B(1) of this Act.
- (8) The place, or one of the places, specified in a requirement under subsection (3)(b) above (“a night restriction”) shall be the place where the supervised person lives.
- (9) A night restriction shall not require the supervised person to remain at a place for longer than 10 hours on any one night.
- (10) A night restriction shall not be imposed in respect of any day which falls outside the period of three months beginning with the date when the supervision order is made.
- (11) A night restriction shall not be imposed in respect of more than 30 days in all.
- (12) A supervised person who is required by a night restriction to remain at a place may leave it if he is accompanied—
- (a) by his parent or guardian;
 - (b) by his supervisor; or
 - (c) by some other person specified in the supervision order.
- (13) A night restriction imposed in respect of a period of time beginning in the evening and ending in the morning shall be treated as imposed only in respect of the day upon which the period begins.]
- [^{F8}(14) In this section “make reparation” means make reparation for the offence otherwise than by the payment of compensation.]

Textual Amendments

- F7** Ss. 12–12D substituted for s. 12 by *Criminal Justice Act 1988 (c. 33, SIF 39:1)*, s. 128, **Sch. 10 Pt. I**
- F8** S. 12A(14) added (1.1.2000) by *1999 c. 23, s. 67, Sch. 5 paras. 1, 2* (with *Sch. 7 paras. 3(3), 5(2)*); *S.I. 1999/3427, art. 2*
- F9** S. 12A(1) substituted (14.10.1991) for subsections (1) and (2) by *Children Act 1989 (c. 41, SIF 20)*, s. 108(4)(6), **Sch. 12 para. 22** ,(with *Sch. 14 para. 1(1)*); *S.I. 1991/828, art. 3(2)*
- F10** S. 12A(6)(c) substituted (1.10.1997) by *1997 c. 43, s. 38(1)*; *S.I. 1997/2200, art. 2(1)(f)* (with transitional savings in *art. 5(1)(a)*)

Status:

Point in time view as at 01/06/2000. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Children and Young Persons Act 1969, Section 12A.