
DRAFT STATUTORY INSTRUMENTS

1998 No.

Criminal Justice (Children) (Northern Ireland) Order 1998

PART V

YOUTH COURTS

Power of magistrates' court to remit a child for trial to a youth court

29.—(1) This Article shall have effect where—

- (a) a child appears or is brought before a magistrates' court other than a youth court on a complaint jointly charging him and one or more other persons with an offence; and
- (b) that other person, or any of those other persons, is an adult,

and in this Article “the adult defendant” means such one or more of the accused as is an adult.

(2) If—

- (a) the court hears the complaint or (as the case may be) deals summarily with the charge in the case of both or all of the accused, and the adult defendant or each of the adult defendants pleads guilty; or
- (b) the court—
 - (i) in the case of the adult defendant or each of the adult defendants, conducts a preliminary investigation or preliminary inquiry and either commits him for trial or discharges him; and
 - (ii) in the case of the child, hears the complaint or (as the case may be) deals summarily with the charge,

then, if in either situation the child pleads not guilty, the court may, before any evidence is called in his case, remit him for trial to a youth court acting for the same place as the remitting court or for the place where he resides.

(3) A child remitted to a youth court under paragraph (2) shall be brought before and tried by a youth court accordingly.

(4) Where a child is so remitted to a youth court—

- (a) he shall have no right of appeal against the order of remission; and
- (b) the remitting court may give such directions as appear to be necessary with respect to his custody or for his release on bail until he can be brought before the youth court.

(5) This Article shall apply in relation to a corporation as if it were an adult.