1971. No. 179 [C]

MAGISTRATES' COURTS

Children and Young Persons (Amendment) Rules

RULES, DATED 24TH JUNE 1971, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 23 OF THE MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964.

I, the Right Honourable Brian Faulkner, D.L., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(a) and all other powers thereunto enabling, do hereby upon the recommendation of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, make the Rules hereinafter set forth.

Dated this 24th day of June 1971.

Brian Faulkner,
Minister of Home Affairs.

Citation

1. These Rules shall be cited as the Magistrates' Courts (Children and Young Persons) (Amendment) Rules (Northern Ireland) 1971.

Amendment of the Principal Rules

2. The Magistrates' Courts (Children and Young Persons) Rules (Northern Ireland) 1969(b) are amended or revoked to the extent specified in the Schedule.

(a) 1964, c. 21 (N.I.). (b) S.R. & O. (N.I.) 1969, No. 221.

SCHEDULE

Amendment or Revocation of the Magistrates' Courts (Children and Young Persons) Rules (Northern Ireland) 1969

Provision amended or revoked	Amendment or revocation
The Schedule	
General	Throughout the Forms for any reference to a district inspector and to all other constables to whom the document may be delivered for execution there shall be substituted a reference to the Chief Superintendent or, as the case may be, Superintendent of the Constabulary Division in which the document was issued.
Form 1	In the body of the Form the words "by the above-named complainant" are revoked.
Form 3	In the brackets under the words "CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND) 1968" in the heading after the words "*Section* 64" there shall be added the words ": *Rule* 19(2)". In the body of the Form after the words "to answer to the said complaint" there shall be inserted the words "and [, unless he/she is released on bail,] he/she shall be detained in a place of safety until he/she can be so brought".
Form 17	In the body of the Form the words "has this day been found guilty" shall be omitted and before the words "for that he" there shall be inserted the words "the Defendant having pleaded guilty was found guilty".
Forms 17, 18, 19, 20, 21, 22, 23 and 24	In the body of the Form for the words "the parent [*or* person legally liable to make contributions in respect]" there shall be substituted the words "the father/mother". In Note (1) at the end of the body of the Form for the words "the said Council of " there shall be substituted the words "the managers of the Training School". In Note (2) after the words "Training School" there shall be added the words "or after he/she attains the age of sixteen years".
Form 19	In the title to the Form the words **"or Young Person"** shall be omitted and for the word **"taken"** there shall be substituted the word **"received".** In the body of the Form the words "[*or* young person under the age of 17]" or "[*or* young person]" wherever they appear shall be omitted and after the word "child" where it firstly appears there shall be inserted the words "having been born, so far as has been ascertained on the day of 19 ".
Forms 20, 21 and 22	In the body of the Form for the words "[*or* young person under the age of 17]" there shall be substituted the words "[*or* young person *or* person aged 17]" and thereafter throughout the Form for the words "[*or* young person]" there shall be substituted the words "[*or* young person *or* person]".

Provision amended or revoked	Amendment or revocation
Form 25	In the title to the Form for the word **"Committal"** there shall be substituted **"Commitment".**
Forms 29 and 30	In the body of the Form after the words "be sent to the Borstal Institution at " there shall be inserted the words "and he shall be lodged in accordance with Part VI of the Prison Rules (Northern Ireland) 1954 in the Prison at and thereafter conveyed to the said Institution and there delivered to the person in charge thereof in order that he/she may undergo a period of Borstal training".
Form 30	In the body of the Form after the words "[under supervision]" there shall be inserted the words "[on licence]".
Forms 31, 32, 33, 34, 36, 37, 38 and 39	In the body of the Form for the words "the parent [*or* person legally liable to make contributions in respect]" there shall be substituted the words "the father/mother" and after the words "for so long as this order shall remain in force" there shall be inserted the words "or until he is allowed under section 145(1) of the Children and Young Persons Act (Northern Ireland) 1968 to be under the control of a parent, guardian, relative, next of kin or friend or until he/she attains the age of sixteen years, whichever is the earlier".
Form 32	In the body of the Form for the words "care or protection" there shall be substituted the words "care, protection or control".
Form 33	In the title to the Form the words **"or Young Person"** shall be omitted and for the word **"taken"** there shall be substituted the word **"received".** In the body of the Form for the words "[*or* young person over the age of 17]" there shall be substituted "[*or* young person *or* person aged 17] having been born, so far as has been ascertained, on the day of 19 ," and throughout the remainder for the words "[*or* young person]" or "[young person's]" there shall be substituted respectively the words "[*or* young person *or* person]" and "[*or* young person's *or* person's]".
Forms 34, 36 and 39	In the body of the Form for the words "[*or* young person under the age of 17]" there shall be substituted the words "[*or* young person *or* person aged 17]" and through the remainder for the words "[*or* young person]" or "[young person's]" there shall be substituted respectively the words "[*or* young person *or* person]" and "[*or* young person's *or* person's]", as the case may be.
Form 40	In the body of the Form for the words "[*or* young person under the age of 17]" there shall be substituted the words "[*or* young person *or* person aged 17]".
Form 43	In the title to the Form the words **"or Young Person"** shall be omitted and for the word **"taken"** there shall be substituted the word **"received".** In the body of the Form the words "[*or* young person under the age of 17]" shall be omitted and in paragraph (*a*) for the words "or young person" there shall be substituted the words "being over fourteen years of age".