

Jersey Law 12/1986

**CRIMINAL JUSTICE (PROBATION ORDERS) (JERSEY) LAW,
1986.**

A LAW to make further provision regarding probation orders and for connected purposes, sanctioned by Order of Her Majesty in Council of the

5th day of JUNE, 1986.

(Registered on the 4th day of July, 1986.)

STATES OF JERSEY

The 30th day of April, 1985.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

ARTICLE 1

Additional powers of courts in relation to probation orders

(1) If it appears to the court that a probationer has failed to comply with any of the requirements of a probation order made by it, that court, in addition to its powers under the “Loi (1937) sur l’attenuation des peines et sur la mise en liberté surveillée”¹ may commit the probationer to the Royal Court to determine whether there has been such a failure and to impose sentence.

(2) Where the Royal Court is empowered to impose sentence in pursuance of paragraph (1) of this Article it may –

¹ Tome VII, page 188.

Jersey Law 12/1986 *Criminal Justice (Probation Orders) (Jersey) Law, 1986*

- (a) impose such sentence as the court could impose for the offence in respect of which the probation order was made if the court had just convicted the probationer of that offence; or
 - (b) in the case of a probationer to whom Article 16 of the Children (Jersey) Law, 1969,² as amended,³ applies, impose a sentence of Borstal training.
- (3) In this Article –

“court” means the Police Court or the Juvenile Court, as the case may be;

“Juvenile Court” has the meaning assigned to it by Article 1 of the Children (Jersey) Law, 1969,⁴ as amended;⁵

“probationer” means a person for the time being under supervision by virtue of a probation order;

“probation order” means an order under the “Loi (1937) sur l’atténuation des peines et sur la mise en liberté surveillée”.⁶

ARTICLE 2

Amendment of Court of Appeal (Jersey) Law, 1961

After Article 24 of the Court of Appeal (Jersey) Law, 1961,⁷ as amended, there shall be added the following Article –

² Volume 1968–1969, page 265.

³ Volume 1970–1972, page 513.

⁴ Volume 1968–1969, page 247.

⁵ Volume 1970–1972, page 511 and Volume 1979–1981, page 25.

⁶ Tome VII, page 188.

⁷ Volume 1961–1962, page 110.

Jersey Law 12/1986

*Criminal Justice (Probation Orders) (Jersey)
Law, 1986*

“ARTICLE 24A

**Right of appeal in cases where there has not been a conviction
on indictment**

(1) Where, in pursuance of paragraph (1) of Article 1 of the Criminal Justice (Probation Orders) (Jersey) Law, 1986, (hereinafter in this Article referred to as “the said Law”) a probationer has been dealt with by the Royal Court, the probationer may appeal under this Part of this Law to the Court of Appeal notwithstanding that he is not a person convicted on indictment by the Royal Court.

(2) Where, in pursuance of Article 1 of the said Law, a probationer has been sentenced by the Royal Court he may appeal against the sentence under this Part of this Law to the Court of Appeal notwithstanding that he is not a person convicted on indictment.

(3) In this Article “probationer” and “probation order” have the meanings assigned to them by paragraph (3) of Article 1 of the said Law.”.

ARTICLE 3

Short title

This Law may be cited as the Criminal Justice (Probation Orders) (Jersey) Law, 1986.

E.J.M.POTTER

Greffier of the States.