

## SCHEDULES

### SCHEDULE 1

Articles 9(3) and 11(3).

#### ADDITIONAL REQUIREMENTS IN PROBATION ORDERS

##### *Requirements as to residence*

1.—(1) Subject to sub-paragraphs (2) and (3), a probation order may include requirements as to the residence of the offender.

(2) Before making a probation order containing any such requirement, the court shall consider the home surroundings of the offender.

(3) Where a probation order requires the offender to reside at any place, the period for which he is so required to reside shall be specified in the order.

##### *Requirements as to activities etc.*

2.—(1) Subject to the provisions of this paragraph, a probation order may require the offender—

(a) to present himself to a person or persons specified in the order at a place or places so specified;

(b) to participate or refrain from participating in activities specified in the order—

(i) on a day or days so specified; or

(ii) during the probation period or such portion of it as may be so specified.

(2) A court shall not include in a probation order a requirement such as is mentioned in sub-paragraph (1) unless—

(a) it has consulted a probation officer; and

(b) it is satisfied that it is feasible to secure compliance with the requirement.

(3) A court shall not include a requirement such as is mentioned in sub-paragraph (1)(a) or a requirement to participate in activities if it would involve the co-operation of a person other than the offender and the probation officer responsible for his supervision, unless that other person consents to its inclusion.

(4) A requirement such as is mentioned in sub-paragraph (1)(a) shall operate to require the offender—

(a) in accordance with instructions given by the probation officer responsible for his supervision, to present himself at a place or places for not more than 60 days in the aggregate; and

(b) while at any place, to comply with instructions given by, or under the authority of, the person in charge of that place.

(5) A place specified in an order shall have been approved by the Probation Board as providing facilities suitable for persons subject to probation orders.

(6) A requirement to participate in activities shall operate to require the offender—

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- (a) in accordance with instructions given by the probation officer responsible for his supervision, to participate in activities for not more than 60 days in the aggregate; and
  - (b) while participating, to comply with instructions given by, or under the authority of, the person in charge of the activities.
- (7) Instructions given by a probation officer under sub-paragraph (4) or (6) shall, as far as practicable, be such as to avoid any interference with the times, if any, at which the offender normally works or attends a school or other educational establishment.

*Requirements as to attendance at day centre*

- 3.—(1) Subject to the provisions of this paragraph, a probation order may require the offender during the probation period to attend at a day centre specified in the order.
- (2) A court shall not include such a requirement in a probation order unless—
- (a) it has consulted a probation officer; and
  - (b) it is satisfied—
    - (i) that arrangements can be made for the offender’s attendance at a centre; and
    - (ii) that the person in charge of the centre consents to the inclusion of the requirement.
- (3) A requirement under sub-paragraph (1) shall operate to require the offender—
- (a) in accordance with instructions given by the probation officer responsible for his supervision, to attend on not more than 60 days at the centre specified in the order; and
  - (b) while attending there to comply with instructions given by, or under the authority of, the person in charge of the centre.
- (4) Instructions given by a probation officer under sub-paragraph (3) shall, so far as is practicable, be such as to avoid any interference with the times, if any, at which the offender normally works or attends a school or other educational establishment.
- (5) References in this paragraph to attendance at a day centre include references to attendance elsewhere than at the centre for the purpose of participating in activities in accordance with instructions given by, or under the authority of, the person in charge of the centre.
- (6) In this paragraph “day centre” means premises—
- (a) at which non-residential facilities are provided for use in connection with the rehabilitation of offenders; and
  - (b) which—
    - (i) are provided by the Probation Board; or
    - (ii) are for the time being approved by the Probation Board as providing facilities suitable for persons subject to probation orders.

*Requirements as to treatment for mental condition etc.*

- 4.—(1) This paragraph applies where a court proposing to make a probation order is satisfied on the oral or written evidence of a registered medical practitioner appointed by the Mental Health Commission for Northern Ireland for the purposes of Part II of the Mental Health (Northern Ireland) Order 1986, that the mental condition of the offender—
- (a) is such as requires and may be susceptible to treatment; but
  - (b) is not such as to warrant his detention in pursuance of a hospital order under Part III of that Order.

(2) The probation order may include a requirement that the offender shall submit during the whole of the probation period or during such part of that period as may be specified in the order, to treatment by or under the direction of a registered medical practitioner with a view to the improvement of the offender's mental condition.

(3) The treatment required by any such order shall be such one of the following kinds of treatment as may be specified in the order, that is to say —

- (a) treatment (whether as an in-patient or an out-patient) at such hospital as may be specified in the order, being a hospital within the meaning of the Mental Health (Northern Ireland) Order 1986 approved by the Department of Health and Social Services for the purposes of this paragraph; or
- (b) treatment by or under the direction of such registered medical practitioner as may be so specified;

but the nature of the treatment shall not be specified in the order except as mentioned in paragraph (a) or (b).

(4) A court shall not by virtue of this paragraph include in a probation order a requirement that the offender shall submit to treatment for his mental condition unless it is satisfied that arrangements have been made for the treatment intended to be specified in the order (including arrangements for the reception of the offender where he is to be required to submit to treatment as an in-patient).

(5) While the offender is under treatment as an in-patient in pursuance of a requirement of the probation order, the probation officer responsible for his supervision shall carry out the supervision to such extent only as may be necessary for the purpose of the revocation or amendment of the order.

(6) Where the medical practitioner by whom or under whose direction an offender is being treated for his mental condition in pursuance of a probation order is of the opinion that part of the treatment can be better or more conveniently given in or at a hospital or place which—

- (a) is not specified in the order; and
- (b) is one in or at which the treatment of the offender will be given by or under the direction of a registered medical practitioner,

he may, with the consent of the offender, make arrangements for him to be treated accordingly.

(7) Such arrangements as are mentioned in sub-paragraph (6) may provide for the offender to receive part of his treatment as an in-patient in a hospital or place notwithstanding that the hospital or place is not one which could have been specified for that purpose in the probation order.

(8) Where any such arrangements as are mentioned in sub-paragraph (6) are made for the treatment of an offender—

- (a) the medical practitioner by whom the arrangements are made shall give notice in writing to the probation officer responsible for the supervision of the offender, specifying the hospital or place in or at which the treatment is to be carried out; and
- (b) the treatment provided for by the arrangements shall be deemed to be treatment to which he is required to submit in pursuance of the probation order.

(9) Article 60 of the Mental Health (Northern Ireland) Order 1986 (written medical reports as evidence) shall apply for the purposes of this paragraph as it applies for the purposes of Part III of the Order.

#### *Requirements as to treatment for drug or alcohol dependency*

5.—(1) This paragraph applies where a court proposing to make a probation order is satisfied—

- (a) that the offender is dependent on drugs or alcohol;

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- (b) that his dependency caused or contributed to the offence in respect of which the order is proposed to be made; and
- (c) that his dependency is such as requires and may be susceptible to treatment.

(2) The probation order may include a requirement that the offender shall submit, during the whole of the probation period or during such part of that period as may be specified in the order, to treatment by or under the direction of a person having the necessary qualifications or experience with a view to the reduction or elimination of the offender's dependency on drugs or alcohol.

(3) The treatment required by any such order shall be such one of the following kinds of treatment as may be specified in the order, that is to say —

- (a) treatment (whether as an in-patient or an out-patient) at such hospital as may be specified in the order, being a hospital within the meaning of the Health and Personal Social Services (Northern Ireland) Order 1972 approved by the Department of Health and Social Services for the purposes of this paragraph; or
- (b) treatment by or under the direction of such person having the necessary qualifications or experience as may be so specified;

but the nature of the treatment shall not be specified in the order except as mentioned in paragraph (a) or (b).

(4) A court shall not by virtue of this paragraph include in a probation order a requirement that the offender shall submit to treatment for his dependency on drugs or alcohol unless it is satisfied that arrangements have been made for the treatment intended to be specified in the order (including arrangements for the reception of the offender where he is to be required to submit to treatment as an in-patient).

(5) While the offender is under treatment as an in-patient in pursuance of a requirement of the probation order, the probation officer responsible for his supervision shall carry out the supervision to such extent only as may be necessary for the purpose of the revocation or amendment of the order.

(6) Where the person by whom or under whose direction an offender is being treated for dependency on drugs or alcohol in pursuance of a probation order is of the opinion that part of the treatment can be better or more conveniently given in or at a hospital which—

- (a) is not specified in the order; and
- (b) is one in or at which the treatment of the offender will be given by or under the direction of a person having the necessary qualifications or experience,

he may, with the consent of the offender, make arrangements for him to be treated accordingly.

(7) Such arrangements as are mentioned in sub-paragraph (6) may provide for the offender to receive part of his treatment as an in-patient in a hospital notwithstanding that the hospital is not one which could have been specified for that purpose in the probation order.

(8) Where any such arrangements as are mentioned in sub-paragraph (6) are made for the treatment of an offender—

- (a) the person by whom the arrangements are made shall give notice in writing to the probation officer responsible for the supervision of the offender, specifying the hospital in or at which the treatment is to be carried out; and
- (b) the treatment provided for by the arrangements shall be deemed to be treatment to which he is required to submit in pursuance of the probation order.

(9) In this paragraph the reference to the offender being dependent on drugs or alcohol includes a reference to his having a propensity towards the misuse of drugs or alcohol, and references to his dependency on drugs or alcohol shall be construed accordingly.

## SCHEDULE 2

Article 16.

### ENFORCEMENT ETC. OF COMMUNITY ORDERS

#### PART I

##### PRELIMINARY

1. In this Schedule—

“relevant order” means a probation order or a community service order; and

“the petty sessions district concerned” means the petty sessions district for the time being specified in the relevant order.

#### PART II

##### BREACH OF REQUIREMENT OF ORDER

###### *Issue of summons or warrant*

2.—(1) If at any time while a relevant order is in force in respect of an offender it appears on complaint to a justice of the peace that the offender has failed to comply with any of the requirements of the order, the justice may —

- (a) issue a summons requiring the offender to appear at the place and time specified in it; or
- (b) if the complaint is in writing and on oath, issue a warrant for his arrest.

(2) Any summons or warrant issued under this paragraph shall direct the offender to appear or be brought before a court of summary jurisdiction acting for the petty sessions district concerned.

###### *Powers of court of summary jurisdiction*

3.—(1) If it is proved to the satisfaction of the court of summary jurisdiction before which an offender appears or is brought under paragraph 2 that he has failed without reasonable excuse to comply with any of the requirements of the relevant order, the court may deal with him in respect of the failure in any one of the following ways, namely—

- (a) it may impose on him a fine not exceeding £1,000;
- (b) subject to paragraph 6(3) to (5), it may make a community service order in respect of him;
- (c) where the relevant order is a probation order and the case is one to which section 135 of the Children and Young Persons Act (Northern Ireland) 1968 applies, it may make an order under that section requiring him to attend at an attendance centre; or
- (d) where the relevant order was made by a magistrates' court, it may revoke the order and deal with him, for the offence in respect of which the order was made, in any manner in which it could deal with him if he had just been convicted by the court of the offence.

(2) In dealing with an offender under sub-paragraph (1)(d), a court of summary jurisdiction—

- (a) shall take into account the extent to which the offender has complied with the requirements of the relevant order; and,

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(b) may assume, in the case of an offender who has wilfully and persistently failed to comply with those requirements, that he has refused to give his consent to a community sentence which has been proposed by the court and requires that consent.

(3) Where a relevant order was made by the Crown Court and a court of summary jurisdiction has power to deal with the offender under sub-paragraph (1)(a), (b) or (c), it may instead commit him to custody or release him on bail until he can be brought or appear before the Crown Court.

(4) A court of summary jurisdiction which deals with an offender's case under sub-paragraph (3) shall send to the Crown Court—

(a) a certificate signed by a resident magistrate certifying that the offender has failed to comply with the requirements of the relevant order in the respect specified in the certificate; and

(b) such other particulars of the case as may be desirable;

and a certificate purporting to be so signed shall be admissible as evidence of the failure before the Crown Court.

#### *Powers of Crown Court*

4.—(1) Where by virtue of paragraph 3(3) an offender is brought or appears before the Crown Court and it is proved to the satisfaction of the court that he has failed to comply with any of the requirements of the relevant order, that court may deal with him in respect of the failure in any one of the following ways, namely—

(a) it may impose on him a fine not exceeding £1,000;

(b) subject to paragraph 6(3) to (5), it may make a community service order in respect of him;

(c) where the relevant order is a probation order and the case is one to which section 135 of the Children and Young Persons Act (Northern Ireland) 1968 applies, it may make an order under that section requiring him to attend at an attendance centre; or

(d) it may revoke the order and deal with him, for the offence in respect of which the order was made, in any manner in which it could deal with him if he had just been convicted by or before the court of the offence.

(2) In dealing with an offender under sub-paragraph (1)(d), the Crown court—

(a) shall take into account the extent to which the offender has complied with the requirements of the relevant order; and

(b) may assume, in the case of an offender who has wilfully and persistently failed to comply with those requirements, that he has refused to give his consent to a community sentence which has been proposed by the court and requires that consent.

(3) In proceedings before the Crown Court under this paragraph any question whether the offender has failed to comply with the requirements of the relevant order shall be determined by the court and not by the verdict of a jury.

#### *Exclusions*

5.—(1) Without prejudice to paragraphs 7 and 8, an offender who is convicted of a further offence while a relevant order is in force in respect of him shall not on that account be liable to be dealt with under paragraph 3 or 4 in respect of a failure to comply with any requirement of the order.

(2) An offender who is required by a probation order to submit to treatment for his mental condition, or his dependency on drugs or alcohol, shall not be treated for the purposes of paragraph 3 or 4 as having failed to comply with that requirement on the ground only that he has refused to

undergo any surgical, electrical or other treatment if, in the opinion of the court, his refusal was reasonable having regard to all the circumstances.

### *Supplemental*

6.—(1) Any exercise by a court of its powers under paragraph 3(1)(a), (b) or (c) or 4(1)(a), (b) or (c) shall be without prejudice to the continuance of the relevant order.

(2) A fine imposed under paragraph 3(1)(a) or 4(1)(a) shall be deemed for the purposes of any statutory provision to be a sum adjudged to be paid by a conviction.

(3) The number of hours which an offender may be required to work under a community service order made under paragraph 3(1)(b) or 4(1)(b)—

(a) shall be specified in the order and shall not exceed 60 in the aggregate; and

(b) where the relevant order is a community service order, shall not be such that the total number of hours under both orders exceeds the maximum specified in Article 13(2).

(4) Article 13(4) and, so far as applicable—

(a) the provisions of this Order relating to community service orders; and

(b) the provisions of this Schedule so far as so relating,

shall have effect in relation to a community service order under paragraph 3(1)(b) or 4(1)(b) as they have effect in relation to a community service order in respect of an offender.

(5) Where the provisions of this Schedule have effect as mentioned in sub-paragraph (4), the powers conferred by those provisions to deal with the offender for the offence in respect of which the community service order was made shall be construed as powers to deal with the offender for the failure to comply with the requirements of the relevant order in respect of which the community service order was made.

(6) In its application to combination orders, sub-paragraph (3) shall have effect as if the reference to Article 13(2) were a reference to Article 15(1).

## PART III

### REVOCATION OF ORDER

#### *Revocation of order with or without re-sentencing*

7.—(1) This paragraph applies where a relevant order is in force in respect of any offender and, on the application of the offender or the responsible officer, it appears to a court of summary jurisdiction acting for the petty sessions district concerned that, having regard to circumstances which have arisen since the order was made, it would be in the interests of justice—

(a) that the order should be revoked; or

(b) that the offender should be dealt with in some other manner for the offence in respect of which the order was made.

(2) The court may—

(a) if the order was made by a magistrates' court—

(i) revoke the order; or

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- (ii) revoke the order and deal with the offender, for the offence in respect of which the order was made, in any manner in which it could deal with him if he had just been convicted by the court of the offence; or
- (b) if the order was made by the Crown Court, commit him to custody or release him on bail until he can be brought or appear before the Crown Court.
- (3) The circumstances in which a probation order may be revoked under sub-paragraph (2)(a)(i) shall include the offender's making good progress or his responding satisfactorily to supervision.
- (4) In dealing with an offender under sub-paragraph (2)(a)(ii), a court of summary jurisdiction shall take into account the extent to which the offender has complied with the requirements of the relevant order.
- (5) Where the court deals with an offender's case under sub-paragraph (2)(b), it shall send to the Crown Court such particulars of the case as may be desirable.
- (6) Where a court of summary jurisdiction proposes to exercise its powers under this paragraph otherwise than on the application of the offender it shall summon him to appear before the court and, if he does not appear in answer to the summons, may issue a warrant for his arrest.
- (7) No application may be made by the offender under sub-paragraph (1) while an appeal against the relevant order is pending.

- 8.—**(1) This paragraph applies where an offender in respect of whom a relevant order is in force—
- (a) is convicted of an offence before the Crown Court; or
  - (b) by virtue of paragraph 7(2)(b) is brought or appears before the Crown Court.
- (2) If it appears to the Crown Court to be in the interests of justice to do so, having regard to circumstances which have arisen since the order was made, the Crown Court may—
- (a) revoke the order; or
  - (b) revoke the order and deal with the offender, for the offence in respect of which the order was made, in any manner in which it could deal with him if he had just been convicted by or before the court of the offence.
- (3) The circumstances in which a probation order may be revoked under sub-paragraph (2)(a) shall include the offender's making good progress or his responding satisfactorily to supervision.
- (4) In dealing with an offender under sub-paragraph (2)(b), the Crown Court shall take into account the extent to which the offender has complied with the requirements of the relevant order.

*Revocation of order following custodial sentence*

- 9.—**(1) This paragraph applies where—
- (a) an offender in respect of whom a relevant order is in force is convicted of an offence before a court of summary jurisdiction other than a court of summary jurisdiction acting for the petty sessions district concerned; and
  - (b) the court imposes a custodial sentence on the offender.
- (2) If it appears to the court, on the application of the offender or the responsible officer, that it would be in the interests of justice to do so having regard to circumstances which have arisen since the order was made, the court may—
- (a) if the order was made by a magistrates' court revoke it; and
  - (b) if the order was made by the Crown Court, commit the offender to custody or release him on bail until he can be brought or appear before the Crown Court.



(3) Where the court deals with an offender's case under sub-paragraph (2)(b), it shall send to the Crown Court such particulars of the case as may be desirable.

10. Where by virtue of paragraph 9(2)(b) an offender is brought or appears before the Crown Court and it appears to the Crown Court to be in the interests of justice to do so, having regard to circumstances which have arisen since the relevant order was made, the Crown Court may revoke the order.

### *Supplemental*

11.—(1) On the making under this Part of an order revoking a relevant order, the clerk to the court shall forthwith give copies of the revoking order to the responsible officer.

(2) A responsible officer to whom in accordance with sub-paragraph (1) copies of a revoking order are given shall give a copy to the offender and to the person in charge of any institution in which the offender was required by the order to reside.

(3) Where a probation order is in force in respect of an offender under the age of 21 years who is subsequently committed to a training school under the Children and Young Persons Act (Northern Ireland) 1968 or to a young offenders centre, the probation officer who supervises the case shall send such documents and information relating to the case as he considers likely to be of assistance to the managers of the school or, as the case may be, the governor of the young offenders centre.

## PART IV

### AMENDMENT OF ORDER

#### *Amendment by reason of change of residence*

12.—(1) This paragraph applies where, at any time while a relevant order is in force in respect of an offender, a court of summary jurisdiction acting for the petty sessions district concerned is satisfied that the offender proposes to change, or has changed, his residence from that petty sessions district to another petty sessions district.

(2) Subject to sub-paragraphs (3) and (4), the court may, and on the application of the responsible officer shall, amend the relevant order by substituting the other petty sessions district for the district specified in the order.

(3) The court shall not amend under this paragraph a probation order which contains requirements which, in the opinion of the court, cannot be complied with unless the offender continues to reside in the petty sessions district concerned unless, in accordance with paragraph 13, it either—

- (a) cancels those requirements; or
- (b) substitutes for those requirements other requirements which can be complied with if the offender ceases to reside in that district.

(4) The court shall not amend a community service order under this paragraph unless it appears to the court that provision can be made for the offender to perform work under the order under the arrangements which exist for persons who reside in the other petty sessions district to perform work under such orders.

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*Amendment of requirements of probation order*

**13.**—(1) Without prejudice to the provisions of paragraph 12, but subject to sub-paragraph (2), a court of summary jurisdiction for the petty sessions district concerned may, on the application of the offender or the + responsible officer, by order amend a probation order—

- (a) by cancelling any of the requirements of the order; or
- (b) by inserting in the order (either in addition to or in substitution for any such requirement) any requirement which the court could include if it were then making the order.

(2) A court of summary jurisdiction shall not amend a probation order under sub-paragraph (1)—

- (a) by reducing the probation period, or by extending that period beyond the end of 3 years from the date of the original order; or
- (b) by inserting in it a requirement that the offender shall submit to treatment for his mental condition, or his dependency on drugs or alcohol, unless the amending order is made within 3 months after the date of the original order.

(3) In this paragraph and paragraph 14, references to the offender’s dependency on drugs or alcohol include references to his propensity towards the misuse of drugs or alcohol.

**14.**—(1) Where the medical practitioner or other person by whom or under whose direction an offender is being treated for his mental condition, or his dependency on drugs or alcohol, in pursuance of any requirement of a probation order—

- (a) is of the opinion mentioned in sub-paragraph (2); or
- (b) is for any reason unwilling to continue to treat or direct the treatment of the offender,

he shall make a report in writing to that effect to the responsible officer and that officer shall apply under paragraph 13 to a court of summary jurisdiction for the petty sessions district concerned for the variation or cancellation of the requirement.

(2) The opinion referred to in sub-paragraph (1) is—

- (a) that the treatment of the offender should be continued beyond the period specified in that behalf in the order;
- (b) that the offender needs different treatment, being treatment of a kind to which he could be required to submit in pursuance of a probation order;
- (c) that the offender is not susceptible to treatment; or
- (d) that the offender does not require further treatment.

*Extension of community service order*

**15.** Where—

- (a) a community service order is in force in respect of any offender; and
- (b) on the application of the offender or the responsible officer, it appears to a court of summary jurisdiction acting for the petty sessions district concerned that it would be in the interests of justice to do so having regard to circumstances which have arisen since the order was made,

the court may, in relation to the order, extend the period of 12 months specified in Article 14(2).

*Supplemental*

**16.** No order may be made under paragraph 12, and no application may be made under paragraph 13 or 15, while an appeal against the relevant order is pending.

17.—(1) Subject to sub-paragraph (2), where a court proposes to exercise its powers under this Part, otherwise than on the application of the offender, the court—

- (a) shall summon him to appear before the court; and
- (b) if he does not appear in answer to the summons, may issue a warrant for his arrest;

and the court shall not amend a relevant order under this Part unless the offender expresses his willingness to comply with the requirements of the order as amended.

(2) This paragraph shall not apply to an order cancelling a requirement of a relevant order or reducing the period of any requirement, or substituting a new petty sessions district or a new place for the one specified in the relevant order.

18.—(1) On the making under this Part of an order amending a relevant order, the clerk to the court shall forthwith—

- (a) if the order amends the relevant order otherwise than by substituting a new petty sessions district or a new place for the one specified in the relevant order, give copies of the amending order to the responsible officer;
- (b) if the order amends the relevant order in the manner excepted by paragraph (a), send to the clerk of petty sessions for the new petty sessions district—
  - (i) copies of the amending order; and
  - (ii) such documents and information relating to the case as he considers likely to be of assistance to a court acting for that district in exercising its functions in relation to the order;

and in a case falling within paragraph (b) the clerk of petty sessions for that district shall give copies of the amending order to the responsible officer.

(2) A responsible officer to whom in accordance with sub-paragraph (1) copies of an order are given shall give a copy to the offender and to the person in charge of any institution in which the offender is or was required by the order to reside.

(3) Where a probation order is in force in respect of an offender under the age of 21 years who is subsequently committed to a training school under the Children and Young Persons Act (Northern Ireland) 1968 or to a young offenders centre, the probation officer who supervises the case shall send such documents and information relating to the case as he considers likely to be of assistance to the managers of the school or, as the case may be, the governor of the young offenders centre.

## SCHEDULE 3

Article 29(6).

### FINANCIAL PENALTIES

#### *Criminal Justice Act (Northern Ireland) 1945 (c. 15)*

1. In section 35(1) (powers of Crown Court or county court in relation to fines and forfeited recognizances) at the end insert—

- “(e) on the application of the person liable to make the payment, allow further time for payment or vary an order for payment by instalments”.

#### *Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)*

2. In Article 53 (fixing of sum adjudged to be paid by a conviction with regards to means of offender)—

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- (a) for the words from the beginning to “conviction” substitute—
  - “(1) A magistrates' court, in fixing the amount of a sum adjudged to be paid by a conviction (other than a fine which falls to be fixed under Article 29 of the Criminal Justice (Northern Ireland) Order 1996)”;
- (b) at the end insert—
  - “(2) Paragraph (1) applies whether taking into consideration the means of the offender has the effect of increasing or reducing the amount of the sum.”.
- 3. In Article 120 (maximum fine for refusal to give evidence) at the end insert—
  - “(3) An order under paragraph (1) for the payment of a fine may be enforced as though the fine were a sum adjudged to be paid by a conviction.”.

*Contempt of Court Act 1981 (c. 49)*

- 4. In Schedule 4, in section 14 (maximum fine for contempt in an inferior court), after subsection (2) insert—
  - “(2A) A fine imposed under subsection (2) above shall be deemed, for the purposes of any enactment, to be a sum adjudged to be paid by a conviction.”.

SCHEDULE 4

Article 51(4).

PROVISIONS INSERTED AS SCHEDULE 2A TO THE  
MENTAL HEALTH (NORTHERN IRELAND) ORDER 1986

“SCHEDULE 2A

Article 50A(6).

SUPERVISION AND TREATMENT ORDERS

PART I

PRELIMINARY

- 1.—(1) In this Schedule “supervision and treatment order” means an order requiring the person in respect of whom it is made (“the supervised person”)—
  - (a) to be under the supervision of a social worker or probation officer (“the supervising officer”) for a period specified in the order of not more than 2 years; and
  - (b) to submit, during the whole of that period or such part of it as may be specified in the order, to treatment by or under the direction of a medical practitioner with a view to the improvement of his mental condition.
- (2) The Secretary of State may by order direct that sub-paragraph (1) shall be amended by substituting, for the period specified in that sub-paragraph, such period as may be specified in the order.
- (3) An order under sub-paragraph (2) may make in paragraph 8(2) any amendment which the Secretary of State thinks necessary in consequence of any substitution made by the order.
- (4) The power of the Secretary of State to make orders under sub-paragraph (2) shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution

of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly.

## PART II

### MAKING AND EFFECT OF ORDERS

#### *Circumstances in which orders may be made*

- 2.—(1) The court shall not make a supervision and treatment order unless it is satisfied—
- (a) that, having regard to all the circumstances of the case, the making of such an order is the most suitable means of dealing with the accused or appellant; and
  - (b) on the oral evidence of a medical practitioner appointed for the purposes of Part II by the Commission and on the written or oral evidence of one other medical practitioner, that the mental condition of the accused or appellant—
    - (i) is such as requires and may be susceptible to treatment; but
    - (ii) is not such as to warrant the making of an order under Article 50A(2)(a), or the making of a guardianship order.
- (2) The court shall not make a supervision and treatment order unless it is also satisfied—
- (a) that the supervising officer intended to be specified in the order is willing to undertake the supervision; and
  - (b) that arrangements have been made for the treatment intended to be specified in the order (including arrangements for the reception of the accused or appellant where he is to be required to submit to treatment as a resident patient).

#### *Making of orders and general requirements*

- 3.—(1) A supervision and treatment order shall either—
- (a) specify the Board or an authorised HSS trust for the area in which the supervised person resides or will reside, and require him to be under the supervision of a social worker of that Board or authorised HSS trust; or
  - (b) specify the petty sessions district in which that person resides or will reside, and require him to be under the supervision of a probation officer appointed for or assigned to that district.
- (2) Before making such an order, the court shall explain to the supervised person in ordinary language—
- (a) the effect of the order (including any requirements proposed to be included in the order in accordance with paragraph 5); and
  - (b) that a court of summary jurisdiction has power under paragraphs 6 to 8 to review the order on the application either of the supervised person or of the supervising officer.
- (3) After making such an order, the court shall forthwith give copies of the order to a probation officer assigned to the court, and he shall give a copy—
- (a) to the supervised person;
  - (b) to the supervising officer; and

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(c) to the Board or authorised HSS trust managing any hospital in which the supervised person is required by the order to reside.

(4) After making such an order, the court shall also send to the clerk of petty sessions for the petty sessions district in which the supervised person resides or will reside (“the petty sessions district concerned”)—

(a) a copy of the order; and

(b) such documents and information relating to the case as it considers likely to be of assistance to a court acting for that district in the exercise of its functions in relation to the order.

(5) Where such an order is made, the supervised person shall keep in touch with the supervising officer in accordance with such instructions as he may from time to time be given by that officer and shall notify him of any change of address.

#### *Obligatory requirements as to medical treatment*

4.—(1) A supervision and treatment order shall include a requirement that the supervised person shall submit, during the whole of the period specified in the order or during such part of that period as may be so specified, to treatment by or under the direction of a medical practitioner with a view to the improvement of his mental condition.

(2) The treatment required by any such order shall be such one of the following kinds of treatment as may be specified in the order, that is to say—

(a) treatment as an in-patient in a hospital or nursing home, not being special accommodation within the meaning of Article 110;

(b) treatment as an out-patient at such hospital as may be specified in the order; and

(c) treatment by or under the direction of such medical practitioner as may be so specified;

but the nature of the treatment shall not be specified in the order except as mentioned in sub-paragraph (a), (b) or (c).

(3) While the supervised person is under treatment as an in-patient in pursuance of a requirement of a supervision and treatment order, the supervising officer shall carry out the supervision to such extent only as may be necessary for the purpose of the revocation or amendment of the order.

(4) Where the medical practitioner by whom or under whose direction the supervised person is being treated for his mental condition in pursuance of a supervision and treatment order is of the opinion that part of the treatment can be better or more conveniently given in or at a hospital which—

(a) is not specified in the order; and

(b) is one in or at which the treatment of the supervised person will be given by or under the direction of a medical practitioner,

he may, with the consent of the supervised person, make arrangements for him to be treated accordingly.

(5) Such arrangements as are mentioned in sub-paragraph (4) may provide for the supervised person to receive part of his treatment as an in-patient in a hospital notwithstanding that the hospital is not one which could have been specified for that purpose in the supervision and treatment order.

(6) Where any such arrangements as are mentioned in sub-paragraph (4) are made for the treatment of a supervised person—

(a) the medical practitioner by whom the arrangements are made shall give notice in writing to the supervising officer, specifying the hospital in or at which the treatment is to be carried out; and

- (b) the treatment provided for by the arrangements shall be deemed to be treatment to which he is required to submit in pursuance of the supervision and treatment order.

*Optional requirements as to residence*

5.—(1) Subject to sub-paragraphs (2) and (3), a supervision and treatment order may include requirements as to the residence of the supervised person.

(2) Before making such an order containing any such requirement, the court shall consider the home surroundings of the supervised person.

(3) Where such an order requires the supervised person to reside in a hospital, the period for which he is so required to reside shall be specified in the order.

### PART III

#### REVOCATION AND AMENDMENT OF ORDERS

*Revocation of order in interests of health or welfare*

6. Where a supervision and treatment order is in force in respect of any person and, on the application of the supervised person or the supervising officer, it appears to the court which made the order that, having regard to circumstances which have arisen since the order was made, it would be in the interests of the health or welfare of the supervised person that the order should be revoked, the court may revoke the order.

*Amendment of order by reason of change of residence.*

7.—(1) This paragraph applies where, at any time while a supervision and treatment order is in force in respect of any person, a court of summary jurisdiction acting for the petty sessions district concerned is satisfied that the supervised person proposes to change, or has changed, his residence from the district specified in the order to the area of another Board or authorised HSS trust or another petty sessions district.

(2) Subject to sub-paragraph (3), the court may, and on the application of the supervising officer shall, amend the supervision and treatment order by substituting the other area or, as the case may be, district for the area or district specified in the order.

(3) The court shall not amend under this paragraph a supervision and treatment order which contains requirements which in the opinion of the court, cannot be complied with unless the supervised person continues to reside in the area or, as the case may be, district specified in the order unless, in accordance with paragraph 8, it either—

- (a) cancels those requirements; or
- (b) substitutes for those requirements other requirements which can be complied with if the supervised person ceases to reside in that area or district.

*Amendment of requirements of order*

8.—(1) Without prejudice to the provisions of paragraph 7, but subject to sub-paragraph (2), a court of summary jurisdiction for the petty sessions district concerned may, on the application of the supervised person or the supervising officer, by order amend a supervision and treatment order—

- (a) by cancelling any of the requirements of the order; or

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- (b) by inserting in the order (either in addition to or in substitution for any such requirement) any requirement which the court could include if it were the court by which the order was made and were then making it.

(2) The power of a court of summary jurisdiction under sub-paragraph (1) shall not include power to amend an order by extending the period specified in it beyond the end of 2 years from the date of the original order.

*Amendment of requirements in pursuance of medical report*

**9.**—(1) Where the medical practitioner by whom or under whose direction the supervised person is being treated for his mental condition in pursuance of any requirement of a supervision and treatment order—

- (a) is of the opinion mentioned in sub-paragraph (2); or
- (b) is for any reason unwilling to continue to treat or direct the treatment of the supervised person,

he shall make a report in writing to that effect to the supervising officer and that officer shall apply under paragraph 8 to a court of summary jurisdiction for the petty sessions district concerned for the variation or cancellation of the requirement.

(2) The opinion referred to in sub-paragraph (1) is—

- (a) that the treatment of the supervised person should be continued beyond the period specified in the supervision and treatment order;
- (b) that the supervised person needs different treatment, being treatment of a kind to which he could be required to submit in pursuance of such an order;
- (c) that the supervised person has failed without reasonable excuse to comply with any of the requirements of the treatment;
- (d) that the supervised person is not susceptible to treatment; or
- (e) that the supervised person does not require further treatment.

*Supplemental*

**10.**—(1) On the making under paragraph 6 of an order revoking a supervision and treatment order, the court shall forthwith give copies of the revoking order to the supervising officer.

(2) A supervising officer to whom in accordance with sub-paragraph (1) copies of a revoking order are given shall give a copy to the supervised person and to the person in charge of any hospital in which the supervised person was required by the order to reside.

**11.**—(1) On the making under paragraph 7 or 8 of an order amending a supervision and treatment order, the clerk of petty sessions shall forthwith—

- (a) if the order amends the supervision and treatment order otherwise than by substituting a new district or a new hospital for the one specified in the supervision and treatment order, give copies of the amending order to the supervising officer;
- (b) if the order amends the supervision and treatment order in the manner excepted by head (a), send to the clerk of petty sessions for the new petty sessions district concerned—
  - (i) copies of the amending order; and
  - (ii) such documents and information relating to the case as he considers likely to be of assistance to a court acting for that district in exercising its functions in relation to the order;



and in a case falling within head (b), the clerk of petty sessions for that district shall give copies of the amending order to the supervising officer.

(2) Where in accordance with sub-paragraph (1) copies of an order are given to the supervising officer, he shall give a copy to the supervised person and to the person in charge of any hospital in which the supervised person is or was required by the order to reside.”

## SCHEDULE 5

Article 58(1).

### AMENDMENTS

#### *Criminal Law Amendment Act 1885 (c. 69)*

1. In section 2 (procurement) and section 3 (procurement of woman by threats, false pretences or administering drugs) the word “unlawful” wherever it occurs shall be omitted.

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

2. After section 32 there shall be inserted—

**“Rules.**

**32A.**—(1) The Secretary of State may make rules for prescribing the procedure to be followed and the forms to be used for the purposes of proceedings under or in consequence of this Act.

(2) Rules made under paragraph (1) shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly.”.

#### *Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.))*

3. In section 74 (powers of court on finding of guilt of juvenile offenders)—

(a) in subsection (1) for “the Probation Act (Northern Ireland) 1950” substitute “Article 10 of the Criminal Justice (Northern Ireland) Order 1996”;

(b) in subsection (2) for “the Probation Act (Northern Ireland) 1950” substitute “Article 10 of the Criminal Justice (Northern Ireland) Order 1996”.

#### *Criminal Appeal (Northern Ireland) Act 1980 (c. 47)*

4. In section 9 (appeal in other cases dealt with by Crown Court)—

(a) in subsection (2)—

(i) in paragraph (a) for “probation order” substitute “community order within the meaning of Article 2(2) of the Criminal Justice (Northern Ireland) Order 1996”;

(ii) paragraph (b) for “probation order” substitute “community order”;

(b) in subsection (3)—

(i) for paragraphs (c) and (d) substitute—

“(c) upon whom a fine is imposed under paragraph 4(1)(a) of Schedule 2 to the Criminal Justice (Northern Ireland) Order 1996;”;

- (ii) omit “sentence” in the first and third places where it occurs and “passing that sentence”.
5. In section 11 (appeal against conviction: substitution of finding of insanity)—
- (a) in subsection (1)(b) for the words from “Article 50” onwards substitute “Article 50A(2) of the Mental Health Order (powers to deal with persons found not guilty by reason of insanity)”;
  - (b) in subsection (2)—
    - (i) for “finding that the accused was unfit to be tried” substitute “findings that the accused was unfit to be tried and that he did the act or made the omission charged against him”;
    - (ii) in paragraph (b) for the words from “Article 49” onwards substitute “Article 50A(2) of the Mental Health Order (powers to deal with persons found unfit to be tried)”.
6. In section 13 (disposal of appeal allowed under section 12)—
- (a) in subsection (5A) for the words from “a finding” onwards substitute “findings that the accused was unfit to be tried and that he did the act or made the omission charged against him, the court may make any such order as may be made under Article 50A(2) of the Mental Health Order (powers to deal with persons found not guilty of insanity)”;
  - (b) in subsection (6)—
    - (i) for “Article 50(2)” in the first place where it occurs substitute “Article 50A(2)”;
    - (ii) for the words from “the Court may” to “Article 50(2)” in the second place where it occurs substitute “the Court shall make an order that the appellant be admitted for assessment to such hospital as may be specified by the Department of Health and Social Services”.
7. In section 13A (appeal against finding of unfitness to be tried)—
- (a) in subsection (1) for the words from “a finding” onwards substitute “findings that he is unfit to be tried and that he did the act or made the omission charged against him, the person may appeal to the Court of Appeal against either or both of those findings”;
  - (b) in subsection (3) omit “(except one to which subsection (5) below applies)”;
  - (c) omit subsection (5);
  - (d) in subsection (6) for the words from the beginning to “allowed” substitute “Where the Court of Appeal allows an appeal under this section against a finding that the appellant is unfit to be tried”;
  - (e) at the end of subsection (7) add—
    - “(8) Where, otherwise than in a case falling within subsection (6) above, the Court of Appeal allows an appeal under this section against a finding that the appellant did the act or made the omission charged against him, the Court shall, in addition to quashing the finding, direct a verdict of acquittal to be recorded (but not a verdict of not guilty by reason of insanity)”.
8. In section 30 (interpretation of Part I) at the end add—
- “(4) Article 6 of the Criminal Justice (Northern Ireland) Order 1996 (under which a conviction of an offence for which an order for conditional or absolute discharge is made is deemed not to be a conviction for certain purposes) shall not prevent an appeal under this Act, whether against conviction or otherwise.”.

*Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)*

9. In Article 15(1) (rules under or for the purposes of particular enactments) for “section 16(1) of the Probation Act (Northern Ireland) 1950” substitute “section 32A(1) of the Treatment of Offenders Act (Northern Ireland) 1968”.

10. In Article 140 (appeals to county court against conviction or sentence)—

(a) at the end of paragraph (1) insert—

“(1A) Article 6 of the Criminal Justice (Northern Ireland) Order 1996 (under which a conviction of an offence for which an order for conditional or absolute discharge is made is deemed not to be a conviction except for certain purposes) shall not prevent an appeal under this Article, whether against conviction or otherwise.”;

(b) omit paragraph (2)(a);

(c) omit paragraph (3);

(d) in paragraph (4) for “section 7(1) of the Probation Act (Northern Ireland) 1950” substitute “Article 7(1) of the Criminal Justice (Northern Ireland) Order 1996”.

11. In Schedule 2 (indictable offences which may be dealt with summarily upon consent of the accused)—

(a) omit paragraph 2;

(b) in paragraph 5 (offences under the Offences against the Person Act 1861) after subparagraph (a)(vi) insert—

“(via) section 47 (assault occasioning actual bodily harm and common assault);”.

*Criminal Justice Act 1982 (c. 48)*

12. In Schedule 13, in Part III (Community Service — Reciprocal Arrangements)—

(a) in paragraph 7(1) for the words from “the Treatment” onwards substitute

“Part II of the Criminal Justice (Northern Ireland) Order 1996 shall have effect as if the following were substituted for Article 13(4)—

“(4) A court shall not make a community service order in respect of any offender unless the offender consents and—

(a) the court is satisfied after hearing (if the court thinks it necessary) a probation officer, that the offender is a suitable person to perform work under such an order; and

(b) it appears to the court that provision for the offender to perform work under such an order can be made under the arrangements for persons to perform work under such orders which exist in the petty sessions area in England and Wales in which he resides or will reside.”;

(c) in paragraph 8(1) for the words from “the Treatment” onwards substitute

“Part II of the Criminal Justice (Northern Ireland) Order 1996 shall have effect as if the following were substituted for Article 13(4)—

“(4) A court shall not make a community service order in respect of any offender unless the offender consents and—

(a) the court is satisfied after hearing (if the court thinks it necessary) a probation officer, that the offender is a suitable person to perform work under such an order; and

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- (b) the court has been notified by the Secretary of State that arrangements exist for persons who reside in the locality in Scotland in which the offender resides, or will be residing when the order comes into force, to perform work under community service orders made under section 238 of the Criminal Procedure (Scotland) Act 1995; and it appears to the court that provision can be made for him to perform work under those arrangements.”;
- (c) in paragraph 9(4) for “Article 7(7) of the Treatment of Offenders (Northern Ireland) Order” substitute “Article 13(7) of the Criminal Justice (Northern Ireland) Order 1996”.

*Probation Board (Northern Ireland) Order 1982 (NI 10)*

**13.** In Article 2(2) (interpretation)—

- (a) for the definition of “community service order” substitute—

““community service order” means an order under Article 13 of the Criminal Justice (Northern Ireland) Order 1996”;
- (b) in the definition of “probation order” for “section 1(1) of the Probation Act (Northern Ireland) 1950” substitute “Article 10 of the Criminal Justice (Northern Ireland) Order 1996”.

**14.** After Article 14 insert—

**“Duties of probation officers**

**14A.** It shall be the duty of probation officers—

- (a) to supervise the persons placed under their supervision and to advise, assist and befriend those persons;
- (b) to enquire in accordance with any direction of the court into the circumstances or home surroundings of any person with a view to assisting the court in determining the most suitable method of dealing with him; and
- (c) to perform such other duties as may be prescribed or imposed by or under any statutory provision or as the Probation Board may direct.”.

**15.** In Schedule 2 (transfer of property and staff) after paragraph 2 add—

“**3.**—(1) Any probation officer appointed by the Ministry of Home Affairs before 14th February 1950 shall be deemed to have been appointed under the Probation Act (Northern Ireland) 1950 and any full-time service rendered by him as a probation officer before that date shall, for the purposes of the Superannuation (Northern Ireland) Order 1972 be deemed to have been service in an unestablished capacity.

(2) Sub-paragraph (1) is without prejudice to the Northern Ireland (Modification of Enactments — No. 1) Order 1973 (which amongst other things transferred the functions of the Ministry of Home Affairs under the the Probation Act (Northern Ireland) 1950 to the Secretary of State).”.

*Fines and Penalties (Northern Ireland) Order 1984 (NI 3)*

**16.** In Article 17(2) (power to alter sums) after sub-paragraph (k) insert—

“(1) paragraph 3(1)(a) or 4(1)(a) of Schedule 2 to the Criminal Justice (Northern Ireland) Order 1996 (fine for failure to comply with community order).”.

*Children (Northern Ireland) Order 1995 (NI 2)*

17. In Article 2(2) (interpretation) in the definition of “probation order” for “section 1 of the Probation Act (Northern Ireland) 1950” substitute “Article 10 of the Criminal Justice (Northern Ireland) Order 1996”.

*Criminal Procedure and Investigations Act 1996 (c. 25)*

18. In Schedule 4 (modifications for Northern Ireland), in paragraph 20 for the words from the beginning to “paragraph (b) and” substitute—

- “(1) In section 54(6) in paragraph (b) for “section 51(1) of the Criminal Justice and Public Order Act 1994” substitute “Article 47(1) of the Criminal Justice (Northern Ireland) Order 1996.”
- (2) In section 54(6)”.

SCHEDULE 6

Article 58(2).

TRANSITIONAL PROVISIONS AND SAVINGS

1. Each of Articles 8 to 11, 13, 15, 19 to 33, 36 and 37 shall apply in relation to offenders convicted (but not sentenced) before the date on which that Article comes into operation as it applies in relation to offenders convicted after that date.
2. Neither paragraph (2) of Article 6, nor the repeal by this Order of section 8 of the Probation Act (Northern Ireland) 1950, shall affect the operation of section 8 in relation to persons placed on probation before the date of the coming into operation of that paragraph or, as the case may be, that repeal.
3. An order made under Article 49(5) or 50(2) of the Mental Health (Northern Ireland) Order 1986 (court order to admit person to a hospital) before the date on which Article 53 comes into operation shall after that date be treated as an order made under Article 50A(2) of that Order together with a restriction order made without limit of time.

SCHEDULE 7

Article 58(3).

REPEALS

Chapter or Number	Short title	Extent of repeal
1885 c. 69.	Criminal Law Amendment Act 1885.	In section 2 in paragraph (1) the word “unlawful”; and the words from “Provided that” onwards.  In section 3 in paragraphs (1), (2) and (3) the word “unlawful”; and the words from “Provided that” onwards.
1950 c. 7.	Probation Act (Northern Ireland) 1950.	The whole Act.

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Chapter or Number	Short title	Extent of repeal
1952 c. 5 (N.I.).	Foyle Fisheries Act (Northern Ireland) 1952.	Section 40(5).
1966 c. 17 (N.I.).	Fisheries Act (Northern Ireland) 1966.	Section 46(5).  In Schedule 7 the entry relating to the Probation Act (Northern Ireland) 1950.
1967 c. 18 (N.I.).	Criminal Law Act (Northern Ireland) 1967.	Section 7(6).
1968 c. 29 (N.I.).	Treatment of Offenders Act (Northern Ireland) 1968.	Sections 23 to 25 and 30.  In Schedule 3, in Part III the entry relating to paragraph 2 of Schedule 1 to the Probation Act (Northern Ireland) 1950.
1968 c. 34 (N.I.).	Children and Young Persons Act (Northern Ireland) 1968.	Section 72(3).  Section 80.  In Schedule 7, paragraph 11.
1971 c. 36 (N.I.).	Civil Evidence Act (Northern Ireland) 1971.	Section 7(5)(a).
1976 NI 4.	Treatment of Offenders (Northern Ireland) Order 1976.	In Article 2, in paragraph (2) the definitions of “community service order” and “Probation Board” and paragraph (3).  Part III.
1977 NI 14.	Criminal Damage (Compensation) (Northern Ireland) Order 1977.	In Article 18(2), in the definition of “conviction” the words “notwithstanding section 8 of the Probation Act (Northern Ireland) 1950”.
1977 NI 15.	Criminal Injuries (Compensation) (Northern Ireland) Order 1977.	In Article 18(2), in the definition of “conviction” the words “notwithstanding section 8 of the Probation Act (Northern Ireland) 1950”.
1978 c. 23.	Judicature (Northern Ireland) Act 1978.	In Schedule 5 in Part II the entry relating to the Probation Act (Northern Ireland) 1950 and the entries relating to Articles 2, 9, 10, 14 and 15 of the Treatment of Offenders (Northern Ireland) Order 1976.

Chapter or Number	Short title	Extent of repeal
1978 NI 27.	Rehabilitation of Offenders (Northern Ireland) Order 1978.	In Article 2(3) the words from “notwithstanding” to “conviction”.
1980 c. 47.	Criminal Appeal (Northern Ireland) Act 1980.	In section 9(3) the word “sentence” in the first and third places where it occurs and the words “passing that sentence”.  In section 13A, in subsection (3) the words “(except one to which subsection (5) below applies)” and subsection (5).  In Schedule 4, paragraphs 12 and 13.
1980 NI 6.	Criminal Justice (Northern Ireland) Order 1980.	In Schedule 1, paragraphs 34 and 74 to 78.
1981 c. 41.	Contempt of Court Act 1981.	In Schedule 4, in section 14(3) the words from “and after” onwards.
1981 NI 1.	Road Traffic (Northern Ireland) Order 1981.	In Schedule 7, paragraph 3.
1981 NI 26.	Magistrates' Courts (Northern Ireland) Order 1981.	Article 140(2)(a) and (3).  In Schedule 2, paragraph 2.
1982 NI 10.	Probation Board (Northern Ireland) Order 1982.	In Schedule 4, paragraphs 1 to 3 and 5 to 8.
1984 NI 3.	Fines and Penalties (Northern Ireland) Order 1984.	Article 17(2)(h).  In Schedule 4 the entries relating to the Probation Act (Northern Ireland) 1950 and the Treatment of Offenders (Northern Ireland) Order 1976.
1986 NI 4.	Mental Health (Northern Ireland) Order 1986.	Articles 49(5) to (8) and 50(2) and (3).  In Schedule 5, in Part II the entry relating to the Probation Act (Northern Ireland) 1950.
1986 NI 15.	Criminal Justice (Northern Ireland) Order 1986.	Article 7.
1988 NI 4.	Criminal Injuries (Compensation) (Northern Ireland) Order 1988.	In Article 19(2), in the definition of conviction the words “notwithstanding

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Chapter or Number	Short title	Extent of repeal
		section 8 of the Probation Act (Northern Ireland) 1950, ”.
1988 NI 20.	Criminal Evidence (Northern Ireland) Order 1988.	Articles 3(2)(ii), 4(4)(b), 5(2)(ii) and 6(2)(ii).
1989 NI 12.	Police and Criminal Evidence (Northern Ireland) Order 1989.	Article 73(3)(a).
1989 NI 15.	Treatment of Offenders (Northern Ireland) Order 1989.	Articles 3, 10 and 11.  In Schedule 1, paragraphs 2 to 8, 22, 23 and 27.
1990 c. 5.	Criminal Justice (International Co-operation) Act 1990.	Section 14.
1994 NI 15.	Criminal Justice (Northern Ireland) Order 1994.	In Schedule 1, the entries relating to the Probation Act (Northern Ireland) 1950 and the Treatment of Offenders (Northern Ireland) Order 1976.  In Schedule 2, paragraphs 1, 2 and 6.
1996 NI 22	Licensing (Northern Ireland) Order 1996.	In Schedule 11, paragraph 1.