



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 7

Miscellaneous

Proceedings

Proceedings for offences

103. Proceedings for an offence by virtue of section 9 or 58 may not, without the consent of the Director of Public Prosecutions for Northern Ireland, be taken by any person other than the RQIA.

Appeals

104.—(1) An appeal lies to the High Court against—

- (a) the making by a county court of any order under this Act; or
- (b) any refusal by a county court to make such an order,

as if the decision had been made in the exercise of the jurisdiction conferred by Part 3 of the County Courts (Northern Ireland) Order 1980 (original civil jurisdiction) and the appeal were brought under Article 60 of that Order (ordinary appeals in civil cases).

(2) On an appeal under subsection (1), the High Court may make such orders as may be necessary to give effect to its determination of the appeal.

(3) Where an order is made under subsection (2), the High Court may also make such incidental or consequential orders as appear to it to be just.

(4) Any order of the High Court made on an appeal under subsection (1) (other than one directing that an application be re-heard by the county court) is to be treated, for the purposes of—

- (a) the enforcement of the order; and
- (b) any power to vary, revive or discharge orders,

as if it were an order of the county court from which the appeal was brought and not an order of the High Court.

(5) Subsections (1) to (4) are subject to paragraphs (14) and (15) of Article 166 of the Children Order.

Privacy

105.—(1) Rules of court may make provision for the court to sit in private in any proceedings under this Act.

(2) In Schedule 2 to the Administration of Justice Act 1960, in subparagraph (1) of the entry relating to section 12, in subsection (1)(a)(ii) after “1995” insert “or the Adoption and Children Act (Northern Ireland) 2022”.

(3) Paragraphs (2) to (9A) of Article 170 of the Children Order have effect for the purposes of this Act as if references in those paragraphs to that Order included references to this Act.

(4) This section is without prejudice to—

- (a) the generality of any other power to make rules of court; or
- (b) any other power of the court to sit in private.