
STATUTORY INSTRUMENTS

1998 No. 1504

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

PART VI

SENTENCING AND OTHER POWERS

[^{F1}Custody care orders

PROSPECTIVE

[^{F1} Effect of subsequent conviction where custody care order is in effect

44G.—(1) Where a child in respect of whom a custody care order is (or but for Article 44A(8) would be) in effect is convicted by or before a court of an offence and the court imposes a custodial sentence on the child for the offence, the court shall—

- (a) revoke the order; and
- (b) in dealing with the child for the offence take into account the period for which, but for the revocation, the order would have continued in effect.

(2) Where in such a case the court decides to make a custody care order, Article 44A shall have effect as if—

- (a) in paragraph (3) for the words from “a period of six months” to “two years” there were substituted “such period not exceeding two years as the court specifies in the order”; and
- (b) in paragraph (6) for the words “one half of the period of the order” there were substituted “such part of the period of the order as the court specifies in the order”.

(3) Where in such a case the court decides to make a juvenile justice centre order, Article 39 shall have effect as if—

- (a) in paragraph (2) for the words from “a period of six months” to “two years” there were substituted “such period not exceeding two years as the court specifies in the order”; and
- (b) in paragraph (5) for the words “one half of the period of the order” there were substituted “:such part of the period of the order as the court specifies in the order”.]

F1 Arts. 44A-44G and preceding cross-heading inserted (prosp.) by [Justice \(Northern Ireland\) Act 2002](#) (c. 26), ss. 56, 87(1)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 44G.