

## 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

##### *Modifications to Part 1*

- 5 (1) Where a court is considering the making or amendment of a youth rehabilitation order by virtue of paragraph 1 or 2, Part 1 of this Act (youth rehabilitation orders) has effect subject to the following modifications.
- (2) The following provisions of Schedule 1 are omitted—
- (a) in paragraph 8(3)(a) (activity requirement: further provisions), the words “a member of a youth offending team or”,
  - (b) paragraphs 8(3)(c), 10(3)(b) and 12(3)(a) (availability of arrangements in local area: activity requirement, unpaid work requirement and attendance centre requirement),
  - (c) paragraph 16(7) (residence requirement: restriction on requiring residence at hostel or institution), and
  - (d) paragraphs 18(7), 22(4)(a), 23(3)(a) and 26(6) and (7) (availability of arrangements in local area: fostering requirement, drug treatment and testing requirements and electronic monitoring requirement).
- (3) In paragraph 12 of Schedule 1 (attendance centre requirement) any reference to an attendance centre has effect as a reference to an attendance centre as defined by Article 50(1) of the Criminal Justice (Children) (Northern Ireland) Order 1998 ([S.I. 1998/1504 \(N.I. 9\)](#)).
- (4) In paragraph 20 of that Schedule (mental health treatment requirement), for sub-paragraph (2)(a) there is substituted—
- “(a) treatment as a resident patient at such hospital as may be specified in the order, being a hospital within the meaning of the Health and Personal Social Services (Northern Ireland) Order 1972 ([S.I. 1972/1265 \(N.I. 14\)](#)), approved by the Department of Health, Social Services and Public Safety for the purposes of paragraph 4(3) of Schedule 1 to the Criminal Justice (Northern Ireland) Order 1996 ([S.I. 1996/3160 \(N.I. 24\)](#));”.
- (5) In paragraphs 25 (education requirement) and 34(4) (additional persons to whom court must give a copy of the order) of that Schedule, any reference to a local education authority (except in sub-paragraph (6) of paragraph 25) has effect as a

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*Status: This is the original version (as it was originally enacted).*

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reference to an Education and Library Board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3)).

- (6) In paragraph 26 of that Schedule (electronic monitoring requirements: common provisions) sub-paragraph (5) is omitted.
- (7) Paragraph 36 of that Schedule has effect as if it required the Crown Court, where it makes a direction under that paragraph, to specify the youth court or other magistrates' court in England and Wales which is to be the relevant court in England or Wales for the purposes of Part 2 of this Schedule.
- (8) Any reference to the responsible officer has effect as a reference to the person who is to be responsible for the offender's supervision under the order.