STATUTORY RULES OF NORTHERN IRELAND

2003 No. 473

CRIMINAL PROCEDURE

The Youth Conference Rules (Northern Ireland) 2003

Made - - - -	*28th October 2003*
To be laid before Parliament	
Coming into operation	*18th December 2003*

In exercise of the powers conferred on me by Articles 3B(1) and (2) and 3C(8) of the Criminal Justice (Children) (Northern Ireland) Order 1998(**1**) and of every other power enabling me in that behalf I hereby make the following Rules:

Citation and commencement

1. These Rules may be cited as the Youth Conference Rules (Northern Ireland) 2003 and shall come into operation on 18th December 2003.

Interpretation

2. In these Rules –

"co-ordinator" means a youth conference co-ordinator;

"live link" means a live television or telecommunication link or other arrangement whereby a participant is able to see and/or hear the youth conference and to be seen and/or heard by the other participants;

"the Order" means the Criminal Justice (Children) (Northern Ireland) Order 1998;

"participant" means any of the persons set out in Article 3A(2), (6) or (8) of the Order who participate in or attend any meeting constituting, or forming part of, a youth conference.

Convening youth conferences

3.—(1) Where a reference has been made under Article 10A or 33A of the Order the co-ordinator shall –

(a) make all reasonable efforts to visit the child within 5 working days of receipt of the reference (in the case of a diversionary youth conference) and within 5 working days of the reference (in the case of a court-ordered youth conference) and establish whether the

(**1**) S.I.1998/1504 (N.I. 9)

child is able and willing to participate in a youth conference and, if so, consult with him in relation to –

(i) the date on which, and the time and place at which, the youth conference is to be held,

(ii) the persons whom the child considers should participate in or attend the youth conference;

(b) inform the child of the procedure to be adopted at the youth conference;

(c) fix the date on which and the time and place at which the youth conference is to be held;

(d) take all reasonable steps to ensure that notice of the date on which and the time and place at which the youth conference is to be held is given, orally and in writing, a reasonable time before the youth conference is to be held to –

(i) the persons set out in Article 3A(2) and (6) of the Order, and

(ii) any other persons whom he allows to participate in or attend the youth conference under Article 3A(8) of the Order,

always provided that no notice is required to be given to any person whose whereabouts cannot, after reasonable enquiries, be ascertained; and

(e) contact the victim of the offence in order to explain the procedure of a youth conference to him and to establish whether he wishes to participate in the youth conference.

(2) Failure to give notice to any person in accordance with paragraph (1)(d) shall not affect the validity of the youth conference unless it is shown that the failure is likely to have materially affected the outcome of the youth conference.

Relevant information, advice and reports

4. The co-ordinator may obtain such information, advice and reports in relation to the child as he may deem necessary for the purposes of the youth conference.

Criminal record

5. Prior to the commencement of a youth conference the co-ordinator shall consider a statement of the child's criminal record including any cautions administered by a constable.

Youth conference procedure

6.—(1) Subject to these Rules the co-ordinator shall conduct a youth conference in such manner as appears to him to be appropriate.

(2) A youth conference may from time to time be adjourned to a time and place determined by the co-ordinator.

(3) The co-ordinator may allow a participant to participate in or attend any meeting constituting, or forming part of, a youth conference, by means of a live link, always provided that the child shall not participate in any such meeting by such means unless he is accompanied by the participants set out in Article 3A(2)(a), (c) and (d) of the Order.

(4) The co-ordinator may allow any meeting constituting, or forming part of, a youth conference to be conducted by means of a live link.

(5) Prior to commencement of the youth conference the co-ordinator shall explain the procedure to be adopted at the youth conference to the participants.