

CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 2005

S.I. 2005 1965

EXPLANATORY MEMORANDUM

COMMENTARY ON PROVISIONS

Miscellaneous

- 6.8. **Articles 21 to 26** make provision for a number of miscellaneous criminal justice matters. These include providing that, where a person on police bail is required to appear before a magistrates' court, he and any surety of his are subject to certain appropriate provisions of the Magistrates' Courts (Northern Ireland) Order 1981 (Article 21). The effect of this change will be to avoid unnecessary additional court hearings in relation to maintaining continuity in bail arrangements. Other provisions include facilitating the future availability of legal aid for representation at proceedings under Parts I and 2 of the Extradition Act 2003 when the Access to Justice (NI) Order 2003 is commenced (Article 22); providing that certain sexual offences are arrestable offences without the need for a police officer to apply for a warrant (Article 23); the ability to give evidence by "live video link" from outside the Northern Ireland jurisdiction does not extend to the accused and that such evidence can be given before a resident magistrate as well as a judge (Article 24); and providing that the Secretary of State shall make a scheme requiring the Probation Board to provide an information service to the victims of offenders who are subject to probation supervision (Article 25). Article 26 is a technical amendment to correct a mistake in the Justice (Northern Ireland) Act 2002 (Commencement No 9 and Transitional Provisions) Order 2005.