



Criminal Justice Act 1982

1982 CHAPTER 48

PART V

MISCELLANEOUS

Requirement of social inquiry reports

62 Social inquiry reports on persons who have not previously served prison sentences

The following section shall be inserted after section 20 of the Powers of Criminal Courts Act 1973—

“20A Social inquiry report for purposes of s. 20.

- (1) Subject to subsection (2) below, the court shall in every case obtain a social inquiry report for the purpose of determining under section 20(1) above whether there is any appropriate method of dealing with an offender other than imprisonment.
- (2) Subsection (1) above does not apply if, in the circumstances of the case, the court is of the opinion that it is unnecessary to obtain a social inquiry report.
- (3) Where a magistrates' court passes a sentence of imprisonment on a person of or over 21 years of age on whom such a sentence has not previously been passed by a court in any part of the United Kingdom without obtaining a social inquiry report, it shall state in open court the reason for its opinion that it was unnecessary to obtain such a report.
- (4) A magistrates' court shall cause a reason stated under subsection (3) above to be specified, in the warrant of commitment and to be entered in the register.
- (5) No sentence shall be invalidated by the failure of a court to comply with subsection (1) above, but any other court on appeal from that court shall obtain

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a social inquiry report if none was obtained by the court below, unless it is of the opinion that in the circumstances of the case it is unnecessary to do so.

- (6) In determining whether it should deal with the appellant otherwise than by passing a sentence of imprisonment on him the court hearing the appeal shall consider any social inquiry report obtained by it or by the court below.
- (7) In this section " social inquiry report" means a report about a person and his circumstances made by a probation officer.”.