



Sentencing Act 2020

2020 CHAPTER 17

THIRD GROUP OF PARTS Disposals

PART 9

COMMUNITY SENTENCES

CHAPTER 1

YOUTH REHABILITATION ORDERS

Exercise of power to make youth rehabilitation order

179 Exercise of power to make youth rehabilitation order: general considerations

- (1) This section applies where a court is dealing with an offender for an offence and a youth rehabilitation order is available.
- (2) The court must not make a youth rehabilitation order unless it is of the opinion that—
 - (a) the offence, or
 - (b) the combination of the offence and one or more offences associated with it, was serious enough to warrant the making of such an order.
- (3) In forming its opinion for the purposes of subsection (2), the court must take into account all the information that is available to it about the circumstances of the offence, or of it and any associated offence or offences, including any aggravating or mitigating factors.
- (4) The pre-sentence report requirements (see section 30) apply to the court in relation to forming that opinion.
- (5) The fact that, by virtue of subsection (2), the court may make a youth rehabilitation order does not require it to do so.

Status: This is the original version (as it was originally enacted).

- (6) Before making a youth rehabilitation order, the court must obtain and consider information about—
- (a) the offender’s family circumstances, and
 - (b) the likely effect of a youth rehabilitation order on those circumstances.