
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 427

Juvenile Justice Centre Rules (Northern Ireland) 2008

PART 5

COMMUNICATIONS

Communications

33. Subject to the restrictions imposed by rule 38, a child shall be enabled to have contact with the wider world as provided in these rules and, in particular, to have such contact as will assist him in his preparation for his reintegration to the community.

Family and other relationships

34.—(1) Special attention shall be paid to the maintenance of the relationship between a child and his family.

(2) A child shall be encouraged and assisted to maintain good relationships with family members and other persons or representatives of agencies outside a centre as may, in the opinion of the director, promote the best interests of the child and his reintegration following release.

(3) In furtherance of paragraphs (1) and (2) the director, with the approval of the Secretary of State, may grant permission for a child who has been detained in a centre under a juvenile justice centre order to leave the centre to visit his parent or other family member either as part of a planned programme in preparation for release, or in exceptional circumstances, at such time and for such period as the director considers appropriate.

(4) Where any restriction on contact of any kind between a child and his family is considered necessary by the director the views of the child, his family and the agency responsible for supervision after release shall as far as practicable be taken into account.

(5) In any case where for any reason contact is not maintained between a child and his family the director may arrange for an independent person to visit and befriend and make representation on behalf of the child as provided for in rule 42(3).

Letters and other communications

35.—(1) A child shall, subject to such conditions as the director may reasonably impose, be entitled to send and receive letters or other communications, the cost of which shall be met by the centre.

(2) Where it is available a child may be permitted to use the internet for the purpose of learning and development, maintenance of family relationships and reintegration into the community subject to any directions or restrictions determined by the director.

(3) Except as provided by these rules every letter or communication to a child shall be opened by the child in the presence of a member of staff.

Telephone calls

36. The director shall have in place a policy for the use of telephones which shall permit a child to make one paid telephone call daily and other calls under such conditions as the director may reasonably impose.

Visits

37.—(1) There shall be established at a centre arrangements for children to receive visits.

(2) Such arrangements shall take account of the need:—

- (a) to promote contact between a child and his family;
- (b) to keep to a minimum any disruption of his education and attendance at programmes; and
- (c) to support the reintegration of a child into the community.

(3) Subject to the provisions of these rules, the director may give such directions as he thinks fit for the supervision of visits to children, either generally or in a particular case.

Restrictions on communications

38. Subject to rule 40, if the director has reason to believe that written or verbal communication is not consistent with a child's best interests or may put the good order of the centre at risk, he may delay, examine, interrupt or prevent communication to or from a child and shall, other than in exceptional circumstances, communicate his reasons to the child.

Legal advisers

39.—(1) The legal adviser to a child who is a party to any legal proceedings, civil or criminal, shall be afforded reasonable facilities for consultation in connection with those proceedings.

(2) Subject to rule 37 a child's legal adviser may consult with the child in the sight of but not in the hearing of a member of staff.

(3) A child's legal adviser may, with the director's permission, consult with the child in connection with any other legal business.

Correspondence in connection with legal matters

40.—(1) A child who is party to any legal proceedings may correspond with his legal adviser or any court, national or international, in connection with those proceedings.

(2) A child may correspond with a solicitor for the purpose of obtaining legal advice concerning any matter in relation to which he is or may become a party to legal proceedings or for the purpose of instructing the solicitor to issue proceedings or to allow him to conduct any legal business.

(3) A child shall on request be provided with any writing materials necessary for the purpose of paragraph (1) or (2).

(4) No correspondence to which this rule applies shall be opened by the director unless he has reason to believe that it contains matter not related to actual or potential legal proceedings or other legal business.

(5) A child shall be given the opportunity to be present when any correspondence to which this rule applies is opened and shall be informed if it or any enclosures is or are to be read or stopped.

(6) Subject to any directions given in the particular case by the Secretary of State, a registered medical practitioner selected by or on behalf of a child to whom paragraph (1) applies shall be afforded reasonable facilities for examining him in connection with the legal proceedings and may do so out of hearing but in sight of an appropriate member of staff.

Police interviews

41. A police officer may, on production of an order issued by or on behalf of the Chief Constable, interview any child and an interview under this rule shall take place in accordance with statutory provisions in force at the time and such other conditions as the director may impose.

Complaints and representation

- 42.**—(1) A centre shall have in place a policy for complaints approved by the Secretary of State.
- (2) A child and his parent shall be provided with a written copy of that policy in a suitable format.
- (3) Arrangements shall be put in place for persons who are independent of the operation of the centre and approved by the Secretary of State, to visit and make representation on behalf of a child.