

SCHEDULES

SCHEDULE 5

AMENDMENTS

Mental Health (Northern Ireland) Order 1986 (NI 4)

25. In Article 44(8) (power of courts to order hospital admission or guardianship), for the words from “section 74(1)(a)” to the end substitute “Article 39 of the Criminal Justice (Children) (Northern Ireland) Order 1998 sending a child under the age of 17 to a juvenile justice centre.”.

26. In Article 50A(7) (powers to deal with persons not guilty by reason of insanity or unfit to be tried, etc.)—

(a) for sub-paragraph (d) substitute—

“(d) to a juvenile justice centre.”;

(b) for “remand home” substitute “juvenile justice centre”.

27. In Article 53(5)(a) (removal to hospital of persons serving sentences of imprisonment), for the words from “section 74(1)(a)” to “remand home” substitute “Article 39 of the Criminal Justice (Children) (Northern Ireland) Order 1998 sending a child to a juvenile justice centre”.

28. In Article 56 (further provisions as to prisoners under sentence)—

(a) in paragraph (1)—

(i) for “remand home or training school” in both places where they occur substitute “or juvenile justice centre”;

(ii) in sub-paragraph (b), for “training school” substitute “juvenile justice centre”;

(b) in paragraph (3), for “remand home or training school” substitute “or juvenile justice centre”.

29. In Article 61 (interpretation)—

(a) for paragraph (1) substitute the following paragraphs—

“(1) In this Part the following words and expressions have the same meaning as in the Criminal Justice (Children) (Northern Ireland) Order 1998, namely—

(a) child;

(b) guardian;

(c) juvenile justice centre.

(1A) In this Part “place of safety” in relation to a child means any juvenile justice centre, any police station, any hospital or surgery, or any other suitable place, the occupier of which is willing temporarily to receive a child.”;

(b) at the end of paragraph (8) add “and Article 62 of the Criminal Justice (Children) (Northern Ireland) Order 1998 shall apply for the purposes of this Part as it applies for the purposes of that Order.”.