STATUTORY INSTRUMENTS

1998 No. 1504

The Criminal Justice (Children) (Northern Ireland) Order 1998

PART VI N.I.

SENTENCING AND OTHER POWERS

[F1 Youth conference orders

[F1[F2 Youth conference orders N.I.

36J.—(1) Where a recommendation is made to a court under Article 33A(5)(b) or (c), the court may make a youth conference order in relation to the offender to whom the recommendation relates.

(2) A youth conference order is an order requiring the offender—

(a) to comply with the requirements specified in the youth conference plan; or

(b) to comply with those requirements as varied by the order;

and the order must specify as the date when the offender must begin so to comply either the date specified in the youth conference plan under Article 3C(6) or such other date as the court may, with the consent of the youth conference co-ordinator, determine.

[

F3(2A) Unless revoked, a youth conference order remains in force until the offender has complied with the requirements mentioned in paragraph (2)(a) or (as the case may be) (b).**]**

(3) A court must not make a youth conference order unless it is of the opinion that the offence, or the combination of the offence and one or more offences associated with it, was serious enough to warrant it.

(4) In forming any such opinion the court must take into account all information about the circumstances of the offence, or of the offence and the offence or offences associated with it, (including any aggravating or mitigating factors) which is available to it.

(5) The court must not make a youth conference order unless the offender consents.

(6) The court must not make a youth conference order under paragraph (2)(b) unless it has consulted the youth conference co-ordinator.

(7) If the court does not make a youth conference order under paragraph (2)(a) in a case where it has power to do so, it must give its reasons in open court.

(8) Where the court makes a youth conference order, it may not exercise any other power it has to deal with the offender for the offence.

(9) But if the recommendation to the court was made under Article 33A(5)(c) the court may, if the offender consents, also impose any custodial sentence which the court has power to impose for the offence.**]]**

F1 2002 c. 26

F2 2002 c. 26

F3 Art. 36J(2A) inserted (8.6.2008) by Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)), arts. 1(3)(a), **98(2)**

Changes to legislation:
There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 36J.