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**Changes to legislation:** Criminal Justice and Immigration Act 2008, Cross Heading: Making of youth rehabilitation order where offender resides or will reside in Northern Ireland is up to date with all changes known to be in force on or before 29 March 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)

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## 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

##### *Making of youth rehabilitation order where offender resides or will reside in Northern Ireland*

- 1 (1) This paragraph applies where a court considering the making of a youth rehabilitation order is satisfied that the offender—
- (a) resides in Northern Ireland, or
  - (b) will reside there when the order takes effect.
- (2) The court may not make a youth rehabilitation order in respect of the offender unless it appears to the court that—
- (a) in the case of an order imposing a requirement mentioned in sub-paragraph (6), the conditions in sub-paragraphs (3), (4) and (5) are satisfied, or
  - (b) in any other case, that the conditions in sub-paragraphs (3) and (4) are satisfied.
- (3) The condition in this sub-paragraph is satisfied if the number of hours, days or months in respect of which any requirement of the order is imposed is no greater than the number of hours, days or months which may be imposed by a court in Northern Ireland in respect of a similar requirement in the order which the court proposes to specify as the corresponding order under paragraph 3(b).
- (4) The condition in this sub-paragraph is satisfied if suitable arrangements for the offender's supervision can be made by the Probation Board for Northern Ireland or any other body designated by the Secretary of State by order.
- (5) The condition in this sub-paragraph is satisfied in relation to an order imposing a requirement mentioned in sub-paragraph (6) if—
- (a) arrangements exist for persons to comply with such a requirement in the petty sessions district in Northern Ireland in which the offender resides, or will be residing when the order takes effect, and
  - (b) provision can be made for the offender to comply with the requirement under those arrangements.
- (6) The requirements referred to in sub-paragraphs (2)(a) and (5) are—
- (a) an activity requirement (including an extended activity requirement);
  - (b) an unpaid work requirement;

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- (c) a programme requirement;
- (d) an attendance centre requirement;
- (e) a mental health treatment requirement;
- (f) a drug treatment requirement;
- (g) a drug testing requirement;
- (h) an education requirement;
- (i) an electronic monitoring requirement.

(7) The court may not by virtue of this paragraph require a local authority residence requirement or a fostering requirement to be complied with in Northern Ireland.

**Annotations:**

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**Commencement Information**

**II** [Sch. 3 para. 1](#) in force at 30.11.2009 by [S.I. 2009/3074](#), [art. 2\(o\)](#)

**Changes to legislation:**

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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\(3\)](#)