

STATUTORY INSTRUMENTS

1998 No. 1504

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

PART III

ARREST AND DETENTION

Child not released under Article 7

8.—(1) Where a child apparently under the age of 14—

- (a) is arrested without warrant for an offence other than homicide; and
- (b) is not released under Article 7,

the child shall be brought before a magistrates' court as soon as is practicable and in any case within a period of 36 hours from the time of his arrest.

(2) Paragraph (1) shall not apply if a member of the Royal Ulster Constabulary of a rank not below that of superintendent certifies to a magistrates' court within the period of 36 hours from the time of the child's arrest that by reason of illness or accident the child cannot be brought before the court.

(3) The custody officer shall ensure that the child is moved to^{F1} a juvenile justice centre until the child can be brought before a magistrates' court.

(4) Paragraph (3) shall not apply if the custody officer certifies—

- (a) that it is impracticable to move the child to^{F1} a juvenile justice centre; or
- (b) that by reason of his character or his state of health it is inadvisable to do so.

(5) A certificate made under paragraph (4) in respect of a child shall be produced to the court before which he is first brought.

(6) Where under this Article—

- (a) a child is brought before a magistrates' court; or
- (b) a certificate made under paragraph (2) in respect of a child is produced in a magistrates' court,

the court may remand him.

F1 prosp. subst. by [2002 c. 26](#)

Modifications etc. (not altering text)

C1 [Art. 8\(1\)](#) excluded (20.12.2023) by [National Security Act 2023 \(c. 32\)](#), s. 100(1), [Sch. 6 para. 35\(4\)](#) (with s. 97); [S.I. 2023/1272](#), reg. 2(a)

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 8.