

*Changes to legislation: Criminal Justice and Immigration Act 2008, Cross Heading: Further provisions regarding the making or amending of youth rehabilitation orders under paragraph 1 or 2 is up to date with all changes known to be in force on or before 20 February 2019. 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)*

## SCHEDULES

### SCHEDULE 3

#### TRANSFER OF YOUTH REHABILITATION ORDERS TO NORTHERN IRELAND

##### PART 1

#### MAKING OR AMENDMENT OF A YOUTH REHABILITATION ORDER WHERE OFFENDER RESIDES OR PROPOSES TO RESIDE IN NORTHERN IRELAND

*Further provisions regarding the making or amending  
of youth rehabilitation orders under paragraph 1 or 2*

- 3 A youth rehabilitation order made or amended in accordance with paragraph 1 or 2 must—
- (a) specify the petty sessions district in Northern Ireland in which the offender resides or will be residing when the order or amendment takes effect, and
  - (b) specify as the corresponding order for the purposes of this Schedule an order that may be made by a court in Northern Ireland,
- and paragraph 33 of Schedule 1 (local justice area to be specified in order) does not apply in relation to an order so made or amended.

#### Annotations:

#### Commencement Information

- II Sch. 3 para. 3 in force at 30.11.2009 by S.I. 2009/3074, art. 2(o)

- 4 (1) Before making or amending a youth rehabilitation order in accordance with paragraph 1 or 2, the court must explain to the offender in ordinary language—
- (a) the requirements of the legislation in Northern Ireland relating to the order to be specified under paragraph 3(b),
  - (b) the powers of the home court under that legislation, as modified by Part 2 of this Schedule, and
  - (c) its own powers under Part 2 of this Schedule.
- (2) The court which makes or amends the order must—
- (a) provide the persons mentioned in sub-paragraph (3) with a copy of the order as made or amended, and
  - (b) provide the home court with such other documents and information relating to the case as it considers likely to be of assistance to that court;
- and sub-paragraphs (1) to (3) of paragraph 34 of Schedule 1 (provision of copies of orders) do not apply.
- (3) The persons referred to in sub-paragraph (2)(a) are—

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- (a) the offender,
  - (b) where the offender is aged under 14—
    - (i) the offender's parent or guardian, or
    - (ii) if an authority in Northern Ireland has parental responsibility for, and is looking after, the offender, the authority,
  - (c) the body which is to make suitable arrangements for the offender's supervision under the order, and
  - (d) the home court.
- (4) In sub-paragraph (3)(b)(ii)—
- (a) “authority” has the meaning given by Article 2 of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)),
  - (b) references to an offender who is looked after by an authority are to be construed in accordance with Article 25 of that Order, and
  - (c) “parental responsibility” has the same meaning as in that Order.
- (5) In this paragraph, “home court” has the meaning given by paragraph 8.

**Annotations:**

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**Commencement Information**

**I2** Sch. 3 para. 4 in force at 30.11.2009 by S.I. 2009/3074, art. 2(o)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)