



2015 CHAPTER 9

PART 8

VIOLENT OFFENCES PREVENTION ORDERS

Supplementary

Interpretation of this Part

76.—(1) In this Part—

“country” includes territory;

“custodial sentence” means—

- (a) a sentence of imprisonment;
- (b) a sentence of detention in a young offenders centre;
- (c) a sentence of detention under Article 13(4)(b) or 14(5) of the Criminal Justice (Northern Ireland) Order 2008;
- (d) a sentence of detention under Article 45 of the Criminal Justice (Children) (Northern Ireland) Order 1998;
- (e) an order under Article 39 of that Order sending the offender to a juvenile justice centre;
- (f) an order under Article 44A of that Order sending the offender to secure accommodation;
- (g) any other sentence under which a person is detained in custody;

“detained in a hospital” means detained in a hospital under Part 3 of the Mental Health (Northern Ireland) Order 1986;

“home address” has the meaning given by section 65(4);

Changes to legislation: Justice Act (Northern Ireland) 2015, Section 76 is up to date with all changes known to be in force on or before 07 May 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) View outstanding changes

“interim violent offences prevention order” means an order made under section 61;

“qualifying offender” has the meaning given by section 58(1);

“specified offence” has the meaning given by section 55(3) and (4);

“violent offences prevention order” has the meaning given by section 55(1).

(2) References in this Part to “D” in relation to a violent offences prevention order, or an application for such an order, are references to the person in relation to whom the order has effect or is sought.

(3) References in this Part to protecting the public from the risk of serious violent harm caused by a person are to be read in accordance with section 55(2).

(4) References in this Part to a finding of the kind mentioned in section 58(2) (b) or (c) or (3)(b) or (c) include references to a case where a decision on appeal is to the effect that there should have been such a finding in the proceedings concerned.

(5) References in this Part to an offender subject to notification requirements are to be read in accordance with section 64.

(6) Reference in this Part to a conviction include references to a finding of a court in summary proceedings, where the court makes an order under Article 44(4) of the Mental Health (Northern Ireland) Order 1986 that the accused did the act charged.

Commencement Information

II S. 76 in operation at 1.12.2016 by S.R. 2016/417, art. 2(u)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(2A) substituted for s. 13(2) by [2022 c. 4 \(N.I.\) s. 4\(5\)](#)
- s. 13(4)(5) added by [2022 c. 4 \(N.I.\) s. 4\(6\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- Sch. 2 para. 8(2) inserted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 2 para. 8(1) words substituted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)