

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Sentencing Act 2020, PART 9 is up to date with all changes known to be in force on or before 07 October 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 6 **E+W**

#### YOUTH REHABILITATION ORDERS: REQUIREMENTS

#### **PART 9** **E+W**

##### RESIDENCE REQUIREMENT

###### *Requirement*

- 22 (1) In this Code “residence requirement”, in relation to a youth rehabilitation order, means a requirement that, for a particular period (“the required period”), the offender must—
- (a) reside with a particular individual, or
  - (b) reside—
    - (i) at a particular place (“the required place”), or
    - (ii) if the order so permits, at the required place or, with the prior approval of the responsible officer, at some other place.
- (2) A youth rehabilitation order which imposes a residence requirement within subparagraph (1)(a) must specify—
- (a) the required period, and
  - (b) the individual with whom the offender is required to reside.
- (3) A youth rehabilitation order which imposes a residence requirement within subparagraph (1)(b) (a “place of residence requirement”) must specify—
- (a) the required period,
  - (b) the required place, and
  - (c) if the offender is to be permitted to reside at some other place with the prior approval of the responsible officer, that fact.

#### **Commencement Information**

**II** Sch. 6 para. 22 in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

###### *Imposing a residence requirement: restrictions and requirements*

- 23 (1) A youth rehabilitation order which imposes a residence requirement within paragraph 22(1)(a) may not specify, as the individual with whom the offender is required to reside, an individual who has not consented to the requirement.
- (2) A court may not include a place of residence requirement in a youth rehabilitation order unless the offender is aged 16 or over at the time of conviction.

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- (3) Before making a youth rehabilitation order containing a place of residence requirement, the court must consider the home surroundings of the offender.
- (4) A hostel or other institution may not be specified as the required place, except on the recommendation of—
  - (a) a member of a youth offending team,
  - (b) an officer of a provider of probation services, or
  - (c) a social worker of a local authority.
- (5) In this paragraph, “place of residence requirement” and “the required place” have the same meanings as in paragraph 22.

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**Commencement Information**

**I2** Sch. 6 para. 23 in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

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