



Treatment of Offenders Act (Northern Ireland) 1968

1968 CHAPTER 29

PART I

PROVISIONS WITH RESPECT TO SENTENCES ON AND DETENTION OF YOUNG OFFENDERS

YOUNG OFFENDERS CENTRES

[^{F1}5 Detention in a young offenders centre.

(1) Where—

- (a) a person of not less than sixteen but under twenty-one years of age has been convicted (whether summarily or on indictment) of an offence which is punishable with imprisonment in the case of a person aged twenty-one years or over; and

- (b) the court considers that he should serve a term of detention,

the court may, subject to^{F2} Article 47 of the Criminal Justice (Children) (Northern Ireland) Order 1998], order him to be detained in a young offenders centre for a term which shall not exceed—

- (i) the maximum term of imprisonment which the court could impose for the offence in the case of a person aged twenty-one years or over; or
(ii) four years,

whichever is the lesser.

(2) Where the court orders a person to be detained in a young offenders centre under subsection (1) for a term which exceeds—

- (a) eighteen months, in the case of a person who has previously served a sentence of imprisonment or a term of detention in a young offenders centre;
(b) six months, in any other case,

Changes to legislation: *Treatment of Offenders Act (Northern Ireland) 1968, Section 5 is up to date with all changes known to be in force on or before 28 November 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

it shall state the reason and cause it to be entered in the record of the proceedings along with the sentence.

- (3) Where—
- (a) a person of not less than sixteen but under twenty-one years of age has been guilty of any default for which the court could, if he were aged twenty-one years or over, commit him to prison; and
 - (b) the court considers that he should serve a term of detention,
- the court may, subject to^{F2} Article 47 of the Criminal Justice (Children) (Northern Ireland) Order 1998], order him to be detained in a young offenders centre for a term not exceeding that for which, if he were aged twenty-one years or over, he could be committed to prison.
- (4) Where a court orders a person to be detained in a young offenders centre, it may order that the term of that detention shall commence on the expiration of any other term of detention ordered by that or any other court.
- (5) Where the Crown Court orders a person to be detained in a young offenders centre for two or more terms of detention to run consecutively, the aggregate of those terms shall not exceed four years.
- (6) Where a magistrates' court orders a person to be detained in a young offenders centre for two or more terms of detention to run consecutively, the aggregate of those terms shall not exceed—
- (a) except as provided by paragraph (b) or any other enactment, twelve months;
 - (b) in the case of terms of detention in respect of indictable offences tried summarily, eighteen months.]

Annotations:

F1 1989 NI 15

F2 1998 NI 9

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Changes and effects yet to be applied to :

- s. 5(3) words substituted by [2016 c. 21 \(N.I.\) s. 30\(6\)](#)