
STATUTORY INSTRUMENTS

2004 No. 1991

The Criminal Justice (No. 2) (Northern Ireland) Order 2004

Increase of penalties

4.—(1) In section 20 of the Offences against the Person Act 1861 (c. 100) (malicious wounding or grievous bodily harm) for the words from “shall be guilty” to the end substitute “ shall be guilty of an offence and liable, on conviction on indictment, to imprisonment for a term not exceeding 7 years. ”.

(2) In section 47 of that Act (assault occasioning actual bodily harm and common assault)—

(a) for the words “to be kept in penal servitude” substitute “ to imprisonment for a term not exceeding 7 years ”;

(b) for “one year” substitute “ two years ”.

(3) In Article 6(2) of the Criminal Damage (Northern Ireland) Order 1977 (NI 4) (penalties for offences under the Order other than arson or an offence under Article 3(2)) for “ten years” substitute “ fourteen years ”.

(4) In Article 4 of the Protection from Harassment (Northern Ireland) Order 1997 (NI 9) for paragraph (2) (maximum sentence on summary conviction of offence of harassment) substitute—

“(2) A person guilty of an offence under this Article shall be liable—

(a) on conviction on indictment, to imprisonment for a term not exceeding two years, or a fine, or both; or

(b) on summary conviction, to imprisonment for a term not exceeding six months, or a fine not exceeding the statutory maximum, or both.” .

(5) In Article 6(4)(a) of that Order (maximum sentence on conviction on indictment of offence of putting person in fear of violence) for “five years” substitute “ seven years ”.

(6) Article 6(6) of that Order (which is unnecessary in consequence of paragraph (4)) shall cease to have effect.

(7) In Schedule 1 to the Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10) in the entry relating to an offence under Article 10 of the Road Traffic (Northern Ireland) Order 1995 (NI 18) in column 4 for “2 years” substitute “ 5 years ”.

(8) Nothing in this Article affects the punishment for an offence committed before the coming into operation of this Article.

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (No. 2) (Northern Ireland) Order 2004, Section 4.