



Powers of Criminal Courts Act 1973 (repealed)

1973 CHAPTER 62

PART I

POWERS OF COURTS TO DEAL WITH OFFENDERS

Supplemental

45 Social inquiry report before sentence.

- (1) The Secretary of State may by rules make provision requiring that in any case to which the rules apply a court of any prescribed class shall before passing on any person a sentence to which the rules apply consider a social inquiry report, that is to say a report about him and his circumstances, made by a probation officer or any other person authorised to do so by the rules.
- (2) Rules under this section may apply to a sentence of imprisonment or detention of any class prescribed by the rules and may make different provision for different cases.
- (3) No sentence shall be invalidated by the failure of a court to consider a social inquiry report in accordance with rules under subsection (1) above, but any other court on appeal from that court shall consider such a report in determining whether a different sentence should be passed on the appellant from the sentence passed on him by the court below.
- (4) In this section “sentence of imprisonment or detention” means a sentence of imprisonment, . . . ^{F1} or a sentence of detention passed under section 53 of the ^{M1}Children and Young Persons Act 1933 (young offenders convicted of grave crimes).

Textual Amendments

F1 Words repealed by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [Sch. 16](#)

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Powers of Criminal Courts Act 1973 (repealed), Section 45. (See end of Document for details)

Marginal Citations

M1 1933 c. 12.

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