

*Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Part 3. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 5A

#### BREACH OF INJUNCTION: POWERS OF COURT IN RESPECT OF UNDER-18S

##### Textual Amendments

- F1** Sch. 5A inserted (E.W.) (9.1.2012) by [Crime and Security Act 2010 \(c. 17\)](#) , **ss. 39(3)** , 59(1) ; S.I. 2011/3016 , art. 2(d)

### PART 3

#### DETENTION ORDERS

##### *Detention orders*

- 14 (1) A detention order is an order that the defaulter be detained for a period specified in the order in such youth detention accommodation as the Secretary of State may determine.
- (2) The period specified under sub-paragraph (1) may not exceed the period of three months beginning with the day after that on which the order is made.
- (3) In sub-paragraph (1) “ youth detention accommodation ” means—
- (a) a secure training centre;
  - [ a secure college;]
  - <sup>F2</sup>(aa) a young offender institution;
  - [<sup>F3</sup>(c) a secure children's home, as defined by section 102(11) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.]
- (4) The function of the Secretary of State under sub-paragraph (1) is exercisable concurrently with the Youth Justice Board.
- (5) A person detained under a detention order is in legal custody.

##### Textual Amendments

- F2** Sch. 5A para. 14(3)(aa) inserted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#) , s. 95(1), **Sch. 9 para. 27**; S.I. 2015/778, art. 2(1)(c)
- F3** Sch. 5A para. 14(3)(c) substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#) , s. 151(1), **Sch. 12 para. 58**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

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*Revocation of detention order*

- 15 (1) Where a detention order is made, the injunction applicant or the defaulter may apply to [<sup>F4</sup>a youth] court to revoke it.
- (2) If it appears to the court to which an application under sub-paragraph (1) is made to be in the interests of justice to do so, having regard to circumstances which have arisen since the detention order was made, the court may grant the application and revoke the order accordingly.
- (3) The circumstances referred to in sub-paragraph (2) include the conduct of the defaulter.
- (4) If an application made under sub-paragraph (1) in relation to a detention order is dismissed, no further such application may be made in relation to the order by any person without the consent of [<sup>F5</sup>a youth] court.
- (5) Before making an application under sub-paragraph (1) the injunction applicant must consult—
- (a) in the case of a detention order made under paragraph 1(1), the youth offending team referred to in paragraph 1(4)(a); or
  - (b) in the case of a detention order made under paragraph 12(4)(b), the youth offending team referred to in paragraph 12(3)(a).]

**Textual Amendments**

- F4** Words in *Sch. 5A para. 15(1)* substituted (1.6.2015) by *Crime and Courts Act 2013 (c. 22)*, s. 61(2), *Sch. 12 para. 15* (with s. 18(6)); S.I. 2015/813, art. 3(c)
- F5** Words in *Sch. 5A para. 15(4)* substituted (1.6.2015) by *Crime and Courts Act 2013 (c. 22)*, s. 61(2), *Sch. 12 para. 15* (with s. 18(6)); S.I. 2015/813, art. 3(c)

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