

SCHEDULES

SCHEDULE 16

DEALING NON-CUSTODIALLY WITH OFFENDERS

PART 8

RELATED AMENDMENTS IN ARMED FORCES ACT 2006

Community orders: punitive elements

- 31 The Armed Forces Act 2006 is amended as follows.
- 32 In section 178 (service community orders), in subsection (3) (provisions of the 2003 Act in which “community order” includes a service community order) for “177(3)” substitute “177(2A)”.
- 33 (1) Section 182 (overseas community orders) is amended as follows.
- (2) After subsection (3) insert—
- “(3A) In section 177(2A) and (2B) of the 2003 Act (community orders: punitive elements) “community order” includes an overseas community order if the offender is aged 18 or over when convicted of the offence in respect of which the overseas community order is made.”
- (3) In subsection (5) (provisions of the 2003 Act in which “court” includes a relevant service court) for “those provisions” substitute “the provisions of the 2003 Act mentioned in subsections (3A) and (4)”.
- 34 In section 270 (restrictions on community punishments) after subsection (2) insert—
- “(2A) Subsection (2) is subject to section 177(2A) of the 2003 Act (community orders: punitive elements) as applied by section 178(3) and section 182(3A).”
- 35 An amendment made by any of paragraphs 32 to 34 does not affect orders in respect of offences committed before the amendment comes into force.

Removal of limits on compensation orders made against adults

- 36 (1) Section 284 of the Armed Forces Act 2006 (Service Civilian Court compensation orders etc: maximum amounts) is amended as follows.
- (2) After subsection (2) insert—
- “(2A) The following subsections apply if (but only if) the Service Civilian Court has convicted a person aged under 18 (“the offender”) of an offence or offences.”

Status: This is the original version (as it was originally enacted).

- (3) In subsection (3) (compensation in respect of an offence not to exceed amount mentioned in section 131(1) of the Powers of Criminal Courts (Sentencing) Act 2000) for “any offence of which the court has convicted the offender” substitute “the offence, or any one of the offences,”.
- (4) Nothing in this paragraph affects orders in respect of offences committed before the day on which this paragraph comes into force.

Electronic monitoring of offenders

- 37 (1) The Armed Forces Act 2006 is amended as follows.
- (2) In section 182(1A) (requirements which may not be included in overseas community orders) at the end insert “or (m) (an electronic monitoring requirement)”.
 - (3) In section 183(1) (provisions of Criminal Justice Act 2003 which do not apply to overseas community orders) for “section 215” substitute “sections 215 and 215A”.

Statements of assets and other financial circumstances of offenders etc

- 38 In section 266(2) of the Armed Forces Act 2006 (meaning of “financial statement order”) after “statement of his” insert “assets and other”.