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*Number 31 of 2024*

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**Criminal Justice (Amendment) Act 2024**

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**CRIMINAL JUSTICE (AMENDMENT) ACT 2024**

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[No. 31.]

*Criminal Justice (Amendment) Act 2024.*

[2024.]

ACT REFERRED TO

Criminal Justice Act 1990 (No. 16)



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Number 31 of 2024

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## **CRIMINAL JUSTICE (AMENDMENT) ACT 2024**

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An Act to amend the Criminal Justice Act 1990 as regards its application to the sentencing of persons, who, at the time of the commission by them of certain offences to which that Act applies, were under the age of 18 years; and to provide for related matters. [4th October, 2024]

**Be it enacted by the Oireachtas as follows:**

### **Definition**

1. In this Act, “Act of 1990” means the Criminal Justice Act 1990.

### **Amendment of section 2 of Act of 1990**

2. Section 2 of the Act of 1990 is amended by—
  - (a) the designation of that section as subsection (1), and
  - (b) the addition of the following subsection after subsection (1):

“(2) Subsection (1) shall not apply to the sentencing of a person convicted of murder who was under the age of 18 years when he or she committed the murder but has attained that age on or before the date of such sentencing.”.

### **Amendment of section 4 of Act of 1990**

3. Section 4 of the Act of 1990 is amended by the substitution of “(other than a person who was under the age of 18 years when he or she committed the offence)” for “(other than a child or young person)”.

### **Retrospective application of amendments effected by this Act**

4. The Act of 1990 is amended by the insertion of the following section after section 4:

**“Retrospective application of amendments effected by *Criminal Justice (Amendment) Act 2024***

  - 4A. (1) Subject to subsection (2)—
    - (a) the amendment of section 2 effected by the *Act of 2024* shall apply in respect of a murder, and

- (b) the amendment of section 4 effected by the *Act of 2024* shall apply in respect of an offence referred to in that section, committed before the date of the coming into operation of that Act, including a murder or such an offence in respect of which proceedings had commenced before that date.
- (2) Subsection (1) shall not apply in respect of a murder, or an offence referred to in section 4, as the case may be, committed prior to the date of the coming into operation of the *Act of 2024* where final judgment was given before that date in the proceedings in respect of the murder or offence concerned.
- (3) In this section, ‘*Act of 2024*’ means the *Criminal Justice (Amendment) Act 2024*.”.

**Short title**

5. This Act may be cited as the Criminal Justice (Amendment) Act 2024.