



# Criminal Justice and Immigration Act 2008

## 2008 CHAPTER 4

### PART 1 **E+W+N.I.**

#### YOUTH REHABILITATION ORDERS

##### *Youth rehabilitation orders*

VALID FROM 01/04/2009

#### **1 Youth rehabilitation orders **E+W****

- (1) Where a person aged under 18 is convicted of an offence, the court by or before which the person is convicted may in accordance with Schedule 1 make an order (in this Part referred to as a “youth rehabilitation order”) imposing on the person any one or more of the following requirements—
- (a) an activity requirement (see paragraphs 6 to 8 of Schedule 1),
  - (b) a supervision requirement (see paragraph 9 of that Schedule),
  - (c) in a case where the offender is aged 16 or 17 at the time of the conviction, an unpaid work requirement (see paragraph 10 of that Schedule),
  - (d) a programme requirement (see paragraph 11 of that Schedule),
  - (e) an attendance centre requirement (see paragraph 12 of that Schedule),
  - (f) a prohibited activity requirement (see paragraph 13 of that Schedule),
  - (g) a curfew requirement (see paragraph 14 of that Schedule),
  - (h) an exclusion requirement (see paragraph 15 of that Schedule),
  - (i) a residence requirement (see paragraph 16 of that Schedule),
  - (j) a local authority residence requirement (see paragraph 17 of that Schedule),
  - (k) a mental health treatment requirement (see paragraph 20 of that Schedule),
  - (l) a drug treatment requirement (see paragraph 22 of that Schedule),

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*Status: Point in time view as at 08/05/2008. This version of this provision is not valid for this point in time.*

*Changes to legislation: Criminal Justice and Immigration Act 2008, Section 1 is up to date with all changes known to be in force on or before 24 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)*

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- (m) a drug testing requirement (see paragraph 23 of that Schedule),
  - (n) an intoxicating substance treatment requirement (see paragraph 24 of that Schedule), and
  - (o) an education requirement (see paragraph 25 of that Schedule).
- (2) A youth rehabilitation order—
- (a) may also impose an electronic monitoring requirement (see paragraph 26 of Schedule 1), and
  - (b) must do so if paragraph 2 of that Schedule so requires.
- (3) A youth rehabilitation order may be—
- (a) a youth rehabilitation order with intensive supervision and surveillance (see paragraph 3 of Schedule 1), or
  - (b) a youth rehabilitation order with fostering (see paragraph 4 of that Schedule).
- (4) But a court may only make an order mentioned in subsection (3)(a) or (b) if—
- (a) the court is dealing with the offender for an offence which is punishable with imprisonment,
  - (b) the court is of the opinion that the offence, or the combination of the offence and one or more offences associated with it, was so serious that, but for paragraph 3 or 4 of Schedule 1, a custodial sentence would be appropriate (or, if the offender was aged under 12 at the time of conviction, would be appropriate if the offender had been aged 12), and
  - (c) if the offender was aged under 15 at the time of conviction, the court is of the opinion that the offender is a persistent offender.
- (5) Schedule 1 makes further provision about youth rehabilitation orders.
- (6) This section is subject to—
- (a) sections 148 and 150 of the Criminal Justice Act 2003 (c. 44) (restrictions on community sentences etc.), and
  - (b) the provisions of Parts 1 and 3 of Schedule 1.

**Status:**

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**Changes to legislation:**

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