

---

STATUTORY INSTRUMENTS

---

**1992 No. 2071**

**The Magistrates' Courts (Children and Young Persons) Rules 1992**

**PART I  
GENERAL**

**Citation and commencement**

1. These Rules may be cited as the Magistrates' Courts (Children and Young Persons) Rules 1992 and shall come into force on 1st October 1992.

**Interpretation**

2.—(1) In these Rules—

“the Act of 1933” means the Children and Young Persons Act 1933(1);

“the Act of 1969” means the Children and Young Persons Act 1969(2);

“the Act of 1989” means the Children Act 1989(3);

“child” means a person under the age of fourteen;

“court”—

(a) in Parts II and IV and, subject to rule 13(2), in Part III, means a youth court, and

(b) in rules 26 to 29, means a magistrates' court whether a youth court or not;

“guardian” has the meaning given in section 107(1) of the Act of 1933;

“register” means the separate register kept for the youth court pursuant to rule 25 of these Rules; and

“young person” means a person who has attained the age of fourteen and is under the age of eighteen.

(2) In these Rules, unless the context otherwise requires, references to a parent in relation to a child or young person are references—

(a) where a local authority has parental responsibility for him under the Act of 1989, to the local authority, and

(b) in any other case, to a parent who has parental responsibility for him under that Act.

(3) In these Rules, unless the context otherwise requires, any reference to a rule, Part or Schedule shall be construed as a reference to a rule contained in these Rules, a Part thereof or a Schedule thereto, and any reference in a rule to a paragraph shall be construed as a reference to a paragraph of that rule.

---

(1) 1933 c. 12.

(2) 1969 c. 54.

(3) 1989 c. 41.

### **Revocations and savings etc.**

3.—(1) Subject to paragraph (3), the Rules specified in Schedule 1 are hereby revoked to the extent specified.

(2) Subject to paragraph (3), the provisions of the Magistrates' Courts Rules 1981(4) shall have effect subject to these Rules.

(3) Nothing in these Rules shall apply in connection with any proceedings begun before the coming into force thereof.

## **PART II**

### **PROCEEDINGS IN CRIMINAL MATTERS**

#### **Application of Part II**

4.—(1) This Part applies, subject to paragraph (3), where proceedings to which paragraph (2) applies are brought in a court in respect of a child or young person (“the relevant minor”).

(2) This paragraph applies to proceedings in which the relevant minor is charged with an offence, and, where he appears or is brought before the court, to proceedings under—

- (a) section 15 of the Act of 1969(5)(variation and discharge of supervision orders),
- (b) Part II, III or IV of Schedule 2 to the Criminal Justice Act 1991 (breaches of requirements of, and revocation and amendment of, probation orders, community service orders, combination orders and curfew orders), or
- (c) section 18 of the Criminal Justice Act 1982(6)(discharge and variation of attendance centre orders).

(3) Where the court is inquiring into an offence as examining justices, only rules 5, 6 and 8(3) apply, and where the proceedings are of a kind mentioned in paragraph (2)(a), (b) or (c) rules 7 and 12 do not apply.

#### **Assistance in conducting case**

5.—(1) Except where the relevant minor is legally represented, the court shall allow his parent or guardian to assist him in conducting his case.

(2) Where the parent or guardian cannot be found or cannot in the opinion of the court reasonably be required to attend, the court may allow any relative or other responsible person to take the place of the parent or guardian for the purposes of this Part.

#### **Duty of court to explain nature of proceedings etc.**

6.—(1) The court shall explain to the relevant minor the nature of the proceedings and, where he is charged with an offence, the substance of the charge.

(2) The explanation shall be given in simple language suitable to his age and understanding.

---

(4) S.I. 1981/552, amended by S.I. 1982/245, 1983/523, 1984/1552, 1985/1695, 1944, 1986/1332, 1988/2132, 1989/300, 384, 1990/226, 1190, 2260.

(5) Section 15 was substituted by the Criminal Justice Act 1991 (c. 53), section 66 and Schedule 7.

(6) 1982 c. 48; section 18 was amended by the Criminal Justice Act 1991, section 67(2), (3).

### **Duty of court to take plea to charge**

7. Where the relevant minor is charged with an offence the court shall, after giving the explanation required by rule 6, ask him whether he pleads guilty or not guilty to the charge.

### **Evidence in support of charge or application**

8.—(1) Where—

- (a) the relevant minor is charged with an offence and does not plead guilty, or
- (b) the proceedings are of a kind mentioned in rule 4(2)(a), (b) or (c),

the court shall hear the witnesses in support of the charge or, as the case may be, the application.

(2) Except where—

- (a) the proceedings are of a kind mentioned in rule 4(2)(a), (b) or (c), and
- (b) the relevant minor is the applicant,

each witness may at the close of his evidence-in-chief be cross-examined by or on behalf of the relevant minor.

(3) If in any case where the relevant minor is not legally represented or assisted as provided by rule 5, the relevant minor, instead of asking questions by way of cross-examination, makes assertions, the court shall then put to the witness such questions as it thinks necessary on behalf of the relevant minor and may for this purpose question the relevant minor in order to bring out or clear up any point arising out of any such assertions.

### **Evidence in reply**

9. If it appears to the court after hearing the evidence in support of the charge or application that a prima facie case is made out, the relevant minor shall, if he is not the applicant and is not legally represented, be told that he may give evidence or address the court, and the evidence of any witnesses shall be heard.

### **Procedure after finding against minor**

10.—(1) This rule applies where—

- (a) the relevant minor is found guilty of an offence, whether after a plea of guilty or otherwise, or
- (b) in proceedings of a kind mentioned in rule 4(2)(a), (b) or (c) the court is satisfied that the case for the applicant—
  - (i) if the relevant minor is not the applicant, has been made out, or
  - (ii) if he is the applicant, has not been made out.

(2) Where this rule applies—

- (a) the relevant minor and his parent or guardian, if present, shall be given an opportunity of making a statement,
- (b) the court shall take into consideration all available information as to the general conduct, home surroundings, school record and medical history of the relevant minor and, in particular, shall take into consideration such information as aforesaid which is provided in pursuance of section 9 of the Act of 1969,
- (c) if such information as aforesaid is not fully available, the court shall consider the desirability of adjourning the proceedings for such inquiry as may be necessary,

- (d) any written report of a probation officer, local authority, local education authority, educational establishment or registered medical practitioner may be received and considered by the court without being read aloud, and
  - (e) if the court considers it necessary in the interests of the relevant minor, it may require him or his parent or guardian, if present, to withdraw from the court.
- (3) The court shall arrange for copies of any written report before the court to be made available to—
- (a) the legal representative, if any, of the relevant minor,
  - (b) any parent or guardian of the relevant minor who is present at the hearing, and
  - (c) the relevant minor, except where the court otherwise directs on the ground that it appears to it impracticable to disclose the report having regard to his age and understanding or undesirable to do so having regard to potential serious harm which might thereby be suffered by him.
- (4) In any case in which the relevant minor is not legally represented and where a report which has not been made available to him in accordance with a direction under paragraph (3)(c) has been considered without being read aloud in pursuance of paragraph (2)(d) or where he or his parent or guardian has been required to withdraw from the court in pursuance of paragraph (2)(e), then—
- (a) the relevant minor shall be told the substance of any part of the information given to the court bearing on his character or conduct which the court considers to be material to the manner in which the case should be dealt with unless it appears to it impracticable so to do having regard to his age and understanding, and
  - (b) the parent or guardian of the relevant minor, if present, shall be told the substance of any part of such information which the court considers to be material as aforesaid and which has reference to his character or conduct or to the character, conduct, home surroundings or health of the relevant minor, and if such a person, having been told the substance of any part of such information, desires to produce further evidence with reference thereto, the court, if it thinks the further evidence would be material, shall adjourn the proceedings for the production thereof and shall, if necessary in the case of a report, require the attendance at the adjourned hearing of the person who made the report.

**Duty of court to explain manner in which it proposes to deal with case and effect of order**

11.—(1) Before finally disposing of the case or before remitting the case to another court in pursuance of section 56 of the Act of 1933, the court shall inform the relevant minor and his parent or guardian, if present, or any person assisting him in his case, of the manner in which it proposes to deal with the case and allow any of those persons so informed to make representations; but the relevant minor shall not be informed as aforesaid if the court considers it undesirable so to do.

(2) On making any order, the court shall explain to the relevant minor the general nature and effect of the order unless, in the case of an order requiring his parent or guardian to enter into a recognizance, it appears to it undesirable so to do.

**Notice to be given where remand is extended in absence of child or young person**

12. Where a child or young person has been remanded, and the period of remand is extended in his absence in accordance with section 48 of the Act of 1933, notice shall be given to him and his sureties (if any) of the date at which he will be required to appear before the court.

## PART III

### PROCEEDINGS IN CERTAIN OTHER MATTERS

#### **Application and interpretation of Part III**

**13.**—(1) This Part applies in connection with proceedings in a court in the case of any child or young person in relation to whom proceedings are brought or proposed to be brought under—

- (a) section 72 or 73 of the Social Work (Scotland) Act 1968(7)(persons subject to supervision requirements or orders moving from or to Scotland), or
- (b) regulations made under section 25 of the Act of 1989 (authority to retain child in secure accommodation),

except that rules 14, 16(2), 20 and 21 do not apply in connection with proceedings under the enactments mentioned in sub-paragraph (a) above.

(2) In this Part—

“the applicant” means the person by whom proceedings are brought or proposed to be brought; “court”, in relation to proceedings of the kind mentioned in paragraph (1)(b), means a magistrates' court, whether a youth court or not, but does not include a family proceedings court; and

“the relevant minor” means the person in relation to whom proceedings are brought or proposed to be brought as mentioned in paragraph (1).

#### **Notice by person proposing to bring proceedings**

**14.**—(1) The applicant shall send a notice to the clerk of the court specifying the grounds for the proceedings and the names and addresses of the persons to whom a copy of the notice is sent in pursuance of paragraph (2).

(2) Without prejudice to section 34(2) of the Act of 1969 and regulations made under section 25 of the Act of 1989, the applicant shall—

- (a) send to each of the persons mentioned in paragraph (3) a copy of the said notice, and
- (b) notify each of those persons of the date, time and place appointed for the hearing unless a summons is issued for the purpose of securing his attendance thereat.

(3) The persons referred to in paragraph (2) are—

- (a) the relevant minor, unless it appears to the applicant inappropriate to notify him in pursuance of paragraph (2), having regard to his age and understanding,
- (b) the parent or guardian of the relevant minor if the whereabouts of such parent or guardian is known to the applicant or can readily be ascertained by him, and
- (c) where the father and mother of the relevant minor were not married to each other at the time of his birth, any person who is known to the applicant to have made an application for an order under section 4 of the Act of 1989 (acquisition of parental responsibility by father) which has not yet been determined.

#### **Rights of parents and guardians**

**15.** Without prejudice to any provision of these Rules which provides for a parent or guardian to take part in proceedings, the relevant minor's parent or guardian shall be entitled to make

---

(7) 1968 c. 49; sections 72 and 73 were amended by the Act of 1969, Schedule 5, paragraphs 58 and 59 and Schedule 6.

representations to the court at any such stage after the conclusion of the evidence in the hearing as the court considers appropriate.

### **Adjournment of proceedings and procedure at hearing**

**16.**—(1) The court may, at any time, whether before or after the beginning of the hearing, adjourn the hearing, and, when so doing, may either fix the date, time and place at which the hearing is to be resumed or leave the date, time and place to be determined later by the court; but the hearing shall not be resumed at that date, time and place unless the court is satisfied that the applicant, the respondent and any other party to the proceedings have had adequate notice thereof.

(2) Subject to the provisions of the Act of 1969, sections 56, 57 and 123 of the Magistrates' Courts Act 1980(8)(non-appearance of parties and defects in process) shall apply to the proceedings as if they were by way of complaint and as if any references therein to the complainant, to the defendant and to the defence were, respectively, references to the applicant, to the relevant minor and to his case.

(3) Rules 14 and 16(1) of the Magistrates' Courts Rules 1981 (order of evidence and speeches and form of order) shall apply to the proceedings as if they were by way of complaint and as if any references therein to the complainant, to the defendant and to the defence were, respectively, references to the applicant, to the relevant minor and to his case.

### **Duty of court to explain nature of proceedings**

**17.** Except where, by virtue of any enactment, the court may proceed in the absence of the relevant minor, before proceeding with the hearing the court shall inform him of the general nature both of the proceedings and of the grounds on which they are brought, in terms suitable to his age and understanding, or if by reason of his age and understanding or his absence it is impracticable so to do, shall so inform any parent or guardian of his present at the hearing.

### **Conduct of case on behalf of relevant minor**

**18.**—(1) Except where the relevant minor or his parent or guardian is legally represented, the court shall, unless the relevant minor otherwise requests, allow his parent or guardian to conduct the case on his behalf, subject, however, to the provisions of rule 19(2).

(2) If the court thinks it appropriate to do so it may, unless the relevant minor otherwise requests, allow a relative of his or some other responsible person to conduct the case on his behalf.

### **Power of court to hear evidence in absence of relevant minor and to require parent or guardian to withdraw**

**19.**—(1) Where the evidence likely to be given is such that in the opinion of the court it is in the interests of the relevant minor that the whole, or any part, of the evidence should not be given in his presence, then, unless he is conducting his own case, the court may hear the whole or part of the evidence, as it thinks appropriate, in his absence; but any evidence relating to his character or conduct shall be heard in his presence.

(2) If the court is satisfied that it is appropriate so to do, it may require a parent or guardian of the relevant minor to withdraw from the court while the relevant minor gives evidence or makes a statement; but the court shall inform the person so excluded of the substance of any allegations made against him by the relevant minor.

### **Duty of court to explain procedure to relevant minor at end of applicant's case**

20. If it appears to the court after hearing the evidence in support of the applicant's case that he has made out a prima facie case it shall tell the relevant minor or the person conducting the case on his behalf under rule 18 that he may give evidence or make a statement and call witnesses.

### **Consideration of reports: secure accommodation proceedings**

21.—(1) The court shall arrange for copies of any written report before the court to be made available, so far as practicable before the hearing to—

- (a) the applicant,
- (b) the legal representative, if any, of the relevant minor,
- (c) the parent or guardian of the relevant minor, and
- (d) the relevant minor, except where the court otherwise directs on the ground that it appears to it impracticable to disclose the report having regard to his age and understanding or undesirable to do so having regard to potential serious harm which might thereby be suffered by him.

(2) In any case in which the court has determined that the relevant criteria are satisfied, the court shall, for the purpose of determining the maximum period of authorisation to be specified in the order, take into consideration such information as it considers necessary for that purpose, including such information which is provided in pursuance of section 9 of the Act of 1969.

(3) Any written report may be received and considered by the court without being read aloud.

### **Duty of court to explain manner in which it proposes to deal with case and effect of order**

22.—(1) Before finally disposing of the case, the court shall in simple language inform the relevant minor, any person conducting the case on his behalf, and his parent or guardian, if present, of the manner in which it proposes to deal with the case and allow any of those persons so informed to make representations; but the relevant minor shall not be informed as aforesaid if the court considers it undesirable or, having regard to his age and understanding, impracticable so to inform him.

(2) On making any order, the court shall in simple language suitable to his age and understanding explain to the relevant minor the general nature and effect of the order unless it appears to it impracticable so to do having regard to his age and understanding and shall give such an explanation to the relevant minor's parent or guardian, if present.

## **PART IV**

### **EVIDENCE—TELEVISION LINKS AND VIDEO RECORDINGS**

#### **Evidence through television link where witness is a child or is to be cross-examined after admission of a video recording**

23.—(1) Any party may apply for leave under section 32(1)(b) of the Criminal Justice Act 1988(9) for evidence to be given through a live television link where—

- (a) the offence charged is one to which section 32(2) of that Act applies, and
- (b) the evidence is to be given by a witness who is either—

---

(9) 1988 c. 33; section 32(1) was amended by the Criminal Justice Act 1991 (c. 53), section 55(2).

- (i) in the case of an offence falling within section 32(2)(a) or (b) of that Act, under the age of 14,
- (ii) in the case of an offence falling within section 32(2)(c) of that Act, under the age of 17, or
- (iii) a person who is to be cross-examined following the admission under section 32A of that Act of a video recording of testimony from him,

and references in this Part to an offence include references to attempting or conspiring to commit, or aiding, abetting, counselling, procuring or inciting the commission of that offence.

(2) An application under paragraph (1) above shall be made by giving notice in writing, which shall be in the form prescribed in Form 51 of Schedule 2 or a form to the like effect.

(3) An application under paragraph (1) above shall be made within 28 days after the date on which the defendant first appears or is brought before the court on an information charging him with the offence.

(4) The notice under paragraph (2) above shall be sent to the clerk to the court and at the same time a copy thereof shall be sent by the applicant to every other party to the proceedings.

(5) A party who receives a copy of a notice under paragraph (2) above and who wishes to oppose the application shall within 14 days notify the applicant and the clerk to the court, in writing, of his opposition, giving the reasons therefor.

(6) An application under paragraph (1) above shall be determined by a justice of the peace without a hearing, unless the justice otherwise directs, and the clerk to the court shall notify the parties of the time and place of any such hearing.

(7) The clerk to the court shall notify all the parties and the person who is to accompany the witness (if known) of the decision of the court in relation to an application under paragraph (1) above. Where leave is granted, the notification shall state—

- (a) where the witness is to give evidence on behalf of the prosecutor, the name of the witness, and, if known, the name, occupation and relationship (if any) to the witness of the person who is to accompany the witness, and
- (b) the location of the court at which the proceedings should take place.

(8) The period specified in paragraph (3) above may be extended, either before or after it expires, on an application made in writing, specifying the grounds of the application and sent to the clerk to the court and a copy of the application shall be sent by the applicant to every other party to the proceedings. The clerk to the court shall notify all the parties of the decision of the court.

(9) An application for extension of time under paragraph (8) above shall be determined by a justice of the peace without a hearing unless the justice otherwise directs.

(10) A witness giving evidence through a television link pursuant to leave granted under paragraph (7) above shall be accompanied by a person acceptable to a justice of the peace and, unless the justice of the peace directs, by no other person.

### **Video recordings of testimony from child witness**

**24.—**(1) Any party may apply for leave under section 32A of the Criminal Justice Act 1988(10) to tender in evidence a video recording of testimony from a witness where—

- (a) the offence charged is one to which section 32(2) of that Act applies,

---

(10) Section 32A was inserted by the Criminal Justice Act 1991, section 54.



- (b) in the case of an offence falling within section 32(2)(a) or (b) of that Act, the proposed witness is under the age of 14 or, if he was under 14 when the video recording was made, is under the age of 15,
- (c) in the case of an offence falling within section 32(2)(c) of that Act, the proposed witness is under the age of 17 or, if he was under 17 when the video recording was made, is under the age of 18, and
- (d) the video recording is of an interview conducted between an adult and a person coming within sub-paragraph (b) or (c) above (not being the accused or one of the accused) which relates to any matter in issue in the proceedings;

and references in this rule to an offence include references to attempting or conspiring to commit, or aiding, abetting, counselling, procuring or inciting the commission of, that offence.

(2) An application under paragraph (1) above shall be made by giving notice in writing, which shall be in the form prescribed in Form 52 of Schedule 2, or a form to the like effect. The application shall be accompanied by the video recording which it is proposed to tender in evidence and shall include the following, namely—

- (a) the name of the defendant and the offence or offences charged,
- (b) the name and date of birth of the witness in respect of whom the application is made,
- (c) the date on which the video recording was made,
- (d) a statement that in the opinion of the applicant the witness is willing and able to attend the trial for cross-examination,
- (e) a statement of the circumstances in which the video recording was made which complies with paragraph (4) below, and
- (f) the date on which the video recording was disclosed to the other party or parties.

(3) Where it is proposed to tender part only of a video recording of an interview with the witness, an application under paragraph (1) above must specify that part and be accompanied by a video recording of the entire interview including those parts of the interview which it is not proposed to tender in evidence and by a statement of the circumstances in which the video recording of the entire interview was made which complies with paragraph (4) below.

(4) The statement of the circumstances in which the video recording was made referred to in paragraphs (2)(e) and (3) above shall include the following information, except in so far as it is contained in the recording itself, namely—

- (a) the times at which the recording commenced and finished, including details of any interruptions,
- (b) the location at which the recording was made and the usual function of the premises,
- (c) the name, age and occupation of any person present at any point during the recording, the time for which he was present and his relationship (if any) to the witness and to the defendant,
- (d) a description of the equipment used, including the number of the cameras used and whether they were fixed or mobile, the number and location of microphones and the video format used and whether there were single or multiple recording facilities, and
- (e) the location of the mastertape if the video recording is a copy and details of when and by whom the copy was made.

(5) An application under paragraph (1) above shall be made within 28 days after the date on which the defendant first appeared or was brought before a court on an information for the offence.

(6) The period of 28 days in paragraph (5) above may be extended by a justice of the peace, either before or after it expires, on an application made in writing, specifying the grounds of the application. The clerk to the court shall notify all the parties of the decision of the court.

(7) The notice under paragraph (2) or (6) above shall be sent to the clerk to the court and, at the same time, copies thereof shall be sent by the applicant to every other party to the proceedings. Copies of any video recording required by paragraph (2) or (3) above to accompany the notice shall at the same time be sent to the court and to any other party who has not already been served with a copy, or in the case of a defendant acting in person, shall be made available for viewing by him.

(8) A party who receives a copy of a notice under paragraph (2) above shall, within 14 days of service of the notice, notify the applicant and the clerk to the court in writing—

- (a) whether he objects to the admission of the video recording or recordings disclosed, giving his reasons why it would not be in the interests of justice for it to be admitted,
- (b) whether he would agree to the admission of part of the video recording or recording disclosed and if so, which part or parts, and
- (c) whether he wishes to be represented at any hearing of the application.

(9) After the expiry of the period referred to in paragraph (8) above, a justice of the peace shall determine whether an application under paragraph (1) above is to be dealt with—

- (a) without a hearing, or
- (b) where any party notifies the clerk to the court pursuant to paragraph (8) that he objects to the admission of any part of the video recording and that he wishes to be represented at any hearing, or in any other case where the court so directs, at a hearing at which the applicant and such other party or parties as the court may direct may be represented,

and the clerk to the court shall notify the applicant and, where necessary, the other party or parties, of the time and place of any such hearing.

(10) The clerk to the court shall within 3 days (not counting Saturdays, Sundays, Good Friday, Christmas Day or Bank Holidays) of the decision of the court in relation to an application under paragraph (1) above being made, notify all the parties of it in the form prescribed in Form 53 of Schedule 2 or a form to the like effect, and, where leave is granted, the notification shall state whether the whole or specified parts only of the video recording or recordings disclosed are to be admitted in evidence.

## PART V

### MISCELLANEOUS

#### **Register of proceedings in youth court**

**25.** Such part of the register kept in pursuance of rules made under the Magistrates' Courts Act 1980<sup>(11)</sup> as relates to proceedings in a youth court shall be kept in a separate book.

#### **Issue of summons or warrant to enforce attendance of parent or guardian**

**26.** Where a child or young person is charged with an offence, or is for any other reason brought before a court, a summons or warrant may be issued by a court to enforce the attendance of a parent or guardian under section 34A of the Act of 1933<sup>(12)</sup>, in the same manner as if an information were laid upon which a summons or warrant could be issued against a defendant under the Magistrates'

---

<sup>(11)</sup> 1980 c. 43.

<sup>(12)</sup> Section 34A was inserted by the Criminal Justice Act 1991 (c. 53), section 56.

Courts Act 1980 and a summons to the child or young person may include a summons to the parent or guardian to enforce his attendance for the said purpose.

### **Payment of money by person subject to attendance centre order**

**27.**—(1) Where a person under the age of eighteen is ordered, under section 17 of the Criminal Justice Act 1982(**13**), to attend at an attendance centre in default of payment of a sum of money, payment may thereafter be made—

- (a) of the whole of the said sum, to the clerk of the court which made the order, or
- (b) of the whole or, subject to paragraph (2), any part of the said sum, to the officer in charge of the attendance centre specified in the order.

(2) The officer mentioned in paragraph (1)(b) may not accept a payment of part of the said sum unless it is an amount required to secure a reduction of one complete hour, or some multiple thereof, in the period of attendance specified in the order.

(3) The clerk of the court shall, on receiving a payment under paragraph (1), forthwith notify the officer mentioned in paragraph (1)(b).

(4) The officer mentioned in paragraph (1)(b) shall pay any money received by him under that paragraph to the clerk of the court which made the order and shall note the receipt of the money in the register maintained at the attendance centre.

### **Form of warrant where young person is committed to remand centre or prison**

**28.** Where a young person is remanded or committed to a remand centre or prison under section 23(4) of the Act of 1969(**14**), the court shall record in the warrant of commitment that it has declared as mentioned in section 23(1) of that Act.

### **Forms**

**29.**—(1) The forms in Schedule 2, or forms to the like effect, may be used with such variation as the circumstances may require, and may be so used in lieu of forms contained in the Schedule to the Magistrates' Courts (Forms) Rules 1981(**15**).

(2) For the purpose of facilitating the performance by supervisors of their functions under section 14 of the Act of 1969 of advising, assisting and befriending persons subject to supervision orders the following additional requirements to be complied with by the person subject to the order are prescribed for the purpose of inclusion (if the court considers it appropriate) in supervision orders made under section 7(7) of the Act of 1969, that is to say either or both of the requirements set out in paragraph (3).

- (3) The requirements mentioned in paragraph (2) are—
  - (a) “That he/she shall inform the supervisor at once of any change of his/her residence or employment”;
  - (b) “That he/she shall keep in touch with the supervisor in accordance with such instructions as may from time to time be given by the supervisor and, in particular, that he/she shall, if the supervisor so requires, receive visits from the supervisor at his/her home”.

---

(13) 1982 c. 48.

(14) Section 23 was substituted by the Criminal Justice Act 1991, section 60(1), and for the time being has effect with the modifications set out in section 62 of that Act.

(15) S.I. 1981/553, amended by S.I. 1982/246, 1983/524, 1984/1542, 1985/1945, 1986/1333, 1990/336.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

27th August 1992

*Mackay of Clashfern, C.*