

*These notes refer to the Criminal Justice Act (Northern Ireland)  
2013 (c.7) which received Royal Assent on 25 April 2013*

# Criminal Justice Act (Northern Ireland) 2013

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## **EXPLANATORY NOTES**

### **BACKGROUND AND POLICY OBJECTIVES**

#### ***Release on licence of child convicted of serious offence***

21. Children found guilty of particularly serious offences may be sentenced to a period of detention. Under Articles 45(2) and 46 of the Criminal Justice (Children)(Northern Ireland) Order 1998 it is a matter for the Minister of Justice to decide when within the sentence period a child should be released, under what licence conditions and under what circumstances the child should be recalled to custody. This process has been declared incompatible with Article 5 of the ECHR because it lacks judicial or judicial-style independence. The Act introduces this required element by transferring the powers currently held by the Minister to the sentencing judge and the Parole Commissioners for Northern Ireland.