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STATUTORY INSTRUMENTS

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**1998 No. 2839**

**The Criminal Justice (Northern Ireland) Order 1998**

*Criminal procedure*

**Remands by youth courts**

4. After Article 30 of the Criminal Justice (Children) (Northern Ireland) Order 1998 there shall be inserted—

**“Power of youth courts in relation to remands**

**30A.** A youth court shall not be required to adjourn any proceedings for an offence at any stage by reason only of the fact—

- (a) that the court commits the accused for trial for another offence; or
- (b) that the accused is charged with another offence.”.

**Use of live television links at hearings for the purposes of remand**

5.—(1) In any proceedings for an offence, a court may, after hearing representations from the parties, direct that the accused shall be treated as being present in the court for any particular hearing before the start of the trial (other than a hearing at which the court may commit the accused for trial) if, during that hearing—

- (a) he is held in custody in a prison or other institution; and
  - (b) whether by means of a live television link or otherwise, he is able to see and hear the court and to be seen and heard by it.
- (2) A court shall not give a direction under paragraph (1) unless—
- (a) it has been notified by the Secretary of State that facilities are available for enabling persons held in custody in the institution in which the accused is or is to be so held to see and hear the court and to be seen and heard by it; and
  - (b) the notice has not been withdrawn.
- (3) If in a case where it has power to do so a magistrates' court decides not to give a direction under paragraph (1), it shall give its reasons for not doing so.
- (4) In this Article “the start of the trial”—
- (a) in the case of a trial on indictment, has the meaning given by section 39(3) of the Criminal Procedure and Investigations Act 1996; and
  - (b) in the case of a summary trial, shall be taken to occur—
    - (i) when the court begins to hear evidence for the prosecution at the trial or to consider whether to exercise its power under Article 44(4) of the Mental Health (Northern Ireland) Order 1986 (power to make hospital order without convicting the accused),
    - or

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (ii) if the court accepts a plea of guilty without proceeding as mentioned in head (i), when that plea is accepted.