

**2003 No. 480**

**CRIMINAL PROCEDURE**

**The Reparation Order Rules (Northern Ireland) 2003**

*Made - - - - - 18th November 2003*

*Coming into operation 18th December 2003*

*To be laid before Parliament*

The Secretary of State, in exercise of the powers conferred upon him by Article 36C(5) and (6) of the Criminal Justice (Children) (Northern Ireland) Order 1998(a), and of every other power enabling him in that behalf, hereby makes the following Rules:

**Citation and commencement**

**1.** These Rules may be cited as the Reparation Order Rules (Northern Ireland) 2003 and shall come into operation on 18th December 2003.

**Functions of responsible officers**

**2.—(1)** In preparing for and supervising the reparation required by a reparation order, the responsible officer shall –

- (a) take all reasonable steps to ensure that a child who is subject to a reparation order understands the effect of the order and of the requirements imposed by it;
- (b) take all reasonable steps to ensure that the child understands the consequences which may follow under Schedule 1A to the Criminal Justice (Children) (Northern Ireland) Order 1998(b) if he fails to comply with the requirements of the order, and that a court has power under that Schedule to review the order on the application either of the child or of the responsible officer;
- (c) give the child instructions as to when and where to attend to make reparation;
- (d) give the child instructions from time to time as to the manner in which reparation should be made and as to the cessation or suspension of any particular activity where that is in the interests of the child or those of the victim of the offence or of any person otherwise affected by the offence;
- (e) meet with the child regularly to discuss progress with the order and to monitor compliance with its requirements;
- (f) give the child instructions as to how to keep in touch with him;
- (g) keep in touch with the child's parent or guardian;
- (h) ensure detailed records are kept of the number of hours spent by the child in making reparation and that those records may be accessed by the child and his parent or guardian;
- (i) keep in touch with any person running any reparation programme in which the child is to take part and review with him the child's progress;
- (j) bring any proceedings for dealing with the child for breach of a reparation order or for its revocation, amendment or extension; and

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(a) S.I. 1998/1504 (N.I. 9); Article 36C was inserted by section 54 of the Justice (Northern Ireland) Act 2002 (c.26)

(b) Schedule 1A was inserted by section 62 of the Justice (Northern Ireland) Act 2002 (c. 26)

(k) maintain records in relation to the making of reparation by children subject to reparation orders.

(2) In this rule a “reparation programme” means a programme of activities agreed as part of a reparation order.

**Certain responsibilities of the child**

3. The child must –

- (a) keep in touch with the responsible officer in accordance with such instructions as he may be given by that officer; and
- (b) give notice to him of any change of address.

**Number of hours spent making reparation**

4.—(1) A child aged under 14 years shall not be required to make reparation for more than two hours on any one day.

(2) A child aged 14 years or over shall not be required to make reparation for more than four hours on any one day.

**Payment of expenses**

5. The responsible officer may pay reasonable expenses incurred in connection with complying with the requirements imposed by a reparation order.

Northern Ireland Office  
18th November 2003

*Paul Murphy*  
One of Her Majesty’s Principal Secretaries of State

## EXPLANATORY NOTE

*(This note is not part of the Rules.)*

These Rules regulate the making of reparation by persons subject to reparation orders. In particular they include provision for:

- (a) the functions of the responsible officer;
- (b) certain responsibilities of the child;
- (c) the number of hours spent making reparation; and
- (d) the power of the responsible officer to pay reasonable expenses incurred in complying with a reparation order.

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