



Crime and Disorder Act 1998

1998 CHAPTER 37

PART IV

DEALING WITH OFFENDERS

CHAPTER I

ENGLAND AND WALES

Young offenders: reprimands and warnings

66 Effect of reprimands and warnings

- (1) Where a constable warns a person under section 65 above, he shall as soon as practicable refer the person to a youth offending team.
- (2) A youth offending team—
 - (a) shall assess any person referred to them under subsection (1) above; and
 - (b) unless they consider it inappropriate to do so, shall arrange for him to participate in a rehabilitation programme.
- (3) The Secretary of State shall publish, in such manner as he considers appropriate, guidance as to—
 - (a) what should be included in a rehabilitation programme arranged for a person under subsection (2) above;
 - (b) the manner in which any failure by a person to participate in such a programme is to be recorded; and
 - (c) the persons to whom any such failure is to be notified.
- (4) Where a person who has been warned under section 65 above is convicted of an offence committed within two years of the warning, the court by or before which he is so convicted—

Status: This is the original version (as it was originally enacted).

- (a) shall not make an order under subsection (1)(b) (conditional discharge) of section 1A of the 1973 Act in respect of the offence unless it is of the opinion that there are exceptional circumstances relating to the offence or the offender which justify its doing so; and
 - (b) where it does so, shall state in open court that it is of that opinion and why it is.
- (5) The following, namely—
- (a) any reprimand of a person under section 65 above;
 - (b) any warning of a person under that section; and
 - (c) any report on a failure by a person to participate in a rehabilitation programme arranged for him under subsection (2) above,
- may be cited in criminal proceedings in the same circumstances as a conviction of the person may be cited.
- (6) In this section “rehabilitation programme” means a programme the purpose of which is to rehabilitate participants and to prevent them from re-offending.