STATUTORY RULES OF NORTHERN IRELAND

2011 No. 428

CRIMINAL PROCEDURE

The Criminal Justice Act 1988 (Reviews of Sentencing) Order (Northern Ireland) 2011

Made - - - - 13 December 2011

Coming into operation 1 February 2012

The Department of Justice makes the following Order, in exercise of the powers conferred by section 35(4) of the Criminal Justice Act 1988(**1**) and now vested in it (**2**):

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Criminal Justice Act 1988 (Reviews of Sentencing) Order (Northern Ireland) 2011 and shall come into operation on 1 February 2012.

(2) "The 1988 Act" means the Criminal Justice Act 1988.

Part 4 of the 1988 Act

2. Part 4 of the 1988 Act (reviews of sentencing) shall apply to any case of a description specified in the Schedule.

Revocations

3. The following articles of the Criminal Justice Act 1988 (Reviews of Sentencing) Order (Northern Ireland) 1996(**3**) are revoked:

(a) Article 2(a)(i) (offences under section 16 of the Offences against the Person Act 1861 (threats to kill));

(b) Article 2(a)(ii) (offences under section 52 of the Offences against the Person Act 1861 (indecent assault upon a female)); and

(**1**) 1988 c.33; section 35 was amended by the Criminal Justice and Public Order Act 1994 (c.33), section 168(1) and Schedule 9, paragraph 34 and, in its application to Northern Ireland, section 35 was amended by the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), article 12 and Schedule 14, paragraphs 29 and 30.

(**2**) Article 12 of and paragraphs 29 and 30 of Schedule 14 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976) transferred the functions of the Secretary of State under section 35(4) of the 1988 Act (in its application to Northern Ireland) to the Department of Justice in Northern Ireland.

(**3**) S.R. 1996 No. 40.

(c) Article 2(a)(iv) (offences under section 20 of the Children and Young Persons Act (Northern Ireland) 1968 (cruelty to persons under sixteen)).

Sealed with the Official Seal of the Department of Justice on 13 December 2011.

L.S.

David Ford
Minister of Justice