
DRAFT STATUTORY INSTRUMENTS

1998 No.

Criminal Justice (Children) (Northern Ireland) Order 1998

PART IV

CRIMINAL PROCEEDINGS

Release on bail

12.—(1) Where a court remands or commits for trial a child charged with an offence, it shall release him on bail unless—

- (a) the court considers that to protect the public it is necessary to remand him in custody; and
- (b) paragraph (2) or (3) applies.

(2) This paragraph applies where the offence charged—

- (a) is a violent or sexual offence; or
- (b) is one where in the case of an adult similarly charged he would be liable on conviction on indictment to imprisonment for 14 years or more.

(3) This paragraph applies—

- (a) where the offence charged is an arrestable offence; and
- (b) the child either—

- (i) was on bail on any date on which he is alleged to have committed the offence; or
- (ii) has been found guilty of an arrestable offence within the period of two years ending on the date on which he is charged with the offence mentioned in sub-paragraph (a).

(4) This Article is subject to section 3 of the Northern Ireland (Emergency Provisions) Act 1996.