

STATUTORY INSTRUMENTS

1998 No. 1504

The Criminal Justice (Children) (Northern Ireland) Order 1998

PART IV **N.I.**

CRIMINAL PROCEEDINGS

Release on bail **N.I.**

12.—(1) Where a court remands or commits for trial a child charged with an offence, it shall release him on bail unless—

- (a) the court considers that to protect the public it is necessary to remand him in custody; and
- (b) paragraph (2) or (3) applies.

(2) This paragraph applies where the offence charged—

- (a) is a violent or sexual offence; or
- (b) is one where in the case of an adult similarly charged he would be liable on conviction on indictment to imprisonment for 14 years or more.

(3) This paragraph applies—

- (a) where the offence charged is an [^{F1}indictable] offence; and
- (b) the child either—

- (i) was on bail on any date on which he is alleged to have committed the offence; or
- (ii) has been found guilty of an [^{F2}indictable] offence within the period of two years ending on the date on which he is charged with the offence mentioned in subparagraph (a).

(4) This Article is subject to [^{F3} section 67 of the Terrorism Act 2000].

F1 Word in art. 12(3)(a) substituted (1.3.2007) by Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007 (S.I. 2007/288 (N.I. 2)), arts. 1(2), 15(4), **Sch. 1 para. 34(4)**

F2 Word in art. 12(3)(b)(ii) substituted (1.3.2007) by Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007 (S.I. 2007/288 (N.I. 2)), arts. 1(2), 15(4), **Sch. 1 para. 34(4)**

F3 2000 c. 11

Modifications etc. (not altering text)

C1 Art. 12 applied (3.12.2014) by The Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014 (S.I. 2014/3141), regs. 1(b), **110(11)** (with reg. 110(12))

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 12.