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STATUTORY INSTRUMENTS

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**2008 No. 1216**

**The Criminal Justice (Northern Ireland) Order 2008**

PART 2

SENTENCING

CHAPTER 5

CURFEWS AND ELECTRONIC MONITORING

*Curfews*

**Curfew requirement**

**37.**—(1) In this Part “curfew requirement” means a requirement that a person remain, for specified periods at a specified place; and in this Article “specified” means specified in the requirement.

(2) Specified periods shall not amount to—

- (a) less than 2 hours, or
- (b) more than 12 hours,

in any one day.

(3) A curfew requirement shall not be imposed without obtaining and considering information about the place proposed to be specified in the requirement (including information as to the attitude of persons likely to be affected by the enforced presence there of the person subject to the requirement).

(4) The Secretary of State may by order amend paragraph (2) by substituting for a number of hours specified there such other number of hours as may be specified in the order.

**Requirement to avoid conflict with religious beliefs, etc.**

**38.**—(1) A curfew requirement shall, as far as practicable, be such as to avoid—

- (a) any conflict with a person’s religious beliefs or with any other condition or requirement to which that person may be subject; and
- (b) any interference with the times, if any, at which the person normally works (or carries out voluntary work) or attends a school or other educational establishment.

(2) The Secretary of State may by order provide that paragraph (1) is to have effect with such additional restrictions as may be specified in the order