S C H E D U L E S

SCHEDULE 10

BREACH, REVOCATION OR AMENDMENT OF COMMUNITY ORDER

Modifications etc. (not altering text)

C1 Sch. 10 applied (with modifications) by 2006 c. 52, s. 183 (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 8** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

C1 Sch. 10 applied (with modifications) by 2006 c. 52, Sch. 6A (as inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 12** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

C1 Sch. 10 applied by 2006 c. 52, s. 178(2) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 3(3)** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

C1 Sch. 10 modified by 2006 c. 52, s. 181 (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 6** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

C1 Sch. 10 applied (with modifications) by 2006 c. 52, s. 182(3)(4) (as substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 7(5)** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

C1 Sch. 10 applied (with modifications) by 2003 c. 44, s. 300(6), Sch. 31 (as amended (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 24 paras. 241(5), **249** (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2)

PART 3

REVOCATION OF ORDER WITH OR WITHOUT RE-SENTENCING

Crown Court community order

15 (1) This paragraph applies where a Crown Court community order is in force and—

    (a) the offender, or

    (b) an officer of a provider of probation services,

applies to the Crown Court for the community order to be revoked or for the offender to be dealt with in some other way for the offence in respect of which the order was made.

(2) No application may be made under this paragraph while an appeal against the community order is pending.

(3) Unless the application was made by the offender, the Crown Court—

    (a) must, before exercising its powers under sub-paragraph (4)(b), summon the offender to appear before the court, and

    (b) if the offender does not appear in answer to the summons, may issue a warrant for the offender's arrest.

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(4) If it appears to the Crown Court to be in the interests of justice to do so, having regard to circumstances which have arisen since the order was made, the Crown Court may—

(a) revoke the order, or

(b) both—

(i) revoke the order, and

(ii) re-sentence the offender for the offence in respect of which the order was made.

(5) The circumstances in which a community order may be revoked under sub-paragraph (4) include the offender's—

(a) making good progress, or

(b) responding satisfactorily to supervision or treatment (as the case requires).

(6) If the Crown Court deals with the offender under sub-paragraph (4)(b), it must take into account the extent to which the offender has complied with the requirements of the order.

Commencement Information

I1   Sch. 10 para. 15 in force at 1.12.2020 by S.I. 2020/1236, **reg. 2**

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

Changes to legislation:
Sentencing Act 2020, Paragraph 15 is up to date with all changes known to be in force on or before 29 June 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.