



JUDICIAL STUDIES
BOARD

YOUTH COURT PRONOUNCEMENT CARDS

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Antisocial behaviour order

We are making an antisocial behaviour order in this case for years.

We find that you have acted in an antisocial manner and that people need protecting from further antisocial acts by you.

We believe this because

While you are on this order you must not:

[State the prohibited acts.]

If you do any of these things you will commit a serious offence and 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.**

[Where appropriate.] We have taken into account the fact that you complied with some of your order.

.....days will count towards this sentence.

[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 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 or sent back into custody.

Do you understand?

[Consider any ancillary orders.]

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.

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

Do you understand?

[Consider any ancillary orders.]

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 – **Your licence will not be returned to you automatically. You must apply to the DVLA for a new licence if you wish to drive once your disqualification has ended. You should not drive until you have received your new driving licence.**

[Where applicable, for 16-17 year olds.] If the disqualification is for 55 days or less *and* the licence has been surrendered to the court – **The disqualification will be noted on your licence and it will be returned to you, but your licence is not valid until the disqualification has ended.**

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.]
You must also pay a victim surcharge of £15.**

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

Our reasons are

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].

[Where appropriate.] 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, 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:
 - **with no previous convictions** pleads guilty to a non-imprisonable offence, or is being dealt with for offences where they had entered mixed pleas.
 - **pleads guilty** to an offence, and has **one** previous finding of guilt, **which was not dealt with by a referral order**.
- The court has a **discretion** to impose a **second referral order** where the Youth Offending Service **recommend** it as appropriate, and the court finds **exceptional circumstances** to justify a second order.
- 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.

First offence

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

[or]

Second referral order

2. The Youth Offending Team have said that another order is appropriate and we find the following exceptional circumstances, which allow us to make a second referral order [give details].

You will meet a panel of people who will be told of the following facts about 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 it, or do not do the things listed in it, 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.

Do you understand?

[Consider any ancillary orders.]

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.
- 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.**

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

Do you understand?

Youth rehabilitation order requirements

1. **Activity** – You must carry out days of [residential] activity as instructed by your Youth Offending Team officer.
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.
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. 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.....
5. **Drug treatment** – We intend you to have [residential] [non-residential] treatment under the direction of..... for a period of..... Do you agree to this?
6. **Education requirement** – You will follow approved arrangements for your education.
7. **Exclusion** – You must not go to.....[between.....and.....] for a period of..... (Must be tagged where facilities exist).

8. **Intoxicating substance treatment** – We intend you to have treatment under the direction of..... for a period of..... Do you agree to this?
9. **Local authority residence** – You must live where the local authority tells you to live for the next.....months.
10. **Mental health treatment** – You will have [residential] [non-residential] treatment under the direction of Dr..... for a period of..... 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.
12. **Prohibited activity** – You must not [for a period of.....] [on the following days].
13. **Residence** – You must live [at] [with].....until.....
14. **Supervision** – You will be under the supervision of a Youth Offending Team officer for months 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.

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.
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. 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 for months 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).]

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

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.

2. **Supervision** – You will be under the supervision of a Youth Offending Team officer for months 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).]

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

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, 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, 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.]

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 (RLAA) (non-imprisonable offences)

1. **We are not granting you bail because there are substantial grounds to believe that:**
 - a. **you will commit an offence [and/or]**
 - b. **you will not come back to court [and/or]**
 - c. **you will interfere with witnesses or obstruct the course of the case,**
because you have not kept to previous bail conditions that have been imposed in this case.

[or]
2. **We are not granting you bail because we are satisfied that:**
 - a. **it should be refused for your own [welfare] [protection] [or]**
 - b. **you are already serving a custodial sentence [or]**
 - c. **you will not come back to court because of your previous failure to do so.**

We believe this because:

- a. **of your criminal record and character [and/or]**
- b. **you have not complied with previous grants of bail [and/or]**

- c. of the strength of the evidence against you [and/or]
- d. of your failure to attend a reports appointment [and/or]
- e. the witnesses are known to you [and/or]

[any other relevant reason.]

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

[Where applicable.] **You will be placed 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 sent to a remand centre or secure accommodation.

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

1. **We are not granting you bail because there are substantial grounds to believe that:**
 - a. **you will commit an offence on bail, because this offence was committed on bail**
[and/or]
 - b. **you will commit an offence that is likely to cause, or make someone fear physical or mental injury** [and/or]
 - c. (i) **you will commit an offence** [and/or]
(ii) **you will not come back to court** [and/or]
(iii) **you will interfere with witnesses or obstruct the course of the case,**
because you have not kept to previous bail conditions that have been imposed in this case.
[or]

2. **We are not granting you bail because we are satisfied that:**
 - a. **it should be refused for your own [welfare] [protection]** [or]
 - b. **you are already serving a custodial sentence** [or]
 - c. **you will not come back to court because of your previous failure to do so** [or]
 - d. **we do not have sufficient information to enable us to grant you bail.**

We believe this because:

- a. of your criminal record and character [and/or]**
- b. you have not complied with previous grants of bail [and/or]**
- c. of the strength of the evidence against you [and/or]**
- d. of your failure to attend a reports appointment [and/or]**
- e. the witnesses are known to you [and/or]**

[any other relevant reason.]

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

[Where applicable.] **You will be placed 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 sent to a remand centre or secure accommodation.

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

1. **We are not granting you bail because there are substantial grounds to believe that you will:**
 - a. **commit an offence** [and/or]
 - b. **not come back to court** [and/or]
 - c. **interfere with witnesses or obstruct the course of the case** [and/or]

[or]
2. **We are not granting you bail because we are satisfied that:**
 - a. **it should be refused for your own [welfare] [protection]** [or]
 - b. **you are already serving a custodial sentence** [or]
 - c. **we do not have sufficient information to enable us to grant you bail** [or]
 - d. **it is the only appropriate way to make sure a report is prepared.**

We believe this because:

- a. **of your criminal record and character** [and/or]
- b. **you have not complied with previous grants of bail** [and/or]
- c. **of the strength of the evidence against you** [and/or]

d. of your failure to attend a reports appointment [and/or]

e. the witnesses are known to you [and/or]

[any other relevant reason.]

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

[Where applicable.] **You will be placed 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 sent to a remand centre or secure accommodation.

Remand to secure accommodation

- Available for boys aged 12-14, vulnerable boys aged 15-16, and girls aged 12-16.
- **The court can make an order provided the following criteria apply:**
 - The youth is found guilty or charged with a violent or sexual offence, or an offence carrying 14 years imprisonment or more in the case of an adult, **or**
 - The youth is charged with, or been found guilty of, one or more imprisonable offences, which together with any other imprisonable offences of which they have been found guilty, amounts to a recent history of committing imprisonable offences whilst on bail or RLAA, **and**
 - the court must be of the opinion that only a security requirement would be adequate to protect the public from serious harm from the youth, or to prevent the commission of further imprisonable offences.
- This is a refusal of bail. Before being remanded to secure 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. It is likely that a remand to custody will only be sought where the offences themselves carry custody, or are either-way or indictable.

Remand to secure accommodation (summary imprisonable offences)

1. We are not granting you bail because there are substantial grounds to believe that:
 - a. you will commit an offence on bail, because this offence was committed on bail [and/or]
 - b. you will commit an offence that is likely to cause, or make someone fear physical or mental injury [and/or]
 - c. (i) you will commit an offence [and/or]
(ii) you will not come back to court [and/or]
(iii) you will interfere with witnesses or obstruct the course of the case,
because you have not kept to previous bail conditions that have been imposed in this case.
[or]
2. We are not granting you bail because we are satisfied that:
 - a. it should be refused for your own [welfare] [protection] [or]
 - b. you are already serving a custodial sentence [or]
 - c. you will not come back to court because of your previous failure to do so [or]
 - d. we do not have sufficient information to enable us to grant you bail.

We believe this because:

- a. of the nature and seriousness of the allegation and how you might be dealt with for it [and/or]**
- b. of your criminal record and character [and/or]**
- c. you have not complied with previous grants of bail [and/or]**
- d. of the strength of the evidence against you [and/or]**
- e. of your failure to attend a reports appointment [and/or]**
- f. the witnesses are known to you [and/or]**

[any other relevant reason.]

A secure remand is necessary.

You are charged with a [serious] [violent] [sexual] offence and the public need protecting from serious harm from you because [give reasons].

[and/or]

You have a recent history of committing offences and it is necessary to stop you committing more imprisonable offences because [give reasons].

You will be brought back to court on at am/pm.

Remand to secure accommodation (either-way/indictable only offences)

1. **We are not granting you bail because 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.**
[or]

2. **We are not granting you bail because we are satisfied that:**
 - a. **it should be refused for your own** [welfare] [protection] [or]
 - b. **you are already serving a custodial sentence** [or]
 - c. **we do not have sufficient information to enable us to grant you bail** [or]
 - d. **it is the only appropriate way to make sure a report is prepared.**

We believe this because:

- a. of your criminal record and character [and/or]**
- b. you have not complied with previous grants of bail [and/or]**
- c. of the strength of the evidence against you [and/or]**
- d. of your failure to attend a reports appointment [and/or]**
- e. the witnesses are known to you [and/or]**

[any other relevant reason.]

A secure remand is necessary.

You are charged with a [serious] [violent] [sexual] offence and the public need protecting from serious harm from you because [give reasons].

[and/or]

You have a recent history of committing offences and it is necessary to stop you committing more imprisonable offences because [give reasons].

You will be brought back to court on at am/pm.

Remand in custody to remand centre/young offenders' institute (YOI)

- Available for boys aged 15-16.
- **The court can make an order provided the following criteria apply:**
 - The youth is found guilty or charged with a violent or sexual offence, or an offence carrying 14 years imprisonment or more in the case of an adult, **or**
 - The youth is charged with, or been found guilty of, one or more imprisonable offences, which together with any other imprisonable offences of which they have been found guilty, amounts to a recent history of committing imprisonable offences whilst on bail or RLAA, **and**
 - the court must be of the opinion that only a remand to a remand centre/YOI would be adequate to protect the public from serious harm from the youth, or to prevent the commission of further imprisonable offences.
- Vulnerable boys should be remanded to local authority accommodation with a security requirement, if remand to a remand centre would be undesirable in view of the youth's physical or emotional immaturity or propensity to self harm, and the local authority has been consulted and secure accommodation is available.

- This is a refusal of bail. Different grounds apply, depending on the type of offence the youth is charged with. It is likely that a remand to custody will only be sought where the offences themselves carry custody, or are either-way or indictable.
- Where a youth is charged with murder, only a Crown Court judge can consider bail.
- For youths aged 17, the adult remand provisions and criteria apply.

Remand in custody to remand centre/young offenders' institute (summary imprisonable offences)

1. **We are not granting you bail because there are substantial grounds to believe that:**
 - a. **you will commit an offence on bail, because this offence was committed on bail [and/or]**
 - b. **you will commit an offence that is likely to cause, or make someone fear physical or mental injury [and/or]**
 - c. (i) **you will commit an offence [and/or]**
(ii) **you will not come back to court [and/or]**
(iii) **you will interfere with witnesses or obstruct the course of the case,**
because you have not kept to previous bail conditions that have been imposed in this case.

[or]

2. **We are not granting you bail because we are satisfied that:**
 - a. **it should be refused for your own [welfare] [protection] [or]**
 - b. **you are already serving a custodial sentence [or]**
 - c. **you will not come back to court because of your previous failure to do so [or]**
 - d. **we do not have sufficient information to enable us to grant you bail.**

We believe this because:

- a. of the nature and seriousness of the allegation and how you might be dealt with for it [and/or]**
- b. of your criminal record and character [and/or]**
- c. you have not complied with previous grants of bail [and/or]**
- d. of the strength of the evidence against you [and/or]**
- e. of your failure to attend a reports appointment [and/or]**
- f. the witnesses are known to you [and/or]**

[any other relevant reason.]

A remand in custody is necessary.

You are charged with a [serious] [violent] [sexual] offence and the public need protecting from serious harm from you because [give reasons].

[and/or]

You have a recent history of committing offences and it is necessary to stop you committing more imprisonable offences because [give reasons].

You will be brought back to court on at am/pm.

[If the next hearing is by videolink state]

You will not be produced before the court on but will take part in the hearing over a live television link in the same way as if you were here in person.

You will be brought back to court on at am/pm.

Remand in custody to remand centre/young offenders' institute (either-way/indictable only offences)

1. **We are not granting you bail because 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.

[or]
2. **We are not granting you bail because we are satisfied that:**
 - a. it should be refused for your own [welfare] [protection] [or]
 - b. you are already serving a custodial sentence [or]
 - c. we do not have sufficient information to enable us to grant you bail [or]
 - d. it is the only appropriate way to make sure a report is prepared.

We believe this because:

- a. of your criminal record and character [and/or]
- b. you have not complied with previous grants of bail [and/or]
- c. of the strength of the evidence against you [and/or]

d. of your failure to attend a reports appointment [and/or]

e. the witnesses are known to you [and/or]

[any other relevant reason.]

A remand to custody is necessary.

You are charged with a [serious] [violent] [sexual] offence and the public need protecting from serious harm from you because [give reasons].

[and/or]

You have a recent history of committing offences and it is necessary to stop you committing more imprisonable offences because [give reasons].

You will be brought back to court on at am/pm.

[If the next hearing is by videolink state]

You will not be produced before the court on but will take part in the hearing over a live television link in the same way as if you were here in person.

You will be brought back to court on at am/pm.

Remand in custody to remand centre/young offenders' institute (17 year olds)

1. We are not granting you bail because 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.

[or]

2. We are not granting you bail because we are satisfied that:
 - a. it should be refused for your own [welfare] [protection] [or]
 - b. you are already serving a custodial sentence [or]
 - c. we do not have sufficient information to enable us to grant you bail [or]
 - d. it is the only appropriate way to make sure a report is prepared.

We believe this because:

- a. of your criminal record and character [and/or]**
- b. you have not complied with previous grants of bail [and/or]**
- c. of the strength of the evidence against you [and/or]**
- d. of your failure to attend a reports appointment [and/or]**
- e. the witnesses are known to you [and/or]**

[any other relevant reason.]

You will be brought back to court on at am/pm.

[If the next hearing is by videolink state]

You will not be produced before the court on but will take part in the hearing over a live television link in the same way as if you were here in person.

You will be brought back to court on at am/pm.

Grave crime decision (10-11 year olds and 12-14 year olds who are not persistent offenders)

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 exceeding two years in custody is a real possibility [give reasons for this].

You must attend the next hearing at this court where you will be formally committed to the Crown Court.

In the meantime you are [insert bail details].

Grave crime decision

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

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 of substantially beyond two years in custody should be available [give reasons for this view].

You must attend the next hearing where you will be formally committed to the Crown Court.

In the meantime you are [insert bail details].

Committal to the Crown Court for trial

We are committing your case to the Crown Court at for trial

If you wish the prosecution witnesses to attend to give evidence at the trial, you must tell the prosecutor and the court within the next 14 days. If you do not, the witnesses' statements may be read to the court. Your solicitor will discuss this with you after court.

You must go to the Crown Court at on [specify date and time].

In the meantime you are [insert bail 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 a sentence of at least 4 years custody would be appropriate because [insert reasons].

We are therefore sending you to the Crown Court at for trial.

You must go to the Crown Court at on [specify date and time].

In the meantime you are [insert bail 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 a sentence of at least 4 years custody is appropriate because [insert reasons relating to the offence].

We are therefore committing you to the Crown Court at for sentence.

You must go to the Crown Court at on [specify date and time].

In the meantime you are [insert bail details].

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.]

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