
STATUTORY INSTRUMENTS

2003 No. 1247

The Criminal Justice (Northern Ireland) Order 2003

PART V

MISCELLANEOUS

Non-appearance of accused: plea of guilty

26. In Article 24 of the Magistrates' Courts (Northern Ireland) Order 1981 (non-appearance of accused: plea of guilty)—

- (a) in paragraph (1)—
 - (i) for the words following documents there shall be substituted the words documents mentioned in paragraph (1A);
 - (ii) the words from that is to say to the end shall cease to have effect;
- (b) after paragraph (1) there shall be inserted the following paragraph—

“(1A) The documents referred to in paragraph (1) are—

 - (a) a notice containing such statement of the effect of this Article as may be prescribed; and
 - (b) either of the following—
 - (i) a concise statement in the prescribed form of such facts relating to the charge as will be placed before the court by or on behalf of the complainant if the accused pleads guilty without appearing before the court; or
 - (ii) a copy of such written statement or statements complying with subsections (2)(a) and (b) and (4) of section 1 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (c. 28) (proof by written statement) as will be so placed in those circumstances.” ;
- (c) in paragraph (2), for the words notice and statement of facts referred to in paragraph (1) there shall be substituted the words documents mentioned in paragraph (1A);
- (d) for paragraph (4) there shall be substituted the following paragraphs—

“(4) Before accepting the plea of guilty and convicting the accused in his absence under paragraph (2), the court shall cause the following to be read out before the court—

 - (a) in a case where a statement of facts as mentioned in paragraph (1A)(b)(i) was served on the accused with the summons, that statement;
 - (b) in a case where a statement or statements as mentioned in paragraph (1A)(b)(ii) was served on the accused with the summons and the court does not otherwise direct, that statement or those statements;
 - (c) the notification given under paragraph (2); and
 - (d) any submission received with the notification which the accused wishes to be brought to the attention of the court with a view to mitigation of sentence.

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(4A) Where the court gives a direction under paragraph (4)(b), the court shall read aloud the purport of so much of any statement as is not read out under that paragraph.

(4B) Whether or not a direction under sub-paragraph (b) of paragraph (4) is given in relation to any statement served as mentioned in that sub-paragraph, the court need not cause to be read out the declaration required by section 1(2)(b) of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968.” ;

(e) in paragraph (5)(a) for the words statement of facts referred to in paragraph (1)(ii) there shall be substituted the words statements referred to in paragraph (1A)(b).

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Changes and effects yet to be applied to :

- art. 26 coming into force by [S.R. 2003/352 art. 2\(a\)](#)

Commencement Orders yet to be applied to the The Criminal Justice (Northern Ireland) Order 2003

Commencement Orders bringing legislation that affects this Order into force:

- [S.R. 2016/387 art. 2](#) commences (2015 c. 9 (N.I.))