
DRAFT STATUTORY INSTRUMENTS

2003 No. (N.I.)

NORTHERN IRELAND

The Commissioner for Children and Young
People (Northern Ireland) Order 2003

Made - - - - 2003
Coming into operation in accordance with Article
1(2) and (3)

THE COMMISSIONER FOR CHILDREN AND YOUNG
PEOPLE (NORTHERN IRELAND) ORDER 2003

Introductory

1. Title and commencement
2. Interpretation: general
3. Interpretation: "child or young person"
4. Interpretation: "relevant authority"

The Commissioner

5. The Commissioner for Children and Young People for Northern Ireland
6. Principal aim of the Commissioner

Functions of the Commissioner

7. Duties of the Commissioner
8. General powers of the Commissioner
9. General review of advocacy, complaint, inspection and whistle-blowing arrangements of relevant authorities
10. Review of advocacy, complaint, inspection and whistle-blowing arrangements of relevant authorities in individual cases
11. Assistance with complaints to relevant authorities
12. Investigation of complaints against relevant authorities
13. Actions which may be investigated: restrictions and exclusions
14. Power to bring, intervene in or assist in legal proceedings
15. Assistance in relation to legal proceedings

Formal investigations

16. Formal investigations

17. Formal investigations: exclusions
18. Report on formal investigation
19. Further action following report on formal investigation
20. Evidence in formal investigations
21. Powers of entry and inspection for purposes of formal investigation
22. Obstruction and contempt in relation to formal investigation
23. Disclosure of information by Commissioner

Review of this Order

24. Review of this Order

Supplementary provisions

25. Privilege for certain publications
26. Application of this Order: relevant authorities with mixed functions
27. Application of this Order: matters arising before commencement
Signature

SCHEDULES

SCHEDULE 1 — RELEVANT AUTHORITIES

PART I

Health and personal social services

1. A general health services provider, that is to say—
2. An independent provider, that is to say a person (whether...
3. Any person carrying on any of the following within the...
4. A person providing day care to which Article 118(1)(b) of...

Education

5. The Board of Governors of a grant-aided school, within the...
6. The managers of an independent school, within the meaning of...
7. The governing body of an institution of further education, within...

Others

8. The Northern Ireland Commissioner for Complaints.
9. The Assembly Ombudsman for Northern Ireland.
10. The Northern Ireland Film Commission.

PART II

Justice and policing

11. The Northern Ireland Court Service.
12. The Northern Ireland Policing Board and the Chief Constable of...
13. The Juvenile Justice Board and any other body or person...
14. The Probation Board for Northern Ireland.
15. The Chief Inspector of Criminal Justice in Northern Ireland.
16. The Northern Ireland Legal Services Commission.
17. The Northern Ireland Law Commission.

Others

18. The Police Ombudsman for Northern Ireland.
19. The Parliamentary Commissioner for Administration.
21. The Information Commissioner
22. The Qualifications and Curriculum Authority.
22. The Northern Ireland Office.

SCHEDULE 2 — THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE
FOR NORTHERN IRELAND

Status

1. (1) The person for the time being holding the office...

General powers

2. (1) The Commissioner may do anything, apart from borrowing money,...

Tenure of office

3. (1) Subject to the provisions of this paragraph, a person...

Salary, etc.

4. (1) The Office may pay to or in respect of...

Staff

5. (1) The Commissioner may appoint such number of officers as...

Exercise of functions of Commissioner

6. Any function of the Commissioner may be exercised by any...

Seal

7. The application of the seal of the Commissioner shall be...

Evidence

8. A document purporting to be an instrument issued by the...

Property

9. (1) Any real or personal property vested in the Commissioner...

Funding

10. (1) The Office may make grants to the Commissioner of...

Accounts

11. (1) The Commissioner shall— (a) keep proper accounts and proper...

Annual report

12. (1) As soon as practicable after the end of each...

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Commissioner for Children and Young People (Northern Ireland) Order 2003 No. 439*

The Northern Ireland Assembly Disqualification Act 1975 (c. 25)

13. In Part III of Schedule 1 to the Northern Ireland...

The Commissioner for Complaints (Northern Ireland) Order 1996 (NI. 7)

14. In Schedule 2 to the Commissioner for Complaints (Northern Ireland)...

The Freedom of Information Act 2000 (c. 36)

15. In Part VII of Schedule 1 to the Freedom of...

The Criminal Justice and Court Services Act 2000 (c. 43)

16. In section 36(8) of the Criminal Justice and Court Services...

Schedule 3 — INVESTIGATIONS UNDER ARTICLE 8(4) OR 9(7)

Interpretation

1. In this Schedule any reference to an investigation is a...

Conduct of investigation

2. (1) In determining whether to conduct or discontinue an investigation,...

Report on investigation

3. (1) Where the Commissioner has conducted an investigation pursuant to...

Further action following report on investigation

4. (1) Where the Commissioner has made a report under paragraph...

Explanatory Note