
DRAFT STATUTORY INSTRUMENTS

1998 No.

Criminal Justice (Children) (Northern Ireland) Order 1998

PART VII

ATTENDANCE CENTRES AND JUVENILE JUSTICE CENTRES

Attendance centres

Attendance centres

50.—(1) The Secretary of State may provide attendance centres, that is to say, places where offenders in respect of whom attendance centre orders have been made shall be required to attend.

(2) The Secretary of State may make arrangements with other bodies or persons for the provision of attendance centres.

(3) The Secretary of State may make rules for the regulation and management of attendance centres and for the classification, treatment, employment, discipline and control of offenders required to attend attendance centres. Juvenile justice centres

Juvenile justice centres

Juvenile justice centres

51.—(1) The Secretary of State may provide juvenile justice centres, that is to say, places in which offenders in respect of whom juvenile justice centre orders have been made may be detained and given training and education and prepared for their release.

(2) The Secretary of State may make arrangements with other bodies or persons for the provision of juvenile justice centres.

(3) Schedule 2 (which makes further provision relating to juvenile justice centres) shall have effect.

Supervising powers of Secretary of State

52.—(1) The Secretary of State may make rules for the management and discipline of juvenile justice centres.

(2) If it appears to the Secretary of State that the provision made in any juvenile justice centre with regard to any matter relating to—

- (a) the education, training, treatment or welfare of children detained by the managers of the centre;
- (b) the premises or equipment of the centre; or
- (c) the number, qualifications or grades of the staff employed in the centre,

is inadequate or unsuitable, the Secretary of State may give to the managers such directions as he thinks necessary for securing that proper provision is made.

(3) No substantial addition to, or diminution or alteration of, the buildings or grounds of a juvenile justice centre shall be made without the approval of the Secretary of State.

Parental responsibility for children in juvenile justice centres

53. While a person detained by the managers of a juvenile justice centre is under the age of 18, they shall—

- (a) have parental responsibility for him; and
- (b) if they are satisfied that it is necessary to do so in order to safeguard or promote his welfare, have the power to determine the extent to which a parent of his may meet his parental responsibility for him.

Escapes from juvenile justice centres

54.—(1) Any child who has been ordered to be sent to a juvenile justice centre and—

- (a) escapes from a centre in which he is detained, or from any hospital or institution in which he is receiving medical treatment; or
- (b) being absent from a centre on temporary leave of absence or under supervision, runs away from the person in whose charge he is, or fails to return to a centre upon the expiration of his leave; or
- (c) being absent from a centre under supervision, fails to return to the centre upon being recalled,

may be arrested without warrant by a constable or any person authorised by the managers of a juvenile justice centre and, if he is under the age of 18, be taken to any juvenile justice centre or in any case be returned to the hospital or institution from which he escaped or to the person in whose charge he was.

(2) A person arrested under paragraph (1) may at any time be brought with the authority of the Secretary of State before a court of summary jurisdiction having jurisdiction where that person is found or where the juvenile justice centre, hospital or institution mentioned in sub-paragraph (a), (b) or (c) of that paragraph is situated.

(3) Where a person is brought before a court under paragraph (2), the court—

- (a) may, if he is a child, order the period for which he is to be detained under the order referred to in paragraph (1) to be increased by a further period not exceeding 30 days;
- (b) may, if he is not a child but is under the age of 18,—
 - (i) order the period for which he is to be detained under the order referred to in paragraph (1) to be increased by a further period not exceeding 30 days; or
 - (ii) revoke the order referred to in paragraph (1) and deal with him in any manner in which the court could deal with him if he had just been convicted by the court of the offence;
- (c) shall, in any other case, revoke the order referred to in paragraph (1) and deal with him in any manner in which the court could deal with him if he had just been convicted by the court of the offence.

(4) In fixing the sentence under paragraph (3)(b)(ii) or (c) the court shall take into account the period for which the order referred to in paragraph (1) would, but for its revocation, have continued in effect.

(5) If any person—

- (a) knowingly assists a child who escapes, runs away or fails to return as mentioned in paragraph (1)(a), (b) and (c) or knowingly induces any child to so escape, run away or fail to return; or
- (b) without lawful authority takes a child away from any such centre, hospital, institution or person as is mentioned in paragraph (1)(a) and (b); or
- (c) knowingly harbours or conceals a child who escapes, runs away or fails to return as mentioned in paragraph (1)(a), (b) and (c), or prevents him from returning;

he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale, or to imprisonment for a term not exceeding six months, or to both.

Inspection

Power to inspect attendance centres and juvenile justice centres

55.—(1) A person authorised by the Secretary of State may at any reasonable time enter any attendance centre or juvenile justice centre to—

- (a) inspect the centre; and
- (b) make such examination into the state and management of the centre and the welfare and treatment of children there as he thinks fit.

(2) An authorised person exercising his powers under this Article shall, if so required, produce some duly authenticated document showing his authority to do so.

(3) A person who intentionally obstructs another in the execution of his powers under this Article shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.