

*Changes to legislation: There are currently no known outstanding effects for the Street Offences Act 1959, Part 2. (See end of Document for details)*

## [<sup>F1</sup>SCHEDULE

### ORDERS UNDER SECTION 1(2A): BREACH, AMENDMENT ETC.

#### Textual Amendments

- F1** Sch. inserted (1.4.2010) by Policing and Crime Act 2009 (c. 26), ss. 17(4), 116(1), **Sch. 1**; S.I. 2010/507, art. 5(d) (with art. 6)

## PART 2

### BREACH OF REQUIREMENT OF ORDER

#### *Breach of requirement of order*

- 2 (1) If the supervisor is of the opinion that the offender has failed without reasonable excuse to comply with the order, the supervisor must cause an information to be laid before a justice of the peace in respect of the failure.
- (2) If it appears on information to the justice of the peace that the offender has failed to comply with the order, the justice may issue a summons requiring the offender to appear at the place and time specified in it.
- (3) Any such summons must direct the offender to appear before [<sup>F2</sup>a magistrates' court acting in the relevant local justice area].
- (4) In sub-paragraph (3) “the relevant local justice area” means—
- (a) the local justice area for the time being specified in the order, or
  - (b) if it appears to the justice of the peace that the offender resides in another local justice area, that local justice area.

#### Textual Amendments

- F2** Words in Sch. para. 2(3) substituted for Sch. para. 2(3)(a)(b) (3.5.2015) by Serious Crime Act 2015 (c. 9), **Sch. 4 para. 2(2)** (with s. 86(11)); S.I. 2015/820, **reg. 2(r)(ii)**

#### *Failure to answer to a summons*

- 3 (1) This paragraph applies where the offender does not appear in answer to a summons issued under paragraph 2.
- (2) The magistrates' court may issue a warrant for the arrest of the offender.
- (3) Any such warrant must require the offender to be brought before [<sup>F3</sup>a magistrates' court acting in the relevant local justice area].
- (4) In sub-paragraph (3) “the relevant local justice area” means—
- (a) the local justice area for the time being specified in the order, or
  - (b) if it appears to the magistrates' court that the offender resides in another local justice area, that local justice area.

---

*Changes to legislation: There are currently no known outstanding effects  
for the Street Offences Act 1959, Part 2. (See end of Document for details)*

---

**Textual Amendments**

- F3** Words in Sch. para. 3(3) substituted for Sch. para. 3(3)(a)(b) (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), [Sch. 4 para. 2\(2\)](#) (with s. 86(11)); [S.I. 2015/820](#), [reg. 2\(r\)\(ii\)](#)

*Powers of magistrates' court*

- 4 (1) This paragraph applies where—
- (a) the offender appears or is brought before a magistrates' court in accordance with this Part of this Schedule, and
  - (b) it is proved to the satisfaction of the court that the offender has failed without reasonable excuse to comply with the order.
- (2) The court—
- (a) must revoke the order (if it remains in force), and
  - (b) may deal with the offender in respect of the failure by dealing with the offender, for the offence in respect of which the order was made, in any way in which the court could deal with the offender if the offender had just been convicted by it of the offence.
- (3) In dealing with an offender under sub-paragraph (2)(b), the court must take into account the extent to which the offender has complied with the order.
- (4) A person sentenced under sub-paragraph (2)(b) may appeal to the Crown Court against the sentence.]

**Changes to legislation:**

There are currently no known outstanding effects for the Street Offences Act 1959, Part 2.