

*Status: Point in time view as at 13/04/2015.*

*Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Paragraph 5 is up to date with all changes known to be in force on or before 08 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)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 7

#### BREACH, REVOCATION AND AMENDMENT OF SUPERVISION ORDERS

##### Textual Amendments

- F1** Schs. 5-7 repealed (30.11.2009 for specified purposes) by [Criminal Justice and Immigration Act 2008](#) (c. 4), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27](#) paras. 15); S.I. 2009/3074, art. 2(u)(xxvi)

##### *Revocation and amendment of supervision order*

- 5 (1) If while a supervision order is in force in respect of an offender it appears to a relevant court, on the application of the supervisor or the offender, that it is appropriate to make an order under this sub-paragraph, the court may—
- (a) make an order revoking the supervision order; or
  - (b) make an order amending it—
    - (i) by cancelling any requirement included in it in pursuance of Schedule 6 to, or section 63(6)(b) of, this Act; or
    - (ii) by inserting in it (either in addition to or in substitution for any of its provisions) any provision which could have been included in the order if the court had then had power to make it and were exercising the power.
- (2) Sub-paragraph (1) above has effect subject to paragraphs 7 to 9 below.
- [<sup>F2</sup>2A) In relation to a supervision order imposing a foster parent residence requirement under paragraph 5A of Schedule 6 to this Act, the power conferred by sub-paragraph (1)(b)(ii) above includes power to extend the period specified in the requirement to a period of not more than 18 months beginning with the day on which the requirement first had effect.]
- (3) The powers of amendment conferred by sub-paragraph (1) above do not include power—
- (a) to insert in the supervision order, after the end of three months beginning with the date when the order was originally made, a requirement in pursuance of paragraph 6 of Schedule 6 to this Act (treatment for mental condition), unless it is in substitution for such a requirement already included in the order; <sup>F3</sup> ...
  - <sup>F3</sup>(b) .....
- (4) Where an application under sub-paragraph (1) above for the revocation of a supervision order is dismissed, no further application for its revocation shall be made under that sub-paragraph by any person during the period of three months beginning with the date of the dismissal except with the consent of a court having jurisdiction to entertain such an application.]

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#### **Textual Amendments**

- F2** Sch. 7 para. 5(2A) inserted (30.9.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), s. 93, **Sch. 2 para. 6(3)(a)**; S.I. 2004/2168, art. 2(a)(iii)
- F3** Sch. 7 para. 5(3)(b) and word repealed (30.9.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), s. 93, **Sch. 2 para. 6(3)(b)**, **Sch. 3**; S.I. 2004/2168, art. 2(a)(b)(ii)(iii)

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