

*These notes refer to the Justice Act (Northern Ireland)
2015 (c.9) which received Royal Assent on 24 July 2015*

Justice Act (Northern Ireland) 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7: Live Links in Criminal Proceedings

Section 50: Live links from another courtroom: first remands, etc.

This section provides for certain persons to attend court hearings by live link at weekends and public holidays. This will allow, for example, for a small number of courts to hear certain cases, with defendants or offenders attending by live link from other courthouses. Subsection (1) sets out the sorts of hearing covered – these all involve the person’s first appearance at court following arrest or charge in specified circumstances.

The section contains safeguards including that the court must be satisfied that it is not contrary to the interests of justice for the person to appear by live link. Courts are required to adjourn proceedings under this section where the accused person, attending by live link, cannot see or hear the court and be seen or heard by it, and this cannot be corrected immediately. It also lays down the procedure for giving or rescinding a live link direction.

The section provides that the Department may, by order, amend the type of hearings that may be covered and the days of the week that live links can be used for these purposes. Such an order would be subject to the affirmative resolution procedure.