

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1A

#### BREACH, REVOCATION AND AMENDMENT OF REPARATION ORDERS, COMMUNITY RESPONSIBILITY ORDERS AND YOUTH CONFERENCE ORDERS

**F1** 2002 c. 26

#### [<sup>F2</sup>*Re-sentencing for breach*

**F2** 2002 c. 26

- 4.—[<sup>F3</sup>(1) The relevant court may (instead of making an order under paragraph 3)—
- (a) revoke the order (if it is still in force); and
  - (b) deal with the offender, for the offence in respect of which it was made, in any way in which it could deal with him if he had just been found guilty of the offence by or before the court.]
- (5) In proceedings before the Crown Court under [<sup>F4</sup>this paragraph] any question whether the offender has failed to comply with the requirements of the relevant order is to be determined by the Crown Court and not by the verdict of a jury.
- (6) In dealing under this paragraph with an offender who has wilfully and persistently failed to comply with a requirement, [<sup>F5</sup>the relevant court may] assume that he has refused to give his consent to a community sentence which has been proposed by the court and requires that consent or a youth conference order.]]

**F3** Sch. 1A para. 4(1) substituted (6.10.2008) for Sch. 1A para. 4(1)-(4) by *Criminal Justice (Northern Ireland) Order 2008* (S.I. 2008/1216 (N.I. 1)), arts. 1(4), **48(6)**; S.R. 2008/383, **art. 2**, Sch.

**F4** Words in Sch. 1A para. 4(5) substituted (6.10.2008) by *Criminal Justice (Northern Ireland) Order 2008* (S.I. 2008/1216 (N.I. 1)), arts. 1(4), **48(7)**; S.R. 2008/383, **art. 2**, Sch.

**F5** Words in Sch. 1A para. 4(6) substituted (6.10.2008) by *Criminal Justice (Northern Ireland) Order 2008* (S.I. 2008/1216 (N.I. 1)), arts. 1(4), **48(8)**; S.R. 2008/383, **art. 2**, Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Cross Heading: Re-sentencing for breach.