

**JUVENILE OFFENDERS AND THOSE IN NEED**  
**OF CARE OR CONTROL**  
**(ENGLAND AND WALES)**

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**JUVENILE OFFENDERS AND JUVENILES IN NEED  
OF CARE OR CONTROL  
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Introduction

1. This memorandum sets out in general terms the powers and procedure of the courts and describes the methods of treatment available in England and Wales for children and young persons who are offenders or are in need of care or control.

Legislation and definition of terms

2. A list of statutes, statutory instruments and official publications relating to juvenile offenders and juveniles in need of care or control in England and Wales is in the Annex. In this memorandum references to the "1933 Act" are to the Children and Young Persons Act 1933 and references to the "1969 Act" are to the Children and Young Persons Act 1969. References to local authorities are to the councils of counties, county boroughs and London boroughs. Unless the context otherwise requires:-

"juvenile" means a person under the age of 17,

"child" means a person under the age of 14, and

"young person" means a person who has attained the age of 14 and is under the age of 17.

Juvenile Courts

3. Juvenile courts, which were first established in England and Wales in 1908, are magistrates' courts specially constituted to deal with juveniles charged with offences or brought before the court as being in need of care or control. Every court in dealing with a person who has not attained the age of 17, whether

he is an offender or in need of care or control, is required by statute to have regard to his welfare (1933 Act, section 44).

4. The Juvenile Courts (Constitution) Rules 1954, provide that outside London the justices in every petty sessional division appoint from among their number a panel of justices who are under 65 years of age and specially qualified for dealing with juvenile cases. These panels are appointed every 3 years. Every juvenile court must be constituted of not more than 3 justices and must, except in certain special circumstances, include a man and a woman. The members of the juvenile court panel elect from amongst their number a chairman and a sufficient number of deputy chairmen to ensure that each juvenile court in the area sits under the chairmanship of a person so elected. In the inner London area, the Lord Chancellor appoints a juvenile court panel every 3 years from among the justices for the area, and nominates certain members to act as chairmen. A juvenile court in the inner London area consists ordinarily of 3 justices, including a man and a woman.

5. A juvenile court may not sit in a room in which sittings of a court other than a juvenile court are held if a sitting of that court has been or will be held there within an hour before or after the sitting of the juvenile court (section 47(2) of the 1933 Act). In many places accommodation for the juvenile court has been provided away from the adult court. Where this has not been possible, arrangements are usually made for a suitable room in court buildings to be used as a juvenile court.

6. The public are not admitted to sittings of juvenile courts. Section 47 of the 1933 Act restricts admission to:-

- (a) members and officers of the court;
- (b) parties to the case and other persons directly concerned;

- (c) bona fide representatives of the press;
- (d) such other persons as the court may specially authorise to be present.

7. Although representatives of newspapers are admitted to sittings of juvenile courts, only limited publicity is allowed. No newspaper report or sound or television broadcast of any proceedings in a juvenile court, or of proceedings on appeal from such a court, may reveal the name, address or school, or include any particulars or picture calculated to lead to the identification of any juvenile concerned; but the court or the Home Secretary, if satisfied that it is appropriate for the purpose of avoiding injustice to a child or young person, may dispense with this requirement (section 49 of the 1933 Act as amended by section 10 of the 1969 Act).

8. When a juvenile is brought before a court, any person who is his parent or guardian may be required to attend the proceedings at all stages, and shall be so required at any stage where the court thinks it desirable, unless the court is satisfied that it would be unreasonable to require his attendance. When a juvenile has been found guilty of an offence or found to be in need of care or control, the court must inform the juvenile and his parent or guardian if present, or any person assisting in the conduct of his case, of the manner in which it proposes to deal with the juvenile and must allow the parent or guardian to make representations. (Rules 11 and 21 of the Magistrates' Courts (Children and Young Persons) Rules 1970).

9. Legal aid is available in both criminal and care proceedings and application may be made to the court in advance of the hearing.

#### Criminal proceedings

10. No child under the age of 10 years can be guilty of any offence (section 50 of the 1933 Act). In addition,

it is an old presumption of the common law that a child under 14 has not reached the age of discretion and is incapable of knowing right from wrong (doli incapax). This presumption may be rebutted by satisfying the court that the child knew he was doing wrong. The guilty intention will often be apparent from the nature of the offence charged, but not always, even when the act of a child has resulted in grave injury to person or property of others; and it must then be proved.

11. It is intended in due course to use the power given by the 1969 Act to raise to 12 the minimum age at which a child may be prosecuted, except for homicide. Court proceedings against children of 10 and 11 for offences other than homicide will then take the form of care proceedings - see paragraphs 20 to 23 below.

12. Where the police arrest a juvenile they are required to release him unless they have reason to believe that he has committed homicide or another grave crime; or that his release would defeat the ends of justice, or that he would fail to appear in answer to any charge which might be made; or they consider that he ought in his own interests to be detained. Where he is not released, the police must make arrangements for him to be taken into the care of the local authority and detained by them until he can be brought before a court, unless it is impracticable to do so, or he is so unruly that he cannot safely be so detained. A child who is not released must be brought before a magistrates' court within 72 hours. If he cannot be so brought because of illness or accident a police officer not below the rank of inspector must certify to that effect. The court may remand a person brought before them in this way or in respect of whom a certificate is produced (section 29 of the 1969 Act).

13. The great majority of juveniles who are arrested are released in accordance with these provisions. A considerable proportion of juveniles are cautioned by the police instead of being prosecuted. Where the juvenile is released without a decision being taken, he may be summoned to attend the court if it is subsequently decided that there shall be a prosecution.

14. If a juvenile is jointly charged with a person who has attained the age of 17, he must be brought before an adult court with the older defendant. He may be so brought where he is charged with aiding and abetting a person over 17 or where an offence by a juvenile and a person over 17 arises out of the same circumstances (section 46 of the 1933 Act and section 18 of the Children and Young Persons Act 1963). If a juvenile is found guilty of an offence by an adult magistrates' court, that court is required to remit the case to a juvenile court, unless it disposes of the case by a minor order (see paragraphs 25 and 26).

15. All offences except homicide are triable by a juvenile court but a juvenile may be committed to the Crown Court for trial by a jury if

- (a) he is charged with homicide or other grave crime for which he may be detained under section 53 of the 1933 Act (see paragraph 18 below); or
- (b) he is jointly charged with a person over 17 who is committed for trial (section 6 of the 1969 Act).

16. No court may impose imprisonment on a person under 17 (Magistrates' Courts Act 1952, section 107 and Criminal Justice Act 1948, section 17). Where a person under the age of 18 is convicted of murder he is ordered to be detained during Her Majesty's pleasure in such place and under such conditions

as the Home Secretary may direct. When a juvenile has been convicted on indictment (that is at the Crown Court) of any offence punishable in the case of an adult with imprisonment for 14 years or more (not being an offence, such as murder, for which the sentence is fixed by law) the court, may, if it considers that no other method of dealing with him is suitable, order him to be detained for a specified period. Where such a sentence is passed the offender is liable to be detained in such place and under such conditions as the Home Secretary may direct (section 53 of the 1933 Act).

17. The juvenile court is required to explain the substance of the charge in simple language suitable to the juvenile's age and understanding, receive evidence and (unless the case is committed for trial by jury - see paragraph 15) decide whether the charge is proved. The ordinary rules of evidence apply but the court is required to assist the juvenile to examine witnesses and, unless he is legally represented, to allow a parent or guardian to help him in conducting his case. If the court finds the offence proved, it must consider any report that may be furnished by a local authority or probation officer, about the child's home surroundings, school record, health or character (Magistrates' Courts (Children and Young Persons) Rules 1970).

18. A court which adjourns the case in the course of the hearing of a charge may remand the accused. The period of the remand, if it is not on bail, must not exceed 8 days. If, after a finding of guilt, the court requires further information, it may remand. In this case, if the remand is not on bail, it must not exceed 3 weeks. In either case, if the remand is not on bail it will be to the care of the local authority, except in the case of a young person of 14 years of age or more who is certified by the court to be of so unruly a character that he cannot safely be committed to local authority care, when remand may be to a remand centre (if one is available) or to a prison. The 1969 Act contains power to raise the minimum age for this purpose above

fourteen. The exercise of this power depends on the provision of suitable accommodation within the local authority system.

19. The orders available to the court in criminal proceedings are described in paragraphs 25 to 27.

#### Care proceedings

20. Section 1 of the 1969 Act sets out the circumstances in which a juvenile may be brought before the court in care proceedings and the court may make an order. It provides as follows:

"(1) Any local authority, constable or authorised person who reasonably believes that there are grounds for making an order under this section in respect of a child or young person may, subject to section 2(3) of this Act, bring him before a juvenile court.

"(2) If the court before which a child or young person is brought under this section is of opinion that any of the following conditions is satisfied with respect to him, that is to say -

(a) his proper development is being avoidably prevented or neglected or his health is being avoidably impaired or neglected or he is being ill-treated; or

(b) it is probable that the condition set out in the preceding paragraph will be satisfied in his case, having regard to the fact that the court or another court has found that that condition is or was satisfied in the case of another child or young person who is or was a member of the household to which he belongs; or

(c) he is exposed to moral danger; or

(d) he is beyond the control of his parent or guardian; or

(e) he is of compulsory school age within the meaning of the Education Act 1944 and is not receiving efficient full-time education suitable to his age, ability and aptitude; or

(f) he is guilty of an offence, excluding homicide.

and also that he is in need of care or control which he is unlikely to receive unless the court makes an order under this section in respect of him, then, subject to the following provisions of this section and sections 2 and 3 of this Act, the court may if it thinks fit make such an order.

"(3) The order which a court may make under this section in respect of a child or young person is -

(a) an order requiring his parent or guardian to enter into a recognisance to take proper care of him and exercise proper control over him; or

(b) a supervision order; or

(c) a care order (other than an interim order); or

(d) a hospital order within the meaning of Part V of the Mental Health Act 1959; or

(e) a guardianship order within the meaning of that Act."

The only person authorised for the purpose of section 1 is the National Society for the Prevention of Cruelty to Children.

21. If it appears to a local authority that there are grounds for bringing care proceedings in respect of a child or young person who resides or is found in their area it is their duty to bring proceedings unless they are satisfied that it is neither in his interests nor the public interest to do so or that proceedings are about to be taken by some other person. Section 1 of the Children and Young Persons Act 1963 imposes on local authorities the duty of providing such advice, guidance and assistance as may promote the welfare of children by diminishing the need to receive them into care or to bring them before a juvenile court. This provision enables the local authority to deal with the situation informally, if it is possible, to protect the child without recourse to the compulsory powers of a court order.

22. Only the local education authority may bring care proceedings alleging condition (e). Only the police or a local authority may bring care proceedings alleging condition (f). Since a child below the age of 10 is presumed to be incapable of committing an offence (see paragraph 10 condition (f) cannot be alleged in the case of a child under 10.

23. While the minimum age for prosecution remains 10, care proceedings alleging an offence are an alternative to prosecution. When the minimum age for prosecution is raised to 12, care proceedings will be the only form of court proceedings in respect of children aged 10 and 11 for offences (except homicide). Where an offence is alleged in care proceedings it must be proved in the same way as would be necessary in criminal proceedings with the same burden of proof (section 3 of the 1969 Act). The other conditions alleged in care proceedings have to be proved in accordance with the civil burden of proof (the balance of probabilities) as does the question whether the child is in need of care or control, which he is unlikely to receive unless the court makes an order.

Orders available to the court

24. The following orders are available in care proceedings:

- (a) binding over parents;
- (b) supervision order;
- (c) care order;
- (d) hospital order under the Mental Health Act 1959;
- (e) guardianship order under the Mental Health Act 1959;
- (f) if an offence was proved in care proceedings, payment of compensation to the aggrieved person.

25. The following orders are available in criminal proceedings:

- (a) binding over the parents or the offender;\*
- (b) supervision order;
- (c) care order;
- (d) hospital order under the Mental Health Act 1959;
- (e) guardianship order under the Mental Health Act 1959;
- (f) absolute or conditional discharge;\*
- (g) fine;\*
- (h) compensation;\*

(i) attendance centre (if a boy and a centre is available to the court);

(j) detention centre (if a boy of 14 or over and a centre is available to the court);

(k) borstal (if 15 or over and the court is satisfied that no other order is appropriate<sup>I</sup>);

(l) detention under section 53 of the Children and Young Persons Act 1933<sup>I</sup>.

26. An adult magistrates' court which finds a person under 17 guilty of an offence (because he was jointly charged with older persons) may make one of the orders marked \* in paragraph 25 but otherwise is required to remit to the juvenile court. This is because it is desirable for cases to be disposed of by juvenile courts, but it would be wasteful of resources to require remittal in cases which could properly be dealt with by a minor disposal.

27. The orders<sup>I</sup> marked in paragraph 25 may be made only by the Crown Court.

Methods of Treatment

Orders available in both care and criminal proceedings

Care order

28. A care order commits the child<sup>II</sup> to the care of the local authority in whose area it appears to the court making the order that he habitually resides (or, if he has no such residence, to the care of any local authority in whose area it appears to the court that the offence was committed). The order gives the local authority the powers and duties of a parent, with

<sup>II</sup> In relation to children in care, "child" means a person under the age of 18.

a prior right to custody of the child and an additional power to restrict his liberty if necessary: a person who has attained the age of 18 will still be subject to this latter power while the care order remains in force (section 24 of the 1969 Act).

29. A care order, unless discharged or extended, ceases to have effect when the child attains the age of 18 or, if he had already attained the age of 16 when the order was made, when he attains the age of 19. The local authority have a duty to review the case of every child in care not less than every six months and, if the child has been committed to care by a care order, to consider whether to make an application for the discharge of the order. A juvenile court has power to discharge a care order on an application made by the local authority, the child, or the parent or guardian on the child's behalf. A juvenile court also has power, on the application of the local authority, to extend to the 19th birthday a care order which would otherwise expire at 18. This may be done only if the child is accommodated in a community home or in a youth treatment centre\* and it appears to the court that, by reason of his mental condition or behaviour, it is in his interest or the public interest for him to be so accommodated after he attains the age of 18 (sections 20, 21 and 70(2) of the 1969 Act).

30. With the consent of the Secretary of State, a local authority may bring before a juvenile court a person who has attained the age of 15 who is subject to a care order and who is accommodated in a community home. The court may order removal to borstal if satisfied

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\*Youth treatment centres are provided by the Department of Health and Social Security for the long-term care and treatment of a small minority of severely disturbed and anti-social adolescent boys and girls whose specialised treatment cannot be met in any other existing form of residential provision.

that the person's behaviour is such that it would be detrimental to the persons accommodated in any community home for him to be accommodated there (section 31 of the 1969 Act).

### Supervision order

31. A supervision order may be made only if the court is satisfied that the juvenile habitually resides in the area of a local authority in England and Wales (this is because supervision is unlikely to be possible if the child cannot even be said to have an habitual residence). In the case of children under 10 the local authority is normally the supervisor. In the case of those who have attained the age of 10 the court may designate either the local authority or a probation officer. (Sections 11 and 13(2) of the 1969 Act.) There is power to raise to 14 this dividing age between the work of local authorities and the probation service (sections 13(2) and 34(1)(c) of the 1969 Act).

32. A supervision order lasts for 3 years or for such shorter period as may be specified by the court. If made in care proceedings it will not extend beyond the 18th birthday. A juvenile court may discharge or vary a supervision order.

33. A supervision order may include:-

(a) A requirement to reside with an individual, eg a relative (section 12(1) of the 1969 Act).

(b) A requirement to submit to treatment for a mental condition, similar to the requirements which may be included in probation orders (section 12(4) of the 1969 Act).

(c) In due course, a requirement to comply with any directions given by the supervisor to live at a specified place, or to present himself to a specified person at a time and place specified



and/or to participate in specified activities (section 12(2)). These requirements relate to what is commonly referred to as "intermediate treatment". The facilities which supervisors may use for this purpose are restricted to those set out in schemes which are to be drawn up by the children's regional planning committees referred to in paragraph 41 below. The power to include in supervision orders requirements under section 12(2) will be exercisable only when schemes have been drawn up by the planning committees; courts will be notified when this is so (section 19(6)).

### Intermediate treatment

34. Local authorities also have a duty under the 1969 Act to provide intermediate treatment facilities in accordance with regional schemes. The main statutory provisions relating to this form of treatment are contained in sections 12, 18(4) and 19 of the Act, which provide the framework within which it may be developed. It is the responsibility of regional planning committees in each of the 12 regional planning areas covering England and Wales to submit schemes to the Secretary of State for Social Services or the Secretary of State for Wales.

35. Intermediate treatment (which may be provided by voluntary bodies) is for children who have been placed by the juvenile court under the supervision of the local authority or of a probation officer. It may consist of a stay of not more than 90 days in a residential establishment or of attendance (not exceeding 30 days in any one year) at specified times and places for the purposes of introducing the child to activities of a recreational, educational or cultural nature or of social value under the charge of a responsible person. This new facility is thus "intermediate" in the sense of providing new forms of treatment for children in trouble which bridge the gap between receiving the child into local authority care and the general preventive family casework under-

taken by local authority social services departments. Where a court has been notified that a scheme of treatment is available in its area from which the supervisor appointed by the court may select facilities for a child or young person placed under his supervision, it may include an intermediate treatment requirement in the supervision order.

36. A Guide to the planning of intermediate treatment, issued by the Department of Health and Social Security may be obtained from HMSO, price 29p net, or through any bookseller. This booklet is intended primarily as a guide to regional planning committees and for any voluntary and statutory agencies who may have a part to play in intermediate treatment schemes, and it has been produced in a form which may be helpful to juvenile court magistrates, probation officers, social workers and others who will in due course be involved. There may, however, be much in it to interest a wider public.

### Binding over parent or guardian

37. The court may make an order requiring the child's parent or guardian to enter into a recognisance to take proper care of him and exercise proper control over him (sections 1(3) and 7(7) of the 1969 Act). Such an order may be made only if the parent or guardian consents as it is unlikely to be effective unless the parent or guardian is willing to accept the responsibility.

### Hospital or Guardianship order

38. The Mental Health Act, 1959, provides for the care and treatment of those suffering from mental disorder. Section 60 enables a court to send an offender to a hospital or place him under guardianship if satisfied

(a) on the evidence of two medical practitioners (one of whom must be a specialist in mental disorders) that the offender is suffering from mental illness, psychopathic disorder, sub-normality, or severe sub-normality of a nature or degree that warrants detention for medical treatment or reception into guardianship, and

(b) that a hospital order or guardianship order is the most appropriate way of dealing with the offender.

A juvenile court has similar power to deal with a juvenile whom it finds to be in need of care or control.

39. The purpose of a hospital or guardianship order is to enable the offender to be admitted to and compulsorily detained in hospital, or to be under guardianship, for as long as is necessary in his own and the public interest. A hospital order has the same effect as an application for the admission of any mentally disordered person to hospital for treatment under compulsory powers, and a guardianship order has the same effect as an application for reception of a patient into guardianship, except that in either case the nearest relative has no power to order the patient's discharge, and that there is no limitation, as there normally is, on the continued detention in hospital or retention under guardianship of psychopathic or sub normal patients beyond the age of 25.

#### Accommodation for children in care

40. The local authority may board the child out with foster-parents, maintain him in a community home or in a youth treatment centre or a voluntary home; or make such other arrangements as seem appropriate to them, including accommodation in an approved school while approved schools continue as such. The authority have power to allow a child in their care to be under the charge and control of a parent, guardian,

relative or friend, eg to provide a trial period, at home or elsewhere, while the child remains legally in care (section 13 of the Children Act 1948 as substituted by section 49 of the 1969 Act).

41. Part II of the 1969 Act provides for the establishment of a flexible system of residential accommodation to meet the needs of all children in the care of local authorities. The institutions provided for this purpose will be known as community homes and provision is made for incorporation in the new system of existing children's homes, reception centres, remand homes, hostels for those over school age and approved schools. It will be open to voluntary organisations providing these facilities to take part in the new systems. The whole of England and Wales has been divided into 12 regions and in each region regional planning committees of local authorities have been set up for the purposes of assessing needs and planning the provision of the necessary accommodation.

#### Orders available in criminal proceedings only

##### Absolute and conditional discharge

42. Where a juvenile is found guilty of an offence the court may make an order discharging him absolutely (that is, without conditions) or may make an order for discharge subject to the condition that the offender commits no offence during a specified period not exceeding 12 months. It must be explained to the offender in ordinary language that if he breaks the condition he will then be liable to be dealt with for the original offence as well as for the new offence (Criminal Justice Act, 1948, section 7).

##### Fine

43. In magistrates' courts a young person may not be fined more than £50 and a child may not be fined

more than £10 for any offence (section 6(3) and 34(5) of the 1969 Act) whatever the maximum fine that could be imposed on an adult for the offence.

44. If the court imposes a fine or makes an order for the payment of compensation or costs, it may, and must if the offender is a child under 14 order that the sum shall be paid by the parent or guardian instead of by the child or young person unless the court is satisfied that the parent or guardian did not conduce to the commission of the offence by neglecting to exercise due care of the child or young person (section 55 of the 1933 Act).

#### Attendance centre

45. A person who has reached the age of 10 but not of 21 and who has been found guilty of an offence for which an adult could be sent to prison may be ordered to attend an attendance centre for up to 24 hours in all in periods of not less than one hour and not more than 3 hours on any one occasion. There are 60 junior attendance centres (for boys under 17) situated mainly in the larger centres of population.

46. The aim of the order is to vindicate the law by imposing loss of leisure, a punishment that is readily understood by children; and by teaching him something of the constructive use of leisure to guide him, on leaving the centre, to continue some recreational activity. Attendance is on Saturdays, the older and younger boys coming at different times, generally for a period of 2 hours. A period of physical exercise is usually followed by a lecture, employment in handicrafts or other instruction. The boys remain under firm discipline throughout the period of attendance. Those who fail to attend or who commit grave breaches of the rules of the centre may be brought back to court and dealt with for the original offence as though an attendance centre order had not been made. An attendance centre order is not a remedy for those

who need the sustained influence of a supervisor or removal from bad home surroundings, or for those with a long record of offences.

#### Detention centre

47. The Home Secretary has been empowered since 1948 to provide detention centres to which persons who have attained the age of 14 but not the age of 21, who have been found guilty of an offence for which an adult could be sent to prison, may be sent for short periods of custody. There are 18 centres: 4 for boys aged 14 but under 17 and 14 for youths aged 17 but under 21. There are no centres for girls. Detention is for a minimum period of 3 months though in some cases it may be for as long as 6 months.

48. The purpose of detention centres is to provide a method of treatment for young offenders who do not require a prolonged period of residence away from home but who cannot be taught respect for the law by such non-custodial measures as fines or probation. They are most likely to succeed with young people who have not already experienced a longer period of institutional treatment arising from delinquency. The regime in a detention centre is brisk and well controlled, with a vigorous and active day. A high standard of effort is required, which is directed towards a constructive purpose and is related to the needs, abilities and weaknesses of the particular offender.

#### Borstal training

49. Borstal is the normal form of medium-term training for offenders aged between 17 and 21, but may be ordered in respect of a young person who has attained the age of 15 and is under 17, if the court is of the opinion that no other method of dealing with him is appropriate. A juvenile court may not impose a sentence of borstal training; if it thinks such a

sentence appropriate it must commit the offender to the Crown Court.

50. The court does not determine the length of a borstal sentence: not less than 6 months and not more than 2 years is spent in a training borstal, and up to 2 years after release (and subject to recall) under supervision. At the training borstal the progress of each inmate is regularly reviewed by a board presided over by the Governor; when it is decided that training in custody has served its purpose and that the inmate is ready to be released under supervision a recommendation for release is made to the Home Secretary through the Board of Visitors.

51. There is a wide variety of training borstals available, varying from establishments with strong perimeter and internal security, through others which rely primarily on perimeter security, to quite open establishments. The nature of the work and the vocational training also varies from borstal to borstal. In allocating an offender to a training borstal, regard is paid not only to his record and degree of criminal sophistication, and to his aptitudes, but also to his physical and mental condition, his comparative maturity, the probability of his being trained successfully in open conditions or in conditions with a greater degree of supervision and (1) security, and the results of prediction studies.

52. The emphasis in borstal training is on remedial and educational treatment based on close study of the individual. Borstals are organised so as to facilitate

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(1) Studies which, by examining the performances of former borstal inmates, endeavour to show the chances of success with offenders of different categories in different types of borstal. See Prediction Methods in relation to Borstal Training, by Dr H Mannheim and Leslie T Wilkins (HMSO 1955)

individual study, personal training and wise leadership. Standardisation is not sought. The system of training seeks the all-round development of character and capacities - moral, mental, physical and vocational - and is based on progressive trust demanding increasing personal decision, responsibility and self-control. Opportunities are given to practise these qualities, and the conditions in borstals are sufficiently various and elastic to suit different characters and different stages of development.

53. A person released from borstal must comply with requirements specified by the Home Secretary, who may modify or cancel any of these requirements at any time during the period of supervision. A person who fails to comply with the requirements of supervision may be recalled to a borstal institution, and on recall is liable to be detained until the expiration of 2 years from the date of his sentence, or for 6 months from the date of his being taken into custody under the recall order, whichever is the later.

**ANNEX**

**List of statutes, statutory instruments  
and official publications all of which are  
obtainable from Her Majesty's Stationery Office,  
49 High Holborn, London WC1V 6HB**

**The Children and Young Persons Act 1933**  
**The Children and Young Persons Act 1963**  
**The Children and Young Persons Act 1969**  
**The Children Act 1948**  
**The Criminal Justice Act 1948**  
**The Magistrates' Courts Act 1952**  
**The Prison Act 1952**  
**The Mental Health Act 1959**  
**The Criminal Justice Act 1961**  
**The Juvenile Courts (Constitution) Rules 1954**  
**The Magistrates' Courts (Children and Young Persons)  
Rules 1970**  
**The Attendance Centre Rules 1958**  
**The Magistrates' Courts (Attendance Centre) Rules  
1962**  
**The Detention Centre Rules 1952**  
**The Detention Centre (Amendment) Rules 1968**  
**The Borstal Rules 1964**  
**The Sentence of the Court and supplements on the  
Children and Young Persons Act 1969 and  
Detention Centres**  
**Guide to Part I of the Children and Young Persons  
Act 1969**  
**Intermediate Treatment**  
**Youth Treatment Centres**

**END**