



# Justice (Northern Ireland) Act 2004

## CHAPTER 4

### JUSTICE (NORTHERN IRELAND) ACT 2004

#### *The judiciary*

- 1 Transfer to Lord Chancellor of functions relating to Judicial Appointments Commission
- 2 Membership of the Commission
- 3 Duty of Commission to secure judiciary reflective of the community
- 4 Appointment of Lord Chief Justice and Lords Justices of Appeal
- 5 Removal or suspension from listed judicial offices

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- 6 Duty of Director of Public Prosecutions to refer certain matters to Police Ombudsman
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#### *Criminal justice organisations*

- 8 Guidance for criminal justice organisations on human rights standards
- 9 The Juvenile Justice Board

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- 10 Prosecution right of appeal against grant of bail by magistrates' court
- 10A Prosecution right of appeal against grant of bail by county court judge in extradition proceedings
- 11 Bail under section 67 of the Terrorism Act 2000
- 12 Bail to which Part II of the Criminal Justice (Northern Ireland) Order 2003 applies

*Changes to legislation: There are currently no known outstanding effects for the Justice (Northern Ireland) Act 2004. (See end of Document for details)*

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*Transfer of prisoners*

- 13 Transfer of prisoners

*Amendment of section 103 of Terrorism Act 2000*

- 14 Amendment of section 103 of Terrorism Act 2000

*Arrest without warrant*

- 15 Arrest without warrant for offence of driving while disqualified

*Court security*

- 16 Court security

*Right of barrister to enter into contract for the provision of his services*

- 17 Right of barrister to enter into contract for the provision of his services

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- 18 Repeals  
19 Commencement  
20 Interpretation  
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SCHEDULES

SCHEDULE 1 — Transfer to Lord Chancellor of functions relating to Northern Ireland Judicial Appointments Commission

- 1 In section 2(2) of the 2002 Act for “First Minister...”  
2 In section 3(2)(b) of the 2002 Act for “First Minister...”  
3 (1) Section 5 of the 2002 Act is amended as...  
4 (1) Section 90 of the 2002 Act is amended as...  
5 (1) Schedule 2 to the 2002 Act is amended as...

SCHEDULE 2 —

*Offence of absconding by person admitted to bail*

- 1 (1) If a person who has been admitted to bail...

*Arrest for absconding or breaking conditions of bail*

- 2 (1) This paragraph applies to a person who—

*Procedure where person arrested without warrant*

- 3 (1) A person who is arrested under paragraph 2(4) shall...

*Procedure where offences certified as suitable for summary trial*

- 4 (1) This paragraph applies where— (a) a person is admitted...

*Application of this Schedule*

5 This Schedule applies in relation to a person admitted to...

SCHEDULE 3 — Court security

*DUTY OF DEPARTMENT OF JUSTICE TO ENSURE COURT SECURITY*

1 (1) The Department of Justice must take all reasonable steps...

*Powers of search*

2 (1) A court security officer acting in the execution of...

*Power to exclude, remove or restrain persons*

3 (1) A court security officer acting in the execution of...

*Surrender and seizure of articles*

4 (1) If a court security officer acting in the execution...

*Power to retain articles surrendered or seized*

5 (1) Subject to sub-paragraph (2), a court security officer may...

*Retention of knives surrendered or seized*

5A (1) This paragraph applies where a knife is surrendered to...

*Regulations about retention of articles*

6 (1) The Department of Justice may by regulations make provision...

*Assaulting and obstructing court security officers*

7 (1) A person who assaults a court security officer acting...

*Powers of court security officers to extend to land on which relevant building stands*

8 Any power of a court security officer exercisable in, or...

SCHEDULE 4 — Repeals

**Changes to legislation:**

There are currently no known outstanding effects for the Justice (Northern Ireland) Act 2004.