
DRAFT STATUTORY INSTRUMENTS

1998 No. (N.I.)

NORTHERN IRELAND

Criminal Justice (Children) (Northern Ireland) Order 1998

*Made - - - - 1998
Coming into operation on days to be appointed
under Article 1(2)*

**CRIMINAL JUSTICE (CHILDREN)
(NORTHERN IRELAND) ORDER 1998**

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SCHEDULES

SCHEDULE 1 — DEFINITIONS OF “SEXUAL OFFENCE” AND “VIOLENT OFFENCE”

1. In this Order “sexual offence” means the commonlaw offence of rape...
2. In this Order “violent offence” means an offence which leads...

SCHEDULE 2 — JUVENILE JUSTICE CENTRES

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1. (1) A juvenile justice centre order or any other order...
2. A minister of the religious persuasion to which a person...
3. If it appears to the managers of a juvenile justice...
4. At any time during the period of a person's detention...
5. (1) If in the case of a person detained in...
6. (1) If a person detained in a juvenile justice centre has attained...
7. Every person who— (a) is authorised by the managers of...

SCHEDULE 3 — MODIFICATIONS OF SCHEDULE 6 TO THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972 FOR THE PURPOSES OF ARTICLE 59(3)

1. References to Schedule 6 to the Local Government Act (Northern...
2. References to the council or the Department shall be construed...
3. Paragraph 1 shall be omitted.
4. In paragraph 2— (a) for the words from the beginning...
5. In paragraph 3— (a) in sub-paragraph (1)(i) for the words...
6. In paragraph 4 the words from “and may provide” to...
7. In paragraph 5— (a) in sub-paragraph (1)(a) the words “in...
8. In paragraph 6(2) for the words “fund out of which...
9. In paragraph 11(3) the words “in the prescribed form” shall...
10. In paragraph 12— (a) in sub-paragraph (1) the word “such”...
11. In paragraph 14(1) the words “in the prescribed form,” shall...
12. In paragraph 15(1) for the words “in the prescribed form”...
13. In paragraph 18— (a) in sub-paragraph (2) for the words...
14. Paragraph 19 shall be omitted.
15. In paragraph 20, sub-paragraph (2) shall be omitted.

SCHEDULE 4 — TRANSITIONAL PROVISIONS AND SAVINGS

1. Each of Articles 35, 36, 37, 39, 44, 45, 47...
2. Any training school which at the commencement of this paragraph...
3. Where at the commencement of this paragraph there is in...
4. In this Schedule the “Act of 1968” means the Children...

SCHEDULE 5 — AMENDMENTS

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

1. In section 47(1A) (interpretation), for paragraphs (c) and (d) substitute—...

Costs in Criminal Cases Act (Northern Ireland) 1968 (c. 10 (N.I.))

2. In section 2 (costs of prosecution in cases of conviction),...

Treatment of Offenders Act (Northern Ireland) 1968 (c. 29 (N.I.))

3. In section 2 (young offenders centres and remand centres)—
4. In section 5 (detention in a young offenders centre), in...
5. In section 9(1) (remand and committal of persons under 21)...

Northern Ireland (Emergency Provisions) Act 1973 (c. 53)

6. In section 1 (punishment for murder)— (a) in subsection (1),...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

7. In Part II of Schedule 1 (bodies all members of...

Judicature (Northern Ireland) Act 1978 (c. 23)

8. In Part II of Schedule 5 (minor and consequential amendments),...

Sexual Offences (Northern Ireland) Order 1978 (NI 5)

9. In Article 5(3) (restrictions on evidence at committal proceedings), for the words...

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

10. In Article 9(2) (amendments), for the words from the beginning...

Rehabilitation of Offenders (Northern Ireland) Order 1978 (NI 27)

11. In Article 6 (rehabilitation periods for particular sentences)—

Perjury (Northern Ireland) Order 1979 (NI 19)

12. In Article 18(2) (savings), for the words from “section” to...

Criminal Appeal (Northern Ireland) Act 1980 (c. 47)

13. In section 9(3)(a) (appeal against sentence), for the words from...

Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (NI 8)

14. In Article 34 (free legal aid for children and young...

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

15. In Article 2(3) (interpretation)— (a) for the definition of “children...
16. In Article 24(1) (plea of guilty), for “juvenile” substitute “youth”...
17. In Article 28(4) (power of court of summary jurisdiction to...
18. In Article 30(1) (preliminary investigation of indictable offences) for the...
19. In Article 47(6) (remand), for sub-paragraph (b) substitute the following...
20. In Article 127(8) (power to bind over) for the words...

Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (NI 13)

21. In Article 10(3) (exemptions from liability for conspiracy), for the...

Repatriation of Prisoners Act 1984 (c. 47)

22. In section 2(4)(b)(iii) (warrant for transfer out of the United...

Child Abduction (Northern Ireland) Order 1985 (NI 17)

23. In Article 3(7) (offence of abduction of child by parent,...
24. In the Schedule (modifications of Article 3 for children in...

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

25. In Article 44(8) (power of courts to order hospital admission...
26. In Article 50A(7) (powers to deal with persons not guilty...

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27. In Article 53(5)(a) (removal to hospital of persons serving sentences...
28. In Article 56 (further provisions as to prisoners under sentence)—...
29. In Article 61 (interpretation)— (a) for paragraph (1) substitute the...

Adoption (Northern Ireland) Order 1987 (NI 22)

30. In Article 16(5) (parental agreement), for sub-paragraph (a) substitute the...

Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (NI 17)

31. In Article 13(3) (abolition of requirement of corroboration for unsworn...

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

32. In Article 2 (interpretation), for paragraph (5) substitute the following...
33. In Article 19(1)(ca) (entry for purpose of arrest), for the...
34. In Article 39 (duties of custody officer after charge), for...
35. In Article 52 (children), for the words from “section” to...
36. In Article 70(1) (interpretation) in the definition of “sexual offence”...
37. In Article 81 (evidence through television links), in paragraphs (1A)(b)...
38. In Article 81A(1)(c) (video recordings of testimony from child witnesses),...

Prevention of Terrorism (Temporary Provisions) Act 1989 (c. 4)

39. In section 15(7) (provisions supplementary to power of arrest), for...

Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

40. In Schedule 9 (exclusions from entitlement to child benefit) in...

Criminal Justice (Northern Ireland) Order 1994 (NI 15)

41. In Article 14 (compensation orders against convicted persons)—

Children (Northern Ireland) Order 1995 (NI 2)

42. In Article 2(9)(b) (interpretation), for “or section 74 of the...
43. In Article 70(7) (refuges for children at risk), for sub-paragraph...
44. In Articles 74(2)(e) and 91(2)(e) (definitions), for “training school” substitute...
45. In Article 107(5) (privately fostered children further defined), for sub-paragraphs...
46. In Schedule 4 (education supervision orders), in paragraph 4—

Northern Ireland (Emergency Provisions) Act 1996 (c. 22)

47. For section 14 (treatment of young persons convicted of scheduled...
48. In section 16(3) (conviction of scheduled offence during period of...

Juries (Northern Ireland) Order 1996 (NI 6)

49. In Schedule 2 (persons ineligible for jury service) for paragraph (b) of the...

Proceeds of Crime (Northern Ireland) Order 1996 (NI 9)

50. In Article 13(4) (application of procedure for enforcing fines), for...

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

51. In Article 2(2) (interpretation)— (a) in the definition of “attendance...
52. In Article 7, for paragraph (1) (supplementary provisions as to...
53. In Article 18(1) (restriction on imposing sentences of imprisonment or...
54. In Article 29 (fixing of fines)— (a) in paragraph (4),...
55. In Article 30 (statements as to offenders' means), after paragraph...
56. At the end of Article 31 (false statements as to...
57. In Article 34(1) (reports of probation officers) for “juvenile” substitute...
58. In Schedule 2— (a) in paragraph 3(1)(c) (powers of court...

SCHEDULE 6 — REPEALS

Explanatory Note