



## 2015 CHAPTER 9

### **PART 9**

#### MISCELLANEOUS

##### *Avoiding delay in criminal proceedings*

#### **Case management regulations**

**92.—**(1) The Department may make regulations in relation to the management and conduct of criminal proceedings in the Crown Court or a magistrates' court.

(2) The regulations may impose duties on—

- (a) the court;
- (b) the prosecution; and
- (c) the defence.

(3) The regulations may confer functions on the court in relation to the active case management of criminal cases.

(4) Active case management includes in particular—

- (a) the early identification of the real issues;
- (b) the early identification of the needs of witnesses;
- (c) achieving certainty as to what must be done, by whom, and when, in particular by the early setting of a timetable for the progress of the case;
- (d) monitoring the progress of the case and compliance with directions;
- (e) ensuring that evidence, whether disputed or not, is presented in the shortest and clearest way;

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**Changes to legislation:** *Justice Act (Northern Ireland) 2015, Section 92 is up to date with all changes known to be in force on or before 22 July 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. (See end of Document for details) View outstanding changes*

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- (f) discouraging delay, dealing with as many aspects of the case as possible on the same occasion, and avoiding unnecessary hearings;
  - (g) encouraging the participants to co-operate in the progression of the case;
  - (h) making use of technology; and
  - (i) giving any direction appropriate to the needs of that case as early as possible.
- (5) The regulations must in particular take account of the need to identify and respect the needs of—
- (a) victims,
  - (b) witnesses, particularly those to whom Article 4(2) of the Criminal Evidence (Northern Ireland) Order 1999 may apply; and
  - (c) persons under the age of 18.
- (6) Before making any regulations under this section the Department must consult—
- (a) the Lord Chief Justice;
  - (b) the Director of Public Prosecutions;
  - (c) the General Council of the Bar of Northern Ireland; and
  - (d) the Law Society of Northern Ireland.

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**Commencement Information**

**II** S. 92 in operation at 31.10.2016 by S.R. 2016/387, **art. 2(h)** (with art. 3)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(2A) substituted for s. 13(2) by [2022 c. 4 \(N.I.\) s. 4\(5\)](#)
- s. 13(4)(5) added by [2022 c. 4 \(N.I.\) s. 4\(6\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- Sch. 2 para. 8(2) inserted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 2 para. 8(1) words substituted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)