
Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)



Justice Act (Northern Ireland) 2011

CHAPTER 24

JUSTICE ACT (NORTHERN IRELAND) 2011

PART 1

VICTIMS AND WITNESSES

CHAPTER 1

THE OFFENDER LEVY

Offender levy imposed by court

1. Offender levy imposed by court
2. Enforcement and treatment of offender levy imposed by court
3. Deduction of offender levy imposed by court from prisoner's earnings
4. Offender levy imposed by court: other supplementary provisions

Offender levy on certain penalties

5. Offender levy on certain penalties

Amount of the offender levy

6. Amount of the offender levy

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

CHAPTER 2

VULNERABLE AND INTIMIDATED WITNESSES

Special measures for vulnerable and intimidated witnesses

7. Eligibility for special measures: age of child witnesses
8. Special measures directions for child witnesses
9. Special provisions relating to sexual offences
10. Evidence by live link: presence of supporter
11. Video-recorded evidence in chief: supplementary testimony

Evidence of certain accused persons

12. Examination of accused through intermediary

Witnesses protected from cross-examination by accused in person

13. Age of child complainant

PART 2

LIVE LINKS

14. Live links for patients detained in hospital
15. Live links at preliminary hearings in the High Court
16. Live links at preliminary hearing on appeals to the county court
17. Live link in sentencing hearing on appeals to the county court
18. Live links in the Court of Appeal
19. Live link direction for vulnerable accused or appellant

PART 3

POLICING AND COMMUNITY SAFETY PARTNERSHIPS

Establishment of PCSPs and DPCSPs

20. Establishment of PCSPs and DPCSPs

Functions of PCSPs and DPCSPs

21. Functions of PCSP
22. Functions of DPCSP
23. Code of practice for PCSPs and DPCSPs

Annual reports

24. Annual report by PCSP to council
25. Annual report by Belfast PCSP to council
26. Annual report by DPCSPs to principal PCSP

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

Other reports by PCSPs and DPCSPs

27. Reports by PCSP to joint committee
28. Reports by Belfast PCSP to joint committee
29. Reports by DPCSP to principal PCSP

Policing committee reports

30. Reports by policing committees to Policing Board
31. Reports by policing committee of Belfast PCSP to Policing Board
32. Reports by policing committee of DPCSP to policing committee of principal PCSP

Miscellaneous

33. Other community policing arrangements
34. Functions of joint committee and Policing Board

PART 4

SPORT

CHAPTER 1

REGULATED MATCHES

35. Regulated matches

CHAPTER 2

CONDUCT AT REGULATED MATCHES

36. Throwing of articles capable of causing injury
37. Chanting
38. Going onto the playing area
39. Possession of fireworks, flares, etc.

CHAPTER 3

ALCOHOL ON VEHICLES TRAVELLING TO REGULATED MATCHES

40. Offences in connection with alcohol on vehicles

CHAPTER 4

BANNING ORDERS IN RELATION TO REGULATED MATCHES

41. Banning orders: making on conviction

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

42. Banning orders: content
43. Banning orders: supplementary
44. Banning orders: “violence” and “disorder”
45. Banning orders: duration
46. Banning orders: additional requirements
47. Termination of banning orders
48. Information about banning orders
49. Failure to comply with banning order

CHAPTER 5

ENFORCEMENT

50. Powers of enforcement

PART 5

TREATMENT OF OFFENDERS

51. Increase in maximum term of imprisonment for common assault or battery
52. Penalty for certain knife offences
53. Extension of maximum period of deferment of sentence
54. Breach of licence conditions by sex offenders
55. Sexual offences: closure orders
56. Financial reporting orders
57. Dangerous offenders: serious and specified offences
58. Supervised activity order in respect of certain financial penalties

PART 6

ALTERNATIVES TO PROSECUTION

CHAPTER 1

PENALTY NOTICES

Penalty offences and penalties

59. Penalty offences and penalties

Penalty notices

60. Penalty notices
61. Form of penalty notice
62. Effect of penalty notice
63. General restriction on prosecution

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

64. Guidance

Procedure

- 65. Payment of penalty
- 66. Registration certificates
- 67. Registration of penalty
- 68. Challenge to notice
- 69. Setting aside of sum enforceable under section 67

Interpretation

- 70. Interpretation of this Chapter

CHAPTER 2

CONDITIONAL CAUTIONS

- 71. Conditional cautions
- 72. The five requirements
- 73. Variation of conditions
- 74. Failure to comply with conditions
- 75. Arrest for failure to comply
- 76. Application of PACE provisions
- 77. Code of practice
- 78. Powers of Probation Board
- 79. Interpretation of this Chapter

PART 7

LEGAL AID, ETC.

- 80. Eligibility for criminal legal aid
- 81. Order to recover costs of legal aid
- 82. Eligibility of persons in receipt of guarantee credit
- 83. Legal aid for certain bail applications
- 84. Financial eligibility for grant of right to representation
- 85. Litigation funding agreements
- 86. Civil legal services: scope
- 87. Enhanced legal aid fees for certain solicitors

PART 8

SOLICITORS' RIGHTS OF AUDIENCE

- 88. Authorisation of Society conferring additional rights of audience
- 89. Rights of audience of solicitors

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

90. Consequential and supplementary provisions

PART 9

MISCELLANEOUS

- 91. Bail: compassionate grounds
- 92. Bail: repeat application
- 93. Possession of offensive weapon with intent to commit an offence
- 94. Power of Department to make payments in relation to prevention of crime, etc.
- 95. Publication of material relating to legal proceedings
- 96. Membership of Crown Court Rules Committee
- 97. Membership of Court of Judicature Rules Committee
- 98. Funds in court: investment fees or expenses
- 99. Appeals from Crown Court: Proceeds of Crime Act 2002
- 100. Witness summons in magistrates' court
- 101. Criminal conviction certificates to be given to employers
- 102. Accounts of the Law Commission
- 103. Variation of firearms certificate
- 104. Restrictions on use of shotguns by young persons
- 105. Restrictions on possession of air guns by young persons

PART 10

SUPPLEMENTARY PROVISIONS

- 106. Supplementary, incidental, consequential and transitional provision, etc
- 107. Regulations and orders
- 108. Interpretation
- 109. Transitional provisions and savings
- 110. Minor and consequential amendments and repeals
- 111. Commencement
- 112. Short title

SCHEDULES

SCHEDULE 1 — POLICING AND COMMUNITY SAFETY PARTNERSHIPS

Interpretation

- 1. (1) In this Schedule, in relation to a PCSP— “independent...

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

Composition

2. A PCSP shall consist of— (a) political members appointed under...

Political members

3. (1) There shall be 8, 9 or 10 political members,...

Independent members

4. (1) The number of independent members shall be one less...
5. (1) Where appointments are to be made of independent members,...
6. (1) In exercising functions under paragraphs 4 and 5, a...

Representatives of designated organisations

7. (1) A PCSP must designate at least 4 organisations for...

Removal of members

8. (1) The Policing Board, or the council with the approval...

Disqualification

9. (1) A person is disqualified for being a political or...

Chair and vice-chair

10. (1) For each PCSP there shall be—

Procedure of PCSP

11. (1) The quorum for a meeting of a PCSP shall...

Policing committee: constitution

12. (1) For each PCSP there shall be a policing committee...

Policing committee: procedure

13. (1) The quorum for a meeting of a policing committee...

Other committees

14. (1) A PCSP may— (a) constitute other committees of such...

Indemnities

15. The council may indemnify a member of a PCSP in...

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

Insurance against accidents

16. (1) The council may insure against risks of a member...

Expenses

17. The council may pay to members of a PCSP such...

Finance

18. (1) The Department and the Policing Board shall for each...

Validity of proceedings

19. The validity of any proceedings of a PCSP or a...

Disclosure of pecuniary interests, family connections, etc.

20. Sections 28 to 33, 42, 46, 47 and 146 of...

Joint PCSPs

21. (1) The Department may by order provide that two or...

Belfast PCSP

22. (1) The preceding paragraphs of this Schedule have effect in...

SCHEDULE 2 — DISTRICT POLICING AND COMMUNITY SAFETY PARTNERSHIPS

Interpretation

1. (1) In this Schedule, in relation to a DPCSP— “independent...

Composition

2. (1) A DPCSP shall consist of— (a) 6 political members...

Political members

3. (1) The council shall exercise its power to appoint political...

Independent members

4. (1) Appointments of independent members shall be made by the...
5. (1) Where appointments are to be made of independent members...
6. (1) In exercising functions under paragraphs 4 and 5, the...

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

Representatives of designated organisations

7. (1) A DPCSP must designate at least 4 organisations for...

Removal of members

8. (1) The Policing Board, or the council with the approval...

Disqualification

9. (1) A person is disqualified for being a political or...

Chair and vice-chair

10. (1) For each DPCSP there shall be—

Procedure of DPCSP

11. (1) The quorum for a meeting of a DPCSP shall...

Policing committee: constitution

12. (1) For each DPCSP there shall be a policing committee...

Policing committee: procedure

13. (1) The quorum for a meeting of a policing committee...

Other committees

14. (1) A DPCSP may constitute other committees of its members;...

Indemnities

15. The council may indemnify a member of a DPCSP in...

Insurance against accidents

16. (1) The council may insure against risks of a member...

Expenses

17. The council may pay to members of a DPCSP such...

Finance

18. (1) The Department and the Policing Board shall for each...

Validity of proceedings

19. The validity of any proceedings of a DPCSP or a...

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

Disclosure of pecuniary interests, family connections, etc.

20. Sections 28 to 33, 42, 46, 47 and 146 of...

SCHEDULE 3 — REGULATED MATCHES

1. In this Schedule— “the IFA” means the Irish Football Association;...

Association football

2. This paragraph applies to an association football match in which...
3. This paragraph applies to an association football match in which...
4. This paragraph applies to an association football match in which...
5. This paragraph applies to an association football match—

Gaelic games

6. This paragraph applies to a match in a gaelic game...
7. This paragraph applies to a match in a gaelic game...

Rugby union

8. This paragraph applies to a rugby union match which—
9. This paragraph applies to a rugby union match—

SCHEDULE 4 — PENALTY OFFENCES AND PENALTIES

SCHEDULE 5 — ENHANCED LEGAL AID FEES FOR CERTAIN SOLICITORS

Power to provide for enhanced fee

1. (1) Regulations under Article 22 or 36 of the Legal...

Accreditation of solicitors

2. (1) The Law Society shall make regulations with respect to...

Duties of solicitor

3. (1) Sub-paragraph (2) applies where— (a) either—

Regulations

4. (1) Regulations under this Schedule require the concurrence of —

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

Consequential amendments

5. The Department may by order make such amendments to—

Interpretation

6. In this Schedule— “accredited solicitor”, in relation to any court...

SCHEDULE 6 — TRANSITIONAL AND SAVING PROVISIONS

Offender levy

1. A provision in Chapter 1 of Part 1 does not...

Vulnerable and intimidated witnesses

2. (1) The amendments made by sections 7 to 11 apply...

Banning orders

3. A banning order may not be made under section 41...

Increase in penalties

4. (1) Section 51(2) does not apply in relation to an...

Conditions of sex offender licence

5. Section 54 applies in relation to offenders released on licence...

Serious and specified offences

6. Section 57 does not apply in relation to an offence...

Alternatives to prosecution

7. A provision in Chapter 1 or 2 of Part 6...

Witness summonses

8. Section 100 applies in relation to any criminal proceedings before...

Accounts of the Law Commission

9. Section 102 applies in relation to accounts for the financial...

SCHEDULE 7 — MINOR AND CONSEQUENTIAL AMENDMENTS

The Vagrancy Act 1824 (c. 83)

1. In section 4(i) of the Vagrancy Act 1824 for “arrestable...

Status: Point in time view as at 05/07/2011.

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

The Judicature (Northern Ireland) Act 1978 (c. 23)

2. In section 82(1) (rules as to funds in court)—

The Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)

3. (1) In Article 29(1)(1) (right to claim trial by jury...

The Commissioner for Complaints (Northern Ireland) Order 1996 (NI 7)

4. In Schedule 2 at the appropriate place in alphabetical order...

The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10)

5. In Article 28(1)(a) (interim disqualification) for “Article 11 of the...

The Employment Rights (Northern Ireland) Order 1996 (NI 16)

6. In Article 78(2) for sub-paragraph (f) substitute—

The Criminal Evidence (Northern Ireland) Order 1999 (NI 8)

7. In Article 15(5) (consequences of admitting video recording) in sub-paragraph...

The Police (Northern Ireland) Act 2000 (c. 32)

8. (1) In section 22(3) for “district policing partnership” substitute “...

The Freedom of Information Act 2000 (c. 36)

9. In Part 7 of Schedule 1 at the appropriate place...

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002 (NI 3)

10. (1) In Article 9(1)— (a) omit sub-paragraph (a);

The Proceeds of Crime Act 2002 (c. 29)

11. In section 195N(1) (as inserted by section 57(2) of the...

The Sexual Offences Act 2003 (c. 42)

12. (1) In section 116(2)(b) (qualifying offenders for foreign travel orders)...

Changes to legislation: Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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)

The Anti-social Behaviour (Northern Ireland) Order 2004 (NI 12)

13. In Article 6C(3) (special measures for witnesses: modifications of Part...

The Criminal Justice (Northern Ireland) Order 2008 (NI 1)

14. In Schedule 3 (supervised activity orders) in paragraph 1(a) after...

The Sexual Offences (Northern Ireland) Order 2008 (NI 2)

15. (1) In Article 74(1)(a) (sexual penetration of a corpse) for...

SCHEDULE 8 — REPEALS

PART 1 — VULNERABLE AND INTIMIDATED WITNESSES

PART 2 — POLICING AND COMMUNITY SAFETY
PARTNERSHIPS

PART 3 — LEGAL AID, ETC.

PART 4 — SOLICITORS' RIGHTS OF AUDIENCE

PART 5 — MISCELLANEOUS

Status:

Point in time view as at 05/07/2011.

Changes to legislation:

Justice Act (Northern Ireland) 2011 is up to date with all changes known to be in force on or before 03 February 2023. 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.