
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 7

**Magistrates' Courts (Criminal Justice
(Children)) Rules (Northern Ireland) 1999**

Part II

Proceedings in Criminal Matters

C.

Procedure after Finding

Procedure after finding against child

10.—(1) This Rule applies where—

- (a) a court is dealing with a child found guilty of an offence, whether after a plea of guilty or otherwise, or whose case has been remitted to it under Article 32 of the Order; or
- (b) in proceedings of a kind mentioned in Rule 3(2), the court is satisfied that the case for the applicant—
 - (i) if the child is not the applicant, has been made out; or
 - (ii) if the child is the applicant, has not been made out.

(2) Where this Rule applies—

- (a) the court shall give the child and his parent or guardian, if present, an opportunity of making a statement;
- (b) the court shall obtain such information as to the general conduct, home surroundings, school record and medical history of the child and, in particular, shall take into consideration such information as aforesaid which is provided in pursuance of Article 11 of the Order;
- (c) if such information as aforesaid is not fully available, the court shall consider the desirability of adjourning the proceedings for such enquiry as may be necessary;
- (d) any written report of a probation officer, appropriate authority, or registered medical practitioner may be received and considered by the court without being read aloud; but—
 - (i) the child shall be told the substance of any part of the report bearing on his character or conduct which the court considers to be material to the manner in which he should be dealt with;
 - (ii) the parent or guardian, if present, shall be told the substance of any part of the report which the court considers to be material as aforesaid and which has reference to the character or conduct of the parent or guardian, or the character, conduct, home surroundings, or health of the child; and

- (iii) if the child or his parent or guardian, having been told the substance of any part of any such report, desires to produce evidence with reference thereto, the court, if it thinks that the evidence may be material, shall adjourn the proceedings for the production of further evidence, and shall, if necessary, require the attendance at the adjourned hearing of the person who made the report; and
- (e) if the court considers it necessary in the interests of the child it may require the parent or guardian or the child, as the case may be, to withdraw from the court.

Duty of court to explain manner in which it proposes to deal with case and effect of order

11.—(1) The court shall, unless it thinks it undesirable to do so, inform the parent or guardian, if present, or any person assisting him in his case, of the manner in which it proposes to deal with the child and allow any of those persons so informed to make representations.

(2) On making any order, the court shall explain the general nature and effect of the order unless it thinks it undesirable to do so.

Notice to be given where remand is extended for information under Article 31 of the Order

12. Where a child has been remanded, and the period of remand is extended in his absence in accordance with Article 31 of the Order, notice in Form No. 10 in the Schedule shall be given to him, to his parent or guardian and his sureties (if any) of the date at which he will be required to appear before the court.