
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 7

MAGISTRATES' COURTS

**Magistrates' Courts (Criminal Justice (Children)) Rules
(Northern Ireland) 1999**

Made 7th January 1999

Coming into operation 31st January 1999

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The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(a) and all other powers enabling him in that behalf, on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following Rules:—

(a) S.I. 1981/1675 (N.I. 26)

PART I

Citation, Commencement and Interpretation, etc

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Magistrates' Courts (Criminal Justice (Children)) Rules (Northern Ireland) 1999 and shall come into operation on 31st January 1999.

(2) In these Rules—

“court” means in Parts II, III and IV a youth court constituted in accordance with Schedule 2 of the Children and Young Persons Act (Northern Ireland) 1968(a), and in Part V a court of summary jurisdiction, whether a youth court or not;

“Order Book” means the Order Book kept for the youth court pursuant to Rule 17;

“the 1968 Act” means the Children and Young Persons Act (Northern Ireland) 1968;

“the Order” means the Criminal Justice (Children) (Northern Ireland) Order 1998(b);

“the principal Rules” means the Magistrates' Courts Rules (Northern Ireland) 1984(c);

(3) Expressions used in these Rules which are also used in the Order shall be construed in the same way as in that Order.

Revocation and transitional provisions

2.—(1) Subject to paragraph (2), the Rules specified in Schedule 2 are hereby revoked to the extent specified in the third column of that Schedule.

(2) The Rules specified in Schedule 2 shall continue to apply to any of the following orders made under the 1968 Act which are in force, in relation to any person, on the 31st January 1999—

(a) a supervision order;

(b) a training school order; or

(c) an order committing a person to the care of a fit person.

PART II

Proceedings in Criminal Matters

A. General

Application of this Part

3.—(1) Subject to paragraphs (3) and (4), this Part applies where proceedings to which paragraph (2) applies are brought in a court in respect of a child.

(a) 1968 c. 34 (N.I.)

(b) S.I. 1998/1504 (N.I. 9)

(c) S.R. 1984 No. 225; to which the most recent relevant amendments have been made by S.R. 1989 No. 422, S.R. 1990 No. 426, S.R. 1994 No. 387 and S.R. 1996 No. 126

(2) This paragraph applies to proceedings in which the child is charged with an offence, and, where he appears or is brought before the court, to proceedings under—

- (a) Article 38 of the Order (discharge, revocation or variation of attendance centre orders);
- (b) Article 41 of the Order (breach of supervision requirements of juvenile justice centre order);
- (c) Schedule 2 to the Criminal Justice (Northern Ireland) Order 1996^(a) (breaches of requirements of, revocation and amendment of, community orders);
- (d) Article 54 of the Order (escapes from juvenile justice centres); or
- (e) Paragraph 6 of Schedule 2 to the Order (transfer to young offenders centre).

(3) Where proceedings are of a kind mentioned in paragraph (2), Rules 6 and 12 shall not apply.

(4) Where the court is conducting a preliminary investigation or inquiry, only Rules 4, 5 and 7(3) shall apply.

Right of parent or guardian to conduct case

4.—(1) The court shall, except where the child is legally represented, allow his parent or guardian to assist him in conducting his defence, including the cross-examination of witnesses for the prosecution.

(2) Where the parent or guardian cannot be found or cannot in the opinion of the court reasonably be required to attend, the court may allow any relative or other responsible person to take the place of the parent or guardian for the purposes of this Part and any reference therein to the parent or guardian shall be taken as a reference to such person.

Explanation of proceedings in simple language

5.—(1) The court shall explain to the child the nature of the proceedings and, where he is charged with an offence, the substance of the charge.

(2) The explanation shall be given in simple language suitable to the child's age and understanding.

Taking plea

6. Subject to the provisions of Article 17 of the Order and to Rule 9, the court shall, after giving an explanation of the charge as required by Rule 4, ask the child whether he admits the charge and where he does so, the court at any time before recording a finding of guilt may allow or advise him to plead not guilty thereto.

Evidence in support of charge or application

7.—(1) Where—

- (a) the child is charged with an offence and does not admit the charge; or

^(a) S.I. 1996/3160 (N.I. 24)

(b) the proceedings are of a kind mentioned in Rule 3(2),
the court shall hear the evidence of the witnesses in support of the charge or,
as the case may be, the application.

(2) Except where—

(a) the proceedings are of a kind mentioned in Rule 3(2); and

(b) the child is the applicant,

each witness may at the close of his evidence-in-chief be cross-examined by
or on behalf of the child.

(3) If in any case where the child is not legally represented or assisted in
his defence as provided by Rule 4, the child, instead of asking questions by
way of cross-examination, makes assertions, the court shall then put to the
witness such questions as it thinks necessary on behalf of the child and may
for this purpose question the child in order to bring out or clear up any point
arising out of any such assertions.

Defendant to be told of right to give evidence and call witnesses

8. If it appears to the court, after hearing the evidence in support of the
charge or application, that a prima facie case is made out, the child shall, if
he is not the applicant and is not legally represented, be told that he may give
evidence or address the court, and the evidence of any witnesses shall be
heard.

B. Summary Trial of Indictable Offences

Procedure for summary trial of indictable offences

9.—(1) Subject to paragraph (2) nothing in these Rules shall affect the
provisions of Article 17(3), (4), (5) and (6) of the Order as to the procedure
to be adopted where the court decides to deal summarily with an indictable
offence under Article 17(1) of the Order.

(2) In order to ascertain that the prosecution consents in accordance with
Article 17(1)(c) of the Order to the court's dealing summarily with the
offence, the court shall ask the prosecution expressly whether it so consents
before proceeding to comply with Article 17(3) and (4) of the Order.

(3) Paragraphs (1), (2) and (3) of Rule 45 of the principal Rules shall
apply in relation to offences authorised to be dealt with summarily under
Article 17(1) of the Order.

C. Procedure after Finding

Procedure after finding against child

10.—(1) This Rule applies where—

(a) a court is dealing with a child found guilty of an offence, whether after
a plea of guilty or otherwise, or whose case has been remitted to it
under Article 32 of the Order; or

- (b) in proceedings of a kind mentioned in Rule 3(2), the court is satisfied that the case for the applicant—
 - (i) if the child is not the applicant, has been made out; or
 - (ii) if the child is the applicant, has not been made out.
- (2) Where this Rule applies—
 - (a) the court shall give the child and his parent or guardian, if present, an opportunity of making a statement;
 - (b) the court shall obtain such information as to the general conduct, home surroundings, school record and medical history of the child and, in particular, shall take into consideration such information as aforesaid which is provided in pursuance of Article 11 of the Order;
 - (c) if such information as aforesaid is not fully available, the court shall consider the desirability of adjourning the proceedings for such enquiry as may be necessary;
 - (d) any written report of a probation officer, appropriate authority, or registered medical practitioner may be received and considered by the court without being read aloud; but—
 - (i) the child shall be told the substance of any part of the report bearing on his character or conduct which the court considers to be material to the manner in which he should be dealt with;
 - (ii) the parent or guardian, if present, shall be told the substance of any part of the report which the court considers to be material as aforesaid and which has reference to the character or conduct of the parent or guardian, or the character, conduct, home surroundings, or health of the child; and
 - (iii) if the child or his parent or guardian, having been told the substance of any part of any such report, desires to produce evidence with reference thereto, the court, if it thinks that the evidence may be material, shall adjourn the proceedings for the production of further evidence, and shall, if necessary, require the attendance at the adjourned hearing of the person who made the report; and
 - (e) if the court considers it necessary in the interests of the child it may require the parent or guardian or the child, as the case may be, to withdraw from the court.

Duty of court to explain manner in which it proposes to deal with case and effect of order

11.—(1) The court shall, unless it thinks it undesirable to do so, inform the parent or guardian, if present, or any person assisting him in his case, of the manner in which it proposes to deal with the child and allow any of those persons so informed to make representations.

(2) On making any order, the court shall explain the general nature and effect of the order unless it thinks it undesirable to do so.

Notice to be given where remand is extended for information under Article 31 of the Order

12. Where a child has been remanded, and the period of remand is extended in his absence in accordance with Article 31 of the Order, notice in Form No. 10 in the Schedule shall be given to him, to his parent or guardian and his sureties (if any) of the date at which he will be required to appear before the court.

D. Committal for Trial

Preliminary investigations or inquiries

13. Nothing in these Rules shall affect the provisions of Part V of the Magistrates' Courts (Northern Ireland) Order 1981 relating to the preliminary investigation or preliminary inquiry of an indictable offence and, accordingly, Rules 25-42 and Rule 51(2) of the principal Rules shall apply to such investigation or, as the case may be, to such inquiry conducted by a youth court.

E. Election for Trial

Right to claim trial by jury for certain summary offences

14. Nothing in these Rules shall affect the right of a child apparently over the age of 14 to claim trial by jury under Article 29 of the Magistrates' Courts (Northern Ireland) Order 1981 and, accordingly, Rule 24 of the principal Rules shall apply where a child over the age of 14 is charged with an offence to which that Article applies.

PART III

Evidence—Television Links and Video Recording

Evidence through television link where witness will not give evidence otherwise through fear or is a child or is to be cross-examined after admission of video recording

15. Rule 149A of the principal Rules shall apply to any application made to the court under Article 81(2) of the Police and Criminal Evidence (Northern Ireland) Order 1989(a).

Video recordings of testimony from a child

16.—(1) Rule 149AA of the principal Rules shall apply to any application made to the court under Article 81A(2) of the Police and Criminal Evidence (Northern Ireland) Order 1989.

(a) S.I. 1989/1341 (N.I. 12); to which the most recent relevant amendments were made by S.I. 1995/757 (N.I. 3) and S.I. 1998/1504, (N.I. 9)

PART IV

Order Book

Separate Order Book for youth court

17.—(1) Such part of the Order Book required to be kept under Rule 19 of the principal Rules as relates to the proceedings of the youth court shall be kept in a separate book.

(2) Where a court makes a statement under Article 13(1), (2) or Article 39(4) of the Order, it shall cause that statement to be entered in the Order Book.

PART V

Miscellaneous

Summons to or warrant for arrest of parent or guardian

18. Where a child is brought before a court in any proceedings against him or for any other reason, a summons or warrant may be issued to enforce the attendance of a parent or guardian in accordance with Article 15 of the Order, in the same manner as if a complaint were made upon which a summons or warrant could be issued against a defendant under Part V of the Magistrates' Courts (Northern Ireland) Order 1981 and a summons to the child may include a summons to the parent or guardian to enforce his attendance as aforesaid.

Payment of sum or part thereof where offender ordered to attend at an attendance centre in default of payment

19.—(1) Where a child is ordered under Article 37 of the Order to attend at an attendance centre in default of payment of a sum of money, payment may be made—

(a) of the whole of the said sum, to the clerk of petty sessions for the petty sessions district in which the order was made, at any time before the clerk in accordance with Article 37(8) of the Order serves a copy of the order on the officer in charge of the centre;

(b) of the whole, or subject to the restriction in paragraph (2), any part of the said sum, to the officer in charge of the centre specified in the order, at any time after such copy has been served on such officer.

(2) No sum tendered in part payment under paragraph (1) need be accepted unless it is an amount required to secure a reduction of one hour, or some multiple thereof, in the period of attendance specified in the order.

(3) The officer in charge of the centre shall, as soon as practicable, pay any money received by him under paragraph (1) to the clerk of petty sessions for the petty sessions district in which the order was made, and shall note the receipt and payment and date thereof in the register kept at the attendance centre.

Signing of attendance centre orders

20. Every order under Article 37 of the Order that a child attend at an attendance centre shall be signed by a resident magistrate or by the clerk of petty sessions.

Juvenile Justice Centre Order

21.—(1) Any summons or warrant issued under Article 41 of the Order shall direct the offender to appear or be brought before a youth court acting for the petty sessions district in which the offender resides.

(2) Where a court of summary jurisdiction revokes, or increases the period of detention of a juvenile justice centre order, it shall cause an entry to that effect to be made in the Order Book, opposite the entry relating to the making of the relevant order.

(3) Where a court of summary jurisdiction revokes, or increases the period of detention of a juvenile justice centre order which was not made by that court, the clerk of petty sessions shall—

- (a) if the juvenile justice centre order was made by another court of summary jurisdiction, send a copy of the relevant entry in the Order Book to the clerk of petty sessions for that district; or
- (b) if the juvenile justice centre order was made by the Crown Court, send a copy of the relevant entry in the Order Book to the chief clerk for the appropriate county court division.

(4) The clerk of petty sessions to whom notice under paragraph (3) is given, shall note the details given in the Order Book, opposite the entry relating to the making of the relevant juvenile justice centre order.

(5) In this Rule, “appropriate county court division” means the county court division in which is located the place at which the Crown Court sat when the juvenile justice centre order was made.

Forms

22. The Forms in Schedule 1, or forms to the like effect, shall be used in proceedings to which the Order applies and in accordance with these Rules.

Dated 7th January 1999

Irvine of Lairg, C.

PROCESS PRELIMINARY TO HEARING

*FORM
NO.*

1. Summons to child, or to parent or guardian or both.
2. Summons for attendance of parent or guardian of child.
3. Warrant for arrest of child.
4. Bail endorsement on Warrant of Arrest.
5. Warrant to compel attendance of parent/guardian.
6. Notice to Parent or Guardian.

ADJOURNMENT AND REMAND

7. Warrant of commitment on remand to Young Offenders Centre of child aged 15 or over.
8. Warrant of commitment on remand to Juvenile Justice Centre.
9. Warrant of commitment where remand period of obtaining information extended in defendant's absence.
10. Notice of extended remand for obtaining information.

COMMITTAL FOR TRIAL

11. Warrant of commitment for trial of child aged 15 or over to Young Offenders Centre.
12. Warrant of commitment for trial to Juvenile Justice Centre.

WARRANTS OF COMMITMENT

13. Warrant of commitment of [parents] [guardian] of child: non-payment of a sum of money.
14. Warrant of commitment to Young Offenders Centre of child aged 16 in default.

RECOGNIZANCES

15. Recognizance (Constabulary) to appear before a [Youth] [Magistrates'] court.
16. Recognizance by child for appearance before youth court on remand.
17. Recognizance by [parent] [guardian] for good behaviour of child.
18. Recognizance by [parent] [guardian] for compliance by child with Attendance Centre order.

JUVENILE JUSTICE CENTRE ORDER

19. Juvenile Justice Centre Order.
20. Summons to child for failure to comply with requirement(s) of Juvenile Justice Centre order.

*FORM
NO.*

21. Warrant of arrest on failure to comply with requirement(s) of Juvenile Justice Centre order.
22. [Warrant of commitment] [Order] on failure to comply with requirement(s) of Juvenile Justice Centre order.
23. Order to revoke a Juvenile Justice Centre order on a subsequent conviction.
24. Order for increase in period of detention in Juvenile Justice Centre made after escape.
25. Summons to produce child ordered to be sent to Juvenile Justice Centre.
26. Order transferring from Juvenile Justice Centre to Young Offenders Centre.

ATTENDANCE CENTRE ORDER

27. Attendance Centre Order.
28. Attendance Centre Order: failure to comply with requirement(s) of [probation] [community service] [combination] order.
29. Attendance Centre Order: non-payment of a sum of money.
30. Order to [discharge] [vary] an Attendance Centre Order.
31. Order to revoke an Attendance Centre Order on subsequent conviction.
32. Summons on failure to comply with Attendance Centre Order or on breach of Attendance Centre Rules.
33. Warrant of arrest on failure to comply with Attendance Centre Order or on breach of Attendance Centre Rules.
34. Order on failure to comply with Attendance Centre Order or on breach of Attendance Centre Rules.

REMITTAL TO YOUTH COURT

35. Certificate of order of youth court.
36. Recognizance by child for appearance before youth court to which case remitted.
37. Warrant of commitment on remittal of case by magistrates' court to youth court.
38. Consent to bail.

REMITTAL TO YOUTH COURT FOR TRIAL

39. Order remitting to youth court for trial.
40. Recognizance by child for appearance before youth court to which case remitted for trial.
41. Warrant of commitment on remittal of case by magistrates' court to youth court for trial.

FORMS

FORM 1

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Articles 14 and 15; Rule 18)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Article 20(1), (2) and (3); Rule 8)

Summons to Child, or to Parent or Guardian or Both

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant(s)		

WHEREAS a complaint has been made before me that on the *(date)*
at *(place)* in the said petty sessions district and county court
division you, the said Defendant *(insert name)* being a child having
been born, as far as can be ascertained, on the day of .

(insert appropriate ground of complaint)

[AND WHEREAS complaint has further been made before me by the above-named complainant that you, *(insert name)* , are the parent/guardian of the said child].

THIS IS TO COMMAND [EACH OF] YOU to appear before the [youth] [magistrates'] court sitting at *(place)* on the day of , at *(time)* on the hearing of the said complaint(s).

Dated this day of .

Justice of the Peace.
[Clerk of Petty Sessions]

To the Defendant(s).

FORM 2

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 15; Rule 18)

Summons for Attendance of Parent or Guardian of Child

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name of child*), a child, of whom you are stated to be the parent/guardian is [charged] [brought before the court] (*insert nature of offence or proceedings*)

THIS IS TO COMMAND YOU to appear before the [youth] [magistrates'] court sitting at (*place*) on the day of , at (*time*) and during all the stages of the proceedings.

Dated this day of

Justice of the Peace.
[Clerk of Petty Sessions]

To the [Parent] [Guardian]

FORM 3

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 28)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Articles 20(3), (4) and (5), 25 and 129; Rules 14 and 143)

Warrant for Arrest of Child

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS a complaint has been made [on oath and in writing] [and substantiated on oath] that *(hereinafter called the Defendant)* being a child *(insert nature of offence or proceedings)*

THIS IS TO COMMAND YOU, to whom this warrant is addressed to arrest the said and to bring him/her before the [youth] [magistrates'] court sitting at *(place)* to answer to the said complaint.

Dated this day of

Resident Magistrate
[Justice of the Peace.]

To the Superintendent of the Royal Ulster Constabulary at

NOTE: A warrant in this form may be endorsed for bail as in Form 4.

FORM 4

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

(Article 129; Rule 16)

Bail Endorsement on Warrant of Arrest

I hereby direct that _____ be released on his own bail of
£ [with sureties of £ _____ each] [valuable securities].

Dated this _____ day of _____ .

Resident Magistrate
[Justice of the Peace]

FORM 5

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 15; Rule 18)

Warrant to Compel Attendance of Parent/Guardian

of
Complainant } Petty Sessions District of
of
Defendant } County Court Division of

WHEREAS (*insert name of child*) being a child [has been charged with an offence] [has been brought before the youth court sitting at (*place*)] as follows:—

(*insert nature of offence or proceedings*)

AND WHEREAS (*insert name of parent*) (*hereinafter called the Defendant*) is stated to be the parent/ guardian of the said child and it has been proved on Oath that the Defendant was duly [notified][summoned] to attend at the said court at the time when such child should appear before the court;

AND WHEREAS the Defendant failed or neglected without reasonable excuse to attend when so required and proof on Oath has been given of service of such [summons] [notice] and the case has been adjourned until the . . . day of . . . , at (*time*) . . . ;

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to compel the said Defendant to attend at the [youth] [magistrates'] court sitting at (*place*) on the said last-mentioned date and for this purpose you are required to take the Defendant into custody and bring him before the said court.

Dated this . . . day of

Resident Magistrate
[Justice of the Peace].

To the Superintendent of the Royal Ulster Constabulary at

NOTE: A warrant in this form may be endorsed for bail as in Form 4.

FORM 6

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 15)

Notice to Parent or Guardian

To *(insert name of parent/guardian)* of *(address)*
the parent/guardian *(insert name of child)* a child.

TAKE NOTICE that the above-named child, is to be brought before the
[magistrates' court] [youth court] sitting at *(place)* on the
day of at *(time)* by virtue of
(here insert relevant provision) of the Criminal Justice (Children) (Northern Ireland)
Order 1998 on the ground that *(state ground of application)*

and that you are required to attend the said court during all the stages of the
proceedings.

Dated this day of .

Applicant/Complainant

FORM 7

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 13)

**Warrant of Commitment on Remand to
Young Offenders Centre of child aged 15 or over**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant),
being a child aged 15 or over, appeared this day before the (*state the youth or other court*) at (*place*)
upon a complaint that (*insert details of complaint*)

AND WHEREAS the hearing has been adjourned to (*state court*) at (*place*)
on the day of , at (*time*)

AND WHEREAS the court considers that the Defendant is likely to injure himself
or other persons.

THIS IS TO COMMAND YOU to whom this warrant is addressed to convey the
Defendant to such Young Offenders Centre as the Secretary of State shall determine
and there to deliver him to the Governor thereof, together with this warrant; and you,
the said Governor, to receive him into your custody unless you shall be otherwise
ordered in the meantime to keep him until the above date and time when he shall be
produced before the said court.

AND for this the present warrant shall be a sufficient Authority to all whom it
may concern.

Dated this day of .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

FORM 8

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 13)

Warrant of Commitment on Remand to Juvenile Justice Centre

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant),
being a child appeared this day before the (*state the youth or other court*) at (*place*) upon a complaint that (*insert details of complaint*)

AND WHEREAS the hearing of the said complaint has been adjourned to (*state court*) at (*place*) on the day of ,
at (*time*)

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to convey the Defendant to such Juvenile Justice Centre as the Secretary of State shall determine and there to be kept in custody by the manager thereof unless you shall be otherwise ordered in the meantime to keep him until the above date and time when he shall be produced before the said court.

AND for this the present warrant shall be a sufficient Authority to all whom it may concern.

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

Dated this day of .

To the Superintendent of the Royal Ulster Constabulary at

FORM 9

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 31)

**Warrant of Commitment where remand period for Obtaining
Information Extended in Defendant's Absence**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant),
a child being detained on remand under an order dated the _____ day of _____,
(*place*) , at the [Juvenile Justice Centre] [Young Offenders Centre] at _____
and a [court of summary jurisdiction] [resident magistrate]
acting for the above-named petty sessions district having in the child's absence
extended the period for which he/she is to be remanded for the purpose of obtaining
information with respect to him/her;

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to keep the
Defendant in your custody until the _____ day of _____ at
(*time*) _____, when he shall be produced before the [youth court] [court
of summary jurisdiction] [resident magistrate] sitting at (*place*)
unless you are otherwise ordered in the meantime.

AND for this present warrant shall be a sufficient Authority to all whom it may
concern.

Dated this _____ day of _____ .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To the [Manager of the Juvenile Justice Centre] [Governor of the Young Offenders
Centre] at _____

To the Superintendent of the Royal Ulster Constabulary at _____

FORM 10

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 31; Rule 12)

Notice of Extended Remand for Obtaining Information

of
Complainant } Petty Sessions District of
of
Defendant } County Court Division of

TAKE NOTICE that you, the Defendant, were remanded by the (*state the youth court or other court which made the order*) sitting at (*place*) to appear before the said court on the day of , and that a [court of summary jurisdiction] [resident magistrate] acting for the petty sessions district of sitting at (*place*) has this day in your absence remanded you, the Defendant, to appear before the [youth court] [court of summary jurisdiction] [resident magistrate] sitting at (*place*) on the day of at (*time*)

Dated this day of .

Clerk of the Youth Court

To of
(the Defendant)
and to of
(surety for the said Defendant)
and to of
(parent or guardian of the Defendant).

To the Superintendent of the Royal Ulster Constabulary at

FORM 11

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 13)

**Warrant of commitment for trial of child aged 15 or over to
Young Offenders Centre**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant)
being a child aged 15 years or over is charged with the following offence(s):—
(*state brief particulars of offence*)

AND WHEREAS the Defendant has been committed for trial to the Crown Court
sitting at (*place*)

AND WHEREAS the court considers that the Defendant is likely to injure himself
or other persons.

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to convey
the Defendant to such Young Offenders Centre as the Secretary of State shall
determine there to be kept in custody by the Governor of the said Young Offenders
Centre until his/her trial for the said offence(s) and he/she shall be discharged by due
course of law.

AND for this the present warrant shall be a sufficient Authority to all whom it
may concern.

Dated this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

FORM 12

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 13)

Warrant of Commitment for trial to Juvenile Justice Centre

of		}	Petty Sessions District of
	Complainant		
of		}	County Court Division of
	Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant) being a child is charged with the following offence(s):— (*state brief particulars of offence*)

AND WHEREAS the Defendant has been committed for trial at the Crown Court sitting at (*place*)

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to convey the said Defendant to such Juvenile Justice Centre as the Secretary of State shall determine there to be kept in custody until his/her trial for the said offence(s) and he/she shall be discharged by due course of law.

AND for this the present warrant shall be a sufficient Authority to all whom it may concern.

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

Dated this day of

To the Superintendent of the Royal Ulster Constabulary at

FORM 13

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 35)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Article 92(1)(b); Rules 14, 105 and 143)

**Warrant of Commitment of [Parent(s)] [Guardian] of Child:
Non-payment of a Sum of Money**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant) being a child, having been born, so far as has been ascertained, on the _____ day of _____, and who resides at (*address*) _____ in the county court division of _____ was on the _____ day of _____, found guilty of the following offences: (*state brief particulars of offence*)

AND WHEREAS the court ordered (*insert name of parent/guardian*) being the [parent(s)] [guardian] of the said child to pay a fine of £ _____ [and £ _____ for compensation] [and £ _____ for costs] [by [weekly] [monthly] instalments of £ _____]; [the first instalment of £ _____] the said sum(s) to be paid not later than the _____ day of _____;

and in default of payment to be imprisoned [detained] in HM Prison [Young Offenders Centre] for the period of _____ unless the said sum(s) be sooner paid.

AND WHEREAS the said Order has not been complied with.

THIS IS TO COMMAND YOU to whom this warrant is addressed, to execute the said Order against the said _____ as follows:

To lodge the said _____ in such Prison [Young Offenders Centre] as the Secretary of State shall determine [in accordance with Part III of the Prison and Young Offenders Centre Rules (Northern Ireland) 1995] there to be [imprisoned] [detained] for the period of _____ unless the said sum(s) be sooner paid;

AND for this the present warrant shall be a sufficient Authority to all whom it may concern.

The sum levied to be paid to the clerk of petty sessions at _____.

The warrant to be returned within a reasonable time if not executed.

Fine	£	
Compensation	£	
Costs	£	
Cost of Warrant	£	_____
Total	£	
Part Payment	£	
Balance	£	_____

Dated this day of

Resident Magistrate
 [Justice of the Peace]
 [Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

FORM 14

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 48)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Article 92(1)(b); Rules 14, 105 and 143)

**Warrant of Commitment to Young Offenders Centre
of child aged 16 in default**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant(s)		

WHEREAS(*insert name*) (hereinafter called the Defendant) being a child aged 16, having been born, so far as has been ascertained, on the day of , and who resides at (*address*) in the County Court Division of was on the day of found guilty of the following offences:— (*insert brief particulars of offence*)

AND WHEREAS the court ordered the Defendant to pay a fine of £ [and £ for compensation] [and £ for costs] [by [weekly] [monthly] instalments of £]; [the first instalment of £] [the said sum(s)] to be paid not later than the day of ; and in default of payment to be detained in the Young Offenders Centre for the period of unless the said sum(s) be sooner paid.

AND WHEREAS the Defendant has made default in payment and the court considers that none of the other methods in which the case may legally be dealt with is suitable;

THIS IS TO COMMAND YOU, to whom this warrant is addressed to convey the Defendant to such Young Offenders Centre as the Secretary of State shall determine there to be kept in custody for the period of unless the said sum(s) be sooner paid;

AND for this the present warrant shall be a sufficient Authority to all whom it may concern.

The sum levied to be paid to the clerk of petty sessions at

This warrant to be returned within a reasonable time if not executed.

Fine	£	
Compensation	£	
Costs	£	
Cost of Warrant	£	_____
Total	£	
Part Payment	£	
Balance	£	_____

Dated this day of .

Resident Magistrate
 [Justice of the Peace]
 [Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

FORM 15

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Articles 6 and 7)

Recognizance (Constabulary) to appear before a [Youth] [Magistrates'] Court

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name of Defendant*) being a child [apparently under the age of 14] was taken into custody by (*insert name*) on the day of , and [after being charged with (*insert details of charge*)] was released from custody at Constabulary Station upon his own recognizance [the recognizance of being his [father] [mother] [guardian]]; the undersigned (*name*) of (*address*) in the County Court Division of , the Principal Party to this Recognizance, hereby binds himself to perform the following Obligation, viz:— to appear [personally] [and produce the said Defendant] before the (*insert name of court*) Court at (*place*) on the day of , at (*time*) and to appear [personally] [and produce the said Defendant] at every time and place to which, during the course of the proceedings, the hearing [of the said charge] may from time to time be adjourned and not to depart the court without leave].

AND the said Principal Party [together with (*name*) of (*address*) and (*name*) of (*address*) the undersigned sureties] hereby acknowledge(s) bound to forfeit to the Crown the sum(s) following, viz:—

The said Principal Party the sum of £ [and the said sureties the sum of £ each] in case the said Principal Party fails to perform the above Obligation [and in lieu of sureties the said Principal Party hereby deposits the sum of £ or other valuable security to the value of that sum] as security for the performance of the said Obligation.

..... } Principal Party.
 }
 } Sureties

Taken before me this day of , at
 [Rank]
 Custody Officer

FORM 16

CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND) 1968
(Section 63)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Articles 47 and 135 to 138; Rule 150)

Recognizance by child for appearance before Youth Court on Remand

of		}	Petty Sessions District of
	Complainant		
of		}	County Court Division of
	Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant) being a child, appeared this day before the (*insert name of court*) court at (*place*) upon a complaint that (*insert details of complaint*)

AND WHEREAS the hearing of the said complaint has been adjourned to the day of , at (*time*) the Defendant, the Principal Party to this recognizance, hereby binds himself to perform the following obligation, viz., to appear personally before the said youth court at the above time and place [and to appear personally at every time and place to which during the course of the proceedings the hearing may from time to time be adjourned and not to depart the court without leave].

AND the said Principal Party [together with (*name*) of (*address*) and (*name*) of (*address*) the undersigned sureties] hereby acknowledge(s) bound to forfeit to the Crown the sum(s) following viz:—

The said Principal Party the sum of £ [and the said sureties the sum of £ each] in case the said Principal Party fails to perform the above Obligation [and in lieu of surety the said Principal Party hereby deposits the sum of £ or other valuable security to the value of that sum as security for the performance of the said Obligation.

.....	}	Principal Party.
.....	}	Sureties.
.....		
.....		

·Taken before me this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]
[Manager of the Juvenile
Justice Centre]

FORM 17

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 36(1))

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Article 127)

Recognizance by [Parent] [Guardian] for Good Behaviour of Child

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant)
being a child, was on the day of found guilty of the following
offence(s):— (*insert brief particulars of offence*)

AND WHEREAS the court has ordered the [parent] [guardian] of the said
Defendant to enter into a recognizance as security for his good behaviour.

The undersigned (*name*) , of (*address*) , the
[parent] [guardian] of the said Defendant, hereby acknowledges h self as bound
to forfeit to the Crown the sum of £ in case the Defendant fails to be of good
behaviour for the period of now next ensuing.

Parent [Guardian].

Taken and acknowledged before me this day of .

Justice of the Peace
[Clerk of Petty Sessions]

FORM 18

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 36(2))

**Recognizance by [Parent] [Guardian] for compliance by
child with attendance centre order**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant) being a child was ordered on the day of by the (*state youth or other court*) to attend at an attendance centre at for (*insert period/duration of order*).

AND WHEREAS the court has ordered the [parent] [guardian] of the said Defendant to enter into a recognizance as security for his compliance with that order.

The undersigned (*name*) , of (*address*) , the [parent] [guardian] of the said Defendant, hereby acknowledges himself as bound to forfeit to the Crown the sum of £ in case the Defendant fails to comply with the above-mentioned attendance centre order.

[Parent] [Guardian]

Taken and acknowledged before me this day of .

Justice of the Peace
[Clerk of Petty Sessions]

FORM 19

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 39; Rule 21)

CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 1996
(Articles 19 and 21)

Juvenile Justice Centre Order

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

Before the (*state youth or other court*) sitting at (place)

WHEREAS (*insert name*) (hereinafter called the Defendant), who appears to the court to be a child, having been born, so far as has been ascertained, on the day of , *[he having attained the age of 14, but being under the age of 17, and though informed by the court of his right to be tried by a jury, having consented to be dealt with summarily] [being of the age of 10 years, but under the age of 14 years, and his parent or guardian, though informed by the court of his right to have the child tried by a jury, having consented to the child being dealt with summarily] [and the prosecution having consented to summary trial of the offence] [the Defendant having pleaded guilty was found guilty] of the following offence(s):— (*insert brief particulars of offence*)

which [is][are] punishable in the case of an adult with imprisonment.

AND the court [having considered a pre-sentence report] is of the opinion [that the offence, or the combination of the offence and one or more offences associated with it, was so serious that only a custodial sentence can be justified for that offence, because (*state reason*)]

[where the offence is a violent or sexual offence, that only a custodial sentence would be adequate to protect the public from serious harm from him, because (*state reason*)] [proposed a community sentence which required the consent of the Defendant and the Defendant refused to give that consent].

AND THE COURT ORDERED a Juvenile Justice Centre Order for a period of

IT IS HEREBY ORDERED that the Defendant be detained in such Juvenile Justice Centre as the Secretary of State shall determine forthwith, for the period of

AND on his release from detention, the Defendant be required for the period of

to be under the supervision of a Probation Officer or such other persons as the Secretary of State may designate.

Dated this day of .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

* Delete except where Defendant charged with an indictable offence.

FORM 20

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 41; Rule 21)

**Summons to Child for failure to comply with requirement(s)
of Juvenile Justice Centre Order**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS a complaint has been made before me that on the *(date)*
you, *(insert name)* (hereinafter called the Defendant) being a child,
was found guilty by the *(state the youth court or other court)*, sitting at *(place)*
of the following offence(s): *(state brief particulars of offence)*

AND that on the *(date)* the said court made a Juvenile Justice
Centre order and by the said complaint it is further alleged that on the *(date)*
you failed to comply with (a) requirement(s) under Article 40(2) or (3) of the Criminal
Justice (Children) (Northern Ireland) Order 1998 namely *(here set out requirement(s)
contravened [in as much as you (here set out particulars of failure)])*

THIS IS TO COMMAND YOU to appear before the youth court sitting at *(place)*
on the _____ day of _____, at *(time)*
on the hearing of the said complaint(s).

Dated this _____ day of _____ .

Justice of the Peace
[Clerk of Petty Sessions]

To the Defendant

FORM 22

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 41; Rule 21)

**[Warrant of commitment] [Order] on failure to comply with
requirement(s) of Juvenile Justice Centre Order**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS it appears that you (*insert name*)
(hereinafter called the Defendant) [being a child] [aged 17 or over] was on the (*date*)
found guilty by the (*state the youth or other court*) sitting at
(*place*) of the following offence(s): (*state brief
particulars of offence*)

AND that on the (*date*) the said court made a Juvenile Justice
Centre Order.

AND WHEREAS on the (*date*), the youth court sitting at
(*place*) being satisfied that the Defendant failed without reasonable
excuse to comply with (a) supervision requirement(s) imposed under Article 40(2)
or (3) of the Criminal Justice (Children) (Northern Ireland) Order 1998, ORDERED
the Defendant to be detained for a period of in a [Juvenile Justice
Centre] [Young Offenders Centre].

THIS IS TO COMMAND YOU to whom this warrant is addressed to convey the
Defendant to such [Juvenile Justice Centre] [Young Offenders Centre] as the
Secretary of State shall determine and there to deliver him to the
[Manager][Governor] thereof, together with this warrant; and you, the said
[Manager][Governor], to receive him into your custody to be detained there for the
period of (*insert period of detention*)

AND for this the present warrant shall be a sufficient Authority to whom it may
concern.

Dated this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

FORM 23

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 44)

Order to revoke Juvenile Justice Centre Order on a subsequent conviction

of Complainant } Petty Sessions District of
of Defendant(s) } County Court Division of

Before the *(state youth or other court)* sitting at *(place)*

WHEREAS *(insert name)* (hereinafter called the Defendant),
a child was on the day of found guilty by the *(state the youth
or other court which made the order)* sitting at *(place)* of the
following offence(s): *(state brief particulars of offence)*

AND the said court made a Juvenile Justice Centre Order for a period of

AND WHEREAS the Defendant has this day appeared [been brought] before the
first-mentioned court and found guilty of *(state brief particulars of offence)*

IT IS ORDERED that the said Juvenile Justice Centre Order be revoked [and that
for the offence in respect of which the offender is before the court *(specify terms of
new order)*].

Dated this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

FORM 24

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 54; Rule 21)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Rule 14)

**Order for increase in Period of Detention in
Juvenile Justice Centre made after Escape**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

Before the youth court [court of summary jurisdiction] sitting at (*place*)

WHEREAS (*insert name*) (hereinafter called the Defendant) aged has this day been brought before the said court under the authority of the Secretary of State on the ground that on the day of , he/she [escaped from the Juvenile Justice Centre at in which he was detained] [escaped from the [hospital] [institution] at in which he was receiving medical treatment] [being absent from a Juvenile Justice Centre at [on temporary leave of absence] [under supervision] [ran away from the person in whose charge he then was] [failed to return to the Juvenile Justice Centre at upon the expiration of his leave] [being absent from the Juvenile Justice Centre at upon being recalled];

IT IS HEREBY ORDERED that [the period of detention of the Defendant in the said Juvenile Justice Centre be increased by a further period of] [the Juvenile Justice Centre be revoked and that for the offence in respect of which that order was made the offender (*specify terms of new order*)].

Dated this day of .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

FORM 25

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 42(4); Rule 21)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Rule 8)

Summons to Produce Child Ordered to be sent to Juvenile Justice Centre

of	Complainant	}	Petty Sessions District of
of			County Court Division of
	Defendant	}	

WHEREAS a complaint has been made on Oath to me by (*insert name of complainant*) of (*address*), that (*insert name of child*) a child, was on the day of , by the (*state the youth or other court which made the order*) sitting at (*place*), ordered to be sent to a Juvenile Justice Centre and that the time having come for the said child to go to such Juvenile Justice Centre, he/she is unable to [find] [obtain possession of] him/her, and that you (*insert name*) can produce the above-named child.

THIS IS TO COMMAND YOU to appear as Defendant before a court of summary jurisdiction, sitting at (*place*), on the day of , at (*time*) and to produce the said child to the court.

Dated this day of .

Resident Magistrate
[Justice of the Peace]

To the Defendant.

FORM 26

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 51(3); Schedule 2 paragraph 6)

Order Transferring from Juvenile Justice Centre to Young Offenders Centre

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant(s)		

WHEREAS a complaint has been made to me by the managers of the Juvenile Justice Centre at _____ that (*insert name*) (hereinafter called the Defendant) a person aged _____ is likely to injure himself or other persons.

IT IS HEREBY ORDERED THAT YOU, to whom this Order is addressed, to transfer the Defendant to such Young Offenders Centre as the Secretary of State shall determine there to be detained in custody by the Governor of the said Young Offenders Centre for the period of _____, being the unexpired part of the period for which he is liable to be detained in a Juvenile Justice Centre.

AND for this the present Order shall be a sufficient Authority to all whom it may concern.

Dated this _____ day of _____ .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at _____

FORM 27

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 37; Rule 20)

CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 1996
(Articles 8, 9(1) and 9(2))

Attendance Centre Order

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

Before the (state the youth or other court) sitting at (place)

WHEREAS (insert name) (hereinafter called the Defendant) who appears to the court to be a child, having been born, so far as has been ascertained, on the day of , [he having attained the age of 14, but being under the age of 17, and though informed by the court of his right to be tried by a jury; having consented to be dealt with summarily] [being of the age of 10 years, but under the age of 14 years, and his parent or guardian, though informed by the court of his right to have the child tried by a jury, having consented to summary trial of the offence] [and the prosecution having consented to summary trial of the offence]* [the Defendant having pleaded guilty was found guilty] of the following offence(s):— (state brief particulars of offence)

which [is][are] punishable in the case of an adult with imprisonment.

AND the clerk of the court having been notified by the Secretary of State that the Attendance Centre specified in this order is available for the reception of children from the court;

AND the court being satisfied that the Attendance Centre is reasonably accessible to the Defendant, having regard to his age, the means of access available to him and any other circumstances;

[AND the court being of opinion that 12 hours' attendance would be [excessive, having regard to the fact that the Defendant is under 14 years of age or other circumstances], [inadequate, having regard to all the circumstances].]

IT IS HEREBY ORDERED that the Defendant do attend at the Attendance Centre at (here insert address of centre) on the first occasion on the day of , at (time) , and subsequently at such times as shall be fixed by the officer in charge of the said centre, until he shall have completed a period of attendance of (insert number of hours) hours.

Dated this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To: the Defendant
of
the officer in charge of the Attendance Centre
of
the [Parent] [Guardian] of the Defendant
of

* Delete except where Defendant charged with an indictable offence.

FORM 28

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 37; Rule 20)

CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 1996
(Schedule 2)

**Attendance Centre Order: Failure to Comply with Requirement of
[Probation] [Community service] [Combination] Order**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

Before the (state youth or other court) sitting at (place)

WHEREAS (insert name) (hereinafter called the Defendant) who appears to the court to be a child, having been born, so far as has been ascertained, on the day of , was on the day of , found guilty by the (state youth or other court) sitting at (place) of (state brief particulars of offence) and the said court made a [probation] [community service] [combination] order which [as subsequently amended by the competent court] required the Defendant (here set out requirement which is contravened):

AND the Defendant has this day appeared [been brought] before the first-mentioned court and the court is satisfied that he has failed to comply with the last mentioned requirement of the said order [in as much as (here set out particulars of breach):]

AND the clerk of the court having been notified by the Secretary of State that the Attendance Centre specified in this order is available for the reception of children from the court.

AND the court being satisfied that the Attendance Centre is reasonably accessible to the Defendant, having regard to his age, the means of access available to him and any other circumstances:

[AND the court being of opinion that 12 hours' attendance would be [excessive, having regard to the fact that the Defendant is under 14 years of age or other circumstances], [inadequate, having regard to all the circumstances].]

IT IS HEREBY ORDERED that the Defendant do attend at the Attendance Centre at (here insert address of centre) on the first occasion on the day of , at (time) and subsequently at such times as shall be fixed by the officer in charge of the said centre, until he shall have completed a period of attendance of (insert number of hours) hours.

Dated this day of .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To: the Defendant
of
the officer in charge of the Attendance Centre
of
the [Parent] [Guardian] of the Defendant
of

FORM 29

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 37)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Rule 105)

Attendance Centre Order: Non-Payment of a Sum of Money

of	} Petty Sessions District of
Complainant	
of	} County Court Division of
Defendant	

Before the *(state youth or other court)* sitting at *(place)*

WHEREAS *(insert name)* (hereinafter called the Defendant) who appears to the court to be a child, having been born, so far as has been ascertained, on the day of , was on the day of , found guilty by the *(state youth or other court which made the order)* sitting at of and was adjudged to pay a fine of [and £ for compensation] [and £ for costs] [by [weekly] [monthly] instalments of] [the first instalment of] the said sum(s) to be paid not later than the day of , and in default of payment to attend an Attendance Centre for an aggregate of *(insert number of hours)* hours;

AND WHEREAS the said order has not been complied with.

AND the clerk of the court having been notified by the Secretary of State that the Attendance Centre specified in this order is available for the reception of children from the court.

AND the court being satisfied that the Attendance Centre is reasonably accessible to the Defendant, having regard to his age, the means of access available to him and any other circumstances:

IT IS HEREBY ORDERED that the Defendant do attend at the Attendance Centre at *(here insert address of centre)* on the first occasion on the day of , at *(time)* and subsequently at such times as shall be fixed by the officer in charge of the said centre, until he shall have completed a period of attendance of *(insert number of hours)* hours unless the said sum(s) be sooner paid.

The sum levied to be paid by the clerk of petty sessions at

The order to be returned within a reasonable time if not executed.

Fine	£	
Compensation	£	
Costs	£	_____
Total	£	
Part Payment	£	
Balance Due	£	_____

Dated this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To: the Defendant
of
the officer in charge of the Attendance Centre
of
the [Parent] [Guardian] of the Defendant
of

FORM 30

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 38(1)(5))

Order to [Discharge] [Vary] an Attendance Centre Order

of
Complainant } Petty Sessions District of
of
Defendant } County Court Division of

Before the *(state youth or other court)* sitting at *(place)*

WHEREAS *(insert name)* (hereinafter called the Defendant)
was on the day of ordered by the *(state youth or other court)*
which made the order) sitting at *(place)* to attend at the Attendance
Centre at

AND WHEREAS *(Defendant or Officer in charge of the aforesaid Attendance
Centre)* has applied that the order be [discharged] [varied] *(on the ground that*
).

IT IS ORDERED that the said order be [discharged] [varied] *(insert details of
order made)*.

Dated this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To: the Defendant
of
the officer in charge of the Attendance Centre
of
the [Parent] [Guardian] of the Defendant
of

FORM 31

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 38(4)(5))

Order to Revoke an Attendance Centre Order on subsequent conviction

of Complainant } Petty Sessions District of
of Defendant } County Court Division of

Before the *(state youth or other court)* sitting at *(place)*

WHEREAS *(insert name)* (hereinafter called the Defendant)
was on the day of ordered by the *(state youth or other court)*
which made the order sitting at *(place)* to attend at the Attendance
Centre at

AND the Defendant has this day appeared [been brought] before the first-
mentioned court and found guilty of *(state brief particulars of offence)*

IT IS ORDERED that the said Attendance Centre order be revoked and [that for
the offence in respect of which the offender is before the court *(specify terms of new
order)*].

Dated this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To: the Defendant
of
the officer in charge of the Attendance Centre
of
the [Parent] [Guardian] of the Defendant
of

FORM 32

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 38(2))

**Summons on Failure to Comply with Attendance Centre Order
or on Breach of Attendance Centre Rules**

of Complainant } Petty Sessions District of
of Defendant } County Court Division of

WHEREAS a complaint has been made before me that on the (date)
you, (insert name of Defendant) being a child having been born,
as far as can be ascertained on (date), were
ordered by the (state the youth or other court which made the order) sitting at (place)
to attend an Attendance Centre at for (insert
number of hours) hours;

AND by the said complaint it is alleged that you (on the (date))
[failed without reasonable excuse to attend at that Attendance Centre in accordance
with the above order] [while attending at that Attendance Centre committed a breach
of the Rules made by the Secretary of State under Article 50(3) of the Criminal Justice
(Children) (Northern Ireland) Order 1998 which could not be adequately dealt with
under those Rules, namely].

THIS IS TO COMMAND YOU, to appear before the youth court sitting at
, on , the day of
at (time) on the hearing of the said complaint.

Dated this day of .

Justice of the Peace
[Clerk of Petty Sessions]

To the Defendant.

FORM 33

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 38(2))

**Warrant of Arrest on Failure to Comply with Attendance Centre Order
or on Breach of Attendance Centre Rules**

of Complainant } Petty Sessions District of
of Defendant } County Court Division of

WHEREAS a complaint has been made in writing and on oath that on the *(date)*, you *(insert name of Defendant)* being a child, were ordered by the *(state the Youth or other court which made the order)* sitting at *(place)* to attend an Attendance Centre at _____ for *(insert number of hours)* hours;

AND by the said complaint it is further alleged that you (on the *(date)*) [failed without reasonable excuse to attend at that Attendance Centre in accordance with the above order] [while attending at that Attendance Centre committed a breach of the Rules made by the Secretary of State under Article 50(3) of the Criminal Justice (Children) (Northern Ireland) Order 1998 which could not be adequately dealt with under those Rules, namely _____].

THIS IS TO COMMAND YOU, to whom this warrant is addressed to arrest the said _____ and to bring him/her before the youth court sitting at _____ on the _____ day of _____ at *(time)* to answer to the said complaint.

Dated this _____ day of _____

Resident Magistrate
[Justice of the Peace]

To the Superintendent of the Royal Ulster Constabulary at _____

Note: A warrant in this form may be endorsed for bail as in Form 4.

FORM 34

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 38(2)(3) and (5))

**Order on Failure to Comply with Attendance Centre Order
or on Breach of Attendance Centre Rules**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

Before the (*state youth or other court*) sitting at (*place*)

WHEREAS (*insert name*) (*hereinafter called the Defendant*)
was on the day of ordered by the (*state the youth or other*
court which made the order) sitting at (*place*) to attend at the
Attendance Centre at

The Defendant has this day appeared [been brought] before the first-mentioned court under Article 38 of the Criminal Justice (Children) (Northern Ireland) Order 1998 and the court is satisfied that on the day of , he/she [failed without reasonable excuse to attend at that Attendance Centre in accordance with the said Order] [while attending at that Attendance Centre committed a breach of the Rules made by the Secretary of State under Article 50(3) of the said Order of 1998 which could not be adequately dealt with under those Rules, namely].

IT IS HEREBY ORDERED that the said Attendance Centre Order is revoked and the Defendant for the [offence] [failure] to comply with the requirements of a [probation order] [community service order] [combination order] [default in payment of a sum of money] in respect of which that order was made and the court FURTHER ORDERED.

(*set out terms of new order*)

Dated this day of .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To: the Defendant
of
the officer in charge of the Attendance Centre
of
the [Parent] [Guardian] of the Defendant
of

FORM 35

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 32(4))

Certificate of Order of Youth Court

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

Before the magistrates' court sitting at (*place*)

WHEREAS (*insert name*) (hereinafter called the Defendant) a child [aged 15 or over], who resides at _____ has been found guilty by the said court for that he/she, on the _____ day of _____, at _____, in the County Court Division of _____, did (*state nature of the offence*)

AND the court thought fit to remit the case to a youth court for the purpose of being dealt with under Article 32 of the Criminal Justice (Northern Ireland) Order 1998.

IT WAS ORDERED that the case be remitted to the youth court at (*place*) _____, being a youth court acting for the same place as the said court [acting for the place where the Defendant resides]:

[AND WHEREAS the court considers that the defendant is likely to injure himself or other persons].

It was also directed that the said Defendant [be committed to such [Juvenile Justice Centre] [Young Offenders Centre] as the Secretary of State shall determine until he/she could be brought before the said youth court] [be released upon his/her entering into a recognizance in the sum of] [with surety/sureties in the sum of £ _____ each] [accompanied by the deposit of the sum of £ _____ or other valuable security to the value of that sum in lieu of sureties] for his/her appearance at the said youth court at _____ on _____ day of _____ at (*time*) _____.

Dated this _____ day of _____

Resident Magistrate
[Clerk of Petty Sessions]

To: Clerk of Petty Sessions
of _____

FORM 36

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 32)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Rule 150)

**Recognizance by Child for Appearance before
Youth Court to which case remitted**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant)
being a child was on the day of , found guilty by the
magistrates' court sitting at of the following offence(s):—
(*state brief particulars of offence*)

AND the said court remitted the Defendant's case to the youth court for the above-named petty sessions district sitting at on the day of ,
at (*time*) ;

The Defendant, the Principal Party to this recognizance, hereby binds h self to perform the following Obligation, namely: To appear personally before the said youth court at the above time and place [and to appear personally at every time and place to which during the course of proceedings the hearing may from time to time be adjourned and not to depart the court without leave].

AND the said Principal Party [together with (*name*) of in the County Court Division of and (*name*) of in the County Court Division of the undersigned sureties] hereby acknowledge bound to forfeit to the Crown and the sum(s) following, viz:—

The said Principal Party the sum of £ [and the said sureties the sum of £ each] in case the said Principal Party fails to perform the above Obligation [and in lieu of sureties the said Principal Party hereby deposits [the sum of £ or other valuable security to the value of that sum] as security for the said Obligation].

.....	} Principal Party.
.....	} Sureties.
.....	
.....	

Taken before me this day of .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]
[Manager of Juvenile
Justice Centre]

FORM 37

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 32)

**Warrant of Commitment on Remittal of Case by
Magistrates' Court to Youth Court**

of Complainant } Petty Sessions District of
of Defendant } County Court Division of

WHEREAS (*insert name*) (hereinafter called the Defendant)
being a child [aged 15 or over], was on the day of ,
found guilty by the magistrates' court sitting at (*place*) of the
following offence(s):— (*state brief particulars of offence*).

AND the said court remitted the Defendant's case to the youth court for the above-
named petty sessions district sitting at on the day
of , at (*time*);

[AND WHEREAS the court considers that the Defendant is likely to injure
himself or other persons].

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to convey
the Defendant to such [Juvenile Justice Centre] [Young Offenders Centre] as the
Secretary of State shall determine there to deliver him to the [Manager] [Governor]
thereof, together with this warrant; and you the said [Manager] [Governor] to receive
him into your custody unless you shall be otherwise ordered in the meantime until
the above time when he shall be produced before the said youth court.

AND for this the present warrant shall be a sufficient Authority to all whom it
may concern.

Dated this day of .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

Note: A warrant in this form may be endorsed for bail as in Form 38.

FORM 38

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 32)

Consent to Bail on Remand

The court consented to the Defendant being released on his own bail [with
sureties in the sum of £ each] [valuable securities].

(Insert details of any bail conditions)

Dated this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

FORM 39

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 32)

Order Remitting to Youth Court for trial

of Complainant } Petty Sessions District of
of Defendant } County Court Division of

Before the magistrates' court sitting at (*place*)

WHEREAS (*insert name*) (hereinafter called the Defendant) being a child [aged 15 or over], who resides at [appeared] [was brought] before the above court on a complaint jointly charging him and one or more other persons, any one of which is an adult, with an offence. And the Defendant pleaded not guilty to the following charge(s): (*state brief particulars of offence*)

[The court has proceeded to [hear the complaint] [deal summarily with the charge] in the case of the Defendant and the Adult Defendant, the Adult Defendant having pleaded guilty]. [The court has proceeded to conduct a preliminary [investigation] [inquiry] in the case of the Adult Defendant and, [committed for trial] [discharged] the Adult Defendant and has proceeded to [hear the complaint] [deal summarily with the charge] in the case of the Defendant].

AND IT WAS ORDERED that the Defendant be remitted for trial to the youth court at , being a youth court acting for the same place as the above Court [acting for the place where the Defendant resides]:

[AND WHEREAS the court consider that the Defendant is likely to injure himself or other persons].

It was also directed that the said Defendant [be committed to such [Juvenile Justice Centre] [Young Offenders Centre] as the Secretary of State shall determine until he/she could be brought before the said youth court] [be released upon his/her entering into a recognizance in the sum of] [with surety/sureties in the sum of £ each] [accompanied by the deposit of the sum of £ or other valuable security to the value of that sum in lieu of sureties] for his/her appearance at the said youth court at on the day of at (*time*).

(*Insert details of any bail conditions*)

Dated this day of

Resident Magistrate
[Clerk of Petty Sessions]

FORM 40

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 29)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Rule 150)

**Recognizance by Child for Appearance before
Youth Court to which case remitted for trial**

of	}	Petty Sessions District of
Complainant		
of	}	County Court Division of
Defendant		

WHEREAS (*insert name*) (hereinafter called the Defendant) being a child, [appeared] [was brought] on the day of before the magistrates' court sitting at (*place*) on a complaint jointly charging him and one or more persons, any one of which is an adult, with an offence. And the Defendant pleaded not guilty to the following charge(s): (*state brief particulars of offence*)

[The court has proceeded to [hear the complaint] [deal summarily with the charge] in the case of the Defendant and the Adult Defendant, the adult Defendant having pleaded guilty]. [The court has proceeded to conduct a preliminary [investigation] [inquiry] in the case of the Adult Defendant and, [committed for trial] [discharged] the Adult Defendant and has proceeded to [hear the complaint] [deal summarily with the charge] in the case of the Defendant].

AND IT WAS ORDERED that the Defendant be remitted for trial to the youth court for the above-named petty sessions district sitting at (*place*) on the day of , at (*time*);

The Defendant, the Principal Party to this recognizance, hereby binds himself to perform the following Obligation, viz: To appear personally before the youth court at the above time and place [and to appear personally at every time and place to which during the course of proceedings the hearing may from time to time be adjourned and not to depart the court without leave].

(*Insert details of any bail conditions*)

AND the said Principal Party [together with (*name*) of in the County Court Division of and (*name*) of in the County Court Division of the undersigned sureties] hereby acknowledge bound to forfeit to the Crown the sum(s) following, namely:—

The said Principal Party the sum of £ [and the said sureties the sum of £ each] in case the said Principal Party fails to perform the above Obligation

[and in lieu of sureties the said Principal Party hereby deposits [the sum of £ or other valuable security to the value of that sum] as security for the performance of the said Obligation].

..... } Principal Party.
..... }
..... } Sureties.
..... }

Taken before me this day of .

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]
[Manager of Juvenile
Justice Centre]

FORM 41

CRIMINAL JUSTICE (CHILDREN) (NORTHERN IRELAND) ORDER 1998
(Article 29)

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981
(Rules 14 and 143)

**Warrant of Commitment on Remittal of Case by Magistrates' Court
to Youth Court for trial**

of	} Petty Sessions District of
Complainant	
of	} County Court Division of
Defendant(s)	

WHEREAS (*insert name*) (hereinafter called the Defendant) being a child [aged 15 or over], [appeared] [was brought] before the magistrates' court sitting at (*place*) on the day of on a complaint jointly charging him and one or more persons, any one of which is an adult, with an offence. And the Defendant pleaded not guilty to the following charge(s): (*state brief particulars of offence*)

[The court has proceeded to [hear the complaint] [deal summarily with the charge] in the case of the Defendant and the Adult Defendant, the Adult Defendant having pleaded guilty]. [The court has proceeded to conduct a preliminary [investigation] [inquiry] in the case of the Adult Defendant and, [committed for trial] [discharged] the Adult Defendant and has proceeded to [hear the complaint] [deal summarily with the charge] in the case of the Defendant].

AND IT WAS ORDERED that the Defendant be remitted for trial to the youth court for the above-named petty sessions district sitting at (*place*) on the day of , at (*time*)

[AND WHEREAS the court considers that the Defendant is likely to injure himself or other persons].

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to convey the Defendant to such [Juvenile Justice Centre] [Young Offenders Centre] as the Secretary of State shall determine there to deliver him to the [Manager] [Governor] thereof, together with this warrant; and you, the said [Manager] [Governor] to receive him into your custody unless you shall be otherwise ordered in the meantime until the above time when he shall be produced before the said youth court.

AND for this the present warrant shall be a sufficient Authority to all whom it may concern.

Dated this day of

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

SCHEDULE 2

Rule 2

Rules Revoked

<i>Title</i>	<i>References</i>	<i>Extent of Revocation</i>
Magistrates' Courts (Children and Young Persons) Rules (Northern Ireland) 1969	S.R.1969 No. 221	The whole Rules
Magistrates' Courts (Children and Young Persons)(Amendment) Rules (Northern Ireland) 1971	S.R.1971 No. 179	The whole Rules
Magistrates' Courts (Children and Young Persons) (Amendment) Rules (Northern Ireland) 1973	S.R.1973 No. 346	The whole Rules
Magistrates' Courts (Children and Young Persons) (Amendment) Rules (Northern Ireland) 1977	S.R.1977 No. 172	The whole Rules
Magistrates' Courts (Amendment) Rules (Northern Ireland) 1996	S.R.1996 No. 126	Rules 6 and 7
Magistrates' Courts (Children and Young Persons) (Amendment) Rules (Northern Ireland) 1996	S.R.1996 No. 325	The whole Rules
Magistrates' Courts (Children and Young Persons) (Amendment) Rules (Northern Ireland) 1997	S.R.1997 No. 530	The whole Rules

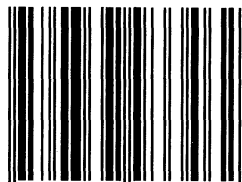
EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules revoke and re-enact with amendments the Magistrates' Courts (Children and Young Persons) Rules (Northern Ireland) 1969 in order to take account of the Criminal Justice (Children) (Northern Ireland) Order 1998.

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