

STATUTORY INSTRUMENTS

**1998 No. 1504**

**The Criminal Justice (Children) (Northern Ireland) Order 1998**

**PART VI**

**SENTENCING AND OTHER POWERS**

*[<sup>F1</sup>Reparation orders*

**[<sup>F1</sup>]<sup>F2</sup>Restrictions on reparation orders**

**36B.**—(1) The court must not make a reparation order in respect of the offender unless he consents.

(2) The court must not make a reparation order in respect of the offender if it proposes—

- (a) to pass on him a custodial sentence; or
- (b) to make in respect of him a community service order, a community responsibility order or a combination order.

<sup>F3</sup>(3) .....

(4) Before making a reparation order, the court must state in open court that it is of the opinion that Article 8(1) of the Criminal Justice (Northern Ireland) Order 1996 (N.I. 24) (restrictions on imposing community sentences) applies and why it is of that opinion.

(5) It must also explain to the offender in ordinary language—

- (a) why it is making the order;
- (b) the effect of the order and of the requirements proposed to be included in it;
- (c) the consequences which may follow under Schedule 1A if he fails to comply with any of those requirements; and
- (d) that the court has power under that Schedule to review the order on the application either of the offender or of the responsible officer.]]

**F1** 2002 c. 26

**F2** 2002 c. 26

**F3** Art. 36B(3) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 115(3), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 36B.