

Status: Point in time view as at 03/04/2006.

Changes to legislation: Children and Young Persons Act (Northern Ireland) 1968 is up to date with all changes known to be in force on or before 23 February 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

SCHEDULE 1 ^{F1}

Sections 3, 31, 32, 33, 34, 60, 61, 62, 93,
96, 99 and 174.

OFFENCES AGAINST CHILDREN AND YOUNG PERSONS WITH RESPECT TO WHICH SPECIAL PROVISIONS OF THIS ACT APPLY

F1 1978 NI 17

The murder or manslaughter of a child or young person.

Infanticide.

[^{F2}An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004, in respect of a child or young person.]

F2 2004 c.28

Aiding, abetting, counselling or procuring the suicide of a child or young person.

Any offence under section 27, [^{F3} or 55] of the Offences against the Person Act 1861 ^{M1}, and any offence against a child or young person under section 42, 43, [^{F4} or 52] of that Act.

F3 1985 NI 17

F4 2003 NI 13

Marginal Citations

M1 1861 c. 100

Any offence under the Criminal Law Amendment Act, 1885 ^{M2}.

Marginal Citations

M2 1885 c. 69

Any offence under the Punishment of Incest Act, 1908 ^{M3}, in respect of a child or young person.

Marginal Citations

M3 1908 c. 45

Any offence under [^{F5} Article 122 or 123 of the Mental Health (Northern Ireland) Order 1986].

F5 1986 NI 4

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Any offence under sections 20, 21, 22, 23, 24,^[F6] and 29].

F6 1995 NI 2

Any other offence involving mental or bodily injury to a child or young person.

Any attempt to commit against a child or young person an offence under^{F4} . . . the Criminal Law Amendment Act 1885, the Punishment of Incest Act 1908 or^[F5] Article 122 or 123 of the Mental Health (Northern Ireland) Order 1986].

^[F7] Any offence under Article 9 of the Criminal Justice (Northern Ireland) Order 1980.]

F7 1980 NI 6

^[F3] Any offence under the Child Abduction (Northern Ireland) Order 1985.]

^[F6] Any offence under Article 147(2) of the Children Order in respect of a contravention of Article 141 of that Order.]

^[F4] Any offence against a child or young person under Article 19, 20 or 21 of the Criminal Justice (Northern Ireland) Order 2003 or any attempt to commit such an offence.]

^[F8] Any offence against a child or young person under any of sections 15 to 19, 47 to 59, 66 and 67 of the Sexual Offences Act 2003 or any attempt to commit such an offence.]

F8 2003 c. 42

SCHEDULE 2 ^{F9}

Sections 63 and 178.

CONSTITUTION OF JUVENILE COURTS

F9 1964 c. 21 (NI)

JUVENILE COURT PANELS

Para. 1 rep. by 2002 c. 26

Para. 2 rep. by 2002 c. 26

Para. 2A rep. by 2002 c. 26

COMPOSITION OF JUVENILE COURT

- 3 (1) Subject to the provisions of paragraph 4, a juvenile court shall be constituted of a resident magistrate, who shall be chairman, and two^[F10] lay magistrates for the county

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court division which includes the petty sessions district or districts for which the court acts or any other county court division which adjoins that county court division], of whom one at least shall be a woman.

Sub-para. (2) rep. by 2002 c. 26

F10 2002 c. 26

PROCEEDINGS

- 4 A juvenile court at which the chairman is present shall have power to act notwithstanding that any other member fails to attend and remain present during the sitting of the court and all acts done by the court shall notwithstanding any such failure be as valid as if that member had so attended and remained.
- 5 (1) The decision of a juvenile court upon any matter before it shall be by a majority of the members and shall be pronounced by the chairman, or other member at the request of the chairman, and no other member of the court shall make any separate pronouncement thereon; but where the chairman and one other member only attend and remain present during the sitting of the court the decision of the court shall in the event of disagreement between the chairman and that other member be the decision of the chairman and shall be pronounced by the chairman.
- (2) Where during or after the hearing and before the determination of any matter before a juvenile court it appears to the chairman that there is, or is likely to be, any difference of opinion between the members, he shall cause the deliberations of the court upon that matter to be conducted in private, and may if he thinks fit adjourn the case for that purpose.

EXPENSES

Para. 6 rep. by 2002 c. 26

OTHER PROVISIONS

- 7 The clerk of petty session for the petty sessions district in which a juvenile court sits, or his deputy, shall be the clerk of that court.
- 8 Regulations made by the [^{F11} Lord Chancellor]^{F12} after consultation with the Lord Chief Justice]] shall—

Sub-para. (a) rep. by 2002 c. 26

- (b) designate the areas (each comprising one or more than one petty sessions district) in which the several juvenile courts are to exercise jurisdiction;
- (c) provide for anything which is necessary or expedient for giving due effect to the provisions of this Act;

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- ^{F13}(d) be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instrument Act 1946 shall apply accordingly.]

F11 1978 c. 23

F12 Words in Sch. 2 para. 8 inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 18(2); S.I. 2006/1014, art. 2(a), Sch. 1 paras. 10, 12(a)

F13 1978 c. 23

Schedules 3#6 rep. by 1998 NI 9

Schedule 7—Amendments

Schedule 8—Repeals

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