

**Status:** This version of this cross heading contains provisions that are prospective.  
**Changes to legislation:** Justice Act (Northern Ireland) 2015, Cross Heading: The Criminal Evidence (Northern Ireland) Order 1988 (NI 20) is up to date with all changes known to be in force on or before 22 April 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](#)

## SCHEDULES

PROSPECTIVE

### SCHEDULE 2

#### AMENDMENTS: DIRECT COMMITTAL FOR TRIAL

##### *The Criminal Evidence (Northern Ireland) Order 1988 (NI 20)*

5.—(1) In Article 3 (circumstances in which inferences may be drawn from accused's failure to mention particular facts when questioned, charged, etc.) in paragraph (2)—

- (a) in sub-paragraph (a) after “to commit the accused for trial” insert “ in committal proceedings ”; and
- (b) in sub-paragraph (b)(ii) for the “and” at the end substitute “or
  - (iii) section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act); and”.

(2) In Article 5 (inferences from failure or refusal to account for objects, marks, etc.) in paragraph (2)—

- (a) in sub-paragraph (a) after “to commit the accused for trial” insert “ in committal proceedings ”; and
- (b) in sub-paragraph (aa)(ii) for the “and” at the end substitute “or
  - (iii) section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act); and”.

(3) In Article 6 (inferences from failure or refusal to account for presence at a particular place) in paragraph (2)—

- (a) in sub-paragraph (a) after “to commit the accused for trial” insert “ in committal proceedings ”; and
- (b) in sub-paragraph (aa)(ii) for the “and” at the end substitute “or
  - (iii) section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act); and”.

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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\(9\)\(f\)\(ii\)](#)