

## SCHEDULES

### SCHEDULE 2

Section 17.

### CONSTITUTION OF JUVENILE COURTS

#### PART I

#### OUTSIDE METROPOLITAN AREA

##### *Juvenile court panels*

- 1 The following provisions of this Part of this Schedule shall have effect as respects any area outside the metropolitan stipendiary court area and the City of London.
- 2 A justice shall not be qualified to sit as a member of a juvenile court unless he is a member of a juvenile court panel, that is to say, a panel of justices specially qualified to deal with juvenile cases.
- 3 Subject to the following provisions of this Part of this Schedule, a juvenile court panel shall be formed for every petty sessions area.

##### *Combined juvenile court panels*

- 4 A magistrates' courts committee may make recommendations to the Secretary of State—
- (a) for the formation of a combined juvenile court panel for two or more petty sessions areas, or
  - (b) for the dissolution of any such combined juvenile court panel,
- if the committee's area comprises at least one of the petty sessions areas concerned.
- 5 It shall be the duty of the magistrates' courts committee for any area, if directed to do so by the Secretary of State, to review the functioning of juvenile courts in their area and on completion of the review to submit to the Secretary of State either a report making such recommendations as are mentioned in paragraph 4 of this Schedule or a report giving reasons for making no such recommendations.
- 6 Subject to the provisions of this Schedule—
- (a) where a magistrates' courts committee make such recommendations to the Secretary of State, he may make an order giving effect to them subject to any modifications he thinks fit; and
  - (b) where a magistrates' courts committee fail to comply within six months with a direction of the Secretary of State under the preceding paragraph, or the Secretary of State is dissatisfied with the report submitted in pursuance of such a direction, he may make such order as he thinks fit for the purposes mentioned in paragraph 4 of this Schedule.

---

*Status: This is the original version (as it was originally enacted).*

---

*Effect of order establishing combined panel*

- 7 Where a combined juvenile court panel is formed for any petty sessions areas any justice who is a member of the panel may exercise in relation to each of the areas any jurisdiction exercisable by him as a member of a juvenile court.

*Restrictions on formation of combined panels*

- 8 No order under this Schedule shall provide for the formation of a combined juvenile court panel for an area which includes—
- (a) a county or part of a county and the whole or part of another county; or
  - (b) two county boroughs.
- 9 An order under this Schedule providing for the formation of a combined juvenile court panel for an area which comprises a borough having a separate magistrates' courts committee shall not be made except with the consent of every magistrates' courts committee the whole or part of whose area is included in the area for which the combined panel is formed.

*Consultations and notices*

- 10 A magistrates' courts committee, before submitting recommendations for an order under this Schedule, shall consult and, when submitting any such recommendations, shall give notice to—
- (a) the justices acting for any petty sessions area concerned which is within the committee's area (except where the committee's area is a borough); and
  - (b) any other magistrates' courts committee the whole or part of whose area is concerned ;

and shall also consult the said justices before commenting on any recommendations on which they are consulted under this paragraph by another magistrates' courts committee.

- 11 Where the Secretary of State proposes to make an order under this Schedule in a case where either no recommendations have been made to him or the proposed order departs from the recommendations made to him, he shall send a copy of the proposed order to the magistrates' courts committee for any area the whole or part of which is concerned and to the justices acting for any petty sessions area concerned.
- 12 Where notice of recommendations or a copy of a proposed order is required to be sent under the preceding paragraphs to any justices or committee, the Secretary of State shall, before making an order, consider any representations made to him by the justices or committee, or by any juvenile court panel concerned, within one month from the time the notice was given or the copy of the proposed order was sent.

## PART II

### METROPOLITAN AREA

- 13 The following provisions of this Part of this Schedule shall have effect as respects the metropolitan stipendiary court area and the City of London (in this Part of this Schedule referred to as the metropolitan area).
- 14 Juvenile courts shall be constituted for the whole of the metropolitan area but shall sit for such divisions and in such places as the Secretary of State may by order

---

*Status: This is the original version (as it was originally enacted).*

---

specify, without prejudice, however, to their jurisdiction with respect to the whole area.

- 15 Subject to the following provisions of this Schedule—
- (a) each juvenile court shall consist of a chairman and two other members and shall have both a man and a woman among its members ;
  - (b) the chairman shall be a person nominated by the Secretary of State to act as chairman of juvenile courts for the metropolitan area and shall be either a metropolitan stipendiary magistrate or a justice of the peace for the county of London selected, in such manner as may be provided by an order of the Secretary of State, from a panel of such justices from time to time nominated by him; and
  - (c) the other members shall be justices so selected from that panel.
- 16 If at any time, by reason of illness or other emergency, no person nominated under paragraph 15(b) of this Schedule is available to act as chairman of a juvenile court, any metropolitan stipendiary magistrate or, with the consent of the Secretary of State, any justice of the peace selected as aforesaid from the said panel, may act temporarily as chairman.
- 17 Where it appears to the chairman that a juvenile court cannot, without adjournment, be fully constituted, and that an adjournment would not be in the interests of justice, the chairman may sit with one other member (whether a man or a woman) or, if a metropolitan stipendiary magistrate, may sit alone.
- 18 The Secretary of State, in nominating any persons under this Part of this Schedule, shall have regard to the previous experience of the persons available and their special qualifications for dealing with juvenile cases; and every such nomination shall be for a specified period and shall be revocable by the Secretary of State.
- 19 The enactments relating to the provision of land and buildings required for the purposes of metropolitan magistrates' courts shall extend and be deemed always to have extended to the provision of land and buildings required for the purposes of juvenile courts constituted for the metropolitan area.

### **PART III**

#### **GENERAL**

- 20 An order of the Secretary of State under this Schedule shall be made by statutory instrument and may be revoked or varied by a subsequent order thereunder.
- 21 Any such order may contain supplementary, incidental and consequential provisions.