

2003 No. 479

CRIMINAL PROCEDURE

**The Community Responsibility Order Rules
(Northern Ireland) 2003**

Made - - - - - 17th November 2003

Coming into operation 18th December 2003

To be laid before Parliament

The Secretary of State, in exercise of the powers conferred upon him by Article 36H(1) and (2) of the Criminal Justice (Children) (Northern Ireland) Order 1998(a) and of every other power enabling him in that behalf, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Community Responsibility Order Rules (Northern Ireland) 2003 and shall come into operation on 18th December 2003.

Functions of responsible officers

2. In preparing for and supervising the attendance of a child subject to a community responsibility order for relevant instruction in citizenship and the carrying out by a child of practical activities for the purpose of a community responsibility order, the responsible officer shall –

- (a) take all reasonable steps to ensure that the child understands the effect of the community responsibility order and of the requirements imposed by it;
- (b) take all reasonable steps to ensure that the child understands the consequences which may follow under Schedule 1A to the Criminal Justice (Children) (Northern Ireland) Order 1998(b), if he fails to comply with the requirements of the order, and that a court has power under that Schedule to review the order on the application either of the child or of the responsible officer;
- (c) give the child instructions as to when and where to attend to undertake relevant instruction in citizenship;
- (d) undertake an assessment of the child in the light of that instruction to determine the nature of the practical activities to be carried out;
- (e) give the child instructions as to when and where to attend to carry out such practical activities as are deemed appropriate;
- (f) give the child instructions from time to time as to the manner in which the instruction and activities required by the community responsibility order are to be undertaken and carried out, and as to the cessation or suspension of any particular aspect of either the instruction or the activities where that is in the interests of the child or of the victim of an offence;

(a) S.I. 1998/1504 (N.I. 9); Article 36(H) was inserted by section 55 of the Justice (Northern Ireland) Act 2002 (c. 26).

(b) Schedule 1A was inserted by section 62 of the Justice (Northern Ireland) Act 2002 (c. 26).

- (g) give the child instructions as to how to keep in touch with him;
- (h) meet with the child regularly to discuss progress with the community responsibility order and to monitor compliance with its requirements;
- (i) keep in touch with the child's parent or guardian;
- (j) ensure that detailed records are kept of the number of hours spent by the child in complying with the community responsibility order and that those records may be accessed by the child, and his parent or guardian;
- (k) keep in touch with any person running any programme in which the child is to take part and review with him the child's progress;
- (l) bring any proceedings for dealing with the child for breach of a community responsibility order or for its revocation, amendment or extension; and
- (m) maintain records in relation to compliance by the child with the requirements of the community responsibility order.

Number of hours of attendance or of carrying out activities

3.—(1) A child aged under 14 years shall not be required to attend or carry out any activity for the purposes of a community responsibility order for more than two hours on any one day.

(2) A child aged 14 years or over shall not be required to attend or carry out any activity for the purposes of a community responsibility order for more than four hours on any one day.

Payment of expenses

4. The responsible officer may pay reasonable expenses incurred in connection with complying with the requirements imposed by a community responsibility order.

Northern Ireland Office
17th November 2003

Paul Murphy
One of Her Majesty's Principal Secretaries of State

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules regulate the undertaking of relevant instruction in citizenship and the carrying out of practical activities by persons subject to community responsibility orders. In particular they include provision for:

- (a) the functions of the responsible officer;
- (b) the number of hours spent in complying with a community responsibility order; and
- (c) the power of the responsible officer to pay reasonable expenses incurred in complying with a community responsibility order.

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