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*Status: Point in time view as at 16/07/2008.*

*Changes to legislation: The Criminal Justice (Northern Ireland) Order 2008, Section 64 is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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## STATUTORY INSTRUMENTS

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# 2008 No. 1216

## The Criminal Justice (Northern Ireland) Order 2008

### PART 4

#### ROAD TRAFFIC OFFENCES

*Other provisions about offences*

#### **Alternative verdict on unsuccessful manslaughter prosecution**

**64.** In Article 26 of the Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10) (alternative verdicts), after paragraph (3) insert—

“(3A) Where

- (a) a person charged with manslaughter in connection with the driving of a mechanically propelled vehicle by him is found not guilty of that offence, but
- (b) the allegations in the indictment amount to or include an allegation of any of the relevant offences,

he may be convicted of that offence.

(3B) For the purposes of paragraph (3A) the following are the relevant offences—

- (a) an offence under Article 9 of the Order of 1995 (causing death or grievous bodily injury by dangerous driving),
- (b) an offence under Article 10 of that Order (dangerous driving),
- (c) an offence under Article 14 of that Order (causing death or grievous bodily injury by careless driving when under influence of drink or drugs), and
- (d) an offence under section 35 of the Offences against the Person Act 1861 (furious driving).”.

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