
STATUTORY INSTRUMENTS

1998 No. 1504

The Criminal Justice (Children) (Northern Ireland) Order 1998

PART IV

CRIMINAL PROCEEDINGS

Admission of deposition of child in evidence in certain proceedings

26.—(1) Where, in any proceedings in respect of any of the offences mentioned in Schedule 1 to the Children and Young Persons Act Northern Ireland) 1968, the court is satisfied by the evidence of a doctor that the attendance before the court of any child in respect of whom the offence is alleged to have been committed would involve serious danger to his health, any deposition of the child taken under the Magistrates' Courts (Northern Ireland) Order 1981 or under Article 25, shall be admissible in evidence either for or against the accused person without further proof if it purports to be signed by the justice by or before whom it purports to have been taken.

(2) Any such deposition shall not be admissible in evidence either for or against the accused person unless it is proved that reasonable notice of the intention to take the deposition has been served upon the person (whether prosecution or accused) against whom it is proposed to be given in evidence and that he or his counsel or solicitor had, or might have had if he had chosen to be present, an opportunity of cross-examining the child making the deposition.

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 26.