STATUTORY INSTRUMENTS

# 2003 No. 1247 (N.I. 13)

# NORTHERN IRELAND

The Criminal Justice (Northern Ireland) Order 2003

Made---8th May 2003Coming into operation in accordance with Article 1

# THE CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 2003

#### PART

#### INTRODUCTORY

- 1. Title and commencement
- 2. Interpretation

#### PART II

## BAIL IN CRIMINAL PROCEEDINGS

- 3. "Bail"
- 4. Surrender to custody
- 5. Offence of absconding by person released on bail
- 6. Arrest for absconding or breaking conditions of bail
- 7. Cases where person not to be released from police detention
- 8. Bail under Part V of the Police and Criminal Evidence (Northern Ireland) Order 1989
- 9. Power to grant bail where police bail has been granted
- 10. Reconsideration of decisions granting bail

#### PART III

#### TIME LIMITS

- 11. Introductory
- 12. Preliminary stages of criminal proceedings
- 13. Supplementary provisions
- 14. Appeals
- 15. Additional time limits for persons under 18
- 16. Re-institution of stayed proceedings
- 17. Regulations

# PART IV

# SEXUAL OFFENCES

- 18. Rape
- 19. Buggery
- 20. Assault with intent to commit buggery
- 21. Indecent assault on a male
- 22. Penalty for indecent conduct towards child
- 23. Abolition of presumption of sexual incapacity

# PART V

# MISCELLANEOUS

- 24. Forfeiture of recognizances
- 25. Amendment of summons before it is served
- 26. Non-appearance of accused: plea of guilty
- 27. Period of remand
- 28. Riotous behaviour: increase of maximum term of imprisonment
- 29. Riotous behaviour: exclusion of right to claim trial by jury
- 30. Riotous behaviour: arrest without warrant
- 31. Evidence through live links
- 32. Disclosure of pre-sentence reports
- 33. Adjournment where live television links used
- 34. Payment for person appointed to cross-examine witness on behalf of accused
- 35. Approval of costs of prosecution of certain criminal proceedings
- 36. Minor and consequential amendments and repeals Signature

#### SCHEDULES

SCHEDULE 1 — AMENDMENTS

Offences against the Person Act 1861 (c. 100)

- 1. In section 61 (sodomy and bestiality), for the words from...
- 2. In section 62 (attempt to commit certain crimes) for the...

Prison Act (Northern Ireland) 1953 (c. 18)

3. In section 26(d) (persons on bail), after "bail" insert "granted...

Attempted Rape, etc., Act (Northern Ireland) 1960 (c. 3)

4. In section 2 (assault with intent to commit rape), for...

Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)

5. In section 5 (remand)— (a) in subsection (1), for paragraph...

Children and Young Persons Act (Northern Ireland) 1968 (c. 34)

6. In Schedule 1 (offences against children)— (a) in the entry...

Theft Act (Northern Ireland) 1969 (c. 16)

7. In section 9(2) (burglary), for "woman" substitute "person".

Protection of Children (Northern Ireland) Order 1978 (NI 17)

8. In Article 3 (indecent photographs of children), in paragraph (l)(a),...

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

9. In Schedule 2 (indictable offences which may be dealt with...

Homosexual Offences (Northern Ireland) Order 1982 (NI 19)

10. In Article 11(1) (restriction on prosecutions), for "21" substitute "17"....

Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)

11. In Part I of Schedule 5 (serious arrestable offences), for...

Sexual Offences (Amendment) Act 1992 (c. 34)

- 12. In section 2(3) (offences to which Act applies)—
- 13. In section 4(8)(d) (special rules for cases of incest or...
- 14. In section 6(2A) (victims of conspiracy, etc.)—

Vehicle Excise and Registration Act 1994 (c. 22)

15. In section 32(l)(c) (person treated as convicted if discharged absolutely...

Criminal Procedure and Investigations Act 1996 (c. 25)

16. In section 1(2) (as set out in paragraph 4 of...

Sexual Offences (Conspiracy and Incitement) Act 1996 (c. 29)

17. In the Schedule (listed sexual offences), in paragraph 2-

Industrial Tribunals (Northern Ireland) Order 1996 (NI 18)

18. In Article 13 (restriction of publicity in cases involving sexual...

Criminal Justice (Northern Ireland) Order 1996 (NI 24)

19. In Article 2(2) (interpretation), in the definition of "sexual offence",...

# Sex Offenders Act 1997 (c. 51)

- 20. In Schedule 1 (sexual offences to which Part I applies),...
- 21. In Schedule 2 (sexual offences to which section 7 applies),...

Criminal Justice (Children) (Northern Ireland) Order 1998 (NI 9)

22. In Schedule 1 (definitions of "sexual offence" etc.), in paragraph...

Youth Justice and Criminal Evidence Act 1999 (c. 23)

23. In section 44 (restrictions on reporting alleged offences involving persons...

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

- 24. In Article 3(1) (meaning of "sexual offence")-
- 25. In Article 23 (protection of child complainants and other child...

SCHEDULE 2 — REPEALS

Explanatory Note