
Status: Point in time view as at 12/02/2015.

Changes to legislation: The Magistrates' Courts (Northern Ireland) Order 1981, Cross Heading: Preliminary investigation of indictable offences is up to date with all changes known to be in force on or before 14 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)

STATUTORY INSTRUMENTS

1981 No. 1675

The Magistrates' Courts (Northern Ireland) Order 1981

PART V

CRIMINAL JURISDICTION AND PROCEDURE

Preliminary investigation of indictable offences

Preliminary investigation

30.—(1) Subject to^{F1} Articles 28 and 29 of the Criminal Justice (Children) (Northern Ireland) Order 1998], the preliminary investigation of an indictable offence may be conducted by a magistrates' court.

(2) Subject to paragraph (3), the written depositions of witnesses and other evidence at a preliminary investigation shall be given or taken in the presence of the accused, and the accused shall be at liberty to cross-examine any witness for the prosecution.

(3) The court may allow evidence to be given before it in the absence of the accused if the court considers that by reason of his disorderly conduct before the court it is not practicable for the evidence to be given in the presence of the accused.

(4) After the evidence of witnesses for the prosecution has been taken, the accused may^{F2} . . . , give evidence on his own behalf and call witnesses; and the prosecution shall be at liberty to cross-examine any witness for the accused and any accused giving evidence on his own behalf.

(5) Any such statement shall be taken down in writing and may be given in evidence at the trial of the accused without further proof thereof.

F1 1998 NI 9

F2 1989 NI 12

Status:

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