

Status: Point in time view as at 14/10/1991. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation: Children and Young Persons Act 1933, SCHEDULE 2 is up to date with all changes known to be in force on or before 07 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 2]

CONSTITUTION OF JUVENILE COURTS

Textual Amendments

F1 Sch. 2 substituted by Children and Young Persons Act 1963 (c. 37), s. 17(1), **Sch. 2**

Modifications etc. (not altering text)

C1 Sch. 2 amended by S.I. 1985/1383, **art. 3(6)**

C2 References to the metropolitan stipendiary court area amended by virtue of Administration of Justice Act 1964 (c. 42, SIF 82), **s. 12(1)**

PART I

OUTSIDE METROPOLITAN AREA

Juvenile court panels

- 1 The following provisions of this Part of this Schedule shall have effect as respects any area outside the metropolitan stipendiary court area and the City of London.
- 2 A justice shall not be qualified to sit as a member of a juvenile court unless he is a member of a juvenile court panel, that is to say, a panel of justices specially qualified to deal with juvenile cases.

VALID FROM 31/08/2000

[^{F2} Constitution by single District Judge (Magistrates' Courts)]

Textual Amendments

F2 Crossheading in Sch. 2 inserted (31.8.2000) by 1999 c. 22, s. 78(2), **Sch. 11 para. 12(4)** (with Sch. 14 para. 7(2)); S.I. 2000/1920, **art. 3(a)**

[^{F3}2A A youth court may consist of a District Judge (Magistrates' Courts) sitting alone.]

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Textual Amendments

- F3** Sch. 2 para. 2A inserted (31.8.2000) by 1999 c. 22, s. 78(2), **Sch. 11 para. 12(4)** (with Sch. 14 para. 7(2)); S.I. 2000/1920, **art. 3(a)**

[^{F4}Youth court panels.]

Textual Amendments

- F4** Crossheading in Sch. 2 inserted (31.8.2000) by 1999 c. 22, s. 78(2), **Sch. 11 para. 12(4)** (with Sch. 14 para. 7(2)); S.I. 2000/1920, **art. 3(a)**

- 3 Subject to the following provisions of this Part of this Schedule, a juvenile court panel shall be formed for every petty sessions area.

Combined juvenile court panels

- 4 A magistrates' courts committee may make recommendations to the Secretary of State—
- (a) for the formation of a combined juvenile court panel for two or more petty sessions areas, or
 - (b) for the dissolution of any such combined juvenile court panel,
- if the committee's area comprises at least one of the petty sessions areas concerned.

- 5 It shall be the duty of the magistrates' courts committee for any area, if directed to do so by the Secretary of State, to review the functioning of juvenile courts in their area and on completion of the review to submit to the Secretary of State either a report making such recommendations as are mentioned in paragraph 4 of this Schedule or a report giving reasons for making no such recommendations.

- 6 Subject to the provisions of this Schedule—
- (a) where a magistrates' courts committee make such recommendations to the Secretary of State, he may make an order giving effect to them subject to any modifications he thinks fit; and
 - (b) where a magistrates' courts committee fail to comply within six months with a direction of the Secretary of State under the preceding paragraph, or the Secretary of State is dissatisfied with the report submitted in pursuance of such a direction, he may make such order as he thinks fit for the purposes mentioned in paragraph 4 of this Schedule.

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Effect of order establishing combined panel

- 7 Where a combined juvenile court panel is formed for any petty sessions areas any justice who is a member of the panel may exercise in relation to each of the areas any jurisdiction exercisable by him as a member of a juvenile court.

Restrictions on formation of combined panels

- 8 No order under this Schedule shall provide for the formation of a combined juvenile court panel for an area which includes—
- (a) a county or part of a county and the whole or part of another county; . . . ^{F5}
 - (b) ^{F5}

Textual Amendments

F5 Word and para. 8(b) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

- [^{F6}8A In paragraph 8 above, a reference to a county or part of a county includes a reference to an outer London area (within the meaning of section 2 of the Justices of the Peace Act 1979) or part of such an area.]

Textual Amendments

F6 [Sch. 2 para. 8A](#) inserted by [S.I. 1985/1383, art. 8](#), [Sch. para. 1](#), for the purposes of para. (3)(c)(i) of that S.I.

- 9 An order under this Schedule providing for the formation of a combined juvenile court panel for an area which comprises a borough having a separate magistrates' courts committee shall not be made except with the consent of every magistrates' courts committee the whole or part of whose area is included in the area for which the combined panel is formed.

Consultations and notices

- 10 A magistrates' courts committee, before submitting recommendations for an order under this Schedule, shall consult and, when submitting any such recommendations, shall give notice to—
- (a) the justices acting for any petty sessions area concerned which is within the committee's area (except where the committee's area is a borough); and
 - (b) any other magistrates' courts committee the whole or part of whose area is concerned;

and shall also consult the said justices before commenting on any recommendations on which they are consulted under this paragraph by another magistrates' courts committee.

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- 11 Where the Secretary of State proposes to make an order under this Schedule in a case where either no recommendations have been made to him or the proposed order departs from the recommendations made to him, he shall send a copy of the proposed order to the magistrates' courts committee for any area the whole or part of which is concerned and to the justices acting for any petty sessions area concerned.
- 12 Where notice of recommendations or a copy of a proposed order is required to be sent under the preceding paragraphs to any justices or committee, the Secretary of State shall, before making an order, consider any representations made to him by the justices or committee, or by any juvenile court panel concerned, within one month from the time the notice was given or the copy of the proposed order was sent.

PART II

METROPOLITAN AREA

- 13 The following provisions of this Part of this Schedule shall have effect as respects [^{F7}the inner London area] and the City of London (in this Part of this Schedule referred to as the metropolitan area).

Textual Amendments

F7 Words substituted by virtue of [Administration of Justice Act 1964 \(c. 42\), s. 12\(1\)](#)

- 14 Juvenile courts shall be constituted for the whole of the metropolitan area but shall sit for such divisions and in such places as the Secretary of State may by order specify, without prejudice, however, to their jurisdiction with respect to the whole area.
- 15 Subject to the following provisions of this Schedule—
- (a) each juvenile court shall consist of a chairman and two other members and shall have both a man and a woman among its members;
 - (b) the chairman shall be a person nominated by [^{F8}the Lord Chancellor] to act as chairman of juvenile courts for the metropolitan area and shall be either a metropolitan stipendiary magistrate or [^{F9}a lay justice for the inner London area] selected, in such manner as may be provided by an order of [^{F8}the Lord Chancellor], from a panel of such justices from time to time nominated by him; and
 - (c) the other members shall be justices so selected from that panel.

Textual Amendments

F8 Words substituted by virtue of [Administration of Justice Act 1964 \(c. 42\), s. 12\(3\)](#)

F9 Words substituted by virtue of [Administration of Justice Act 1964 \(c. 42\), s. 12\(2\)](#)

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Modifications etc. (not altering text)

C3 Power to amend paras. 15-18 conferred by [Magistrates' Courts Act 1980 \(c. 43\)](#), **ss. 146(4)**, 155(7)

[^{F10}15A(1) Where, in the the case of any sitting of a juvenile court, a person nominated under paragraph 15(b) of this Schedule—

- (a) is available to act as chairman; but
- (b) considers that it would be appropriate for another member of the court to act as chairman,

he may nominate that member to act as chairman at that sitting.

- (2) A member of a juvenile court nominated to act as chairman under sub-paragraph (1) shall only so act while the person making the nomination continues to sit as a member of the court.]

Textual Amendments

F10 [Sch. 2 para. 15A](#) inserted by virtue of [Administration of Justice Act 1985 \(c. 61, SIF 76:1\)](#), **s. 61**

16 If at any time, by reason of illness or other emergency, no person nominated under paragraph 15(b) of this Schedule is available to act as chairman of a juvenile court, any metropolitan stipendiary magistrate or, with the consent of [^{F11}the Lord Chancellor] any justice of the peace selected as aforesaid from the said panel, may act temporarily as chairman.

Textual Amendments

F11 Words substituted by virtue of [Administration of Justice Act 1964 \(c. 42\)](#), **s. 12(3)**

Modifications etc. (not altering text)

C4 Power to amend paras. 15-18 conferred by [Magistrates' Courts Act 1980 \(c. 43\)](#), **ss. 146(4)**, 155(7)

17 Where it appears to the chairman that a juvenile court cannot, without adjournment, be fully constituted, and that an adjournment would not be in the interests of justice, the chairman may sit with one other member (whether a man or a woman) or, if a metropolitan stipendiary magistrate, may sit alone.

Modifications etc. (not altering text)

C5 Power to amend paras. 15-18 conferred by [Magistrates' Courts Act 1980 \(c. 43\)](#), **ss. 146(4)**, 155(7)

18 [^{F12}The Lord Chancellor], in nominating any persons under this Part of this Schedule shall have regard to the previous experience of the persons available and their special qualifications for dealing with juvenile cases; and every such nomination shall be for a specified period and shall be revocable by [^{F13}the Lord Chancellor].

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Textual Amendments

F12 Words substituted by virtue of [Administration of Justice Act 1964 \(c. 42\), s. 12\(2\)](#)

F13 Words substituted by virtue of [Administration of Justice Act 1964 \(c. 42\), s. 12\(3\)](#)

Modifications etc. (not altering text)

C6 Power to amend paras. 15-18 conferred by [Magistrates' Courts Act 1980 \(c. 43\), ss. 146\(4\), 155\(7\)](#)

F14

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Textual Amendments

F14 [Sch. 2 para. 19](#) repealed by virtue of [Administration of Justice Act 1964 \(c. 42, SIF 82\), s. 48\(1\), Sch. 5](#)

PART III

GENERAL

20 An order of the Secretary of State under this Schedule shall be made by statutory instrument and may be revoked or varied by a subsequent order thereunder.

21 Any such order may contain supplementary, incidental and consequential provisions.

VALID FROM 03/04/2006

22 The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this Schedule.

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