

1977 No. 172

## MAGISTRATES' COURTS

**Magistrates' Courts (Children and Young Persons) (Amendment) Rules  
(Northern Ireland) 1977***Made* . . . . . 20th June 1977*Coming into operation* . . . . . 1st September 1977*To be laid before Parliament*

The Secretary of State(a) in pursuance of section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(b), on the recommendation of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following rules:

*Citation and commencement*

1. These rules may be cited as the Magistrates' Courts (Children and Young Persons) (Amendment) Rules (Northern Ireland) 1977 and shall come into operation on 1st September 1977.

*Amendment of 1969 rules*

2.—(1) In rule 14 of the Magistrates' Courts (Children and Young Persons) Rules (Northern Ireland) 1969(c) after the words "shall be given to him" there shall be inserted the words "to his parent or guardian".

(2) In the schedule to those rules for Form No. 13 there shall be substituted the Form No. 13 set out in the Schedule to these rules and after Form No. 74 there shall be added the Form No. 75 therein set out.

*Roy Mason*

Northern Ireland Office  
20th June 1977

One of Her Majesty's Principal  
Secretaries of State

(a) Formerly the Minister of Home Affairs for Northern Ireland; see S.I. 1973/2163 (1973 III, p. 7541)

(b) 1964 c. 21 (N.I.)

(c) S.R. & O. 1969 No. 221 (p. 898)

SCHEDULE

Form to be Substituted and Form to be Inserted in the Schedule to the Magistrates' Courts (Children and Young Persons) Rules (Northern Ireland) 1969

FORM NO. 13

CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND) 1968

(Section 67; Rule 14)

Notice of Extended Remand for Obtaining Information

TAKE NOTICE that you, the Defendant, were remanded by the Juvenile Court sitting at ... to appear before the said Court on the ... day of ... 19 ... and that the Juvenile Court sitting at ... has this day in your absence remanded you, the Defendant, to appear before the Juvenile Court sitting at ... o'clock in the ... noon.

Clerk of the Juvenile Court

This ... day of ... 19 ... To ... of ... (the Defendant) and to ... of ... (surety for the said Defendant) and to ... of ... (parent or guardian of the Defendant).

FORM NO. 75

CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND) 1968

(PART IV)

CRIMINAL JUSTICE ACT (NORTHERN IRELAND) 1973

(Section 7)

Warrant of Commitment to Borstal Institution

of ... Complainant of ... Defendant Petty Sessions District of ... County [Borough] of ...

Before the Juvenile Court sitting at  
 on the                    day of                    19  
 (*hereinafter called the Defendant*) who appears to the Court to be a young  
 person over the age of 16 but under the age of 17, having been born, so far as  
 can be ascertained, on the                    day of                    19                    and  
 though informed by the court of his right to be tried by a jury, having consented  
 to be dealt with summarily and the prosecution having consented to  
 summary trial of the offence, the Defendant having pleaded                    guilty  
 was found guilty for that he  
 being an offence punishable in the case of an adult with imprisonment and  
 the Defendant was remanded for a report to be made by or on behalf of the  
 Secretary of State on his physical and mental condition and his suitability for  
 Borstal training;

AND WHEREAS at                    Juvenile Court on the  
 day of                    19                    the court has considered that report  
 and a copy thereof has been given by the court to the Defendant or his solicitor  
 or counsel;

AND WHEREAS the court is satisfied, having regard to his character and  
 previous conduct and to the circumstances of the offence, that it is expedient  
 for his reformation and the prevention of crime that he should undergo a  
 period of training in a Borstal Institution and it is hereby ordered that the  
 Defendant should undergo a period of Borstal Training;

THIS IS TO COMMAND YOU to whom this warrant is addressed, to execute  
 the said order against the Defendant as follows :

To lodge the Defendant in accordance with Part VI of the Prison Rules  
 (Northern Ireland) 1954 in the Prison at                    and there-  
 after that he be conveyed to the Borstal Institution at  
 or elsewhere as directed and that he be delivered to the person in charge of  
 the Borstal Institution in order that he may undergo a period of Borstal  
 Training.

And for this the present warrant shall be a sufficient authority to all whom  
 it may concern.

Resident Magistrate  
 [or Clerk of Petty Sessions]

This                    day of                    19 . . .

To the Superintendent

Division

EXPLANATORY NOTE

*(This note is not part of the rules, but is intended to indicate their general purport.)*

These rules amend the Magistrates' Courts (Children and Young Persons) Rules (Northern Ireland) 1969.

Rule 14 of those rules is amended to provide that, where a child or young person has been remanded for information to be obtained with respect to him and the period of remand is extended by the juvenile court in his absence in accordance with section 67 of the Children and Young Persons Act (Northern Ireland) 1968, notice of the extended period of remand shall, in addition to being given to him and to his sureties, be given to his parent or guardian.

A new form of notice for this purpose is substituted in the schedule to the 1969 rules.

The schedule is also amended by the addition of a form of warrant of commitment to a Borstal Institution.