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**Changes to legislation:** Criminal Justice and Immigration Act 2008, Cross Heading: Children and Young Persons Act 1969 (c. 54) is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 4 **E+W**

#### YOUTH REHABILITATION ORDERS: CONSEQUENTIAL AND RELATED AMENDMENTS

#### PART 1 **E+W**

##### CONSEQUENTIAL AMENDMENTS

##### *Children and Young Persons Act 1969 (c. 54)*

- 14 The Children and Young Persons Act 1969 has effect subject to the following amendments.

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**Commencement Information**

**I1** Sch. 4 para. 14 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(iii)

- 15 Omit section 25 (transfers between England or Wales and Northern Ireland).

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**Commencement Information**

**I2** Sch. 4 para. 15 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(iii)

- 16 (1) Section 26 (transfers between England or Wales and the Channel Islands or Isle of Man) is amended as follows.
- (2) In subsection (1)(c), for the words from “supervision order” to “2000” substitute “youth rehabilitation order imposing a local authority residence requirement”.
- (3) In subsection (2), for the words from “supervision order” to “2000” substitute “youth rehabilitation order imposing a local authority residence requirement”.

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**Commencement Information**

**I3** Sch. 4 para. 16 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(iii)

- 17 (1) Section 32 (detention of absentees) is amended as follows.
- (2) In subsection (1A)—
- (a) in paragraph (a), for “paragraph 7(4) of Schedule 7 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “paragraph 21(2) of Schedule 2 to the Criminal Justice and Immigration Act 2008”, and
- (b) for paragraph (b) substitute—
- “(b) from local authority accommodation—

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- (i) in which he is required to live by virtue of a youth rehabilitation order imposing a local authority residence requirement (within the meaning of Part 1 of the Criminal Justice and Immigration Act 2008); or
- (ii) to which he has been remanded under paragraph 21 of Schedule 2 to that Act; or
- (iii) to which he has been remanded or committed under section 23(1) of this Act.”.

(3) For subsection (1C) substitute—

- “(1C) In this section “the responsible person” means, as the case may be—
- (a) the person who made the arrangements under paragraph 21(2) of Schedule 2 to the Criminal Justice and Immigration Act 2008;
  - (b) the authority specified under paragraph 17(5) of Schedule 1 to that Act;
  - (c) the authority designated under paragraph 21(10) of Schedule 2 to that Act; or
  - (d) the authority designated under section 23 of this Act.”

(4) After subsection (1C) insert—

- “(1D) If a child or young person—
- (a) is required to reside with a local authority foster parent by virtue of a youth rehabilitation order with fostering, and
  - (b) is absent, without the consent of the responsible officer (within the meaning of Part 1 of the Criminal Justice and Immigration Act 2008), from the place in which he is required to reside,
- he may be arrested by a constable anywhere in the United Kingdom without a warrant.

(1E) A person so arrested shall be conducted to—

- (a) the place where he is required to reside, or
- (b) such other place as the local authority specified under paragraph 18(3) of Schedule 1 to the Criminal Justice and Immigration Act 2008 may direct,

at that local authority's expense.”

(5) In subsection (2), for “or (1A)” substitute “, (1A) or (1D) ”.

(6) In subsection (2A), for the words from “mentioned in subsection” to “this section is in premises” substitute “ mentioned in subsection (1), (1A)(a) or (b)(i) or (ii) or (1D) of this section is in premises ”.

(7) In subsection (2B)—

- (a) after “subsection (1A)” insert “ or (1D) ”, and
- (b) at the end insert “ or the responsible officer, as the case may be. ”

(8) In subsection (3), for “or (1A)” substitute “, (1A) or (1D) ”.

(9) In subsection (4), after “(1A)” insert “, (1D) ”.

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**Commencement Information**

**I4** Sch. 4 para. 17 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(iii)

- 18 In section 70(1) (interpretation)—
- (a) omit the definition of “supervision order”,
  - (b) after the definition of “local authority accommodation” insert—  
““local authority residence requirement” has the same meaning as in Part 1 of the Criminal Justice and Immigration Act 2008;”, and
  - (c) after the definition of “youth offending team” insert—  
““youth rehabilitation order” and “youth rehabilitation order with fostering” have the same meanings as in Part 1 of the Criminal Justice and Immigration Act 2008 (see section 1 of that Act);”.

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**Commencement Information**

**I5** Sch. 4 para. 18 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(iii)

- 19 In section 73(4)(a) (provisions of section 32 extending to Scotland) for “to (1C)” substitute “ to (1E) ”.

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**Commencement Information**

**I6** Sch. 4 para. 19 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(iii)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)