



Criminal Justice Act 1948

1948 CHAPTER 58

PART III

SUPPLEMENTAL.

74 Application to supervision orders of certain, provisions relating to probation.

- (1) Subject to the provisions of this section, a supervision order (that is to say an order made under section sixty-two, section sixty-three, section sixty-four or section eighty-four of the Children and Young Persons Act, 1933, placing a child or young person under the supervision of a probation officer or of some other person appointed for the purpose by the court) may include any such requirement as to the residence of the person to whom the order relates, or as to treatment for his mental condition, as may, by virtue of subsection (4) of section three or by virtue of section four of this Act, be included in a probation order;

Provided that a supervision order containing any such provision shall not be made in the case of a young person unless he consents thereto, and any requirement as to the residence of any person included in such an order shall cease to have effect when that person attains the age of eighteen years.

- (2) The court by which a supervision order is made shall forthwith give a copy of the order to the child or young person to whom the order relates, to the person under whose supervision the child or young person is placed by the order and to the person in charge of any institution in which the child or young person is required by the order to reside; and subject to the provisions of this section, subsection (7) of section three of this Act shall apply to a supervision order which requires a person to reside in any institution as it applies to a probation order containing such a requirement.
- (3) Subsections (1) to (3) of section five of this Act, and the First Schedule to this Act, shall apply in relation to the discharge, amendment and review of supervision orders as they apply in relation to the discharge, amendment and review of probation orders:

Provided that a supervision order may be amended under the said First Schedule on application made by any person.

Status: This is the original version (as it was originally enacted).

- (4) For the purposes of their application to supervision orders under this section, the provisions of this Act specified in subsections (1) to (3) of this section shall have effect subject to the following modifications, that is to say:—
- (a) for references to a probation order there shall be substituted references to a supervision order;
 - (b) for references to the probation period there shall be substituted references to the period of supervision specified in the supervision order;
 - (c) for references to the probationer or the offender there shall be substituted references to the person in whose case the supervision order is or is to be made;
 - (d) references to the probation officer shall include references to a person not being a probation officer under whose supervision the child or young person to whom the supervision order relates is placed by virtue of the order;
 - (e) for references to the supervising court there shall be substituted references to the court by which the supervision order was made, or any other court authorised under subsection (3) of section four of the Children and Young Persons Act, 1938, to exercise the powers of that court;
 - (f) paragraph 2 of the said First Schedule shall not apply, and paragraph 5 of that Schedule shall not apply except where the amending order requires the person to whom the supervision order relates to reside in an institution or to submit to treatment for his mental condition.