

Status: Point in time view as at 01/01/2005. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Justice (Northern Ireland) Act 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

VALID FROM 30/08/2005

SCHEDULE 11

Section 63

EXTENSION OF YOUTH JUSTICE SYSTEM TO 17 YEAR OLDS

Costs in Criminal Cases Act (Northern Ireland) 1968 (c. 10 (N.I.))

- 1 In section 2(1A) of the Costs in Criminal Cases Act (Northern Ireland) 1968 (costs ordered by magistrates' court to be paid by person under 17 not to exceed amount of fine imposed on him), for "seventeen" substitute "eighteen".

PROSPECTIVE

Treatment of Offenders Act (Northern Ireland) 1968 (c. 29 (N.I.))

- 2 In section 9(1) of the Treatment of Offenders Act (Northern Ireland) 1968 (remand and committal of persons between 17 and 21), for "seventeen" substitute "eighteen".

Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/1908 (N.I. 27))

- 3 In Article 6(2) of the Rehabilitation of Offenders (Northern Ireland) Order 1978 (rehabilitation periods for certain orders)—
- (a) in sub-paragraph (a), for "seventeen" substitute "eighteen", and
 - (b) in the heading of Table A, for "17" substitute "18".

Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26))

- 4 In Article 45(4) of the Magistrates' Courts (Northern Ireland) Order 1981 (summary trial of persons 17 or over), for "seventeen" substitute "eighteen".

PROSPECTIVE

Treatment of Offenders (Northern Ireland) Order 1989 (S.I. 1989/1344 (N.I. 15))

- 5 In Article 13(1) of the Treatment of Offenders (Northern Ireland) Order 1989 (removal to young offenders centre of persons between 17 and 21), for "17" substitute "18".

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Criminal Justice (Northern Ireland) Order 1994 (S.I. 1994/2795 (N.I. 15))

- 6 In Article 14(11) of the Criminal Justice (Northern Ireland) Order 1994 (compensation to be paid under compensation order made against offender under 17 not to exceed £1,000), for “17” substitute “ 18 ”.

Criminal Justice (Northern Ireland) Order 1996 (S.I 1996/3160 (N.I. 24))

- 7 The Criminal Justice (Northern Ireland) Order 1996 has effect subject to the following amendments.

8 In Article 5(9) (conditional discharge in case of offender under 17: exercise of powers once 17 or over), for “17” (in both places) substitute “ 18 ”.

9 In Article 6(2) (effect of discharge where offender 17 or over), for “17” substitute “ 18 ”.

10 In Article 7(1)(b) (power to require offender between 14 and 17, or his parent or guardian, to give security for good behaviour of offender), for “17” substitute “ 18 ”.

11 In Article 9(5) (court not to dispense with need for pre-sentence report before passing community sentence on person under 17 unless it relies on previous report), for “17” substitute “ 18 ”.

12 In Article 21(3) (court not to dispense with need for pre-sentence report before passing custodial sentence on person under 17 unless it relies on previous report), for “17” substitute “ 18 ”.

13 In Article 29(4)(c) (fixing of fine where parent or guardian of offender under 17 has failed to comply with financial circumstances order etc.), for “17” substitute “ 18 ”.

14 In Article 31(3) (false statements as to financial circumstances in cases where persons charged are under 17), for “17” substitute “ 18 ”.

15 In Article 34(2) (copy of report of probation officer to be given to parent or guardian of offender under 17), for “17” substitute “ 18 ”.

Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9))

- 16 The Criminal Justice (Children) (Northern Ireland) Order 1998 has effect subject to the following amendments.

17 In Article 2(2) (interpretation), in the definitions of “adult” and “child”, for “17” substitute “ 18 ”.

18 In Article 30(2) and (3) (powers of youth court where child becomes an adult), for “17” substitute “ 18 ”.

19 In Article 45 (punishment of certain grave crimes)—

- (a) in paragraph (1), for “under the age of 18” substitute “ a child ”,
- (b) in paragraphs (4) and (5), for “person” substitute “ child ”, and
- (c) in paragraph (6), for “person will, in the opinion of the Secretary of State, attain the age of 18” substitute “ child will, in the opinion of the Secretary of State, become an adult ”.

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20 In Article 53 (parental responsibility for children in juvenile justice centres), for “person detained by the managers of a juvenile justice centre is under the age of 18” substitute “ child is being detained by the managers of a juvenile justice centre ”.

21 In Article 54 (escapes from juvenile justice centres)—
(a) in paragraph (1), for “under the age of 18” substitute “ still a child ”,
(b) omit paragraph (3)(b), and
(c) in paragraph (4), for “paragraph (3)(b)(ii) or (c)” substitute “ paragraph (3)(c) ”.

Terrorism Act 2000 (c. 11)

22 The Terrorism Act 2000 has effect subject to the following amendments.

23 In section 70(5) (young persons charged with scheduled offence and held in custody), for “seventeen” substitute “ eighteen ”.

24 In section 78(3) (punishment of children on conviction on indictment of scheduled offence), for “17” substitute “ 18 ”.

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