
STATUTORY INSTRUMENTS

1998 No. 2839

The Criminal Justice (Northern Ireland) Order 1998

Treatment of offenders

Supplementary provisions as to orders

11.—(1) Before making a drug treatment and testing order, a court shall explain to the offender in ordinary language—

- (a) the effect of the order and of the requirements proposed to be included in it;
- (b) the consequences which may follow (under Schedule 2 to the Criminal Justice (Northern Ireland) Order 1996) if he fails to comply with any of those requirements;
- (c) that the order may be reviewed (under that Schedule) on the application either of the offender or of the responsible officer; and
- (d) that the order will be periodically reviewed at intervals as provided for in the order (by virtue of Article 10);

and the court shall not make the order unless the offender expresses his willingness to comply with its requirements.

(2) Where, in the case of a drug treatment and testing order made by a court of summary jurisdiction, another court is responsible for the order, the court making the order shall forthwith send copies of the order to the other court.

(3) Where a drug treatment and testing order is made or amended under Article 10(2), the court responsible for the order shall forthwith or, in a case falling within paragraph (2), as soon as reasonably practicable give copies of the order, or the order as amended, to a probation officer and he shall give a copy—

- (a) to the offender;
- (b) to the treatment provider; and
- (c) to the responsible officer.

(4) Where a drug treatment and testing order has been made on an appeal brought from a court of summary jurisdiction, or from the Crown Court, or from the Court of Appeal, for the purposes of Articles 9 and 10 it shall be deemed to have been made by a court of summary jurisdiction or, as the case may require, the Crown Court.

(5) Schedule 2 to the Criminal Justice (Northern Ireland) Order 1996 (enforcement etc. of community orders) shall have effect subject to the amendments specified in Part I of the Schedule being amendments for applying that Schedule to drug treatment and testing orders.

(6) The amendments and repeals of the Criminal Justice (Northern Ireland) Order 1996 specified in Part II of the Schedule shall have effect, being amendments and repeals consequential upon the provisions of Articles 8 to 11.

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (Northern Ireland) Order 1998, Section 11.