



Crime and Disorder Act 1998

1998 CHAPTER 37

PART IV

DEALING WITH OFFENDERS

CHAPTER I

ENGLAND AND WALES

Young offenders: non-custodial orders

69 Action plan 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 70 below, the court by or before which the offender is convicted may, if it is of the opinion that it is desirable to do so in the interests of securing his rehabilitation, or of preventing the commission by him of further offences, make an order (an “action plan order”) which—
 - (a) requires the offender, for a period of three months beginning with the date of the order, to comply with an action plan, that is to say, a series of requirements with respect to his actions and whereabouts during that period;
 - (b) places the offender under the supervision for that period of the responsible officer; and
 - (c) requires the offender to comply with any directions given by that officer with a view to the implementation of that plan.
- (3) The court shall not make an action plan 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for implementing such orders are available in the area proposed to be named in the order and the notice has not been withdrawn.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 an action plan order in respect of the offender if—

Status: Point in time view as at 26/06/2000. This version of this provision has been superseded.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 69 is up to date with all changes known to be in force on or before 11 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)

- (a) he is already the subject of such an order; or
 - (b) the court proposes to pass on him a custodial sentence or a sentence under section 53(1) of the 1933 Act, or to make in respect of him a probation order, a community service order, a combination order, a supervision order ^[F1], an attendance centre order or a referral order under Part I of the Youth Justice and Criminal Evidence Act 1999].
- (5) Requirements included in an action plan order, or directions given by a responsible officer, may require the offender to do all or any of the following things, namely—
- (a) to participate in activities specified in the requirements or directions at a time or times so specified;
 - (b) to present himself to a person or persons specified in the requirements or directions at a place or places and at a time or times so specified;
 - (c) to attend at an attendance centre specified in the requirements or directions for a number of hours so specified;
 - (d) to stay away from a place or places specified in the requirements or directions;
 - (e) to comply with any arrangements for his education specified in the requirements or directions;
 - (f) to make reparation specified in the requirements or directions to a person or persons so specified or to the community at large; and
 - (g) to attend any hearing fixed by the court under section 70(3) below.
- (6) Such requirements and directions 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 other community order to which he may be subject; and
 - (b) any interference with the times, if any, at which he normally works or attends school or any other educational establishment.
- (7) Subsection (5)(c) above does not apply unless the offence committed by the offender is punishable with imprisonment in the case of a person aged 21 or over.
- (8) A person shall not be specified in requirements or directions under subsection (5)(f) above unless—
- (a) he is identified by the court or, as the case may be, the responsible officer as a victim of the offence or a person otherwise affected by it; and
 - (b) he consents to the reparation being made.
- (9) An action plan 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 an action plan 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) An action plan order shall be a community order for the purposes of Part I of the 1991 Act; and the provisions of that Part, which include provisions with respect to restrictions on imposing, and procedural requirements for, community sentences (sections 6 and 7), shall apply accordingly.

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Textual Amendments

- F1** Words in 69(4)(b) substituted (26.6.2000) by 1999 c. 23, s. 67(1), Sch. 4 paras. 25, 30 (with Sch. 7 paras. 3(3), 5(2)); S.I. 2000/1587, art. 2; which Sch. 4 para. 30 of the 1999 Act is repealed (*prosp.*) by 2000 c. 6, ss. 165, 168, Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

Commencement Information

- I1** S. 69 partly in force; S. 69 not in force at Royal Assent see s. 121. In force at 30.9.1998 by S.I. 1998/2327, art. 2(1) (subject to savings in arts. 5-8)

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