

SCHEDULES

SCHEDULE 3

BREACH, REVOCATION AND AMENDMENT OF CURFEW, PROBATION, COMMUNITY SERVICE, COMBINATION AND DRUG TREATMENT AND TESTING ORDERS

PART II

BREACH OF REQUIREMENT OF ORDER

Exclusions from paragraphs 4 and 5

- 6 (1) Without prejudice to paragraphs 10 and 11 below, an offender who is convicted of a further offence while a relevant order is in force in respect of him shall not on that account be liable to be dealt with under paragraph 4 or 5 above in respect of a failure to comply with any requirement of the order.
- (2) An offender who—
- (a) is required by a probation order or combination order to submit to treatment for his mental condition, or his dependency on or propensity to misuse drugs or alcohol, or
 - (b) is required by a drug treatment and testing order to submit to treatment for his dependency on or propensity to misuse drugs,
- shall not be treated for the purposes of paragraph 4 or 5 above as having failed to comply with that requirement on the ground only that he has refused to undergo any surgical, electrical or other treatment if, in the opinion of the court, his refusal was reasonable having regard to all the circumstances.