



Crime and Disorder Act 1998

1998 CHAPTER 37

PART IV

DEALING WITH OFFENDERS

CHAPTER I

ENGLAND AND WALES

Young offenders: non-custodial orders

70 Action plan orders: supplemental.

- (1) Before making an action plan order, a court shall obtain and consider—
 - (a) a written report by a probation officer, a social worker of a local authority social services department or a member of a youth offending team, indicating—
 - (i) the requirements proposed by that person to be included in the order;
 - (ii) the benefits to the offender that the proposed requirements are designed to achieve; and
 - (iii) the attitude of a parent or guardian of the offender to the proposed requirements; and
 - (b) where the offender is under the age of 16, information about the offender's family circumstances and the likely effect of the order on those circumstances.
- (2) Before making an action plan order, a court shall explain to the offender in ordinary language—
 - (a) the effect of the order and of the requirements proposed to be included in it;
 - (b) the consequences which may follow (under Schedule 5 to this Act) if he fails to comply with any of those requirements; and
 - (c) that the court has power (under that Schedule) to review the order on the application either of the offender or of the responsible officer.

Status: Point in time view as at 08/02/2000. This version of this provision has been superseded.

Changes to legislation: Crime and Disorder Act 1998, Section 70 is up to date with all changes known to be in force on or before 22 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. (See end of Document for details)

- (3) Immediately after making an action plan order, a court may—
- (a) fix a further hearing for a date not more than 21 days after the making of the order; and
 - (b) direct the responsible officer to make, at that hearing, a report as to the effectiveness of the order and the extent to which it has been implemented.
- (4) At a hearing fixed under subsection (3) above, the court—
- (a) shall consider the responsible officer’s report; and
 - (b) may, on the application of the responsible officer or the offender, vary the order—
 - (i) by cancelling any provision included in it; or
 - (ii) by inserting in it (either in addition to or in substitution for any of its provisions) any provision that the court could originally have included in it.
- (5) Schedule 5 to this Act shall have effect for dealing with failure to comply with the requirements of action plan orders, for varying such orders and for discharging them with or without the substitution of other sentences.

Commencement Information

- II** S. 70 partly in force; S. 70 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)

Status:

Point in time view as at 08/02/2000. This version of this provision has been superseded.

Changes to legislation:

Crime and Disorder Act 1998, Section 70 is up to date with all changes known to be in force on or before 22 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.