

## SCHEDULES

### SCHEDULE 2

Article 51(3).

#### JUVENILE JUSTICE CENTRES

1.—(1) A juvenile justice centre order or any other order under which a person is to be detained in a juvenile justice centre shall be authority for his detention in any juvenile justice centre and the juvenile justice centre in which that person is to be detained at any time shall be determined by the Secretary of State.

(2) Sub-paragraph (1) applies to an order under Article 13 but sub-paragraph

(3) does not apply to a person detained under an order under that Article.

(3) The Secretary of State may at any time order a person detained by the managers of a juvenile justice centre to be discharged.

(4) Where a person detained in a juvenile justice centre is transferred to another centre, he shall be taken to his new centre by and at the expense of the managers of the first-mentioned centre.

2. A minister of the religious persuasion to which a person in a juvenile justice centre belongs may visit him at the centre for the purpose of affording him religious assistance and instruction.

3. If it appears to the managers of a juvenile justice centre—

(a) that a person who has been ordered to be sent to their centre requires medical attention before he can properly be received into the centre; or

(b) that a person detained in the centre requires such attention,

they may make arrangements for him to be received into and detained in any hospital or other institution where he can receive the necessary attention; and that person, while so detained, shall for the purposes of this Order be deemed to be detained in the juvenile justice centre.

4. At any time during the period of a person's detention in a juvenile justice centre the managers of the centre may grant leave to him to be absent from it in the charge of such person and for such period as they think fit, but during such period he shall, for the purposes of this Order, be deemed to be detained by the managers of the centre, and the managers may at any time require him to return to the centre.

5.—(1) If in the case of a person detained in a juvenile justice centre who has attained the age of 16 the Secretary of State is satisfied by the samereports as are required for the purposes of Article 53 of the Mental Health (Northern Ireland) Order 1986 that that person is suffering from mental disorder of a nature or degree which warrants his reception into guardianship under that Order, the Secretary of State may, if he is of the opinion having regard to the public interest and to all the circumstances that it is expedient to do so, by warrant direct that that person be placed under the guardianship of a Board or [F1HSC trust] or such other person approved by a Board or [F1HSC trust] as may be specified in the direction.

(2) A direction shall not be given under this paragraph placing a person under the guardianship of a Board or [F1HSC trust] or other person unless the Secretary of State is satisfied as to the willingness of that Board, trust or person to receive that person into guardianship.

**Changes to legislation:** There are currently no known outstanding effects for the *The Criminal Justice (Children) (Northern Ireland) Order 1998, SCHEDULE 2*. (See end of Document for details)

(3) A direction under this paragraph with respect to any person shall have the same effect as a guardianship order made in his case.

(4) Expressions used in this paragraph and in the Mental Health (Northern Ireland) Order 1986 have the same meanings in this paragraph as in that Order.

**F1** Words in Order substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 1\(1\)\(d\)](#) (with [Sch. 6 para. 1\(3\)](#)); S.R. 2009/114, [art. 2](#)

**6.—**(1) If a person detained in a juvenile justice centre has attained the age of 15 and the managers of the centre consider that he is likely to injure himself or other persons, the managers may bring him before a court of summary jurisdiction.

(2) A court may order a person brought before it under this paragraph to be transferred to a young offenders centre for the unexpired part of the period for which he is liable to be detained in a juvenile justice centre.

(3) In relation to a person who is transferred to a young offenders centre under this paragraph—

- (a) an order under which he was detained in the juvenile justice centre shall continue to have effect (subject to the order made under this paragraph);
- (b) Article 54 (escapes) shall have effect as if references to a juvenile justice centre were references to a young offenders centre and references to the order referred to in paragraph (1) were references to the order under which he was detained in a juvenile justice centre as it has effect by virtue of this paragraph;
- (c) the references in Articles 40(2)(a), 49 and 54(1) to the managers of the juvenile justice centre shall be construed as references to the governor of the young offenders centre.

(4) The Secretary of State may at any time order a person who is transferred to a young offenders centre under this paragraph to be discharged.

**7.** Every person who—

- (a) is authorised by the managers of a juvenile justice centre to take charge of a person detained by them, or to apprehend such a person and bring him back to the centre; or
- (b) is authorised by the Secretary of State or, being a probation officer, is authorised by a court, to take to a juvenile justice centre a person ordered to be detained there;

shall, for the purposes of this duty, have all the powers, protection and privileges of a constable.

**Changes to legislation:**

There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, SCHEDULE 2.