
STATUTORY INSTRUMENTS

2008 No. 1216 (N.I. 1)

NORTHERN IRELAND

The Criminal Justice (Northern Ireland) Order 2008

*Made - - - - 7th May 2008
Coming into operation in accordance with Article
1(2) to (4)*

THE CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 2008

PART 1

INTRODUCTORY

1. Title and commencement
2. General interpretation

PART 2

SENTENCING

CHAPTER 1

INTERPRETATION

3. Interpretation of this Part

CHAPTER 2

CUSTODIAL SENTENCES

4. Interpretation of this Chapter
5. Restrictions on imposing certain custodial sentences
6. Restrictions on imposing custodial sentences on persons not legally represented
7. Length of custodial sentences
8. Length of custodial period
9. Procedural requirements for custodial sentences
10. Additional requirements in the case of mentally disordered offenders
11. Disclosure of pre-sentence reports

Status: This is the original version (as it was originally made).

CHAPTER 3

DANGEROUS OFFENDERS

12. Meaning of “specified offence” etc.
13. Life sentence or indeterminate custodial sentence for serious offences
14. Extended custodial sentence for certain violent or sexual offences
15. The assessment of dangerousness

CHAPTER 4

RELEASE ON LICENCE

Preliminary

16. Interpretation of this Chapter

Duty of Secretary of State to release on licence

17. Duty to release certain fixed-term prisoners
18. Duty to release prisoners serving indeterminate or extended custodial sentences

Power of Secretary of State to release on licence

19. Power to release prisoners on licence before required to do so
20. Power to release certain prisoners on compassionate grounds

Duration of licences

21. Duration of licences: fixed-term prisoners
22. Duration of licences: prisoners serving indeterminate custodial sentences

Licence conditions

23. Power of court to recommend licence conditions for sentences of 12 months or more
24. Licence conditions
25. Licence conditions on re-release of prisoners serving sentence of less than 12 months
26. Curfew condition to be included in licence under Article 19
27. Duty to comply with licence conditions

Recall after release

28. Recall of prisoners while on licence
29. Further release after recall for certain fixed-term prisoners
30. Recall of prisoners released early under Article 19
31. Conviction while licence remains in force

Concurrent or consecutive terms

32. Concurrent terms
33. Consecutive terms

Licences for sexual offenders

34. Breach of licensing for sexual offenders

CHAPTER 5

CURFEWS AND ELECTRONIC MONITORING

Powers to impose curfew or electronic monitoring requirements

35. Powers to impose curfew or electronic monitoring requirements
36. Power of court to impose curfew or electronic monitoring requirement on making juvenile justice centre order

Curfews

37. Curfew requirement
38. Requirement to avoid conflict with religious beliefs, etc.

Electronic monitoring

39. Arrangements for establishing systems of electronic monitoring
40. Electronic monitoring requirement
41. Availability of electronic monitoring arrangements
42. Provision of copies of electronic monitoring requirement

Release of children on bail

43. Release of child on bail: curfew and electronic monitoring requirements

Rules

44. Rules

CHAPTER 6

SUPERVISED ACTIVITY ORDERS

45. Supervised activity order for default in payment of certain fines

CHAPTER 7

PAROLE COMMISSIONERS

46. The Parole Commissioners

CHAPTER 8

ENFORCEMENT OF CERTAIN ORDERS MADE ON CONVICTION

47. Enforcement of certain community orders
48. Enforcement of certain youth justice orders

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

PART 3

RISK ASSESSMENT AND MANAGEMENT

49. Interpretation of this Part
50. Guidance to agencies on assessing and managing certain risks to the public
51. Review of arrangements and report on functions

PART 4

ROAD TRAFFIC OFFENCES

New offences

52. Causing death, or grievous bodily injury, by careless or inconsiderate driving
53. Causing death or grievous bodily injury by driving: unlicensed, disqualified or uninsured drivers
54. Speed assessment equipment detection devices

Increase in penalties

55. Driving without insurance
56. Driving while disqualified
57. Failure to stop vehicle
58. Furious driving

Drink-driving, etc.

59. Power to require specimens of breath at roadside or at hospital
60. Alcohol ignition interlocks
61. Experimental period for Article 60

Other provisions about offences

62. Meaning of driving without due care and attention
63. Extension of offence under Article 14 of the 1995 Order
64. Alternative verdict on unsuccessful manslaughter prosecution

Seizure of vehicles used in a manner causing alarm, distress or annoyance

65. Seizure of vehicles used in a manner causing alarm, distress or annoyance
66. Retention etc. of vehicles seized under Article 65

PART 5

MISCELLANEOUS AND SUPPLEMENTARY

Purchase and consumption of alcohol

67. Test purchases of alcohol
68. Alcohol consumption in designated public places
69. Fixed penalty notice for offence under Article 68
70. Designated public places
71. Effect of Articles 68 and 70 on byelaws
72. Interpretation of Articles 68 to 71

Prisons

- 73. Removal of requirement to appoint medical officers
- 74. Abolition of right of justice of the peace to visit prisons
- 75. Assisting a prisoner to escape
- 76. Facilitating escape by conveying things into prison
- 77. Conveyance of prohibited articles into or out of prison
- 78. Other offences relating to prison security

Live links

- 79. Live links: introductory
- 80. Use of live link at preliminary hearings
- 81. Use of live link at sentencing hearings
- 82. Evidence of vulnerable accused
- 83. Live links in appeals under Criminal Appeal Act

Legal aid

- 84. Civil legal services: anti-social behaviour orders
- 85. Civil legal services and legal aid: proceedings under Proceeds of Crime Act 2002

PACE

- 86. Entry for purposes of arrest
- 87. Pre-charge bail
- 88. Authorisation of X-rays and ultrasound scans
- 89. Police officers performing duties of higher rank

Penalties

- 90. Increase of maximum sentences for offences relating to knives, weapons etc.
- 91. Driving disqualification for any offence

Proving execution of arrest warrants

- 92. Jurisdiction of magistrates' court in relation to proving execution of arrest warrant

Anti-social behaviour orders

- 93. Applications for interim order
- 94. Special measures for witnesses in proceedings for anti-social behaviour orders

Youth justice

- 95. Rehabilitation of offenders
- 96. Custody of children over the age of 17
- 97. Remands by youth court
- 98. Youth conference orders
- 99. Welfare of children

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PART 6
SUPPLEMENTARY

100. Regulations, orders and rules
101. Supplementary and consequential provision, etc.
102. Amendments and repeals
Signature

SCHEDULES

SCHEDULE 1 — SERIOUS OFFENCES

1. Manslaughter.
2. Rape.
3. Kidnapping.
4. Riot.
5. Affray.
6. False imprisonment.

The Offences against the Person Act 1861 (c. 100)

7. An offence under— section 4 (soliciting murder), section 16 (threats...

The Explosive Substances Act 1883 (c. 3)

8. An offence under— section 2 (causing explosion likely to endanger...

The Criminal Law Amendment Act 1885 (c. 69)

9. An offence under section 4 of attempted intercourse with girl...

The Infanticide Act (Northern Ireland) 1939 (c. 5)

10. An offence under section 1 (infanticide).

The Criminal Justice Act (Northern Ireland) 1945 (c. 15)

11. An offence under section 25 (child destruction).

The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)

12. An offence under— section 20 (cruelty to children), or section...

The Theft Act (Northern Ireland) 1969 (c. 16)

13. An offence under section 8 (robbery or assault with intent...
14. An offence under section 9 of burglary with intent to—...
15. An offence under section 10 (aggravated burglary).

The Criminal Damage (Northern Ireland) Order 1977 (NI 4)

16. An offence of arson under Article 3.
17. An offence under Article 3(2) (destroying or damaging property) other...

The Protection of Children (Northern Ireland) Order 1978 (NI 17)

18. An offence under Article 3 (indecent photographs of children).

The Road Traffic (Northern Ireland) Order 1981 (NI 1)

19. An offence under Article 172B (aggravated vehicle-taking causing death or...

The Taking of Hostages Act 1982 (c. 28)

20. An offence under section 1 (hostage-taking).

The Aviation Security Act 1982 (c. 36)

21. An offence under— section 1 (hijacking), section 2 (destroying, damaging...

The Criminal Justice Act 1988 (c. 33)

22. An offence under section 134 (torture).

The Aviation and Maritime Security Act 1990 (c. 31)

23. An offence under— section 1 (endangering safety at aerodromes) section...

The Channel Tunnel (Security) Order 1994 (S.I. 1994/570)

24. An offence under Part 2 (offences relating to Channel Tunnel...

The Road Traffic (Northern Ireland) Order 1995 (NI 18)

25. An offence under— Article 9 (causing death or grievous bodily...

The International Criminal Court Act 2001 (c. 17)

26. An offence under section 51 or 52 (genocide, crimes against...

The Female Genital Mutilation Act 2003 (c. 31)

27. An offence under— section 1 (female genital mutilation), section 2...

The Sexual Offences Act 2003 (c. 42)

28. An offence under— section 15 (meeting a child following sexual...

The Criminal Justice (Northern Ireland) Order 2003 (NI 13)

29. An offence under— Article 20 (assault with intent to commit...

The Domestic Violence, Crime and Victims Act 2004 (c. 28)

30. An offence under section 5 (causing or allowing the death...

The Firearms (Northern Ireland) Order 2004 (NI 3)

31. An offence under— Article 58 (possession with intent), Article 59...

Other offences

32. An offence of— (a) aiding, abetting, counselling, procuring or inciting...
34. An offence under Part 2 of the Serious Crime Act...
35. An attempt to commit murder or a conspiracy to commit...

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SCHEDULE 2 — SPECIFIED OFFENCES

PART 1 — SPECIFIED VIOLENT OFFENCES

1. Manslaughter.
2. Kidnapping.
3. Riot.
4. Affray.
5. False imprisonment.

The Offences against the Person Act 1861 (c. 100)

6. An offence under— section 4 (soliciting murder), section 16 (threats...
7. An offence under section 47 of assault occasioning actual bodily...

The Explosive Substances Act 1883 (c. 3)

8. An offence under— section 2 (causing explosion likely to endanger...

The Infanticide Act (Northern Ireland) 1939 (c. 5)

9. An offence under section 1 (infanticide).

The Criminal Justice Act (Northern Ireland) 1945 (c. 15)

10. An offence under section 25 (child destruction).

The Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (c. 28)

11. An offence under section 7(1)(b) (assault with intent to resist...

The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)

12. An offence under section 20 (cruelty to children).

The Theft Act (Northern Ireland) 1969 (c. 16)

13. An offence under section 8 (robbery or assault with intent...
14. An offence under section 9 of burglary with intent to—...
15. An offence under section 10 (aggravated burglary).

The Criminal Damage (Northern Ireland) Order 1977 (NI 4)

16. An offence of arson under Article 3.
17. An offence under Article 3(2) (destroying or damaging property) other...

The Road Traffic (Northern Ireland) Order 1981 (NI 1)

18. An offence under Article 172B (aggravated vehicle-taking causing death or...

The Taking of Hostages Act 1982 (c. 28)

19. An offence under section 1 (hostage-taking).

The Aviation Security Act 1982 (c. 36)

20. An offence under— section 1 (hijacking), section 2 (destroying, damaging...

The Mental Health (Northern Ireland) Order 1986 (NI 4)

21. An offence under Article 121 (ill-treatment of patients).

The Criminal Justice Act 1988 (c. 33)

22. An offence under section 134 (torture).

The Aviation and Maritime Security Act 1990 (c. 31)

23. An offence under— section 1 (endangering safety at aerodromes), section...

The Channel Tunnel (Security) Order 1994 (S.I. 1994/570)

24. An offence under Part 2 (offences relating to Channel Tunnel...

The Road Traffic (Northern Ireland) Order 1995 (NI 18)

25. An offence under— Article 9 (causing death or grievous bodily...

The Protection from Harassment (Northern Ireland) Order 1997 (NI 9)

26. An offence under Article 6 (putting people in fear of...

The Police (Northern Ireland) Act 1998 (c. 32)

27. An offence under section 66 (assaulting or obstructing a constable...

The International Criminal Court Act 2001 (c. 17)

28. An offence under section 51 or 52 (genocide, crimes against...

The Female Genital Mutilation Act 2003 (c. 31)

29. An offence under— section 1 (female genital mutilation), section 2...

The Domestic Violence, Crime and Victims Act 2004 (c. 28)

30. An offence under section 5 (causing or allowing the death...

The Firearms (Northern Ireland) Order 2004 (NI 3)

31. An offence under— Article 58 (possession with intent), Article 59...

Other offences

32. An offence of— (a) aiding, abetting, counselling, procuring or inciting...

33. An offence under Part 2 of the Serious Crime Act...

34. An attempt to commit murder or a conspiracy to commit...

PART 2 — SPECIFIED SEXUAL OFFENCES

1. Rape.

The Offences against the Person Act 1861 (c. 100)

2. An offence under— section 52 (indecent assault upon a female),...

The Criminal Law Amendment Act 1885 (c. 69)

3. An offence under— section 2 (procuration), section 3 (procurement of...

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The Vagrancy Act 1898 (c. 38)

4. An offence under section 1 (living on earnings of prostitution...

The Punishment of Incest Act 1908 (c. 45)

5. An offence under— section 1 (incest by a man), or...

The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)

6. An offence under— section 21 (causing or encouraging seduction or...

The Theft Act (Northern Ireland) 1969 (c. 16)

7. An offence under section 9 of burglary with intent to...

The Protection of Children (Northern Ireland) Order 1978 (NI 17)

8. An offence under Article 3 (indecent photographs of children).

The Customs and Excise Management Act 1979 (c. 2)

9. An offence under section 170 (penalty for fraudulent evasion of...

The Criminal Justice (Northern Ireland) Order 1980 (NI 6)

10. An offence under Article 9 (inciting girl under 16 to...

The Mental Health (Northern Ireland) Order 1986 (NI 4)

11. An offence under— Article 122 (protection of women suffering from...

The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (NI 17)

12. An offence under Article 15 (possession of indecent photograph of...

The Sexual Offences Act 2003 (c. 42)

13. An offence under— section 15 (meeting a child following sexual...

The Criminal Justice (Northern Ireland) Order 2003 (NI 13)

14. An offence under— Article 20 (assault with intent to commit...

Other offences

15. An offence of— (a) aiding, abetting, counselling, procuring or inciting...
16. An offence under Part 2 of the Serious Crime Act...

SCHEDULE 3 — SUPERVISED ACTIVITY ORDERS: FURTHER PROVISIONS

Restrictions on power to make order

1. A court shall not make a supervised activity order in...

Making of order

2. (1) A supervised activity order shall specify the petty sessions...

Coming into force of order

- (1) Sub-paragraphs (2) to (5) apply where a supervised activity...

Requirements of order

- (1) An offender in respect of whom a supervised activity...

Failure to comply with order

- (1) If at any time while a supervised activity order...

Amendment, extension or revocation of order

- (1) On the application of the offender or of the...

Rules

- (1) The Secretary of State may make rules for regulating...

Interpretation

- (1) In this Schedule “the appropriate court”, in relation to...

SCHEDULE 4 — THE PAROLE COMMISSIONERS

Appointment

- (1) The Secretary of State shall appoint Parole Commissioners.

Tenure

- A Commissioner— (a) shall hold office in accordance with the...
- The Secretary of State may, after consultation with the Lord...

Rules

- (1) The Secretary of State may make rules with respect...

Remuneration and allowances

- (1) The Secretary of State shall pay to or in...

Staff, premises, etc.

- The Secretary of State shall provide for the Commissioners the...

Annual report

- (1) The Chief Commissioner shall, as soon as reasonably practicable...

SCHEDULE 5 — AMENDMENTS

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

- In section 33(2) (interpretation) at the end add if—

The Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- In Part 3 of Schedule 1 (other disqualifying offices) at...

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The Rehabilitation of Offenders (Northern Ireland) Order 1978 (NI 27)

3. In Article 6(1) (sentences excluded from rehabilitation), after subparagraph (d)...

The Repatriation of Prisoners Act 1984 (c. 47)

4. (1) In section 2 (transfer out of the United Kingdom)...

The Mental Health (Northern Ireland) Order 1986 (NI 4)

5. (1) In Article 44 (power of court to order hospital...

The Criminal Justice Act 1988 (c. 33)

6. In section 36(9) (reviews of sentencing) after paragraph (ab) insert—...

The Criminal Justice (Northern Ireland) Order 1996 (NI 24)

7. (1) In Article 2(2) (interpretation) in the definition of “custodial...

The Life Sentences (Northern Ireland) Order 2001 (NI 2)

8. In Article 2(2) (interpretation), in the definition of “the Commissioners”...

The Justice (Northern Ireland) Act 2002 (c. 26)

9. In section 46(1)(ea) (organisations to be inspected by Chief Inspector...

The Sexual Offences Act 2003 (c. 42)

10. (1) In the table in section 82(1) (notification period for...

The Access to Justice (Northern Ireland) Order 2003 (NI 10)

11. In Article 25(2)(b)(ii) (right to representation) for “Life Sentence Review...

SCHEDULE 6 — REPEALS

PART 1 — SENTENCING

PART 2 — REPEALS COMING INTO OPERATION IN ACCORDANCE
WITH ARTICLE 1(3)

PART 3 — PRISONS

PART 4 — LIVE LINKS

Explanatory Note