



Powers of Criminal Courts (Sentencing) Act 2000

CHAPTER 6

POWERS OF CRIMINAL COURTS (SENTENCING) ACT 2000

PART I

POWERS EXERCISABLE BEFORE SENTENCE

Deferment of sentence

- 1 Deferment of sentence
- 1ZA Undertakings to participate in restorative justice activities
- 1A Further provision about undertakings
- 1B Breach of undertakings
- 1C Conviction of offence during period of deferment
- 1D Deferment of sentence: supplementary

Committal to Crown Court for sentence

- 3 Committal for sentence on summary trial of offence triable either way.
- 3A Committal for sentence of dangerous adult offenders
- 3B Committal for sentence of young offenders on summary trial of certain serious offences
- 3C Committal for sentence of dangerous young offenders
- 4 Committal for sentence on indication of guilty plea to offence triable either way.
- 4A Committal for sentence on indication of guilty plea by child or young person with related offences
- 5 Power of Crown Court on committal for sentence under sections 3 and 4.
- 4. Power of Crown Court on committal for sentence under sections 3, 3A and 4

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

- 5A Power of Crown Court on committal for sentence under sections 3B, 3C and 4A
- 6 Committal for sentence in certain cases where offender committed in respect of another offence.
- 7 Power of Crown Court on committal for sentence under section 6.

Remission for sentence: young offenders etc.

- 8 Power and duty to remit young offenders to youth courts for sentence.
- 9 Power of youth court to remit offender who attains age of 18 to magistrates' court other than youth court for sentence.
- 10 Power of magistrates' court to remit case to another magistrates' court for sentence.

Remand by magistrates' court for medical examination

- 11 Remand by magistrates' court for medical examination.

PART II

ABSOLUTE AND CONDITIONAL DISCHARGE

- 12 Absolute and conditional discharge.
- 13 Commission of further offence by person conditionally discharged.
- 14 Effect of discharge.
- 15 Discharge: supplementary.

PART III

MANDATORY AND DISCRETIONARY REFERRAL OF YOUNG OFFENDERS

Referral orders

- 16 Duty and power to refer certain young offenders to youth offender panels.
- 17 The referral conditions.
- 18 Making of referral orders: general.
- 19 Making of referral orders: effect on court's other sentencing powers.
- 20 Making of referral orders: attendance of parents etc.

Youth offender panels

- 21 Establishment of panels.
- 22 Attendance at panel meetings.

Youth offender contracts

- 23 First meeting: agreement of contract with offender.
- 24 First meeting: duration of contract.
- 25 First meeting: failure to agree contract.
- 26 Progress meetings.
- 27 Final meeting.

Referrals back to court in the interests of justice

- 27A Revocation of referral order where offender making good progress etc.
- 27B Extension of period for which young offender contract has effect

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Further court proceedings

- 28 Offender or parent referred back to court: offender convicted while subject to referral order.

Supplementary

- 29 Functions of youth offending teams.
- 30 Regulations under Part III.
- 31 Rules of court.
- 32 Definitions for purposes of Part III.

PART IV

YOUTH COMMUNITY ORDERS AND REPARATION ORDERS

CHAPTER I

YOUTH COMMUNITY ORDERS: GENERAL PROVISIONS

- 33 Meaning of “youth community order” and “community sentence”
- 34 Community orders not available where sentence fixed by law etc.
- 35 Restrictions on imposing community sentences.
- 36 Procedural requirements for community sentences: pre-sentence reports etc.
- 36A Pre-sentence drug testing.
- 36B Electronic monitoring of requirements in youth community orders.

CHAPTER II

COMMUNITY ORDERS AVAILABLE FOR OFFENDERS OF ANY AGE

Curfew orders

- 37 Curfew orders.
- 38 Electronic monitoring of curfew orders.
- 39 Breach, revocation and amendment of curfew orders.
- 40 Curfew orders: supplementary.

Exclusion orders

- 40A Exclusion orders.
- 40B Breach, revocation and amendment of exclusion orders.
- 40C Exclusion orders: supplementary.

CHAPTER III

COMMUNITY ORDERS AVAILABLE ONLY WHERE OFFENDER AGED 16 OR OVER

Probation orders

- 41 Community rehabilitation orders.
- 42 Additional requirements which may be included in community rehabilitation orders.
- 43 Breach, revocation and amendment of community rehabilitation orders.
- 44 Offenders residing in Scotland or Northern Ireland.

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

- 45 Community rehabilitation orders: supplementary.

Community punishment orders

- 46 Community punishment orders.
47 Obligations of person subject to community punishment order.
48 Breach, revocation and amendment of community punishment orders.
49 Offenders residing in Scotland or Northern Ireland.
50 Community punishment orders: supplementary.

Community punishment and rehabilitation orders

- 51 Community punishment and rehabilitation orders.

Drug treatment and testing orders

- 52 Drug treatment and testing orders.
53 The treatment and testing requirements.
54 Provisions of order as to supervision and periodic review.
55 Periodic reviews.
56 Breach, revocation and amendment of drug treatment and testing orders.
57 Copies of orders.
58 Drug treatment and testing orders: supplementary.

Drug abstinence orders

- 58A Drug abstinence orders.
58B Drug abstinence orders: supplementary.

Orders for persistent petty offenders

- 59 Curfew orders and community punishment orders for persistent petty offenders.

CHAPTER IV

ATTENDANCE CENTRE ORDERS: OFFENDERS UNDER 21 AND DEFAULTERS

- 60 Attendance centre orders.
61 Breach, revocation and amendment of attendance centre orders.
62 Provision, regulation and management of attendance centres.

CHAPTER V

COMMUNITY ORDERS AVAILABLE ONLY WHERE OFFENDER AGED UNDER 18

Supervision orders

- 63 Supervision orders.
64 Selection and duty of supervisor and certain expenditure of his.
64A Supervision orders and curfew orders
65 Breach, revocation and amendment of supervision orders.
66 Facilities for implementing supervision orders.
67 Meaning of “local authority”, “reside” and “parent”.
68 Isles of Scilly.

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Action plan orders

- 69 Action plan orders.
- 70 Requirements which may be included in action plan orders and directions.
- 71 Action plan orders: power to fix further hearings.
- 72 Breach, revocation and amendment of action plan orders.

CHAPTER VI

REPARATION ORDERS FOR YOUNG OFFENDERS

- 73 Reparation orders.
- 74 Requirements and provisions of reparation order, and obligations of person subject to it.
- 75 Breach, revocation and amendment of reparation orders.

PART V

CUSTODIAL SENTENCES ETC.

CHAPTER I

GENERAL PROVISIONS

Meaning of “custodial sentence”

- 76 Meaning of “custodial sentence”.

Liability to imprisonment on conviction on indictment

- 77 Liability to imprisonment on conviction on indictment.

General limit on magistrates’ courts’ powers

- 78 General limit on magistrates’ court’s power to impose imprisonment or detention in a young offender institution.

General restrictions on discretionary custodial sentences

- 79 General restrictions on imposing discretionary custodial sentences.
- 80 Length of discretionary custodial sentences: general provision.

Procedural requirements for imposing discretionary custodial sentences

- 81 Pre-sentence reports and other requirements.
- 82 Additional requirements in case of mentally disordered offender.

Life sentences

- 82A Determination of tariffs.

Other restrictions

- 83 Restriction on imposing custodial sentences on persons not legally represented.
- 84 Restriction on consecutive sentences for released prisoners.

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Sexual and violent offences: licences etc.

- 85 Sexual or violent offences: extension of certain custodial sentences for licence purposes.
- 86 Sexual offences committed before 30th September 1998.

Crediting of periods of remand in custody

- 87 Crediting of periods of remand in custody: terms of imprisonment and detention.
- 88 Meaning of “remand in custody”.

CHAPTER II

DETENTION AND CUSTODY OF YOUNG OFFENDERS

Restriction on imposing imprisonment on persons under 21

- 89 Restriction on imposing imprisonment on persons under 21.

Detention at Her Majesty’s pleasure or for specified period

- 90 Offenders who commit murder etc. when under 18: duty to detain at Her Majesty’s pleasure.
- 91 Offenders under 18 convicted of certain serious offences: power to detain for specified period.
- 92 Detention under sections 90 and 91: place of detention etc.

Custody for life

- 93 Duty to impose custody for life in certain cases where offender under 21.
- 94 Power to impose custody for life in certain other cases where offender at least 18 but under 21.
- 95 Custody for life: place of detention.

Detention in a young offender institution

- 96 Detention in a young offender institution for other cases where offender at least 18 but under 21.
- 97 Term of detention in a young offender institution, and consecutive sentences.
- 98 Detention in a young offender institution: place of detention.

Conversion of sentence of detention to sentence of imprisonment

- 99 Conversion of sentence of detention to sentence of imprisonment

Detention and training orders

- 100 Offenders under 18: detention and training orders.
- 101 Term of order, consecutive terms and taking account of remands.
- 102 The period of detention and training.
- 103 The period of supervision.
- 104 Breach of supervision requirements.
- 104A Application of sections 103 to 105 in relation to orders under section 104(3)(aa)

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

- 104B Interaction of orders under section 104(3)(a) with other sentences
- 105 Offences during currency of order.
- 106 Interaction with sentences of detention in a young offender institution.
- 106A Interaction with sentences of detention
- 106B Further supervision after end of term of detention and training order
- 107 Meaning of “ youth detention accommodation” and references to terms.

Detention of persons aged at least 18 but under 21 for default or contempt

- 108 Detention of persons aged at least 18 but under 21 for default or contempt.

CHAPTER III

REQUIRED CUSTODIAL SENTENCES FOR CERTAIN OFFENCES

- 109 Life sentence for second serious offence.
- 110 Minimum of seven years for third class A drug trafficking offence.
- 111 Minimum of three years for third domestic burglary.
- 112 Appeals where previous convictions set aside.
- 113 Certificates of convictions for purposes of Chapter III.
- 114 Offences under service law.
- 115 Determination of day when offence committed.

CHAPTER IV

RETURN TO PRISON ETC. WHERE OFFENCE COMMITTED DURING ORIGINAL SENTENCE

- 116 Power to order return to prison etc. where offence committed during original sentence.
- 117 Treatment for purposes of section 116(1) of person serving two or more sentences or extended sentence.

CHAPTER V

SUSPENDED SENTENCES OF IMPRISONMENT

Suspended sentences of imprisonment

- 118 Suspended sentences of imprisonment.
- 119 Power of court on conviction of further offence to deal with suspended sentence.
- 120 Court by which suspended sentence may be dealt with.
- 121 Procedure where court convicting of further offence does not deal with suspended sentence.

Suspended sentence supervision orders

- 122 Suspended sentence supervision orders.
- 123 Breach of requirement of suspended sentence supervision order.
- 124 Suspended sentence supervision orders: revocation, amendment and cessation.

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Suspended sentences: supplementary

- 125 Suspended sentences: supplementary.

PART VI

FINANCIAL PENALTIES AND ORDERS

Financial circumstances orders

- 126 Powers to order statement as to offender's financial circumstances.

Fines: general

- 127 General power of Crown Court to fine offender convicted on indictment.
128 Fixing of fines.
129 Remission of fines.

Compensation orders

- 130 Compensation orders against convicted persons.
131 Limit on amount payable under compensation order of magistrates' court in case of young offender.
132 Compensation orders: appeals etc.
133 Review of compensation orders.
134 Effect of compensation order on subsequent award of damages in civil proceedings.

Young offenders

- 135 Limit on fines imposed by magistrates' courts in respect of young offenders.
136 Power to order statement as to financial circumstances of parent or guardian.
137 Power to order parent or guardian to pay fine, costs, compensation or surcharge.
138 Fixing of fine, compensation or surcharge to be paid by parent or guardian.

Miscellaneous powers and duties of Crown Court in relation to recognizances etc.

- 139 Powers and duties of Crown Court in relation to ... forfeited recognizances.
140 Enforcement of ... recognizances forfeited by Crown Court.
141 Power of Crown Court to allow time for payment, or payment by instalments, of costs and compensation.
142 Power of Crown Court to order search of persons before it.

PART VII

FURTHER POWERS OF COURTS

Powers to deprive offender of property used etc. for purposes of crime

- 143 Powers to deprive offender of property used etc. for purposes of crime.
144 Property which is in possession of police by virtue of section 143.
145 Application of proceeds of forfeited property.

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Driving disqualifications

- 146 Driving disqualification for any offence.
- 147 Driving disqualification where vehicle used for purposes of crime.
- 147A Extension of disqualification where custodial sentence also imposed
- 147B Effect of custodial sentence in other cases

Restitution orders

- 148 Restitution orders.
- 149 Restitution orders: supplementary.

Young offenders

- 150 Binding over of parent or guardian.

PART VIII

MISCELLANEOUS AND SUPPLEMENTARY

Factors to be taken into account in sentencing

- 151 Effect of previous convictions and of offending while on bail.
- 152 Reduction in sentences for guilty pleas.
- 153 Increase in sentences for racial or religious aggravation.

Commencement and alteration of Crown Court sentence

- 154 Commencement of Crown Court sentence.
- 155 Alteration of Crown Court sentence.

Disclosure of pre-sentence reports etc.

- 156 Disclosure of pre-sentence reports.
- 157 Other reports of officers of local probation boards and members of youth offending teams

Supplementary

- 158 Savings for powers to mitigate sentences and deal appropriately with mentally disordered offenders.
- 159 Execution of process between England and Wales and Scotland.
- 160 Rules and orders.

Interpretation

- 161 Meaning of “associated offence”, “sexual offence”, “violent offence” and “protecting the public from serious harm”.
- 162 Meaning of “pre-sentence report”.
- 163 General definitions.
- 164 Further interpretive provisions.

Final provisions

- 165 Consequential amendments, transitory modifications, transitional provisions and repeals.
- 166 Short title.
- 167 Extent.

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

168 Commencement.

SCHEDULES

SCHEDULE 1 — Youth offender panels: further court proceedings

Part I — REFERRAL BACK TO APPROPRIATE COURT : REVOCATION OF REFERRAL ORDER

Introductory

1 (1) This Part of this Schedule applies where a youth...

Mode of referral back to court

2 The panel shall make the referral by sending a report...

Bringing the offender before the court

3 (1) Where the appropriate court receives such a report, the...

Detention and remand of arrested offender

4 (1) Where the offender is arrested in pursuance of a...

Power of court where it upholds panel's decision

5 (1) If it is proved to the satisfaction of the...

Appeal

6 Where the court in exercise of the power conferred by...

Power of court to impose fine or extend period for which contract has effect

6A (1) This paragraph applies where— (a) an offender has been...

Consequences of Court not revoking referral order or orders

7 (1) This paragraph applies— (a) where the appropriate court decides...

Exception where court satisfied as to completion of contract

8 If, in a case where the offender is referred back...

Discharge of extension orders

9 The discharge under paragraph 7(3) or 8 above of a...

Power to adjourn hearing and remand offender

9ZA (1) This paragraph applies to any hearing relating to an...

Part 1ZA — REFERRAL BACK TO APPROPRIATE COURT: EXTENSION OF PERIOD FOR WHICH CONTRACT HAS EFFECT

9ZB Introductory

9ZC Mode of referral back to court

9ZD Power of court

9ZE Supplementary

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Part 1a — REFERRAL OF PARENT OR GUARDIAN FOR BREACH OF
SECTION 20 ORDER

- 9A Introductory
- 9B Mode of referral to court
- 9C Bringing the parent before the court
- 9D Power of court to make parenting order: application of supplemental provisions
- 9E Appeal
- 9F Effect on section 20 order

Part II — FURTHER CONVICTIONS DURING REFERRAL

Extension of referral for further offences

- 10 (1) This paragraph applies where— (a) an offender aged under...
- 11

Extension where further offence committed after referral

- 12

Provisions supplementary to paragraph 10

- 13 (1)

Further convictions : power to revoke referral orders

- 14 (1) This paragraph applies where, at a time when an...

Interpretation

- 15 (1) For the purposes of this Part of this Schedule...

SCHEDULE 2 — Additional requirements which may be included in community
rehabilitation orders

...

- (1) Subject to sub-paragraphs (2) and (3) below, a community...
- (1) Subject to the provisions of this paragraph, a community...
- (1) Subject to the provisions of this paragraph, a community...
- If the court so directs in the case of an...
- (1) This paragraph applies where a court proposing to make...
- (1) Subject to sub-paragraph (2) below, this paragraph applies where...
- (1) Subject to the provisions of this paragraph, a community...

SCHEDULE 3 — Breach, revocation and amendment of certain community orders
Part I — PRELIMINARY

Definitions

- 1 (1) In this Schedule “ relevant order ” means any...

Orders made on appeal

- 2 (1) Where a curfew, exclusion, community rehabilitation, community
punishment, community...

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Functions of responsible officer

- 2A (1) Sub-paragraphs (2) and (3) below apply if the responsible...
Part II — BREACH OF REQUIREMENT OF ORDER

Issue of summons or warrant

- 3 (1) If at any time while a relevant order is...

Powers of magistrates' court

- 4 (1) If it is proved to the satisfaction of a...

Powers of Crown Court

- 5 (1) Where under paragraph 3 or by virtue of paragraph...

Exclusions from paragraphs 4 and 5

- 6 (1) Without prejudice to paragraphs 10 and 11 below, an...

Community punishment orders imposed for breach of relevant order

- 7 (1) Section 46(1) of this Act (community punishment orders...

Attendance centre orders imposed for breach of relevant order

- 8 (1) Section 60(1) of this Act (attendance centre orders) shall...

Supplementary

- 9 (1) Any exercise by a court of its powers under...
Part III — REVOCATION OF ORDER

Revocation of order with or without re-sentencing: powers of magistrates' court

- 10 (1) This paragraph applies where a relevant order made by...

*Revocation of order with or without re-sentencing:
powers of Crown Court on conviction et cetera*

- 11 (1) This paragraph applies where— (a) a relevant order made...

*Substitution of conditional discharge for community
rehabilitation or community punishment and rehabilitation order*

- 12 (1) This paragraph applies where a community rehabilitation order or...

Revocation following custodial sentence by magistrates' court unconnected with order

- 13 (1) This paragraph applies where— (a) an offender in respect...
14 Where by virtue of paragraph 13(3)(b) above an offender is...

Supplementary

- 15 (1) On the making under this Part of this Schedule...
16 Paragraph 9(3) above shall apply for the purposes of paragraphs...
17 Where under this Part of this Schedule a relevant order...
Part IV — AMENDMENT OF ORDER

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Amendment by reason of change of residence

18 (1) This paragraph applies where, at any time while a...

Amendment of requirements of community rehabilitation, community punishment and rehabilitation, curfew or exclusion order.

19 (1) Without prejudice to the provisions of paragraph 18 above...

Amendment of treatment requirements of community rehabilitation or community punishment and rehabilitation order on report of practitioner

20 (1) Where the medical practitioner or other person by whom...

Amendment of drug treatment and testing order

21 (1) Without prejudice to the provisions of section 55(1), (6)...

Extension of community punishment or community punishment and rehabilitation order

22 Where— (a) a community punishment order or community punishment and...

Supplementary

23 No order may be made under paragraph 18 above, and...

24 (1) Subject to sub-paragraph (2) below, where a court proposes...

25 (1) On the making under this Part of this Schedule...

SCHEDULE 4 — Transfer of certain community orders to Scotland or Northern Ireland

...

(1) Where a court considering the making of a probation...

(1) Where a court considering the making of a community...

(1) Where a court considering the making of a community...

(1) Where a court considering the making of a community...

Paragraphs 1 and 3 above shall apply in relation to...

(1) Where a community order is made or amended in...

SCHEDULE 5 — Breach, revocation and amendment of attendance centre orders

Breach of order or attendance centre rules

1 (1) Where an attendance centre order is in force and...

2 (1) If it is proved to the satisfaction of the...

3 (1) Where by virtue of paragraph 2(1)(c) above the offender...

Revocation of order with or without re-sentencing

4 (1) Where an attendance centre order is in force in...

Amendment of order

5 (1) Where an attendance centre order is in force in...

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Orders made on appeal

- 6 (1) Where an attendance centre order has been made on...

Orders for defaulters

- 7 (1) References in this Schedule to an “offender” include a...

SCHEDULE 6 — Requirements which may be included in supervision orders

Requirement to reside with named individual

- 1 A supervision order may require the offender to reside with...

Requirement to comply with directions of supervisor

- 2 (1) Subject to sub-paragraph (2) below, a supervision order may...

Requirements as to activities, reparation, night restrictions et cetera

- 3 (1) This paragraph applies to a supervision order unless the...
4 Requirements which may be included in supervision orders

Requirement to live for specified period in local authority accommodation

- 5 (1) Where the conditions mentioned in sub-paragraph (2) below are...

Requirement to live for specified period with local authority foster parent

- 5A (1) Where the conditions mentioned in sub-paragraph (2) below are...

Requirements as to treatment for mental condition

- 6 (1) This paragraph applies where a court which proposes to...

Requirements as to drug treatment and testing

- 6A (1) This paragraph applies where a court proposing to make...

Requirements as to education

- 7 (1) This paragraph applies to a supervision order unless the...

Exercise of powers under paragraphs 3, 6 and 7

- 8 (1) Any power to include a requirement in a supervision...

SCHEDULE 7 — Breach, revocation and amendment of supervision orders

Meaning of “relevant court”, et cetera

- 1 (1) In this Schedule, “relevant court”, in relation...

Breach of requirement of supervision order

- 2 (1) This paragraph applies if while a supervision order is...

Curfew orders imposed for breach of supervision order

- 3 (1) Section 37(1) of this Act (curfew orders) shall apply...

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Attendance centre orders imposed for breach of supervision order

4 (1) Section 60(1) of this Act (attendance centre orders) shall...

Revocation and amendment of supervision order

5 (1) If while a supervision order is in force in...

Amendment of order on report of medical practitioner

6 (1) If a medical practitioner by whom or under whose...

Presence of offender in court, remands et cetera

7 (1) Where the supervisor makes an application or reference under...

Restrictions on court's powers to revoke or amend order

8 (1) A youth court shall not— (a) exercise its powers...

9 Where the offender has attained the age of 14, then...

Copies of revoking or amending orders

10 A court which makes an order amending or revoking a...

Appeals

11 The offender may appeal to the Crown Court against—

Power of parent or guardian to make application on behalf of young person

12 (1) Without prejudice to any power apart from this sub-paragraph...

SCHEDULE 8 — Breach, revocation and amendment of ... reparation orders

...

1

Breach of requirement of ... reparation order

2 (1) This paragraph applies if while a reparation order is...

Curfew orders imposed for breach of action plan order or reparation order

3 (1) Section 37(1) of this Act (curfew orders) shall apply...

Attendance centre orders imposed for breach of action plan or reparation order

4 (1) Section 60(1) of this Act (attendance centre orders) shall...

Revocation and amendment of ... reparation order

5 (1) If while a reparation order is in force in...

Presence of offender in court, remands et cetera

6 (1) Where the responsible officer makes an application under paragraph...

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Power to adjourn hearing and remand offender

6A (1) This paragraph applies to any hearing relating to an...

Appeals

7 The offender may appeal to the Crown Court against—

SCHEDULE 9 — Consequential amendments

Children and Young Persons Act 1933 (c. 12)

- 1
- 2 (1) Section 49 of the Children and Young Persons Act...
- 3 (1) Section 58 of the Children and Young Persons Act...

Prison Act 1952 (c. 52)

- 4 In section 13(2) of the Prison Act 1952 (legal custody...
- 5 (1) Section 43 of the Prison Act 1952 (institutions for...
- 6
- 7

Army Act 1955 (c. 18)

- 8
- 9 In section 71A(1A) of the Army Act 1955 (juveniles), for...
- 10 In section 71AA(6)(a) of the Army Act 1955 (young service...
- 11
- 12 In Schedule 5A to the Army Act 1955 (powers of...

Air Force Act 1955 (c. 19)

- 13
- 14 In section 71A(1A) of the Air Force Act 1955 (juveniles),...
- 15 In section 71AA(6)(a) of the Air Force Act 1955 (young...
- 16
- 17 In Schedule 5A to the Air Force Act 1955 (powers...

Naval Discipline Act 1957 (c. 53)

- 18
- 19 In section 43A(1A) of the Naval Discipline Act 1957 (juveniles),...
- 20 In section 43AA(6)(a) of the Naval Discipline Act 1957 (young...
- 21
- 22 In Schedule 4A to the Naval Discipline Act 1957 (powers...

Children and Young Persons Act 1963 (c. 37)

23

Criminal Justice Act 1967 (c. 80)

- 24
- 25
- 26 (1) In section 104 of the Criminal Justice Act 1967...
- 27 In section 106(2) of the Criminal Justice Act 1967 (extent...

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Criminal Appeal Act 1968 (c. 19)

28
29
30

Firearms Act 1968 (c. 27)

31 In section 21 of the Firearms Act 1968 (possession of...

Health Services and Public Health Act 1968 (c. 46)

32 In section 64 of the Health Services and Public Health...
33

Social Work (Scotland) Act 1968 (c. 49)

34

Theft Act 1968 (c. 60)

35 In section 35(2) of the Theft Act 1968 (application of...

Civil Evidence Act 1968 (c. 64)

36

Law Reform (Miscellaneous Provisions) (Scotland) Act 1968 (c. 70)

37

Children and Young Persons Act 1969 (c. 54)

38
39
40 In section 30(1) of the Children and Young Persons Act...
41
42

Administration of Justice Act 1970 (c. 31)

43 (1) Part I of Schedule 9 to the Administration of...

Attachment of Earnings Act 1971 (c. 32)

44

Consumer Credit Act 1974 (c. 39)

45 In section 119(2) of the Consumer Credit Act 1974 (unreasonable...

Solicitors Act 1974 (c. 47)

46 In section 43 of the Solicitors Act 1974 (control of...

Rehabilitation of Offenders Act 1974 (c. 53)

47
48 (1) Section 5 of the Rehabilitation of Offenders Act 1974...

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

49

Bail Act 1976 (c. 63)

50 (1) Section 2 of the Bail Act 1976 (definitions) shall...
51 In section 3 of the Bail Act 1976 (general provisions),...
52
53 In section 5 of the Bail Act 1976 (supplementary provisions...
54 (1) Schedule 1 to the Bail Act 1976 (persons entitled...

Criminal Law Act 1977 (c. 45)

55
56 In section 38A of the Criminal Law Act 1977 (execution...
57 In section 38B of the Criminal Law Act 1977 (further...

Ancient Monuments and Archaeological Areas Act 1979 (c. 46)

58 In section 5(2) of the Ancient Monuments and Archaeological Areas...
59

Licensed Premises (Exclusion of Certain Persons) Act 1980 (c. 32)

60

Magistrates' Courts Act 1980 (c. 43)

61
62
63
64 (1)
65
66 In section 77(2) of the Magistrates' Courts Act 1980 (postponement...
67 (1) Section 81 of the Magistrates' Courts Act 1980 (enforcement...
68 In section 88(4) of the Magistrates' Courts Act 1980 (supervision...
69
70 In section 96A of the Magistrates' Courts Act 1980 (application...
71
72 In section 113 of the Magistrates' Courts Act 1980 (bail...
73
74
75 In section 128(6) of the Magistrates' Courts Act 1980 (remand...
76
77 In section 135(3) of the Magistrates' Courts Act 1980 (detention...
78 In section 136(4) of the Magistrates' Courts Act 1980 (committal...
79 In section 143(2) of the Magistrates' Courts Act 1980 (power...
80 (1)

Public Passenger Vehicles Act 1981 (c. 14)

81

Criminal Attempts Act 1981 (c. 47)

82

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Contempt of Court Act 1981 (c. 49)

- 83 In section 12(5) of the Contempt of Court Act 1981...
- 84 In section 14 of the Contempt of Court Act 1981...
- 85
- 86

Senior Courts Act 1981 (c. 54)

- 87 In section 81(1) of the Senior Courts Act 1981 (bail),...
- 88

Criminal Justice Act 1982 (c. 48)

- 89 (1) Part III of Schedule 13 to the Criminal Justice...

Mental Health Act 1983 (c. 20)

- 90 (1) Section 37 of the Mental Health Act 1983 (powers...
- 91

Telecommunications Act 1984 (c. 12)

- 92

Child Abduction Act 1984 (c. 37)

- 93

Repatriation of Prisoners Act 1984 (c. 47)

- 94

Police and Criminal Evidence Act 1984 (c. 60)

- 95 In section 17(1) of the Police and Criminal Evidence Act...
- 96
- 97 In section 63A(3B) of the Police and Criminal Evidence Act...
- 98 In section 75(3) of the Police and Criminal Evidence Act...

Prosecution of Offences Act 1985 (c. 23)

- 99 In section 19(3)(c) of the Prosecution of Offences Act 1985...

Protection of Military Remains Act 1986 (c. 35)

- 100

Public Order Act 1986 (c. 64)

- 101

Criminal Justice Act 1988 (c. 33)

- 102 In section 36(2) of the Criminal Justice Act 1988 (review...
- 103
- 104 In section 60(1) of the Criminal Justice Act 1988 (periods...
- 105
- 106

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

107
108
109
110
111
112
113

114 In Schedule 15 to the Criminal Justice Act 1988 (minor...

Copyright, Designs and Patents Act 1988 (c. 48)

115
116

Road Traffic Act 1988 (c. 52)

117 In section 164(5) of the Road Traffic Act 1988 (power...

Road Traffic Offenders Act 1988 (c. 53)

118
119 (1) Section 26 of the Road Traffic Offenders Act 1988...
120 In section 27(3) of the Road Traffic Offenders Act 1988...
121 In section 34(4A) of the Road Traffic Offenders Act 1988...
122 In section 35(5) of the Road Traffic Offenders Act 1988...
123

Extradition Act 1989 (c. 33)

124

Football Spectators Act 1989 (c. 37)

125

Children Act 1989 (c. 41)

126
127
128
129
130 In Part III of Schedule 2 to the Children Act...
131
132

Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25)

133 In section 5(4) of the Criminal Procedure (Insanity and Unfitness...

Criminal Justice Act 1991 (c. 53)

134 In section 16(b) of the Criminal Justice Act 1991 (reciprocal...
135 In section 23(1) of the Criminal Justice Act 1991 (default...
136
137
138 (a)
139

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

140	.....
141	(1)
142	.....
143	(a)
144	(1)
145	.....
146	In section 82(4) of the Criminal Justice Act 1991 (duties...
147	(1) Part III of Schedule 3 to the Criminal Justice...
148	In Schedule 4 to the Criminal Justice Act 1991 (increase...
149	In Schedule 12 to the Criminal Justice Act 1991 (transitional...

Social Security Administration Act 1992 (c. 5)

150
-----	-------

Aggravated Vehicle-Taking Act 1992 (c. 11)

151
-----	-------

Local Government Finance Act 1992 (c. 14)

152	In Schedule 1 to the Local Government Finance Act 1992...
-----	---

Probation Service Act 1993 (c. 47)

153	.....
154	.....
155	.....
156	.....

Pension Schemes Act 1993 (c. 48)

157
-----	-------

Vehicle Excise and Registration Act 1994 (c. 22)

158	.....
159	.....

Criminal Justice and Public Order Act 1994 (c. 33)

160	In section 25 of the Criminal Justice and Public Order...
161	.....
162	.....

Drug Trafficking Act 1994 (c. 37)

163	.....
164	.....
165	.....
166	.....
167	.....
168	.....
169	.....
170	.....
171	.....
172	.....

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

173	.....
	<i>Goods Vehicles (Licensing of Operators) Act 1995 (c. 23)</i>
174	In Schedule 3 to the Goods Vehicles (Licensing of Operators)...
	<i>Children (Scotland) Act 1995 (c. 36)</i>
175	In section 33 of the Children (Scotland) Act 1995 (effect...
	<i>Criminal Procedure (Scotland) Act 1995 (c. 46)</i>
176	.....
177	(1)
178	.....
	<i>London Local Authorities Act 1995 (c. x)</i>
179	.....
	<i>Criminal Evidence (Amendment) Act 1997 (c. 17)</i>
180	.....
	<i>Social Security (Recovery of Benefits) Act 1997 (c. 27)</i>
181	In Part I of Schedule 1 to the Social Security...
	<i>Crime (Sentences) Act 1997 (c. 43)</i>
182	.....
183	(1) Section 34 of the Crime (Sentences) Act 1997 (interpretation...
184	(1) Section 35 of the Crime (Sentences) Act 1997 (community...
185	(1) Section 40 of the Crime (Sentences) Act 1997 (driving...
186	(1) Schedule 1 to the Crime (Sentences) Act 1997 (transfer...
187	.....
188	.....
	<i>Sex Offenders Act 1997 (c. 51)</i>
189	.....
190	.....
	<i>Data Protection Act 1998 (c. 29)</i>
191	.....
	<i>Crime and Disorder Act 1998 (c. 37)</i>
192	.....
193	.....
194	.....
195	.....
196	.....
197	In section 38(4) of the Crime and Disorder Act 1998...
198	.....
199	.....
200	.....

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

201
202 (1)
203

Access to Justice Act 1999 (c. 22)

204

Youth Justice and Criminal Evidence Act 1999 (c. 23)

205

SCHEDULE 10 — Transitory modifications

Section 8

- 1 (1) This paragraph applies if paragraph 11 of Schedule 13...
2 (1) This paragraph applies if paragraph 5 of Schedule 4...

Section 13

- 3 (1) This paragraph applies if paragraph 84 of Schedule 13...

Sections 63 and 66 and Schedule 7

- 4 (1) This paragraph applies if paragraph 63 of Schedule 13...

Section 67

- 5 (1) This paragraph applies if the repeal made by Part...

Section 69

- 6 (1) This paragraph applies if paragraph 30 of Schedule 4...

Section 73

- 7 (1) This paragraph applies if paragraph 29 of Schedule 4...

Section 83

- 8 (1) This paragraph applies if— (a) paragraphs 9 and 25...

Sections 122 and 124

- 9 (1) This paragraph applies if paragraph 85 of Schedule 13...

Section 150

- 10 (1) This paragraph applies if paragraph 20 of Schedule 4...

Section 155

- 11 (1) This paragraph applies if paragraph 24 of Schedule 4...

Schedule 3

- 12 (1) This paragraph applies if paragraph 166 of Schedule 13...

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Schedule 5

- 13 (1) This paragraph applies if paragraph 123 of Schedule 13...

Schedule 6

- 14 (1) This paragraph applies if subsections (1) to (3) of...
15 (1) This paragraph applies if paragraph 5 of Schedule 4...

Meaning of “the relevant commencement date”, et cetera etc.

- 16 (1) Subject to sub-paragraph (2) below, in any of the...
17 An order under any of paragraphs 2, 6, 7, 10...

Power to make transitional provision

- 18 Section 160(6) of this Act does not apply to an...

Saving for old transitional provisions

- 19 (1) This paragraph applies to any transitional provision or saving...

SCHEDULE 11 — Transitional provisions

Part I — GENERAL

Continuity of the law: general

- 1 (1) The substitution of this Act for the provisions repealed...

General saving for old transitional provisions and savings

- 2 (1) The repeal by this Act of a transitional provision...

Use of existing forms etc.

- 3 Any reference to an enactment repealed by this Act which...

Part II — SPECIFIC PROVISIONS: REPLICATION OF OLD TRANSITIONAL PROVISIONS

Sections 37, 41, 46 and 79 and Schedules 2, 3 and 6: consent requirements

- 4 (1) In relation to an offence committed before 1st October...

Section 37: minimum age for curfew order

- 5 In relation to an offence committed before 1st January 1998,...

Custodial sentences for young offenders: section 98 and re-sentencing powers

- 6 In relation to an offender sentenced to detention in a...

- 7 A court to which it falls after the commencement of...

Sections 143, 147, 148 and 150: miscellaneous transitional provisions

- 8 The following provisions of this Act, namely—

- 9 In relation to an offence into which a criminal investigation...

- 10 In relation to an offence committed before 3rd February 1995,...

Part III — SPECIFIC PROVISIONS: MISCELLANEOUS TRANSITIONAL PROVISIONS

Status: Point in time view as at 28/06/2022.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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)

Referral orders

11

Modifications for Isles of Scilly

12

Consequential amendments

13

Part IV — INTERPRETATION

14 In this Schedule, where the context permits, “repeal” includes revoke....

SCHEDULE 12 — Repeals and revocations

Part I — ACTS OF PARLIAMENT REPEALED

Part II — SUBORDINATE LEGISLATION REVOKED

Status:

Point in time view as at 28/06/2022.

Changes to legislation:

Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 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.