



JUDICIAL  
COLLEGE

# YOUTH COURT PRONOUNCEMENT CARDS

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Updated October 2015

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## Anti-social behaviour injunction

**We are making an anti-social behaviour injunction in this case for [..... years] [until further order].**

**We find that you have acted in an anti-social manner and that people need protecting from further anti-social acts by you.**

**We believe this because .....**

**While you are on this order you must not:**

[State the prohibited acts and duration of each prohibition.]

**If you do any of these things you will commit an offence and may be sent to custody.**

[If applicable.] **We attach a power of arrest to the following:**

[State the conditions to which the power of arrest apply.]

**While you are on this order you must:**

[State the requirements, who is responsible for monitoring compliance and duration of each requirement.]

**If you do not carry out these requirements you may be sent to custody.**

**Do you understand?**

**You must wait for a copy of the order before you leave the court building.**

## Criminal behaviour order

**We are making a criminal behaviour order in this case for [..... years] [until further order].**

**We find that you have taken part in behaviour that has caused or is likely to cause harassment, alarm or distress and that making an order will help prevent you taking part in this behaviour.**

**We believe this because .....**

**While you are on this order you must not:**

[State the prohibited acts and duration of each prohibition.]

**You must carry out the following requirements:**

[State requirements, who is responsible for monitoring compliance and the duration.]

**If you do not comply with this order you will commit a serious offence and you may be sent to custody.**

**Do you understand?**

**You must wait for a copy of the order before you leave the court building.**

## Individual support order

**We are also making an individual support order for a period of ..... months  
(max 6) because this should help you stop behaving in an antisocial manner in the future.**

**During this time you must .....**

[Explain the requirements as outlined by the Youth Offending Team.]

**You must do what the Youth Offending Team officer tells you to do. If you do not, you could be brought back to court and fined, or dealt with in some other way.**

**You or your officer can apply to the court to have this order reviewed.**

## Deferment of sentence

**We do not intend to sentence you today, but will do so on ..... This is so that we can review your conduct between now and then.**

**At present we are thinking of sentencing you to ..... but if you do not commit any further offences during this time and you complete the following requirements, we could impose a lower sentence on you.**

**The requirements that must be carried out are .....**

**If you do not comply with the requirements, or you commit another offence during this time, you may be brought back to the court sooner and sentenced for today's offence(s) and any others.**

**A Youth Offending Team officer will write a report before you are sentenced and you must co-operate with the officer.**

**Do you understand?**

**Do you agree to this course of action?**

**You must not leave the court building until you have a copy of the order.**

## Detention and training order

- Available for children and young people aged 12-17 years old. If the child or young person is 12-14 years old, the order can only be made if they are a persistent offender.
- Fixed terms of 4, 6, 8, 10, 12, 18 or 24 months (consecutive orders need not total these periods).
- A written pre-sentence report must be considered.
- Offence(s) must be **so serious** that custody is the only appropriate penalty. Need to give reasons why a YRO with ISS/Fostering cannot be justified.

**For the offence(s) we are making a detention and training order for a period of ..... months.**

[Where there is more than one offence state whether concurrent or consecutive.]

1. **We believe this is necessary because the offence(s) is/are so serious that custody is the only option because .....**

[Using your sentencing form, give your reasons including:

- Your assessment of the aggravating or mitigating circumstances that determine the level of culpability and degree of harm caused (offence).
- Child or young person's personal mitigation (offender).]

**We have reduced your sentence because you pleaded guilty. If you had not, it would have been .....**

**We cannot justify imposing a youth rehabilitation order with intensive supervision and surveillance or fostering because.....**

[or]

- 2. We find that you have wilfully and persistently breached your youth rehabilitation orders by ..... [give details]. The court has now decided it has no option but to pass a custodial sentence which will be for a period of ..... months.**

[If applicable.] **We have taken into account the fact that you complied with some of your order.**

**In deciding that this length of sentence is appropriate we have taken into account the fact that you have spent ..... days/weeks on remand.**

[If the child or young person has been remanded in custody or on a tagged curfew for more than 9 hours a day, your legal adviser will calculate the number of days/weeks to be taken into account.]

**You will normally be released once you have served half your sentence. You will be told what to do when you are released. If you do not do as you are told, you will be brought back to court and may be fined, asked to complete a further period of supervision or sent back into custody.**

**Do you understand?**

[Consider any ancillary orders.]

**You must also pay a surcharge of £..... This money is used to fund victim services.**

## Discharge – absolute

**For the offence(s) of ..... we are making an absolute discharge. Although you are guilty of the offence(s), we do not think that you need to be punished because ..... but a record of your conviction will be kept.**

**Do you understand?**

## Discharge – conditional

**For the offence(s) of ..... we are making a conditional discharge for ..... months/ years because ..... You are not being punished today. However, if you commit any other offence during the next ..... months/years you can be punished for today's offence(s) as well as the new offence.**

**[If applicable.] We have reduced your sentence because you pleaded guilty. If you had not, it would have been.....**

**Do you understand?**

**[Consider any ancillary orders.]**

**You must also pay a surcharge of £..... This money is used to fund victim services.**

## Disqualification – general

[This assumes details of individual offence(s) and totting have already been given.]

**You are disqualified from driving for ..... days/weeks/months/years. This means you cannot drive any motor vehicle on a road or public place from this moment until the end of your disqualification. If you drive while disqualified, you will commit a serious offence and you may be sent to custody and disqualified again.**

[Where applicable, for 16-17 year olds.] If the disqualification is 56 days or more – **You must apply to the DVLA for a new photocard licence if you wish to drive once your disqualification has ended. You should not drive until you have received your new photocard licence. [Where a photocard licence has not been surrendered to the court] Your current photocard licence is no longer valid and you must send it to the DVLA.**

[Where applicable, for 16-17 year olds.] If the disqualification is for 55 days or less – **The disqualification will be noted on your DVLA driving record. You do not need to hand in your photocard licence, but it is not valid until the disqualification has ended.**

[If an immediate custodial sentence is imposed] – **The period of your disqualification will be extended to take into account the custodial sentence imposed.**

Do you understand?

## **Drink-driving rehabilitation courses (17 year olds only)**

**We are offering you the opportunity to reduce the period of your disqualification by ..... weeks if you successfully complete a drink-driver rehabilitation course by .....**

**This course will last at least 16 hours spread over a number of days. You will have to pay the cost of the course.**

**If you wish to have the opportunity of reducing your disqualification you must tell us now. It cannot be offered later. You are not forced to attend the course but if you do not attend and complete it, to the satisfaction of the course organisers, you will have to serve the whole disqualification.**

**Do you agree to attend the course?**

## Disqualification – interim

**For the offence(s) of ..... we are imposing an interim disqualification. This starts now and will last for a period of six months or until you are sentenced, whichever comes first. When you are sentenced you will be told exactly how long your disqualification will be. Today's disqualification will count towards any final disqualification that may be imposed.**

**You cannot drive any motor vehicle on a road or public place from this moment. If you drive whilst disqualified, you will commit a serious offence and you may be sent to custody and disqualified again.**

**Do you understand?**

## Disqualification – until test passed

**You are also disqualified until you take [a driving test] [an extended driving test]. This means that once your disqualification period has ended, you will be able to apply for a provisional licence only. When you drive with a provisional licence, you must be supervised by a qualified driver and display L plates on your vehicle. If you do not, you will commit an offence of driving whilst disqualified.**



## Financial penalties (youth)

### Fines

- Children aged 10-13 the maximum is £250.
- Young people aged 14-17, the maximum is £1,000.
- Where the child or young person is aged under 16, the court has a duty to order the parent or guardian to pay unless:
  - the parent or guardian cannot be found, or
  - it would be unreasonable to do so, having regard to all the circumstances of the case.
- Where the young person is 16 years old or over, this duty becomes discretion.

**For the offence of ..... we are fining you £..... [Repeat as necessary.]**

**[If applicable.] We have reduced your [sentence because you pleaded guilty. If you had not, it would have been .....**

**Our reasons are .....**

**You must also pay a surcharge of £..... This money is used to fund victim services.**

## Compensation

For the offence of ..... we order that you pay £..... compensation for the [injury][damage][loss] caused to ..... [Repeat as necessary.]

Our reasons are .....

## Costs

You must pay £..... towards the cost of the prosecution.

## In all cases

You have a total of £..... to pay. This is due now. Can you pay it in full today?

## If a parent/guardian is ordered to pay

We make a collection order, which means that a fines officer will make sure that the sum is paid as ordered and explain to you how it is to be paid. You must pay on the day(s) when ordered to do so and you must notify the fines officer of any change in your financial circumstances or address. [State reasons if a collection order is not made.]

If you do not make the payments as ordered, you will be brought back to court and you could be sent to prison.

Do you understand?

## Parental bind over

We are thinking of binding you over to:

- take proper care of, and exercise control over ..... [state name of offender]
- [where appropriate] and ensure that [he] [she] complies with the community sentence we have imposed today.

This means that if you do not:

- take proper care and control over [him] [her]
- [where appropriate] and ensure [he] [she] complies with the community sentence,

you may have to pay money to the court.

We will decide how much, and for how long you would be bound over, after we have heard what you have to say.

Do you wish to say anything about this proposal or your financial circumstances?

You will be bound over in the sum of £..... for a period of.....

## Parenting order

We are going to make a parenting order for a period of ..... [insert length] to stop ..... [insert name] from:

- committing a further offence, [and/or]
- repeating the kind of behaviour which led to the ..... order being made.

This order will help you to provide appropriate care, protection and support in achieving this.

The Youth Offending Team officer will be ..... [insert name].

The order will last for ..... months.

You must attend [counselling] [guidance sessions] as directed by ..... [insert name] for a period of ..... [insert length].

[If applicable.] In addition, you will be required to ..... [insert details].

You or the Youth Offending Team officer can apply to the court to review the order at any time.

If you do not comply with this order, you may have committed a criminal offence, punishable by a fine of up to £1,000.

## Referral order

- Available for all youths.
- A referral order **must** be imposed on any youth with **no previous convictions** who **pleads guilty** to any imprisonable offence, unless the court is considering an **absolute discharge, conditional discharge, Mental Health Act order or custody**. Previous bind over's and discharges (absolute or conditional) are not previous convictions for these purposes, so do not have any impact on the mandatory referral order provisions.
- A referral order **may** be imposed where a youth has pleaded guilty to at least one of the offences before the court for sentence, regardless of previous convictions.
- The length of the order must be for a minimum of three months and a maximum of 12 months.
- The order runs from the date the contract is signed (not the court date).
- The court **must** order a parent/guardian to attend the meetings of the youth offender panel, where the youth is 10-15 years old, and **may** order parental attendance for those aged 16-17. Failure to attend a panel meeting may result in the parent being brought back before the court.

For the offence(s) of ..... we are making a referral order for .....months. This is because .....

You will meet a panel of people who are there to help you. You will be able to talk with them about yourself and your offending .....[give details].

They will then ask you to agree and sign a contract that will include activities to stop you offending again. The order starts on the day you sign the contract.

If you do not sign the contract, do not do the things listed in it, or fail to attend meetings you can be brought back to the court and given a different sentence.

[State names of parent(s)/guardian(s)/local authority representative(s)] ..... must also attend the meetings. If they do not attend, they may be brought back to court.

Your order will be supervised by the ..... Youth Offending Team.

You must wait for a copy of the order before you leave the court building.

[Consider any ancillary orders.]

You must also pay a surcharge of £..... This money is used to fund victim services.

Do you understand?

## Referral back to court for non-compliance

You were given a referral order for ..... months on ..... for the following offences .... However, you are now back at court because you [did not sign the contract][do what you were asked][did not attend the meetings].

Where the court takes no action – We have decided on this occasion we will take no action for the fact that [you did not sign the contract][do what you were asked][did not attend the meetings]. This is because .....

The referral order will continue and you have ..... months left on that order. You need to do the things in the contract and attend all meetings until the order ends.

Where the court will revoke and re-sentence – We have decided that we will revoke your referral order made on ..... [insert date] and give you a new sentence.

For the offences of ..... the sentence will be [state new sentence].

This is because .....

Do you understand?

Where the court imposes a fine – We have decided to deal with this non-compliance with the order by a fine of £.....

This is because .....

When giving you this fine we have looked at what [you][your parent/guardian] can afford to pay.

Do you understand?

Where the court extends a referral order – For the offence(s) of ..... we are extending your referral order made on ..... [insert date] by ..... months. Your referral order is now for a total period of ..... months. This is because .....

Do you understand?

Use for all pronouncements when referral order continues for non-compliance – If you do not do the things listed in the referral order, do not attend meetings or commit any further offences you will be brought back to court and you could be dealt with in some other way.

Do you understand?

## Further offences committed whilst subject to a referral order (whenever the offence is committed)

You are here today as there are new offence(s) before the court [state offences].

On the [insert date] you were given a ..... month referral order for the offence(s) of .....

Where the court extends a referral order – For the offence(s) of ..... we are extending your referral order made on ..... [insert date] by ..... months. Your referral order is now for a total period of ..... months. This is because .....

Do you understand?

[See card 7 if absolute or conditional discharge imposed.]

## Further referral order imposed (where discretionary conditions are met)

We have heard about .....[give details of the offence, youth, family]. For these new offences, we have decided to give you a new referral order for ..... months. This is in addition to your current order. The new order will start when your current order ends.

The referral order you are currently doing will still remain. You are expected to still do the things listed in that order and attend meetings until it is finished.

Do you understand?

**(Use for all pronouncements when further offences committed)**

If you do not do the things listed in the referral order, do not attend meetings or commit any further offences you will be brought back to court and you could be dealt with in some other way.

Do you understand?

## Reparation order

- Available for all youths.
- Maximum of 24 hours over a period of three months.
- The reparation required should be commensurate with the seriousness of the offence. The youth is placed for the duration of the order under the supervision of a Youth Offending Team officer.
- It is not a community penalty.
- The court should specify whether the reparation required is to:
  - a person(s) so specified, or
  - to the community at large.
- The court must obtain and consider a written report before making a reparation order.
- A reparation order cannot be combined with a YRO or a DTO.

**1. We are going to make a reparation order in your case for a period of three months.**

**You will be placed under the supervision of [specify name of Youth Offending Team officer].**

**You have to [give details of the reparation and whether it is to an individual or the community].**

**You or the Youth Offending Team officer can apply to the court to review the order.**

**If you break any of the terms of the order, you may be brought back to court and we could punish you in some other way. You or your officer may ask the court to look at the order again if your circumstances change.**

**Do you understand?**

**[To offender and parent/guardian.] Have you anything to say?**

**Then we make a reparation order.**

**We have reduced your sentence because you pleaded guilty. If you had not, it would have been .....**

**Do you understand?**

**[Consider any ancillary orders.]**

**2. Although we could make a reparation order we have decided not to because .....[give details].**

## Youth rehabilitation order (YRO)

- The only community order available in the youth court for offences committed on or after 30 November 2009.
- It must include one or more of 15 requirements.
- The offence must be deemed ‘serious enough’ for a community penalty, but need not be imprisonable.
- A court cannot impose a YRO at a time when another YRO or a reparation order is in force, unless it revokes the earlier order.
- There is no minimum term, but it must be a maximum of 3 years. However, different requirements attached to an order may be made for different periods as specified in the order. The end date of the YRO must be the same as the longest requirement. Supervision requirement must be the same as the end date of the order.
- Before making a YRO, the court must obtain and consider information about the offender’s family circumstances and the likely effect of such an order on those circumstances. In addition, the court must ensure that any requirements are compatible with each other and do not conflict with the offender’s religious beliefs, or interfere with their education.

**For the offence(s) of.....we are making a youth rehabilitation order.**

**This will last for..... months until.....[specify end date of order].**

**You will have to do the following:**

[State the individual requirement words shown overleaf, as appropriate.]

**If you break any of the requirements, or commit another offence while on your order, you may be brought back to court and you could be dealt with in some other way. You must notify your Youth Offending Team officer and the court if you change your address.**

**If you cannot attend appointments through illness, your Youth Offending Team officer will need to see a medical certificate. If you do not provide this, you will break the rules of this order, and may be brought back to court.**

**You or your officer may ask the court to look at this order again if your circumstances change.**

**We are making this order because the offence(s) is/are serious enough for a community order having considered all of the following.....**

[Using your sentencing form, give your reasons including:

- The aggravating or mitigating circumstances that determine the level of culpability and degree of harm caused (offence).
- Child or young person's personal mitigation (offender).
- Reasons for a treatment requirement (consent required).]

**We have reduced your sentence because you pleaded guilty. If you had not, it would have been .....**

**You must also pay a surcharge of £..... This money is used to fund victim services.**

**Do you understand?**

[Consider any ancillary orders.]

## Youth rehabilitation order requirements

1. **Activity** – You must carry out ..... days of [residential] activity as instructed by your Youth Offending Team officer. This must be completed by ..... [insert date].
2. **Attendance centre** – You must go to the attendance centre at ..... Your first day to attend is..... You must complete a total of ..... hours on the days you are told by the officer in charge of the centre. This requirement must be completed by ..... [insert date].
3. **Curfew** – You must remain at the address given, between the hours of..... on the following days..... An electronic tag will be fitted by the monitoring company at your address during curfew hours. The order will last for.....months/weeks/days until ..... [insert date]. You must not interfere with the tag or the base unit.
4. **Drug testing** – You must provide samples at least ..... times per month, as instructed by your [Youth Offending Team officer] [treatment provider] for a period of..... until ..... [insert date].
5. **Drug treatment** – We intend you to have [residential] [non-residential] treatment under the direction of..... for a period of..... until ..... [insert date]. Do you agree to this?
6. **Education requirement** – You will follow approved arrangements for your education until ..... [insert date].

7. **Exclusion** – You must not go to.....[between.....and.....] for a period of..... until ..... [insert date]. (Must be tagged where facilities exist.)
8. **Intoxicating substance treatment** – We intend you to have treatment under the direction of..... for a period of..... until ..... [insert date]. Do you agree to this?
9. **Local authority residence** – You must live where the local authority tells you to live for the next.....months until ..... [insert date].
10. **Mental health treatment** – You will have [residential] [non-residential] treatment under the direction of Dr..... for a period of..... until ..... [insert date]. Do you agree to this requirement?
11. **Programme** – You must take part in a planned set of activities, when told to do so by your supervisor, for a period of.....days to be completed by..... [insert date].
12. **Prohibited activity** – You must not ..... [for a period of.....] [on the following days ..... ] until ..... [insert date].
13. **Residence** – You must live [at] [with].....until.....[insert date].
14. **Supervision** – You will be under the supervision of a Youth Offending Team officer until ..... [insert date] and must follow all instructions given to you and keep all of your appointments.
15. **Unpaid work** – You must carry out ..... hours of unpaid work in the community as instructed by your Youth Offending Team officer in the next 12 months. The unpaid work must be completed by ..... [insert date].

## Youth rehabilitation order with intensive supervision and surveillance (YRO with ISS)

- The offence must be imprisonable and the court of the opinion that the offence is **so serious** that a custodial sentence would be appropriate i.e. where a sentence of at least 4 months could be imposed.
- In addition, where the youth is under 15 years at the time of conviction, the court must be satisfied that they are a persistent offender.
- A YRO with ISS cannot be imposed for less than 6 months and may extend up to a maximum of 3 years. However, different requirements attached to the order may be made for different periods as specified in the order.
- Any activity must be for more than 90 days and no more than 180 days.

**The offence(s) of ..... is/are so serious that a custodial sentence could have been imposed. However, we are making a youth rehabilitation order with intensive supervision and surveillance.**

**This will last for.....months and will expire on ..... You will have to do the following:**

1. **Extended activity** – You must carry out ..... days of [residential] activity as instructed by your Youth Offending Team officer. This must be completed by ..... [insert date].
2. **Curfew** – You must remain at the address given between the hours of ..... on the following days ..... An electronic tag will be fitted by the monitoring company at your address during curfew hours. The order will last for.....months/weeks/days until.....[insert date]. You must not interfere with the tag or the base unit.

**3. Supervision** – You will be under the supervision of a Youth Offending Team officer until.....  
 [insert date] and must follow all instructions given to you and keep all of your appointments.

[Insert any additional requirement wording as appropriate.]

If you break any of the requirements, or commit another offence while on your order, you may be brought back to court and you could be dealt with in some other way. You must notify your Youth Offending Team officer and the court if you change your address.

If you cannot attend appointments through illness, your Youth Offending Team officer will need to see a medical certificate. If you do not provide this, you will break the rules of this order and may be brought back to court.

You or your officer may ask the court to look at this order again if your circumstances change.

**We make the order having considered all of the following:**

[Using your sentencing form, give your reasons including:

- The aggravating or mitigating circumstances that determine the level of culpability and degree of harm caused (offence).
- Child or young person's personal mitigation (offender).
- Reasons for a treatment requirement (consent required).]

[If applicable.] **We have reduced your sentence because you pleaded guilty. If you had not, it would have been .....**

**You must also pay a surcharge of £..... This money is used to fund victim services.**

**Do you understand?**

## Youth rehabilitation order with fostering

- The offence must be imprisonable and the court of the opinion that the offence is **so serious** that a custodial sentence would be appropriate i.e. where a sentence of at least 4 months could be imposed.
- In addition, where the youth is under 15 years old at the time of conviction, the court must be satisfied that they are a persistent offender.
- The period of the fostering requirement must end no later than 12 months from the date of the order, and cannot include any period after the offender has reached the age of 18 years old.
- The court must be satisfied that a significant factor in the offence was the circumstances in which the youth was living, and that the imposition of a fostering requirement would assist in the youth's rehabilitation.

**The offence(s) of ..... is/are so serious that a custodial sentence could have been imposed. However, we are making a youth rehabilitation order with fostering.**

**This will last for.....months and will expire on ..... You will have to do the following:**

1. **Fostering** – you must live with a local authority foster parent for the next ..... months until.....[insert date].
2. **Supervision** – You will be under the supervision of a Youth Offending Team officer until ..... [insert date] and must follow all instructions given to you and keep all of your appointments.

[Insert any additional requirement wording as appropriate.]

**If you break any of the requirements, or commit another offence while on your order, you may be brought back to court and you could be dealt with in some other way. You must notify your Youth Offending Team officer and the court if you change your address.**

**If you cannot attend appointments through illness, your Youth Offending Team officer will need to see a medical certificate. If you do not provide this, you will break the rules of this order and may be brought back to court.**

**You or your officer may ask the court to look at this order again if your circumstances change.**

**We make the order having considered all of the following:**

[Using your sentencing form, give your reasons including:

- The aggravating or mitigating circumstances that determine the level of culpability and degree of harm caused (offence).
- Child or young person's personal mitigation (offender).
- Reasons for a treatment requirement (consent required).]

[If applicable.] **We have reduced your sentence because you pleaded guilty. If you had not, it would have been .....**

**You must also pay a surcharge of £..... This money is used to fund victim services.**

**Do you understand?**

## Granting an adjournment

We have considered the application to adjourn this case and the reasons given. The court expects to make progress at every hearing. However, we are prepared to grant an adjournment in the interests of justice because ..... [give details].

Your case will be heard on the ..... [insert date and time].

Between now and the next hearing we expect the following to happen .... [give details].

You are granted ..... [insert bail details].



## Refusing an adjournment

**We have considered the application to adjourn this case and the reasons given. The court expects to make progress at every hearing. We are not satisfied that this case should be delayed because ..... [give details].**

[Defence examples:

- You knew about the hearing some time ago and should have organised legal representation by now.
- You were charged in this matter on [insert date] and should be in a position to enter a plea today.
- You are not entitled to see [any] [further] evidence in the case until you enter a plea. Prior to you entering a plea, you are not entitled to see the full prosecution case. If you wish to enter a guilty plea today and potentially obtain some credit towards your sentence you may do so. If you do not, then you must plead not guilty and the court will proceed to trial.

### Prosecution examples:

- You have had [insert length of time] to prepare the committal papers and it is not appropriate to further adjourn.
- You have had [insert length of time] to review the file. A decision must be made today.
- The [witnesses] [defendant] have not attended the trial and have not given any good reason for their non-attendance. It is not appropriate to further adjourn the matter. The case will proceed today.]

**We are going to deal with your case today.**

## Adjournment for fast delivery report

We are putting your case back [until ..... am/pm today] [until.....].

**You must see and co-operate with a Youth Offending Team officer who will prepare a short [written] [oral] report which will give us more information about you, based on our initial assessment of the seriousness of your offending.**

- [Explain your assessment based on the PSR request form and what you want the YOT to specifically address in the report.
- Explain it is a provisional assessment of seriousness only and is not binding on the next bench. All sentencing options remain open.
- Deal with bail as appropriate.]

## Adjournment for standard delivery report

**Before we sentence you, we need to have a report from the Youth Offending Team which will give us more information about you, based on our initial assessment of the seriousness of your offending. Your case will be heard on ..... [insert date] and in the meantime you must co-operate with the Youth Offending Team to enable them to write the report.**

- [Explain your assessment based on the PSR request form and what you want the YOT to specifically address in the report.
- Explain it is a provisional assessment of seriousness only and is not binding on the next bench. All sentencing options remain open.
- Deal with bail as appropriate.]

## Unconditional bail

**You are granted unconditional bail to appear before this court on ..... at ..... am/pm.  
If you do not come back to court at that date and time, you may commit an offence.  
You could be arrested, fined or sent to custody.**

**If you commit an offence while on bail, your sentence will be greater.**

**[If applicable.] Your case is listed for trial on the next occasion. If you do not attend or are late, the trial may proceed in your absence, unless it is not in the interests of justice to do so.**

[State what must happen at the next hearing and make any directions necessary to ensure effective case management.]



## Conditional bail

**You are granted bail with conditions to appear before this court on ..... at ..... am/pm. If you do not come back to court at that date and time, you may commit an offence. You could be arrested, fined or sent to custody. If you commit an offence while on bail your sentence will be greater.**

**[If applicable.] Your case is listed for trial on the next occasion. If you do not attend or are late, the trial may proceed in your absence, unless it is not in the interests of justice to do so.**

**You must comply with the following conditions. If you do not, you could be arrested and brought back to court when your bail will be reconsidered.**

[State in *exact* terms what the conditions are e.g.

- Residence e.g. to live and sleep at .....
- curfew
- reporting to a police station
- non-contact with named witnesses (direct and/or indirect)
- appointments with drug intervention team.]

**These conditions are necessary to make sure:**

- **you attend court** [and/or]
- **you do not commit offences on bail** [and/or]
- **you do not interfere with witnesses** [and/or]
- **you attend your appointments.**

[State what must happen at the next hearing and make any directions necessary to ensure effective case management.]

[If applicable.] **We believe that these conditions address the concerns the prosecution have told us about.**

**Do you understand?**

## Remand to local authority accommodation (RLAA)

- Available for all youths.
- This is a refusal of bail. Before being remanded to LAA, the court must find exceptions to the 'right to bail' under the Bail Act. Different grounds apply depending on the type of offence the youth is charged with.



## Remand to local authority accommodation (either-way/indictable only offences)

**You are remanded to local authority accommodation until..... Until then you will be the responsibility of/looked after by.....[insert designated local authority details].**

**We are not granting you bail because:**

- 1. there are substantial grounds to believe that:**
  - (a) you will not come back to court [and/or]**
  - (b) you will commit an offence [and/or]**
  - (c) you will interfere with witnesses or obstruct the course of the case [and/or]**
- 2. it is alleged you will commit an offence on bail, because this offence was committed on bail [and/or]**
- 3. you have previously been released on conditional bail and have not kept to those conditions [and/or]**
- 4. there are substantial grounds to believe you would commit an offence that is likely to cause, or make ..... [insert details of associated person] fear physical or mental injury [and/or]**
- 5. we are satisfied that it should be refused for your own welfare [and/or]**
- 6. you are already serving a custodial sentence [and/or]**
- 7. we are satisfied that we do not have enough information to decide if you can be released [and/or]**

**8. it is the only appropriate way to make sure a report is prepared.**

**We believe this because:**

- a. **of how serious the offence is and how you might be dealt with for it [and/or]**
- b. **of your criminal record and background [and/or]**
- c. **you have been given bail before but have not done as you were told [and/or]**
- d. **of the strength of the evidence against you [and/or]**
- e. **you may behave in a way that may cause, or make ..... [insert details of associated person] think you could cause them harm [and/or]**
- f. [any other relevant reason - insert details.]

**You must come back to court on ..... at am/pm.**

[If applicable.] **You will be remanded in local authority accommodation with the following conditions**  
 .....

[State in *exact* terms what the conditions will be, e.g.

- to live where directed by the Youth Offending Team/local authority
- where they cannot live
- reporting to a police station
- non-contact with witnesses
- any other necessary condition.]

**If you breach any of the conditions, you will be arrested and brought back to court and we may decide that you should be remanded to Youth Detention Accommodation.**

## Remand to local authority accommodation (summary imprisonable offences)

**You are remanded to local authority accommodation until..... Until then you will be the responsibility of/looked after by.....[insert designated local authority details].**

**We are not granting you bail because:**

- 1. there are substantial grounds to believe that you will commit an offence on bail, because this offence was committed on bail [and/or]**
- 2. there are substantial grounds to believe you would commit an offence that is likely to cause, or make ..... [insert details of associated person] fear physical or mental injury [and/or]**
- 3. we believe you will not come back to court because of your previous failure to do so [and/or]**
- 4. you have previously been released on conditional bail and have not kept to those conditions and we have substantial grounds to believe that:**
  - (a) you will not come back to court [and/or]**
  - (b) you will commit an offence [and/or]**
  - (c) you will interfere with witnesses or obstruct the course of the case [and/or]**

5. **we are satisfied that it should be refused for your own welfare [and/or]**
6. **you are already serving a custodial sentence [and/or]**
7. **we are satisfied that we do not have enough information to decide if you can be released.**

**You must come back to court on ..... at am/pm.**

**[If applicable.] You will be remanded in local authority accommodation with the following conditions  
.....**

[State in *exact* terms what the conditions will be, e.g.

- to live where directed by the Youth Offending Team/local authority
- where they cannot live
- reporting to a police station
- non-contact with witnesses
- any other necessary condition.]

**If you breach any of the conditions, you will be arrested and brought back to court and we may decide that you should be remanded to Youth Detention Accommodation.**

## Remand to local authority accommodation (non-imprisonable offences)

**You are remanded to local authority accommodation until..... Until then you will be the responsibility of/looked after by.....[insert designated local authority details].**

**We are not granting you bail because:**

- 1. we believe that you will not come back to court because of your previous failure to do so [and/or]**
- 2. you have previously been released on conditional bail and have not kept to those conditions and we have substantial grounds to believe that:**
  - (a) you will not come back to court [and/or]**
  - (b) you will commit an offence [and/or]**
  - (c) you will interfere with witnesses or obstruct the course of the case [and/or]**
- 3. you have previously been released on conditional bail and have not kept to those conditions and we have substantial grounds to believe you would commit an offence that is likely to cause, or make ..... [insert details of associated person] fear physical or mental injury [and/or]**
- 4. we are satisfied that it should be refused for your own welfare [and/or]**

**5. you are already serving a custodial sentence.**

**You must come back to court on ..... at am/pm.**

**[If applicable.] You will be remanded in local authority accommodation with the following conditions  
.....**

[State in *exact* terms what the conditions will be, e.g.

- to live where directed by the Youth Offending Team/local authority
- where they cannot live
- reporting to a police station
- non-contact with witnesses
- any other necessary condition.]

**If you breach any of the conditions, you will be arrested and brought back to court.**

## Remand to youth detention accommodation

- This is a refusal of bail. Before being remanded to youth detention accommodation the court must find exceptions to the 'right to bail' under the Bail Act. Different grounds apply, depending on the type of offence the youth is charged with.
- Youth detention accommodation may be a secure children's home, secure training unit or a young offenders' institution.
- The court can make an order provided one of the following sets of conditions apply:

### First set of conditions

1. Age condition – the child must be 12 to 17 years old;
2. Offence condition – offence must be a violent or sexual offence, or an offence carrying 14 years' imprisonment or more in the case of an adult;
3. Necessity condition – the court must be of the opinion that, after considering all of the options for the remand of the child, that only remanding the child to youth detention accommodation would be adequate to:
  - a. protect the public from death or serious personal injury (physical or psychological) occasioned by further offences, or
  - b. prevent the commission by the child of imprisonable offences;

4. First or second legal representation condition – The first condition is that the child is legally represented. Failing this, it is enough for the second condition to be satisfied if the child was represented but the representation was withdrawn (due to the child’s conduct or their financial resources), or if the child applied for representation but was refused (on the grounds of financial resources), or if the child (having been informed of the right to apply for representation) refused or failed to apply.

## Second set of conditions

1. Age condition – the child must be 12 to 17 years old;
2. Sentencing condition – it must appear to the court that there is a real prospect of a custodial sentence for the offence;
3. Offence condition – offence must be imprisonable;
4. First or Second history condition – The first history condition is that the child has a recent history of absconding while subject to a custodial remand and the offence (or one or more of them) is alleged to have been or has been found to be committed while the child was remanded to local authority accommodation or youth detention accommodation.  
The second history condition is that the offence together with any other imprisonable offences of which the child has been convicted in any proceedings, amount or would, if the child were convicted of that offence or those offences, amount to a recent history of committing an imprisonable offence while on bail or subject to a custodial remand;
5. Necessity condition – see card 47;
6. First or second legal representation condition – see card 47.

## Remand to youth detention accommodation 1st set of conditions (youths aged 12-17, either-way/indictable offences)

**You are remanded to youth detention accommodation until..... Until then you will be the responsibility of/looked after by.....**[insert designated local authority details].

**We are not granting you bail because:**

- 1. there are substantial grounds to believe that:**
  - (a) you will not come back to court** [and/or]
  - (b) you will commit an offence** [and/or]
  - (c) you will interfere with witnesses or obstruct the course of the case** [and/or]
- 2. it is alleged you will commit an offence on bail, because this offence was committed on bail** [and/or]
- 3. you have previously been released on conditional bail and have not kept to those conditions** [and/or]
- 4. there are substantial grounds to believe you would commit an offence that is likely to cause, or make ..... [insert details of associated person] fear physical or mental injury** [and/or]
- 5. we are satisfied that it should be refused for your own welfare** [and/or]

6. **you are already serving a custodial sentence [and/or]**
7. **we are satisfied that we do not have enough information to decide if you can be released [and/or]**
8. **it is the only appropriate way to make sure a report is prepared.**

**We believe this because:**

- a. **of how serious the offence is and how you might be dealt with for it [and/or]**
- b. **of your criminal record and background [and/or]**
- c. **you have been given bail before but have not done as you were told [and/or]**
- d. **of the strength of the evidence against you [and/or]**
- e. **you may behave in a way that may cause, or make ..... [insert details of associated person] think you could cause them harm [and/or]**
- f. **[any other relevant reason - insert details.]**

**You are charged with a [serious] [violent] [sexual] offence.**

**A remand to youth detention accommodation is necessary [to protect the public from death or serious harm from you] [to prevent you from committing imprisonable offences] because .....**

## Remand to youth detention accommodation 2nd set of conditions (youths aged 12-17, either-way/indictable only offences)

You are remanded to local authority accommodation until..... Until then you will be the responsibility of/looked after by.....[insert designated local authority details].

We are not granting you bail because:

1. there are substantial grounds to believe that:
  - (a) you will not come back to court [and/or]
  - (b) you will commit an offence [and/or]
  - (c) you will interfere with witnesses or obstruct the course of the case [and/or]
2. it is alleged you will commit an offence on bail, because this offence was committed on bail [and/or]
3. you have previously been released on conditional bail and have not kept to those conditions [and/or]
4. there are substantial grounds to believe you would commit an offence that is likely to cause, or make ..... [insert details of associated person] fear physical or mental injury [and/or]
5. we are satisfied that it should be refused for your own welfare [and/or]
6. you are already serving a custodial sentence [and/or]

7. we are satisfied that we do not have enough information to decide if you can be released [and/or]
8. it is the only appropriate way to make sure a report is prepared.

We believe this because:

- a. of how serious the offence is and how you might be dealt with for it [and/or]
- b. of your criminal record and background [and/or]
- c. you have been given bail before but have not done as you were told [and/or]
- d. of the strength of the evidence against you [and/or]
- e. you may behave in a way that may cause, or make ..... [insert details of associated person] **think you could cause them harm** [and/or]
- f. [any other relevant reason - insert details.]

You are charged with an offence that carries a custodial sentence and we are satisfied that there is a real prospect you will receive such a sentence.

You have a recent history of absconding whilst subject to custodial remands and this offence is said to have been committed whilst on such a remand. [and/or] This offence, together with others you have been convicted of, shows a recent history of committing imprisonable offences whilst on bail or subject to custodial remands because .....

A remand to youth detention accommodation is necessary [to protect the public from death or serious harm from you] [to prevent you from committing further imprisonable offences] because .....

## Remand to youth detention accommodation 1st set of conditions (youths aged 12-17, summary imprisonable offences)

**You are remanded to youth detention accommodation until..... Until then you will be the responsibility of/looked after by.....[insert designated local authority details].**

**We are not granting you bail because:**

- 1. there are substantial grounds to believe that you will commit an offence on bail, because this offence was committed on bail [and/or]**
- 2. there are substantial grounds to believe you would commit an offence that is likely to cause, or make ..... [insert details of associated person] fear physical or mental injury [and/or]**
- 3. we believe you will not come back to court because of your previous failure to do so [and/or]**
- 4. you have previously been released on conditional bail and have not kept to those conditions and we have substantial grounds to believe that:**
  - (a) you will not come back to court [and/or]**
  - (b) you will commit an offence [and/or]**
  - (c) you will interfere with witnesses or obstruct the course of the case [and/or]**

5. **we are satisfied that it should be refused for your own welfare [and/or]**
6. **you are already serving a custodial sentence [and/or]**
7. **we are satisfied that we do not have enough information to decide if you can be released.**

**You are charged with a [serious] [violent] [sexual] offence.**

**A remand to youth detention accommodation is necessary [to protect the public from death or serious harm from you] [to prevent you from committing further imprisonable offences] because .....**

## Remand to youth detention accommodation 2nd set of conditions (youths aged 12-17, summary imprisonable offences)

**You are remanded to youth detention accommodation until..... Until then you will be the responsibility of/looked after by.....[insert designated local authority details].**

**We are not granting you bail because:**

- 1. there are substantial grounds to believe that you will commit an offence on bail, because this offence was committed on bail [and/or]**
- 2. there are substantial grounds to believe you would commit an offence that is likely to cause, or make ..... [insert details of associated person] fear physical or mental injury [and/or]**
- 3. we believe you will not come back to court because of your previous failure to do so [and/or]**
- 4. you have previously been released on conditional bail and have not kept to those conditions and we have substantial grounds to believe that:**
  - (a) you will not come back to court [and/or]**
  - (b) you will commit an offence [and/or]**
  - (c) you will interfere with witnesses or obstruct the course of the case [and/or]**

5. **we are satisfied that it should be refused for your own welfare [and/or]**
6. **you are already serving a custodial sentence [and/or]**
7. **we are satisfied that we do not have enough information to decide if you can be released.**

**You are charged with an offence that carries a custodial sentence and we are satisfied that there is a real prospect you will receive such a sentence.**

**You have a recent history of absconding whilst subject to custodial remands and this offence is said to have been committed whilst on such a remand. [and/or] This offence, together with others you have been convicted of, shows a recent history of committing imprisonable offences whilst on bail or subject to custodial remands because .....**

**A remand to youth detention accommodation is necessary [to protect the public from death or serious harm from you] [to prevent you from committing further imprisonable offences] because .....**

## **Sending for trial**

**You are charged with ....** [insert offence(s)].

**This can only be dealt with by the Crown Court because ....** [insert reason(s)].

**You are therefore sent to the Crown Court at .....** [specify which Crown Court] **for trial on .....**  
[specify date of hearing].

**In the meantime you are ....** [insert remand details].



## Grave crime decision

**(10-11 year olds and 12-14 year olds who are not persistent offenders)**

**Sending for trial (indication of not guilty plea or no plea indicated)**

**You are charged with .....** [insert offence(s)].

**Bearing in mind the seriousness of the offence(s), we have decided that you should be dealt with at the Crown Court. Despite your age, we consider the matter so serious that if you were to be found guilty of this offence, a sentence exceeding two years in custody is a real possibility** [give reasons for this].

**You are therefore sent to the Crown Court at .....** [specify which Crown Court] **for trial on .....** [specify date of hearing].

**In the meantime you are .....** [insert remand details].

## **Grave crime decision**

**(12-14 year olds who are persistent offenders and 15-17 year olds)**

**Sending for trial (indication of not guilty plea or no plea indicated)**

**You are charged with .....** [insert offence(s)].

**Bearing in mind the seriousness of the offence(s), we have decided that you should be dealt with at the Crown Court. Despite your age, we consider the matter so serious that a sentence substantially beyond two years in custody should be available** [give reasons for this].

**You are therefore sent to the Crown Court at .....** [specify which Crown Court] **for trial on .....** [specify date of hearing].

**In the meantime you are .....** [insert remand details].

## **Grave crime decision**

**(10-11 year olds and 12-14 year olds who are not persistent offenders)**

**Committal for sentence (indication of guilty plea or following conviction in the youth court)**

**You [pleaded guilty to][have been found guilty of] ..... [insert offence(s)].**

**Bearing in mind the seriousness of the offence(s), we have decided that you should be sentenced at the Crown Court. Despite your age, we consider the matter so serious that a sentence exceeding two years in custody is a real possibility [give reasons for this].**

**You are therefore committed to the Crown Court at ..... [specify which Crown Court] for sentence on [a date and time to be fixed by the Crown Court] [or specify date of hearing].**

**In the meantime you are ..... [insert remand details].**

## **Grave crime decision**

**(12-14 year olds who are persistent offenders and 15-17 year olds)**

**Committal for sentence (indication of guilty plea or following conviction in the youth court)**

**You [pleaded guilty to][have been found guilty of] ..... [insert offence(s)].**

**Bearing in mind the seriousness of the offence(s), we have decided that you should be sentenced at the Crown Court. Despite your age, we consider the matter so serious that a sentence substantially beyond two years in custody should be available [give reasons for this].**

**You are therefore committed to the Crown Court at ..... [specify which Crown Court] for sentence on [a date and time to be fixed by the Crown Court] [or specify date of hearing].**

**In the meantime you are ..... [insert remand details].**

## Dangerous offenders – sending for trial

**You are charged with ....** [identify specified violent or sexual offence].

**If you are found guilty of this offence, we believe that you pose a significant risk of serious harm to members of the public by the commission of [violent] [sexual] offences because .....** [insert reasons].

**We also believe that an extended sentence of at least 4 years custody would be appropriate because .....** [insert reasons].

**You are therefore sent to the Crown Court at .....** [specify which Crown Court] **for trial on .....** [specify date of hearing].

**In the meantime you are ....** [insert remand details].

## **Dangerous offenders – committal for sentence**

**You have [pleaded guilty to][been found guilty of] ..... [identify specified violent or sexual offence].**

**We believe that you pose a significant risk of serious harm to members of the public by the commission of further [violent] [sexual] offences because ..... [insert reasons particular to the offender].**

**We also believe that an extended sentence of at least 4 years custody is appropriate because ..... [insert reasons relating to the offence].**

**You are therefore sent to the Crown Court at ..... [specify which Crown Court] for trial on ..... [specify date of hearing].**

**In the meantime you are ..... [insert remand details].**

## **Reporting restrictions for children and young people in non-criminal cases (S.39 Children and Young Persons Act 1933)**

**We are directing that there must be no publication of any details if they are likely to lead members of the public to identify the [defendant] [alleged victim] [witness] as a person concerned in the proceedings. This includes their name, address, school, educational establishment, place of work or anything else that may identify them, including any still or moving picture.**

**Publication includes any printed or broadcast media as well as information published online including social media sites such as Facebook and Twitter.**

**We impose this restriction because .....**

**This order will last until the person concerned is 18 years old or another order is made.**

**Breach of the order is a criminal offence.**

## **Lifetime reporting restrictions for victims and witnesses under the age of 18 (S.45A Youth Justice and Criminal Evidence Act 1999)**

**We are directing that there must be no publication of any details if they are likely to lead members of the public to identify the [defendant] [alleged victim] [witness] as a person concerned in the proceedings. This includes their name, address, school, educational establishment, place of work or anything else that may identify them, including any still or moving picture.**

**Publication includes any printed or broadcast media as well as information published online including social media sites such as Facebook and Twitter.**

**We are satisfied that the fear or distress caused to the person concerned by identifying them to members of the public is likely to diminish the quality of their evidence or level of cooperation in the proceedings.**

**We impose this restriction because .....**

**This order will last for the lifetime of the person concerned.**

**Breach of the order is a criminal offence.**

## Lifting reporting restrictions

Usually in this court, publishing any details that could lead to a youth's identity is not allowed.

However, you have been found guilty of ..... [give details].

The court has heard representations from ..... [give details].

The court has decided that it is in the public interest to lift [all of][part of] the usual restrictions because ..... [give reasons].

[Always seek legal assistance before lifting reporting restrictions]



