Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART I

YOUNG OFFENDERS

Secure training orders

VALID FROM 01/03/1998

1   Secure training orders.

(1) Subject to section 8(1) of the ^{M1}Criminal Justice Act 1982 and section 53(1) of the ^{M2}Children and Young Persons Act 1933 (sentences of custody for life and long term detention), where—

    (a)   a person of not less than 12 but under 15 years of age is convicted of an imprisonable offence; and

    (b)   the court is satisfied of the matters specified in subsection (5) below,

the court may make a secure training order.

(2) A secure training order is an order that the offender in respect of whom it is made shall be subject to a period of detention in a secure training centre followed by a period of supervision.

(3) The period of detention and supervision shall be such as the court determines and specifies in the order, being not less than six months nor more than two years.

(4) The period of detention which the offender is liable to serve under a secure training order shall be one half of the total period specified by the court in making the order.

(5) The court shall not make a secure training order unless it is satisfied—

(a)   that the offender was not less than 12 years of age when the offence for which he is to be dealt with by the court was committed;

(b)   that the offender has been convicted of three or more imprisonable offences; and

(c)   that the offender, either on this or a previous occasion—

(i) has been found by a court to be in breach of a supervision order under the **M3**Children and Young Persons Act 1969, or

(ii) has been convicted of an imprisonable offence committed whilst he was subject to such a supervision order.

(6) A secure training order is a custodial sentence for the purposes of sections 1 to 4 of the **M4**Criminal Justice Act 1991 (restrictions etc. as to custodial sentences).

(7) Where a court makes a secure training order, it shall be its duty to state in open court that it is of the opinion that the conditions specified in subsection (5) above are satisfied.

(8) In this section "imprisonable offence" means an offence (not being one for which the sentence is fixed by law) which is punishable with imprisonment in the case of a person aged 21 or over.

(9) For the purposes of this section, the age of a person shall be deemed to be that which it appears to the court to be after considering any available evidence.

(10) This section shall have effect, as from the day appointed for each of the following paragraphs, with the substitution in subsections (1) and (5)—

(a)   of "14" for "12";

(b)   of "13" for "14";

(c)   of "12" for "13";

but no substitution may be brought into force on more than one occasion.

Status:
Point in time view as at 03/11/1994. This version of this provision is not valid for this point in time.

Changes to legislation:
Criminal Justice and Public Order Act 1994, Section 1 is up to date with all changes known to be in force on or before 27 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.