



Serious Crime Act 2007

2007 CHAPTER 27

PART 1

SERIOUS CRIME PREVENTION ORDERS

Extension of jurisdiction to Crown Court

21 Powers of Crown Court to vary^[F1] or replace] orders on breach

- (1) Subsection (2) applies where the Crown Court in England and Wales is dealing with a person who—
- (a) has been convicted by or before a magistrates' court of having committed an offence under section 25 in relation to a serious crime prevention order and has been committed to the Crown Court to be dealt with; or
 - (b) has been convicted by or before the Crown Court of having committed an offence under section 25 in relation to a serious crime prevention order.
- (2) The Crown Court may—
- (a) in the case of an order in England and Wales; and
 - (b) in addition to dealing with the person in relation to the offence; vary^[F2] or replace] the order if it has reasonable grounds to believe that the terms of the order as varied^[F3], or the new order,] would protect the public by preventing, restricting or disrupting involvement by the person in serious crime in England and Wales.
- (3) Subsection (4) applies where the Crown Court in Northern Ireland is dealing with a person who has been convicted by or before the Crown Court of an offence under section 25 in relation to a serious crime prevention order.
- (4) The Crown Court may—
- (a) in the case of an order in Northern Ireland; and
 - (b) in addition to dealing with the person in relation to the offence;

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007, Section 21. (See end of Document for details)

vary^[F4] or replace] the order if it has reasonable grounds to believe that the terms of the order as varied^[F5], or the new order,] would protect the public by preventing, restricting or disrupting involvement by the person in serious crime in Northern Ireland.

- (5) ^[F6]An order may be varied or replaced under this section] only on an application by the relevant applicant authority.
- (6) A variation^[F7] or new order] must not be made except—
- (a) in addition to a sentence imposed in respect of the offence concerned; or
 - (b) in addition to an order discharging the person conditionally.
- (7) A variation may include an extension of the period during which the order, or any provision of it, is in force (subject to the original limits imposed on the order by section 16(2) and (4)(b)).
- ^[F8](8) A reference in this section to replacing a serious crime prevention order is to making a new serious crime prevention order and discharging the existing one.]

Textual Amendments

- F1** Words in s. 21 heading inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), **Sch. 4 para. 79**; [S.I. 2015/820](#), reg. 2(r)(xv)
- F2** Words in s. 21(2) inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 48(2)(a)**, 88(1); [S.I. 2015/820](#), reg. 2(g)
- F3** Words in s. 21(2) inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 48(2)(b)**, 88(1); [S.I. 2015/820](#), reg. 2(g)
- F4** Words in s. 21(4) inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 48(3)(a)**, 88(1); [S.I. 2015/820](#), reg. 2(g)
- F5** Words in s. 21(4) inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 48(3)(b)**, 88(1); [S.I. 2015/820](#), reg. 2(g)
- F6** Words in s. 21(5) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 48(4)**, 88(1); [S.I. 2015/820](#), reg. 2(g)
- F7** Words in s. 21(6) inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 48(5)**, 88(1); [S.I. 2015/820](#), reg. 2(g)
- F8** S. 21(8) inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 48(6)**, 88(1); [S.I. 2015/820](#), reg. 2(g)

Commencement Information

- I1** S. 21 in force at 6.4.2008 by [S.I. 2008/755](#), **art. 15(1)(d)**

Changes to legislation:

There are currently no known outstanding effects for the Serious Crime Act 2007, Section 21.