



Crime and Disorder Act 1998

1998 CHAPTER 37

PART IV

DEALING WITH OFFENDERS

CHAPTER I

ENGLAND AND WALES

Young offenders: non-custodial orders

67 **Reparation orders.**

- (1) This section applies where a child or young person is convicted of an offence other than one for which the sentence is fixed by law.
- (2) Subject to the provisions of this section and section 68 below, the court by or before which the offender is convicted may make an order (a “reparation order”) which requires the offender to make reparation specified in the order—
 - (a) to a person or persons so specified; or
 - (b) to the community at large;and any person so specified must be a person identified by the court as a victim of the offence or a person otherwise affected by it.
- (3) The court shall not make a reparation order unless it has been notified by the Secretary of State that arrangements for implementing such orders are available in the area proposed to be named in the order and the notice has not been withdrawn.
- (4) The court shall not make a reparation order in respect of the offender if it proposes—
 - (a) to pass on him a custodial sentence or a sentence under section 53(1) of the 1933 Act; or
 - (b) to make in respect of him a community service order, a combination order, a supervision order which includes requirements imposed in pursuance of

Status: Point in time view as at 26/06/2000. This version of this provision has been superseded.

Changes to legislation: Crime and Disorder Act 1998, Section 67 is up to date with all changes known to be in force on or before 29 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)

sections 12 to 12C of the 1969 Act [^{F1}, an action plan order or a referral order under Part I of the Youth Justice and Criminal Evidence Act 1999].

- (5) A reparation order shall not require the offender—
- (a) to work for more than 24 hours in aggregate; or
 - (b) to make reparation to any person without the consent of that person.
- (6) Subject to subsection (5) above, requirements specified in a reparation order shall be such as in the opinion of the court are commensurate with seriousness of the offence, or the combination of the offence and one or more offences associated with it.
- (7) Requirements so specified shall, as far as practicable, be such as to avoid—
- (a) any conflict with the offender’s religious beliefs or with the requirements of any community order to which he may be subject; and
 - (b) any interference with the times, if any, at which the offender normally works or attends school or any other educational establishment.
- (8) Any reparation required by a reparation order—
- (a) shall be made under the supervision of the responsible officer; and
 - (b) shall be made within a period of three months from the date of the making of the order.
- (9) A reparation order shall name the petty sessions area in which it appears to the court making the order, or to the court varying any provision included in the order in pursuance of this subsection, that the offender resides or will reside.
- (10) In this section “responsible officer”, in relation to a reparation order, means one of the following who is specified in the order, namely—
- (a) a probation officer;
 - (b) a social worker of a local authority social services department; and
 - (c) a member of a youth offending team.
- (11) The court shall give reasons if it does not make a reparation order in a case where it has power to do so.

Textual Amendments

- F1** Words in s. 67(4)(b) substituted (26.6.2000) by 1999 c. 23, ss. 67(1), Sch. 4 paras. 25, 29 (with Sch. 7 paras. 3(3), 5(2)); S.I. 2000/1587, art. 2

Modifications etc. (not altering text)

- C1** S. 67 restricted (26.6.2000) by 1999 c. 23, s. 4(4)(c), (with Sch. 7 paras. 3(3), 5(2)); S.I. 2000/1587, art. 2; which s. 4 of that 1999 Act is repealed (*prosp.*) by 2000 c. 6, s. 165(4), 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

Commencement Information

- I1** S. 67 partly in force; S. 67 not in force at Royal Assent see s. 121. In force at 30.9.1998 for certain purposes by S.I. 1998/2327, art. 2(1) (subject to savings in arts. 5-8)

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