
STATUTORY INSTRUMENTS

1996 No. 3160

The Criminal Justice (Northern Ireland) Order 1996

PART II

TREATMENT OF OFFENDERS

Custodial sentences

Suspended sentences of imprisonment or orders for detention

23. In section 18 of the Treatment of Offenders Act (Northern Ireland) 1968 (suspended sentences of imprisonment or orders for detention in a young offenders centre)—

- (a) in subsections (1) and (1A) at the beginning there shall be inserted “Subject to subsection (1C)”;
- (b) after subsection (1B) there shall be inserted—

“(1C) A court shall not deal with an offender by means of a suspended sentence or order for detention unless it is of the opinion—

- (a) that the case is one in which a sentence of imprisonment or order for detention in a young offenders centre would have been appropriate even without the power to suspend the sentence or order; and
- (b) that the exercise of that power can be justified by the exceptional circumstances of the case.

(1D) A court which passes a suspended sentence or makes an order for detention on any person for an offence shall consider whether the circumstances of the case are such as to warrant in addition the imposition of a fine or the making of a compensation order.”.