
STATUTORY INSTRUMENTS

1996 No. 3160

The Criminal Justice (Northern Ireland) Order 1996

^{F1}PART II

TREATMENT OF OFFENDERS

Community service orders

Orders combining probation and community service

15.—(1) Where a court by or before which a person of or over the age of 16 years is convicted of an offence punishable with imprisonment [^{F1} (not being an offence for which the sentence is fixed by law or falls to be imposed under [^{F2} Article 70(2)] of the Firearms (Northern Ireland) Order [^{F2} 2004][^{F3} or paragraph 2(4) or (5) of Schedule 2 to the Violent Crime Reduction Act 2006][^{F4} or Article 13 [^{F5}, 13A][^{F6}, 14 or 15A] of the Criminal Justice (Northern Ireland) Order 2008][^{F7} or section 7(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015)] is of the opinion mentioned in paragraph (2), the court may make a combination order, that is to say, an order requiring him both—

- (a) to be under the supervision of a probation officer for a period specified in the order, being not less than 12 months nor more than 3 years; and
- (b) to perform unpaid work for a number of hours so specified, being in the aggregate not less than 40 nor more than 100.

(2) The opinion referred to in paragraph (1) is that the making of a combination order is desirable in the interests of—

- (a) securing the rehabilitation of the offender; or
- (b) protecting the public from harm from him or preventing the commission by him of further offences.

(3) Before making a combination order, the court shall—

- (a) state in open court that it is of the opinion that Article 8(1) applies and why it is of that opinion; and
- (b) explain to the offender in ordinary language why it is making a combination order.

(4) A magistrates' court shall cause a reason stated by it under paragraph (3) to be entered in the Order Book.

(5) Subject to paragraph (1) and to paragraph 6(6) of Schedule 2 a combination order shall be treated for the purposes of this Part as if it were a probation order (so far as it imposes requirements to be under the supervision of a probation order) and as if it were a community service order (so far as it imposes requirements to perform unpaid work).

F1 2003 c. 44

F2 2004 NI 3

Changes to legislation: The Criminal Justice (Northern Ireland) Order 1996, Section 15 is up to date with all changes known to be in force on or before 26 April 2024. 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) View outstanding changes

- F3** Words in art. 15(1) inserted (6.4.2007) by Violent Crime Reduction Act 2006 (c. 38), ss. 51, 66(2), **Sch. 2 para. 2(11)(b)(iv)**; S.I. 2007/858, **art. 2(i)(j)**
- F4** Words in art. 15(1) inserted (15.5.2008) by Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)), arts. 1(4), 102(1), **Sch. 5 para. 7(5)**; S.R. 2008/217, **art. 2**, Sch. (subject to saving in art. 3(1)(2)(b)(ii))
- F5** Word in art. 15(1) inserted (29.6.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(2) (v), **Sch. 13 para. 64(6)**
- F6** Words in art. 15(1) substituted (30.4.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(1)(i), **Sch. 13 para. 69(6)**
- F7** Words in art. 15(1) inserted (14.1.2015) by Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2), **ss. 7(7)(b)(iv)**, 28(2)

Modifications etc. (not altering text)

- C1** Art. 15(5) applied (1.4.2009) by Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)), arts. 1(4), **35(2)**; S.R. 2009/120, **art. 2**, Sch. 1 para. 15

Changes to legislation:

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Changes and effects yet to be applied to :

- [Instrument rev. in pt. by 1998 c. 40 s.9\(1\)\(2\)Sch.1 Pt.II para.10Sch.2 Pt.II](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [Sch. 2 para. 9\(1\)\(a\)\(i\) words repealed by 2015 c. 9 \(N.I.\) Sch. 1 para. 112\(5\)\(e\)Sch. 9 Pt. 1](#)
- [art. 44A\(4\) words substituted by S.I. 2008/1216 \(N.I.\) Sch. 5 para. 7\(9\) \(This amendment not applied to \[legislation.gov.uk\]\(#\). It is thought that the correct affected document should be S.I. 1998/1504 \(N.I. 9\), art. 44A\(4\). The correction will be made as soon as we get the approved amended document from the relevant office\)](#)
- [art. 53\(1\) art. 53 renumbered as art. 53\(1\) by 2019 c. 17 s. 44\(6\)](#)
- [art. 53\(1\)\(a\) substituted by 2019 c. 17 s. 43\(2\)](#)
- [art. 53\(2\)-\(9\) inserted by 2019 c. 17 s. 44\(7\)](#)
- [art. 54A inserted by 2019 c. 17 s. 37\(3\)](#)