
STATUTORY INSTRUMENTS

1998 No. 1504

The Criminal Justice (Children) (Northern Ireland) Order 1998

PART III

ARREST AND DETENTION

Duty to inform person responsible for welfare of child in police detention

10.—(1) Where a child is in police detention, such steps as are practicable shall be taken to ascertain the identity of a person responsible for his welfare and inform him—

- (a) that the child has been arrested;
- (b) why he has been arrested; and
- (c) where he is being detained.

(2) Where information falls to be given under paragraph (1), it shall be given as soon as it is practicable to do so.

(3) For the purposes of this Article the persons who may be responsible for the welfare of a child are—

- (a) his parent or guardian; or
- (b) any other person who has for the time being assumed responsibility for his welfare.

(4) If it appears that at the time of the child's arrest a supervision order under Part V of the Children (Northern Ireland) Order 1995 or a probation order is in force in respect of him, his supervisor or probation officer shall also be informed as described in paragraph (1) as soon as it is reasonably practicable to do so.

(5) The reference to a parent or guardian in paragraph (3)(a) is, in the case of a child being looked after by an authority (within the meaning of Article 25 of the Children (Northern Ireland) Order 1995), a reference to that authority and the parent or guardian of the child.

(6) The provisions of this Article are in addition to those of Article 57 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (right to have someone informed when arrested).

(7) In paragraph (1) the reference to a child who is in police detention includes a reference to a child who has been detained under the terrorism provisions; and the references to arrest include references to such detention.

(8) In paragraph (7) “the terrorism provisions” has the meaning assigned to it by Article 2(2) of the Police and Criminal Evidence (Northern Ireland) Order 1989.

Modifications etc. (not altering text)

- C1** [Art. 10](#) applied (with modifications) by 1994 c. 33, s. 137D(4)(e) Sch. 7B Pt. 3 (as inserted (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in operation) by [Policing and Crime Act 2017](#) (c. 3), s. 116(1)(3), 183(1)(5)(e), [Sch. 16](#); S.I. 2018/227, art. 2(f))

Changes to legislation:

The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 10 is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- art. 10 excluded by [2016 c. 18 \(N.I.\) s. 148\(3\)](#)