

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Cross Heading: Community order subject to magistrates' court supervision is up to date with all changes known to be in force on or before 28 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. (See end of Document for details)

SCHEDULES

SCHEDULE 10

BREACH, REVOCATION OR AMENDMENT OF COMMUNITY ORDER

Modifications etc. (not altering text)

- 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)
- 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 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)

PART 3

REVOCATION OF ORDER WITH OR WITHOUT RE-SENTENCING

Community order subject to magistrates' court supervision

- 14 (1) This paragraph applies where a community order subject to magistrates' court supervision is in force, and
- (a) the offender, or
 - (b) an officer of a provider of probation services,
- applies to the appropriate magistrates' 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) In this paragraph “the appropriate magistrates' court” means—
- (a) in the case of a community order imposing a drug rehabilitation requirement which is subject to review, if a magistrates' court is responsible for the order, that court, and
 - (b) in any other case, a magistrates' court acting in the offender's home local justice area.
- (3) No application may be made under this paragraph while an appeal against the community order is pending.

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- (4) Unless the application was made by the offender, the appropriate magistrates' court—
- (a) must, before exercising its powers under sub-paragraph (5)(b), summon the offender to appear before it, and
 - (b) if the offender does not appear in answer to the summons, may issue a warrant for the offender's arrest.
- (5) If it appears to the court to be in the interests of justice to do so, having regard to circumstances which have arisen since the order was made, the court may—
- (a) revoke the community order, or
 - (b) both—
 - (i) revoke the community order, and
 - (ii) re-sentence the offender for the offence in respect of which the order was made.
- (6) The circumstances in which a community order may be revoked under sub-paragraph (5) include the offender's—
- (a) making good progress, or
 - (b) responding satisfactorily to supervision or treatment (as the case requires).
- (7) If the court deals with the offender under sub-paragraph (5)(b), it must take into account the extent to which the offender has complied with the requirements of the community order.
- (8) A person sentenced under sub-paragraph (5)(b) for an offence may appeal to the Crown Court against the sentence.

Commencement Information

II Sch. 10 para. 14 in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

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